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TOPICS OF THE WEEK.

HAS Government nothing better to offer to the people of the Punjab than an appeal to forget the bitter memories of official excesses, in the confidence that in any future disturbances a recurrence of such outrages is impossible? It is easy enough to ask people to forget; we wonder what would have been Sir Edward Maclagan's feelings if the Indians and the Europeans had interchanged places in the last year's disorders. Besides, an oblivion of past events cannot be had to order; people would have readily forgiven and learnt to forget if Government on their side had imposed condign punishment on the official culprits. But what they are now doing is to flaunt their impunity before the public so as to force the conviction upon the public mind that Government's agents, however heinous their misdeeds, are beyond the reach of justice. Sir Edward gives a quite superfluous assurance that, in the event of such disturbances in the future, "roughness and irregularity (to some extent inevitable) will be reduced to a minimum;" and "all that has given rise to unnecessary bitterness will, as far as possible, be studiously avoided." Small thanks to Government if such proves to be the result. It will be due entirely to the growing force of public opinion and to the greater constitutional power which people will wield in the new era. As far as Government are concerned, unless a sudden change of heart takes place, they will be anxious then as now to shield the officials.

AFTER Aligarh, Benares. Having done his best to destroy the one, Mr. Gandhi will be forced, if only to avert the suspicions of the Mahomedans to which he will naturally expose himself, to destroy the other. For the present, however, he seems to have detailed lesser folk for the task. Dr. Ansari, Mr. Jawaharlal Nehru and others have

begun their assault. They seem destined, however to meet with an even greater ill-success there than at Aligarh, for while the authorities of Benares are sure to be as firm as the trustees of the M. A.-O. College, the students are not disposed to be half so rowdy. The heady elements among the Aligarh students are still causing trouble, but in Benares the majority of students are said to realise the injury which non-co-operation as applied to educational institutions will inflict not only on their individual careers, but on the interests of the country in general. We hope that Pandit Malaviya, who is lying ill at Benares, will soon be restored to health and be enabled to repel the attack which, we feel sure, Mr. Gandhi intends to direct against Benares.

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COL. WEDGWOOD said in a speech in Lahore: "He disliked the non-co-operation movement, because he was sure that it would promote race hatred; and he hated race hatred. Of course, he did not mean that Mahatma Gandhi preached race hatred, but he knew that everybody was not a Mahatma. The effect of the movement on the common run of the people would be to estrange them from the British. . . . He wanted the two races to live in amity." "He thought the non-co-operation movement made a mistake in boycotting the councils. Opposition to Government would be more effective from within. As to the boycott of schools and colleges, he was of opinion that it should be avoided till national schools and universities came into existence." Asked how Indians could go to the legislative councils which were a part of the Government machine, with the Khilafat and the Punjab wrongs before them, Col. Wedgwood replied that "in the attainment of self-government lay the surest guarantee against a repetition of such wrongs and that was why he advocated opposition to Government from within the council. 10 or 12 good men could surely be found in the Punjab who would serve the purpose."

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THE establishment of a Labour Bureau under an official of the Board of Trade, which Sir George Lloyd announced in his reply to the deputation of the Trade Union Congress will be sagerly welcomed by the people. It is but too true that, owing to the lack of accurate statistical information, there is very little understanding of the rights and wrongs of any industrial dispute that may break out and the public are often guided by their gene-

ral sympathies to espouse the side either of labour or capital. If reliable statistics can be compiled and made available to the public in a popular form, there is no doubt, as Sir George observed, that it will be not only "of the very greatest value to Labour as a whole, but will enable the newspapers and the general public to take a wider and more intelligent interest in the affairs of Labour; and, when the workmen's case is a good one and his claims are fair, will rally to his side a well-informed public opinion." In view of the strikes which are constantly breaking out in Bombay, the supply of reliable information which will be ensured by the setting up of the Labour Bureau is an urgent necessity, and Sir George Lloyd's Government deserve credit for taking such prompt action in a matter closely affecting the interests not only of Labour, but of the general public.

ONLY last week Mr. Gandhi reprimanded the people of Poona for assembling in their thousands at a gathering where the Governor of Bombay was present. The Poona public who attend indifferently Mr. Gandhi's and the Governor's meetings may be justly condemned for their tepid sympathy with non-co-operation, but the Nationalist leader, Mr. Baptista, so far forgot non-co-operation as to send an invitation to the same agent of the robber Government, Sir George Lloyd, to attend a labour conference. This time, however, the Governor was unable to be present. Directly, Mr. Baptista arranges a Nationalist deputation and waits, at its head, upon Sir George Lloyd, expressing regret for his inability to attend the conference and "lays before Your Excellency the resolutions of the conference." Mr. Baptista cannot bear that Government's attitude to labour is one of "benevolent neutrality;" he hopes it will be changed into one of active intervention in the interest of labour. It is only with "assistance from Government" that he can look to the fruition of the objects with which the labour agitation is started. "Will not Your Excellency exercise your influence and powers of persuasion to induce the Government of India to accept the delegates we wish to nominate?" Thus we find Mr. Baptista praying for this, that and the other thing at the deputation's interview with the Governor. When in the Calcutta Congress he suggested resort to the weapon of "strikes, general strikes all over the country" as the best form of non-co-operation, one would have thought that this was to be independent of all Government support. But Mr. Baptista's idea seems to be that he is to organise strikes and the Government is to terminate them by intervention. Thus by taking Government's assistance is Government to be brought to their knees. Such are Nationalist non-co-operators!

IN his tour of the Maharashtra Mr. Gandhi was encountered with the non-Brahman agitation, the real inwardness of which he does not seem to have grasped from his utterances. The non-Brahman

agitation in the Deccan is inspired by far different ideals and carried on by far different methods from those which are pressed into service by the non-Brahmans of the Madras Presidency. There is indeed a section of the non-Brahman community in the Deccan which wishes to imitate Madras and promote Brahman hatred, but this section is in a small minority. The bulk of the non-Brahmans who are at all active are engaged in the noble task of overthrowing the social and spiritual domination of the Brahmans and gaining for themselves a position of equality. On the political side, they wish nothing more than that their rights of citizenship should be fully secured to them and that measures should be promptly taken to remove their present backwardness. This, everyone will recognise, is a worthy object, and all the Liberals in the Deccan, many of them Brahmans by caste, are doing all they can to help their non-Brahman brothers to come into their own. In fact, the non-Brahman agitation is really a joint endeavour of all Liberals to reconstruct society on a basis of justice and equality.

MR. GANDHI, if his speeches are correctly reported, evidently regards it as a revolt of the non-Brahmans which must be put down at all hazards. In Madras he said that the treatment of non-Brahmans by the Brahmans was as satanic as the treatment of non-Brahmans by the British, and he added that the non-Brahman demands should be fully met without trying to make terms. It is difficult to reconcile these sentiments with those which he is reported to have voiced in his lectures in the Satara district. There he is alleged to have exhorted the non-Brahmans to teach themselves to look upon the Brahmans as super-men and to worship them as such. It is possible that this version of his speech is incorrect, and we should have taken no notice of it but for the fact that he is reputed to be a believer in the caste system based on the accident of birth, and there is no limit to the absurdities to which such a belief will drive men whose logic on other matters is entirely sound and unexceptionable. If Mr. Gandhi had inquired more closely he would have found that the cause of the non-Brahmans is wholly just, and, what would have interested him more, that they have already forestalled him in his campaign of non-co-operation, for, driven to desperation, they have carried out non-co-operation against the Brahmans in several places.

NO one has suffered more in the Punjab and no one is better able to exact retribution for his sufferings than Lala Harkishan Lal; and when such a man as he seeks entry into the council, it may be safely presumed that to him no more promising means of obtaining justice in a collective way is apparent than the utilisation of the constitutional power that is conferred upon the country. Again, no one was more horrified by the Punjab atrocities than Mr. Eardley Norton, and

the moral indignation that was roused in him has moved him now to go into the Legislative Assembly with a view to seeking redress there. His opposition to non-co-operation is uncompromising; it will only lead, in his opinion, to political suicide, so far as it is effective. The reforms are, in his judgment, not inconsiderable, and he counsels the Indians to accept them as an instalment of the greater reforms to come. To take a third instance, we have no better champion of our cause in England than Col. Wedgwood, who feels for the Punjab outrages no less keenly than any one amongst us. He also advises the same course—to make the fullest use of reforms. The citation of these instances should be a conclusive proof of the disinterested patriotism of those who are candidates for election to the councils, if not of the soundness of the method they employ. Lala Harkishan Lal, Mr. Norton, and Col. Wedgwood realise that the Government is a sinner, but non-co-operation is not the proper means to bring them to repentance.

* * *

AT a social function at Dibrugarh held on the 4th instant, Mr. C. R. Das, the great Nationalist leader of Bengal, spoke at length on non-co-operation. He traversed the whole of Mr. Gandhi's programme, taking strong exception to every item in it, not excluding that of the boycott of councils. Still he protests his unshaken and unshakable belief in non-co-operation. As the *Calcutta Servant* remarks: Mr. Das "is not prepared to abandon the principle of non-co-operation, after all possible applications of the principle have been banned. Mr. Das has not favoured us with the programme of non-co-operation which is the outcome of his attachment to the non-co-operation principle. Are we to understand (the paper asks) that the bare concept, stripped of all its content, is all that Nationalism demands?" At any rate Nationalism in the Deccan demands no more. Every prominent Nationalist there is, in the expressive phrase of Mrs. Besant, a Principle-without-Practice Non-Co-operator.

* * *

IT is amusing to see how the fierce leonine roarings of Mr. Satyamurti in British India subside into the cooings of the gentlest of doves in a native state. Last week he presided over a gathering in Pudukottah, where he could muster no more courage than to exhort the people to demand that the Legislative Council in the State, composed of a "distinct majority" of elected members, should have the power to make laws, to put questions and move resolutions "which may in the first instance be in the nature of recommendations to the Darbar." "The Darbar shall place the budget before the Council who shall have the right of passing it or rejecting it, subject to the power of the Darbar to restore disallowed items of expenditure in exceptional cases." Dyarchy is no doubt a very bad form of government; it is bad because it institutes responsible government only in certain departments, while retaining the officials in irres-

ponsible authority over others. Dyarchy appears perfectly damnable to Mr. Satyamurti, but perhaps even he will grant that it is far better than a condition of utter irresponsibility in regard to all departments, which, however, he thinks is good enough for the people of native states to begin with. The enactment of the Montagu reforms is, as it appears to him, a visible proof of the bankruptcy of British statesmanship, but the concession of the exiguous reform he outlines above for the especial behoof of the native states would be, in Mr. Satyamurti's eyes, a crowning glory on the part of the benignant rulers. He drew the attention of the conference to the change proposed to be made in the Congress constitution in regard to the native states which would in effect "reduce the States, he said, to the status of mere British provinces." We have an idea that the people residing in these states would desire nothing better than to be admitted to the same political power as may be bestowed in the British provinces.

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THE suggestion of the All-India Congress Committee that non-co-operationists should wait in deputation on candidates for election to the council with a view to dissuading them from this form of sin is not acted upon to any appreciable degree. The reason of it seems to be that there are few persons in the country who, because of their own inability to accept the non-co-operation programme in its entirety, do not expose themselves, by expatiating upon the sinfulness of entry into the councils, to a *tu quoque* retort. In the Deccan especially there is not a single man of note among the extremists who does more than acquiesce, against his better judgment, in one little item of the programme, viz. the boycott of councils. The difficulty of making up a decent non-co-operation deputation can therefore be imagined. If one such is formed and ventures to approach candidates, it finds itself worsted in argument in the very first encounter. Mr. V. R. Shinde, for instance, who is seeking the suffrages of the urban constituency of Poona for election to the local council, was able to silence the deputation which visited him in no time.

"Do you, gentlemen, believe," he asked, "that abstention from the councils would bring home rule nearer?" "Not that we believe in the utility of boycott. Left to ourselves, we would have entered councils and fully utilised the reforms. But adoption of the non-co-operation resolution by the Congress changes the complexion of things. It is now our duty to set aside our own convictions and carry the resolution into effect." "So it is only a matter of obeying the Congress mandate?" "Quite." "Well, I suppose, gentlemen, you will agree that every resolution of the Congress demands the same degree of loyalty from you. The Congress has also ordered the country to remove the untouchability from the depressed classes, and to treat them on terms of equality with others. Let some of these people for whom I am labouring all my life draw water from the public cisterns and pour it on a god supposed to be the exclusive property of Brahmaas. If, as true Congressmen, you allow this, I will retire from the election contest."

Needless to say, the deputation, being dumbfounded, had no alternative to wending its way home.

EVERY CHILD IN SCHOOL.

"SCHOOLS for all children and all children in school" is the ideal which India must keep steadily before herself and attain at all costs within a few years of the working of the Reforms Act. In the Bombay Presidency the problem is not a little complicated by the fact that the ill-gotten gains of the sale of alcohol go to swell the educational budget. The auction system which has been recently introduced has added more than 42 lakhs a year to the abkari revenue within the last four years, the percentage of increase being over 65! The abolition of drink being as near the heart of Indian reformers as the expansion of education, the ministers charged with the conduct of these two departments will be faced with a task of unusual difficulty. With a sweeping reduction and an early cessation of the liquor money and with notoriously inexpansive revenues, the minister of education will find it extremely hard to finance schemes of educational progress, particularly because the Government of India has with a pigheaded obstinacy set its face against giving the provincial Governments a share in the receipts of the income-tax. Even so, the minister will have to take the courage in both his hands, and with a wise adjustment of the financial burdens achieve both the objects in the space of a few years. He will at all events receive the unflinching support of the mass of people who are ready to suffer almost any burdens to get rid of the two terrible evils of illiteracy and drunkenness. The Liberal party in the Deccan have already begun a campaign of educating the masses, and the response which they met with is indeed gratifying. At several conferences of the backward classes and at several public meetings resolutions were enthusiastically passed affirming the people's readiness to pay additional taxes in order to sweep away their ignorance and intemperance. In places where the leaven of reform ideas is at work and which are not yet touched by the extremist propaganda of negation, popular enthusiasm will not be wanting for the rapid spread of education and an early extinction of alcoholism.

At a time when we are on the threshold of far-reaching reforms in the constitution, making it possible for the first time to secure a wide extension of education by a popular vote, it is stimulating to read how other countries, which are far ahead of us on their way to the goal of universal elementary education, have been speeding up their progress which was somewhat slackened by the European war. In America the Children's Labour Bureau of the U. S. Department of Labour carried on a vigorous campaign of "Back-to-School"* with the object of sending back to school thousands of boys and girls who had been drawn into work by the war-time demand for labour and an allied campaign of "Stay-in-School" with the object of keeping them there. "In many commu-

*"Every child in School: A safeguard against Child Labour and Illiteracy." Publication No. 64 of the Children's Bureau.

nities all the children who had left school during the few months previous were visited and an effort was made to return them to school. Children who had left school in rural districts were followed up and urged to continue their schooling as well as the children in the cities and towns. In a number of rural districts committees were appointed for each township and an effort was made to convince the parents that farm work for children is a loss rather than a gain if it is a substitute for schooling. It was pointed out to them that if the boys and girls of to-day are going to increase production on the farms in the future, they must go through a prolonged period of intelligent training." Because the success of a Back-to-School drive is largely dependent upon the parents, in some localities schools with travelling teachers were started for parents. The homes were visited for the purpose of informing the parents of the educational opportunities open to their children in the schools in order that they might understand what the boys and girls are being deprived of when they leave school early. Various ingenious methods were employed to awaken communities and individual parents to the value of education. As a result of the campaign the school period for many boys and girls has been prolonged. "But the real value has been even more far-reaching than keeping a few boys and girls in school. Communities are being awakened to the needs of the working child. They have discovered that the million or more children under 16, who leave school each year to go to work, are not forced into work by poverty. Many of them are unaware of the advantages of an education or are moved simply by youthful restlessness or distaste for school. They have found that many children begin their working lives with only a scant educational equipment and before they have had a chance to develop physically. They are more and more becoming aware of the waste of early employment and are recognising the fact that every child who goes to work prematurely contributes to ill-health, industrial inefficiency, unemployment, low wages, poverty and illiteracy." "It is not sufficient to secure legislation compelling children to attend school. There must be schools for them to go to and they must be made so plainly attractive that boys and girls will want to attend. The results of the Back-to-School drive indicated that the majority of children leave school because they are not interested in school and that the school fails to provide the training which meets their needs. If we are to keep children from going to work too early in life we must provide a schooling which holds their interest, satisfies their need, and gives them a sound foundation on which to build their industrial life when the proper time comes for them to enter industry."

As a result of little or no schooling, 1 out of every 10 adults in the city and 1 out of every 5 adults in the country can neither read nor write in the United States, and the illiteracy rate is

eighth in the list of civilised countries. One of the principal causes of this backwardness is the inadequacy of the law of compulsory attendance. Employment in agriculture and domestic service are exempt from the operation of the State laws. It is true that the Federal Government has stepped in and has said that child labour must be prohibited in every State up to a certain age. But the Federal child-labour law which provides for an excise tax upon the profits derived from the work of children prohibits only the employment of children under 14 in manufacturing establishments, agriculture being exempted. Nearly three-fourths of working children between 10 and 16 years of age are employed in agriculture, and they are not protected by the child-labour laws. The English law is more stringent. Under the Fisher Education Act no child in all England can work at any occupation, including agriculture, before the age of 14. Up to that age he must attend school every year for a full school term of nine months. In America "it is proposed to extend the principle of Federal aid to the elementary school. The Towner Bill introduced in Congress in May, 1919, provides for an annual Federal appropriation of \$100,000,000 for educational purposes which would be distributed among the States according to population." If Congress grants this appropriation it will mean that all the children of this country (the United States) may in time have equal educational opportunities." Iowa passed a new school law this year which provides for the standardization of rural schools. This law carries with it an appropriation of \$100,000 to be used in bringing the country schools up to a recognised standard of efficiency. If the school is designated by the State superintendent as a standard school it will receive \$6 per capita for each child who has an average attendance of six months for the preceding school year. A number of States secured legislation establishing a minimum salary of not less than \$1000 for all teachers in the State. In other States \$1,200 has been fixed as the minimum salary for elementary school teachers.

At the conferences held by the Children's Bureau last year, the following standards for working children were proposed by a committee of persons experienced in matters pertaining to children in industry:—

Age minimum.—An age minimum of 16 for employment in any occupation, except that children between 14 and 16 may be employed in agriculture and domestic service during vacation periods until schools are continuous throughout the year.

Educational minimum.—All children between 7 and 16 years of age shall be required to attend school for at least nine months each year.

Children between 16 and 18 years of age who have completed the eighth grade and are legally and regularly employed shall be required to attend day continuation schools at least eight hours a week.

Children between 16 and 18 who have not completed the eighth grade and are not regularly employed shall attend full-time schools. Occupational training especially adapted to their needs shall be provided for those children who

are unable because of mental subnormality to profit by ordinary school instruction.

Vacation schools placing special emphasis on healthful play and leisure time activities shall be provided for all children.

Physical minimum.—A child shall not be allowed to go to work until he has had a physical examination by a public-school physician or other medical officer especially appointed for that purpose by the agency charged with the enforcement of the law, and has been found to be of normal development for a child of his age and physically fit for the work at which he is to be employed.

There shall be annual physical examination of all working children who are under 18 years of age.

Hours of employment.—No minor shall be employed more than 8 hours a day, or 44 hours a week. The maximum working day for children between 16 and 18 shall be shorter than the legal working day for adults.

The hours spent at continuation schools by children under 18 years of age shall be counted as part of the working day.

Night work for minors shall be prohibited between 6 P. M. and 7 A. M.

Minimum wage.—Minors at work shall be paid at a rate of wages which for full-time work shall yield not less than the minimum essential for the "necessary cost of proper living," as determined by a minimum wage commission or other similar official board.* During a period of learning they may be rated as learners and paid accordingly. The length of the learning period should be fixed by such commission or other similar official board on educational principles only.

THE MEDICAL SERVICES IN INDIA.—III.* HOSTILITY OF THE EUROPEANS.

IN a previous article I have dealt with the I.M.S. in its two aspects, i. e., in its relation to the civil side on the one hand, and to the R.A.M.C. on the other. In that article I have shown how the presence of the civil side was detrimental to its efficiency as a military service, and how it was an obstacle to its amalgamation with the R.A.M.C. We also saw that the I.M.S. has three elements in its composition—the military element as against the civil, and the European as against the Indian element, and that the conflict of divergent interests of these elements militated greatly against the homogeneity and smooth working of a public service. In the present article I propose to discuss the European, and the Indian elements, in order to see wherein the antagonism of their interest lies. The European element dominates the service numerically. The European agitator has exhausted every argument to show that the increase of the Indian element is highly undesirable in the interests of the service. He has not been very modest in extolling his own virtues—his professional and social superiority. He has appealed to the efficiency of the service, to the maintenance of discipline and the western standard of progress of medical science in India. Nor has he spared himself the pains to vilify the Indian in his attempts to show that he (the Indian) not only lacks these excellent qualities, but that he is incapable of developing them even under the best of conditions. And lastly, falling in argument, he has not hesi-

*Previous articles in this series appeared in the issues of November 4 and 11.

tated, as a dernier resort, to appeal to the prejudices of his race,—that the wives and families of the service men prefer to have medical attendance from men of their own race. And to give this appeal the appearance of a general demand, he has had memorials sent from all the rabid members of the Anglo-Indian community, such as the planters and the Borvalas of Calcutta, who have nothing whatever to do with the service.

FIXATION OF A PROPORTION CONDEMNED.

Unfortunately for him the great war has proved the inanity of these arguments. It has dispelled for ever the halo of virtues with which the Englishman in India had encircled himself as peculiarly his own. It has further shown that, given the opportunity and given the right man, the Indian is every bit as good as the Englishman in taking initiative and responsibility, in maintaining discipline, in a sense of honour, and in official rectitude. At the present moment, a number of medical formations are manned and run entirely by Indians, with equal, if not better, success than those run by Europeans. The present proportion of Indians in the service is about 10% of the total strength. The Secretary of State for India has decreed that the number of Indians in the service may be raised to 30%. This the Europeans are opposing tooth and nail. If the wives and families of Europeans want doctors of their own race, let their wish be gratified by all means. But they must not forget that the Indians, with whose money the service is paid, also claim the same privilege. The Europeans cannot have it both ways. Now the number of permanent I.M.S. men is about 800 in all. If this number is to be divided up according to race and nationality, the share of the wives and families of European Government servants as against 300 million Indians would be very small indeed. No doubt, the Secretary of State meant well by increasing the proportion of Indians; but in doing so, he has unfortunately played into the hands of the European agitator. The fixation of numerical proportions means the perpetuation of the racial bar which, we had all hoped, the new era was going to remove. It may be said, on the other hand, that this is only the beginning, and that in time the numbers will increase. That, however, remains to be seen. It cannot be too strongly emphasised that Indians are not in favour of preferential treatment, either for themselves or for Europeans. They have never asked for special concessions or privileges, either for this or any other service. They have never asked that a certain proportion of appointments in the public services should be reserved for them. If any Indian politician, carried away by the zeal of reforms, has demanded it, he has done so behind the country's back and behind the back of service men whose interest he has betrayed. All that the Indians ask, beg and pray for is fair field, and no favour, neither more nor less. At present, the Indian has not only to compete with the best product of the British schools, but with

Canadians, Australians, South Africans, and any others who choose to be known as Britishers. He has to go to a foreign country, study and compete in a foreign tongue, incur large expenses and then run the risk of failure. Unfortunately after overcoming these difficulties successfully, his troubles do not end, but begin there. He is subjected to official and social pin-pricks, which make his life unpleasant. The treatment he receives from the predominant partner in the service is calculated to be such as to deter others from following in his footsteps. We only ask that the obstacles, which are designed to keep racial distinction in the service and which have been placed in our way, may be removed. Let the standard for examinations be as severe as possible. Indians are prepared to compete with Englishmen on equal terms. Let the best men be selected irrespective of considerations of race and numbers, so that the State may have the benefit of the best men in its service. The Indian has been admitted into the service from its very beginning, but with the welcome of an uninvited guest. The attitude of Englishmen towards him has always been that of thinly veiled hostility. Having made a virtue of necessity, they have tolerated him in their midst with indifference, if not actual contempt. The number of Indians has been carefully kept down, and they have been studiously kept out of all places of power or emolument, on one pretext or another.

REAL CAUSE OF THE UPHEAVAL.

It was hoped, however, that with the lapse of time and with the comradeship in arms, a better feeling would prevail, as became members of the same service. But to the genuine regret of all wellwishers of India and the medical service, these hopes have not been realised, and matters have steadily gone from bad to worse. We all know that the desire for place and power is a frailty which is common to all humanity. We also know that the megalomaniac delusion of his own superiority is a malady, from which the Englishman peculiarly suffers, when he comes out to this country. But it was hoped that the advent of new forces which are shaping the course of events in the country and the new economic and political conditions which have come into being in the world would have a corrective influence on the parochial mentality of the Englishman. They have affected him in a way, but they have done so for the worse. The much talked-of angle of vision has changed, but it has made the Englishman blinder than ever to the harmful course which he is pursuing. The Indian reforms were expected to usher in a new millennium in the country, when the wolf and the sheep shall sleep together in peace and goodwill shall prevail between Indians and Europeans. Unfortunately, so far the reforms have brought nothing but strife and disaffection in their wake. Indeed they have unchained the demons of hatred and opened up the floodgates of wrath which had been pent up in the breast of

Englishmen from the days of Plassey. The reforms have been made the text of homilies to preach "discontent, uneasiness and uncertainty in the service." They have been made the pretext of a demand for that wholesale robbery, which has been so unblushingly going on in the service under the guise of increased pay, accelerated promotions, more leave, early pensions, free passages to England, and overseas allowance. The Englishman is a long-headed animal. Like the red Indian, he can ken where the ordinary eye cannot see. He knows by instinct that the reforms are the thin end of the wedge. What he is really dreading is that it will not be long before the tables are turned upon him. He knows that he has treated the Indians in the past cruelly and abominably. His own sins Hamlet-like are now rising to haunt him. In the Indian reforms he sees the Nemesis which is threatening to overtake him. This is the secret of so much upheaval in the European community. This is really why they make the Indian reforms, like the "Gott Straffe England," a *lied* of hate to be sung in private and official circles. I am sorry to have dipped my pen in the ink of politics. I am not a politician. But politician or no politician, such reflections are forced upon one, who has eyes to see and a mind to reflect, upon what is going on around him in public and private life.

TEMPORARY I. M. S. OFFICERS.

Besides the dust which has been raised by the European agitator over the question of reforms, there is another factor which has aggravated the present situation in the service to no small degree. That factor is the advent of the temporary I. M. S. officers. There are about 900 temporary officers at the present moment serving in the army, a majority of these being Indians. These officers were enlisted to meet the special demand of a special emergency. The need of medical men at the time was so great that any person with a diploma or medical degree was only too welcome. The rush at the same time was such that it was practically impossible to pick and choose. Even in the combatant ranks all sorts of unfits, the blind, halt and maimed were gratefully accepted, so long as they could stand on two legs and were able to do something. The civil medical men who had volunteered themselves for service in the I. M. S. were naturally of various types. Of course they were all civilians, who had had no military training and consequently had no idea of discipline. They had never moved in English society before on terms of equality or familiarity and were therefore innocent of the social amenities of service life. A good many of them had never seen a fire arm in their life, except perhaps in a village *mêlée* where a villager had been shot (accidentally of course) by a stray shot from a white man's gun. They had a vague idea of field service as a pandemonium of flying bullets and bursting shells, where the treacherous foe lurked behind every tent peg. Among them were medical practitioners of fairly long standing in their profession, with fa-

mily and professional responsibilities. Then there were civil Assistant Surgeons who had served in subordinate capacity and had looked upon the I. M. S. men with a kind of reverential awe. They could not feel comfortable in their company on terms of equality. There were men also who were imbued with the spirit of Young India, self-respecting, self-reliant, of an independent turn of mind to the point of touchiness. They saw insult where perhaps none was intended. Again, there were young men who had been educated in Europe, possessed British qualifications, and were as fine a set of men as one could wish to meet anywhere. All these men had made sacrifices in joining the service. All had borne privations and personal discomforts. The older men had given up their practice, and the younger men their promising careers, especially at a time when all professional competition was withdrawn, and they had good prospects of setting themselves up in private practice. They all had high hopes of being given permanent commissions. This heterogeneous conglomeration of untrained recruits is not to be judged by the high social and professional standard of the permanent service men. In assessing their shortcomings, allowance should be made for all these circumstances. Taking every thing into account, it may safely be said without fear of contradiction that the work of the temporary I. M. S. men has been quite satisfactory. The decorations and distinctions which these men have earned compare favourably with those earned by the permanent men. I repeat that these men, by their timely help, have saved the I. M. S. from complete and ignominious breakdown.

This is one side of the picture. Now let us look to the other side and see how their services have been rewarded. We have noted before what the Esher Committee were made to remark about the temporary men in their report that "out of 900 or more temporary Indian medical officers employed in the war, we understand that only a small proportion have proved themselves so fit for active service as to justify selection for permanent appointments" (para. 46). Temporary officers had to serve under I. M. S. officers, who were already jealous of the Indian element. It is easy to find fault when one is determined to look for one. And a man blinded by prejudice is a man without reason. He sees fault where none exists, and he visits the sins of one on the head of all. A British officer, whether temporary or permanent, by virtue of his commission, is entitled to a certain official and social consideration. But the treatment meted out to these men was far from friendly, considerate or sympathetic. Indeed, in some instances, it was such that it could hardly be imagined as possible anywhere else except in the I. M. S. The truth is that these men, at least the self-respecting portion of them, are so disgusted with the social and official treatment they have been receiving that they would not have anything to do with the service. This is the real reason why a very small frac-

tion out of the 900 men has applied for permanent commissions. It is a pity this side of the picture was not shown to the Esher Committee when they penned the above remark. Officially the temporary officers are given a separate scale of pay, promotion, and gratuities, which is distinct from the permanent service. This is only right. But these officers make a grievance that, apart from this distinction, they should be permitted to participate in command and other charge allowances of the service to which for the time being they belong. From their point of view this distinction is unfair.

DIFFERENTIAL TREATMENT.

The European is engaged on two years' contract. He is offered outfit allowance, a first class passage out to India and back and a gratuity. Over and above this he is given Rs. 150 a month more pay than the Indian officer. Now the European, when he comes out to this country, is little more than a school boy. Besides being new to the country, he is more liable to suffer from the *Kinder Kranheiten* of tropical India. It takes him quite two years or more to know something of the language and customs of the country. And as often as not, his professional attainments are not so good as those of his Indian colleague. It is therefore evident that, from the point of view of efficiency and usefulness, he is not so good as the Indian article. These attractive terms may induce Europeans to come out to this country for a holiday trip, but they do not make for the good of the service. They may even rejoice the heart of the European agitator to see the colour bar so insolently brandished in the face of India, but it is not sound business. This differential treatment is of course entirely indefensible. The salaries, which are paid to Government servants, are the wages for the work they do, and the better the quality of the work the higher is the scale of wages. Now in this case the higher wages are paid not because the work is good, but because the workman has whiter skin. There is strong feeling of resentment among Indians over this question of a differential scale of pay. Their silence should not be taken to mean that they will take it lying down. Silence is the measure of the depth of the current.

This resentment is already beginning to show itself, as evidenced by the fact that out of 900 temporary officers a very small proportion is applying for permanent commissions, and those who are doing so are not the right stamp of men. Memorials and representations, we understand, are also on their way. It is only the tactful handling by the D.M.S., India, and his sympathetic treatment and considerate postings, which is keeping the temporary officers in the service. This differential scale of pay has been extended to the permanent service also. This the Indians regard as a barefaced attempt to perpetuate the race distinction in its most objectionable form. They are not deceived by its camouflaged name of overseas al-

lowance. Self-respecting Indians refuse to join the service on these humiliating terms. If it is desired that the Indian should keep up the social prestige of the service, that he should frequently visit Europe to keep himself abreast in his profession, and if it is desired that he should turn out equally good work as the European, then it is equally desirable and fair that he should be treated in the matter of pay and other allowances on terms of equality with his European colleague. If smaller pay is offered, it will only keep out the very class of Indian whom it is desirable to enlist in the service. It is a thousand pities that the medical advisers of the Government of India did not place the interests of the service before considerations of race, and that they did not foresee the disastrous effect which this measure will have on the efficiency of the service. The Indians look to the head of the I.M.S. for protection of their interests as much as the Europeans. Therefore, it is a matter of great disappointment to them that he should have permitted himself to be a party to the sanction of this iniquitous measure which is as impolitic as it is unjust. It will be observed that some of the above-mentioned grievances are tangible, while others are subtle and intangible. It is the presence of the tangible which gives licence to and makes the intangible possible. It is therefore up to those heads of the service who are responsible for its smooth and efficient working to see the race distinctions removed and thereby to make the existence of the impalpable grievances impossible.

(To be continued.)

AN I. M. S. OFFICER.

HINDU LAW IN THE NEW ERA.*

ADOPTION.—III.

WE shall next proceed to discuss the disastrous effects of another principle introduced into the law of adoption by the Privy Council. It was first faintly enunciated by Lord Kingsdown in *Bhoobun Moyee vs. Ram Kishore* as early as 1865. It was not necessary for the purpose of that case to lay down any such new principle. And indeed it may well be doubted whether Lord Kingsdown was conscious that he was introducing a new principle at all. It is also further worthy of remark that the language used by Lord Kingsdown in that judgment clearly shows that in one very material point his Lordship woefully failed to understand the main principle underlying the fabric of adoption among the Hindus. That passage was as follows:—

It could hardly have been intended that after the lapse of several successive heirs a son should be adopted to the great-grand-father of the last taker, when all the spiritual purposes of a son, according to the largest construction of them, would have been satisfied.

It can be clearly shown that this idea of his Lordship did not conform to general Hindu sentiments and ideas. The spiritual purposes of a son, according to the largest construction of them, could be satisfied according to Hindu ideas only when there is the son or his own linear descendants in existence capable of offering *Pinda* and water to

* Previous articles in this series appeared in the issues of September 9 and 23, October 7, 14 and 21, November 4 and 11.

the ancestor. As soon as there comes to be a break in the continuity of linear descendants, the propositus can never feel satisfied until the breach is repaired and a continuous line of descent reestablished. The propositus can never be satisfied in his mind if the continuity gets broken and another line is substituted to carry on the work. To give a latter-day illustration. The G. I. P. railway would always wish that they have their own direct line from Bombay right up to Nagpur and that they should have their own direct connection with Nagpur and *vice versa*. They would never feel content if their direct line gets breached at Bhusawal and from that place another railway company continues the traffic upto Nagpur, and they would strain every nerve to reestablish their line. It would be poor solace to them to know that till Bhusawal they have their own direct line. Similarly every Hindu propositus could never feel contented to have his own direct line stopped at any intermediate generation and a new collateral line established to carry on the lineage. His utmost solicitude would be to have a direct lineal descendant until eternity.

It is this sentiment that Lord Kingsdown failed to understand when his Lordship penned the above passage. Indeed even according to best Hindu ideas it was not at all necessary for his Lordship to introduce any such foreign principle for the decision of that particular case. The son having left a widow competent to adopt, the direct lineal line was capable of being kept intact by the daughter-in-law making an adoption, and so Chandrabullee, the mother-in-law, had no occasion to make an adoption, because the adopted son of the daughter-in-law, Bhoobun Moyee, would have been the lineal grandson of the propositus. And so no doubt Chandrabullee had no excuse for making a fresh adoption to her own husband.

But Lord Kingsdown, instead of resting the Privy Council decision on this simple Hindu ground, proceeded to advance quite un-Hindu reasons for the decision, as mentioned above. His Lordship held that as soon as the estate reached the son's widow, Chandrabullee's power of adoption had become *incapable of execution*. These words subsequently were understood to mean that the power of adoption had become extinguished. And naturally this interpretation gave rise to the corollary that when once the power became extinguished, it could never thereafter be revived, whatever circumstances may later on intervene.

What Lord Kingsdown probably meant to say was that Chandrabullee's power of adoption became incapable of execution only so long as her daughter-in-law, Bhoobun Moyee, could herself adopt and continue the lineal succession. But the High Courts in India understood the meaning in the largest sense, viz., that the power of adoption was extinct for ever and could never possibly be revived. Properly speaking, under such circumstances the power of adoption of the widow higher up in the line is only suspended. Indeed a widow's power of creating an heir by adoption could never be wholly extinct under Hindu ideas. A widow is, under Hindu law, the surviving half of her husband's body, and naturally this surviving half must be as competent to make any adoption as the full body of the husband. She does the act, not on her own authority, but exactly as if she were the husband himself.

The ruling of the Privy Council in Bhoobun Moyee's case was understood all over India to have introduced a new principle till then quite unheard of in India. Even West and Bühler have

admitted in their Hindu Law, that Hindu Law proper or Hindu Lawyers never knew of such principle; and indeed, in the various cases argued before the High Courts, Hindu lawyers have repeatedly raised the same complaint in vain. To cite only one instance, we find that at XXVI Bombay 532 Justice Chandavarkar says:—

"It was much pressed upon us that this principle was not in accordance either with the letter or spirit of the Hindu Law as expounded in the books, or as understood by the Hindus themselves. But it is not open to us to go into that question and we must take the law as it was laid down in Bhoobun Moyee's case by the Privy Council and as it was interpreted and reaffirmed in two of their Lordship's later decisions."

The law laid down in Bhoobun Moyee's case had to be considered and interpreted and explained and expanded and contracted again and again not only by the Privy Council but by all the High Courts in India each in its own way. That process has been going on uninterruptedly since 1855 till to-day, i. e., for a period of more than half a century, and yet it must be confessed that the process of explanation has not come to a satisfactory end. The chaos reigning in this branch of the law is such that no body could definitely affirm what the final decision of the Privy Council will be in a given set of circumstances; nor could the law-expounder clearly define what the law generally is so as to be able to reconcile and explain all the decisions on a sound basis. The latest expositor of the law is no less than Dr. Gour, and that learned writer has been compelled to admit that the rule that he has evolved as the net result of numerous decisions which he has embodied in his sec. 34 of the Hindu Code, is not by any means wholly consistent with some of the decisions. Dr. Gour deserves great credit for evolving his rule and his being able to enunciate it in only a short sentence. We may as well reproduce the section: "The widow's power to adopt becomes incapable of execution on the vesting of her husband's estate in another by inheritance (but not by survivorship). But, as we have seen, even this rule cannot reconcile the various decisions hitherto given. It is further worthy of note that, even as it is, it works in many cases a great deal of mischief of quite an un-Hindu character.

We shall illustrate our meaning by taking a very general case of mischief. A and B are two joint brothers, of whom B dies first, leaving a widow. Then A dies, also leaving a widow. Suppose A's widow also dies. Then there remains only B's widow alive to represent the whole family and yet the wonder is that this sole surviving widow is, by the present law, debarred from making an adoption to continue the line of her own husband. And this disability subsists even though B may have in the most solemn terms directed his wife to make an adoption or even successive adoptions! Thus, according to the present law, B's widow is prohibited from adoption and must, on her death, hand over the whole estate to distant relations of B, or if there be none such in existence, then she must hand over the estate to the Crown! Thus the present law, by its fantastic notions of vesting and divesting, allows the interests of total strangers and even of the Crown to override the natural wishes of A and B to be represented in the world by a direct male line of heirs. Travesty of Hindu sentiments could, we feel sure, hardly be carried to further lengths.

Similarly take another case. A dies leaving a widow and a son B, and then B dies. In this case A's widow is at present competent by law to make an adoption. But if B happened to leave a widow,

and that widow also dies, then A's widow is debarred permanently! It is sickening that in over 75 per cent. of the cases of adoption reported in the Law Reports, the fight is between the widow wishing to adopt and trying to continue her husband's line and strangers who want to grab that family's estate for themselves, unmindful of the fact that the original members in the family go to hell, according to Hindu ideas, by reason of there being nobody in existence to give them *Pinda* and water! In some cases (notably in the case reported at 38 Madras 1105 on appeal to the Privy Council at 41 Madras 855) the estate of the propositus was diverted, by reason of the western doctrine of vesting and divesting, into a collateral channel in which the propositus most solemnly had warned his wife that it should not go at any cost, and this in spite of the fact that there was living the widow of the propositus himself, ready and willing to faithfully carry out her husband's solemn behests. We certainly think it is never too late to alter the law so as to make it conform to the feelings of the community who are to be governed by its provisions!

Thus the result of the introduction of an alien principle at the hands of Lord Kingsdown has been disastrous all along the line. It has not only brought in general chaos and uncertainty but it has upset and destroyed the main motive that was the basis of the idea of Hindu adoption. We are perfectly sure that if the Hindus do not rise to their dignity in the new régime and if they do not take immediate steps to make the necessary emendations, they will have proved to the world their utter incapacity to manage their own affairs in consonance with their own wishes.

We admit that it is no easy task to cleanse this Augean stable in which filth has been accumulating for nearly a century. But that is no reason why we should not try to remove the filth. Indeed the magnitude of the rubbish ought to be an incentive to strenuous efforts on the part of the leaders.

We hope to throw out some suggestions for constructive amendment in the Hindu law of adoption in the next article.

LEX.

AMONG THE MASSES.

TIME was when Indian masses took practically no interest in politics. No such interest was created in them by leaders of political movements. Perhaps they required all their energies for their work as critics of Government and had none to spare for this work. Maybe they found no stimulus for this work. But things have materially altered since the passing of the Reforms Act. The Act has enfranchised many of our people and has thus given them a new political status in the country. In fact the enfranchised have now become the "masters" from whom our politicians would derive their power to work for the good of the people. No one who is not able to secure the confidence of his people can hope to play any significant part in the politics of this country under the new dispensation. No wonder then that Indian politicians of all shades of opinion are now seen to move among the masses and to educate their masters to use their new powers to their best advantage. And already we see very remarkable results of this new political movement. A new awakening is coming over our masses. They now seem conscious of their new position and appear to take that interest in politics which they had rarely shown in the past.

As one of the party of Liberal workers, I recently had occasion to travel in Berar and East Khandesh. Similar educative propaganda was carried on in Sholapur and Satara districts. We visited several places, some of them miles away from the railway line, and in each we lived and moved among the masses. We had thus numerous opportunities of coming into intimate contact with them and entering into their thoughts and feelings. Indeed we knew there the people of the land much better than we could ever have done living in cities like Poona. We were surprised not a little to find that these men showed unmistakable signs of a new-born interest in politics. They could distinguish the provincial from the Imperial legislature and seemed already familiar with many things connected with elections and other allied matters. They appeared to realise the immense value of the franchise which, they saw, they could use for their own good. We, therefore, needed not many words to persuade these men, assembled in their thousands in the conferences and meetings that we addressed, to resolve to leave unheeded the appeals made to them by the apostles of non-co-operation, some of whom were present in these gatherings to preach their gospel and properly to use their vote to secure their own welfare.

Now the first requisite of national welfare is universal education. That is the basis of all progress. Without mass education we can never hope to carry out with any remarkable success our schemes to increase national wealth and to improve national health. This was clearly recognised by the people we met everywhere in our tour. Their one cry was education and more education for the mass of the people. They were ready to make the necessary sacrifice for the education of their children. In their conferences and meetings resolutions were adopted by them requesting the new councils to take immediate steps for the spread of education even though that might necessitate fresh taxation. Everywhere we saw a keen desire to make up for the lost time in this respect. They were sorry that all their children were not in school. They rightly attributed their backwardness in many things to the absence of education. No wonder then that they treated with utter scorn the idea of withdrawing children from schools.

Our new councils then may well count upon the co-operation of the people in their endeavours for the spread of education. They would in the same way get the support of the people in their attempts to promote national wealth and health, provided men inside and outside the councils move among the people and explain to them the nature of the measures to be taken for the purpose. We could, for example, enlist the support of the conferences and meetings we addressed for the abolition of drink that so much concerns the health of a people. What could be done in one instance may well be attempted in others. What we want is strenuous work carried on from day to day in the right spirit of faith and hope. With men to do this work in this spirit, we can create healthy public opinion to support the popular representatives on the new councils in their work for the good of the people and can thus secure the utmost benefit we can possibly get from the new reforms. I refuse to believe that men of the right sort will be wanting to undertake this work.

V. K. JOAG.

CORRESPONDENCE.

MR. GANDHI AND UNTOUCHABILITY.

To THE EDITOR OF THE SERVANT OF INDIA.

SIR,—The Associated Press reports that "Mr. Gandhi wanted to make it clear that he was an advocate of the caste system; only he wanted the untouchability to be removed." But there are twenty items or degrees of untouchability. Is he for removing them all?

If a Baidya or Kayastha or a high caste non-Brahman touch the cooked food of a Brahman in Bengal, although the same priest may conduct the religious rites and ceremonies of the Brahman, Baidya and Kayastha, the touch conveys pollution to the food. Will Mr. Gandhi stop this kind of untouchability? And what will remain of Hinduism or Brahminism then?—Yours, etc.

SRINATH DUTT.

4 Ray Street, Calcutta,
November 8.

TOPICS OF THE WEEK.

EVEN the Nationalists are not quite easy in their minds over the change which it is proposed to introduce in the creed of the Congress. The *Mahratta* thus reprimands the authors of the change: "It does not serve the best interests of the country to think or talk of severance of the British connexion, nor anyone wishes to do so." Mr. A. Rangaswami Aiyengar writes in the same strain. After making petulant complaints that the amendments which purport to be recommended by a sub-committee of the All India Congress Committee were not decided upon *en règle*, he observes: "Taking things as they are and having in view the fact that the Congress is a working political organisation, there is no point in looking too far ahead, while wisdom and common sense suggest that we should place for the present full responsible government within the Empire as the immediate objective of the Congress." If independence is seriously to be thought of, it is unwise to limit the Congress to "peaceful methods." Our goal must be related to the means we adopt, and "independence" and "peaceful means" go ill together. If we are not serious about independence, there is no occasion for the proposed change. By the way we may add here that Mr. C. V. Vaidya and two other convinced Nationalists suggest that to Article 1 as drafted by the sub-committee defining the goal of the Congress should be added the words "within the British Commonwealth," making it impossible for the Congress to work for independence. Their comment on the proposed constitution is that it "confers almost oligarchic powers on the All-India Congress Committee" and reduces "the average delegate to the Congress the position of a mere vote-registering machine."

THE *Amrita Bazar Patrika* remains as unconvinced as ever about the utility and advisability of Mr. Gandhi's programme of non-co-operation, every item in which is condemned by it in detail. It truly remarks that "except Pandit Motilal Nehru there is not a single Nationalist

leader who supports all the items of the programme;" It may well have said, "no Nationalist supports any important item in it." The *Patrika* hopes against hope that the Nagpur Congress will revise the programme, which, interpreted, means, "express academic approval of the non-co-operation principle and refrain from carrying it into actual practice." It realises that at Nagpur the majority will be on Mr. Gandhi's side, but it pleads that even a majority ought to defer in such a matter to the opinion of the "influential minority" consisting of Nationalist leaders in all the provinces. The *Servant* makes very caustic remarks about the *Patrika's* unwavering support of the non-co-operation principle joined to stern condemnation of every conceivable mode of practising it, and makes the just remark about its plea of "influential minority" that it "is the age-old cry of autocracy. It is the modernised variant of 'I am the State.'" Nationalism is truly in a very sorry plight.

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