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TOPICS OF THE WEEK.

THE utterances of Mr. Gandhi and the Ali brothers in the past week had given rise to a widespread apprehension that the Government of India were contemplating repressive action against the promoters of the non-co-operation movement. But we are relieved to learn from the Home Department's Resolution just published that, for the present at any rate, the Government do not intend to interfere with the liberty of those who are engaged in carrying on the non-co-operation campaign and that they are willing to let their propaganda go on unchecked. Beyond question this is a very wise decision; any restrictive action on the part of the Government would have set the country ablaze. The good sense of the country will certainly assert itself and will render abortive any further sinister developments of the non-co-operation plan. A policy of forbearance in the presence of a strong popular agitation will not weaken but only enhance the Government's moral prestige. Further, it is an agitation which, in its intent is entirely divorced from violence, and as such it necessitates on the part of the Government also the avoidance of the use of material force in a fit of panic or of tasteless resentment, and the reliance on the force of public opinion to counteract the movement. In any case, the Government must never think of resorting to any but the ordinary processes of law against anyone who in their opinion has transgressed the bounds of law in the pursuit of non-co-operation. This caution is necessary because the Government, while leaving the prime movers of the movement alone, may be tempted into seizing hold, under one or other of the "lawless laws," of the smaller fry. It is to be hoped that the Government will not be guilty of such cowardly action.

THE Government of India hold that they are entitled to take criminal proceedings against the

advocates of non-co-operation, but forbear to do so from considerations of policy. While the wisdom of the policy of let alone till actual violence breaks out is clear, the Government's right to repress non-co-operation, so far as it is practised now, as an unlawful and unconstitutional movement must be seriously questioned. We are well aware that not only the ex-Advocate-General of Madras, Mr. S. Srinivasa Aiyengar, but such Radical politicians as Messrs. Pal, Patel and Jinnah have dubbed the movement of progressive non-co-operation as unconstitutional. But no one will imagine for a single moment that the programme which has been at present taken up for action is anything but strictly legal and constitutional. The leaders of the non-co-operation movement claim that when the entire programme is carried into execution, it will result in a paralysis of the governmental machine, but that does not entitle the Government, despite the authority of Mr. Srinivasa Aiyengar, to treat every single item in the programme, however innocent in itself, as unconstitutional and to apply coercion under that pretext. Mr. Gandhi does not expect to produce a breakdown in the administration by the renunciation, on however large a scale, of titles, the boycott of schools or courts of law. These items are intended by him to train people in discipline and self-sacrifice and to purify themselves, so to say, of any contamination proceeding from association with a sinning Government. The movement may be condemned as suicidal, but it must also be recognised that it is an indefeasible right of the people to withhold co-operation from Government or a section of the public when circumstances render that course necessary or desirable. The withdrawal of children from Government's educational institutions is easily the most unwise feature in the cult of non-co-operation; but the parents have certainly a right to withdraw their children if they so choose and the Government cannot coerce them into keeping the children at school.

WHILE we appreciate the regard which the Government of India pay to liberty of speech and freedom of the press in refraining from taking any coercive action against the leading non-co-operationists, and in trusting to public opinion to make the movement harmless, we must say a word in respect of the appeal which they have made to soberminded people in the country. The latter will naturally feel impelled to denounce the movement

because of the mischievous consequences it is apt to bring in its train. But the Government must not suppose on that account that the sense of the Punjab and the Khilafat wrongs of what they call the moderate people is any the less keen than that of the non-co-operationists. They differ as to the remedy, but are at one as to the appalling character of the injustice. The most serious obstacle in the way of sober-minded and moderate people exerting a full measure of influence on public opinion lies, however, in the Government's utter unresponsiveness to popular demands. So long as the Government do nothing but counsel resignation in regard to the two national wrongs, the opponents of non-co-operation can have but limited success in their attempts to wean people from a movement which has in it infinite potentialities of mischief. To put the Khilafat question on one side for a moment, why cannot Government take strong action against officers who perpetrated shocking inhumanities on the people in the Punjab? If they cannot do this, because else the army and the civil service will be in revolt, the Government must clearly choose between that position and the people they govern being in revolt. At present, no one is a greater friend of the non-co-operationists than the Government of India who condone such culprits as the Punjab officials are. The "moderate men" will oppose non-co-operation, because as it appears to them, non-co-operation will not be helpful, but will seek to compass the same ends by other means.

It will be interesting to know what Mr. Gandhi, who is conducting his non-co-operation campaign on a high moral plane, has to say of Mr. Mahomed Ali's behaviour at Aligarh. Mr. Ali has offered a lengthy explanation of his refusal to withdraw the students peacefully from the College, but it is not an explanation which Mr. Gandhi will support. To denounce the Trustees as a set of flunkeys after they have given an adverse decision and to make that the cause for refusing to vacate the premises will not go down with anyone endowed with the least capacity for independent thinking. If the Trustees were a pack of toadies after the decision, they were no other before the matter was referred to them, and to invoke their authority was itself a pledge to abide by their decision, whatever it was. Nor does it enhance one's respect for Mr. Mahomed Ali that he scouted the wishes of his fellow-Trustees to withdraw from the precincts but quietly submitted the moment the District Magistrate stepped in. We think Mr. Gandhi must strongly repudiate Mr. Mahomed Ali's methods if he wishes to keep his movement above cavil. "Aligarh has begun well," says Mr. Mahomed Ali, "but Benares may end better." If Benares is guided by Pandit Malaviya's opinion, this hope is doomed to disappointment, for Pandit Malaviya in his speech in Benares unreservedly condemned Mr. Gandhi's idea of boycotting institutions which received grants-in-aid from Government or were affiliated

under a Government Act. He declared :

"The fact that the (Benares) University was established under the Act of Government did not by itself make it open to objection. The Railways, Posts and Telegraphs were established under Acts of Government. The King's coins and notes were issued under such Acts. In all important cities and towns, our houses had been built under the municipal Act. They did not discard them. Why, then, should we abandon a University merely because it was established by an Act of Government?"

If every kind of co-operation is *haram*, the use of Government's railways must be as sinful as the use of Government's schools; but it is sometimes urged, in palliation of the use of railways, which non-co-operationists cannot avoid, that the railways are somehow less contaminating than the educational institutions. Mr. Motilal Nehru employs this plea, and perhaps Mr. Gandhi also favours it. It is said that the riding on Government's railways is a physical act, while the imbibing of education in Government's schools concerns itself with intellectual development, and as such the latter is more harmful than the former. This reasoning would have force if it were proposed to boycott Government schools on the ground that they imparted instruction destructive of the national ideals or the impulse of patriotism. The boycott is in fact recommended merely because the schools are associated with Government. So far as association is concerned, the railways, if anything, give greater cause for non-co-operation than schools, and it is idle to extenuate the use of railways or the post and telegraph services in the way some people attempt to do. If, then, the governing idea in applying the principle of non-co-operation to the public services is nothing but expediency, is it wrong to say that, in selecting schools and colleges for the immediate practice of non-co-operation, the leaders of the movement only show that they have little faith in the value of education?

AMONG the wants of the Poona Seva Sadan, none is perhaps so urgent as that of accommodation, the recent additions and extensions to the existing buildings notwithstanding. The number of ladies availing themselves of the facilities for education and social service offered by this institution has been steadily increasing, and unless more accommodation is soon forthcoming, the further development of the institution is likely to suffer. This will be regrettable. The institution has already spent a good deal on buildings, and unless Government come forward with an extraordinarily liberal grant on this occasion, we are afraid its building requirements cannot be fully satisfied. In their anxiety to make up for the yearly deficit of Rs. 35,000, the organisers are tapping every possible source of income, and the *Dipawali* collections referred to in their appeal published elsewhere are organised with a view to make it possible even for people of ordinary means to lend such support as they can to the institution. We hope the appeal will evoke a generous response from the public.

THE ALL-INDIA TRADE UNION CONGRESS.

THE first session of the Trade Union Congress of India, held in Bombay on the 31st October, and 1st and 2nd November under the presidency of Lala Lajpat Rai, was an event of great importance. It was for the first time that the organised workers and wage-earners met in a special conference to consider questions affecting their interests. About 75 unions in the different parts of the country had affiliated themselves to, or expressed sympathy with the objects of, the Congress. There were about 600 to 700 delegates of whom about 50 represented unions outside Bombay City. Madras, Central Provinces, Jamshedpur and Lahore were represented by about half a-dozen delegates each. Considering that trade unionism in India is a movement of a recent origin, the coming together of delegates from such distant places may be considered as a hopeful augury for the future, and it may not be fair to judge too critically the organisation and proceedings of a new movement like this. But it may not be out of place to offer a few remarks and suggestions which may prove useful to the promoters of the movement in guiding and directing its organisation and activities in future.

Unfortunately this gathering of the organised workers in India went along the same lines as those of political and social gatherings: it was intended to be more a demonstrative than a deliberative body. The number of delegates that formed the Congress was too large to admit of patient deliberation and free and frank discussion. This could have been easily avoided by placing a limit upon the representation of each union according to the number of its members. This would have reduced the number of delegates from Bombay City. But the Congress would not have suffered in its influence on that account inasmuch as whatever weight the deliberations and decisions of a body like this carries either with the public or the Government depends upon the number of organisations and the total membership represented by the delegates and not upon the number of delegates present. But it seems difficult for the organisers of any conferences to alter or modify the stereotyped model set by the Indian National Congress. However, the fact that the mother of all Indian Congresses is going to be put upon a better representative basis ought to give a clear direction to those who take part in building up new organisations.

The Trade Union Congress also followed the example of other similar gatherings in having two long preliminary speeches, one by the Chairman of the Reception Committee and the other by the President. Mr. Baptista's speech in the former capacity was full of humour and pithy sayings, but it lacked cogent and serious argument. The speech of Lala Lajpat Rai was a vigorous denunciation of capitalism and of Government, whom he treated as the ally of capitalism. But his speech, too, did neither contain any constructive suggestions as to the

system by which he would like the capitalism to be replaced, nor did it give any guidance to the trade unionists who had assembled there as to the policy that they should adopt in fighting capitalism. As the President of the First Trade Union Congress, he ought to have clearly and definitely stated the aim and the goal of the trade union movement. He could have very well indicated on what basis the economic and industrial reconstruction of the country ought to be founded, whether it should be socialistic, communistic, or co-operative. Merely denouncing capitalism without pointing out its substitute will not go far in solving the real problem. We admit that it is difficult to propound with confidence any theory about the substitute for the capitalistic basis; even up to the present time, there is hardly any country in the world where any system but capitalism has been tried for a sufficiently long time. Even supposing that the Trade Union Congress consisted of delegates who were practical trade unionists and not social theorists, the presidential address ought to have contained hints showing the lines on which trade unionism should be developed in India and pointing out some of the directions in which the trade unionists should direct their activities for the improvement of the lot of their members if the movement is to achieve success.

The Congress passed in all twenty-seven resolutions. Considering that it was the first Congress of trade unionists, it is but natural that the resolutions should express only the general feeling of the workers without definitely committing themselves to any particular policy. The appointment of a Standing Committee to frame a constitution for the Congress was, of course, the first step necessary to be taken. It was inevitable that the detailed consideration of the recommendations of the International Labour Conference held at Washington and the Seamen's Conference held at Geneva as well as a number of other questions requiring fuller deliberation should have been referred to the Standing Committee. Unfortunately, this Standing Committee also is too large a body for effective action. The resolutions demanding a Workmen's Compensation Act, the appointment of Women Inspectors in factories, the establishment of creches and the removal of liquor shops from the neighbourhood of factories, pointed out the directions and the ways in which the working conditions of the factory workers may be improved. The demand for the abrogation of criminal punishment for breach of a contract for service, for improvement of conditions of work in the coal mines, for the abolition of forced labour, and for the immediate removal of the grievances of the Indian labourers in Fiji found an appropriate place on the agenda of the Congress. The sympathy shown to the men involved in different strikes in Bombay was quite natural. Resolutions about the late Mr. Tilak and Mr. Horniman's deportation lent a political tinge to the work of the Congress. There was nothing very noteworthy in

the speeches that were made on the different resolutions except that the more effective of them came from those speakers who were themselves workers, though unfortunately such were very few.

Lastly, we would like to refer to an impression which was left on the mind of the reader of the Congress proceedings that they were dominated by people who were not themselves workers to an extent neither desirable nor necessary. No doubt every one will admit that in the present condition of Indian labour it is necessary that the working classes should be assisted in their movements by some members of the educated classes who sympathise with their aspirations. While admitting this, it is necessary to state that if this outside guidance is carried beyond a certain limit it will come in the way of teaching self-reliance and self-help to the workers. The outsiders should take care not to overstep the position which properly belongs to them in the labour movement, viz. that of mere advisers. If, on the contrary, the outside helpers take upon themselves the duty of sole direction, the educative value of the movement to the workers will be lost. The golden mean is difficult to hit. But there must be a deliberate attempt at reaching it.

In spite of the criticism that is offered above it must be said that this session of the Trade Union Congress, considering the number of unions represented, the number of delegates that attended, the enthusiasm of those who took part in the deliberations and the resolutions passed, was on the whole a success. A great deal of spade work has been done and the way for future progress paved.

THE MEDICAL SERVICES IN INDIA.—II.

II.—*That the Civil and the Military Sides of the I. M. S. should be separated.*

THE arguments in favour of this view are:—

(a) We have seen before that the monopolist has failed to establish his case. This in itself is a plea for the separate service.

(b) Indian opinion is unanimous in demanding a separate civil medical service.

(c) "It is advocated by the large body of military opinion and senior R. A. M. C. officers" (vide Esher Committee's report, para. 39, Section III, Medical Services).

(d) In no other country in the world does such a combination of services exist.

(e) The vast interests of the civil population in matters of medical relief, sanitation, research work and education demand that it should have a service of its own which should be capable of expansion and independent growth.

(f) The claims of the civil population with its teeming millions far outweigh those of the military, which numbers not more than half a million all told. According to present arrangements the military has the first call on the services of the I. M. S., and it is the surplus of its

requirements which is doled out to the civil. Things are constantly changing in the military; new schemes of expansion and curtailments, of organisation and administration are being evolved every day according to the whim and fancy of the military dictators. The needs of the civil population require that its medical organisation should be stable, that it should have continuity and uniformity of policy on problems which it has to face. With the extension of education and gradual evolution of autonomous institutions, the medical needs of the country will grow and it would be more and more impossible for the military service to supply these demands.

(g) When the army is mobilised for field service, the I. M. S. officers are withdrawn from the civil side, causing disorganisation in its administration and interruption in the execution of schemes that may be in hand at the time, and the larger the number of I. M. S. men employed in the civil department the greater will be the dislocation.

ESHER COMMITTEE'S OBJECTIONS.—"LARGER EXPENDITURE."

We will consider in this place the objections to the scheme of a separate civil medical service which have been noted by the Esher Committee, in para. 50, section III, the Medical Services.

We have referred (the Committee say) to the undesirability of forming a separate civil medical service. Our views are based on the following considerations:—

The separation would probably entail a large increase of expenditure because:—

(a) It would be necessary to maintain a large cadre in the absence of a trained military reserve.

(b) Officers in the military employ would have to be paid higher salaries, owing to the loss of opportunities on the civil side.

(c) Officers on the civil side would have to be paid higher salaries owing to the loss of military rank and the protection and prestige which it affords.

(1) It is refreshing to find at least one Anglo-Indian Committee of enquiry solicitous of Indian expenditure. But it does not lie in the mouth of the Esher Committee to talk of economy who after swallowing a huge camel of ruinous military expenditure in their recommendations now make a pretence of straining at a miserable gnat. But let us see what is this increase of expenditure which they are afraid of.

The salaries of I. M. S. men are high enough in all conscience without increasing them any further. It appears to us that I. M. S. men, and for the matter of that all Europeans of the Indian service, rate their individual worth rather high. At the risk of being considered irreverent the truth must be told. And it is that the I. M. S. is not composed of such prodigies of skill and medical erudition as we have been led to believe. With few exceptions, which can be counted on the fingers of two hands, we look in vain for a Koch or a Lister on the rolls of the I. M. S., whose traditions, we are constantly being reminded, have been glorious in the past and are unrivalled in the present. And when all is said and done the contribution of the I. M. S. to the medical

lore is not very prodigious. The average I. M. S. man is of the type and calibre of an average English country practitioner who has to push his bike in mist and rain for miles and miles to see the face of half-a-crown. These men come to this country, start life on an average of £600 to £700 a year, move in society, live a luxurious life, put on airs of aristocracy, lord it over all and then talk of salaries being small.

An I. M. S. man, when starting life in this country, is more or less a school boy. He is not a finished article. He learns the art and practice of his profession at the expense of life and limb in this country. A skilled surgeon or physician is a product of the circumstances in which he is placed and of the opportunities which are given to him. In assessing the market value of an I. M. S. man, it should not be forgotten that a good deal of the medical and surgical work for which the service man takes credit is really done by his Indian assistants. We have considered the question of reserves and therefore what has been already said on the subject need not be repeated here. It is only necessary to remind that the so-called trained reserves have been unanimously condemned by every military authority who is competent to judge of their worth. It is therefore surprising that the Committee after passing strictures in uncompromising terms should try to make the very reserves a plea for the continuation of a combined service. As regards the loss of military rank which the separation of civil service involves, the objection can be met by granting military rank in Auxiliary and Territorial Forces as Reserve I. M. S. officers to such of them as cannot be happy without them. This is done in the case of R. A. M. C. in England.

DETERIORATION IN QUALITY.

(2) The second objection is "that a purely civil medical service would inevitably, under the new conditions in India, tend to become provincial and would thereby deteriorate in quality." It is not quite clear how the new conditions any more than the old would provincialise the service nor as to how provincialisation by itself would tend to bring about the deterioration in quality. The system in vogue at present is that I. M. S. officers, so long as they are in military service, are placed on one general list and as soon as they are transferred to the civil side, they are allotted to different provinces and they serve in those provinces only. This arrangement is wise and an advantage to the State. The officer makes himself familiar with local conditions and peculiarities of the province, learns the language of the people, their customs and habits and thereby becomes more efficient and useful. It is an advantage to the officer also. He is spared the uncertainty of frequent shifts and transfers to distant parts of the country. He makes himself at home and knowing the people of the province, he is better able to build up a private practice. And if he happens to make a name for himself his fame spreads throughout the province, and in the event of his transfer to another district

his fame and private practice go with him. This system of provincial allotment is not peculiar to the I. M. S., but is applicable to all Imperial services. This would remain even if the services are separated. We therefore fail to see the cogency of this objection. And if the system has not deteriorated the service in the past, it is not likely that it would do so in future. Even granted that it would provincialise the service, we fail to see where the harm comes in. Indian provinces are large enough to employ a fairly large service, at least large enough to pick and choose officers from for particular requirements. Besides if provincialism does come in, it would be in keeping with the rest of the reform scheme, in which it is intended that the provinces should as far as possible become autonomous and self-contained. The real fact of the matter is that provincialisation, though in itself not so objectionable, is a good enough stick to beat the separate civil medical service with.

(3) The third objection is that "a purely military medical service would probably suffer in efficiency from lack of the wide experience afforded by civil practice." We have seen before that such of the I. M. S. officers as go to the civil side to gain experience are lost to the military side and those who are called back to military duty are useless from the point of view of military efficiency.

"DEARTH OF EUROPEANS."

(4) The fourth objection is that "it would be increasingly difficult to obtain a reasonable proportion of well-qualified Europeans in such a service, though a strong European element is essential (a) for medical attendance on the European servants of Government and their families who have been led to expect that they will be treated by men of their own race and whose expectations it is particularly desirable not to disappoint at the present time, and (b) for the maintenance of western standards of research, efficiency and discipline in the civil medical service of Government."

The answer to this objection is —

What is to be the reasonable proportion, pray? Is 70 to 90% of the total service a reasonable proportion to treat a handful of service men and their families? It should be borne in mind that, the merchants, the businessmen, planters and railway employees, lawyers and missionaries who form the bulk of the European population in this country have their own doctors, which leaves a very small community to provide for, for which practically the monopoly of the whole service is asked.

We have seen above that there would be ample attractions in the civil medical service to attract a sufficient number of European medical men and no dearth of that precious commodity need therefore be apprehended. Moreover, the objection contemplates the separation in water-tight compartments of the doctor and his patient based on racial cleavage where none existed before. At the back of this suggestion lies an attempt at racial non-co-operation which should be deprecated at the present juncture. It smacks of the rabidity of the *Pioneer*

and the *Englishman*. Indeed it is characteristic of the European agitator that when argument fails him, he appeals to racial passions. It comes ill from the quarter which is loudest in its call for good will and peace. Surely there is ample room for both communities to work side by side in harmony and concord.

(5) The fifth objection is: "It would be unwise to break up a service which has such fine traditions and has rendered such services to India as the I. M. S." We have heard of these traditions before and have already had occasion to deal with them.

(6) The sixth objection is: "As far as we are in possession of their views, both the Government of India and local Governments are opposed to the creation of a separate civil medical service.

This is not to be wondered at, considering that the advisers of these Governments on medical matters are I. M. S. men. They are the interested party and are not likely to advise Governments against their own interests. The objection therefore does not carry much weight.

We have completed our survey of this question whether the civil and the military side of the service should be separated or remain united. We have discussed the question from both points of view giving the reasons for and against each view. And we leave the reader to judge for himself whether a case for a separate civil medical service has been made out or not.

The Unification of the Military Services.

Next, we have to consider the question of the unification of military medical services. In this aspect of the subject we have to see if the amalgamation of the I. M. S. and the R. A. M. C. is desirable and if so, to what extent it is practicable, and in what manner it could be brought about. This problem is not so easy as it looks on the surface. It presents many difficulties and has many issues involved in it. In the first place, we have to view it from the point of view of efficiency, that is the interest of the State. In the second place, there are the interests of the R. A. M. C. as a service. This service has emerged from the great war covered with honour and glory. It is a consolidated corps in which every member is imbued with a strong *esprit de corps*. The service has the ear of the War Office who have the last word in every measure of reform which affects the Indian Army. Then it has the Director, Medical Services in India, who rules the I. M. S. as well the R. A. M. C. in the military department. And there can be no doubt that the R. A. M. C. is the top dog in all matters of medical administration. Secondly, there is the I. M. S. with its house woefully divided amongst itself. The civil side headed by the the Director-General is all for the civil. It takes all it can from the civil and does not hesitate to take a slice of the good things of its military side. A very convenient plan is devised for the purpose. Every I. M. S. man who qualifies for promotion to

administrative rank must go to the military side to get it. It sometimes happens that the gentleman is not wanted back in the civil department or that he finds his military job more comfortable than his civil billet. So he stays in the military department to improve its efficiency. At least half a dozen names of officers could be mentioned who at the present moment are filling high military appointments after spending all their lives in the civil department.

The military side of the I. M. S. has no head and no master. It is a dog with a bad name. Its interests conflict with its own men on the civil side on the one hand and with those of the R. A. M. C. on the other. Though theoretically treated on equal terms with the R. A. M. C., yet in practice it has to look to another service for fair treatment as a matter of favour or grace rather than as a matter of right. When two services are working side by side, both proud, the one of its present achievements, and the other, mystified in its glorious past, the chances of friction between the two are inevitable and they must occasionally arise. But it speaks well for the tact and broad-mindedness of those who are responsible for army administration that such occasions are not very many. Lastly, there are the Indian interests as against those of Europeans. An Indian unfortunately is looked upon as an interloper in the service. He is represented by his European *confrère* as belonging to the non-martial races of India from amongst which sepoys are very sparingly or not at all enlisted, and the combatant officers have very strong objection to his appointment as medical officer to the unit they command: that the combatant native officer who is sometimes of better family and higher caste considers himself unfairly treated in that he has not the same army rank and is not admitted to the officers' mess, that the British soldier, when placed in the medical charge of an Indian, resents being treated by him more quickly, more determinedly, and with less attempt at concealment than his officers, that both in the army and in the civil services the wives of European officers strongly object to being treated by non-European doctors (*vide* British Medical Association's memorandum dated January, 1919), which means that it is undesirable to have him either with the British or Indian troops. His presence in the army is therefore tolerated as an unfortunate political necessity. But he should not be allowed to cast his defiling shadow in the precincts of those sacred temples where the gods bestow their rich gifts of nectar and manna on the white Brahmins. His numbers should not be encouraged to increase. And he must be constantly reminded of his low pedigree, by making him feel at every turn in the service that he belongs to the Panchamas of the I. M. S.

Indian interests suffer in two ways. In the first place, in the sacred councils of the Secretary of State, the D.M.S., India, or the Director-General, I. M. S., no Indian is ever admitted to give first-

hand advice on questions affecting Indians in the service or to represent Indian interests. The higher ranks of the service happily are not quite so steeped in petty racial prejudices as the lower ranks are. But our interests suffer from want of knowledge of our requirements by the powers that be. With the increase of Indians in the service these interests will also increase. It is not unreasonable therefore to hope that the authorities will see their way to arrange for the due representation of Indian interests on the head-quarters staff. In the second place, outside the service circles we have unfortunately no public opinion to bear on medical questions. There is such a colossal amount of ignorance even among our omniscient politicians on medical matters. It is true that there are provincial unions and medical societies in different parts of India; but there is no organised body which could co-ordinate and focus these provincial views and speak on Indian interests with the same authority as the British Medical Association does on European interests. This is especially deplorable at the present juncture when the spirit of reforms is abroad and the future destinies of India are in the making.

UNION NOT POSSIBLE.

With these preliminary remarks, we proceed to examine the proposition of the unification of the R. A. M. C. and the I. M. S. For the efficient working of a machine it is essential that all its component parts should work smoothly and harmoniously. Any jarring or friction between the parts is harmful to the output of satisfactory work. It is therefore evident that if jealousies and friction exist between the two services, as noted by the Esher Committee, then the machine requires attention. And it is also evident that if the defects are removed, the machine will become more efficient; and if unification can bring that about, it is highly desirable that the remedy should be recommended. The defective working of a machine is either due to defects of design or adjustment. The adjustment of parts or their replacement is only possible when they are so designed as to fit into each other. Now looking at the two parts of our machine, we find that they are of different make.

The R. A. M. C. is a purely military service in which the outlook of the officer is entirely military. He has no distraction of private practice on the civil side. He enters wholeheartedly into his work and devotes his attention and energies in studying those problems of military hygiene and administration which affect his military career. He looks for success and honour to his military work. The outlook of the I. M. S., as at present constituted, on the other hand, is civil. The military is to him a temporary stepping stone. And he awaits eagerly for early opportunity of transfer to the civil side. His work in the military, therefore, must to the outsider be only half-hearted. His aim and object in service is to have a large civil practice which would augment his income and profes-

sional reputation. So long as these organic differences exist between the two services and the I. M. S. man is more civilian than military, a union of the two services, however desirable it be, is not possible.

TWO ALTERNATIVES CONSIDERED.

The amputation of the civil arm is, to my mind, the only remedy which would make the I. M. S. an efficient service from the military point of view, whether by itself or in union with the R. A. M. C. Any attempt at a union of the two services under existing conditions would be patch-work and not a true union. A union of the two services can be brought about in two ways. The first is that the R. A. M. C. should absorb the I. M. S. and take over charge of the Indian army in addition to the British army.

In favour of this it is said:—

(1) that the R. A. M. C. is a more efficient service, its officers are purely military and are not distracted by the lure of civil appointments;

(2) that it has larger resources and therefore can supply the needs of the Indian army without difficulty;

(3) that it will find favour with the War Office; and

(4) that it will make the Indian and the British army organisation homogeneous and therefore interchangeable, which is an advantage when the two armies are operating together in the field.

Against this proposal the following objections are advanced:—

Firstly, there is our old friend, the I. M. S. traditions. This is at best a sentimental objection and it cannot carry much weight in practical politics.

Secondly, that the R. A. M. C. being purely a European service, it does not admit non-Europeans into its corps, and that in any Indian service there should be room for a growing number of Indian doctors. (Para. 34). From a practical point of view the difficulty is not insuperable. In the re-organisation of the Supply and Transport Corps, the committee suggest its amalgamation with the Royal Army Service Corps, and there is no reason why the amalgamation of the medical services on the same lines could not be suggested. I am, however, not prepared to say how far the R. A. M. C. is prepared to admit Indians on terms of equality into their corps, as far as the Indian service is concerned. As far as the consideration of this point goes, Indian opinion is not against it. In fact I am confident that Indians in the service would prefer any day to serve with and under the R. A. M. C. officers rather than the European I. M. S.

Thirdly, that this arrangement will make the Indian service an adjunct and a part and parcel of the British service. This is more of a political than a service objection. It is said that as India is started on the road to self-government on the lines of the Dominions Government, it is necessary that the plans of its future army organisation should be

laid on the same lines and that India should endeavour to be self-contained and self-supporting, both as regards the material and personnel of its future armies.

The other alternative is that the I. M. S. should take over the care of the British army and thereby eliminate the R. A. M. C. from the Indian service.

The points in favour of this proposal are:—

Firstly, that the British garrison in India forms part of the Indian army. It is housed, fed, and paid for by India. Therefore, the care of its health should also be entrusted to this country.

Secondly, that the R. A. M. C. sends out to this country its officers only while the rest of its personnel is found for it by India. If the I. M. S. officers take the place of R. A. M. C. officers, it will make the medical establishment homogeneous.

Thirdly, that the I. M. S. officers being more familiar with the service conditions in the country, and knowing more about the tropical diseases, would be in a better position to look after the British soldier than the R. A. M. C. officers.

Against this proposal the following objections are advanced:—

Firstly, that in the opinion of the R. A. M. C., who are the medical advisers of the War Office, the I. M. S. has not proved a success in the late war. Therefore the War Office will never agree to leave the care of the British army to the tender mercies of an inefficient service. Besides the medical arrangements, so far as the British army is concerned, have been and are satisfactory. There is no reason to make any change. It is the Indian arrangements which have proved a failure and they require reform, not the British army.

Secondly, that it will involve loss of opportunity to the R. A. M. C. of studying tropical diseases if they are shut out from Indian service.

Thirdly, that the combination of the civil and military I. M. S. is not conducive to the efficiency of a military service. In fact, this combination has been the cause of all its misfortunes; and,

Fourthly, that there is already difficulty in getting a sufficient number of recruits of the right stamp for the service. By taking over the care of the British army, the I. M. S. will require larger numbers of men which it will be unable to supply.

This completes our survey of the military aspect of the reorganisation of medical services as discussed by the Lovett and the Esher Committees' reports. There are other questions of importance such as the position and treatment of the temporary I. M. S., the iniquitous proposal to give differential scale of pay for the same job to Europeans and Indians, the pay and prospects of the civil assistant surgeons, which requires careful consideration. These I hope to deal with in a future communication.

AN I. M. S. OFFICER.

(To be continued.)

HINDU LAW IN THE NEW ERA.*

ADOPTION.—II.

THE law of adoption furnishes perhaps the best instance of how the original ideas of the Hindus have been completely overturned by European writers, whose ignorance of Sanskrit caused them to commit colossal mistakes in the interpretation of old texts. If there is any single rule or restriction binding upon a male Hindu in making an adoption at present, it is the one that prevents him absolutely from taking a boy of a woman whom in her maiden state he could not have legally married. This rule prevents him from adopting his own daughters, or sister's son or his own brother. And yet the wonder is that this restriction is not only not agreeable to the sentiments and feelings of Hindus in general, but it is not found enumerated in any of the ancient Sanskrit books at all. It is well known that from very ancient times a daughter's son is expressly considered as one's own son under the name of *Putrika-Putra*, and actually takes the property in the absence of issue—that is, son, grandson, great-grandson or daughter. There are also special warnings given to a man against his marrying a girl that has no brother, on the ground that the father-in-law would be claiming as his own the son born of that girl. Similarly many elder brothers are to be met with in Hindu society who regard their younger brothers as affectionately as if they were their own sons, and many younger brothers are similarly found to reciprocate that feeling by venerating and loving their elder brother as their own father. If such elder brothers were allowed a free choice they would most willingly adopt their younger brother as their own son. Indeed some instances might actually be cited to prove this in the Deccan, as a fact.

But strangely enough, the restriction mentioned above absolutely fetters their selection, and one is wonder-struck to find that these fetters have been forged not by any old Sanskrit writers, but by ignorant European *Pandits*! These European *Pandits* are, in the words of Mayne, "Mr. Sutherland, both the MacNaghtens, and both the Stranges," who were blindly accepted as authorities by the Privy Council! The late Rao Saheb Mandlik has criticised with great learning and force the origin and binding character of this restriction. He has admitted that the works of the latter-day Sanskrit writers contain this prohibition, but he has clearly shown that these people are wrong in their interpretation, and that the *Mayukha* clearly states that Sudras should preferentially adopt a daughter's or a sister's son, and that the text is not to be understood to mean any prohibition of such adoptions in the case of Brahmins.

But these learned remarks of Mr. Mandlik were a mere cry in the wilderness. And the

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

Privy Council ruled, wholly against the sentiments of the Hindu nation, that they preferred to give more weight and authority to the five European Pandits who relied upon the latter-day Sanskrit writers! Could there be found a more striking illustration of the blind leading the blind?

The idea of the adoptive father being able to treat the natural mother of the proposed boy as his possible wife or whom he had as it were himself begotten that boy is extremely ludicrous. It is a remnant of the old idea of *Niyoga*, which has long since been extinct from Hindu society. We feel quite sure that if the natural mother of a boy who has been given in adoption to a rich man, were clearly given to understand that the main idea underlying the proposed adoption was that the rich man had himself begotten that boy upon her, she would certainly recoil in horror and would forthwith pointblank refuse to give her boy to the rich man.

It will thus be seen that the principal restriction is neither Rishic, nor consonant with present-day Hindu ideas, but is saddled upon all Hindus by the European *Pandits*, being led away by latter-day Sanskrit writers. And yet all Hindus have to bend their knees and tamely submit to such repugnant restrictions in the present times. Up to the present time, the Courts were bound by the Privy Councils, the Legislative Councils were fully debarred from interfering with such matters, and so the Hindu community was completely powerless to obtain redress. Is it too much to hope that in the new era they will be the first to take such matters to the reformed Legislative Councils and get these fetters struck off as early as possible?

One of the above five European *Pandits*, viz. Sir F. MacNaghten had almost succeeded in fastening upon the Hindus a further extension of the above fanciful and un-Hindu restriction, and in that attempt he was strongly supported by the two latter-day Sanskrit writers, Dattaka Mimansa and Dattaka Chandrika. The attempted restriction was as regards another fiction being introduced into the law of adoption to fetter the widow's choice, viz. that not only must the adoptive father be competent as being considered to have begotten the boy on the natural mother, but that further the natural father of the boy must also be competent to be regarded as having begotten the boy on the adoptive mother! This fiction was for some time respected by the Courts as good Hindu Law and in many suits adoptions were set aside actually on the ground of this second fiction not having been fulfilled. A widow had adopted her own brother's son, but this adoption was held invalid on the ground that the natural father, viz. the brother, could not possibly have begotten the boy on the adoptive mother as he was her own brother. In another case a widow's adoption of her own uncle's son was objected on the same ground and Sir F. MacNaghten had unhesitatingly pronounced in favour of the objection. The author

of the Dattaka Chandrika even wanted to go a step further. Supposing that the adoptive father had in existence a plurality of wives, the Sanskrit versifier wanted the adoptive father to choose only a boy whose natural father could legally have married not only the actual adoptive mother but all the adoptive wives. This was on the ground that the adopted son becomes the son not only of the woman who makes the adoption, but also of all her co-wives! Thus Nanda Pandit was a veritable whole-hogger. We wonder Nanda Pandit did not fancifully extend his analogy still further and include even uncle's wives or aunts on the ground specifically mentioned in Sanskrit books that if out of four brothers only one has a son, that boy is the son not only of his actual father but of all his uncles also. On the same analogy Nanda Pandit could easily have laid down that the natural father of the proposed adoptive boy should be eligible to marry not only all his adoptive mothers but his adoptive aunts as well!!

But, luckily for Hindus, Nanda Pandit and his supporter Sir F. MacNaghten and the High Courts in India were checked in their whole-hogger policy after some time. Mayne himself strongly opposed not only Nanda Pandit's extension to all adoptive mothers, but even the extension that the natural father should be capable of marrying the adoptive mother. The main reason that Mayne advanced for his refusal deserves to be noticed, viz. that the Hindu Law takes no notice at all of the wife in reference to the adoption. When the husband adopts, he could adopt in absolute disregard of the wishes or inclinations of his own wife, though she is to be the adoptive mother. Similarly, when a Hindu settles to give his boy in adoption, he can likewise disregard his own wife's wishes and can indeed give his son in spite of strong objections raised by her, the boy's natural mother. If the adoptive mother as well as the natural mother are thus mere nonentities in the adoption, it is absurd for Nanda Pandit to give any importance to them in this instance and declare an adoption illegal on the ground of the adoptive mother being unable to marry the natural father. It is a pity that upon the very same ground Mayne did not likewise protest against the first rule, viz. that the adoptive father should be capable of marrying the natural mother. If women are absolutely to be non-entities, why are they to be brought forward in this instance alone, to vitiate an adoption agreed upon between the adoptive and natural fathers with mutual consent?

One would think that the absurdity of the dictum of Nanda Pandit was patent to Hindu litigants and lawyers after it was exposed by Mayne and Rao Sahab Mandlik. But cupidity and greed of property recognise no rebuff short of actual and complete dismissal. As late as 1897 we find a determined attempt made in the Bombay High Court to fasten Nanda Pandit's extension upon the Hindu community. The case is report-

ed at I. L. R., 22 Bombay 973. There a widow had adopted her own brother's son, and this adoption was impeached by the widow's own step-daughter on the authority of Nanda Pandit's fanciful extension, viz. the adoptive mother could not have married her own brother, the natural father of the boy. The trial judge accepted this contention and declared the adoption illegal, but the District Judge reversed that decree. The matter came up in second appeal before the Appellate Bench consisting of Justices Parsons and Ranade—that Bench which signalled themselves by many luminous judgments on important matters of Hindu and other laws in their celebrated régime. No less a lawyer than Mr. Rao (latterly Dewan Bahadur and at one time a Judge) was retained to support Nanda Pandit's extension before Justices Parsons and Ranade. One wonders what must have been the feelings of Dewan Bahadur Rao in labouring before Mr. Justice Ranade—as he was in duty bound to do as a Pleader—the contention that was so foreign to the general feelings of Hindus. Of course, Mr. Rao was only doing his duty by his client in pressing his contention as skilfully as it was in his power to do. He was opposed by that equally able lawyer, Mr. G. M. Tripathi. The decision was pronounced by Mr. Justice Ranade, and an extremely luminous judgment it is. Mr. Justice Ranade contemptuously dismissed the proposed extension of Nanda Pandit and declared that a widow was thoroughly entitled to adopt her own brother's son. Indeed one passage in that judgment is further significant as showing that Mr. Justice Ranade would, if he could, have equally contemptuously thrown out the original principle also, viz. about the adoptive father being eligible to marry the natural mother. He says: "In so far as daughter's and sister's sons are concerned, it is now too late on this side of India to raise the question which has been solemnly settled for the three higher castes." This shows very clearly what he would have decided if the question were then still open. The same view had been previously declared by Mr. Justice Muthuswamy Ayyar of the Madras High Court as regards the extension.

No doubt Mr. Justice Ranade, sitting as a High Court Judge, had rightly found it too late at that time to raise the question. But that does not mean that it is not still open to the new Legislative Councils to remove the restriction in the coming era as early as possible.

Finally, it may be noted that the Bombay High Court, with its succession of broad-minded Hindu Law Judges, have already wiped off almost wholly Nanda Pandit and his European confrères on this matter. They have already held a step-brother eligible for adoption. If a step-brother be eligible, nobody could say why a real brother should not be equally eligible. Indeed the Bombay High Court have *per* Mr. Justice Chaudhary expressedly declared that the rule is strictly to be confined

to a daughter's son, a sister's son and the mother's sister's son (X Bombay Law Reporter 948), thereby probably allowing one's own mother's son, i. e., brother, to be adoptible. Even as regards daughter's and sister's sons, Justice Ranade at 22 Bombay 976 has stated that the prohibition of a daughter's son and sister's son is not universally in force in the Southern Mahratta Country. All these facts show clearly how the wind of Hindu judicial sentiment has been blowing. It now requires only a legal enactment in the new Councils to finally give the quietus to Nanda Pandit's principle, and that, we sincerely trust, it shall receive at no distant date.

LEX.

A LETTER FROM LONDON.

(FROM OUR OWN CORRESPONDENT.)

LONDON, October 22.

SIR W. MEYER ON INDIA.

SIR WILLIAM MEYER was yesterday the guest at luncheon of the Overseas Club and Patriotic League, upon his appointment as High Commissioner for India. Lord Inchcape presided. Sir William, in the course of his remarks, said that the recent Act, which gave India a new charter was only a temporary half-way house towards complete autonomy. Ten years hence the whole position had to be reviewed by a Royal Commission, with a view to seeing how much more India could receive. The machine might be a bit clumsy, but it would work all right, given good-will on both sides. One hoped that the feeling which now prevailed between the moderates and the extremists would subside. He looked forward with great confidence to the visit of the Prince of Wales next year to pour oil upon troubled waters. The position was full of difficulty, but we had to go on as we had started. We had to trust that the people of India would gradually become more and more fitted for self-government, and that they would remain absolutely loyal to the Empire. We could not expect the patriotic loyalty which we got from people of our own flesh and blood in the Dominions, but there was in India a real appreciation of what Great Britain had done for the country. We must go on and be of good courage. The way might be difficult and even dangerous; but we must remember the motto of the great Indian Order—"heaven's light our guide." It will thus be seen that Sir William is among the optimists.

APPEALS BEFORE THE PRIVY COUNCIL.

Among the appeals up for disposal before the Judicial Committee of the Privy Council during the present sittings is that of Mr. Kali Nath Roy against his conviction by the Martial Law Tribunal for seditious publication in the *Tribune*. Another interesting appeal comes from South Africa, and relates to the status of colonial-born Indians who have never been under indenture.

RESTRICTIONS ON RICE IN BRITISH GUIANA.

The Indians Overseas Association has received a strong representation from the British Guiana East Indian Association, protesting against the

refusal of the Governor of the Colony to allow rice to be sold at a price that would prevent heavy loss to the holders. The present controlled price requires it to be sold below cost, and as the holders, Europeans as well as Indians, are unable to face so serious a loss as that would imply, there is something like a rice famine. It is important to note that rice is entirely an Indian industry, which has made headway in spite of the discouragement of Government. It is curious to observe in the case of sugar, which is specially grown by European capitalists, the obvious differentiation in favour of the growers. The British Guiana Association regards the Government restrictions as directed against the economic welfare of the Indian community, and it specially hopes that the attention of the Colonisation Scheme delegation that it is proposed to send from India presently will be directed to this question. Meanwhile, the Indians Overseas Association is endeavouring to enlist the intervention of the Imperial authorities, with what success remains to be seen.

CORRESPONDENCE.

**THE POONA SEVA SADAN.
AN APPEAL FOR FUNDS.**

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR,—A very modest beginning was made in the direction of giving educational facilities to grown up but poor women in this capital of the Deccan with the establishment in the year 1909, of the Institution now well-known as the Poona Seva Sadan. Ever since that year the Institution has been growing steadily and, in the opinion of many, wonderfully.

2. Thus during the space of ten years the number of women and girls taking advantage of the various instructional courses provided by this charitable institution for women belonging to all castes and creeds has risen to nearly 800 (including a few duplications) from the small number at the beginning of about 15. As is now pretty well known, the institution at present comprises the following eight departments, viz. (1) the medical, (2) the Training College, (3) together with a well equipped Practising School, (4) the primary classes for grown up women, (5) the Domestic Industries Department or the work-room classes, (6) the Special Classes to teach English and also those for First Aid and Home Nursing, (7) the Music Classes—both instrumental as well as vocal, and (8) the Infant Welfare Centre. The various courses in these different departments have been so framed as to render grown-up women—especially the needy and helpless women, self-reliant, self-respecting and at the same time able to serve the society at large by providing them with useful and practical vocational training. Furthermore, these various courses have been adopted in such a way as to suit the individual circumstances and mental capacities of women that seek the help of such institutions.

3. It is worthy of note that the Institution is taken advantage of not only by women and girls in Poona, irrespective of caste and creed, but also by a number of them coming from distant places even outside the Presidency and from many Native States as well. In short, the Institution ministers to the educational needs of women in the Marathi-speaking districts, whether in British or feudatory India.

4. Again in order to provide decent and convenient accommodation to women coming from out-stations, the management has to maintain and conduct four hostels which have been placed in charge of competent medical women and matrons, working under the supervision of lady visitors on the mixed committees of management.

5. Such a useful and varied programme of work of the Institution—an Institution that really speaking is not one but a combination of eight or ten different institutions under one management—has naturally entailed upon the management an annual outlay of nearly Rs. 75,000; of this amount about Rs. 40,000 is collected by public contributions and Government grants; while there is generally an annual deficit of about Rs. 35,000 which the managers find it very hard to make up.

6. Besides, the ever increasing number of women seeking admission necessitates increasing accommodation at a considerable cost which is no small source of constant and chronic anxiety to the Council of the Society. In this respect we have received valuable help from Sir Vithaldas D. Thackersey, the Wadia Charities, the Government, and some of the Chiefs in the Deccan, and philanthropic merchants in Bombay. Still more buildings is the crying need for which we need help urgently.

7. To relieve, therefore, this great financial tension partially at any rate, the responsible authorities of the Council have decided to start from this year a *Diwali Fund*. It is intended to make attempts, during the *Diwali* festivities to approach individuals—both ladies and gentlemen—with requests to pay their own quota towards the expenses of this laudable object of furthering the cause of the education of women and also by inducing their friends to do likewise.

8. In order to collect such small individual subscriptions in Bombay, the lady superintendent of the Institution, Mrs. Janakibai Bhat, has gone there in person with a few women workers and pupils; and similar work has already been commenced in Poona under the direction and guidance of Mrs. Yamunabai Bhat, the local secretary. Many of the women sent out as workers to distant places from this Institution have volunteered to make collections at their respective places; and so also lady students in higher classes of some of the departments have cheerfully undertaken the work of collection. We have hence to assure the general public through your columns that these volunteers—ladies as well as gentlemen—have been duly authorized by our Council to make these small collections for the benefit of the Institution; and we shall be grateful for whatever pecuniary help is extended to us by the public by purchasing a ticket or tickets of the values of Rs. 5, 3, 2, and 1 and a d and annas 8 and 4, respectively, that have been supplied to the volunteers for sale

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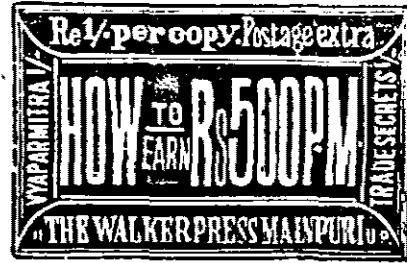
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