

Dr. Satish Chandra Banerji

By MR. JUSTICE GYANENDRA KUMAR

To write about Dr. Satish is to re-open that glorious past of this Court which may perhaps never return. Few probably of the present generation of lawyers can have a perception of his true moral and intellectual dimensions. Indeed how little do we know of him, when there is so much to be known. Dr. Satish lived in an age of great contemporaries and most of them lived longer than him but whether their achievements would live longer than his is left to the judgment of posterity. Some of the notable figures in the legal sphere, who then seemed to tower, may have shrunk in stature with the passage of time, but the same is not our fear for Dr. Satish. The present is so different from the past that it is difficult to see it a part thereof, as a link in a definite, continuous chain of forms and traditions. That our vision has missed him is too obvious and perhaps a correct accusation against us. His message seems lost to us and if we still try to bring it to our ears, we fondly hope we shall not aberrate. As we glean the account of his life, we find it one of perfect consecration, a life which had only intent study and learning as its portion, a life indeed unbroken in its course.

Satish Chandra Banerji was born on 20th June, 1871 at Agra. He was the second son of the Late B. Avinash Chandra Banerji, who was a Judge, Small Cause Court. The places where Dr. Satish received education were determined by the uncertainties of his father's transfer from place to place. He had his early schooling in the Government High School, Allahabad. The late Pt. Madan Mohan Malviya was then a teacher there - Dr. Satish being one of his students. On his father's transfer to Aligarh, he joined the M. A. O. College, Aligarh. In this institution assembled distinguished scholars to diffuse learning to their pupils, such as Sir Theodore Morrison, Prof. Wallace, Theodore Arnold and the distinguished Shakespearean, Prof. Raleigh. Of these, Prof. Wallace and Theodore Arnold evinced keen interest in Satish. It was their association that kindled in him a devotion to literature and philosophy. On his father's re-transfer to Agra, he joined the Agra College. The Principal there was a Scotch - Mr. Thompson, a profound scholar of philosophy. Satish had been barely a few months in his class, when Thompson saw in him the gleam of philosophic talent; and with this discovery in his pupil, his interest in Satish became more intense, rather personal. The College library, as also the Principal's personal library, were left at the disposal of Satish. These years of his with Mr. Thompson saw the growing of the latent seed of philosophy in him to a fruitful flowering.

Mr. Andrews, a distinguished scholar of Cambridge was another professor who attracted Dr. Satish. In Prof. Andrews, Satish found a true guide for his literary pursuits and his study of Elizabethan literature and mid-Victorian poets under Prof. Andrews became very profound. Shakespeare has been the endeavour of every literary critic but few of them have been able to see him truly. Some have seen him only through the spectacles of their imagination, while others only through that of their intellect, with the result that their delineation of the subject only leaves a legacy of paradoxes and contradictions. To say that very few scholars who have devoted themselves to the study of Shakespeare have had that exact and intuitive perception of him as Dr. Satish would be no exaggeration. In interpreting Shakespeare, novelty is its own condemnation. Shakespeare, as Dr. Satish saw him, was a poet of concrete things, deeply concerned with human nature-the same eternal joys and sorrows, virtues and sins of flesh, which not only the poet but the weaker mortals are also permitted to see. His commentation of the views of Gervinus on Shakespeare as a moralist was greatly acclaimed by Prof. Dowden who readily accepted his suggestions.

The academic laurels of Dr. Satish are really unique. In 1890 he sat for his B. A. examination in Allahabad and Calcutta Universities simultaneously and in both he secured a first class first, with honours in English Literature. While yet a student of M. A. class, he brought out an edition of Tennyson's 'Princess' with a most learned synthetical introduction. Again in 1892, he sat for his M. A. simultaneously in the Calcutta and Allahabad Universities and topped at both the places. In the same year he brought out a philosophical treatise containing the dialogues of Berkley with his critical introduction reviewing the history and progress of English idealism. Prof. Fraser, a reputed authority on Berkley, was so much struck by the merit of this work that he came to regard Dr. Satish as one of the greatest scholars on Berkley outside England. In 1892, on the death of his father, he took a professorial job in the Hugli College, Calcutta. There, he won the Prem Chand Rai Chand Scholarship, which was the highest honour an Indian scholar could aspire for. His thesis on Sankhya philosophy received the acclamation of Max Muller, who, in his later work, has paid the highest tribute to the talent of Dr. Satish. His research on Sankhya philosophy has achieved its mission and has won many to the study of the sources of Hindu thought. With so rare a literary talent and the meditateness of a philosopher in him, one naturally expected him to remain in the academic sacrarium, but it is not always that the expected happens. It was the sphere of law and not the university which was to see the fulfilment of his destiny and perhaps with not less lustre.

Satish started attending Sir Frederick Pollock's Tagore Law Lectures on the law of fraud and misrepresentation. He appeared for the law examination and got the first position; but owing to shortage of his attendance, the gold medal could not go to him. So poignant was Sir Frederick's grief at this unkind cut that he persuaded the University to award a special medal to Dr. Satish as a tribute to his merit. In 1894, after passing the LL. B. examination from the Allahabad University, he started his professional career at Lucknow as a Junior of Saiyed Mahmood, who had just joined the Bar after his resignation from the Bench of this Court. Dr. Satish, by his acumen and assiduity, soon won the heart of Mahmood, who found in him a true intellectual companion. His stay with Mahmood was, however, not long and in 1896 he shifted to Allahabad permanently. After a few months' stay in the district courts, he was allowed by the Chief Justice, Sir John Edge, to practise in the High Court. His first few years in the High Court were the years of usual waiting. With practically no briefs during this period, he devoted himself with single-mindedness to the study of Indian and Continental laws. In 1900, he took his honours in law and just a year later earned his doctorate in laws. These were the years of quiet study for him; but a man of his gifts,

even with occasional appearance in the Courts, was unlikely to remain in obscurity. His erudition and vision in law had captured the attention of every one and even the most sceptical of his colleagues were not reluctant to acknowledge his learning. Day by day he was gaining recognition and everyone looked ahead of him a brilliant future. The chance came to him in 1901 in the Landhaura Raj case, which was proceeding in the trial court at Saharanpur. His performance in the case struck every eye and he began to be frequently offered engagements in the outstation briefs, particularly in the western districts of the province. Dr. Satish was now walking with vigorous strides in the profession, and by 1905 he was able to build up a large practice on the second appellate side. Even in First Appeals the litigants began to engage him. In 1905 he was enrolled as an advocate and in another two years he was to be found in the front rank. He was inundated not only with the High Court briefs but also with the outstation ones. So unquestionable had become his position at the Bar that even in the Judicial Commissioner's Court at Lucknow his appearance became quite frequent. Those who possess some recollection of Dr. Satish say that in his deportment he was meek and humble, in his conversation always savoury. He could maintain his *bon homie* and equanimity even under the gravest provocation. He never over-elaborated his arguments, being averse to display of learning beyond the imperative requirement of the occasion, nor did he make himself abstract to appear profound. He was always easy to follow. In him one could see the combination of exact statement, logical precision and lucid exposition. Rarely was to be found so much of substance so admirably dressed and flavoured, in so small a receptacle. The rapidity with which his point could reach the mind of the Judge conveys how in a few words he could offer the quintessence of the whole theme of his contentions. In his arguments the reason of law always prevailed over the rule of law - *Ratio legis est anima legis* - reason of law is the soul of law, and this maxim seemed to guide his approach to law. Some of the cases in which he appeared have attained the rank of *causes celebres*.

But the charm of how he stood to argue and his success in what he argued should not obscure the more worthy and lasting product of his genius. The truth is, *Scripta manent verba volant* - written words remain, spoken words fly. What he leaves behind for posterity is his treatise on the law of Specific Relief. In 1906, he was offered the chair of Tagore Law Professor. Needless to say that his Tagore Law lectures on the law of Specific Relief remain a legal classic and an authority on the subject in India up to this day and have not been superseded in rank even by the foreign commentaries. Every principle of equity has been unearthed by him in his work in an endeavour to elucidate with certainty the main principles and the precise extent of the law of Specific Relief; Sir Ashutosh Mukerji, in his foreword to the "Law of Specific Relief in British India" a homogeneous treatise of the Tagore Law Lectures by Dr. Satish, writes - "The monumental work, which has now reached its second edition, was on its first publication, acclaimed in legal circles as a triumph of erudition and research, while the accuracy and lucidity of the exposition of legal principles which throughout characterised the work marked it out as a contribution of enduring value". It would be only too true to say that, as a legal writer, Dr. Satish had few equals and perhaps no superior.

Though a busy lawyer, his part in the public life was quite active. Just a month before his death he was elected to the Legislative Council as a representative of the Allahabad University of which he was a fellow. He was the Secretary of the 25th Indian National Congress, and was elected as President of the U. P. Congress Committee in 1914. In the same year he was made the Chairman of the Committee of the non-official famine relief organisation started by the Servants of India Society. He was one of the Secretaries of the first United Provinces (Political) Conference; and over its seventh session he presided. A man of pen that he was, his interest in the sphere of journalism was very natural. The proposal to start a nationalist newspaper in Allahabad had long been felt and in starting the 'Indian People' his contribution went a long way. Later on when 'Indian People' was transformed into 'The Leader' he was one of the first chairmen of its board of directors. Such was the life of Dr. Satish, a life lived in deeds not in years. It was a life of purest devotion, intense action, and thought and quite naturally it consumed him prematurely. With a feeble constitution he broke under the pressure of work, and, on the 8th of June, 1915, he quitted the land of the living at the early age of 44. So quietly he accepted his illness that none could know of his grave condition until the happening of the inevitable.

The career of Dr. Satish is meteoric, not merely an event, but a portent. From his joining the High Court in 1896 to his death in 1915 not even two decades had intervened and in such a brief span he attained what most of us would not in our whole lifetime. To die is as natural as to be born, but deep is our grief when death leaps upon us without our toils being over. Death has no regard to the convenience of mortals nor does it hear our supplications. May be, those dear to us are dearer to the Lord. "Those whom gods love die young", and perhaps this seems to be a truer answer why the more virtuous break early their connections with the inhabitants of the earth. The history of the Allahabad Bar has not a more spotless character to commemorate; incorruptible in integrity, modest without diffidence, learned without vanity, independent and dignified without asperity or pride. Distinction is the consequence, not the object of great minds; the truly great strive more for the approbation of God, and such was Dr. Satish. The light that shone through the frame of clay is not extinct, it still radiates through the pages of his Tagore Law lectures.

What inscription should we choose for his portrait? Not the words recalling his marvels but those transmitting the sublime truth, which he had himself chosen for his late father:

'He is not dead whose noble life

Leads thine on high.

To live in hearts we leave behind

Is not to die'.