

INDIAN OPINION

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HARILAL'S CONVERSION TO ISLAM

With reference to Harilal's conversion to Islam recently announced in the press, Mahatma Gandhi has issued the following appeal which is entitled:

"To My Numerous Muslim Friends."

SO NEWSPAPERS report that about a fortnight ago my eldest son, Harilal, now nearing fifty years, accepted Islam and that on Friday last (29th May) in the midst of a large congregation in the Jumma Masjid at Bombay, he was permitted to announce his acceptance amid great acclamation and that after his speech was finished he was besieged by his admirers who vied with one another to shake hands with him. If his acceptance was from the heart and free from any worldly considerations, I should have no quarrel. For I believe Islam to be as true a religion as my own.

"But I have the gravest doubt about his acceptance being from the heart or free from selfish considerations. Every one who knows my son, Harilal, knows that he has been for years addicted to the drink evil and has been in the habit of visiting houses of ill-fame. For some years he has been living on the charity of friends who have helped him unstintingly. He is indebted to some Pathans from whom he has borrowed on heavy interest. Up to only recently, he was in dread of his life from his Pathan creditors in Bombay. Now he is the hero of the hour in that city.

"He had a most devoted wife who always forgave his many sins including his unfaithfulness. He has three grown up children, two daughters and one son, whom he ceased to support long ago.

"Not many weeks ago, he wrote to the Press complaining against the Hindus not Hinduism, and threatening to go over to Christianity or Islam. The language of the letter showed quite

clearly that he would go over to the highest bidder. That letter had the desired effect. Through the good offices of a Hindu Councillor, he got a job in the Nagpur Municipality. And he came out with another letter to the press almost withdrawing the first and declaring emphatic adherence to his ancestral faith.

"But as events have proved, his pecuniary ambition was not satisfied, and in order to satisfy it he has now embraced Islam. There are other facts which are known to me and which strengthen my inference. When I was in Nagpur in April last, he had come to see me and his mother, and he told me how he was amused by the attentions paid to him by missionaries of rival faiths. God can work wonders. He has been known to have changed the stoniest hearts and turned sinners into saints, as it were, in a moment. Nothing will please me better than to find that during our Nagpur meeting and the Friday announcement he had repented of the past and had suddenly become a changed man having shed the drink habit and sexual lust,

But press reports give no such evidence. He still delights in sensation and in good living. If he had changed he would have written to me to gladden my heart. All my children have had the greatest freedom of thought and action. They have been taught to regard all religions with the same respect that they paid to their own. Harilal knew that if he had told me that he had found the key to right life and peace in Islam, I would have put no obstacle in his path. But none of us, including his son, (now twenty-four years old and who is with me, know anything about the event till we saw the announcement in the press.

"My views on Islam are well known to the Mussalmans who are reported to have enthused over my son's conversion. A brotherhood of Islam had telegraphed to me thus: 'Expect like your son you the truth seeker, to embrace Islam, the truest religion in the world.'"

"I must confess that all this has hurt me. I sense no religious spirit behind this demonstration. I feel that those who are responsible for Harilal's acceptance of Islam, did not take the most ordinary precautions that ought to have been taken in case of this kind.

"Harilal's apostacy is no loss to Hinduism. And his admission to Islam is a source of weakness to it, if, as I apprehend, he remains the same wreck that he was before.

"Surely, conversion is a matter between a man and his Maker who alone knows his creature's hearts. And conversion without a clean heart is, in my opinion, a debial of God and religion. Conversion without cleanness of heart can only be a matter for sorrow, not joy, to a Godly person.

"My object in addressing these lines to my numerous Muslim friends is to ask them to examine Harilal in the light of his immediate past and, if they find that his conversion is a soulless matter to, tell him so plainly and disown him and if they discover sincerity in him, to see that he is protected against temptations so that his sincerity results in his becoming a God-fearing member of society. Let them know that excessive indulgence has softened his brain and undermined the sense of right and wrong, truth and falsehood. I do not mind whether he is known as Abdulla or Harilal if by adopting one name for other he becomes a true devotee of God which both names mean."

Indian Opinion

FRIDAY, JULY 10TH, 1936

Passing Of Another National Leader

ERE India has got over the shock of the sudden death of Dr. Ansari she has received yet another great one by the death of Mr. Abbas Tyabji, who was known as the "Grand Old Man of Gujarat". Indians in South Africa have once again had to wait for the sad tidings till the arrival of the mail from India. To criticise Reuter's Agency in this connection is like pouring water over the duck's back. According to the Indian Exchanges the death of Mr. Abbas Tyabji took place on June, 9 at New Delhi through heart failure. Born in February, 1854, the late Mr. Abbas Tyabji was 82 years of age. He was the brother of the late Badruddin Tyabji, one of the founder-members of the Indian National Congress. At the early age of 11 Abbas Tyabji went to England. He matriculated from the University of London in 1872 and was called to the Bar from the Lincoln's Inn three years later. In 1879 he returned to Baroda, his birth place, and joined the Judicial Service being made Judge of the High Court in 1893, which office he held till 1913.

Being a staunch Nationalist the late Mr. Tyabji, on his retirement began to take an active part in the Congress movement. The Jalian-wala Bagh outrage shook him as it did the entire Indian nation and he cast his lot along with Mahatma Gandhi and others in the events that followed. He was a member of the non-official Commission appointed by the Congress to inquire into the Martial Law Regime in the Panjab in 1919-1920.

His great services reached their zenith when he stood at the front as one of the generals during the Civil Disobedience Movement

inaugurated by Mahatma Gandhi in 1930. That great and historic march to Dharasana led by Mahatma Gandhi with a view to violating the salt laws as a protest against the heavy tax imposed on that essential item of food which the poorest could not do without was led by that "Grand Old Man" when Mahatma Gandhi was snapped away by the authorities at midnight from the midst of the camp when the whole camp was fast asleep. The scene of that bright eyed, white bearded, square shouldered tall and imposing figure with an ever smiling countenance, an ex-Judge, being served with trembling legs by once his subordinate officials with a warrant of arrest is indescribable.

Abbas Tyabji with his eighty stalwarts were immediately arrested and Abbas Tyabji was sentenced to nine months imprisonment. What prison life could be at the age of 76 to one who had the means to enjoy every possible comfort in life that he could desire to his heart's content can easily be imagined. But the late Mr. Abbas Tyabji was during those nine months a source of courage, joy and happiness to the young. Never was a gloom on his face. Indeed the gloom on those who were even slightly disposed to be gloomy vanished at the very sight of the Grand Old Man. When Civil Disobedience was withdrawn Abbas Tyabji diverted his attention to the conditions of the villagers in Gujarat and Baroda. He was elected President of the Baroda People's Institution and he undertook in this capacity an extensive tour of the villages, carrying the message of freedom and hope to the village population.

Though old in age the late Abbas Tyabji was ever young in spirit. His youthful spirit inspired his numerous co-workers in times of depression and helplessness. One of the outstanding features of Abbas Tyabji was the complete absence of communalism in him. He belonged to the Nationalist group of Muslims in India who considered India to be their only home. It was in the lives of great and noble personalities like Abbas Tyabji and Dr. Ansari that Mahatma Gandhi and his fellow-workers found a ray of hope of seeing the end of communalism and the reign of Hindu-Muslim unity in all its glory in India. The death of Mr. Abbas Tyabji removes from the National life of India a great and noble soul whose place is, if not impossible, very difficult to be filled. He leaves behind a large family and the whole Indian Nation to mourn his loss. To the bereaved we extend our profound sympathy and pray that the departed soul may rest in eternal peace.

NATIONS OF THE EAST

The clouds of war are gathering
fast,

The clash of arms and poisoned
blast

A sea of chaos deep and vast
Surrounds you and the skies o'er
cast.

Nations of the East, awake!
Nations of the East, awake!

So many lands have been laid
waste,

So many homes made desolate,
The conqueror boasts his

armoured might,
Proclaims aloud that might is
right,

Nations of the East, arise!
Nations of the East, arise!

To stem this onrush and to live,
To save your homes, your kith

and kin,

You must prepare, you must begin,
Stand up like men—you're sure

to win,
Nations of the East unite!
Nations of the East unite!

—S. V. W.

TRANSVAAL ASIATIC LAND TENURE AMENDMENT ACT

(II)

[[In our last week's leader we endeavoured to explain briefly the sections of the Transvaal Asiatic Land Tenure Amendment Act, 1936. Further sections are explained hereunder:—

Section six of the Transvaal Asiatic Land Tenure Amendment Act amends sub-section (1) of section fourteen of the Asiatic Registration Amendment Act, 1908 of Transvaal. Sub-section (1) in question refers to restrictions of issue of trading licences to Asiatics. It states, briefly, that no Asiatic shall obtain trading licence unless he produces to the person appointed to issue the licence a certificate of registration of which he is the lawful holder and supply additional particulars or furnish such means of identification as the Colonial Secretary may either generally or in particular cases prescribe. The amendment adds to this the words, "or a certificate under the hand of the Minister of the Interior to the effect that the holder of the certificate is entitled to reside and to carry on the business defined in the certificate, in the Province of Transvaal."

Section 7 of the Act amends the Asiatic (Land and Trading) Amendment (Transvaal) Act, 1919 (Act 37 of 1919), as amended by the Transvaal Asiatic Land Tenure Act, 1932 (Act 35 of 1932), by the deletion of sub-sections (2) and (3) of section one of the Act and the substitution of five new sub-sections.

The effect of these new sub-sections will be that a coloured person carrying on any business under the authority of a trading licence in any Township shall not be exempted from the Gold Land prohibitions in respect of any excess of the number of pieces of land on which he or his predecessor in respect of his business, lawfully resided on or occupied in such township on the first day of May, 1930, unless the residence upon or occupation of such excess land by the coloured person concerned has on the written application of such coloured person been sanctioned by certificate of the Minister of the Interior, who may, in his discretion, issue a certificate sanctioning such residence or occupation subject to such conditions as he may think fit to impose; provided that if any such excess in the area occupied by the coloured person concerned constitutes a common yard or other premises available for joint use by the occupants or other premises including in the area occupied by such coloured person on the first day of May, 1930, such coloured

person shall be exempted in respect of his occupation of such excess.

The same shall apply to any company carrying on any business or to any person in the employment of such company.

If a coloured person, or any two or more coloured persons were entitled to carry on business in partnership with one another by virtue of their having been doing so on the first day of May, 1919, in terms of sub-section (1) of Act 1919, but a break had been caused in the continuity by such coloured person or partnership or by any predecessor of such person or partnership in respect of his or its business, the Minister may, on the application in writing of the person or partnership concerned, in his discretion (after consultation with the municipal council or village council or health committee, if any, within whose area of jurisdiction the business in question is or was carried on), condone (if it appears to him that the circumstances of the case justify such condonation) any such break in continuity as may have occurred prior to the date of such statement, and thereupon such break shall be deemed not to have occurred.

If any coloured person was, on the first day of May, 1930, residing upon or occupying any land, under the Gold Law unlawfully, such coloured person may nevertheless continue such residence or occupation till the thirtieth day of April 1937: provided that he has, before the first day of April 1935, furnished the Minister of the Interior or the Transvaal Asiatic Land Tenure Act Commission of 1932 with a written notice, specifying the land which he unlawfully resided upon or occupied and information pertaining to such residence or occupation as the Minister or the Commission may have required him to furnish.

Section eight of the Act amends section four of the Asiatic (Land and Trading) Amendment (Transvaal) Act, 1919. Section (3) of that Act states that "whenever any private company holds any fixed property any share in or debenture of such company held by or pledged to (1) an Asiatic; or (2) an Asiatic company; or (3) any person on behalf or in the interest of an Asiatic or an Asiatic company shall be forfeited to the State."

The amendment means that the provisions of the aforesaid section (3) shall not apply in respect of any shares in or

debenture of any company if they were on the first day of May 1932 held by an Asiatic or by an Asiatic company or by any person on behalf or in the interest of an Asiatic or an Asiatic company, and not transferred by the holder. (The italicised portion represents the amendment.)

Section nine of the Act amends sub-section (1) of section nine of the Asiatic (Land and Trading) Amendment (Transvaal) Act, 1919. The said sub-section refers to the proof of authority to trade before a certificate for a licence is issued. The proviso to that sub-section provided that a copy of a certificate of exemption issued in terms of section 131 (A) of the Gold Law constituted proof that a coloured person may lawfully carry on business or trade on such exempted premises. The amendment withdraws this right by the deletion of the proviso.

Section ten of the Act amends section (8) of the Transvaal Asiatic Land Tenure Act, 1932. The aforesaid section (8) provides for the exemption of any coloured person who is (a) a consular officer or public agent of any State; or (b) the servant of any State, working under or in conjunction with a consular officer or public agent of the State from the provisions of any law prohibiting the letting of any land to, or the residence upon or occupation of any land by an Asiatic or coloured person. The amendment extends this privilege to any coloured person (a) practising in the Union any recognised learned profession; or (d) visiting the Union from abroad and whose standing is such that it is, in the opinion of the Minister, desirable to exempt him from any law prohibiting his residence upon or occupation of any land.

A coloured person referred to in (a) and (b) under the new Act is given the right to acquire ownership of land so long as the Minister is satisfied that the land in question is being used in connection with the work or for the residence of the person to whom the consent was granted.

Direct or indirect heirs of such a person as mentioned in (a) and (b) may own the said land during a period of five years as from the death of the first-mentioned Asiatic or coloured person but he shall not, merely by virtue of his ownership of or interest in the land in question be entitled to occupy it.

If at the expiration of five years the said land has not been transferred to a

person entitled to acquire it the land or interest in question shall vest in the State.

If the Minister of the Interior is satisfied that any land to which prohibitive prohibitions, in so far as ownership, residence or occupation by Asiatics are concerned apply, is being used or is desired for use by Asiatics solely for

religious or educational purposes or for purposes of recreation or for purposes incidental to such purposes, he may grant a certificate of exemption in regard to such land. Such certificate shall be conditional and may at any time be cancelled if it appears to the Minister that the land in question is being used

for purposes other than those specified in the certificate.

Should such land thereafter be not disposed of within a specified period to a person by law not disqualified from acquiring it the land shall vest in the State.

(To be continued)

UNION DELEGATION TO INDIA

"A RETURN OF THE COURTESIES"

"British Indian" writes in the *Natal Mercury*:—

EVENTS, comic and tragic, follow in lively succession in this restless land of ours. It is announced that the Government of India, "has urged that the time is opportune for a return of the courtesies," and that the Union Government "has gladly accepted the very cordial invitation for a Parliamentary Delegation to visit India as its guests."

As one who had not a little to do with the arrival in the Union of the first Indian delegation, may I be permitted a few remarks. I have been a student of the working of the two Governments as touching the Union Indians from my youth up, but at no time have I known courtesies to abound in a controversy of half a century and the bitterest in the whole history of our Imperial expansion. In the nature of the case they cannot, but, *in lieu*, there has been strange Indian aversion on one side and the most abject obsequiousness on the other. Make believe in the individual is pitiful enough, but when the vice marks the life of governments it is cause enough for despair. To talk of the exchange of public courtesies in the existing relations between the two Governments, as representative of their peoples, is in open avoidance of the truth of the Indian position in South Africa. For reasons of space, I will tabulate the "courtesies" upon which the two Governments are now mutually to felicitate themselves.

No. 1: The Natal Act 16 of 1896 deprived Indians of their existing right to the parliamentary franchise. The Act permanently destroys citizenship for Indians. Aboriginal Natives are happier under the Act as potential and prospective citizens, which Indians are not.

No. 2: On consummation of Union, the Natal Act was bodily imported into the South Africa Act, and the last nail in the Union Indian citizenship coffin was driven.

No. 3: The Boroughs Ordinance of 1924 deprived Indians of their Municipal vote. Because they had not the

franchise—the greater—therefore they could not have the lesser.

No. 4: The Immigration Act of 1913 denies entry into the Union to everyone of the millions of India for "standards of life." Six teachers may enter per year by grace.

No. 5: At the Imperial Conference of 1921, General Smuts categorically rejected for South Africa the resolution admitting Indians in the Dominions to citizenship.

No. 6: The Class Areas Bill of 1924 relegating Indians throughout the Union to wards and locations—held over on undertaking by Indian Government to reduce substantially the Union Indian population. India has failed to effect the reduction.

No. 7: No Indian delegation to South Africa was permitted to deliberate on the higher rights of the Indians.

No. 8: Under the White Labour Policy Indians of long service and loyalty are deprived of their livelihood so that Whites may live.

No. 9: The reply of Mr. Hofmeyr at the last United Party Congress on a member demanding further legislation against the Indian: "The Indian had a right to an 'existence' in South Africa." Mr. Hofmeyr is a member of the present delegation.

No. 10: One hundred and seventy-eight thousand Indians are by law penned in the small Province of Natal. Not only may not Indians move about the Empire, they may not move from one small Province in it.

No. 11: "I must say that the Bill (Class Areas 1924) frankly starts from the general supposition that the Indian as a race in this country is an alien element in the population." (Dr. Malan on introducing the Bill: And see *Mercury*, Durban interview, August, 1925). The Indian Government never challenged the fatal indictment.

No. 12: The closing words of Mr. Sastri's Report in India on retirement from office: "There is now nothing more to be done for the Indian in South Africa than to go to the Union Government hat in hand."

The above recital of the "courtesies" throws a lurid light on the condition precedent of the Union Government's acceptance of the Indian invitation that "it is no part of the object of the delegation to take part in any specific discussion of matters affecting the position of Indians in the Union."

It need hardly be observed that without that indemnity, even South African diplomacy must fail before the bar of Indian opinion. I have already overdrawn, Sir, upon your own fine courtesy, but it is in behalf of 215,000 Indians who after 75 years of life in this land are at this day in complete delusion as to their true legal position in the Union. That position the Governments, for reasons best known to themselves, have agreed shall not be referred to by the present very representative delegation. There is no graver problem of Empire than that of this vast community of Indians settled in a new-born Dominion, now flushed with a self-assumed sovereign status. Wholly unrepresented in the country's council and having neither vote nor voice in their own affairs, they live, demonstrably, by the grace of the Government.

The Indian visit is said to be one "solely of courtesy and goodwill," but communities do not live by goodwill alone, and Union-Indians certainly have not the pleasure of its experience.

Lord Willingdon, in his valedictory speech a few weeks ago, protested: "Public opinion in India is unanimous in demanding equal citizen rights for Indians settled in the Dominions."

Did the departing Viceroy affect not to know the simple facts of the Indian situation in the Union as set out above? For the claim could have reference only to South Africa, the other Dominions having long since accepted the principle. And courtesy and goodwill is not the usual way of answering "demands." "All of which, with the "conspiracy of silence" enjoined upon the delegation, combine to show that only a complete reversal of policy can now avert disaster.

TRADING LICENCE REFUSED

COURT ASKED TO GRANT ORDER

JUDGMENT in the application of Amoojee Fakir Chopdat for an order directing the Johannesburg Rural Licensing Board to issue a certificate to enable him to be the person in control of the general dealer's business of the Klipfontein Trading Co (Pty.), Ltd., of the farm Klipfontein No. 4, in the district of Johannesburg, was given to-day in the Witwatersrand Division of the Supreme Court by Mr. Justice Barry. The application was dismissed with costs.

The petitioner, a salesman in the employ of the company stated that he was the holder of 25 £1 fully paid up shares. Simon Lionel Lipschitz agreed to subscribe for 75 shares. After the incorporation of the company application was made to the board (the respondent) to enable them to carry on business as general dealers. From the application it was seen that the person who would be in the control of the business would be Mr. Lipschitz. The petitioner averred that he was disclosed as a shareholder and director of the company. The board granted a certificate to enable the company to carry on business with Mr. Lipschitz in control as managing director.

In February, 1936 the petitioner, disposed of his shareholdings in the com-

pany to Essop Cassim Sallie. In May he made application to the board for a certificate to enable him to be in control instead of Mr. Lipschitz, in terms of a resolution of the company. His application was refused.

The petitioner stated that he was of unblemished character and that the premises in respect of which the application was made were built in 1935. He alleged that the board had exercised the discretion conferred upon it on the ground that he was an Indian.

The board denied that the applicant was disclosed as a shareholder and director of the company, that Mr. Lipschitz had ever in fact controlled the business and that the issue of a certificate was refused on the ground that he was an Indian and contended that the members had properly exercised the discretion vested on them.

His lordship said it was pointed out in a letter that a certificate had been granted to Mr. Lipschitz on the representation that the business would be personally conducted by him. The board stated that the reason why the application in question had been refused was that Mr. Lipschitz was not in control; further, that there was reason to believe that he had contravened

section 16 of the Licensing Ordinance No. 3 of 1932. Under that section a penalty might be imposed where a person in applying for a certificate knowingly made a false statement, or by any contrivance whatsoever obtained a certificate. Presumably the board considered that the certificate was obtained in January by a contrivance of Mr. Lipschitz. That was the reason, it was contended why the application was refused, and not that the applicant was an Indian. If the board had refused to grant the application because the applicant was an Asiatic, the Court would have been justified in interfering but the respondent denied that the ground of refusal was that the applicant was an Asiatic.

Whatever view the Court might take of the conclusion at which the board arrived, the Court certainly could not say that the conclusion was so unreasonable that the Court was bound to infer improper motives or *mala fides*.

In the result therefore, the application was refused with costs.

For the applicant Mr. Oshry (instructed by Messrs. Oshry and Edward Lazar); for the Johannesburg Rural Licensing Board Mr. R. Honey (instructed by the Assistant Government Attorney).

NATAL INDIAN TEACHERS' CONFERENCE

DR. EDGAR BROOKES'S ADDRESS

THE eleventh annual conference of the Natal Indian Teachers' Society was formally opened at Sastri College on Wednesday July, 1 by Dr. Edgar H. Brookes. The president of the society, Mr. G. V. Naidoo, presided. A number of Europeans were present, including the Mayor and Mayoress (Mr. Fleming Johnston and Mrs. G. Cyrus), Senator Brisker, and Mr. O. Winterton, a former Inspector of Schools.

Dr. Brookes said there were very few professions so worth while as teaching. Teachers did not draw the best salaries nor were they given much prominence, but his own experience as a teacher was such that he would not willingly give it up.

Teaching was one of the most constructive professions in the world. In the Union the teacher counted for a great deal, more than was sometimes realised.

Statesmen and politicians had a great work to do and a great deal of it was very well done, but he felt that there

was more done by teachers than by statesmen

Race Relations

If they looked at the great question of race relationship, the development of races which did not enjoy the franchise, they would realise that while the statesmen were making speeches and getting Acts through Parliament, the teachers were doing the real work on which the future of South Africa was to be built.

They did not get as much money as they should, nothing like it, for the real needs of non-European education. However, steady progress was being made. But while it went on a good deal was heard in Parliament and elsewhere on the necessity of differentiating between the different nationalities in South Africa and developing them along separate lines. He believed there was some truth in that doctrine.

"We teachers know perfectly well that essentially education is one. You cannot have non-European geometry, Indian chemistry or Zulu biology. You

can, perhaps, doctor history a little to please different people. But we teachers know how in the fundamental things how essentially one of these things are.

"We are building up a united South Africa. A South Africa which a good many statesmen are trying to divide. Our work is the work of the future.

Liberalism

"I believe we are standing together in South Africa for the sound principles of liberalism from which so much of the world has gone astray. You have to be a brave man to get up and say you really believe in liberty, fraternity and equality. But it is the spirit, the direction in which the new education fellowship is tending."

In all their schools, said Dr. Brookes, they were trying to build up the spirit of fraternity and brotherhood. Many of them measured the success of a school by the presence or absence of that brotherhood or the spirit of *esprit de corps*.

Teachers, if they were to do their work properly, must take cognisance of the background from which the children came.

After 16 years of European education he had found it very interesting to switch over to Bantu Education and to compare the relative mental ability. He had come to the conclusion that there was no innate difference of mental ability.

There was a real need for teachers to study the environment of children; any teacher who had no interest outside the four walls of his school was an incomplete teacher

A Common Danger

"The greatest danger of any teacher, as for any other servant of the community, is the danger of being too satisfied. It is not difficult to get into the rut of middle age in the teaching profession. That is the common danger when we lose the first visions of youth and accept things as they are. That is dangerous for any man, but particularly so for a teacher. Let us go on, looking for new adventure, never being satisfied. That is the spirit in which the teacher should do his work. He is the most important element in the life of the nation."

The Mayor formally welcomed the delegates on behalf of the city. He hoped the conference would be a success and the teachers would bear in mind the important points raised by Dr. Brookes.

Mr. G. V. Naidoo read his presidential address and the proceedings closed with a warm vote of thanks to Mr. Brookes.

Resolutions

At the resumed session after lunch the conference adopted the following resolutions:—

"This conference resolves that in view of the fact that the bulk of students turned out of our schools to-day have to go into employment as artisans their school education does not benefit them for the life ahead, that representations be made to the Union Government to provide for technical education.

"This conference feels strongly that the present subsidy of £5 5s. per head does not allow Indian education to expand as it might, and respectfully appeals to the Union Government kindly to increase the *per caput* grant on a more liberal basis.

"In view of the fact that agricultural science has now been introduced into the curricula of Indian schools, this conference respectfully requests the

Provincial Administration to provide facilities for the training of Indian teachers in this subject in order that it may be handled efficiently.

"This conference feels very strongly that the time is now ripe for the conversion of all State Aided schools to Government status.

"Owing to the fact that books of reference and books on modern educational methods are beyond the reach of Indian teachers, the cost of acquisition of these books being prohibitive, this conference respectfully urges the Natal Education Department to establish a teachers' library to enable Indian teachers to keep abreast of modern methods of teaching, etc."

New Officials

The following were chosen office-bearers for the year: President, Mr E. Thomas; Mr. V. G. Naidoo's (retiring president) name was added to the list of life Vice-Presidents; Vice-Presidents, Messrs. H. S. Done, B. Barnabas, A. D. Lazarus, A. M. Ebrahim, P. Seethal and C. C. Naidoo; General Secretary, Mr. R. O. Jithoo; Assistant Secretary, Mr. S. Reddiar, Treasurer, Mr. William S. Seethal; Auditor, Mr. V. Sirkari Naidoo; a committee of 25 was elected.

TRANSVAAL ASIATIC LAND TENURE AMENDMENT ACT (1936)

THE following is a further continuation of the above Act, portions of which appeared in our previous issues:—

10. Section eight of the Transvaal Asiatic Land Tenure Act, 1932, is hereby amended—

(i) by the insertion in sub-section (1) of the word "or" at the end of paragraph (b);

(ii) by the insertion of the following new paragraphs after paragraph (b):

"(c) practising in the Union any recognized learned profession; or
(d) visiting the Union from abroad and whose standing is such that it is, in the opinion of the Minister, desirable to exempt him from any law prohibiting his residence upon or occupation of any land";

(iii) by the insertion after the word "prohibiting" in sub-section (1), of the words "the letting of any land to or";

(iv) by the deletion of sub-section (3) and the substitution therefor of the following subsections and by designating the existing sub-section (4) sub-section (9):

"(3) Any person referred to in paragraph (a) or (b) of sub-section (1),

may, with the consent in writing of the Minister of the Interior, acquire the ownership of any land or an interest in any land which he requires in connection with his work or for his residence: Provided that the said Minister may cancel such consent if he is satisfied that the land in question is being used otherwise than in connection with the work or for the residence of the person to whom the consent was granted.

(4) When land or an interest in land which was acquired by an Asiatic or coloured person by virtue of the consent of the Minister of the Interior in terms of sub-section (3) devolves by testamentary disposition or intestate succession upon an Asiatic or coloured person (whether directly or through an intermediate heir or legatee) the Asiatic or coloured person upon whom it so devolves may own the said land or hold the said interest during a period of five years as from the death of the first-mentioned Asiatic or coloured person but he shall not, merely by virtue of his ownership of or in the interest in the land in question, be entitled to occupy it.

(5) If an Asiatic or coloured person who inherited any land or interest in

land aforesaid, has, at the expiration of the said period of five years, not transferred it to a person who was entitled to acquire it, the land or interest in question shall vest in the State: Provided that if the said Asiatic or coloured person is at the expiration of the said period of five years the holder of a certificate mentioned in sub-section (1), he shall be deemed to have acquired that land or interest by virtue of the consent of the Minister of the Interior in terms of sub-section (3).

(6) If the Minister of the Interior is satisfied that any land, the residence whereon or the occupation or acquisition whereof by Asiatics or coloured persons is prohibited by any law, is being used or is desired for use by Asiatics or coloured persons solely for religious or educational purposes or for purposes of recreation or for purposes incidental to such purposes, he may, (after consultation with the Mines, if residence upon or occupation of such land by Asiatics or coloured persons is prohibited by the Gold Law) by a certificate under his hand authorise any Asiatic or coloured person or any association of Asiatics or coloured persons or any Asiatic company (as defined in the aforesaid Act,

No. 37 of 1919) to acquire or hire such land or an interest therein for such purposes and on such conditions as the Minister of the Interior may specify in such certificate, and authorise Asiatics or coloured persons or any specified class of Asiatics or coloured persons to make use of such land for any purpose so specified: Provided that such a certificate shall contain and be subject to the condition that the said Minister may at any time cancel the certificate if it appears to him that the land in question is being used for purposes other than those specified in the certificate.

(7) When the Minister has cancelled the consent mentioned in sub-section (3) or the certificate mentioned in sub-section (6) he may direct the person in whom the land or interest in question is vested to dispose of it, within a specified period, to a person who by law is not disqualified from acquiring it, and if he fails to comply with that direction within the period specified or within any extension of period which the said Minister may grant, the said land or interest shall vest in the State, but subject to any charge or servitude with which it may be burdened.

(8) When any land or interest has vested in the State as aforesaid, the Minister of the Interior shall inform the registrar of deeds, in whose registry title deed to such land or interest is registered, of such vesting and of the particulars of the land, or interest in question, and the said registrar shall thereupon record upon the said title deed the fact that the land or interest is vested in the State."

11. (1) If a coloured person (as defined in section three of the Gold Law) is at the commencement of this Act carrying

on (either by virtue of a licence or certificate issued by a competent authority or without such a licence or certificate) a trade or business which he cannot lawfully carry on without holding such a licence or certificate, on a site on land which section one hundred and thirty or section one hundred and thirty-one of the Gold Law prohibits him from occupying and it appears from the particulars of his occupation of such site as recorded in the register or any recommendation mentioned in section thirteen of this Act—

(a) that such occupation commenced after the first day of May, 1919, but prior to the second day of June, 1932; or

(b) that such occupation commenced on or after the second day of June, 1932, but that such coloured person—

(i) was prior to the second day of June, 1932, carrying on a trade or business under the authority of such a licence or certificate on some other site on such land as aforesaid; or

(ii) is the successor in respect of his trade or business to some other coloured person who was prior to the second day of June, 1932, carrying on such trade or business on a site on any such land as aforesaid;

the Minister of the Interior, if he has decided not to issue a notice in terms of sub-section (1) or (2) of section one hundred and thirty-one of the Gold Law in respect of the first mentioned site, may in his discretion, after consultation with the Minister of Mines, for the purpose of mitigating hardship, by order in writing—

(a) permit such coloured person and any coloured persons employed from time to time by him on such

site to continue to occupy such site during his lifetime, either for trade or business purposes only, or for both trade or business and residential purposes; or

(b) permit him and any coloured person who may become his successor in title in respect of his trade or business, and any coloured persons employed from time to time by him or such successor on such site, to continue to occupy such premises for a period not exceeding five years from the commencement of this Act, either for trade or business purposes only or for both trade or business and residential purposes,

but subject to any conditions which the Minister of the Interior may specify in such order.

(2) If a coloured person (as defined in section three of the Gold Law) is at the commencement of this Act residing on such land as aforesaid, and it appears from the particulars of his occupation of such site as recorded in the register or any recommendation aforesaid, that such occupation commenced prior to the second day of June, 1932, the Minister of the Interior, if he has decided not to issue a notice in terms of sub-section (1) or (2) of section one hundred and thirty-one of the Gold Law in respect of such site, may in his discretion, after consultation as aforesaid, for the purpose of mitigating hardship, by order in writing, permit such coloured person and any member of his household dependent upon or supporting him to continue to reside on such site during the lifetime of such coloured person or for a period not exceeding five years from the commencement of this Act, subject to any conditions which the Minister of the Interior may think fit to specify in such order.

SOCIAL AND PERSONAL

IT is stated Sir Raza Ali, the present Agent-General for the Government of India in South Africa will be vacating this post next Winter and there are already speculations as to new occupant for this post. Many distinguished names are being bandied about in the Press in India but one recently mentioned is said to carry more authority behind it. It is the name of his Excellency, E. Raghvendra Rao, the Acting Governor of the Central Provinces.

The Council of the University of South Africa has resolved to confer the Honorary Degree of Doctor of Literature on Professor M. C. Botha, Secretary for Union Education, in recognition of his services to education in South Africa.

Colonel A. N. Bose, I.M.S. Professor of Pathology in the Patna Medical College, has been elected a Fellow of the Royal College of Physicians (London). Colonel Bose is one of the very few Indians to receive this distinction.

Dr. S. Patel Masters of Capetown, is at present in Johannesburg where he proposes to open up practice. He is the guest of Messrs. Ashabhai & Co., 6, Kori Street.

Mr. T. K. Swaminathan, Organising Secretary of Indian Colonial Society, India, who has been busily engaged in Durban for the last few weeks addressing various organisations, left for Transvaal

by last Saturday's mail train. Mr Swaminathan was garlanded on behalf of the Young Men's Vedic Society by Mr. Kuppie Murrie. A purse was presented on behalf of the Society and the Tamil community.

Mr. and Mrs. Suchitt Maharaj who went on a pilgrimage to India last year returned after a stay of 9 months visiting chief centres and health resorts such as Massorie, etc.

Mrs. D. N. Naidoo of Port Elizabeth with her daughter Dr. A. N. Devi were the guests of Mrs. R. B. Chetty and family on their arrival from India by the *Incomati* on June 29.

India Letter

[FROM OUR OWN CORRESPONDENT]

Presidential Tour

THE presidential tours of Pandit Jawaharlal Nehru, which began in the third week of May, have roused the country to new ferments of thought and an increased passion for nationalist activity. Beginning with Bombay, for a day in Delhi, Pandit Nehru is, at the moment of writing, touring the Punjab.

Pandit Nehru has exhorted the people to remember the Big Issue, which is, that India must win independence. It will be a mistake to get lost in the details of trivial issues and minor matters.

Pandit Jawaharlal Nehru says that:

The country has made great progress through the national struggle carried on by the Congress during the last 16 years and enhanced its prestige in the world.

There are two mentalities in the country, revolutionary and reformist; the Congress could not accept any other but the revolutionary attitude.

All Congressmen are united on the point of making the working of the new constitution impossible.

The main issue is to remove the existing poverty and unemployment in the country. There seems to be only one solution of this poverty and unemployment, and that is the socialist solution.

It is essential for the people to follow closely and study the international situation. The colonial peoples might appear to be separate but all of them are parts of the same picture. Is there any difference between Italy and Abyssinia?

Big Business Of Bombay

During Pandit Nehru's tour in Bombay, 21 businessmen representing big business came out with a manifesto declaring their opposition to the President's ideas and that "it is our firm opinion that such an ideal (socialism)... cannot but result in causing further divisions in this country, and impeding the achievement of the common purpose of all patriotic Indians, namely self-government for India."

In reply to it, the Indian Merchant's Chamber, which is genuinely representative of the wide business community in the country, reiterated its faith in the Congress and Pandit Jawaharlal.

An Informal Conference In Bombay

Leading citizens of Bombay numbering over 100 were present at an informal conference held on the 17th of May to discuss with Pandit Jawaharlal Nehru the formation of a Civil Liberties Union. Pandit Nehru, in leading the talk, said:-

The Criminal Law Amendment Acts had done havoc; detenus were there still without trial; the situation on the Frontier was equally bad. All these are terrible, exceeding every canon of established human law.

Even though there was no civil disobedience, obnoxious measures of the Executive still continued.

The Union would be more or less for the purpose of gathering information on cases where the civic rights of the people were interfered with and enquire and take necessary action for protecting such civic liberties.

Mr. N. M. Joshi (nominated labour member in the Central Legislature and member, Servants of India Society) said:-

The idea is good and a practical one and would serve a great purpose

Mr. R. P. Masani (joint Secretary, Indian Central Banking Enquiry Committee (1930-31) said:-

Unless such a Union is organised, the Government might be tempted to pass more repressive measures.

Mr. D. N. Dalvi (Liberal) and Maulana Shaukat Ali supported, and Mr. Mardy Jones Ex-M.P. narrated his British experiences.

Upon a motion of Syed Abdulla Brelvi (Editor, *Bombay Chronicle*) a provisional committee for the purpose of organising the Civil Liberties Union in Bombay city was appointed.

A marked enthusiasm for the idea of Civil Liberties is to be noticed everywhere; particularly, in Bengal, in the Punjab and other places, where repression is at its height.

In this connection Sir Tej Bahadur Sapru's reply to Pandit J. Nehru among other things, contains:

"The achievement of this object (protection of civil liberties) can be very much facilitated and accelerated by a revision of policy and methods of work on the part of those who want political freedom and self-government.

"It is, in my opinion, possible to start a non-sectarian union of this character, but I am afraid it will not continue to be very long a non-party organisation. I very much regret, therefore, that I cannot see my way to joining your proposed union."

Extracts from Pandit Jawaharlal Nehru's reply to Sir Tej:

"It is obvious that questions of civil liberties only arise when there is a conflict between it (the public) or certain sections of it, and the Executive government. If there was a acquiescence, or a submission after verbal protest, in the policy and activities of a govern-

ment, there would be little question of suppressing civil liberties.

"Every Government tends to resent forcible criticism and opposition, and a democracy can only function properly if public opinion constantly checks government and prevents it from becoming too autocratic. In India where there is no democracy, the government is essentially autocratic and the need for preventing it from indulging in the worst excesses is thus all the greater.

"It does not mean that the Congress or any other group should be allowed by government to carry on revolutionary activities or civil disobedience without check or hindrance. But there are certain fundamental principles governing civil liberties which apply whatever the activities of political parties might be, and it has been possible in other countries for the most diverse and mutually hostile groups to combine together for the defence of these principles.

"Those who believe that direct action is a necessary and desirable method of political activity are likely to adhere to it. Are we then to conclude that the government is justified not merely in meeting and trying to suppress in the ordinary way this direct action when it takes place, but also to carry on in the way it has been doing during the past few years?

"The activities of the Civil Liberties Union would necessarily be entirely legal and constitutional in the narrow sense of the term. It might incur the displeasure of the government but it would not come into conflict with it.

"May I suggest a way out? Why not have a Civil Liberties Union of non-Congress? There might be two unions co-operating with each other but not committing each other in any way."

I have given copious extracts from the correspondence between Pandit Jawaharlal Nehru and Sir Tej in the belief that you will realise as much as we do here that the attitude of certain Indian liberals on the issue of the Civil Liberties Union is, to say the least, curious.

Pandit Madan Mohan Malaviya (Vice-Chancellor, Benares University) writes:- "I heartily agree with you on the necessity and importance of forming such union, and I will co-operate with you in this matter to the fullest extent I can.....Sir Syed Wazir Hassim (Ex-Chief Justice Oudh Court) in promising his co-operation has deprecated the attitude of those who want to keep away from the Union on narrow sectarian grounds,

The instances of suppression of civil liberties, show how wide-reaching are the powers that the Executive now enjoys and that freedom of movement, sanctity of household, freedom of thought, speech and Press have become meaningless phrases, at least, as far as the Executive is concerned.

Legislatures Central And Provincial

Preparations for the elections to the provincial legislatures are beginning to take concrete shape. A certain realignment of forces, even, new party formations, are also noticeable.

The situation in the general electorates (non-Mohamedan electorates) is the same as ever; no one has yet appeared in the field to dispute the authority of the Congress.

The case of the Mohamedan electorates is on a different level, though even here a solid bloc of votes will go, willy-nilly, to the Congress. The only other

worth-while attempt to organise an electioneering organisation on an All-India basis is that of Mr. Jinnah. It is too early yet to say anything definite regarding the Mohamedan Parliamentary Board, but doubts have already been expressed as to the practicality of Mr. Jinnah, who, it may be recalled is committed to the policy of rejection of the Federation, and the Nawab of Chattari and Sir Mohammad Yusuf, minister in the U. P. Government, pulling together. The Board proposes to issue its election manifesto on 8th June.

The clouds however seem to be clearing a bit. Immediately upon the formation of the Mohammedan Parliamentary Board, newspapers brought out such headlines as the "collapse of the Nationalist Agriculturist Party." This Party was an attempt of the United Provinces Government, prominently Sir Malcolm Hailey, an ex-Governor, to

organise all anti-Congress forces under the deceptive banner of a peasant movement, but with the defection of Chhattari and the rest, this attempt has proved abortive. The U. P. Government must be terribly worried and Provincial satraps elsewhere, I daresay, are happy to have been given this lesson not to meddle in party politics.

Meanwhile the campaign against the new constitution is getting intenser. The Congress party in the Assembly is not letting any grass grow under its feet. Brisk enrolment of voters is proceeding in every province. This is, obviously, not to the taste of the Government, which has not only made the grant of the educational franchise conditional upon an application for the vote, but that each qualified voter must present his application in person to the registration officer. On 25th May, Madras entered an emphatic public protest against such a penalty vote.

MAKERS OF MODERN INDIA HISTORY OF CONGRESS IS HISTORY OF INDIA'S POLITICAL PROGRESS

SHADES of Hume and Bonnerjee; Dadabhai and Bannerjee; Yule and Wedderburn; Mehta and Cotton; Tilak and Gokhale; Haq and Nehru; Lalaji and Das; Shradhanandji and Sen Gupta!

Hail Congress!

Hail its Golden Jubilee!

Hail, Gandhiji!

Hail Swaraj!

India, the Home of Rishis, the sanctuary of spiritualists, the rendezvous of Philosophers; the centre of artists and artisans; the battlefield of Warriors; and the training ground for Administrators, alas, slipped into foreign hands!

Birth Of Congress

It was against this foreign domination, that minds of eminent men had turned fifty years ago. They began with petitions and Memorials. Resolutions and Protests; and in their early stages, they had the sympathy and support of the then Viceroy, Lord Dufferin, and of non officials like Yule, Cotton and Wedderburn. Hume was, verily, the Father of the movement, stoutly supported by Dadabhai and Bonnerjee.

Growth Of Congress

As years rolled on, the Congress grew in power position and prestige. It arrested the attention of the people, and captured the imagination of the

Intelligentsia. As the movement spread far and wide, it encountered the opposition of the Bureaucracy,

By

B. F. BHARUCHA

In the "Bombay Chronicle"

Intelligentsia. As the movement spread far and wide, it encountered the opposition of the Bureaucracy,

Repression And Suppression

Then began a policy of repression and suppression, and incarceration of leaders, first in Bengal, then in the Deccan; thereafter in the Punjab, and finally all over India! This led to the Satyagraha and Civil Disobedience movements, which, at one time threatened the very existence of the bureaucratic rule in India!

India Wide Awake!

Whatever arm-chair critics may say; whatever short-sighted scribes may write; whatever interested politicians may decry, there is the unassailable evidence of nation-wide awakening; a yearning for Freedom; a desire for Home Rule; and a steady determination to attain it by all legitimate means; and not to rest, till it is fully gained.

(1) It was Dadabhai who gave us the Mantra of Swaraj.

(2) It was Phirozeshah Mehta, who preached and practiced defiance to autocracy in India,

(3) It was Surrendra Nath Bannerjee who courted jail in Bengal for Freedom of speech.

(4) It was Lokmanya, who faced it in Bombay for the Freedom of the Press.

(5) It was Lalaji, who was exiled from the Punjab, for his struggle for Freedom.

(6) So was Horniman from Bombay.

(7) So were the Ali Brothers incarcerated in Chindwada and Karachi.

(8) And Similarly, were Mahatmaji, Punditji, the Nehrus, Das, Mrs. Naidu, Sen Gupta, Subash Bose, Patel Brothers, Nariman, Perin Ben, Kamaladevi, Rajaji, Bajaj, Rajen Babu, the Great Mazarul Huq, the Frontier Gandhi, Brelvi and thousands of India's sons and daughters were repeatedly sent to jail for their struggle for India's Freedom! What a splendid record of sacrifice at the Altar of Hind Mata!

India's Political Progress

Verily, it has been so rapid and remarkable during the last 15 years, that the Retired I. C. S. s, who re-visit India, plainly admit, that India is fast changing. She is leaving her slumber and lethargy. She is wide awake and kicking. And though she appears to be quieted down, there is the fire smouldering underneath; and at a given moment, it will burst into flame, and regain her freedom. That day is not distant—Heaven helping.

THE AGENT-GENERAL IN DURBAN

THE Agent-General, Sir Syed Raza Ali and Lady Ali arrived by the mailboat, the *Stirling Castle*, last Sunday. They were given a warm welcome at the Point when a large number of Muslim societies garlanded the Agent-General and his wife, who were literally smothered with flowers.

In replying to the welcome Sir Raza said: "Tell them who differed with me on my marriage that I bear them no ill-will. I am prepared to help you, if you will allow me to serve you. Look to the danger ahead; close up your ranks and present a united front. The only way salvation lies is through union and unity."

In an interview in connection with his recent work, Sir Raza said: "The most important legislation in connection with the removal of disabilities was passed by the Union Parliament in the shape of the Transvaal Land Tenure Bill. In the words of an impartial critic this measure is "epoch making." In exempted areas, Asiatic bazaars and certain other localities in the heart of Johannesburg Indians fortunately have been given the right to own fixed property.

Civic Amenities

"The Minister of the Interior has been given powers to introduce civic amenities in Asiatic bazaars throughout the Transvaal. Contractual and statutory restrictions have been cancelled in areas where Indians are entitled to own fixed property. Considerable improvement has been made in the position of Asiatic

companies. It is most important to note that throughout the Bill there is no mention of segregation, and all these rights have been acquired without acquiescing to segregation. I am free to admit that a good deal yet remains to be done to improve the legal status of Indians in the Transvaal. That, however, is no reason why we should not assess at their proper value concessions that we have secured"

"I take this opportunity of thanking publicly the Minister of the Interior, the members of the Select Committee and both Houses of Parliament for the manner in which they have dealt with the question."

Political Centre Transferred

Proceeding, the Agent-General said that he felt in the passing of the Transvaal Land Tenure Bill the centre of political action had been transferred from the Transvaal to Natal.

"Some question of the highest importance," he said, "will have to be dealt with in Natal. It is time for our people to put their whole cause reasonably and forcefully before the Education Commission. The recommendations of that body will have a far-reaching effect on the future of our people."

"There is again the question of the consolidation of the trading laws throughout the Union. The Sugar Bill has just been passed and its effects on Indian interests will have to be carefully watched.

"The Natal Municipal Association has deemed it fit to take up the question of

the effect of acquiring properties of Indians in European areas. It has issued an elaborate questionnaire and it is up to our people to start independent inquiries to show the hollowness of the theory of depreciation of the property held by Indians raised in certain quarters from time to time.

"If further inroads on Indian rights in Natal are to be prevented our people should close up their ranks and present a united front to our friendly European critics. It is most dangerous for our people to allow themselves to be lulled into a false sense of security.

Petty Differences

"I appeal to them to forget their petty differences and work for their common cause."

Touching on the forthcoming visit of Union Parliamentarians to India, Sir Raza said that the visit would be heartily welcomed by the South African community. What was really wanted at present was a better understanding between India and South Africa. The visit of the South African delegation in 1826 did both countries an incalculable good.

"It is to be sincerely hoped," he said, "that the visit of the present delegation, to be led by Mr. J. H. Hofmeyr, will enable both countries to understand each other's viewpoint better and thus lead to a permanent understanding between them. There are enormous potentialities of development of trade between India and South Africa. It is to be hoped that the Parliamentary delegation may have time to go into the broad aspects of that question.

THE BIBLE SOCIETY

1936 marks the fourth centenary of the martyrdom of William Tindale who translated the Bible into the beautiful prose of the English language. For the last 181 years the British and Foreign Bible Society has continued this work of translating the Bible into the languages understood by the common people and, although there is an unfortunate deficit in last year's working, over eleven million volumes of Scripture were circulated and thirteen languages have been added to the list of those in which the Bible is now published.

Though portions of the Bible are more readily understood by the Eastern mind every Christian should read through the complete book, for a proper understanding of the New Testament is impossible without a knowledge of the customs and events recorded in the Old.

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By

F. G. CAWSTON

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As with other religious writings little good can come from attempts to find in it mistakes in science or history. The earnest student will rather seek to learn the spiritual message which the Bible was written to impart. Those who founded the Bible Society were convinced that here we have a book which contains comfort and advice for all conditions of men and, in time of sickness and anxiety, the New Testament and the Psalms remain the great source of comfort and strength for vast numbers of people throughout the world.

"If it was n't for this book you would be in my oven" was the statement of a converted cannibal in reply to a French trader who once discredited the value of the devotional study of the Bible. And there can be no question of the Bible has exerted on the native peoples of this country, though efforts are needed to prevent the undue circulation of translations unsuited for general use and of literature concerned with the spread of false interpretations of the inspired book.

The annual meeting of the Bible Society at Durban is attended by all nationalities. It is to take place in the Town Hall on July 14 next but there is need to remember the work which is carried on at the local depot throughout the year.