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CHINESE RETURNED STUDENTS

Are They Making Good?

By M. T. Z. Tyau, LL.D.

About a month ago we wrote in these columns on "Chinese Students in England" and offered a few suggestions as to how to encourage Chinese to go to study in Great Britain. Since then our attention has been called to some remarks made by "Looker On" in the correspondence column of the "North-China Daily News" of March 1. There is no need here to reply to all what our kind critic had to say, as the arguments were for the most part irrelevant. But we may profitably join issue with his last paragraph, as follows:—

> Chinese students have a great future before them, they have benefited by Western education and it will be extremely interesting to see what that training produces. The average student on his return readily slips into the well-worn grove of "What is the use" as he abandons his foreign clothes for a Chinese gown in winter. "Olo custom" will not be denied and Chinese New Year is celebrated with greater enthusiasm each succeeding year in spite of the Chung Hwa Min Kuo.

In other words, are the Chinese returned students making good?

Question of Common Sense.

Before proceeding to show whether these students are or are not making good, it is pertinent to remind "Looker On" of two significant fallacies in his premises quoted above. When a Chinese returned student prefers the Chinese gown in winter (or summer), it is because the foreign garments are not warm (or cool) enough for his purpose. Surely our foreign friends are irrational when, knowing the Chinese fur gowns are warmest in winter, they yet deliberately prefer to go about insufficiently clad. No doubt many reasons can be produced to defend the foreign attitude in this matter, but the fact remains that the Chinese returned student is none the worse for his sojourn abroad as regards his common sense is concerned. For certain purposes European dress is to be preferred for its greater ease of action and more constant injunction to cleanliness: but for warmth in winter or coolness as well as comfort in summer, a Chinese gown wants some "beating." Such being the case, the returned student is only acting according to his best common sense.

A Single Exception.

Three years ago a prominent American returned student was publicly disgraced and the charge formally preferred against him before a court of law was one of accepting bribery while in charge of an important government department. At that time an all-powerful militarist whose influence is to-day still paramount, is said to have remarked to his advisers:—"After all, we cannot depend upon the returned students. In justice, however, to the accused it must be said that he had never been given a proper trial: his arrest and imprisonment were the intrigues of his political opponents and the public was never furnished with the data necessary to forming an impartial judgement as to his guilt or innocence."

Up to date this seems to be the most signal instance of a returned student's failure.

Bearers of the Torch.

At this date there is no need to go over in detail the exact work of the returned students: every one conversant with China knows it more or less. But it is well to be reminded that

> "it has been entirely due to their efforts and influence that the country is being modernized. To be specific, the early returned students from America, and a few from Great Britain, toiled hard to clear the ground, break the soil, and sow the seed. Those coming after them, though in larger numbers, had naturally a much easier task to perform. To them as a class must be credited, in spite of the very decided and far-reaching contributions by other parties, the introduction of Western ideas and ideals, the institution of fundamental reforms and the gradual transformation of the social and political order of the country along modern lines. More than anything else that will stand out as a monument to their achievement and influence is the change of the country from a monarchy to a republic, from an absolute despotism to a popular democracy, from an antiquated conservatism to a modern liberalism."

A Plethora of Unemployed.

Unfortunately, their time has not yet arrived and consequently in Peking, for example, there is a plethora of them unemployed. Ten years ago a returned student was still lionized, and he would be eagerly sought after, no matter whether or not he was fitted for the proposed position. To-day, through no fault of his own, he is at a discount, just as the Peking Bank of China and Bank of Communications notes are depreciated.

Of course such a state of affairs is abnormal and can only be temporary, just as the Chinese Republic will soon really come into its own. But while the unsatisfactory situation lasts, the position of the returned students is far from being enviable. In the keen struggle for existence diplomas and degrees are often forgotten, and an incumbent for a certain position might as well have always stayed at home, instead of returning with a foreign academic or professional training. Consequently, the spectacle is often one of undignified incongruities and, in some cases, even of round objects being put into square holes.

This is as it should never be and indubitably will be remedied as soon as the liberal elements come into power. But to the credit of this privileged class it should be said that despite such adverse circumstances their record as a whole is one that no one need ever be ashamed of. The wonder is not that the returned students have done so little for their country, but that they have done so much in face of all uphill opposition.

Occupations Classified.

According to the estimate of the "Times" there are 1,700 Chinese in the country holding American degrees and 400 holding British degrees. Details of these students are not easy to obtain, but "Who's Who of American Returned Students" for 1917 and 1918, published by Tsing Hua College, contains particulars of 470 graduates from American institutions who are in actual employment. These may be classified according to their professions and occupations as follows:—

1	Education:—	
	a. Administrators	38
	b. Teachers	146
2	Government:—	
	a. Executive officers (including diplomats)	115
	b. Legislators	3
	c. Judicial officers	4
3.	Technical and Professional Work:—	
	a. Architects	3
	b. Engineers	75
	c. Legal practitioners	6
	d. Medical doctors	26
4.	Miscellaneous Vocations:—	
	a. Directors and employees in Banks	10
	b. Managers and employees in manufacturing and commercial houses	27
	c. Editors and correspondents	2
	d. Librarian	1
	e. Social and religious workers	16
	Total	472

Similar details about graduates from Great Britain, etc., are not available: and the above list of professions and occupations was only brought down to the end of 1917. Therefore the enumeration is incomplete as numerous old students especially are reluctant to have their records advertised or published: anyway it gives us some idea of the possibilities of the returned students.

The Newest Science of All.

To show such possibilities it should be mentioned that aviation is no longer new to this land of lotus-eaters, and the number of licenced Chinese airmen is increasing. More than this, recently one of these in the Naval School of Foochow invented a kind of hydroplane which is now being tested by the proper authorities. Hence the extension of the Aviation School in Peking and hence the purchase of 100 odd new flying machines.

As regards architects and engineers, it is noteworthy that many returned students have organized themselves into partnerships or limited companies especially for doing architectural and engineering work. And as regards railway engineers it is on record that the unification of accounts over China's 6,000 miles of railways at present in operation which was first effected in 1915, has been pronounced excellent. An English railway expert in London refers to it as the Chinese system and recommends the South African Government to adopt it wholesale. Can there be better testimony?

Some Distinguished Names.

When Emperor Kuang Hsu of the last Manchu dynasty ascended the throne, the first batch of Chinese students arrived in Great Britain and the United States. Since then this stream of educa-

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tional migration has flowed steadily and its net result is the modernization of China's hoary civilization. If names were required of these worthy yeomen, one could easily muster a formidable list. The following outstanding names will perhaps suffice for our purpose:—

1. Ex-President Li Yuan-hung.
2. Dr. Sun Yat-sen.
3. Hon. T'ang Shao-yi.
4. Dr. Wu T'ing-fang.
5. Dr. C. T. Wang.
6. Dr. V. K. Wellington Koo.
7. Dr. Jeme T'ien-yu (deceased), "Father of Chinese Railways."
8. Mr. Tong Kai-son (deceased), anti-opium reformer and first president of Tsing Hua College.
9. Admiral Sah Chen-ping.
10. Admiral Tsai T'ing-kan.
11. Dr. W. W. Yen.
12. Dr. Sao-ke Alfred Sze.
13. Dr. Wang Ch'ung-hui.
14. Vice-Minister Ch'en Lu, of Foreign Affairs, and assistant to Minister Lu Cheng-tsiang.
15. Dr. C. C. Wang, railway expert.
16. Chancellor Tsai Yuan-pei, of the Peking Government University.
17. Dr. Chang Po-ling, the "most brilliant school principal," according to Dr. George E. Vincent, President of the Rockefeller Foundation.
18. Mr. David Z. T. Yui, the Chinese Y. M. C. A. leader.
19. Dr. Z. T. K. Woo, Superintendent of the Hanyang Iron Works.
20. Mr. K. P. Ch'en, General Manager of the Shanghai Commercial and Savings Bank, the Ladies' Savings Department of which is under the charge of a returned student's widow.
21. Mr. H. Y. Moh, the successful cotton mill owner.
22. Dr. Wu Lien-teh.
23. Mr. Chung Mun-yew, newly appointed head of the proposed Shanghai Mint.
24. Dr. S. P. Ch'en, head of the Peking Isolation and Central Hospitals.
25. Dr. S. H. Ch'uan, Surgeon-General of the Chinese Army.
26. Dr. Lew Yuk-lin, formerly Chinese Minister to the Court of St. James.

The New Supreme Court.

Although the Supreme Court was established during the late Tsing dynasty, no real judicial reform was carried out until the latter part of the first year of the Republic. Since then many new appointments have been made to the Court and much has been done in securing the independence of the Judiciary. The president of this Court has the rank and salary of a Cabinet Minister, and this is surely the best safeguard for an independent judiciary. Of its 26 judges 20 are graduates from Japanese universities, two from American universities and four from China. One of its Registrars is also a Doctor of Law of London University. Being the highest appeal court of the land, it is likewise the tribunal which by a bench of nine judges will sit to try the nations's chief magistrate when impeached by Parliament.

It, therefore, possesses very large powers, including the trial of disputed election results. But perhaps its most important authority is that of interpretation other than judicial, of laws and ordinances in response to requests from government departments or inferior courts. In so doing the Supreme Court not only guides the administration of justice throughout the Republic, but also controls the interpretation of laws as the highest tribunal. This confidence has been well placed, and between 1912 and 1917 over 800 cases of such authoritative interpretations are recorded.

The admirable accomplishment of the Law Codification Commission is, so to speak, China's trump card in this direction. Headed by Dr. Wang Ch'ung-hui, Doctor of Civil Law, and formerly Minister of Justice, its collaborators are mostly graduates from Japanese and British universities, assisted by M. George Padoux, the eminent French jurist who codified the Siamese Criminal Code and after nine years' service helped that Government to get back its extraterritorial rights.

Main Principles of the Code.

Started three years ago, it finished last July the Second Revised Draft of the Chinese Criminal Code. Foreign conceptions of Draconian Chinese justice were derived from the almost inhuman provisions of the old Ta Ching Lü Li. When the Chinese Republic was established, a new Provisional Criminal Code was promulgated which has done much to humanize the punishment of criminals, etc., in this country. But the light of up-to-date experience the Provisional Code is still unsatisfactory: hence this Second Revised Draft which will become law as soon as a representatives Parliament will sanction it. Here we have no space to review this excellent draft in detail: we can only outline the following generalizations:—

1 The determination of punishment should be based on what is known as "individualization of punishment," namely, each punishment should be adapted to the condition of each criminal.

2. No act is an offence which is not expressly made punishable by the law in force at the time when it was done.

3 If the law in force at the time when the trial takes place differs from the law in force at the time when the act was done, the latter law shall apply, provided that such latter law prescribes a lighter punishment.

4 For the better protection of society more punishable offences are specified, *e.g.*, those relating to trade, those committed by officials, and those against public order.

5 For the same reason unfair laws are repealed while others are modified in conformity with the recent developments in criminal legislation. Examples of the latter are the chapters on Elections, Offences against the Internal Security of the State, and Offences against Public Safety.

Finally, to show the Chinese individuality of this new draft, its compilers have rightly recognized the fact that the family is still the national unit. Hence the penalty for offences against the best family ethics is more rigorous than that for those in other codes.

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