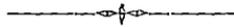


Scriptures. It involves the unthinkable proposition that our Lord voluntarily deprived Himself at the incarnation of the power to perform the very function which He came to exercise, namely, the unfolding of the mysteries of the Scriptures which testified of Himself. How could He explain all things, fulfil prophecies, and open the understanding of His disciples that they should understand the Scriptures, if He Himself had parted previously with the knowledge necessary to constitute Him an interpreter to others? But enough; it is useless for men to pull down the middle wall of partition between the infallible and the fallible, and, after removing the landmark which Scripture and the Church have fixed, to set up one of their own. It is open to anyone to try his ingenuity and craft at this trade, but where, after all these destructive efforts, will the Christian faith be? where the revelation of God? where our holy religion? where our eternal hope? And, above all, what will be done with Jesus Who is called the Christ?

F. TILNEY BASSETT.

Dulverton Vicarage, *March 23, 1892.*



ART. V.—MARRIAGE CUSTOMS IN BRITISH INDIA.

WHEN the British nation annexed the provinces of the country called British India, with a population of 280,000,000 of souls, a wise spirit of toleration guaranteed to the conquered races their religions, so far as they were not contrary to moral law, and their customs having the force of law regarding marriage and inheritance. Idolatry, polygamy, polyandry, divorce, adoption of children by childless persons, marriage at the age of puberty of both sexes, life-long widowhood, the levirate law of a younger brother taking the widow of his deceased elder brother—all these incidents are phenomena of every-day occurrence in one or other province of this vast empire amidst one or other section of the extremely heterogeneous community, divided by caste, religion, colour, dialect and ancestral customs, yet compelled to travel in the same railway carriages, to send their children to the same secular schools, attend at the same judicial courts, obey the same municipal law and pay the same taxes.

Under the long Pax Britannica the population has increased enormously, the area of cultivated land has reached its maximum. Of the three great scourges which keep down exorbitant population, war has ceased to exist; pestilence has been reduced to narrow limits and brief periods; famines occur periodically, but roads, railroads and heavy disbursements from the State greatly mitigate the evil, and the

thinning of the population in overcrowded regions has a good side for the survivors.

"Let the people alone in their social, religious and domestic affairs;" this is one of the great tenets of Oriental statecraft. Their ways are not our ways. Their Gods are not our Gods. Repress violent crime, keep the communications open, settle justly the disputes of litigants, stay the hand of the local oppressor: this is all that the people ask. In addition to this the British Government supplies education, hospitals, agricultural model farms, free trade, free culture of the soil, free press, free right of meetings, free locomotion from one end of the empire to the other, out of it and into it, and, as far as possible, restraint on the sale of intoxicating liquors and drugs.

Busybodies in Great Britain, male and female, who get a partial view of the subject, would like to try benevolent experiments on the people of a subject empire; they would, of course, resent any interference of Parliament with their own independent management of their own affairs, but they try to bring a pressure on the authorities in India to interfere for the correction of imaginary evils, and the two chief ones are the remarriage of widows, and the early age at which young couples live together and become parents of families. I have stated above that it was distinctly promised to the conquered races that marriage and inheritance should be left to time-honoured customs, and there is nothing on which Oriental people are more jealous and suspicious than interference with their females. No people would resent more strongly than Englishmen any attempt by a foreign nation to force upon them a change in regard to their marriage-customs and marriage-laws, and yet some few irresponsible persons try to air their crude benevolence, and endanger the permanence of an empire.

I quote the words of a very competent authority:

The marriage system of the Hindus was slowly and carefully elaborated, with a view to securing the *maximum* security to female life and female honour during the centuries of foreign invasion and internecine war which, with the exception of brief intervals, made up the history of India before the advent of British rule. After 150 years of comparative security under the Mogul emperors came the long and bloody anarchy from which the British came forth the rulers of India. For more than a thousand years the supreme need of women was not independence, but safety. To meet this supreme need the marriage system was developed into a powerfully constructed organization of protection, a system which endeavoured to give the *maximum* security to women as a whole, and which deliberately acted on the principle that their general safety must be insured, even at the cost of hardship to individuals among them. The Hindu marriage system assured two things to every female born within

the pale of the respectable community. It assured to every such woman the protection of a lawful husband, together with the *status* of a lawful wife; it also assured her of that protection and of that *status* as soon as she entered on the age of physical maturity. It held that these assured benefits to women as a sex were cheaply purchased by prohibiting the re-marriage of individual women who had been so unfortunate as to lose their husbands.

Such a system of protection, however urgent the historical need of it, would have rested upon a feeble foundation but for the aid of religion. Hinduism, with its matchless union of rigid strength and plastic adaptiveness, elevated what was a human expediency into a spiritual necessity, by placing the marriage system on the basis of Divine law. So far as appears from the Vedic texts, the marriage of a woman was optional in ancient India, and down even to the tenth century A.D. examples of ladies of adult years choosing their own husbands are recorded. During the long period represented by the post-Vedic Codes marriage became compulsory. Under the influence of mediæval and modern Hinduism, marriage was prescribed as the one indispensable religious ceremony in a woman's life.

There is infinite variety in the details of the marriage-customs amidst the different respectable castes in the different provinces of India. In the North of India, from the Indus to the Ganges, the practice is something of this kind: When quite infants children are betrothed to each other of the same age: cases of betrothals of grown-up men to baby girls are quite the exception, and polygamy among the respectable classes is exceptional also. About the age of six or seven the religious marriage takes place, but the bride remains in her parents' home. As soon as signs of maturity appear, the bridegroom is sent for, and carries off his bride with pomp and rejoicing to his own home. No registration of births or deaths takes place in British India. The fact of the birth of a female child does not transpire beyond the walls of the house. Maturity is supposed to arrive at an age much earlier than in colder climates, and girls aged twelve are often mothers without injury to themselves or offspring. These phenomena seem strange to Europeans. I have certainly inflicted punishments on husbands for cruelty to their wives, and listened to no assertion of marital rights. Such cases, however, are exceptional; in hundreds of thousands of cases no trouble arises.

The Legislature of British India has now passed a law that consent is not a good defence given by a person under twelve years of age: formerly the age was only ten. There is no harm in this law, but it will probably be inoperative, as the seclusion of respectable women will render proof of the offence very difficult, and the absence of registration will render the question of the age extremely doubtful. With considerable experience as a magistrate and criminal judge, and a very large sympathy

with the people, I do not see how any penal provisions will work, except when the circumstances are of exceptional barbarity and the sufferers and neighbours cry out; and such cases have occurred.

Public opinion has been roused in India, and there are many things which the native community in their tribes and castes can do—and certainly, as education spreads, will do—which it would be dangerous for an alien Government, based upon bayonets, to attempt to do. A rebellion or mutiny, such as had to be coped with in 1856, is not put down without frightful shedding of blood and suffering to the people, which it makes me, an eye-witness, shudder to think of. It is asserted that the Act of the Legislature passed a few years before the great Mutiny, authorizing the remarriage of Hindu widows, was one of the causes which led on to that catastrophe. The greasing of cartridges with the fat of animals was another cause. It is not what actually is done, but what an ignorant population fear is going to be done, that rouses suspicion and opposition. To this law about the age of consent there was violent opposition and most unreasonable, and it is possible that we have not heard the end of it.

What we *can* do is not in any way to lend assistance or countenance to a custom contrary to equity. Thus the very idea of attempting, by interference of the law, to enable a husband to capture his wife, or the person whom he alleges to be his wife, by the purely English process of "restitution of conjugal rights" or "specific performance of contract," is monstrous, and in Northern India would be impossible, though in the Court of Bombay a notorious case has lately occurred. Of course, if an injury has been done or a contract has not been fulfilled, there will be an action for damages, but nothing more. However, the benevolent enthusiasts want to go much further. They would propose to raise the age of consent much higher, or get rid of the Hindu system of marriage altogether, substituting the European practice of courting and free selection—the *Syámvara* of the old Hindu legends. They would add to the present law, which authorizes the remarriage of widows, a clause allowing the widow to retain after second marriage all the property of her deceased husband which she, under Hindu law, inherited. As regards her chattels and personal ornaments, the principle is fair enough, but as regards her land it would be unjust and impossible. Some go further, and would try in some way to protect the remarrying widow and her new husband from social ostracism and religious excommunication. This would be entering into an arena of contest which might lead to serious complications, and might endanger our empire. A more reasonable but equally im-

practicable suggestion is that a system of registration of births, the ordinary practice of an European country, should be introduced. The people would not understand the objects; it would scarcely be possible in the rural districts to enforce it. The strangest rumours spread like wildfire among an ignorant population.

I read with astonishment one proposal, contained in the petition of an English lady-doctor and five of her fellow-practitioners to the Viceroy, urging him to pass a law not allowing the consummation of marriage before the wife has attained the age of fourteen years. How could such a police regulation be carried out? We have only to imagine a similar law passed for Great Britain, fixing the age of eighteen or nineteen as the period. We can by law arrest marriage, but we cannot arrest sin.

"Where is the wisdom," writes one Hindu, "of driving a patient people to exasperation?" Let the subject in every form be brought before the educated Hindu, discussed in newspapers and pamphlets, but all action left to the people themselves. Imagine Great Britain passing under a foreign jurisdiction, and Great Britain is a small affair compared to the millions of British India; and imagine the foreign conqueror being struck by the fact that there was such a vast proportion of unmarried females, and ordering that all should be married at the age of twenty. If in British India there are twenty-two millions of widows, there is perhaps scarcely an old maid to be found.

To turn loose the informer, and to allow the native police to interfere in such cases, *proprio motu* would entail misery upon the people which it is painful to think of. The new law, therefore, forbids any subordinate magistrate, or subordinate police officer, to interfere, and it is probable, therefore, that it will be inoperative, or, rather, that prosecutions will be very rare; but the fear of punishment, the fear of a domestic scandal, the awakened conscience of fathers of families on the subject, will have a salutary effect. It is a remarkable fact, that this alleged cruelty to women is not resisted by the women of the family; all agree in throwing the chief responsibility for the existence and perpetuation of the present evils upon the women. "Our mothers, mothers-in-law, and aunts," writes Babu Nobin Chunder Sen, a deputy magistrate, "do their utmost to force the child to premature motherhood. I know that in the case of my own brothers I had to set my foot firmly down on the evil. . . . I found, however, my old aunt was secretly nullifying my wishes."

I now give a singular illustration of the assertion that similar circumstances produce similar problems. In a mis-

sionary report this year from Palestine, I read: "I think I may say that the one real difficulty that I have had here is on the marriage question. Three leading members of our Church endeavoured to promote a marriage between a blind man and a child of thirteen still connected with the Orphanage, and the matter still threatens to disturb the peace of the congregation. I trust the Conference will be able to fix upon an age (if this has not been already done) below which a girl may not be married in our Church. The Nazareth Native Church Committee recommends that no girl be allowed to marry until she is over sixteen." This is among Christians. I quote another report from a mission among pagans on the Congo in Equatorial Africa, indicating the germ of the same difficulty: "Last Sunday the uncle of a boy of eight said that he was anxious to send the boy's betrothed wife to the station to be brought up with him, so that they should be more on a par." From a missionary report of the S.P.G., 1890, comes the encouraging fact that "in Christian missions women are taught to be teachers, and that thus educated women have an independent career of their own, and are not obliged to marry at an early age: many of the best educated girls remain unmarried." Here we have a germ of healthy reform.

By a mere chance the Indian papers throw a light upon the possible difficulty of working the new Act to protect children in factories, which applies equally to the child-wife. "The limit of age for 'full-timers' in factories is fixed at fourteen years, and as very few native operatives know their children's ages, or even their own, the medical officer has, in passing lads and girls for work, to judge the age as best he can—generally, as in the case of horses, by examining their teeth. If he concludes that they are under fourteen, he reduces them to 'half-timers.' In one Bombay mill recently a number of girls were thus sent back as under age who were actually mothers, and several boys who were fathers were also reduced; and one of the latter was the father, it is said, of three children. The case of these lads is particularly hard, for, with a wife and child, or perhaps children, to support, life, on the pay of a 'half-timer,' must be a terrible struggle."

There are worse things even in England than the child-marriages of India. Why do the parents in our working classes allow their daughters under sixteen to marry lads of the same age? Because of those worse things.

How vast is the abyss of feelings, circumstances, and environment, which separates the Indian family from any strata of European society is evidenced by the fact noticed in the annual administrative reports of British India, that the increase or decrease of the import of manufactured cotton

goods, and the consumption of alcoholic drink, depends whether a particular year was considered by astrologers in India an auspicious one for the consummation of marriages, or the contrary. Whatever may be thought in Europe is the completion of the marriage contract, in India two elements are entirely absent, love and lust. Moreover, the new law can possibly affect only a portion of the population; the Mohammedans have no such custom, and the millions of the lower castes, who live by daily labour, have little or no marriage custom at all; as far as my experience goes, women in the lower classes were only temporary companions.

This social subject is naturally regarded from different points of view. I close my paper by recording two.

My eye fell upon lines describing the Indian child-wife of a man of good caste and easy circumstances as "a stranger to all the comforts of home, excluded from all that is cheery and interesting, cut off from the delights of social life as *we understand it in happy Christian England.*" Such were the sentiments of an evangelical gentlewoman of the upper middle classes, with a certain amount of culture, and an income sufficient to allow her to dress smartly and go to tea-parties in some small social circle, but entirely untravelled, and imperfectly acquainted with the ethnology of the world. No doubt to many of such a class it is a matter of wonder what pleasure in life a woman in India, China, or Japan can have, and yet it is an equal subject of wonder to Oriental women what pleasure a European woman can have. The wife of a rich Hindu received in her apartments an English lady, and she was dressed in silks and jewels, and the lady asked her why she dressed so grandly when no one could see her. Her reply was that she dressed to please the eye of her husband, and she asked what persons the English lady dressed so finely to please.

A learned Brahmin communicated to an English periodical his views on the policy of the law allowing widows to remarry. He remarked that from the unavoidable waste of male life there was always an excess of females over males. If, therefore, widows, who had had their chance, were allowed to enter the marriage market a second time, there must be more and more old maids to "disturb the order and serenity of society." His second point was that, even if husbands could be secured for all widows without unjustly compelling other females to remain spinsters, this would entail a calamity upon India, already overcrowded, by a great increase of the population, and cause famine and disease from the insufficient supply of food. He remarks that we cannot satisfy the desire of the widow without being ungenerous to the unmarried girls and

their legitimate aspirations, and we cannot meet the wishes of both without sacrificing the interests of the community. His third point is that perpetual widowhood is from economic reasons the fate of the widow; the State should interfere and forbid the remarriage of the widower. It appears that in the Rajput Reform Association widowers above the age of fifty are bound down by their caste rules not "to make fools of themselves by repairing a second time to the altar of Hymen." This in his opinion is an encouraging sign of the times. It certainly will increase the number of old maids, and be a check on the increase of the population.

ROBERT CUST.

ART. VI.—THE ARGUMENT OF THE "*AURIUM PIETAS*": ITS USE AND ABUSE.

THE freedom, not always reverent, with which recent criticism has been applied to the deepest and most sacred mysteries of our faith, cannot but bring to our mind the principle of the *aurium pietas* as it was recognised in earlier ages, and is still maintained in the Roman Church; though its meaning has by modern controversialists of that Church been extended to doctrinal developments instead of being limited to the reverent and pious treatment of the mysteries of the faith as "once delivered." We may observe, first, that this kind of argument has no connection whatever with the practice of the *disciplina arcani*, in which, by a conventional agreement between Christians, the true nature of the elements of the Eucharist was concealed from the uninitiated, a practice as inconsistent with the Divine command, which required the Passover rite to be explained even to the youngest who were capable of understanding it, as it is to the openness and sincerity which the principles of Christianity require in regard to all its institutions. This conversion of the Christian Passover into a "mystery," never to be alluded to but in dark figures of speech or parables, was one of the many causes of the animosity of the heathen, and of their charges against Christians, as though they partook of some unhallowed and revolting feast, instead of celebrating a simple and beautiful memorial, real rather in its effects upon the heart and life than in its own inherent power. With this conventional practice the principle of the *aurium pietas* has no affinity.

This latter rather represented the spirit of reverence and of pious reticence with which those great mysteries of our faith which stand around the supreme truth of the Incarnation, or any of their consequences, were approached by the faithful in