

been aroused. One may perhaps borrow Lincoln's logic to suggest that the police may insult some people all the time, all the people some of the time but not all the people all the time. The truth will always come out; only this time it has come out with a vengeance. The police is caught at its own game.

In some quarters it is felt that the task of distinguishing a respectable woman from a cheap brothel is most difficult, if not impossible, in these days when ultra-modern fashions of make-up and dress are indulged in by all. This may hold true as far as appearances may be accepted as superficial indications of character, but a brief inquiry or conversation with a possible suspect should suffice to draw the distinction for a man of common intelligence. If the refinement or intellect of an educated woman should pass the comprehension of an ignoramus that typifies an average detective, the only remedy would seem to lie in the elevation of his qualifications above the mere ability to be insolent and brutal.

Lest the police should be unduly criticised for the execution of duties imposed from above, one may proceed to inquire into the entire system of public search instituted by the French Municipal Council and the Shanghai Municipal Council. Not only the Chinese pedestrians like the lawyer's wife in question are often subjected to various forms of interference by members of the police, but also users of rickshas and owners of motor cars are likely to suffer a similar fate without the least cause. It is common knowledge that many a Chinese, be he a motor car owner or ricksha user, has been stopped by police officers, sometimes in broad daylight and sometimes at night, in an attempt to search for firearms and kidnapers. The practice has become so widespread that its legality has been taken for granted. But if one were to inquire into the Chinese criminal procedure law to which alone the Chinese are subject, one may discover no foundation for the authority which the municipal police has tried to exercise over the Chinese.

The law provides various conditions under which search may be conducted, but in almost all cases a warrant of search must be first obtained from the judicial authorities and shown to the party to be searched. To this provision there are only a few exceptions, namely, when a judge or procurator personally conducts a search, when an arrest is to be effected, by a judicial

order, or when a person in the act of committing a crime or attempting to escape after his arrest is being pursued, or when in an emergency circumstantial evidences indicate the possible commission of crime within certain premises.

A peaceful citizen riding in a motor car or ricksha and travelling on a street at a normal speed can hardly be described as a person in the act of committing a crime or trying to evade arrest. The search of his car and of his person, in the absence of legal authority, cannot but be regarded as a deliberate infringement upon his right to property and safety from molestation. The police officer conducting such an unlawful search, in spite of higher command, has breached his trust and abused his authority. He has committed an act which it is not within his lawful province to perform. And if this point were to be pressed to the logical conclusion (provided always that extra-judicial influences were withheld) he would be found guilty of battery which is usually defined as an offensive touch upon another person without the latter's consent. If the Chinese had been as jealous of their civil rights as the occidentals, an end might have been put to this unwarranted and unwarrantable form of search by the simple process of prosecuting the police officers personally in their national courts.

Of the complacent attitude of the Chinese, the detectives of the police have often taken undue advantage. The arrest of the lawyer's wife is but a single instance in point. A woman walking near an amusement resort was immediately taken for a prostitute, even though she made no attempt to solicit trade, and was accordingly arrested before a thorough inquiry into her status was conducted. For such an outrage upon a woman's honor no stretch of imagination could find justification in the Chinese law, or any law of any other civilised state. Its perpetration stands as an eloquent testimony to the proverbial disregard, encouraged and condoned by the municipal authorities, to the elementary rights of the Chinese. The time is come that the search of Chinese persons without warrants be discontinued by the police and resisted by the Chinese. In times of emergency searches should not be confined to the Chinese alone. We do not belong to a race that is given to nothing but crimes. The existence of Scotland Yard is the best proof that in crimes all races are alike.

## China Needs A Dictator

By Y. S. TSAO (曹雲祥)

WHILE reading over the July 5 number of *The China Critic*, I came across a discussion of the question of dictatorship for China. In this special number on this subject, the editor contributed a leader in favor of the rule of a dictator after laying down a few conditions.

On the other hand, a foreign contributor rather congratulated China upon not swallowing the dictator panacea hook, line and sinker as some other countries have done. Professor Chiang Ting-fu presented the *pro* and Dr. Hu Shih the *con* of the question, "Dictatorship

versus Democracy," but in the former I could only discern a historical survey of the case with scarcely any convincing argument for China's adoption of dictatorship, while the latter actually attempted to hit the nail on the head with three arguments which I may discuss.

Dr. Hu Shih declares himself to be against dictatorship for three reasons, namely, because there is no one in China qualified or born to be a dictator, because there is no magic formula to rally the people, and because democracy is more capable of drilling the people in political principles. The last point in favor of democracy is not a direct objection to dictatorship, while the first two objections merely laid down the conditions for a successful dictator. When the principle for dictatorship has been established, probably a formula and a qualified man might be found. Such views are always interesting in a discussion, but they are not so solid as some other points such as, dictatorship will lead to despotism, dictatorship does not suit the spirit of the Chinese people, dictatorship has failed in other countries, and the like. However, the writer is rather in favor of dictatorship for China at the present time, and so the task of exhausting the objections might be reserved for other writers.

The reasons for advocating dictatorship is due to the political exigencies of the time. It is neither because there is already a fully qualified man on the scene who has been denied the right to assume such office, nor is a dictatorship regarded as a panacea that will cure all ills. The writer is not advocating the rule of an infallible despot whose every whim and fancy must be regarded as the law of the land, although even until recent times China has had such men as party rulers. It is for the sake of national unity and the hastening of national reconstruction that it is advocated. The dictator is meant to serve as an outstanding leader to guide the ship of state by replacing a number of evenly balanced departments of state and a phalanx of equally powerful satraps who fritter away valuable time by mutual recriminations and exonerations, or who are constantly plotting and undermining the strength of their rivals, even unto the staging of minor civil wars which have harassed the people for the last three decades.

During the fight which took place along the Great Wall between the invading Japanese and the defending Chinese, the development of events pointed unmistakably to an "undeclared armistice," and so it was then suggested that the government take the people into its confidence and make public what the actual conditions were and what was to be the proposed plan of liquidating an intolerable situation which was jeopardizing more lives and property of the Chinese people in the north as the result of keeping up appearances. It savored too much of a conspiracy with one's enemy by prolonging a make-believe conflict, so

that the invader might be given time to make more political, economic and territorial gains at the irrevocable expense of China and her people. It was staged as if merely to vindicate loyalty to the declared policy of "continued resistance" which Dr. Alfred Sze has recently reiterated in Washington.

Again, during the Shanghai incident and the Nanking Hsiakwan affair, the capital of China was virtually abandoned by the important authorities. The cities of Hangchow, Kiukiang, Hankow and Loyang regarded as blinding cobble-stones under which official ostriches could complacently bury their heads despite the exposure of their very vulnerable necks and the rest of their anatomies. At that time, China as a nation was from all appearances headless, simply because the heads were buried. Eventually, however, the voice of public demand pulled those heads from under the hiding places, as the throat of China's economic life—Shanghai—was being choked.

Upon those two occasions, the writer had the temerity to suggest publicly that in the absence of a better solution to find a responsible head for the country, it would be highly beneficial for China to create dictatorship, or rather to permit the quick development of a dictator by public consent. For a country like China to be without a responsible head under present circumstances is far more dangerous than to have a dictator. Even bees and horses in the animal kingdom realize the necessity of having leaders to rule and direct as may be evidenced by the fact that the bees nurture a queen and the horses follow a leader through instinct. A ball team will elect a captain to serve as their responsible spokesman in its dealings with other teams. How much more does a nation like China facing an insatiable and powerful enemy need an outstanding leader to assume undauntedly the heavy responsibilities of the state? The first contention to support the establishing of a dictatorship therefore is absolute necessity.

In the second place, since the fall of the Manchu regime, numerous experiments have been made in order to find a "strong man," be the president, chairman or dictator. There were several serious attempts made, but eventually either the errors committed or the particular conditions created, led to their ultimate downfall. By the process of elimination, the indications are that a form of dictatorship or presidency is being gradually evolved and by scanning the political horizon of China, the luminary can be seen already shining through the beclouded atmosphere for several years.

No brief is being held for any particular person, but despite set-backs, cautious manoeuvres or show-downs, no one need err in a forecast as to who will ultimately rise to the zenith in the political firmament of China. If China were a smaller country perhaps a dictator would have developed a long time ago. But China's dictator for the whole country requires an exceptionally strong man who must have a number of colleagues or followers that can hold the controlling power in military, political



and financial matters. And above all, he must be able to deal tactfully and magnanimously with the regional leaders in order to win their support and loyalty. All these conditions go to prove the point that China and her people are actually looking forward to the early appearance of a dictator.

In the third place, there are evident signs that China has been watching Soviet, Fascist, and Nazi experiments and Rooseveltism with great interest. As events are moving fast in the Far East, the urge to develop a Chinese form of dictatorship is all the greater. Perhaps the power behind the curtain is not prepared to clamp down upon the Chinese people so rapidly and bluntly as Hitler did upon Germany with all the excesses of despotism, but through the so-called Blue Shirt movement, a number of journals and their editors have felt the curbing influence of that movement. Perhaps even certain minorities within the party itself realize fully the ferment that is going on. Unlike Germany, there are no special racial differences in China as to call forth such excesses as anti-Semitism and the like.

As if in response to Dr. Hu Shih's request for a magic formula as a necessary part of a successful dictatorship, the code known as the "New Life Movement" has been launched and received with great favor by the people as a whole. True to the genius of the Chinese people, hitherto unknown to the untutored masses. At the same time, it hearkens back to the old virtues which have served as the foundation of the indigenous civilization of China. In accordance with the spirit of the doctrine of "golden mean," it is an attempt to graft a new structure upon the old foundation and there is a promise that it will succeed. After the radical excesses of the Hankow days and the lingering effects

of spirited slogans, the exponents of the New Life Movement have tried to curb the loud-mouthed extremists, and at the same time they have won back the confidence of those who have been bewailing the disastrous effect after young China has cut herself loose from the old traditional moorings of Chinese tradition and culture. What more need be said to prove that a dictatorship is rapidly being evolved right under our eyes?

In conclusion, it must be said that the world is facing an unprecedented crisis, and in Europe alone there are as many as twelve dictatorships and five semi-dictatorships with only nine so-called free countries wherein Fascism of varying shades is also to be found. The United States has by public consent granted exceptional powers to President Roosevelt under the New Deal, while Japan has virtually been domineered by General Araki and his party. The Chinese version of dictatorship must be developed in accordance with her own political genius, tempered as it will necessarily be by the democratic principles of Dr. Sun Yat Sen. Fully realizing the dire need of national unity and the danger that the nation faces, the Chinese people are prepared to accept a dictator who will assume openly and courageously the full responsibility of guiding the ship of state into a haven of comparative safety—as it will be too extravagant to ask for absolute safety. Dictatorship is no panacea and its appearance may be considered as retrogression in the normal development of a democratic state, but China at present is in a state of emergency which calls for the centralization of authority and quick action. For these same reasons, some twenty odd nations today have accepted dictatorships so that they may better meet the political exigencies of the moment.

## College Men In Depression

By P. C. KUO (郭斌佳)

ONE of the disturbing news of the moment is the growing unemployment of college graduates in China. I am not an educational expert; hence I am not especially qualified to speak. Nor do I wish to add more to the potshers already raised over this question. But considering the importance of the subject, I should like to say something I know from direct contact with many college students, something I consider pertinent, with the hope that the matter may be brought under a better light.

It is a lamentable thing that in present-day China the college men should be confronted with the difficulties of unemployment. At a time when the nation is dedicated to a program of reconstruction and rejuvenation, it seems that there should be a standing need for the services of the youths. But, on the contrary, news comes every day that young people having finished their college work find themselves jobless, and that many are even on the point of starvation. This summer there are over 5,000 men and women graduated from the universities in the country,

among whom only a very small number have been given employment. The superfluity of college graduates has grown from a scare to be a fact. It is said with obvious truth that the youths have something, no matter what that may be, to keep themselves busy prior to graduation, while after that they have virtually nothing to do. Graduation from college brings to them not hope but worry or often disillusion. If a privileged few could rely on the support of their parents, most of our college men are now in the throes of a nation-wide depression.

Undoubtedly the situation is a complicated one. We can best study the problem by asking first: What do the college students themselves think? What suggestions could they offer toward the solution of their difficulties? In this connection, the plea recently made by the delegates of the Students Vocational Movement Alliance of Peiping to the Ministry of Education is perhaps most representative of their attitude. The delegates made the following suggestions to the authorities: "(1) Government offices