Justice of the Raj

by Thomas Stoker

When he went on tour, Jenkins, the Joint Magistrate, took his wife into camp with him. Likewise his child. The Collector who was his chief didn't quite like it. He said it interfered with the activity of Jenkins's movements, and he had observed that Jenkins often halted for several days at places where there was nothing special to investigate. He failed, however, to notice that these halts were usually within striking distance of productive snipe-grounds, or jungles that yielded deer or even more coveted game. Now, Jenkins was a sportsman as well as a Benedict, while his morose superior owned neither a wife nor a gun. But, en revanche, he was very strong on the Code of Criminal Procedure, and had aspirations towards the High Court. He would have been surprised and horrified had he known how a wife in camp could help, all unconsciously, to turn aside the current of the law, as it is the purpose of this narrative to show. He was undoubtedly an able man, this Collector, and conceived that the art of government lay in the elaboration of rules and the judicious use of statistics. Such men gain high advancement in quiet times. So he exacted weekly and monthly returns of their work from his subordinates, and he had taken Jenkins to task because the percentage of convictions out of the cases he had decided was 87.3, whereas the district average was only 79.2. To which Jenkins had politely replied that he had hitherto been guided only by the evidence in his decisions, but that henceforth he would bear this new instruction in mind when forming his opinion on the merits of each case, and would be careful to convict only that proportion of criminals which would indicate the highest judicial efficiency on his part. Which ingenious fiction kept the Collector silent for several whole months.

But he lay low all the time, ready to catch the Joint tripping. For it must be admitted that Jenkins had a deplorable way of putting justice before law, which had endeared him to the simple people, who understood the one and knew nothing about the other. The Collector's turn for transfer to a more attractive post was about due, and it was a question of time whether he could get his claws into Jenkins for some departure from prescribed procedure before he moved up.

Meanwhile he asserted his authority by refusing, on some obvious pretext, to let the Jenkinses have that spare tent which Mrs. Jenkins had found so convenient last season. This little meanness, however, didn't keep her in the station when the pleasant cold weather drew on, and the smoke began to lie in layers on the evening horizon, and the tents were dragged out of the storeroom, and the guns looked up, and the camels hired, and Jenkins started off to make the round of his division, and administer under the village tree the nearest approach to justice which he found consistent with the codes and circulars that the Collector loved and reverenced.

So it befell that the Jenkins camp was pitched in a nice open grove, and the Joint one late afternoon was administering justice in a canvas court in one corner of it, while Mrs. Jenkins and Evie, aged six, were lodged in their little tent some way back among the trees.

"What's the next case?" said The Presence rather crossly, for it was warm. Indeed, The Presence (whisper it not in the High Court) was in its shirt-sleeves, and had been hard at work since breakfast, and been compelled to give up a cherished project of inspecting an adjacent lake whereon wild ducks descended in whizzing flights at sunset. Now it looked doubtful if it would even get time for its afternoon tea. These things make even Presences cross.

"Majesty," said the patient Munshi, " it is a case of kidnapping and personation."

A groan from The Presence. Kidnapping cases are apt to be tedious.

"My lord," suggested the crafty clerk, "it can wait till to-morrow."

"No," said Jenkins decisively. "That would be hard on the witnesses who can get no accommodation here. Besides, it is now too late to get to the ducks. Produce the police papers and let me hear what it is about."

The Munshi fished out a bundle of hieroglyphics on flimsy yellow paper and proceeded to intone the contents—swaying his body with the rhythm as he read.

The report set forth how a gang of ingenious swindlers had for years carried on a thriving business in manufacturing brides for high-caste bridegrooms who could not afford an expensive wedding. It was a trade that would not flourish in any country where people choose their own wives, or are not married till they reach years of discretion. But it did very well among Hindus, who are wedded any time after they are weaned. The firm dealt almost exclusively in brides of under ten years, and the younger the better. Some of the little girls they stole, and some they bought cheap, and some they even recruited from the families of their confederates. All of them were children of low caste or no caste, or child-widows, and therefore of no market value. The gang included some Rajputs and Brahmans of good social standing, and it was their function to keep the children till they had forgotten their past or had been trained to conceal it. Then a bargain was made with some necessitous caste-fellow who wanted a cheap wife, and was content to believe the plausible story under which her true origin was concealed. So the scavenger's daughter would become one of the twice-born castes, and a mother of priests or warriors.

At last a woman's jealousy had given away the whole organization, and the police had swooped on the gang and produced them for trial, with a dozen or so of the faked-up wives and swindled husbands to testify against them. The witnesses were called and the same miserable story was repeated to the weary Joint in half a dozen different aspects. Each, a sordid history of greed and cunning and folly—human beings sold and bought like sheep, and marriages that shamed the story of Eden.

"I think that is enough," said Jenkins at last.

"There is just one case more," said the police inspector, who acted as public prosecutor; "it is a strong one, but the witnesses have not yet been summoned. We are

prosecuting the girl. She shared in the fraud and has confessed. Her statement and the man's might be taken, if your honor pleases."

"Call Bulwunt Sing."

He came forward with slow step. A Rajput of high caste, with all the marks of breeding in his tall figure and his fine aquiline features, and of poverty in his humble dress, his gaunt frame, and the deep lines in his kind and patient face. There was something pathetic in the air of grief and despondency that sat on the stooping shoulders and the bowed gray head. The story was as sad as the man. He had been left a widower without a child. When he was a younger man his family had urged him to marry another wife—for a sonless Hindu has a black prospect in this world and the next. No son to take over his burden of toil, to light his funeral pyre, or offer the annual sacrifice to his soul and deliver it from the hell called Put, where the sonless must abide. Even his wife had pressed him to bring a rival to the house. But he had refused with loving fidelity while she lived. He was an elderly man when she died, and alone in the world. Times had gone hard with him, and he could not afford the expense that the ruinous practice of his race imposes on a formal marriage. One of the gang, a distant connection of his family, had offered to find him a wife—the daughter, he said, of people of equal caste with his own, but so impoverished that they would accept a very slender dower. Suspecting nothing, he went to the village moneylender and, pledging his few remaining acres, raised the money that was demanded.

The girl was indeed a Rajput of the right caste, but, married in infancy, had been left a widow while her husband was still a little child. The cruel custom of her class condemned her to a life of enforced and despised widowhood—a drudge and a butt for the more fortunate mothers of children. She was tutored in her new part, and cheerfully accepted it, as she would have accepted any alternative—even death in the village well. So Bulwunt Sing took her to his home, a budding girl, and there in the comfort and protection of a kindly heart she forgot the bitter past. A few years later the crown of happiness had come to both, for she bore to Bulwunt Sing the son for whom his heart had yearned many a weary year. The Sirkar, too, made a canal through his village, and with its water his fields yielded so abundantly that he paid off his most pressing debts and hung a slender gold bangle on the arm of his child's mother.

On this poor, happy little home a thunderbolt had fallen. Two days before Bulwunt Sing had been ordered to appear at the nearest police-station with his wife, and there he had learned the whole bitter truth. He had been deceived even by her. Full well he knew the consequences which must follow a public exposure. He would be excluded from his caste—a lingering social death, and the boy, who was his pride and hope, would share his fate. He had begged the police-officer to let the matter drop. He was ready to forgive the wretched girl, whose happiness was now bound up in his own, and to conceal his shame from his brotherhood and neighbors. If the matter came to court, concealment would be impossible—for her a prison, and for him and his son an outcast's miserable life. It was curious that even at that bitter moment it never occurred to him to blame the perverse social laws which wrought such cruel wrong to him and his. He accepted them

as he accepted the pitiless heat of the sun, or the flood that swept away his crops—something he might try to evade, but need not dream of altering. Indeed, he would not alter them if he could. Had his case been another's, and had he sat in the caste council with his fellows to judge it, his vote would have gone with theirs to condemn the innocent victims of a misfortune which might have befallen any of them. Much water will flow from the Ganges to the sea before the slow-moving forces, that reach even Orientals, have purified that queer mixture of barbarity and benevolence that makes up the social code of the Hindu.

All this Jenkins slowly and patiently gathered from the unwilling witness.

"Anything more to say, Bulwunt Sing?"

"Only this, sahib)—I am an old man, and to-morrow or to-day, what does it matter? I have done no wrong, but let me suffer. She of the house is young, and the womenfolk know nothing of laws. And there is the child—who will tend him if his mother is taken away? Send us across the black water, but send us altogether. Incarnation of Justice, that is all."

Then came the poor child-mother. The same cloak of clean white cotton cloth that shrouded her covered the small son that cowered in her arms under its thin shelter, in terror of the white man and the crowd round about him. Two fat brown legs hung out and answered with a kick to the convulsive clutch with which the startled mother grasped him when the sahib spoke. In a low voice, broken by tears, she told the story of the wrongs she had suffered and done. No need to repeat it.

The inspector smiled with satisfaction while she admitted her share in the deception—seeking in a blind way to take all the blame on herself, lest any evil might, through her, befall the other two. No box of precious ointment was hers to offer, but a sacrifice of tears that might wash white a blacker sin than her paltry transgression.
"The father of Zalim," she said—for no Hindu wife must speak her husband's name while he lives—" is blameless—he knew nothing. They told me what I should say, and they threatened to beat me, and I said it. I deceived him, and he—he—was very good to me."

And here the voice faltered and broke in a flood of tears, and little Zalim, under the cloak, answered with a sympathetic wail.

"It will go to the Sessions Court," said the inspector to himself, "and I shall gain credit, for the judge-sahib will see that the confession is true. These women are fools — she had only to deny, and we had no good proof against her."

In all that crowd the pathos of the story appealed to the listening Englishman alone. Unblinded by laws which, to the others, had supplanted natural feeling, he could see with clear vision the balance of right and wrong. What the woman had done seemed so little, and what she had suffered seemed so much, and before her still a life of hopeless misery, with just enough happiness in the past to reveal its wretchedness. Beyond that,

two innocent lives wrecked and a home broken up forever. And what was it all for? What sin had these people committed that offended against the moral code? A man had, in ignorance, married a widow and violated a law of caste. A broken, timid girl had allowed him to do it, and lent herself to the deception. A child had committed the offence of being born. So all three must suffer in the interest of the man, who would be ruined by his vindication, and of the community, whose own heartless law was at the bottom of all the trouble.

Still, the law was clear, and Jenkins was there to administer it, A fraud had been committed, and the woman had joined in it. The codes provide that people who join in fraud are to be prosecuted and punished, and magistrates are kept to punish them.
"It is not our business," the Collector had more than once laid down with severity, "to make or defy the law. How many of us are wiser than It?"

So to prison the poor little mother must go, and a worse degradation must fall on her child and its father, the innocent victims of Western law and Eastern justice.

"It is a beastly shame," said Jenkins inwardly; "but I don't see how it can be helped. The Collector is after me, and he is sure to hear of it. Some of his toadies will let him know. But it goes against the grain. I wish he had the job himself."

While he pondered, silence lay on the court, and a woman's sobs and a child's wail came from the mango shade where the prisoners sat. Jeevan Sing, the orderly, took advantage of this pause in the proceedings to deliver a message.

"The mem-sahib sends word that tea is ready in the other tent."

"I'll be back in a few minutes," said the harassed Joint. "Let the people go and have a drink at the well." And he went off with his heart rather full; for this young man had his weak points.

As he moved slowly across under the trees from his office-tent, two ruddy little legs rushed to meet him, and two little white arms were extended, and a rosy little mouth said, "Daddy! Daddy! take me up and carry me in to tea on your shoulder." And a smiling face looked out a welcome for him from beneath the uplifted screen that served as a door to the dwelling-tent.

With a sudden resolution he put down the child with a kiss.

"Run in, Evie; tell mother I have something which must be done. I cannot come to you and her till it is done."

As he turned on his heel and strode back he muttered between his teeth, "By Heaven! I'll do such justice as these people understand, if I do it for the last time."
He took Bulwunt Sing aside beyond earshot of the others.

"Bulwunt Sing, I, too, am a husband and a father, as you are. Look me in the face and speak as one man to another who wishes him well. Have the people of your village heard this thing?"

"No, sahib; none knows it. The messenger came at dawn and said we were wanted. He was a rustic and knew not wherefore."

"Then take a friend's counsel. See that none ever knows. I will release you and yours, and I will send you back to tell them what story you please to explain your absence. It may be that the Great Sahib may send for you, for our law is a hard one, even as yours is. But I will not cause evil to approach you. You, too, must forgive the one of your house who has done a wrong. So your home shall stand and you shall keep your place in your brotherhood, and your son shall take it when you have gone."

"Incarnation of Justice," said the Rajput, with a low reverence, "it is the word of a wise ruler. I will do as the Protector of the Poor has ordered. May the English Raj endure forever !"

A few tears trickled silently down the furrowed cheeks as he walked quietly away towards the mango tree, and Jenkins, who knew their ways, knew well that the heart was full of gratitude, though no word of it was spoken. He knew, too, that if there again was trouble in the land, there was one man more who would lay down his life for the white rulers.

The inspector accepted it as one of the inexplicable eccentricities of these sahibs when Jenkins took his seat again and said that the case against Bulwunt Sing's wife had failed, and she should be forthwith discharged and made over to her husband. Jenkins forgot all about his tea. He lighted a cheroot and went on with the business of the court till darkness put a stop to work. Before the sun set he saw a man with head erect and firm step striding off in the distance down the white road. He had a child in his arms and a woman walked behind him.

That evening his wife said:

"Why didn't you come over to tea, dear? Evie was so disappointed when you turned back. Then such a queer thing happened. A tall old man and a girl with a baby came and waited outside our tent, and when we came out they asked leave to touch my feet and Evie's, and they made the little baby do the same, and then they all went away and didn't ask for anything."

At that moment the orderly again interposed.

"My lord, the coolie has come with the vegetables from the station, and he has brought this letter also."

He handed a large official envelope to the Joint. Jenkins opened it and cried with a shout that distinctly lowered him in the opinion of the impassive Jeevan Sing.

"By Jove! here's good news. The Collector has been transferred as judge to Ramnugger, and I am to be Collector here in his place."

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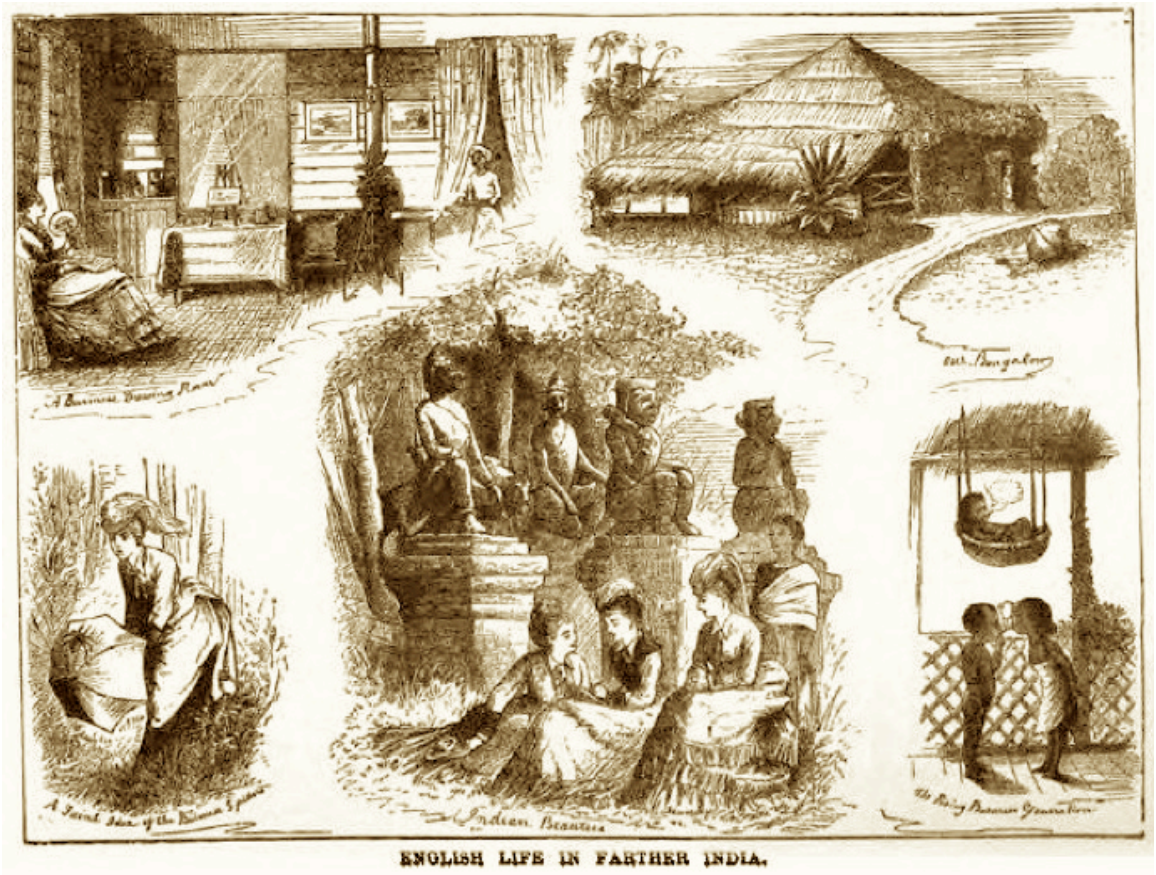

ENGLISH LIFE IN FARTHER INDIA.