

Home (1916) Department.
Education

Ordinary SERIES.

G.O., No. 1354

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INDEXED

[Despatch Abstract.]

Legislative Council Question.

Recording papers relating to a question asked by the Honourable Mr. B. V. Narasimha Ayyar at the meeting of the Legislative Council held on the 21st November 1916, and the answer given thereto regarding the Law College strike and the deprivation of attendance of students.

BACK PAPERS.

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FURTHER PAPERS.

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20,000-4-18.

1916

Home (E.V.)

DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
2. Published at—
3. Dated— *6-9-16*

For perusal
11-9-16

The Madras Law College.

TO THE EDITOR OF THE "HINDU."

SIR,—After the new appointment the Law College has a staff of nine professors. Now it is very doubtful if the needs of the College require as many as nine, but one thing is certain the students are not likely on that account to be more learned in Law. In fact they have not welcomed the new arrangements.

It is almost settled that the law should course extend over only two years. The appointments were recommended while the 3 year's course was supposed to continue. What justification there might have been for them has now entirely disappeared. Perhaps one is right in thinking that the Principal who is so enthusiastic about himself and the working of his College urged on the College Council the need for nine professors and they thinking that he ought to know about the actual working of the College easily approved of it. The Government can afford to pay Rs. 1,500 per month more out of the large surplus the College yields every year. But one fails to see the need for nine professors of law for three classes,—F. L. B. L. and the Pleadership.

As a result the time-table has been rearranged and all classes begin work at 10 A.M. They are let free only at four in the evening. Hitherto we had some leisure hours—one or two a day when we would be in the Library referring to authoritative works, reports and the like. Now it has become almost impossible. This will affect the study of a subject like Hindu Law where reference to leading cases and other works has often to be made.

Under this system many students will have barely an hour in the mornings for looking into their books. This affects the large number of law students living in Triplicane and Mylapore. The condition of law-students in Madras is already miserable. Having no hostel of their own they have to live in bad rooms and mess in dirty hotels. By nine o'clock they must be ready for the College so that they may be in time to answer the roll-call, the first item of work at every lecture. From 10 to 4 with less than an hour's interval there is regular lecturing or rather drilling for all the three classes.

Law as taught at present has been a matter of complaint and criticism. Most of us may recall

how Dr. Sir Subramania Ayyar characterised it in very forceful language some time last year. Mere repetitions from text books and reading of the section of an act are not surely the way to teach the principles of Law. It is equally notorious that with the exception of a virginal few the students do not pay much attention to the lectures. Under the new time-table they have to attend lectures for 5 hours a day and when they are let off at four they find they are not fit for anything else.

Had there been an increase in the number of subjects there might have been some reason for nine professors. Except for the proposed addition of land tenures to the B. L. and some additional work this year owing to the fixed changes there is no increase at all. A lecturer or two will quite meet the needs of the college. One can understand the need for more men if there is additional work to be done, but in the Law College they are first brought in and then work is being found for them. It is like shaping the head to suit the cap.

A wholly new feature is the Tutorial classes. It is this: Each class is split up into batches of about forty. Each division being "tutored" in different parts of the college in different subjects. The tutors put questions to each student and apparently they will give marks to his answers and these will mark the daily, the weekly progress of every student. It is bad enough to force B.A.'s to listen to a number of lectures every day from morning till evening, it is cruel to compel them to sit for Tutorial or Catechism classes. They will hardly have time for study and thinking. Many years for the good old days when there was no compulsory attendance and (Sir) Sivaswami Iyer and V. Krishnaswami Aiyer could sit on the sands and enjoy the breeze rather than listen to so-called lectures in law. But we are in times of change. We wish some Senator will move that for getting certificates of attendance a student need attend only 50 per cent of the working days instead of 75 per cent of them. Under the present system we are taught lessons in patience and some law too. We may well contrast the state of things in Madras with that in other Universities. Recently the Bombay Committee very wisely resolved to retain the two year's course and not to change the law school into a full-time institution.

LAWYER.

TRIPLICANE, SEPTEMBER 3.

11/9/16

1916.

Home (Ed.)

DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu* *HE* *For perusal*
 2. Published at—
 3. Dated— *15. 9. 16 -* *CR*
15-9-16

WHAT IS KNOWN AS THE 'STRIKE' AMONG the students of the Law College last week has attracted much public attention, but we are not sure that in the discussions which have taken place on the subject, there is an adequate comprehension of the real points involved. Mr. Arthur Davies, the Principal, whom the *Madras Mail* somewhat ostentatiously characterises as 'one who has been for years well-known for his Indian sympathies,' is a strenuous advocate of the three years' course for the B. L. degree, and it was at his instance the Faculty of Law and the Senate of the Madras University changed the curriculum from a two years' course to a three years' one. The feeling among the students of the Law College and a considerable section of the public has been very strong against the proposed change, and the Senate and the Faculty of Law have this year committed themselves to expressions of opinion contrary to the views of Mr. Davies, which they had formerly upheld by a narrow majority. The immediate cause of the present trouble in the Law College arose out of the students being required to attend the classes for no less than 23 hours a week. In the view of the Principal the increase in hours of work was necessary because the students neglected their studies in the early part of the year and resorted to cramming at about the time of the Examinations. He treated the representations of the students, that such long hours at the College were inconvenient and incompatible with their studies at home, with scant consideration and as of no value. Finding that efforts to persuade the Principal to lessen the stringency of the working hours at the College was of no avail, the students in a body abstained from attending the classes on Friday last. In so doing, they were palpably in the wrong. Their desired object became more remote of realization by the action which they took: on the next College day, the Principal put up a notice at the Board laying down the conditions under which each student would be permitted to attend the College. They were:—

1. Each student must at once write a full and unconditional apology for his folly and disloyalty.
 2. Those whose apologies are accepted by the Principal on Monday, the 11th September, will be fined 10 days attendance.
 3. Those whose apologies are accepted by the Principal on Tuesday, the 12th September, will be fined 25 days attendance.
 4. Students whose apologies have not been accepted on or before Tuesday, the 12th September, will be dismissed from the College.
- With great respect to Mr. Arthur Davies, whose amiability of disposition is well-known, let alone his pro-Indian sympathies as testified to by an Anglo-Indian authority, we cannot commend the spirit, language or propriety of the conditions mentioned in the notice. On Friday last, as soon as it became generally known that the students of the Law College had abstained from attending their classes, there was a chorus of disapproval in the City, and the students did not find encouragement in any quarter to which they had recourse for remedying their grievances. It seems to us clear, however, that the Principal in the notice which he posted up much exceeded his powers, and assumed an attitude of almost vindictive severity towards the students who had erred. We can find no ground for the charge of "disloyalty," against the students, or for the Principal assuming the power of awarding the arbitrary punishments referred to in his notice. It must be remembered that the Principal of the Law College is dealing with students who are not minors or young children who are pupils in schools. His students are all young men of academic distinction, holders of one or more University degrees, engaged in equipping themselves with knowledge to be useful to them in a professional career. A certain degree of latitude in their studies and independence of judgment as to their action is due to them as of right. The distinction between a school course and a University course of studies is apt to be lost sight of in this country where prestige and personal ascendancy are the ruling factors of life. A distin-

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper—
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guished writer observes. "The pupil in the High School has a definite amount of work assigned to him every day. The University student selects his field of study, his University, his teachers, and the lectures to be taken. And he also assumes an independent mental attitude towards what the teacher offers him. The pupil has to learn and assimilate what is assigned to him. The student does not 'learn', but 'studies', he assumes an independent mental attitude towards what he hears or reads. He can if he chooses stay away from the lectures altogether: no one is going to call him to account for that, no one is going to ask him why he is doing it or how he is spending his time, at least no one is officially charged to do such a thing."

In the course of a discussion regarding regulation of studies as to whether freedom of choice in attendance or a compulsory course is the preferable one the following observations of a celebrated European authority on education, will be found to be pertinent:—

"A really typical example of a University Course arranged with regard to pedagogical considerations is supplied by the French law faculties. There is a rigid Curriculum in which the courses are prescribed for each year; there can be no chance of error in the choice of a teacher either, since there is always only one teacher for each subject; the instruction must be in accordance with a programme which the instructor formerly received, complete, from the ministry of education, but which he must now submit to it for approval; attendance upon lectures and exercises is compulsory; an annual report of his progress is sent to the student's father (bulletin scolaire); finally, there is a graduated series of examinations, intimately connected with the several courses: they are held annually in two parts by the professors, and in order to promotion to the next highest course they must be passed successfully; the examination is always only upon the work of the preceding year. And the result? With such scholastic rigidity it might be supposed that the average results could not but be highly satisfactory. But according to L. Von Savigny's report (Die französischen Rechtsfakultäten, pp. 187 ff), which no one who expects anything from examinations during each semester should fail to read, even the purely external results are far from satisfactory. The percentage of failures is considerable."

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1916.

Home (Govt.)

DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
2. Published at—
3. Dated— *19-9-16*

WE DESIRE TO DRAW ATTENTION TO the communication appearing elsewhere under the heading "The Law College Imbroglio," and to the facts which it contains. Reference may also be made to the blundering policy of the Madras Senate in regard to the B.L. Course. By a hasty decision come to last year, the two years' Course was made into a three years' one, and the Senate is now endeavouring to restore the original position. The responsibility for the present disordered state of things is divided among a number of authorities viz., the Law College Council, the Senate and the Madras Government. The result is that students of Law get a step-motherly treatment, and they become the victims of the experiments of faddists of one sort or another.

page 2 wpa

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Home (Govt) DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
 2. Published at—
 3. Dated— *19-9-16*

The Law College Imbroglio.

TO THE EDITOR OF THE "HINDU."

SIR.—Now that the Law College strike has ended in the ignominious submission into which the 375 graduates of the Madras University were driven, kindly permit me to make a few remarks on the question of the origin of the strike. The unfortunate strikers have come in for a good deal of opprobrium, and where they looked for sympathy, admonition was their lot. Foolish suggestions have been made with the view of indirectly discrediting a certain section of political workers now busy in the public eye, by insinuating that by their activities they have turned the students' heads, and so on.

Sir, if language is not given to conceal man's thoughts, one would have desired a franker attitude on the part of these critics. Some of our elders, leaders of the Bar and Judges and so on, ought to have taken an interest in the matter and tried to give relief to the much-maligned students. But everybody chose to curb them, with the result that 375 young men, graduates of the University, were treated like "dumb, driven cattle," who were only fit, in the words of Sir Subramania Ayyar, to have "their tails twisted," as if they were so many plough-oxen.

In 1913, the Government passed an order sanctioning a new scheme for the Law College which was an excellent one in every respect. If that had been allowed to be carried out, everything would be going on well to-day. Instead of that, the whole scheme has been upset, and whatever was good in it has been allowed to be withheld in the present order

of things. With your permission, I shall quote these paragraphs from the Government Order No. 224, Educational, dated 15th March 1913:—

"His Excellency the Governor-in-Council is of opinion that the existing system under which part-time lecturers are appointed should be maintained in order to secure to the College the services of 'men of distinction in the legal profession and in daily touch with it.' At the same time, to meet the requirements of the increasing number of students and to secure the more efficient working of the College, it is clearly necessary to make certain changes in the strength of the staff, the emoluments allowed and the period of engagement. The Principal will continue to be a whole-time officer, but a whole-time Vice-Principal is unnecessary and the sanction of the Government of India has accordingly been obtained for the abolition of the post. As some set-off against the additional burden which this change casts upon the Principal, a new appointment of 'Curator' for the library will be created and to this officer will also be entrusted 'the specific duty of superintending the students who are working in the College library when not attending lectures.' In addition to the Principal, the teaching staff of the College will consist of two professors and six assistant professors.

The professors and assistant professors should be 'practising lawyers,' the former being of 'not less than twelve years' and the latter of 'not less than seven years' standing at the Bar.' All these appointments will be for a term of three years; but officers once appointed will be eligible for re-appointment if their work is satisfactory.

The hours of work of the professors should, in view of the fact that they are to be 'members of the Bar in active practice, be so arranged as to fall between 10 and 11 in the morning and 5 to 7 in the evening. The tutorial classes should, for the present, be continued; but the question of replacing them by 'moot classes' will be left to the College Council."

Now, sir, the strikers have been told, not only by hostile tongues but by friendly ones, that they have no real grievance in the raising of the working hours. But what does the above scheme contemplate? It does not contemplate more than 3 hours for lectures every day, viz. between 10 and 11, and 5 to 7. That comes to 15 hours a week, while between 11 and 5 they will be free to work in the library. But under the present arrangement, they have 23 hours' lectures a week, and no time for the library. Sir, are they not suffering from a real and substantial grievance?

But, it will be interesting to know how it is that the G. O. of 1913 was kept in abeyance till 1916, when it is wholly abandoned. In accordance with that G. O., Mr. Davies was appointed whole-time Principal towards the end of 1913. I am not here concerned to ask whether in the appointment of Mr. Davies, they observed the rule they laid down above, viz., that "men of distinction in the legal profession" should be secured. But beyond the appointment of Mr. Davies, the G. O. was otherwise kept in abeyance; to the questions of the Hon. Mr. B. V. Narasimha Iyer in the Legislative Council, the uniform reply was returned that the question of giving effect to the G. O. of 1913 was being considered—a novel position to take, seeing that a G. O. is always issued after the end of all consideration, but not to serve as the starting point of further discussion. However, it is believed that it was kept in abeyance at the desire of Mr. Davies, who wanted to give the Government the benefit of his own opinions on the remaining points for the G. O. The result is the present ill-suited, ill-conceived, and "ill-starred" arrangement.

Coming to the other points in the G. O. above referred to, it will be interesting to know how far the Government can say that they have succeeded in securing the services of "men of distinction in the legal profession, and in daily touch with it," in the persons of the newly-appointed lecturers. Another question is, why the proposed Curator of the Library has been discarded? Is it because no library hours are now allowed to the students in their crowded programme of lectures? A further question is, whether the rule that the professors should be lawyers of twelve years standing, and the assistant professors of seven years standing, has been followed in the recent appointments. And lastly, what is the present condition of the Moot Club which a former Principal did so much to make an indispensable feature of the Law College?

In conclusion, let me repeat that if the G. O. of 1913 be now carried out in its entirety, not merely in the letter but in the spirit, not only will the present unfortunate students be getting a redress of their undoubted grievances, but a step will have been taken which will increase the efficiency and usefulness of the Law College. We have now unfortunately but one Law College in the whole of South India except Trivandrum, where these questions are managed better because the College is under the management of the High Court. Is it difficult or impracticable for the Government to place the Law College under the management of the High Court, even as they have transferred the Medical College to the control of the Surgeon-General? It may be that the strike has ended, and it may be that the abject submission of the students will strike terror into the minds of all would-be strikers for some years. But nothing is more foolish than to imagine that, because owing to the want of a proper appreciation of their grievances, they have

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DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. *Name of Paper*—
2. *Published at*—
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surrendered at discretion, and submitted themselves to what one cannot help characterising as the cruel punishment that a bureaucratic Principal has chosen in his hour of triumph to inflict, therefore they have no real grievance; on the other hand, the part of wisdom and statesmanship consists in a sympathetic study of the problem, and in attempts, on the part of the leaders in Madras, who have now left the students to their unmerited fates, to bring about a reform of the Law College on the lines of the G. O. of 1913. Failing it, the question of a private Law College as there are to be found elsewhere, will come to the front.

A. S. V.

Mylapore, September 19.

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Lm (LEGISLATIVE) DEPARTMENT.

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QUESTION.—No. 170

for the meeting of the Legislative
Council to be held on the 21st November 1916.

SUBMITTED that two copies of this Question may be forwarded to the
Home (Education) Department with reference to Nos. (1) and (4) of the
rules regulating Secretariat procedure in dealing with these Questions in the
Legislative Council. Orders regarding admission will be communicated in due
course.

V.T.K.
3. 11. 16

Legislative U.O. No. 2611-dated 3-11-16.

To

The *Home (Education)* Department. *with 9. 190.*



Home (Education) Department
Local and Municipal Department,
(Legislative)

Question No. 190.

The Honourable Mr. B.V. Narasimha Ayyar :-

No official report on the recent strike of students in the Home (Education) Department. It appears however undesirable to interfere with the internal management of a College which is vested in the Principal. The following draft answer is given in writing by every individual student recently on strike in the Madras Law College, any deprivation of attendance made by the Principal will be ordered to be cancelled?

The Govt. do not propose to interfere with their discretion in the matter.

CR
6.4.16

AE

Draft answer.

The Govt. do not take any steps for purpose to interfere in the matter.

P
8.11.16

J. Webb

3965-1
27.11.16

Box 8
Circ 7.11
Date 8/11

NOTES.

Home (Education) Department

Question No. 190.

No official report on the recent strike of students in the Law College has been received. It appears however undesirable to interfere with the internal management of the College which is vested in the Principal and in the Director. The following draft answer is submitted for approval:-

"The executive management of the College is vested in the Principal who is subject to the control of the Director. ~~Any representations which should be addressed to the Government should be addressed to the Principal.~~ The Govt. do not propose to interfere with their discretion in the matter."

CR
6.11.16
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AE

Draft answer.

The Govt. do not ^{take any steps} propose to interfere in the matter

P
8.11.16.

J. Muller.

Rule 7 on page 3
of go. 310 (K)
22-3-16

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9.11.16

J. H. M.
9.11.16

The question and answer as finally approved were as follows:—

16 Q.—Will the Government be pleased to state if, having regard to the unqualified apology given in writing by every individual student recently on strike in the Madras Law College, any deprivation of attendance made by the Principal will be ordered to be cancelled?

The Law College strike and deprivation of attendance of students.

16 A.—The Government do not propose to take any steps in the matter.

2. The papers may be
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HEAD AGAIN G.O., No.
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DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DETAIL

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