

Indian Opinion

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NOTES AND NEWS

A PRIVATE CABLEGRAM received by Mr. Parsee Rustomjee from Poona on Tuesday last brought the news which will be greeted with joy by every Indian throughout the world that Mahatma Gandhi has been released unconditionally.

A Benter's cable from Bombay dated Feb. 4 says:—
The Government has released Mr. Gandhi quite unconditionally, entirely remitting the unexpired portion of his sentence of six years. The Government's action was taken following on a medical report to the effect that Mr. Gandhi should be removed to the seaside for a long period of convalescence, lasting at least six months.

The South African Indian Congress has despatched a cable to Mr. Gandhi congratulating him on his release from imprisonment.

A mass meeting of Indians was held yesterday under the auspices of the Natal Indian Congress to celebrate the release of their revered leader Mahatma Gandhi. The hall was packed to its utmost there being no standing room left. Prayers were offered by the different sections of the community. At each prayer the meeting stood up and complete silence prevailed. Many speeches followed eulogising the work and services rendered by Mr. Gandhi at home and abroad. The whole community expressed unbounded joy at the release of India's noblest son. A resolution congratulating Mahatma Gandhi and Mrs. Gandhi was moved by the chair which was carried unanimously all standing. A fuller report of the meeting will be published in our next issue.

The Durban Indian Market and all Indian business places were closed last Thursday as a mark of esteem to Mahatma Gandhi.

A deputation of the Natal Indian Congress, representing the Indian community of Natal, headed by the president, Mr. Amod Bayat, accompanied by Mr. Ismail, secretary of the Cape British Indian Council, Capetown, and Mr. Pillay, secretary of the Eastern Province branch, waited on the Minister of the Interior last Tuesday. The deputation was introduced by Dr. Abdurahman, president of the African Political Organisation. A statement was submitted protesting against the Ordinance to amend the Local Township Law of 1881, in respect of the qualification of voters, passed by the Natal Provincial Council. The Minister gave the deputation a sympathetic hearing and promised them an early reply. The deputation withdrew after thanking the Minister.

A cable has been received by the Transvaal British Indian Association from the Indian National Congress, Bombay, that Mrs. Sarojini Naidu and Mr. Bernasidas Chaturvedi will arrive shortly in South Africa from

Kenya, where they have been attending the Indian Congress.

A very sad event of the week is the death after a lengthy illness of Dr. Woodrow Wilson the ex-president of America. By his death the American nation has lost one of its greatest leaders and the world has lost one of its greatest men. President Wilson's 14 points will ever remain a living memory to his good name for it was those 14 points that brought about the termination of the recent great war. It is true that the 14 points have remained on paper only but it is no fault of the drafter of them.

THE VICEROY AND THE SEGREGATION BILL

IT would appear from the cable reports that at the opening of the Legislative Assembly in Delhi on the 31st January, the Viceroy of India, Lord Reading, dealing with the Indian question in South Africa, said that "representations were made to the Government of the Union of South Africa to incline to the Indians' view." Further, in dealing with the discussions of the Imperial Conference in regard to the position of Indian subjects in the Empire, he said that "he found good ground to hope that the disabilities of Indians in the case of four dominions would be removed in a comparatively short time, but the position in South Africa was quite different." He further stated that in regard to the Township Act and the Class Areas Bill "vigorous representations had been made by the Indian Government, which he trusted would meet with success. The Union Government had given an assurance of their desire and attention to apply the Class Areas Bill in a spirit of fairness to the interests and requirements of the Indians."

Now dealing with the result of the debate in the Imperial Conference on the question of the status of Indians in the Empire, we are sorry we are not in the same happy frame of mind as the Viceroy is in regard to the good things that would come to us. Imperial Conference to us is a meeting of accredited representatives of the unite of the Empire, discussing Empire questions and passing resolutions, which have neither force nor binding upon the participants in the deliberations, unless a Dominion taking part care to give effect to same through proper channels. To the dignity of the august assembly that compose the Conference, we bow; but we are all the same inclined to the view that it is nothing more than a "joy" meeting of school boys who, to improve their power of speech, discuss world questions, make and pass motions, only to be thrown into a waste-paper basket the next day. The refusal of General Smuts to accept the reciprocity resolution in 1921, again in 1922, and again last year proves our contention. If the Conference had a Constitution, which was recognised by respective parliaments, which sent or on whose behalf representatives met, one would at once see the force and effect of resolutions passed. Sir Tej Bahadur Sapru, with all his eloquence as befits a politician, failed to secure support for the appointment of a "Committee which the Government of India would send from India to explore avenues how best and soonest the principle of

equality implied in the 1921 resolution might be implemented." The treatment of this proposal, especially by South Africa, found an outburst of criticism which he levelled at General Smuts for trifling with the question of Indian status.

Dealing with the Township Act and the Class Areas Bill, we gladly note and are thankful to the Viceroy that he has made vigorous representations to the Union Government. The nature of representations made, we do not know at present, but from the assurance given by the Union Government to apply the provisions of the Class Areas Bill "in a spirit of fairness to the interests and reasonable requirements of the Indian," unfortunately for us foreshadows the opinion expressed in many quarters that the Government will make the Bill a law. We are not concerned with the "assurance" that our people will be treated in a spirit of fairness, nor will we, with all due deference to the Union Government, attach much importance to "assurances" which may mean something or nothing. The Government, in our opinion, has broken faith in the observance of the terms of the settlement come to between Mahatma Gandhi and General Smuts in 1914. Our objection is to the principle underlying the Bill, which will be bound to impose conditions, which will be unacceptable to the Indians. Having regard to the tremendous issues created in the Bill, we should think that the Indian Government, as direct protectors of the rights of Indians overseas, should object to the Bill in toto, or make representations to the Union Government to delay proceeding with the Bill until a Royal Commission, which it should ask the Imperial Government to appoint, has gone into the whole question affecting Indians in South Africa. Until such step is taken, we honestly believe that any solution of the Indian problem will be a one-sided affair.

Coming to the Bill itself, which is agitating the mind of the community as no bill has ever done, it may be said that it may, notwithstanding our protests and pleas, and the vigorous representations made by the India Government, pass the House with minor amendments, but the real ground of dissatisfaction, we are afraid, will not be removed. The Executive of the South African Indian Congress will shortly meet the Minister in charge of the Bill in Capetown, and the outcome of the interview will be awaited with keen interest by the Indians of the three Provinces. As the case admits of no observance of diplomacy on our part, we feel that a free, frank and full discussion of the question should be the aim of our representatives.

CLASS AREAS BILL

MARITZBURG INDIANS' STRONG PROTEST.

A mass meeting of Indians was held last Sunday afternoon in the Hindu Young Men's Association Hall in Church Street, at which the attendance was in the region of 500, to protest against the Class Areas Bill, a measure shortly to be introduced into Parliament.

The chair was occupied by Mr. C. Nulliah, who was supported by Messrs. A. I. Kajee, P. R. Pather, Bhawani-Dayal, Satyadev, Sheik Amod, Amod Kajee and A. Dookan (representatives of the Durban branch of the Natal Indian Congress), and Mr. S. R. Naidoo, Secretary of the local branch.

After welcoming the Durban delegates, the chairman gave the following speech in Tamil, which was later translated in English and other Indian dialects—

"We are assembled to-day to protest against the Class Areas Bill, which the Government intends to introduce into the Union Parliament now in session. Before the resolution is put to the meeting, it behoves me to examine briefly the text of the Bill, so that the community may understand the effects which are bound to be created if the Bill were to become law.

The principle of segregation in its widest sense is being established. The Bill creates areas for residential or trading purposes, or both such purposes, for persons having common racial characteristics. In other words, separate areas or locations will be proclaimed for the exclusive use of Indians. Powers are given to local authorities to ask the Government to proclaim areas for the purposes of occupation and trade by a particular class of persons, in which event a Commission of not more than three persons appointed by the Minister is to enquire and report upon the extent, site and nature of an area and also in regard to water supply, lighting and other services within such area.

The Bill makes it unlawful for a class of persons to acquire immovable property or a lease or a renewal of lease of immovable property within the prohibited area. The Bill safeguards in a restrictive sense existing rights in regard to land and licenses, but on a closer study, such safeguards are only superficial.

The effect of the whole Bill is to throttle the rights to trade and to own lands enjoyed by the Indians to-day.

The Bill, on the face of it, is of general application, but we as Indians have a bitter taste of past experience as to how innocent-looking acts of Parliament have been administered to the detriment of Indians. For instance, take the licensing laws and the immigration laws which are intended to be acts of general application. Yet these laws have been unmercifully used to the disadvantage and consequent hurt of Indians.

In the present Bill there is not a single provision whereby an aggrieved community may appeal to a Court of Law for the redress of any injustice that may be done. Any local authority has simply to intimate the desirability of creating an area, and the rest is done by the Government.

We have all along maintained that the policy of segregation is not acceptable to us. Our lot of living or trading in penned-up areas will be akin to the condition of the life of helots.

Administratively, municipalities and local boards using the discretion given them in the laws have been, and are, using discretion in segregating Indian trade. Private people of late are in the habit of inserting anti-Asiatic clauses in their title deeds prohibiting the sale of land to and the occupation of same by Indians. Not satisfied with the condition of affairs, wider powers are asked, which, in our opinion, will gradually eliminate our rights to own land and to trade in this country.

One extraordinary feature of the Segregation Bill is its interference with the rights of private people and private land. Conceived from our point of view, the Bill marks a new departure and sacrifices British principles of fair play and justice to one of political expediency. Shorn of its disguise the bill is class legislation, pure and simple, and is bound to prove a source of irritation and annoyance to all. The Bill is open to serious objections, and does not disclose an honest attempt on the part of the Government to solve the Indian problem in South Africa.

The past four years have seen the birth of a series of enactments, namely, the Tramways Ordinance, Durban Land Ordinance (which has since been extended to Natal), Rural Licensing Ordinance, and lastly, Hulett's Ordinance, depriving or otherwise restricting the rights and privileges hitherto enjoyed by Indians.

The proposed introduction of the Segregation

Bill has aroused a wave of indignation throughout the country. We feel that the climax has now been reached, and we also feel that a momentous crisis is facing us. Shall we face it or shall we turn back? The Bill, with a vengeance, tolls the death-knell of our very existence in South Africa, and it inflicts injuries from which there can be no hope of recovery.

"Gentlemen, this is a momentous crisis facing us," concluded the speaker, "and unless we face it in earnest our days of peaceful residence in South Africa will come to an end, for not only will we be here wearing a badge of sufferance, but the intolerable conditions under which we will be asked to live will have no other effect than that of gradually driving us to a state of desperation and humiliation."

Support was given to the sentiments expressed by Messrs. S. R. Naidoo, M. I. Kajee, R. B. Maharaj, Shaik, Amod, Satyadev, P. R. Pather, Gayasudeen and Bhawani Dayal.

Two resolutions were unanimously adopted, the first being proposed by Mr. M. I. Kajee and seconded by Mr. R. N. Moodley, to the following effect:—

"The Indians of Maritzburg in mass meeting assembled condemn the Class Areas Bill, which, in effect, is an attempt to segregate Indians on the ground of their nationality; and which, on public ground, unduly interferes with the rights of persons and property of individuals by placing restraints on their existing rights to own landed property and to trade."

The second resolution, moved by Mr. Roshan Khan and seconded by Mr. M. M. Naidoo, read as follows:—

"This meeting supports the action of the Natal Indian Congress in sending a delegation to interview the Government in connection with the Class Areas Bill."

Most of the speeches were made in one or other of the Indian dialects, but Mr. A. I. Kajee, who spoke in English, in urging his brother Indians to fight the Bill might and main, said that the measure was really nothing new. He contended that it was a relic of the Middle Ages, when the Jew had the Ghetto system forced upon them, which, he contended, brought about their dissolution as an individual nation. This oppressors did not mind. They did not mind when they were in the Middle Ages or when they introduced similar methods in these times as long as they achieved their object.

It must be remembered, said the speaker, that continuous efforts had been made to filch them of their rights, and now the last straw, in the shape of the Class Areas Bill, had come, by which means it was proposed to take away their land, it being only a skip from the rural areas to the urban areas.

"The measure proposed," continued the speaker, "represents the death-knell of the Indian, and the time for action has now arrived. We must voice our feeling strongly."

He referred to Napoleon having called the British a "nation of shopkeepers," and contended that this was perfectly true, as would be found when Indians refused to take any merchandise from Great Britain or the Empire, when it would be realised that the Indians meant to be firm. Then, no doubt, an attempt would be made to come to terms.

He warned them, however, to be chary of accepting any assurances of the Union Government, whose sincerity he doubted in view of the manner in which the assurances given to Mr. Gandhi in the past had been treated. They must have definite facts, he emphasised, and must be treated on a footing of equality and not as the vanquished by victors.

In an exhortation to those present to be up and doing, the speaker forcibly concluded by saying: "It is damnable that Indians do not take more interest in public affairs. Arise! Awake! Go into action and fight the enemy on their own ground." (Prolonged applause.)

In thanking those present for their attendance, the

chairman said he wished to make it quite clear that they could not carry on the good work of the Natal Indian Congress without financial assistance to help them through their critical position, and he appealed to all present to do their best in the cause.

Mr. A. I. Kajee proposed a vote of thanks to the chairman for presiding. He took the opportunity to tell the audience that they were indeed fortunate in having Messrs. Amod Bayat and Charlie Nulliah, both Maritzburg men, at the head of the Natal Indian Congress and its Maritzburg branch respectively, as both were ardently following in the footsteps of Mahatma Gandhi.

The meeting then terminated, the proceedings having lasted nearly an hour and a half.

OPENING OF INDIAN LEGISLATURE

THE VICEROY ON KENYA AND SOUTH AFRICAN PROBLEMS

A Renter's message from Delhi dated Jan. 31 says:—

In opening the Legislative Assembly this afternoon, the Viceroy, in a powerful speech said the Government would continue to try to persuade the Government of the Union of South Africa to incline to the Indian's view. He strongly denied the allegations that the British and Afghan Governments were at loggerheads. He warmly acknowledged the action of his Majesty's Government in giving India a full opportunity to express further views on the Kenya situation.

Dealing with the discussions of the Imperial Conference in regard to the position of Indian subjects in the Empire, Lord Reading said he found good ground to hope that the disabilities of Indians in the case of four of the Dominions would be removed in a comparatively short time, but the position in South Africa was different. In addition to the Union's unwillingness to adopt the attitude of the other Dominions, the Viceroy drew attention to the Natal Township Act and class Areas Bill, and said that vigorous representations had been made by the Indian Government, which he trusted would meet with success as regards the Township Act, while the Union Government had given an assurance of their desire and intention to apply the Class Areas Bill in a spirit of fairness to the interests and reasonable requirements of the Indians.

"My Government, however, while welcoming the assurance, cannot rest satisfied with the position. We shall continue our efforts to persuade the Union to incline to our view. We are aware of the strength of public opinion in India on this subject, and shall strive to give effect thereto by all legitimate means within our powers."

Referring to the Kenya settlement, Lord Reading declared he took immediate steps to urge the postponement of the introduction of the Kenya Immigration Ordinance until the Indian Government had been able fully to present objections to it. He had been informed that the Duke of Devonshire had found the Ordinance unsatisfactory and had returned it to East Africa for redrafting. Meanwhile, the new Colonial Secretary (Mr. J. H. Thomas) had given an assurance that ample opportunity would be afforded the Indian Government to express their views. Mr. Thomas would also give earnest attention to any representations which the Colonies Committee of the Indian Government might desire to make.