

The MADRAS POLICE JOURNAL (84)

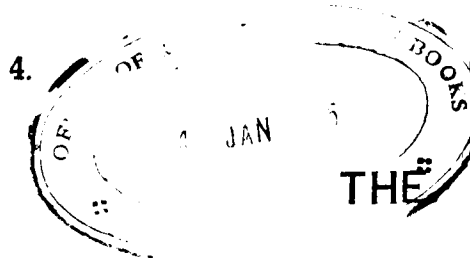


VELLORE FORT

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MADRAS POLICE JOURNAL.

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EDITORIAL

It is a matter for regret that in spite of our repeated appeals for contribution of articles, the response is still poor. It is for this reason that issues have been delayed in the recent past. It is our earnest hope that there will be no cause for such delays in future. This assurance, of course, depends entirely on the co-operation received from our readers.

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With a view to improve the format of the Journal, efforts are being made to increase its circulation and to get a few advertisements, which if successful, will better our financial position and enable us to keep the promise made in the last issue.

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It is also our intention to invite articles from men and women eminent in the public life of this State as well as elsewhere. We hope to succeed.

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It is our desire to start a 'Sports column' covering the Sporting activities of our Policemen all over the State, which, I am sure, will meet with the approval of many of our readers. But this again can only be achieved with the full co-operation of all Officers of the State. We request all Officers to report such activities to us promptly whether they pertain to open competitions or those confined to the Police alone, such as our District, Range and State Police Sports.

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A start has been made in opening a Tamil section in this issue, so as to give regional languages a place in the Journal and thus also increase the field for the contribution of articles. Our readers of all ranks are requested to contribute articles in any of the three regional languages of our State.

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We offer our apologies to Sri M. Singaravelu, I. P. S., and to Sri Pratap Singh of the Hyderabad Police Service, for having inadvertently omitted to give their names as the respective authors of the articles appearing in our last issue, viz., 'The first day of the new Mysore I. G. P.' and 'Impressions of my training at the P. T. C. Vellore.' It was the Printer's Devil who was responsible.

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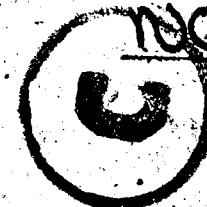
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OUR FORCE.

by

Sri P. RAJAGOPALAN, LAW INSTRUCTOR.

The dogmatic Theorist opposes the grant of money from the public funds for the maintenance of the State's Police Force in any high degree of efficiency. His views are that in an ideal state there is no necessity for the Police. In as much as they are non-revenue earning and their labour non-productive, they are not an asset to the community in the economic sense and should therefore go about wearing the badge of squanderbug. The answer to these views is simple. It is true that the Police do not produce articles as any machinery, plant or industry do, but then if they do not produce they ensure that the goods are delivered, which is, perhaps, more important. A Policeman is as indispensable to Society as a doctor or a teacher. A huge sum is paid in Britain every year to maintain the high traditions of their well-reputed Police Force. The British pay because they know that the Policeman standing at the corner of the street is not a debit entry to be written off as a total loss; they know he stands there as a sign of goodwill and of assurance of security for something that cannot be achieved by balance books. They realise that he is an invaluable asset on the credit side although he does not produce anything that can be put on the catalogue of articles for sale.

So much for the necessity of a Police Force.

A craftsman given poor tools cannot be blamed for inferior work. Yet, unfortunately in the present set-up, the executive officer of the criminal law in India finds himself in the position of a craftsman with very poor tools. The policeman is the initial interpreter and administrator of most of the criminal law. And yet, not only is he generally ill-equipped so far as an adequate knowledge of it is concerned, but the little knowledge of law that he possesses only serves to reveal to him the difficulties in its interpretation, which might well shake his self-confidence. The very word 'crime' has lost much of its former significance. The growing complexities of life today have brought such a mass of prohibitory laws in recent years that in their wake a new class of potential law breakers have come into being. There is now no reliable classification of crimes to be handled by the Police, and it is

felt by many policemen that the problem of prevention and detection alike are closely identified with the need for a codified and simplified criminal law. This view is not based on a mere desire to make the apprehension of criminals easier, but on the principle that the first desideratum in the proper administration of the criminal law is an efficient Police Force, armed with a clear knowledge of its powers and duties and not as at present, working largely in the dark. In view of the radical political changes the country has undergone in recent years, such codification becomes all the more necessary to guide police action under varying circumstances.

The growing unemployment in the country has given the leisure, and crime-films the inspiration, to many present day criminals, who, in happier times, would have led orderly lives. The great increase in the mobility of criminals has materially altered the problem confronting the Police and the growing volume of undetected crime encourages the would-be criminal. These new features in modern crime must be counteracted by new methods. But, the Theorist does not want to concede that there has been little modernisation of the Force, nor is he prepared to look at their problems as a Realist.

As if to crown all this, the continued apathy which characterises the attitude of the general public in their dealings with the Police, in spite of Policemen having, in the happy words of Rajaji, "risen to the highest level of patriotic work and faced the danger and difficulties attendant on their work with courage and admirable restraint", tends to make their life no less hazardous. And malicious prosecutions of Police officers by members of the public are getting to be the order of the day.

The public must above all realise that Policemen, whether officers or constables, are moved and inspired by the same ideals as the rest of the people. They cannot indeed escape the democratic urge that is sweeping our society today. The policemen of this State are not lacking in courage or the spirit of service, but every one of them yearns for the day when he could work in an atmosphere free from the taint of the old suspicion, with a mind which is quite clear and precise as to his duties and powers and with the fullest knowledge and belief that the Government and the public would not hesitate to support him, so long

as his actions are motivated by bonafide intentions and are strictly in accordance with the Law. He only asks to be helped in order to help others. His loyalty and patriotism and his desire to serve his country, are as sincere as that of any other person or group of persons in the land. He asks the Dogmatist to take a dispassionate stock-taking and having done so, to give him the opportunity to show that in efficiency and skill our force is second to none.



Always place "Service before Self".

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By all means let us abuse the Police, but let us see what the poor wretches have to do. —

KIPLING.

"SHERLOCK HOLMES"

by

N. PITCHANDI M. Sc., A. I. I. Sc., A. R. I. C.

State Examiner of Questioned Documents.

The immortal detective of fiction, Sherlock Holmes, has fascinated millions of people all over the world. To his admirers, he is as real as any living celebrity. Several societies of Holmes enthusiasts have been formed and recently there was held in London and New York, the Sherlock Holmes Exhibition reproducing to the last detail described in the stories, his living place in Baker Street as well as several belongings of the famous detective.

Sherlock Holmes had reduced the pursuit of criminals to an exact science. He believed in the study of foot prints, dust and dirt and the use of sciences like Chemistry to reconstruct the scene of crime, although there was no system of scientific criminology existing in his time. It is interesting to note that the use of plaster of paris in preserving foot print impressions was mentioned in one of the Sherlock Holmes stories even before it was described by Hans Gross in his Book "Criminal Investigation". In "The adventure of Shoscombe Old place", Holmes stresses the importance of Microscopy in Crime detection thus: 'Since I ran down that coiner by the Zinc and copper filings in the seam of his cuff they (Scotland yard) have begun to realise the importance of the microscope'.

Every one of the cases gave Holmes the opportunity of showing "those curious gifts of instinct and observation" He himself called his methods "the science of observation and systematised common sense." Once he told a visitor, who was startled by his deductions, "I see no more than you but I have trained myself to notice what I see".

The development of observation is a necessity to detectives, scientists and doctors and in fact every man can transform his world from one of monotony into one of excitement and adventure by developing this faculty. Progress in Science is often due to the keen observation of the workers in the laboratories. If Newton had not observed and wondered at such a common place occurrence as the falling of an apple, the law of gravity would not have been enunciated. Similarly it was the observation of Fleming of the contamination of a culture plate that led to the epoch making discovery of Penicillin. So also

many scientists while in the pursuit of the solution of some problem in their laboratories, or at other times, have exercised the faculty of observation and as a result made varied and useful discoveries.

The late Dr S. Rajagopal Naidu, who was Chemical Examiner to the Government, used to stress the development of observation as an important factor in the training of a forensic chemist, and in this connection an incident occurred while he was examining cases in his laboratory which may be mentioned here. A bullet extracted from a dead body was sent for examination with a weapon suspected to have fired it. By comparing the marks on the bullet with those on the test bullet fired from the weapon it was established that the crime bullet was fired from the weapon. Dr. Naidu, however, found certain extraneous markings on the bullet. Their presence could only be explained if the bullet had struck a hard object before striking the victim. So Dr. Naidu, in addition to reporting that the bullet was fired from the suspected weapon stated also that the bullet should have struck a hard object like granite on a road before entering the body of the victim. It can well be realised what difference such a keen observation would have made in the case.

Dr. Joseph Bell, an eminent Surgeon in Scotland, used to impress upon his students that they must use eyes, ears, hands and brain in making a diagnosis. He stated "most people see but not observe. Glance at a man and you find his nationality written on his face, his means of livelihood on his hands and the rest of his story in his gait, mannerisms etc." He, himself, startled his patients and students by the deductions he made from the observation of his patients. He would sit in his receiving room and diagnose people as they came before they even opened their mouths. He would tell them their symptoms and even give them details of their past life. He tried to prove to his students, of whom Sir Arthur Conan Doyle, the creator of Sherlock Holmes, was one, that observation was not magic but an exact science. He would sit behind his desk in a big bare room with his students around. It was the duty of Conan Doyle to usher in the cases one by one. "This man" Dr Bell would say "is a left handed cobbler", and wait for the puzzled looks of his students. Then he would explain that the inside of the knee of the man's trousers was worn, a peculiarity found only in cobblers. It was where they rets

the lapstone and the right hand side, in this particular case, was far more worn than the left. Therefore it was evident that he used his left hand for hammering the leather.

Once when a patient entered his room, Dr. Bell asked him, "Did you enjoy your walk over the golf links to-day as you came in from the south side of the town?" The patient answered, "why, yes, did you see me?" Then the doctor explained "on a showery day the reddish clay of the golf course adheres to the boot. There is no such clay anywhere else." On another occasion, Dr. Bell, after studying a patient in silence remarked "Well, you have served in a Highland regiment and you are not long discharged. You were a non-commissioned officer stationed at Barbados." When the patient admitted these facts, Dr. Bell explained to his students "you see, gentlemen, he was a respectful man but did not remove his hat. They do not in the army but he would have learned civilian ways had he been long discharged. He has an air of authority and he is obviously Scottish. As to Barbados his complaint is elephantiasis which indicates the West Indies." It is said that when the family travelled in a train, Dr. Bell would tell them where the other passengers in the carriage were from, where they were going, and also something of their occupations and habits. All this without having spoken to them. When he verified his observations they were surprisingly correct.

Sir Arthur Conan Doyle was very much impressed by his professor and when he decided to try a detective story in 1887, six years after his graduation, it was no wonder he took as his model, his professor whose deductions startled patients as they would startle a reader in print. Thus came into existence Sherlock Holmes who himself took a great deal of interest and pride in what he called his "deductive problems." Once, on meeting Watson in his room after some months, Holmes observed "I perceive that you have been unwell lately. Summer colds are always a little trying." To the astonished Watson he then declared that he deduced this information from his slippers. "Your slippers are new. You could not have had them more than a few weeks. The soles which you are at this moment presenting to me are slightly scorched. For a moment I thought they might have got wet and been burned in the drying. But near the instep there is a small circular wafer of paper with the shopman's hieroglyphics upon it. Damp would of course have removed this. You

had then been sitting with your feet outstretched to the fire which a man would hardly do even in so wet a June as this, if he were in his full health." On another occasion when Dr. Watson met him one day Holmes declared, "I see that you are professionally rather busy just now." Watson admitted the fact and wanted to know how he deduced it. Holmes explained "I have the advantage of knowing your habits, my dear Watson, when your round is a short one you walk, and when it is a long one you use a hansom. As I perceive that your boots although used are by no means dirty, I cannot doubt that you are at present busy enough to justify the hansom."

Conan Doyle himself proved a great detective in 1907 when he solved the mystery of the village of Great Wyrley. Just as Captain Dreyfus in France had been made a scapegoat because he was a Jew, in the Great Wyrley case, Edalji was made a scapegoat because he was a Parsee, a foreigner. Conan Doyle devoted eight months' intensive work, paying all the expenses involved, and finally vindicated the innocence of Edalji.

However, after the success of his novels, to interviewers who flocked to him, Conan Doyle gave all the credit for Holmes to Dr. Joseph Bell. Dr. Bell quickly and generously disclaimed this and stated that Conan Doyle had by his imaginative genius made a great deal out of very little and his warm remembrance of one of his teachers had coloured the picture. Conan Doyle would not accept this.

This article may be concluded with the statement of Dr. Edmond Locard, Head of the Police Laboratory at Lyons "I hold that a Police Expert or an examining magistrate would not find it a waste of his time to read Doyle's novels".



The detection of crime consists in good organisation hard work and luck in about equal proportions; when the third ingredient predominates, the detective is very successful indeed!

BASIL THOMSON—('QUEER PEOPLE')

History of The Police Dogs in The Madras Police.

by

Sri N. Devasahayam, B. A., (C.I.D. Madras.)

The idea of training dogs for purposes of Police work in the Madras State germinated in the year 1951. A beginning was very soon made by the C. I. D. Madras with a squad of about half a dozen dogs as an experiment to see how far dogs could be trained successfully for Police work. But on consideration of finance, which was very limited indeed, no pedigree dogs could be got and the C.I.D. had to be content with Alsatian dogs of ordinary calibre. Yet another difficulty was the lack of officers with experience in training them for Police work. This did not, however, deter the department from proceeding further and a beginning was made with a few enthusiasts. The chief aim of the training of these dogs was 'Security purposes' (viz.) guarding, patrolling, tracking, and for location of hidden property and criminals. Progress was, under the circumstances, necessarily very slow. But with a determination, which marked the effort from the start, the dog squad was trained and made fit for work. Fortunately, at this stage, one of our senior officers and an enthusiast in this line (Sri P. Kuppuswamy, I. P. S.) who was in London on a study course at the Hendon Police College, availed himself of the opportunity to visit the New Scotland Dog Kennels in Imbercourt, Surrey, and acquired an inside knowledge of the methods of training dogs for Police purposes. With the experience gained, he was not slow in putting the squad into shape on his return to India. A well-trained Dog squad was ready for work very soon.

The department had almost the first opportunity for their use in connection with a bus hold-up, a type of crime that had become frequent in the suburbs of Madras. The squad proved its mettle and made its mark by spotting out several gangs of hold-up men in and around the City and to a very great measure contributed to the complete cessation of such hold-ups.

They were also used frequently by the Prohibition Police for detecting prohibition cases. The Harbour Police too requisitioned their services when they had a series of thefts in godowns. It is a

matter for appreciation that quite a large number of thefts in the Harbour, were detected with their aid. In fact, their active participation in tackling this crime brought about a lull in crime in this area.

As the Madras City seemed most to require their services, the squad was placed under the Commissioner of Police, Madras, from January 1954.

Admirable items of their work that had come to notice since then are record below:—

GUARDING:—Apart from guarding premises trained dogs are used to guard persons who escape after the commission of a crime or after lurking to commit a crime.

In the early hours of the 10th February last, the Police Dogs were taken out to Pallavaram in Chingleput District on a practice 3-mile-track. During the course of the track, one of them, with its handler was going across a large isolated meadow where a herd of cattle were grazing. Three men were noticed by the handler in the very act of stealing a calf that had strayed away from its mother. The handler being outnumbered three to one, could not effect the arrest of the men. He therefore ordered his dog Brutus to round them up who, in the meantime, were trying to escape. The animal was then ordered to keep watch over them whilst the handler rushed to the main party for help. Though the handler returned half an hour later with the necessary help, Brutus was there keeping faithful guard over the 3 men handed over to his custody. The men appear to have made no attempt whatsoever to escape and, in fact, so alert was Brutus that they dared not even move.

PATROLLING:—A dog can be of great assistance to a Police Officer deputed on patrol Duty. In the ordinary course of events it is not always possible for a Police Officer to locate any person concealing himself from the eyes of a Police Officer in a bush pit or up a tree. In such instances, a dog accompanying a Police Officer will, by his marvellous powers of scent, locate such persons and assist the Police in their arrest. There have been instances where wanted men taking advantage of darkness had attempted to skulk away but were soon brought back.

On the night of the 9th March last, the Thiagarajanagar Police in the City of Madras sought the help of the Police Dogs for the detection of a house breaking case. Three men had trespassed into the compound of a locked premises in Mambalam with the intention of committing a crime. A watchman in the neighbourhood noticed this and raised an alarm. The Burglars, therefore, had to leave hurriedly by scaling over the locked gate and take refuge in a small cheri about a mile and a half away from the scene of the occurrence. Police Dog Brutus who was taken out picked up the scent from the locked gate and tracked one of the culprits to his place of hiding. The animal was taken back to the scene of occurrence and by picking up scent again from the hasp of the front-door, which bore marks of violence, was able to run down the two other men as well. To make sure that they were actually the culprits, and that no mistake had been made, they were mixed up in a group of a dozen men, when the dog indicated the burglars correctly by seizing them by the right forearm and taking them out of the group. Brutus would not release the men till specifically ordered to do so.

It would be of interest to note that the trained dogs, when effecting arrests, do so by getting hold of the wanted man by the right forearm and are never found to hurt him unless he offers violence or makes an attempt to escape.

One great asset in a Police Dog accompanying a police officer on patrol is that its very presence gives the officer a great deal of confidence. A Police Officer who ordinarily would hesitate to enter single-handed a dangerous or rowdy locality, will do so without the slightest hesitation when accompanied by his canine comrade.

TRACKING:-- With their marvellous powers of scent, Police dogs are of the greatest help in tracking and running down wanted men. It is wellknown that a criminal generally leaves some trace behind (e.g.) a pair of sandals, a handkerchief, a towel, implements of house-breaking, or any trifling article of his for that matter. A trained dog can with the aid of the scent from the article left behind, trace the culprit and it is wonderful to watch him do it. Putting his nose to the ground and sniffing again and again he picks up the scent and follows it. It is marvellous to see that men far away from the scene, even by miles, are located successfully in the quickest possible time.

In the early hours on the morning of the 10th April this year, St. Thomas Mt. Police, Chingleput District, called for the assistance of the Police dogs as burglaries in the Cantonment area in particular had become very frequent. The bungalow of a Military Officer in that locality had been broken into that night. The officer, being a light sleeper, woke up and started chasing the man. The burglar, however, managed to escape by scaling over a high wall. A new pair of sandals, an upper cloth and a new umbrella had been discarded by him in his hurry to escape. The local Police had in dealing with the outbreak began to round up all suspicious characters found in the locality. The Police Dogs, who were taken to the scene, picked up the scent which led to the place where some of the bad characters had been challenged and taken into custody. When the dog neared the group of those arrested he picked out the burglar from among them. A search of the man's person disclosed undisputed proofs of the ownership of the articles left behind by him at the scene. The Finger Print Bureau added its contribution by tracing the criminal history of this burglar. He was a District Criminal of inter-state notoriety. He had gone to jail over a dozen times.

With greater experience, these dogs are bound to perform more and greater feats of detection. Their performance will be watched and marked with pride.



There is nothing that a strong faith and an unflinching purpose cannot accomplish.

POINTERS FOR A THOROUGH INVESTIGATION.

(FROM A TALK BY A JUDICIAL OFFICER.)

At a recent informal conference of Police Officers and Magistrates of a District, a highly experienced district head of the judiciary offered suggestions for the improvement in the quality of investigation by the Police in this state. Extracts are reproduced below:—

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Many members of the Police have a feeling of frustration and a feeling that criminal courts are somewhat inexplicable to them. I feel this is mainly due to a deficient equipment on the part of certain Police Officers in the knowledge of what a criminal court expects and what are the standards of proof that the law imposes on criminal courts. I talked once before giving them a few practical points from my experience, by following which, Police Officers could with fair success and confidence tackle the problem of both investigating cases and presenting them for trial before a court of law. We will spend sometime in discussing on practical problems connected with the smooth administration of justice, with particular reference to the scheme of separation of the judiciary from the executive.

Magistrates are interested to hear on how to improve the methods of investigation and securing conviction in true cases by proper appreciation on the part of the Police of the standards of proof in judicial tribunals, and after that I may say just one or two words in certain aspects of their practice. It is purely a general statement based on my experience.

Police Officers have to investigate cases of all modes of gravity from murder to a trivial offence. In non-cognizable offences they are not particularly bothered, but in all cognizable offences they have a great and important task to perform. That task is not being performed with the efficiency with which it could be performed and, if so performed true cases would not escape conviction. In this important respect all courts and tribunals are suffering under certain disabilities precisely like the Police whose disabilities, however, are of a different kind. The Courts and Tribunals judge a case by the materials placed before them. But in my experience Police Officers again and again forget this vital truth when they say, "We investigated the case. We knew its truth." No one has any grievance if truth is put forward.

In one sense even Magistrates' Courts have a sense of grievance that an appellate court or higher court do not judge when they deal with a trial. The latter courts have no opportunity of actually seeing and hearing but deal with abstract sheets before them presented by members of the Bar, yet come to the conclusion that some witness is not to be believed or, a number of discrepancies exist which it could not safely accept, and consequently acquit the accused, even though the trial court is satisfied that the case is true. This grievance is not justified. The appellate court has after all to consider the records in the same way as the trial Court has to concern itself with the cross-examination. Even cases properly investigated and put up with the best interest may sometimes fail in the trial court, as cases fail in higher courts. When you see the rule you see little chance for a case which is badly put up or imperfectly reported, or, owing to ignorance of law, has been bungled. There have been a few instances in this District where cases have been badly investigated or imperfectly investigated and presented with little appreciation of the complexities of the law and the manner in which evidence had to be presented in the case.

I want to give just a few points on the practical working of investigation. The first, of course, is speed. I emphasize that our machinery for investigation depends on a report. The report of a grave crime is made by a part-time official - the village officer. You cannot rely upon him for accurate or intelligent reporting. Every member of that organization is not free from the possibilities of local influence, and consequently, you are faced with a first difficulty, which does not exist in other countries, where Police stations are very many and where civilisation is so advanced that even villages are separated only by a few miles from a police station and modern scientific equipment like telephones are available in lonely parts. Here you entirely depend upon the village headman reporting something like the truth. The Police are there several hours later. This is a matter not in your control and this aspect should be rightly impressed upon your Chief. It is time that modern science is utilised in our land. The reporting of a case and the arrival of the Police should be speeded up. My personal view is that telephones ought to link all the sub-stations with major stations, and that there ought to be fast moving vehicles so that the Police Officer is on the scene within two or three hours of a crime.

At least if this is done I am sure that a very great deal of the distortion that occurs within the first few hours and which makes investigation practically false could be avoided. In my own Court I have come across sometimes torn up F.I.Rs. being produced and the village headman admitted that he had made two or three copies earlier. That single fact is enough to prove the necessity for the early arrival of the Police and the honest and gentlemanly investigation of cases.

The general criticism is that much of grave crime, particularly murder, has now become a settled and specialised work. As far as the presentation of evidence in relation to law is concerned, particularly where there is conspiracy, expert filing of the case is necessary. I am of the view that homicide squads should be stationed at Headquarters composed of the best officers with considerable experience in this line. I am in favour of the idea of members of the homicide squad proceeding to the spot as quickly as possible in order to aid the local officer and I think all grave crimes ought to be investigated by an officer not below the rank of Inspector of Police. I think grave crime, particularly murder, should never be investigated under any circumstance whatsoever, by a Head-constable.

Incidentally, we can use the science of finger prints which was discovered in France and is practically foolproof. In a detective novel, I read that one in several millions may have the identical finger-print. The courts accept finger prints up to about 6 or 7 points of similarity. The Police Officers do not use this sufficiently. Officers should be trained in finger prints and in enlarging them and know at least to preserve all objects which are likely to be touched by the criminal. There was a murder case in this District where the only vital link was a razor with which the throat of an old woman had been cut for the sake of her jewels. The finger prints were not produced and one man, arrested on suspicion, and who was put up before the court was acquitted. I was willing to hang him if somebody brought in finger prints, on which proof alone it was sufficient say that he was the man who committed the murder. I feel it could have been done. This case is a very sad commentary upon the absence of modern scientific knowledge.

I would stress that a camera should be used for all grave crimes. Photographs of scenes of occurrence and other scenes can be taken,

which would speak volumes in a court. I encourage officers to have private cameras.

Coming to the practical points, I find the very indifferent way in which Police Officers treat cases under sections 324 and 325 I. P. C. registered as such by subordinates. I would suggest that every Police Officer should learn to judge in cases of hurt not merely with regard to what it is at the moment, but with regard to its potentialities, and immediately classify every serious case as casual murder, investigating it on the supposition that the man might die. It may be that admissions given under Sec. 324 and 326 fizzle out. You can go on the suggestion that initially it is murder, and secondly you must take the earliest opportunity to get all the evidence together as though it was a case of murder. It is very important that every elementary precaution is taken, like seizing the weapon before it could be washed etc., Witnesses are sometimes won over before their evidence comes to court.

With regard to the recording of confessions, Police Officers must recollect that law approves those recorded by a magistrate. It is a departure from the law elsewhere, where there is no provision corresponding to Sec. 24 of the Evidence Act with the result that a confession made at any time to a police officer is permitted. Here, because there is a machinery by which a magistrate records the confession, that confession can be used in evidence. I observe a regrettable tendency on the part of police officers to throw the entire burden on the Magistrate. That is sheer laziness on their part. You should be able to procure evidence in support of every single statement the accused has made and build up the case, not with the confession, but with the corroboration which your investigation may show. In any case, even if the confession is retracted, the court will think it a retracted confession and base its conviction on that. The court could give a conviction based upon the Magistrate's record. In fact, this is practically neglected. Corroboration must be on material particulars connected with the crime.

I would stress that unless you prove the motive you cannot get conviction. I would request the Police Officers to get at the motives as far as they could, and this should never be neglected.

Police Officers should learn the Criminal Procedure Code, particularly S. 162 with reference to the provisions of the Evidence Act. Very often Police Officers are ignorant of these things. Few know that investigation must be very thorough and cannot depend on F. I. R. s. They are thoroughly convinced of the truth of the case because of what the accused told them. In regard to conspiracy, S. 120 B and similar matters, the case law is complete. Police Officers should not have the inferiority complex that the law is very strange and inexplicable. On the contrary, it is worthwhile doing some study along with the Prosecuting Officer. If you work one good case of conspiracy, or breach of trust, or any other difficult case with the prosecuting officer, that means you go through the law to some extent and acquaint yourself with the standards, principles, and difficulties of proving. Some officers work in a very lay manner. Cheating is not the same as what the lay man thinks. Telling a lie is obviously to cheat. It is a very definite and a very clear offence, if it is fraudulent misrepresentation. I would advise Police Officers to study law as much as possible and as ardently as possible. Criminal Law is not very difficult to study. I may say that even during training-it is my personal opinion-there should be less drill and more study and it will be very useful if more hours are devoted to the actual mastery of the law.



Zeal without knowledge is flame without light.

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The principle which underlies the administration of Criminal Justice is that it should be speedy, if it is to have any moral effect upon society.

SIR P. S. SIVASAMI IYER,
'Indian Constitutional Problems'

Finger Prints and Detection.

BY

SRI MARIA DOSS, FINGER PRINT BUREAU,

Here is an interesting case of a murderer located solely on the clue of his finger prints and condemned.

An old woman, living alone in a lonely hut in a village in Trichinopoly District, was attacked with primitive brutality and killed on the night of 20th May last year, the motive being robbery. The local Police finding no clue to lead to the culprits concentrated on locating and developing a few impressions on some of the articles likely to have been handled by the murderers in the course of the search for valuables. The Finger Print Bureau of the State, in its headquarters at Vellore, took up the matter for special study and developed successfully one of the finger impressions, which was capable of identification, and which was traced on a mirror at the scene. Several months after, at the fag end of the year, when the case was finally disposed of as an undetected one by the local Police, the finger prints of a suspect arrested for an offence of burglary in an adjoining village was forwarded to the Finger Print Bureau for search in the usual course. The Bureau examined and classified them. As the arrest was in the neighbourhood of the scene of murder, the Bureau with its usual thoroughness checked up the impressions developed from the mirror at the scene of murder, and after a close study concluded that it tallied with that of the burglar. This information was flashed to the local police, who promptly reopened the case and by their further efforts success crowned their investigation. They located the gang responsible for the murder. The burglar whose finger prints led to the gang confessed the crime.

In the end, four accused were arraigned at the sessions for murder and robbery. The Sessions Judge unhesitatingly accepted the expert evidence regarding the identity of the finger prints and rightly inferred that the man whose finger prints were found on the mirror was beyond all doubt one of the murderers. On account of lapse of time and other circumstances, the other three accused could not be proved guilty. But the man whose Fingerprints were traced at the scene could not escape. He was convicted and sentenced to transportation for life.

The learned Judge, while delivering judgment, commented that "the evidence regarding the finger print might, by itself, be sufficient to establish the accused's complicity in the crime."



Regularity and system are the key notes of success.

"Spotted Fury"

BY

SRI R. TAYLOR, (SHORTHAND BUREAU.)

In the course of duty many a Police officer has, on occasions, been called upon to put an end to the depredations of cattle lifting tigers and panthers, and to those interested in big-game hunting such opportunities afford plenty of thrills and excitement.

On one occasion I hunted a panther for nearly three months before finally bagging her. Around Vellore, there are rocky hills indented with caves, among which panthers seek shelter and occasionally pounce upon grazing goats and cows in broad daylight and carry their prey away, much to the consternation and dismay of the graziers.

This panther, which I write about, had made her abode in one of those numerous caves and concentrated her attention on the cows and goats feeding on the hills near Edayampatti village, about three miles from Vellore. This village is situated in a small valley surrounded by rocky hills clothed with shrub forest. The villagers had approached me and entreated me to try and shoot the animal which was doing so much havoc to their herds of goats. During my spare time, therefore, I roamed the hills trying to locate the cave in which the animal sheltered but with no success. I then tried sitting up over a "kill", (that is, the goat which the panther had killed) which had been retrieved by the villagers, but this method proved equally futile. Then, one evening, in the middle of a shrub forest I tied a goat and fastened the rope to a peg driven in the ground securely and I took shelter under a big bamboo basket which was covered with twigs and leaves as a camouflage. A villager was my companion under the basket and to him I entrusted the task of switching on the torchlight on to the panther when it attacked the goat. As the evening deepened into dusk with absolute silence reigning on the hills, broken only by the bleating of the goat, my companion began to lose his courage, and I could feel him trembling with fear beside me. I tried to soothe away his fears but he kept on imploring me to return to the village, saying that it was now past 8 p. m. and that the panther would not come so late. I reassured him that he was quite wrong on that point and that panthers would kill at any part of the night. No sooner were the

words out of my mouth when a rush and a loud smack heralded the arrival of the panther. The bleating of the goat stopped and there was a low growl from the panther as it tried to carry away the dead goat but found that the goat was fastened down. We were only 20 yards away from the panther and I whispered to my companion to switch on the torchlight and direct the beam on to the animal. By now, however, his composure was completely gone and instead of switching on the light in the direction of the panther he turned the beam full into my face, temporarily blinding me with the flash. I had the gun cocked and pointed at the panther and realising that to give my companion advice was useless I aimed at the panther's eyes in the reflection thrown off from the basket and fired. The panther was holding the dead goat in its teeth and facing us under the basket when I fired. With a loud roar and in a swirl of dust the panther vanished into the bushes. Quickly retrieving the torchlight and getting out of the basket I scanned the locality but there was no sign of the beast. On examining the dead goat I found that my bullet had struck about six inches low and had pierced the dead goat without causing much harm to the panther. I had thus shot the dead goat while the panther had escaped with a whole skin. This was a great disappointment to me and I roundly vented my spleen on the trembling villager who was responsible for my having missed such an opportunity.

For the next two months I tracked and followed this panther, which continued to take an even heavier toll of cattle, trying the same ruse of sitting under a basket with a live goat as bait and a more reliable companion with the torchlight. But the panther had learnt a lesson and refused to be trapped by any means.

Finally, on an early morning when I was out shooting game birds in the locality, a bandaged individual came running up to me and breathlessly informed me that while cutting wood in the forest he had been pounced upon and mauled by a panther, and that the animal was now sunning herself on the rocks about a mile away. Checking up on my ammunition I found that I had only one round of L. G. pellets with me while the rest were all bird shot. However, this was not a chance to be missed, so I followed the wounded villager to the spot. High up on a rocky hill surrounded by two smaller hills, I spotted the panther sitting on her haunches like a big cat and watching my every

movement intently. Beside her were two half grown cubs frolicking about on the rocks. To approach the animal in a direct line so as to get near enough to shoot was impossible with the animal so keenly watching, I therefore directed my wounded companion to make himself conspicuous and attract the attention of the animal while I stalked her from the other side of the hill. Fortunately for me the wind was blowing in the direction from the panther down the route up which I climbed, so that she could not scent my approach. After a strenuous climb I reached the summit of the hill and in order to get a view of the animal I got on to a big boulder and looked over but could see nothing of the panther. My companion half a mile away at the bottom of the hill was signalling to me that the panther was directly below me. Here was a situation that I had not bargained for. To get a shot at the panther meant skirting round the boulder and meeting the animal face to face at a few yards distance, since there was no other approach possible, the other side being a steep precipice. Cocking the hammer of my gun and putting the butt to my shoulder with finger on trigger, I moved slowly around the fringe of the boulder. As I stepped on to the ledge beneath the boulder I came face to face with the panther at a distance of about ten feet. She was still sitting on her haunches and on seeing me so close opened her mouth and snarled preparatory to springing on to me. Simultaneously I fired and the shot caught the animal straight in the mouth, breaking some of her teeth and penetrating down the neck into the body. The panther's head dropped down on its paws and with a few convulsive twitches of the tail she was dead. The cubs hearing the shot escaped into a near by cave and all my efforts to dislodge them were unsuccessful. Hearing the shot, some cattle graziers came running up the hill and after lashing the dead animal to a pole carried it down to the village, followed by practically the entire inhabitants of the area.

This has been one of the many panthers that I have shot during my shikaring but one which was the most cunning and elusive.

In conclusion I would like to advise those keen on shooting this kind of game to get as close as possible for a crippling shot, as I have heard of numerous cases of slightly wounded panthers attacking and mauling their hunters. Fifteen to twenty yards is a deadly range with a shot gun, and a bullet placed in the proper place is all that is needed.

THE UTILITY OF SKETCHES AND MAPS

BY

Sri K. BHASKARA, B.A., (P.T.C., VELLORE.)

Though a neophyte in the Police Service, I have not failed to appreciate the necessity of a good map or sketch accompanying a case diary, especially in grave crimes or road accidents, and as I feel that the subject of Plan Drawing Instruction deserves more attention by the trainees in the P.T.C. and P.R.S., these few suggestions are offered with a view to creating sufficient interest so that the readers of these notes can make themselves proficient in the art of interpreting a plan, making a sketch or reading a map.

Plans are generally used in connection with certain serious criminal cases. Sketches are useful to illustrate reports of accidents, whilst map reading comes into play when endeavours are made to cordon off a certain area and thus prevent the escape of a criminal, or when a scheme for a mammoth bandobust or a 'general alarm' is being prepared.

A plan may be easily defined as the illustration of the outlines of a building or place as seen from above and does not give a pictorial effect. Necessary details having a bearing on the crime under investigation are indicated. It frequently occurs that Police Officers, when called upon to give evidence, have a plan placed before them and are asked to illustrate the course of certain events, or mark a position on it with regard to an incident which may be the subject of the inquiry. It may, for instance, be produced to show the position where a cadaver was found, or the point where a fire originated, or how ingress and egress was effected by a criminal, the exact place where foot prints, blood stains etc. were found, and the like. When an Officer's evidence is asked for under such circumstances, and a plan is given to him to use, the best method is to create a mental picture of the actual building and then to set the drawing in front of him so that he is facing the main entrance. He may then imagine himself to be entering the building at that point, and will no doubt find it easy to follow the layout of the other rooms from the point mentioned. In order to do justice to himself he should take time to make sure that he can fit in the drawing with a mental picture before venturing on a statement or marking a point to illustrate it.

It will be useful at this point to consider the legal importance of plans accompanying case diaries: In cases triable by the Sessions Court, the Judge, Jury and the Public Prosecutor etc, do not ordinarily visit the scene of crime, but to follow the evidence clearly and to have an idea of the scene of offence at the time of the commission of the crime, the undeniable utility of a plan is apparent. It may be argued that the court has under Section 539 B Cr. P. C., has the right to visit the scene of a crime. But it should be remembered that the trial is taking place several months after the commission of the offence and the belated visit may not entirely be useful to depict the scene as it then was. To enable the Judge and the Jury to follow the evidence clearly and give a fair judgment, it shall be the duty of every investigating officer to see that carefully drawn sketches or plans, showing all relevant details, accompany the case diaries.

It is extremely easy to go wrong if there has been no previous experience in handling these documents, and the reason for my stressing the importance of understanding a plan will surely be appreciated by the more experienced in the Service. I do not venture to suggest that a detailed study of architectural designs and drawing is necessary but investigating officers may do well to acquire by a careful study of various well drawn plans, sufficient knowledge of their construction to be able to read and follow them easily. They will, then, if called upon find it extremely easy to fix a certain position or mark such a plan to illustrate evidence. In a Judicial enquiry when the credibility of other witnesses is at stake, plans are useful.

The question of distance in a plan is easily solved by the use of scales. Plans, if they are to be useful, should be drawn to scale and the scale used should be indicated at the bottom of the plan. The scale must be referred to before an exact position can be marked as the relation a scale bears to other objects is very important and again the only means of obtaining correct distance is by referring to the scale.

The making of enquiries into the circumstances attending occurrences such as accidents etc, is a matter of daily routine to the average Police Officer. Though the primary purpose of such an enquiry is to record permanently the facts of the case, the secondary purpose in which the custodian of law is interested is to find out whether there

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has been culpable negligence or other breach of the law. And when a case is made out it goes up to the Magistrates and in such circumstances, especially when the case is slightly complicated, the investigating officer will find it a little difficult to explain the situation in writing. It is here that the ability to draw a sketch is of immense help, both to the writer of the report as well as to those who read it later, to decide what action, if any, is to be taken. What is written can be easily and directly illustrated by means of a drawing, and with a few strokes of a pencil or pen the whole scene can be presented so that the incident can be more readily understood.

Nothing pictorial or elaborate is required, just as clear an impression of the situation as was found by the person drawing the sketch. In the drawing, care must be taken to put only anything that was there and actually seen in position, as seen by the Investigating Officer. For instance, if a motor car in an accident had been moved away from its position, it should not be included among the details sketched, but the place it had occupied could be indicated by a cross, if there is evidence to support it, wheel tracks, skid marks and indeed anything which may seem significant and important must be marked. Sketches may not always be drawn to scale especially when large areas are to be indicated in them and it is better that as far as possible, distances be proportionately indicated. It will be readily appreciated how much easier it is for persons inquiring into these matters to follow details referred to in a drawing than complicated descriptions and data consisting of measurements, position of vehicles, speeds and directions in which vehicles or persons were travelling. In short, every effort should be made to present an 'exact impression' in the sketch and in no case should accuracy be sacrificed at the altar of simplification.

Map reading may be regarded as the least important of the three points under discussion, but should not be considered unessential. It should be clearly understood that a fund of knowledge of the neighbourhood and surrounding country can be obtained by these means, and reliable information about places and roads may be obtained from a map.

A knowledge of the international conventional signs and symbols, different colour schemes and last but not least a rough idea of the country will facilitate the easier understanding of a map.

At a time when India is encouraging the tourist industry and foreigners are swarming the various states, a constable on duty has every chance of being approached by a stranger motorist with a map and asked for guidance, and if he can give the necessary information as to a particular route it will leave a very favourable impression on the mind of a stranger as to the efficiency of the local force. It is immaterial, of course, whether the stranger is merely impressed or not; what ought to be the chief concern of individuals in the service is 'efficiency'. Plan interpreting, sketching and map reading, it is urged, are closely allied and a knowledge of one facilitates and assists the study of the allied subjects.



Some "Dont's" for Relay to the Public.

BY

SRI S. PARTHASARATHY AYYANGAR, B.A., M.L., I.P.,
COMMISSIONER OF POLICE, MADRAS.

To secure the co-operation of the public in the matter of prevention of crime and ensuring the safety of their property against thefts, burglaries and other types of crime which occur in the Towns and Cities the following suggestions which, however, are not exhaustive are offered. It is our fervent hope that if these are observed with necessary adaptations according to varying circumstances much of the losses now being incurred by the public can be obviated.

1. Don't leave your house with a lock dangling on the outer door visible from the street when you leave for some function or on a holiday. Some of the biggest burglaries reported indicate that house-holders had failed to secure their valuables in a burglar-proof safe or remove them to a place of safety. Crime is an unfortunate consequence. Safes are not costly compared to the value of property that have been lost in such cases.

2. Don't gossip about your going on holidays, etc., A criminal or his associate hears of it. Please inform Police about your intended absence.

3. Don't be indifferent about the vulnerable points such as an unguarded balcony, rain-pipe, weak window bars, glass panes, etc., in your house. Take sufficient precautions against a criminal making use of them to enter your house.

4. Don't leave your clothes or other articles near an open window. A criminal can easily remove them by putting his hand or stick through.

5. Don't fail to take notice of suspicious strangers loitering near your house. Phone up the Police immediately, challenging and detaining him if possible or keeping an eye on him.

6. Don't touch anything, and if possible don't use the room or rooms burgled until the Police arrive. You are likely to obliterate any 'clue' or 'trace' left behind at the scene.

7. Don't dismiss lightly any suspicious noise in your house or in that of your neighbour's. At once set out to see what it is.

8. Don't fail to warn your house-holders against the intrusion of bogus visitors such as electricians, meter readers, Corporation plumbers' etc. who would get access into your house in your absence on false pretences, and escape with your property.

9. Don't adorn your school-going children with costly ornaments. Criminals are on their heels to entice them away on some pretext and remove the jewels. Such offences are rife in school zones.

10. Don't be indifferent about your purse when you are at a Railway Station booking counter, bus stop or in a bus, etc. A criminal would divert your attention by a jerk or dash, and walk off with your purse. Better stick to the 'queue' system, and watch the behaviour of persons near you.

11. Don't be deceived by a solicitous stranger who draws your attention to a speck of filth on the back of your shirt. In your embarrassment, he would filch your purse. Catch hold of such persons showing gratuitous solicitude.

12. Don't be led away by the sight of coins or stamps on the ground when you are at a Post Office or a Bank counter. Be aware that a criminal is attempting to distract your attention with a view to knocking away your property.

13. Don't leave your cycles unlocked or without asking somebody nearby to have an eye on it, if possible.

14. Don't walk away leaving your car unlocked at any place and with articles on the seats easily accessible from outside.

15. Don't be deceived by the movements of solicitous stranger in your marriage house. He would cunningly make the bride-groom's party believe that he belongs to the bride's party and vice versa, and at an opportune moment, escape with your valuables.

16. Don't be deceived by bogus canvassers or agents who would tempt you to purchase rice, textile, etc., for a cheap price and ask you to send your man with cash. He would escape through a devious way after receiving the cash from your man. Such confidence tricksters are numerous in the City.

Legal Notes.

Preventive Sections of the Criminal Procedure Code
Recent Rulings of High Courts in India.

Cr. P. C. S. 122 - Somasundaram J. Madras - An interim bond can be asked for only after the counter petitioners appear before the court in obedience to the order under S. 112 Cr. P. C. Even then court has to record reasons in writing before the counter petitioners are called upon to execute interim bonds. The procedure of calling for the execution of interim bonds in the notice issued under S. 112 itself is unwarranted.

(Cr. R. C. 470/53 - 1953 M. W. N. Journal 76.)

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Singh J. - If in a case under S. 107, Cr. P. C. it appears to the Court that the accused are willing to furnish security as they admit that there was a likelihood of a breach of the peace a Magistrate may not proceed to record evidence and may accept the offer of the accused and order them to furnish security. If however the offer to furnish security cannot be interpreted as an admission of a likelihood of a breach of the peace further evidence in support of the report made by the police would be necessary (Bhup Harain v. State - 1953 ALJ 478) Guha & Lahiri JJ. It is open to the Magistrate in a suitable case to take action under S. 117(3) against a particular person even before any evidence has been recorded. (Dulal Chandra Mondal V. State 1953 Cr. L. J. 574)

Newasker J. - An order under S. 117(3) immediately on receipt of the information without passing an order under S. 112 is illegal.

(Teising v. State - M. L. R. 1953 CrL. 29)

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Jamuar & Ahmad JJ. The words 'substance of the information' in S. 112 mean such or so much of the information as would enable the party to know under what clause of S. 110 he is charged or to what particular class offenders he is said to belong. But a notice containing merely a repetition of the words of the various clauses of S. 110 is not on that account alone illegal. -(Ss. 112 & 117 (5)-Order under S. 112 Legality -Joint trial) (1953 Cr. L. J. 110 : A I R 1953 Part. 1)

Passey J. S. 123(2) has no application where the direction regarding furnishing of security is immediately complied with. Detention and reference to the sessions judge are imperative only when the accused fails to give the security asked for.

(Gurdial Singh v. State - 1953 Cr. L. J. 407)

Govinda Pillai J. Where a sessions judge orders imprisonment under S. 123, such order should take effect not from the date of the sessions judge's order but from the date of the persons' detention in prison by the magistrate who referred the matter to the sessions judge.

(State v. Kunhani - ILR 1953 T. C. 820)



நாட்டுப் பற்று

[யோ. ம. இரஞ்சிதம், உதவி சட்டப் போதகர்,

போலீஸ் பயிற்சிப் பள்ளி, வேலைமாநகர்]

“நாட்டுப் பற்றிலாதான் நாற்ற மெடுத்த நினைத்திற் கொப்பாவான்” என்பது ஆங்கிலப் பேரறிஞரான திரு. வால்டர் ஸ்காட்டின் அபிப்பிராயம். தற்காலத்தே மக்கள் குழாத்திடையே நில விவரும் இந்தப்பற்றையாம் ஆராயப் புகுமிடத்து அதன் வரையறுப்பையும், அது எதனைக் குறிக்கின்றது என்பதனையும், எக் கருத்துக்களைத் தன்னகத்தே கொண்டு திகழ்கின்றது என்பதனையும் மக்களின் பலசாரார் எவ்வளவு அறிவைக் கருதுகின்றனர் என்பதனையும் கவனிக்கக் கடமைப் பட்டுள்ளோம்.

நாடு என்றால் எதனைக் குறிக்கிறது. அது வெறும் நிலப்பரப்பைக் குறிக்கிறது என்று சிலர் எண்ண முறுகின்றனர். மக்கள் கூட்டத்தினை வரையறுக்கிறது என்று சிலர் யோசனை கூறுகின்றனர். வேறு சிலர் அது மக்களின் கலையையும் நாகரீகத்தையுமே குறிக்கின்றது என்று செபுதுகின்றனர். மற்றும் சிலர் வேறு விதமாக அபிப்பிராயப் படுகின்றனர். இப்படியே பலரும் பலவித கருத்துக்களைக் கொண்டிருக்கின்றனர். ஆனால் மனித வர்க்கத்தின் சரிதையைக் கண்ணோக்குங்கால் மேற் கூறிய பல் வேறு கருத்துக்களும் ஒவ்வொரு சந்தர்ப்பத்திலும் நாடு என்ற பொருள்பட்டு விளங்கி வந்திருக்கின்றன. ஆகவே பல்வேறு கருத்துக்கள் நிலவ அவை காரணமாயிருக்கின்றன. அவ்வாறு வரையறுக்கப்படும் நாட்டின் மீது கொண்டுள்ள தாய்மையான அன்பையே நாட்டுப்பற்றென அழைக்கின்றனர் கருத்துலகியர். இத் தினை ஆங்கிலத்தில் “பேட்ரியாட்டிசம்” (Patriotism) எனக் கூறுகின்றனர் இப்போது மக்கள் கூட்டத்தினர் கொண்டுள்ள பல்வேறு கருத்துக்களும் எவ்வளவு நாட்டுப் பற்றைப் பிரதிபலிக்கின்றன என்றாய்வோம்.

நிலப்பரப்பு :— நிலப்பரப்பு உடையது நாடு என்று சிலர் கருதுகின்றனர். வெறும் நிலப் பரப்பு நாடாகி விடுமா என்று நாம் ஆராயும் போது, தமிழ் இலக்கணத்தின் இடவாகு பெயருக்குச் சிறிது இடம் கொடுத்துத்தான் பார்க்கக் கடமைப் பட்டுள்ளோம். மக்களே குடியிரா ஒரு நிலப் பரப்பு, தன்னிச்சையாக ஆளும் மக்கள் இல்லா ஒரு நிலப்பரப்பு எவ்வளவு ஒரு நாடாகும். அதனைப் போற்றவோ அல்லது அதனைப் பற்றுக்கொண்டு பராமரிக்கவோ மக்கள் இல்லாவிட்டால் அதனை ஒரு நாடு என்று எவ்வாறு கூற முடியும். சந்திரனில் மக்கள் வாழவில்லை யென்றும் வெறும் நிலப் பரப்பு மட்டுமே யுள்ளது என்றும் ஆராய்ச்சியாளர் எண்ண முறுகின்றனர். அதனை ஒரு மண்டலம் அல்லது வெறும் ‘நிலப்பரப்பு’ என்று கூறவே யாம் எண்ணக் கொள்ளுகிறோம். ஆகவே வெறும் நிலப்பரப்பு மட்டும் நாடாகி விடாது. இடவாகு பெயருக்கிணங்க நிலப்பரப்பின் மக்களும் நாட்டைக் குறிப்பதற்கு அவசியமாகிறது. தங்களுக்கே உரிய ஒரு இடத்தைக் காக்க மக்கள் கூட்டம் திரளுகின்றது. இதனையே மக்கள் அவ்விடத்தின் மேல் கொள்ளும் ‘பற்று’ என்று கூறுகின்றோம்.

மக்கள் கூட்டம் :— ஒரு குறிப்பிட்ட இடத்தில் உறையும் மக்கள் கூட்டத்தவர் ஒரு நாட்டைக் குறிக்கின்றனர், என்று சிலர் யோசனை கூறுகின்றனர். ஒரு குறிப்பிட்ட இடத்தில் உறையும் ஒரு மக்கள் கூட்டம் நாடாகுமா என்று ஆராயும் போது, அக் கூட்டம் மட்டும் நாடு ஆகி விடாது என்பது எனது எண்ணம். முதலில் மக்கள் கூட்டத்தை எடுத்துக்கொண்டால் மக்கள் கூட்டம் மட்டும் நாடு ஆகிவிடாது என்பதனைச் சரித்திரம் கூறுகின்றது. நாடோடிகள் (Gypsies) தற்காலம் வரை தங்களுக்கென இடம் இல்லாமலிருந்து வந்த பூதர் முதலானவர் வெறும் மக்கள் கூட்டமென்று அழைக்கப்பட்டு வந்தனரே யொழிய ஒரு நாட்டவர் என்று வழங்கப் படவில்லை. அடுத்ததாக குறிப்பிட்ட இடத்திலிருந்தால் மட்டும் ஒரு மக்கள் கூட்டத்தவர் ஆக முடியுமா என்று பார்த்தால், முடியாது என்று அபிப்பிராயம் கொள்வதைத் தவிர வேறு வழியில்லை. ஏனெனில் ஆராய்ச்சியானது, நாட்டை வரையறுப்பதில் வெறும் நிலப்பரப்பு, மக்கள் கூட்டம் இவற்றைத் தவிர அநேக இதர கருத்துக்களையும் கொண்டதாக விருக்கிறது. போலந்துக்காரர் என்றழைக்கப்படும் மக்கள் கூட்டத்தவர் உண்மையான முறையில் ஒரு நாட்டவர் என்றழைக்கப் படுகிறார்களா? இல்லை. அவர்கள் குறிப்பிட்ட “லிஸ்லோ” நதிப் பள்ளத்தாக்கில் குடியிருந்து வந்தாலும் சுயேச்சை இல்லாத காரணத்தால் அவர்கள் ஒரு நாட்டவர் என்று அழைக்கப் படுவதில்லை. இவ்விடத்தில் சுயேச்சை எவ்வளவு அவசியமாகிறது. சுயேச்சையிருந்தால் தான் ஒரு நிலப்பரப்பின் மீது மக்களுக்கு அதிகப் பற்று உண்டாகிறது. இவ்வளவு நாட்டுப்பற்று ஏற்படுவதற்கு நிலப்பரப்பு, மக்கள் கூட்டம் சுயேச்சையுள்ளவைகளாகத் திகழ வேண்டும். சுயேச்சை இல்லாத கூட்டம் தாங்கள் செய்யும் காரியங்களில் யாதொரு உற்சாகமில்லாமல் சுயேச்சை இல்லாத கூட்டம் தாங்கள் செய்யும் காரியங்களில் யாதொரு உற்சாகமில்லாமல் இருப்பார்கள் என்பது கண்கூடு. மத்திய காலத்திலும், பழங்காலத்திலும் “கூலிப் போர் வீரர்” என்றழைக்கப் பட்டவரின் (Mercenaries) உற்சாக மின்மை, பற்றின்மை போர்க்களங்களில் காணப்பட்டன, அவை பாரதீச, ரோம, ஆட்டோமன் சாம்ராச்சியங்கள் அழியக் காரணமாக விருந்தன.

மக்கள் கூட்டம் என்று இயங்க வேண்டுமாயின் அது தனக்கென தனிக்கலை, பண்பு இவற்றையுடையதாக இருக்கவேண்டும். கலை, பண்பு முதலியன எவ்வளவு நாட்டுப்பற்றைக் கிளறி விட்டு, மக்களின் சுயேச்சையைப் பாதுகாக்கின்றன என்று பின்வரும் பத்திகளில் ஆராய்வோம்.

கலை, நாகரீகம் :—கலை, நாகரீகம் என்பவை நாட்டுப்பற்றை எவ்வளவு வளர்க்கின்றன என்று அலசிப் பார்க்கும்போது கலை, நாகரீகம் என்றால் என்ன என்று அறிய வேண்டும். கலை யென்பது ஒரு சமுதாயத்தில் வளரும் சிற்பம், ஓவியம், இயல், இசை, நாடகம் முதலியனவற்றைக் குறிக்கும் என்பது எனது அபிப்பிராயம். நாகரீகம் என்பது நடைபுடை பாவனைகளைக் குறிக்கு மென்பது சிலரது எண்ணம். ஆனால் ஒரு மக்கள் கூட்டத்தினரின் “பண்பையே” நாகரீகம் குறிக்கும் என்பது கருத்து. இப்போது எவ்வளவு கலையும், பண்பும் ஒரு சமூகத்தின் மீது பற்றை வளர்க்கின்றன என்று பார்ப்போம்.

சிற்பம், என்பது கைத்திறன் படைத்த சிலர் தங்கள் எண்ணக் கிளர்ச்சிகளையோ அல்லது தங்கள் போற்றுதலுக்குரிய பாத்திரங்களையோ உருவங்களாகச் சமைப்பதாகும். இந்தச் சிற்பக்கலை நாட்டிற்குத்தக்கவாறு மாறுகின்றது. உதாரணமாக “கெல்லுகளின்” சிற்பத்தைக் குறிக்க ஸ்டோன் “ஹென்சம்” (Stone Henge) திராவிட சிற்பத்தைக் குறிக்க மோஹன் ஜோ டாரோ

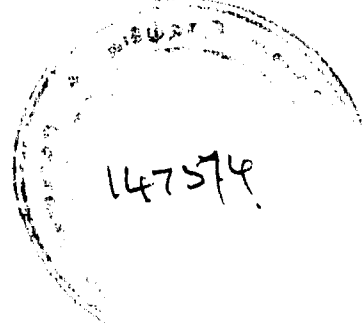
அடுத்தபடியாக நாசரீகம் என்ற, பண்பு வெவ்வேறு மக்கள் கூட்டத்தவரையும் தனித் தனியாக எடுத்துக் காட்டுகிறது. 'விருந்தோம்பல்' என்பது தனித் தமிழ் பண்பு. ஆங்கில நாட்டில் ஒருவரது இல்லத்திற்குச் செல்ல வேண்டுமானால் வாயிற் கதவு திறந்திருந்தாலும், மூடியிருந்தாலும் தட்டியே உள்ளே செல்லவேண்டும் என்பது பண்பு. இப்படியே பண்பின் வேறு பாடுகளை கூற வாரம் பித்தால்வட்டிலடங்கா. இவ்வாறு வேறுபாடுகளை யொட்டியோ ஒரு சாராரின் கலாச்சாரம், நடையுடை பாவனைகள் அமைகின்றன. இவ்வாறாக பண்பும் நாட்டுப் பற்றைத் தூண்ட உதவுகின்றது.

மொழி :— அடுத்தபடியாக தற்காலத்திலே மிக முக்கிய பிரச்சனையாக உள்ளது மொழியேயாகும். இது மக்களுக்குத் தங்கள் பால் ஒரு பிணைப்பை ஏற்படுத்தப் பெரிதும் உதவுகின்றது. குகை மனிதன் அறிவு முதிர்ச்சியில் வளரத் தொடங்கிய கால முதல் மனிதன் தன் உள்ளத்தின் எண்ணக்கிடக் கையைப் பல்வேறு வழிகளில் வெளியிட்டு வந்திருக்கிறான். தன் சாரார் விளங்கு மனவிற்கு சிலவரிகள் அமைத்துக் கருத்துக்களை வெளியிடுகிறான். இதுவே எழுத்தென்றழைக்கப்படுகிறது. ஒருவருக் கொரு வர் தங்கள் எண்ணங்களைப் பரிமாறிக் கொள்ளுவதற்கும் தங்கள் கலாச்சாரங்களை வெளியிடுவதற்கும் இவ்வெழுத்துக்கள் உபயோகப் பட்டு, அவைகளின் உபயோகம் மொழியென்றழைக்கப் படுகின்றது. Father Heras என்னும் மேனாட்டு அறிஞர் சிந்து நதி நாகரீகத்தை ஆராயும்போது மொழி நான்குவத வளர்ச்சி அடைந்து வந்திருப்பதாக எண்ண முறுகிறார். முதலில் “உருவ எழுத்து” ஈடைமுறையில் இருந்து வந்ததாம். உதாரணமாகப் பழங்கால எகிப்திய மொழியைக் குறிப்பிடலாம். பின்பு “கோடு எழுத்து” வந்ததாம். உதாரணமாகச் சீன மொழியைக் குறிப்பிடலாம். பின்பு ‘உருண்டை எழுத்து’ உருவாகி வந்ததாம் உதாரணமாக பர்மியம், தெலுங்கு, சிங்களம் முதலியனவற்றைக் கூறலாம். கடைசியாக ‘சதுர எழுத்து’ வந்ததாம். உதாரணமாக ஆங்கிலம், தற்காலத் தமிழ் முதலியனவற்றைக் குறிப்பிடலாம். சிலர் தமிழே இத்துணை மாறுதல்களையும் அடைந்து

வந்திருக்கிறது எனக்கூறுவர். மக்களில் பலரும் தத்தம் குழ் நிலைக்குத் தக்கவாறு தத்தம் மொழிகளை அமைத்துக் கொண்டு அம்மொழிகளின் பால் தமது ஆர்வத்தைச் செலுத்துகின்றனர். ஆரியர் என்னும் கூட்டத்தினர் தாங்கள் எங்கெங்கு சென்றார்களோ அவ்விடங்களுக்குத் தக்கதாக மொழிகளை ஏற்படுத்திக் கொண்டார்கள். இங்கிலாந்திலு றையும் ஆரியர் தண்ணீரை 'வாட்டர்' (Water) என்றும், கிரேக்க நாட்டிலுறையும் ஆரியர் அதனை 'தாலாட்டா' (Thalata) என்றும், இந்துஸ்தானத்து ஆரியர் அதனை 'ஜலக்' அல்லது 'பானி' என்றும் குறிப்பிட்டனர். இப்படியாகப் பிரிந்த ஆரியர் தத்தம் மொழிகளை ஆர்வத்தோடு வளர்க்கலாயினர். இதுபோலவே மொழியின் பால் ஏற்பட்டபற்று ஒரு நாட்டுப் பற்றாக வளர்ந்தது. சிலர் நினைக்கிறார்கள் ஒரு மொழியால் மட்டுமே நாட்டுப்பற்று உண்டாக்கிவிட முடியாதென்று அபிப்பிராயப்படுவதோடு மட்டுமல்லாது "சுவிட்சர்லாந்தை" உதாரணமாக எடுத்துக் காட்டுகிறார்கள். சுவிட்சர்லாந்தில் உள்ள காண்டன்களில் (மாவட்டங்கள்) ஐந்தில் மூன்றில் ஜெர்மானிய மொழியும் ஐந்தில் ஒன்றில் பிரெஞ்சு மொழியும், மீதியில் இத்தாலிய மொழியும் பேசப்பட்டு வருகின்றன. உண்மையாகவே நாடு என்ற முறையில் சுவிட்சர்லாந்தைச் சேர்ந்தவர்கள் இருக்கிறார்களா என்பது சந்தேகம் பிரான்சு நாட்டில் வாழ்பவரிடையேயும், ஜெர்மன் நாட்டில் வாழ்பவரிடையேயும் காணும் நாட்டுப்பற்றும், ஒற்றுமை உணர்ச்சியும் சுவிட்சர்லாந்தைச் சேர்ந்தவர்களிடம் ஒரு நாளும் இருக்க முடியாது. ஒருமொழி பேசுபவர், மற்றொரு மொழி பேசுபவரை வேற்று மக்களாகவும், சில சமயங்களில் பகைவர்களாகவும் கருதுகின்றனர். உதாரணமாக ஆந்திர மாகாண பிரிவினையையும் இலங்கையில் நடத்தப்படும் திரிசுங்க இயக்கத்தையும் குறிப்பிடலாம். மொழியே மிகவும் முக்கியமாக நாட்டுப்பற்றை வளர்க்கின்றது.

இப்படியாக, நிலப்பரப்பு, தங்கள் இனம், தங்கள் கலை, பண்பு, மொழி முதலியவற்றால் ஒரு நாடாக அமைந்த மக்கள் கூட்டத்தவர், தத்தம் உரிமைகளின் மீது தனிப்பற்று கொண்டு உயிரையும் திராணமாக மதிக்கிறார்கள். இதனையே நாட்டுப்பற்று என்கிறோம். நம் ஒவ்வொரு வரிடையும் நாட்டுப் பற்றை வளர்க்க வேண்டியது நமது கடமை. வாழ்க! நாட்டுப் பற்று.

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