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SOUTH AFRICAN INDIAN CONGRESS

EMERGENCY CONFERENCE

PRESIDENTIAL ADDRESS

THE following is the text of the speech delivered by Mr. Sorabjee Rustomjee, president of the South African Indian Congress, at the Emergency Conference held in Johannesburg on Dec. 31 and Jan. 1:—

"In presiding over this Emergency Conference, the twelfth session of our Congress, I am fully conscious of the responsibilities that I have been burdened with on this important occasion.

"This Conference is a momentous one, for, assembled as we are, on the eve of the second Round Table Conference, we shall have to decide the future programme of the Congress in relation to the Capetown Agreement, and on the matters affecting Indians in South Africa.

"I am extremely happy to see that the two Provinces Natal and Transvaal are so well represented and delegates even from far-off Cape have arrived. In extending to the delegates a hearty welcome I do hope that, grave as the questions are that will be put forward before them for their decision, they will have divine guidance in all their deliberations.

"Ladies and Gentlemen, once more we have amongst us our friend the Rev. C. F. Andrews. Mr. Andrews is one of us. The South African Indian community knew Mr. Andrews for the first time in 1913 during the Passive Resistance struggle. Since then he has paid us many visits. In our hour of trial and tribulation we can always count upon Mr. Andrews' inestimable services. His presence in this country, during the visits of both the Paddison and Habibullah Delegations, was of immense benefit to us. The achievements of his pen have been remarkable in that his articles have always been the means of presenting the Indian question from a new perspective. In the case of Mr. Andrews the often-quoted adage that "the pen is mightier than the sword" cannot be truer. He has now come at a most opportune moment. Throughout the proceedings of this Conference, I have no doubt, we shall have his sagacious advice and we will receive the benefit of his wide experience. On your behalf and on behalf of our community in South Africa, I extend to him a hearty welcome. May God be with him and bestow on him His blessings.

"In a few days' time the Indian Delegation will arrive in South Africa. They arrive here to revise the Capetown Agreement that was consummated five years ago. They are charged with a duty made very difficult by the Transvaal Asiatic Land Tenure Bill, which will be one of the chief items for discussion at the Round Table Conference.

"The Delegation is a strong and distinguished one, and comprises representatives of every shade of public opinion in India.

"Sir Fazli-Hussain, the Leader of the Government of India Delegation, as a member of the Executive Council of the Viceroy, is immediately in charge of the affairs of the Indians Overseas. His Department has made a special study of our peculiar difficulties in this country. He, therefore, comes not as a complete stranger but as one who is acquainted with the Indian question in South Africa.

"Mrs. Sarojini Naidu was here in 1924 when our community was faced with the Class Areas Bill. With an indomitable courage, for which she is noted, she fought our cause admirably. Her visit was during a period when South Africa was seething with an atmosphere that made our lives in this country miserable. With the knowledge that our cause was righteous, she won her way throughout South Africa.

"It was she who was the first to suggest that a Round Table Conference between India and South Africa should be held and while she was at the Cape with our Congress representatives she saw, with the dissolution of the Smuts' Government, the fall of the Class Areas Bill.

"She comes as the representative of the people of India and as the ambassador of a great nation. She has suffered in prison and out of prison for the freedom of India and has proved to the world, as the late Valliama in our Passive Resistance struggle, that our women, when the hour comes, suffer and even face death.

"Her distinguished services as President of the South African Indian Congress and her invaluable help and assistance in India to the Congress Deputation are fresh in our minds. Our cause will no doubt be strengthened by her being on the Delegation.

"We are grateful that Mr. Sastri, in spite of his failing health, comes to revise the agreement, in the creation of which he played a prominent part. He laboured amongst us for the space of eighteen months as the first Agent of the Government of India. His personality and his oratory brought about a better understanding between the European and the Indian communities. His stay among us was all but short, but his worth and work in this country brought a chorus of approval.

"Sir Geoffrey Corbett comes to us as no stranger. He has come again and again as a representative of the Government of India and we appreciate him all

the more as he comes, though in failing health, to help to build up a greater understanding between the Europeans and Indians.

"Sir D'Arcy Lindsay, leader of the European mercantile community in India, brings the goodwill of his community to help in the difficult work of the Delegation. During his last visit he endeared himself to us. Our one great regret is that Sir Pheroze Sethna, who did such inestimable service at the last Round Table Conference, has been prevented from coming as a delegate owing to the illness of his wife.

"Mr. Bajpai will be here again as Secretary to the Delegation. By his tact, ability and knowledge of the South African Indian question he won golden opinions. He, too, comes to continue the work of the Habibullah Delegation. He will undoubtedly be the moving spirit.

"I have purposely not referred earlier to Sir Kurma as a member of the Fazli-Hussain Delegation, not because he was the least but because he is much more to us as he has been with us for the last three years. You will remember that during his term of office, for months he lay between life and death and how as an invalid he went to India. The moment he felt that he was recovering his sense of duty brought him back to us. His knowledge of the intricacies of the Transvaal Land Tenure Bill, which will be the principal topic for discussion at the Round Table Conference, is deep and wide. He has spared no pains to obtain first-hand knowledge on this and other matters, which, we are confident, he will bring to bear upon the deliberations of the Conference.

"I shall now come to the subject for which we have all assembled here.

"It was in this Golden City that in the middle of March 1927 we assembled in an Annual Conference to express our views in regard to the Capetown Agreement. After mature deliberations we accepted the Agreement arrived at between the Union and the Indian Governments, as being an honest attempt to find a solution to the Indian problem.

"It will not be out of place to quote portions of Dr. Malan's speech to the House of Assembly when he rose to make a statement on the conclusions arrived at which resulted in the Capetown Agreement. He said that "throughout the Conference there was remarkable absence of the spirit of bargaining, and the decisions taken were arrived at solely and whole-heartedly with a view to a comprehensive, effective, and peaceful settlement.

"Again he said "I feel assured that both this House and the people of South Africa will join in the fervent hope that the reward of their labours will be the inauguration of a new era of peace and friendship in the true interests of both, between our country and the country which they serve."

"The Press of South Africa and of India hailed the Agreement as an honourable settlement, and we, as a community most vitally concerned, were asked to co-operate with the Union Government and to give it a fair trial.

"In the spirit in which the Agreement was conceived we accepted it. It marked a new era in our history and we had hoped that the Government which had, up till then, treated members of our community as aliens, would, as it had assured in the Agreement, treat us as part of the permanent population of South Africa.

"The step we had then taken was undoubtedly a wise one in all these circumstances, but subsequent events have proved that our trust in the Union Government was placed all too soon.

"How much the Indian community of South Africa has gained and how much it has lost will be seen from an analysis of the terms of the Agreement which I shall make later.

"Fifteen months ago we met in an Emergency Conference in this Hall for the purpose of considering the Transvaal Asiatic Land Tenure Bill that faced our countrymen in this Province. The Bill was so drastic in character that, if it had become law, it would have reduced our people to a state of helotry.

"The Capetown Agreement was the vindication of the strenuous fight that the Indian community of South Africa put up against the Areas Reservation and Immigration and Registration (Further Provisions) Bill. It put a stop to the policy of segregation. As Dr. Malan had assured the House of Assembly, we had accepted that the consummation of the Capetown Agreement as he had stated, would be the "inauguration of a new era of peace and friendship." That was not to be, for the self same Minister, to our surprise, introduced the Transvaal Asiatic Land Tenure Bill, the provisions of which were even more drastic than those of the Asiatic Bill.

"I do not desire to go into the details of the Bill. Suffice it to say that no civilized people with a vestige of self-respect in them would ever accept it. To me it is inconceivable that a Minister who figured so prominently in the shaping of an Agreement that brought peace to the European and Indian communities, could sponsor a Bill which was not only the negation of the elementary rights of a section of the people of South Africa, but also a violation both in spirit and in letter of the Agreement to which he so solemnly subscribed.

"Our people in the Transvaal have created vested rights which the Bill does not respect. In order that these vested rights may be protected so that our people in the Transvaal may enjoy the same rights and privileges as our people in the other Provinces, your Congress in its statement to the Habibullah Delegation asked for the repeal of the laws that specially affected them.

"The Capetown Agreement laid down that Indians in the Union who were prepared to conform to Western standards of life, would not only be enabled but encouraged to do so. How the Union Government expects our people in the Transvaal to conform to Western standards of life when they are restricted on all sides from developing to the full extent of their capacity, passes my comprehension.

"We will accept no Bill that forces any feeling of an inferiority complex on our people, and we will, therefore, press for the complete withdrawal of the Bill.

"I am not unmindful of the seriousness of the statement I make, but I am fully aware of the determination of our people in the Transvaal. Mahatma Gandhi has made them what they are to-day. Courage they have in plenty. The Passive Resistance Struggle in the Transvaal is still fresh in our minds and needs no reminding. In that struggle our people in the Transvaal rose as one man for the maintenance of their legitimate rights. I have no doubt that in their struggle against the Transvaal Asiatic Land Tenure Bill they would be no less in their determination to maintain their rights. No matter what the sacrifice we may be called upon to make, we will not rest content until the Bill is completely withdrawn.

"In regard to the Liquor Act, Section 103 (2) (a) of that Act creates a hardship on a section of our people in the Transvaal. You will no doubt remember that Section 104, which would have wrought havoc among our people, was dropped. The Agent of the Government of India and your officials have left no stone unturned to bring to the notice of the Minister that Section 102 (2) (a) meant the virtual displacement of a number of Indians engaged in the Liquor and catering trades. Whilst the Congress, with the aid of the Agent, has been successful in securing exemption certificates for those already

THE EMERGENCY CONFERENCE

THE Emergency Conference of the South African Indian Congress held in Johannesburg last Thursday and Friday was unique in that it was opened by the Rev. C. F. Andrews, and its proceedings were blessed by His Lordship the Bishop of Johannesburg and the Rt. Rev. Dean Palmer. The Bishop, in the course of his speech, said that it was not profitable to go to the Government in a bargaining spirit by putting forth extravagant demands in the hope of getting a good bit acceded to. His Lordship advised Indians to put their minimum demands and to stand firm to get them acceded to. This is an advice which we should take to heart. The Rt. Rev. Dean Palmer assured us that though there were a few Europeans present at the meeting, there was a large number of them whose sympathy was with us. It is indeed this that brings us a ray of hope in an otherwise very gloomy situation.

The Conference has covered practically all the points referred to in our last week's issue. The situation in the Transvaal is about the gravest and the Conference rightly spent most of its time in thrashing out thoroughly the questions affecting Indians in that Province. The Transvaal Land Tenure Bill was discussed fully at a previous Conference and the only thing that the present Conference had to do was to reiterate its emphatic protest against the Bill and to ask for it to be shelved. But the shelving of the Bill alone will not bring any relief to the Transvaal Indians who are faced with another piece of deadly legislation in the form of the Transvaal Licensing Control Ordinance of 1931 which, together with the application of the Townships Act and the Gold Law, will bring about the same result as is contemplated under the Land Tenure Bill.

The Immigration Amendment Act of 1931, as affecting the Transvaal Indians, was another matter over which a great deal of time was taken up by the Conference, and the attitude of some of the Natal delegates was most unfortunate. It was, however, satisfactory that good sense prevailed at last and a unanimity of opinion on the question was reached.

The Transvaal case is quite clear. Transvaal is the only Province where Indians are holders of Registration Certificates. Further Indian immigration in the Transvaal was entirely closed barring six educated Indians annually, and those who had already settled were issued registration certificates which, under the Asiatic Registration Act of 1908, gave the holder the right to go out and enter into the Transvaal whenever and as often as he desired. It gave the holder the right of domicile no matter how long he may have been absent from the Transvaal and also conferred upon him the right to re-enter and to reside in the Transvaal. The right of a holder of a registration certificate could never be challenged. This right the Transvaal Indians acquired after a prolonged struggle of passive resistance during which they had to undergo great sacrifices and had even to sustain loss of life. This right, to the Transvaal Indians, was, therefore, sacred

and constituted a part of the 1914 Smuts-Gandhi settlement. In the year 1927, however, the Immigration Amendment Act of that year, which imposed a three years' limit on those who absented themselves out of the Union, to re-enter the Union, and exceeding that limit by a day, would deprive such persons of their domiciliary rights. The Transvaal Indians were weak and allowed that sacred right to be sacrificed. They, however, still possessed the right, by virtue of their registration certificates, to re-enter and to re-earn their lost domicile by remaining in the Transvaal for a period of three years. The Immigration Department tested this right in the Appellate Division whose decision went in favour of the Transvaal Indians. The Department could not tolerate this state of affairs and the result has been the rushing of the Immigration Amendment Act of 1931 which deprives them of the latter right. The stand taken by the Transvaal Indians is quite reasonable and if they hold their sense of honour and self-respect above all material gains, they will certainly put up a strenuous fight against the deprivation of their vested rights.

Certain Natal delegates took the erroneous stand that, because in the Natal and Cape Provinces Indians did not possess the right to re-enter and to re-earn their domicile, Indians in the Transvaal should also not press for that right. They seem to forget in what a disadvantageous position their brethren in the Transvaal are placed in comparison with that of their brethren in the other two Provinces. If a levelling of the laws is considered desirable—to which we have no objection—such levelling should be levelling *up* and not levelling *down*. That is to say, the Transvaal Indians should be allowed to enjoy all the rights and privileges that are enjoyed by their brethren in the other Provinces. With regard to the three years' clause, another fact that is lost sight of by some of our Natal friends is that while that clause is, on the face of it, of general application, any European could, at any time, re-enter the Union and re-earn his domicile whereas an Indian, no matter how many years he may have been in the Union and no matter what interests he may have in it, if he stays out but a day over the three years' limit, he loses his domicile in the Union for ever. Of course, the Minister has the power to extend that period up to ten years in all, but that discretionary power is used by the Minister most sparingly and there are proved cases in which the Minister has been most reluctant in exercising his power in the case of Indians. There are other objectionable clauses in the new Immigration Act, such as, for instance, the one which renders a person convicted of any paltry offence liable for deportation. These, together with various other matters referred to by the Emergency Conference, will require the urgent attention of the Indian delegation to the Round Table Conference.

WAR MEASURES IN INDIA

(Continued from page 8)

BY the arrest of Mahatma Gandhi and Sirdar Valehbhai Patel, Lord Willingdon's Government in India has proved its resoluteness to crush India's aspirations with an iron-heel. Lord Irwin's Government had tried for a year and gave up all hopes of subduing India by stern repression. Lord Willingdon is, obviously, not satisfied with Lord Irwin's experiences. He means to make an experiment himself and has made an elaborate plan to compel India to fall on her knees. We do not blame Lord Willingdon's Government nor the British Government. They have won India by the sword and mean to keep it by the sword. They are quite justified in doing so. But let the British Government and the British people appreciate this fact also that India has now awakened to her national honour and is resolved to do her duty by her nationals by not allowing herself any longer to be criminally exploited by foreign rulers. And this, India means to do, not by violent methods, but by imposing self-suffering on herself and thus appealing to the human side as against the animal side of her opponents. She depends for this on the righteousness of her cause and on the guidance from God. Lord Willingdon's Government may make India leaderless by imprisoning every leading personality, but it will never be able to prevent the guidance of that Leader of leaders in whom India must pin her faith implicitly and fear none but Him, and the worst repression will be rendered ineffective. Whatever the plight of Indians in this country may be let them not forget their Motherland in this hour of her trial. Let them pray for her and render her every assistance possible.

Death of Mr. C. P. Scott Of The 'Manchester Guardian'

(By C. F. ANDREWS)

The news that has come just as I leave Johannesburg for Capetown, that Mr. C. P. Scott of the *Manchester Guardian*, is dead, has meant to me a very great loss indeed of one whom I admired and loved for his nobility of character and his fearless defence of all oppressed peoples and weaker races. Many times I have seen him quite recently and he had always spoken to me of his deep affection for the Indian people and especially for the Poet Rabindranath Tagore and the saint and prophet Mahatma Gandhi. It was a great joy to me to take Mahatma Gandhi to see him when I was in England last October and it was a very beautiful sight to see the two together conversing with one another. He was over 85 years of age and was then very feeble in health but he gladly and eagerly looked forward to the opportunity of meeting Mahatma Gandhi and they talked on for a very long time together before they parted. We met that day Mr. C. P. Scott's elder sister also who was over 90 years of age and thus much older than her brother.

All the while C. P. Scott edited the *Manchester Guardian* he kept up its high tone and standard and for fifty years he kept up the struggle of liberalism in foreign and international affairs. No one did more than he did to observe the integrity and independence of the Press.

engaged in the trades they are by no means safe. They comprise a section with no other means of livelihood, and to deprive them of this, is a grievous wrong which should be righted.

"The subject of condonation has given us many anxious moments. It was at the Kimberley Conference that your Congress, after having heard the Right Hon. Srinivasa Sastri very fully on the question, accepted the condonation scheme. In accepting it we fully believed in the sincerity of the Union Government. We were assured that our people taking out the Protection Certificates issued under the scheme would enjoy the same rights and privileges as the domiciled Indians. There was to be no differentiation between the domiciled Indian and a condonee except in the matter of the introduction of his wife and minor children, which we left in abeyance. Fortified as we were with this assurance we asked our people to take out these Certificates.

"Administratively the condonees are receiving differential treatment in that they are receiving emergency certificates instead of certificates of identity, which is totally against the assurances given by the Minister.

"Again on the question of wives and minor children of condonees, we were assured by the Minister that, if the number affected was not large, he would favourably consider the question of permitting them to bring their wives and children. The number affected is not large and it would be a magnanimous act on the part of the Minister if he were to allow the condonees to bring their wives and children. The Capetown Agreement gives due consideration to Paragraph 3 of the Reciprocity Resolution of the Imperial Conference, and if the condonee is expected to lead a happy family life he should be entitled to bring his wife and children.

"The immigration laws of the country, in their application to Indians, have always been a source of legitimate complaint. Innumerable instances can be quoted where our people have not received that treatment which, as citizens of South Africa, they are entitled to. Various sections of the immigration laws are not only adversely interpreted but applied in such a manner so as to operate harshly against our people.

"In regard to domicile, when the Immigrants Regulation Amendment Act of 1927 was before Parliament, the then Secretary for the Interior in a letter dated 29th April, in reply to the representations of Congress, stated that "it is not intended to apply the provision dealing with loss of domicile after three years' continuous absence from the Union retrospectively, and to make this purpose quite clear the following words will be inserted in Section 10 at the committee stage of the Bill after the word therefrom "or from the date of the commencement of this Act whichever may be the later." Since Rashid's case, the Immigration authorities held that a person in possession of a domicile or registration certificate, who returned to the Union in terms of the 1927 Act after a long absence, had lost his domicile and therefore had to remain three years in the country to re-acquire his domicile which would thereafter enable him to bring his wife and minor children into the country. Is this not contrary to the above undertaking?

"The arbitrary powers given to the Minister to deport any person who commits any scheduled crime or offence are very wide. Although of a general character the section is very stringently applied to the Indian. Deportation orders are being made against Indians who have committed minor offences such as common theft. This is a question that should receive our serious consider-

ation, for, under the existing section, no Indian born elsewhere than in South Africa is safe.

"Much of the Indian immigration laws of Natal is still on the Statute Book. Immigration was stopped in 1911 and we think twenty years is a sufficiently long period to allow these laws to be repealed. The 1/3d tax which an employer has to pay to the Indian Immigration Trust Board in respect of every Indian employee whether he be an Indian immigrant or the descendant of an Indian immigrant, is a stigma on the South African-born Indian whose mode of living and outlook in life are quite different to those of his forebears. Eighty-five per cent. of the Indian population are South African-born and in a few years' time the India-born Indian would die out. Why then is the necessity for the Indian immigration laws?"

"I shall now engage your attention to an analysis of the Capetown Agreement for the revision of which the Round Table Conference will sit at Capetown on the 12th January.

"In regard to the scheme of Assisted Emigration, although Dr. Malan in his statement to the House of Assembly assured the House that throughout the proceedings of the last Round Table Conference the spirit of bargaining was absent, there is no doubt that, as a consideration of the Asiatic Bill being dropped, a scheme, the desired effect of which was to reduce the Indian population to an "irreducible minimum," was brought forward. Was this not bargaining? The scheme, on the face of it, appeared to be an improvement on the then existing repatriation scheme. It gave them a right of re-entry within the last two years of the three-year period in the old scheme.

"The scheme, as enunciated in the Capetown Agreement, is clear in its terms that no compulsion was to be employed by the Government. The pressure that is being brought to bear upon the poorer section of our community, coupled with the prevalent unemployment and depression and the White Labour policy of the Government has been the means of sending thousands who, on arrival in India, are stranded and virtually lost. It touches a section who, through no fault of their own, were encouraged to come to this country and contributed to its wealth and prosperity. I have no hesitation in condemning the scheme and to state that the Congress will not be a party to the bartering away of the rights of the poor for the benefit of the rich.

"I would here mention the selfless task of Swami Bawani Dayal who, after investigation into the condition of the repatriates in India, has proved the scheme a failure because the repatriate cannot be absorbed in the life of India and therefore left stranded. To him our thanks are due.

"Our hopes and aspirations were centred in the 'Uplift' Clause of the Capetown Agreement. It recognised the grave situation of Indian education in Natal. The appointment of the Education Enquiry Commission by the Natal Provincial Council resulted in the whole of the subsidy of £5 5s. being spent on Indian education. For the year 1926-27 out of the total subsidy of £36,986 the Provincial Council spent only £28,430. Since the findings of the Commission practically the whole of the subsidy is being spent on Indian education. The fact that the estimate for 1931-32 is £65,838 is undoubtedly an improvement on the amount spent in the year 1926-27. But the extraordinary difference in the amount of subsidy between the European and Indian child still remains. Whilst the subsidy for the European child is £16 7s. 6d. that of the Indian child is £5 5s. Furthermore, whilst the Province of Natal during the last two years has spent no less than £491,000 from its Exchequer over and above the Government subsidy on the education of

European children, it has contributed, much less spent, not a penny on Indian education. The total number of Indian children of school-going age is 35,000 and of this number only 15,814 are actually in schools. It would be apparent therefore that about 19,000 children of school-going age are receiving no education. It must be admitted, however, that there are now over 5,000 more children in schools than there were in 1928. We ask for increased facilities for the large number of Indian children who are remaining illiterate. The Natal Provincial Government has not done its duty to the Indian community despite the fact that in proportion to their earning capacity our people contribute their share of taxation to the Province.

"If the Indian community is expected to attain the Western standard of life as foreshadowed in the Capetown Agreement, then the first essential would be the education of its children. Educate them and then enjoin them to adopt the western standard. In making provisions for the raising of the general standard of education of our children the Union Government has lagged behind and has done very little to justify its undertaking in this direction.

"The licensing laws of the country are still a source of irritation to our community. The concluding clause of the Capetown Agreement provides for the revision of the licensing laws. Even after the lapse of five years no attempt has been made to revise such laws. When Congress made representations to the Union Government for the revision of the laws they were informed that the initiative had to come from the Provincial Government.

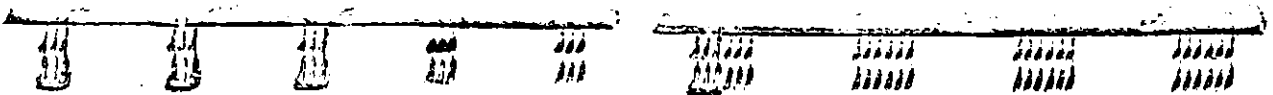
"The Union Government has sought to put an entirely new interpretation on the clause dealing with the revision of the Licensing Laws from that placed by the Indian community. The Indian Government were informed of the attitude adopted by the Union Government on this subject, but has given no reply to the representations made by Congress. It would seem that unless the matter is made clear, with the clause dealing with the revision of the licensing law it would remain a dead letter. No Provincial Government, in its present attitude on the Indian question, will move the Union Government to revise the laws. We ask that not only should there be a distinct pronouncement on this question, but the licensing laws should be revised as soon as possible to give effect to the Capetown Agreement.

"The Licensing Officers of Boroughs and Townships have always shown a tendency to discriminate between European and Indian licences. Whilst the European secures his licence as a matter of course, the Indian is subjected to differential treatment. Not only is he restricted to trade in a particular area, but he is asked to comply with the requirements which are not insisted upon in the case of the European. He is asked to pay his assistants the same rate of wages as is paid to European assistants, but he does not get the facilities for the same class of business as the European trader. If he is expected to conform to all the requirements of the industrial laws, then he should be given equal opportunities to trade.

"As licensing laws stand at present, appeals to the Supreme Court only lie in respect of refusal to renew an existing licence, and in rural areas appeals to the Appeal Board lie in respect of refusal to issue a new licence on the only ground that the applicant is not a fit and proper person.

"In the Boroughs wide discretionary powers are given to licensing officers whose decisions on Indian applications are invariably against the laws of equity and justice.

"In the recent case of Kharwa vs. the Ladysmith Town Council, where it was held that assignment of one's property does not lapse one's licence, one of the Judges pointed out that in appeals the Supreme Court could enter into the merits of the case. This is a distinct advantage, as hitherto the Supreme Courts were loth to enter into the merits of the licensing appeals unless grave



irregularities, bad faith, and refusal to exercise discretion were shown.

"As has been so often stated, our people in this country are denied an equal opportunity to live. Indians have always been accused of undercutting the white man but the fact that their respective opportunities are so unequal is always lost sight of.

"The acceptance by the Indian community of "the principle underlying the Industrial Conciliation Act No. 11 of 1924 and the Wages Act No. 27 of 1925 which enables all employees including Indians to take their places on the basis of equal pay for equal work will be adhered to," to use the actual phraseology in the Capetown Agreement, meant a sacrifice the enormity of which can hardly be gauged. But the Indian community accepted it in the hope that as time goes on things will so adjust themselves as to enable the Indian to take his rightful place in the industrial fabric of South Africa. What is his position since the Agreement? In every industry attempts are being made to displace Indians by Europeans. The Government is pursuing a White Labour policy and this is being not only openly advocated but encouraged by Col. Creswell, the Minister of Labour. Do not for a moment think that the Colonel is concerned with Government services only. He goes further than that. He has insisted on all municipalities to displace a number of Indian servants so that the European unemployed could be engaged in their places. In the Railway services the process of weeding out the Indians has been going on steadily since the Agreement. In the middle of 1927 there were 1,338 Indians employed on the Railways but in June 1931 there were only 804 Indians. Who knows that in another five years' time the Railways will have no Indian employees. And so in every other service. The process of weeding out goes on incessantly in the Government, Municipal and private services.

"In the Liquor and catering trades which, in so far as Natal is concerned, are the Indian's preserve, attempts are being made to replace them by European girls.

"We raise no objection to the Industrial legislations though they affect us adversely, but we do insist on our people receiving equal opportunities. We ask that this question should receive the serious consideration of the Indian delegation.

"We understand that during the existence of the Capetown Agreement no differential restrictive legislation, Union, Provincial or Municipal, would be passed against us but, alas, such legislation has been passed, and even before the present Parliament there is the Workmen's Compensation Act in which it is sought to lay a differential and lower scale of compensation for Asiatics.

"I think I have discussed every subject in the Capetown Agreement. This analysis will show you abundantly that the Indian community has gained very little from the Agreement. Whilst on the one hand we have lost for good thousands of our countrymen who have been repatriated under the Assisted Emigration Scheme, the Indian community has, on the other hand, not benefitted to the extent it has expected.

"I would emphasise the fact that the time has arrived when the question of granting the franchise to our community must receive the serious attention of the Government. Although in the past we have not pressed for that which we enjoyed in Natal and consider to be our legitimate right as citizens of South Africa, we feel that both parliamentary and municipal franchise should, in the case of Natal, be now restored and extended to the Transvaal; that the universally accepted maxim, "No taxation with-

out representation" well and truly applies to us, for no individual who is called upon to bear equally the burden of taxation should be deprived of the means whereby his voice could be heard in the administration of the country to which he belongs. We would also call attention to the very serious fact that when the European women were enfranchised in the Cape Province with no compensating franchise even for educated non-Europeans, the political stratagem at once halved the value of every educated Indian vote in the Cape Province. We would call the attention of the Fuzl-i-Hussain delegation to this extreme injustice which has taken place since the Agreement was signed.

"I should like the Conference to consider the advisability of urging upon the Indian delegation the question of improving trade relations between India and South Africa by the appointment of an Indian Trade Commissioner. We had hoped that, as a result of the visit of the Indian Trade Delegation, headed by Dr. Meek, a Trade Commissioner would have been appointed before now. For, we feel that there are great possibilities for the development of trade between this country and India. As it is, India buys South African gold, coal, wattle bark and other commodities. If, for instance, instead of ships between these countries touching East African Ports, it were arranged to run regular and periodical boats direct to India, a ready market, I am sure, will be found for perishables, particularly South African fruit.

"One other matter and I shall conclude. In this country, since the time Mahatma Gandhi was our accredited leader, we have always represented the common cause of Indians. We may be Muslims, Hindus, Christians and Parsees in our homes or places of worship, but outside those we have always remained Indians. You have, no doubt, heard that in Durban a few Indian merchants gathered at a private residence and formed an Indian Chamber of Commerce. I would have refrained from mentioning this, but for the fact that the so-called Chamber has been formed not for the purpose of protecting the business interests of merchants but for the purpose of securing preferential treatment and political rights for Indian merchants. I am reliably informed that a statement has been prepared on these lines and is to be submitted to the Government of delegation. I cannot for a moment conceive how any Indian, with any sense of responsibility and self-respect, can come forward with a suggestion that he should receive preferential treatment just because he happens to be, for the time being, slightly better off financially than his Indian brother and the possessor of a trade licence. It is sheer stupidity to assume the role of superiority on the ground of commercial standing, and though I know that the statement of this Chamber of Commerce will be consigned to its proper place, I do feel that the time has arrived when the community should show in no unmistakable terms, its strong disapproval of their foolish action.

"Let us warn them that our community is watching them, and any false step that they may take will have disastrous effects on them.

"Deputations may come and deputations may go and they will act as our advocates and what they do will affect us, but it is for us to say what shall and what shall not be done in our name for we have to live and die in this country, for we are not already over eighty-five per cent. of us children of this country. We will get what we deserve. If we are prepared to suffer as we suffered in the days of Passive Resistance we shall now, as then, maintain our self-respect not only as Indians but as South

African nationals and I have no doubt that you will not fail when the hour comes.

"We are very grateful, as a community, for the kindness of the Lord Bishop of Johannesburg and Dean Palmer for having spent time, in the midst of their overwhelming duties, to come to us this morning and offer us their greetings."

Emergency Conference Resolutions

The following resolutions were passed by the Emergency Conference of the South African Indian Congress held in Johannesburg on Dec. 31 and Jan. 1 :—

1. That this Emergency Conference of the South African Indian Congress hereby places on record its heartfelt sympathy in the sad demise of the late Amod Bayat, a past President for several years of the Natal Indian Congress.

2. That this Emergency Conference of the South African Indian Congress prays to the Almighty that He may, in His benign kindness, save the people of South Africa from any further sufferings from the severe drought and the economic depression which are seriously affecting them.

3. That this Emergency Conference of the South African Indian Congress hereby places on record its profound sense of sympathy at the sad demise of Imam Abdul Kadir Bawazeer, a trusted friend of Mahatma Gandhi, and condoles with the family in the sad loss.

4. That this Emergency Conference of the South African Indian Congress hereby places on record its sincere sympathy with the authorities of the Witwatersrand University on the recent disastrous fire that overtook the building of the University.

5. That this Emergency Conference of the South African Indian Congress expresses its sincere love to Mahatma Gandhi who, amidst his incessant labours for India and her people, still evinces his deep interest in the affairs of the Indian community in South Africa.

6. That this Emergency Conference of the South African Indian Congress expresses its profound sense of gratitude to Sir Rabindranath Tagore for permitting the Rev. C. F. Andrews to come out once more to South Africa to assist the Indian community, and tenders its love to him.

7. That this Emergency Conference of the South African Indian Congress, representing the Indian community in South Africa, authorises the officials of the S.A.I.C. and the representatives of each Province to present a statement on matters differentially and specially affecting Indians in the Union, to the Government of India Delegation at the Round Table Conference, and authorises and empowers them to press for :—

- (a) The complete withdrawal of the Transvaal Land Tenure Bill.
- (b) The repeal of all restrictive laws which affect Indians in the Transvaal, especially Law 3 of 1885, Sections 130 and 131 of the Gold Law and Section 62 of the Townships Act (Transvaal).
- (c) The abandonment of the Assisted Emigration Scheme.
- (d) The entry into the Union of wives and minor children who are affected by the decision in the case of Rashid Amod.
- (e) The removal of differential treatment meted out to condonees in regard to Immigration matters.

- (f) The granting of permission for the entry of wives and minor children, now in India, of those who have taken out Protection Certificates.
- (g) The repeal of provisions of Act 15 of 1931, which impose fresh limitations on the rights of Indians.
- (h) Increased facilities in the matter of education, and in providing industrial and technical education.
- (i) The liberal application of sanitation and housing schemes to meet the wishes of the Indian community.
- (j) Giving immediate effect to fulfil the undertaking given in the "Licence Clause" of the Agreement.
- (k) The removal of all restrictions and disabilities imposed on Indians in the Liquor Act.
- (l) Economic opportunities to Indians, to deal with Industrial legislation, and the removal of the Government White Labour Policy.
- (m) The removal of all other disabilities imposed upon and differential treatment meted out to Indians, as outlined in the Presidential speech delivered before this Conference, especially the repeal of the Indian Immigration Laws.
- (n) The liberal application of the 'Uplift Clause' as contained in the Agreement to give full expression to the declaration made thereunder by the Union Government.
- (o) Repeal of Transvaal Licensing Ordinance, 1931.

The Diehards And India

The *Nation* of New York writes as follows in its issue of December 9 :—

Only a British right-about-face could apparently have rescued the Round Table Conference from the abyss toward which it drifted in its closing weeks. But instead of frank generosity on the part of the British government, which might have stilled the conviction of futility growing in the minds of the Indian delegates, the discussions merely reveal that India's major demands are to be ignored. On November 8 the All-India Congress cabled Mahatma Gandhi its opinion that he ought to come home, though leaving it to him to remain longer if he thought there was anything to gain. Reluctant to depart before exhausting every hope of a settlement, Gandhi stayed on. A week later, when once more the negotiations seemed fruitless, a pledge by the Moslems not to seek the fulfilment of their claims as a prerequisite to a constitution afforded a renewed gleam of hope.

But with every move toward increasing Hindu-Moslem unity, the irrepressible diehard Tories, feeling their oats as a result of the election, made it plain to the Prime Minister that no really liberal policy would be tolerated. Viscount Rothermere in the *Daily Mail* cried out for a summary end to the proceedings, and urged the government to "send Gandhi home." Through the press and on the platform the preserverid Winston Churchill and his moterie of extremists began to wage an intensified campaign. More than once they were accused by Hindu and Labour delegates of making underground approaches to the recalcitrant Moslems in order to protract the latter's insistence over the minority question. It remained for the Undersecretary for India, the Marquess of Lothian, who is ordinarily a Liberal in international affairs, to stir

the ultimate resentment of the entire Indian delegation by recommending strongly in the House of Lords repressive measures to crush "terrorism" in Bengal. Lord Lothian's address was the signal for an outburst of fury by Lord Brentford, in which that famous Labor-baiter placed the blame for the murder of a dozen Englishmen in India on the shoulders of Mahatma Gandhi.

Coming as they did at a most critical juncture in the conference, these incendiary utterances were calculated to give the negotiations their death blow. Even Mahatma Gandhi's critics, if fair, could not fail to recognise his infinite patience. In the face of outpourings by the yellow journals, some of which declared that he would go down in history chiefly as a man who defied London climate with a loin cloth, he has preserved his dignity and friendliness. He has lived up to his ideal of "no hatred for any Englishman," wistfully expressing his desire to talk most of all face to face with his enemies. Though sensible to the pressure of his impatient Congress colleagues and to the need of vigorous action to hold back a violent element in rebel India, he has manifested an increasing restiveness because of the multitudinous delays. Not minimizing the seriousness of the disagreements between the Hindus and the minority elements, he has shared with many observers the conviction that it was part of British strategy to withhold a definite promise of self-government until the breakdown of the discussions among the Indian groups should place upon them the onus for a possible failure of the conference.

It was the final blow to Indian faith when Lord Sankey, for the Federal Structure Committee, brought in a majority report definitely denying to India the right to control her own army and foreign relations, though conceding a substantial measure of fiscal autonomy. To the Indians the army has always been a sore point, and with abundant reason. As long as the army is controlled by Britain, genuine freedom seems to the natives inconceivable. The cost to them has been terrific. British India stands in the seventh place among the nations in military outlay. Every year \$205,000,000 goes to maintain an army which is exceedingly unpopular and which drains off more than 62 per cent. of the total central expenditure. Not counting Great Britain itself, the cost of defence in British India is more than double that for all of the rest of the Empire together. If it seems inconsistent on the part of the non-violent Gandhi to press for an Indian army, it must be remembered that he puts no trust in the possibility of disarming India so long as the military forces are under the dominance of an outside government. The portent of the Sankey draft convinced the Indian delegates that the government meant to withhold a centralized autonomy, and, instead, grant nothing beyond the type of provincial self-rule envisaged in the repudiated Simon report. Steadfastly they have characterized such a compromise as intolerable.

A new campaign of civil disobedience may soon be under way. It means untold suffering to the Indian masses, for the temper of the Tories is clear to all. For the British workers and business men it spells incalculable economic loss. But it is the one potent weapon available to India, and it will be used, whatever it may cost, until the British people undertake to tame their imperialistic firebrands.

વેચવાના પુસ્તકો

ઈશુતું બલિદાન—આ ન્હાના પુસ્તકમાં ઇશુ ખ્રીસ્તે માનવ-જાતને પતનમાંથી ઉગારવાને આપેલા બલિદાનનું વર્ણન અને તે પરથી લેવાનો બોધ આપવામાં આવ્યો છે.

કી. શી. ૧.

શરતબાણુની ત્રણ વાર્તાઓ—અંગાળના સુપ્રસિદ્ધ નવલકથાકાર શ્રી. શરદન્દ મટોપાખ્યાની આ વાર્તાઓ શ્રી. મહાદેવ હરીભાઈ દેસાઈએ જેલમાં પોતાના વિનોદ અર્થે લખી હતી અને 'નવજીવન' પ્રેસ તેને પ્રેકાશિત કરતાં જાણે છે કે "અનેક ધરોનાં જીવન ઉપર આ વાર્તાઓ સરસ છાપ પાડશે એ વિષે અમને શંકા નથી."

કી. શી. ૨-૬.

વિરાજવહુ—આ પથ્થુ એક શરતબાણુની વાર્તાની મહાદેવ હરીભાઈ દેસાઈએ કરેલો અનુવાદ છે. કી. શી. ૨-૬.

ઝોતરાતી દીવાલો—આ ન્હાના પુસ્તકમાં શ્રી. કાંલેલકરનો જેલનો અનુભવ છે. સત્યાગ્રહ આશ્રમની ઉત્તર જેલની દીવાલો આવેલી છે અને તે વીચલોની પાછળ શું થયે તે જાણવા અમકારની કૃપાથી પરીપ્રથ્થુ થઈ તેણે તેણું નામ લેખકે "ઝોતરાતી દીવાલો" એટલે કિતર તરફની દીવાલો આપેલું છે.

કી. શી. ૧-૮.

મહીલાઓની મહાકથાઓ—આ પાકા પુઠાની સચીત્ર નવલકથા જ્હેન બદ્ધીએન ડોસાણીએ સત્ય ધટનાઓ લખી ૨૯૯ પાના કરૂણ રસથી ભર્યાં છે. હાંફુ સંસાર માં વીધવા સામે યતા જીલ્લો તેમજ બાળ વીવાદથી યતા જૈરલાઓનું બોધદાયક વર્ણન આપ્યું છે.

કી. શી. ૭-૬.

વિનીતાની વાતો—આમાં ગુરુજર મહીલાઓની કરૂણાબનક આત્મકથા છે. સામાજિક કુરીવાજોથી યતા અનીષ્ટ બનાવે. અને હાનીઓની ઠુંકી વાર્તાઓ છે. સચીત્ર. પાકું પુઠું.

કી. શી. ૬.

પ્રણય પંક—આ ૬૦૪ પાનાના પુસ્તકમાં વિનોદ, શુદ્ધપ્રેમ, આત્મબોધ વિગેરેના રસો ભર્યાં છે. અંગાળના નવજીવનના શરદાખ્યાનના પુસ્તકનો આ રસપુર્ણ અનુવાદ છે.

કી. શી. ૫.

દેશ દર્શન—આ પુસ્તકની લેખિકા કુ. સુમીના દ્યાલજી છે આ પુસ્તકમાં આપણા દેશની સામાજિક, આર્થિક, ધાર્મિક અને રાજકીય અધોમતીનું વર્ણન છે. આ પુસ્તકના ૩૮૪ પાના કરૂણ રસથી ભરપૂર છે.

કી. શી. ૬-૬.

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