

# Indian Opinion

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## NOTES AND NEWS

WE have been asked to inquire the reason for the present very high rates of exchange on money sent to India, as it affects very seriously the position of those supporting dependents. We are given to understand that, for every sovereign sent to India, only twelve rupees are paid out by the Post Office. Taking the ordinary value of the rupee at  $\frac{1}{4}$ , it means that the old father or other relative finds he is three rupees or four shillings short in every pound. In these days of high cost of living, this must be a heavy loss to poor people.

We sought explanation from the Postmaster, Durban, who was, however, unable to offer an easy explanation. He informed us that his last advice was that the sovereign was valued at Rs. 13 7ans., and that amount he understood, was paid out by the Post Office. If any of our readers can, therefore, furnish us with proof that only Rs. 12 is paid out in India we will make further inquiries.

A prominent bank official offered a somewhat intricate explanation as to why the value of the Rupee was raised. Briefly it may be stated that the fact that India exports largely to South Africa whilst receiving very little if any goods in exchange, produces a continual shortage of money in India which eventually must be sent there. The Indian Government, too have undertaken heavy responsibilities in the payment of troops on behalf of the Imperial Government and this adds to the difficulty. But to put the matter in a nutshell we should say the cause is—war. We are afraid that it will be some time before there is any relief.

Whilst we are discussing the hardships of the poor, we should like to point out that, when rice was nearing forty shillings a bag, we had meetings of protest and a great commotion. Now that it has risen to over Three Pounds a bag, we hear nothing. Did not the Government make a fatal blunder in taking off the fixed price of this necessity of life for the Indian community? If it is a fact, as alleged, that rice landed here at 38/- is now being sold at 63/-, it is nothing short of a scandal, and the government must be held largely to blame for it.

A mass meeting of the Transvaal Koknee Mohammedan Society had passed a resolution protesting against the measure now in Parliament affecting the Indian community, extending wholehearted support and approval to the British Indian Association, praying that the Governor-General will afford the necessary opportunity for the representatives of the community to lay before him the situation as it affects them, and appealing to his Excellency to veto the measure, as it is based on racial discrimination, and is in total conflict with repeated assurances given by the Imperial authorities that justice and fairplay will be done to his Majesty's Indian subjects within the self-governing Dominions.

With reference to the telegram sent to the Acting Prime Minister stating that the Jewish community of Bloemfontein feel they cannot reasonably object to the proposed clause for the registration of aliens, provided that no hardships or indignities are thereby created, to aliens, the following reply has been received from the Acting Premier: "The Minister appreciates your telegram, and assures you that no hardships or indignities to aliens are intended or will be allowed." How considerate the Government is of aliens! Why not a little less of hardships and indignities for local British Indian subjects of His Majesty?

The *Imperialist* (Durban) comments thus on the Asiatics Bill:—

"It is quite clear that much of the bitterness displayed during the discussion of this measure, has been due to the palpable fact that Indians have been securing both land and licences in the Transvaal by a plain evasion of the spirit of the law. The Smuts-Gandhi agreement of 1914 clearly intended, that there should be no more allotment of land in the Transvaal, or licences to Indians in the gold mining area, and it is nothing less than a quibble, even if a legal one, to contend that this only referred to single Indians and not to Indians conjointly. Every sober-minded man in the Union wishes to see the South African Indian problem settled fairly and amicably, but, if our Indian friends are to resort to subtle evasions, whenever they find an agreement inconvenient, we shall never get on! What can one say, also, when the local Press plainly indicates that, if one kind of evasion is put a stop to, another will be brought into play? *The Indian Views* of the 23rd inst, says for instance, concerning the Bill:

"Everybody is aware that prior to forming limited liability companies, British Indians had land transferred in the names of Europeans who then passed a permanent bond to them. Is it the desire of Parliament to make the Indians revert to the old system?" If this is not a threat to evade the law, if means nothing. How then can Indians complain if the law is stiffen up against them?"

[NOTE: We refer to the above in our leading article.—Ed.]

The following remarkable instance of bravery on the part of an Indian is reported by the City correspondent of the *Natal Mercury*:—

"About 8 o'clock last night a little Indian girl fell into the well at the back of Lower Church Street premises, and, no information being available from the mother, who became hysterical, a young Indian named Padayachee as soon as he found what had happened jumped into the well, which was about 20 ft. deep, and contained 9ft. of water. He held up the child until ropes could be brought, and waited until she was hauled to the surface before coming up himself in a considerably exhausted condition. Unfortunately, the child was found to be dead, but the Indian's pluck is being brought to the notice of the Royal Humane Society for recognition."

A statement from the India Office sent by Reuter, says that the British Raj is considering the withdrawal of martial law in five proclaimed districts. There has been no indication of sympathy with the Afghan aggression, which had the effect of rallying all the martial and rural classes in Punjab to side with the Government. The Indian army and police remained absolutely staunch throughout the Punjab villages, and except for disorderly elements the Punjab villages were not affected by "Satyagraha," as the movement is largely described, especially in northern India, on account of its violent character. Gandhi's attempt to revive the day of mourning and to close the shops in Bombay did not succeed.

### THE ASIATICS BILL

SINCE writing our last leading article, the Asiatics (Land and Trading) Amendment Bill has passed the third reading in the House of Assembly, in spite of Mr. Alexander's brave but unsuccessful attempt to get the speaker to rule that the amended Clause 2 was in direct conflict with Clause 1, and thus remove the objectionable racial bar. Then we had the spectacle of the Minister imploring Col. Collins to withdraw that part of Clause 2 providing that Receiver of Revenue could refuse the granting of licences to Asiatics in areas outside mining ground. This Col. Collins refused to do, and the Bill was passed. In the Senate, members evidently realised the seriousness of passing such deliberate racial legislation, and they had the good sense to reject Col. Collins' amending clause. It is well, for their reputation as guardians of the people's rights, that they did so. Reuter's report of the debate is none too clear, and it would almost appear, at first glance, that the Government had abandoned their opposition to the offending clause. The Minister of Justice hoped the question would be solved by just principles. He disclaimed the suggestion that the Bill was class legislation. Now at the time the Minister was speaking, the Bill contained clause 2 as amended by Col. Collins which, as the Minister himself had declared in the House of Assembly would imperil the whole Bill. So we must take it that the Minister asked the Senate to reject the clause, and that then the Bill would be based, as he thought, on just principles. We may now expect a stormy time when the Bill returns to the House of Assembly for final confirmation. It may end in the Bill being comfortably shelved as the end of the session of Parliament is drawing near and the Government will be compelled to sacrifice some of its many Bills. So why should not this be one? On the other hand, the Government, strengthened now by the Senate's support, may "steam-roller" the measure through without delay. It will then remain for the Governor-General to sanction the measure or refer the matter to the Imperial Government, which, we maintain, he should do.

In the meantime we may look at the measure as it has emerged from the Senate. This Bill, which the Minister considers just, is still, now that it has been shorn of its worst feature, the same oppressive measure as first introduced. It prevents any British Indian who was not on the 1st May last in possession of a trading

licence on proclaimed mining ground, from obtaining licence to trade, even though he be born in the Transvaal. It deprives him of the legal right, which he at present enjoys, of owning land by forming a limited liability company, and it goes a step further in this direction by depriving him of the right to indirectly own property through a European who passes a bond to him. We have gone to the Government and asked for relief from the oppressive administration of the Gold Law and Township's Ordinance whereby our established and reliable Indians were deemed "undesirable" to run a grocery business, and we get in return a piece of legislation which deprives us still further of our liberty and self-respect. In other words, we ask for bread and we are given a stone. As the children of resident Indian merchants grow up, they will find that unless they can secure an existing business, their chance of securing a licence is nil. They must needs become the "hewer of wood and drawer of water" for others, unless they migrate to some remote country place where it will be difficult if not impossible to earn a livelihood by trading. The *Imperialist* (Durban) discusses the question as though it really knows all about it. It boldly makes the assertion that "the Smuts-Gandhi agreement of 1914 clearly intended that there should be no more allotment of land in the Transvaal or licences to Indians in the gold mining area." All we can say is that we have been constantly studying the question, week by week, and we are unable to find any such agreement. Our contemporary thinks that, in the event of Indian companies not being allowed to own land, an Indian should not even act a European to own land on his behalf—a rather risky thing, by the way for the Indian to do. Does our contemporary and those who think likewise ever take the trouble to consider what their policy amounts to? Take the case of one of these merchants who is in possession of a licence. He occupies business premises for which he pays rent. His landlord, knowing that he cannot by any chance purchase a piece of ground whereon to build a store, raises his rent year by year until he is starved out. Again, a European trade rival finding an Indian's business across the way flourishing, buys up the premises occupied by the Indian and proceeds to squeeze him out by exorbitant rents. And it should be remembered that when an Indian fails in business, his licence goes for good. Every business man knows that, unless he owns his business premises, he stands a poor chance against his trade competitors who do. Is it right that an Indian doing an honest business should be placed at such a great disadvantage? It seems very much like binding a man's limbs and then robbing him. We should have thought that an "Imperialist" at least would have disapproved of such unfair treatment. And if, to avoid the disaster predicted above, an Indian requests a European friend to hold land on his behalf, would it be a great crime? We venture to say that it would not be. Frankly, we do not like this method of acquiring land. It is none too dignified; but it is justifiable action of a man escaping from circumstances calculated to ruin him. We now ask, just as Mr. Gandhi asked, that the disabilities imposed by the old Republican Law 3 of 1885 shall be done away with, and that there shall be no law differentiating against British Indians in the Union of South Africa.

IS THE ASIATIC AN UNDESIRABLE?

SOME REASONS WHY HE IS NOT

From the fourth of a series of leading articles in the *Free Press News* on the Asiatic Question we take the following interesting extract:—

In the first place, class legislation, directed against a class already in one's midst is opposed to a spirit of democracy upon which all good modern Government is founded. Secondly, the Asiatic does not warrant such measures being enacted, because he is not an undesirable citizen. It has been shown that he is not undesirable because (1) he does not compete in trade with true South Africans, and those with whom he does find himself in competition with have perhaps, less right to be here than he has; (2) he lives cheaper than Europeans, and in a less decent locality, because he is prevented in law from enjoying the comforts permitted to Europeans, and he is compelled by law to live in certain localities ascribed to him, usually in the poorest part of our town; (3) if he is a danger to the health of the community it is the fault of the Government; (4) he is not a criminal, but, on the other hand, is a law-abiding man; (5) he is always a loyal subject. Nor does he complain of the ordinary disabilities to which he is put. He is obliged, for instance, to carry registration certificate bearing his thumb impression. He has no right to landed property in his own name. He has no vote in Parliament, nor has he any representation there. He is in a worse position in this regard than the ordinary native, for the native can own land, is not obliged to place his thumb impression on his pass, and has a Minister of State and a department for Native affairs to look after his interests. There is no Minister or department to look after the interests of the Asiatic. Now, to anyone who gave the matter a moment's thought, it is difficult to understand how a cultured Brahman, a Moslem priest or a wealthy Parsee gentleman can be placed by any Government in a worse position politically than, say an ill-clad, insanitary and unintelligent native on one of our mines. This is perhaps an extreme case, but that is the position, nevertheless. So that if we view the matter from any standpoint it is evident that the manner of using the Asiatic is either grossly unfair or the treatment already meted out to him is in itself sufficient punishment for the shortcomings which he may or may not possess. The question, however, may well be asked: Why, if the Asiatic is all that is being claimed for him, is there so much opposition to his presence here? We do not have to go very far to seek a conclusive answer. The objection to the Asiatic is based purely and solely upon racial prejudice, and every conceivable advantage is taken of any occasion, real or imaginary, irrespective of its justice, with or consequences, to foster this prejudice.

ASIATICS BILL PASSED THIRD READING

SENT TO THE SENATE

Capetown, June 4 (Reuter).—The House proceeded to consider the amendments made in Committee to the Asiatics Bill.

Mr. ALEXANDER, on Clause 2, submitted that it was in direct conflict with Clause 1. Clause 1 laid it down that Asiatics at present having trading licences and their licences were allowed to trade, while Clause 2 laid it down that revenue officers could refuse to issue licences. He asked Mr. Speaker's ruling whether the clause was in order. He argued that every licence when it was granted was a new licence.

Mr. SPEAKER said the House was not quite fair to Mr. Speaker, who should not be asked to interpret a law. After having heard members on both sides, he was not prepared to rule, and left the matter in the hands of the House.

Mr. MALAN (Acting Premier) appealed to Col. Collins to withdraw that part of Clause 2 providing that revenue officers could refuse the granting of new licences to Asiatics in areas outside the proclaimed area. He pointed out that the question as affecting

the matter beyond the proclaimed area had not been investigated by the Select Committee. Besides, this was the first time in any legislation of the Union, any of the community would be disqualified by name. He promised a full inquiry into the whole Indian question in the Union after the session, and trusted the clause would be withdrawn.

SIR ABE BAILEY said he regretted the appeal of the Minister, who was asking members to go back on the recent decision. Since the passing of the clause he had received large numbers of wires and letters from the people he did not know at all, asking him to stand by the attitude he had taken up. The clause meant that the outside areas would be placed on the same basis as the gold areas. Everybody in the House agreed to stand by the 1914 agreement, and whether or not the word Asiatic had been mentioned the fact remained that it had to come some time.

COL COLLINS declined the Prime Minister's request to withdraw his clause, which he held was absolutely essential.

The clause on being put was agreed to without a division.

The Bill as amended was adopted.

The Bill was read a third time and sent to the Senate.

IN THE SENATE

Capetown, June 9 (Reuter).—The MINISTER OF JUSTICE moved the second reading of the Asiatics Amendment Bill.

Senator SCHREINER said he had received cables stating that the Bill was likely to create an angry feeling in India, and asked the Minister to take a long Imperial view.

Senator MUNNIK said Mr. Schreiner, in advocating the cause of the Asiatic, was proving himself to be the worst friend of the Natives in South Africa.

THE BILL AMENDED

Capetown, June 10 (Reuter).—In the Senate this afternoon, the Committee stage of the Asiatics (Land and Trading) Amendment Bill was continued.

Considerable discussion took place on Clause 2, providing for the refusal of trading licences for Asiatics in any part of the Transvaal, some Senators entering a strong objection to the proposal.

The MINISTER OF JUSTICE, replying to the criticisms, said he hoped the question would be solved by just principles and not by panicky legislation by a few telegrams. He (the Minister) did not ask himself what India or Canada or Australia was saying, but what was his duty towards South Africa. (Cheers.) He disclaimed the suggestion that the Bill was class legislation. It simply continued the position laid down by the Republican Law of 1885.

Senator BRENNER hoped the clause would not be expunged. The Bill did not take away any rights, and the longer the position continued the more difficult it would become.

Senator WHITE was of opinion that the power given to municipalities to refuse licences without assigning reason was unjust. He admitted, in reply to an interjection, that he had voted for it in the Transvaal, but he had now come to the conclusion that it was unfair. "Let hon. Senators appeal to their minds and for goodness sake," concluded Mr. White, "do not let it be said that this House ever passed a clause which constituted an injustice to the individual."

Senator WHITEHEAD prophesied that if the clause were passed they would soon have another Bill to tighten it up, because the definition of Asiatic in the Transvaal Act 36 of 1908, mentioned in the clause referred only to males, and thus there was nothing to prevent females taking out a licence. He opposed the clause as an injustice, and pointed out that the Indian trader in the country districts was there because he was supported by the farmer as the cheapest market.

On a division the clause was rejected by 13 votes to 9. The Bill then passed through Committee, and was reported.

### THE "CAPE TIMES" ON THE INDIAN QUESTION

In a leading article published in its issue of the 29th ulto., the *Cape Times*, after referring to the agitation in India over the Rowlat legislation, goes on to criticise the attitude taken up by Sir Abe Bailey and others on the Transvaal Indian question:—

In such circumstances as we have described, however, it is all the more unfortunate that responsible South African legislators should adopt the attitude taken up by Sir Abe Bailey, Captain Blackwell, the Rev. L. P. Vorster and others in the discussion in the House of Assembly on the Transvaal Asiatics Bill. The member for Krugersdorp's remarks are particularly deplorable, not only because his arguments will be quoted in India by the disaffected Press as indicative of just the sort of callous contempt for Indian rights and privileges which has been wrongly attributed to the Government of India, but because his reference to the recent disturbances in India will be keenly resented by Indian loyalists.

To take the second point first, Sir Abe Bailey is reported to have said: "So far as the Imperial aspect of the question was concerned, they had seen that a considerable portion of India had been in revolt, and one of the leaders was Mr. Gandhi." Now, Mr. Gandhi's incursions into the political arena, whether in Africa or in India, have never met with the slightest sympathy or approval in these columns: but to speak of him as the member for Krugersdorp did—that is, as if he was leading a revolt against British rule in India—is as ignorant as it is unjust.

Our contemporary, in referring approvingly to the description of Mr. Gandhi, by the Governor of Madras, as a "dangerous saint," says: yet no Anglo-Indian would dream of accusing him of treasonable aims," and then proceeds:—

But references like that of the member for Krugersdorp merely wound and rankle. And the general reference to the disturbances in India is even worse. It is true that, under the sting of Sir Thomas Smartt's well-merited rebuke and Mr. Merriman's mordant irony, Sir Abe deprecated any suggestion that he had not acknowledged the services of the Indian peoples in the war; but in that case what is the sense or justice of talking as if the recent disturbances cancelled any obligation to India on Imperial account, and therefore absolved South African statesmanship from giving any consideration on this score to Indians domiciled in this country? What would the member for Krugersdorp say if an Indian member of the Indian Legislative Council were to get up and suggest that any debt the British Empire owed to the Union of South Africa for war services was wiped out by the "armed protest" of 1914, followed by the organised attempts of the Nationalists to get the painter cut by political agitation? And what are we to make of Sir Abe's expression of a hope that, even if the amendment he desires in the Bill had been accepted, the Transvaal Indians would understand that "next year a very much stronger measure would be introduced?" If the Smuts-Gandhi agreement of 1914, as interpreted by Sir Abe, is the least that justice can give, then to take this back in twelve months' time would surely be grossly unjust and impolitic.

As to the provisions of the Bill which has excited so much heat (continues the *Cape Times*), the case was put with cold justice by the Minister who is officially in charge of the scales in which that indispensable though not always attractive virtue is supposed to be weighed. Mr. De Wet made no profession of any sentiment of generosity either on the score of India's services in the war or on any other score. "He was not going into high politics." The question was whether justice required that the provisions of the Bill, in so far as they guard the vested rights of Transvaal Indians, were to be dated from 1914 or 1919. Mr. De Wet, personally would have preferred the former date. Like most other people, he has no desire to see more Indian traders in the Transvaal than can be helped. But Mr. De Wet,

as Minister of Justice, sees quite clearly that, in so far as fresh licences have been obtained since 1914, they were granted by Magistrates and Municipalities. The law may not have intended this. General Smuts, when he came to an understanding with Mr. Gandhi, may not have intended it. But it is none the less ridiculous to accuse Indians of "deliberate defiance of the law," as Sir Abe Bailey and Captain Blackwell do, when the functionaries and corporate bodies administering and executing the law, alone made the "defiance" possible. And, surely, when from 1919 onwards an insurmountable legal bar is set up to the extension of the Indian trading community in the Transvaal, it is merely a misuse of terms to say, as the member for Krugersdorp does, that the compromise is not a compromise because the Indian gets everything and gives nothing.

### THE RECENT MASS MEETING AT JOHANNESBURG

#### IMPORTANT SPEECHES

At the open-air mass meeting, under the auspices of the Transvaal British Indian Association, held on the 29th ulto., at Johannesburg, to protest against the measure that is now before the Union Parliament, there were over two thousand people present and the meeting proved thoroughly representative by the fact of there being a large number of delegates from the different parts of the Transvaal present; and the meeting throughout was fervent and much emphasis was laid upon the threatening danger. We have already given a report of the chairman's speech.

The following resolutions were passed unanimously:—

"This mass meeting of British Indians of the Transvaal British Indian Association enters its emphatic protest against the measure affecting the community presently before the House of Assembly, against the disabilities contained therein and against the imposition of any further disabilities whatsoever and urges that the time has now arrived for the removal of the existing disabilities upon British Indians in the Province."

Proposed by Mr. Abdool Rahman (Potchefstroom), seconded by Mr. A. H. Tagari (Vereeniging), and supported by Messrs. H. O. Ally, R. V. Patel, Ismael Mohamed Patel (Kliptown), M. H. Sowar, (Sanderton), and A. G. Cassim (Pretoria).

"This mass meeting appeals to His Excellency the Governor-General to refuse Imperial Sanction to the measure referred to in the previous resolution should it receive legislative Sanction and to any other measure imposing disabilities on the British Indians of this Province, and respectfully suggests that His Excellency should give the Community an opportunity to lay their case before him."

Proposed by Mr. Cassim Adam (Pretoria), seconded by Mr. L. B. Singh (Germiston), and supported by Messrs. V. Kesavjee (Pretoria), A. M. Bhayat (Heidelberg), Omar Khan (Roodepoort), Dawood (Wolmarstad) and D. Kalianjee.

"This mass meeting authorises the Chairman to forward copies of the above-going resolutions to the proper quarters."

Proposed by Mr. Noor Mahomed Ayob (Pretoria), seconded by Mr. M. P. Naidoo, and supported by Mr. Dolatri.

Apart from the movers and supporters of the above-going resolutions Messrs. P. K. Naidoo, J. Koyepden, Habib Moran, E. S. Coovadia, K. J. Taylor and several delegates from Rustenburg, Pretoria, Sanderton, and Vereeniging spoke at length Mr. L. W. Ritch, who was present, in an impressive speech spoke as follows:—

#### MR. RITCH'S SPEECH

"I fully endorse the remarks addressed to this meeting from the chair. The measure presently before the House of Assembly cannot be justified either on the