

Indian Opinion

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ENGLAND'S ATROCITIES IN INDIA

PANDIT M. M. Malaviya, the veteran nationalist leader of India, tried to send the following cable to certain London papers, in response to a request from friends for information for the purposes of the impending India Debate in the House of Commons. The cable was handed in at the Benares Telegraph Office in the afternoon of the 28th February and was accepted and payment was received for it. After several hours, Panditji was informed at night that even though it was a pre-paid message, the cablegram could not be transmitted as he was not a registered press correspondent. Panditji then asked the telegraph office to forward the message as a private deferred cablegram and offered to pay the difference in cost of about Rs. 300. But he was told that even that could not be done as the office hours were over and the only way to end the cable would be to pay for it at express rates, which would come to over Rs. 3,000. Panditji thereupon dropped the idea.

Text Of The Cable

The following is the text of the cable :

The reply of Sir S. Hoare circulated in the House of Commons on the 15th instant on the political situation in India which indicated an improvement from the Government point of view in several respects, is incorrect and misleading.

Sir S. Hoare admitted that the boycott was now the chief activity of the Congress. This has been so since the commencement of the civil disobedience movement this time and it has shown no sign of slackening. On the contrary, it has been deepening, penetrating into the interior and spreading to all parts of the country. In the towns generally, a large number of merchants are not placing orders for foreign cloth and British goods. In a number of places, they separated and sealed up such goods in stock. At others, this work is proceeding with the help of peaceful picketing and quiet house to house persuasion. As things are going on, it may safely be assumed that unless a great change in public sentiment occurs such as was brought about by the Gandhi-Irwin Pact, despite all the Ordinances and measures of repression, the sale of British cloth and other goods will continue to run down. Of course, women are playing the most important part in this phase of the movement.

Movement Growing Stronger

In other directions also, the movement growing stronger and the spirit of resistance against unjust and oppressive orders are suffering and extending. Repression is only fanning the fire and though owing to concerted Police and Military action, the demonstrative side of the movement is, this time, much less in evidence, the actual strength is far greater than before. Unauthorised manufacture of salt has been revived in places where the Police resisted. Magisterial and Police orders are being violated all over India. Meetings and processions are being attempted despite Magisterial bans, lathi charges and even firing. Government agencies have been most active. According to the reports of the

daily press, published under the Ordinance regime the total number of arrests all over India to date are 46,531 which in the nature of the circumstances cannot include a large number of arrests in the far-off villages in the interior. Congress estimates the total arrests to be over 60,000. Sir S. Hoare admitted that generally there have been very few instances of violence. Yet firing on crowds, which have been almost always peaceful, has been resorted to more frequently during the last 30 days than before. Lathi charges have continued in several places, and given up at others as the Government evidently had begun to realise that these failed to crush the spirit of the people. But both lathi charges and imprisonment have been substituted in a large measure by pretty repression with a view to torture and humiliate, and by brutal action to demoralise the people. Some instances are given below.

Specific Instances

In two places, Gujarat villagers were not allowed to carry water to wash after attending calls of nature, which is a life-long practice. The Police tore off clothes and left people naked. In Bombay and Cawnpore, on the mere suspicion that they sympathised with the Congress, respectable merchants were served with humiliating orders to remain inside, or go out of certain limits. On refusal to comply, they have been sentenced to long terms of imprisonment and fines and have been treated in jails as ordinary felons. In Bihar, volunteers were stripped and moustaches were pulled out. National flags have been removed from several Municipal buildings. One father was sentenced to 6 months' R.I., for refusing payment of son's fine. Public spirited institutions, not connected with the Congress have been declared illegal. Arrests on suspicion are going on. Shop-keepers and hotel-keepers are arrested and warned against providing Congress-wallas with food and shelter. In Culicut, a lady sentenced to imprisonment, was deprived of her Mangalsutram by the Magistrate's order, which is never taken off in the life-time of the husband. In Madras, an ambulance man was caned while offering help to volunteers who had been rendered senseless by police-beating.

A general censorship has been established all over the country and complete censorship in North West Frontier. The Public Press has been gagged and editors have been told not to publish the photographs and names of the persons connected with the movement.

The Khudai Khidmatgar of the Frontier were subjected to inhuman tortures. I am informed that volunteers of Peshawar had been subjected to such brutal and revolting repression that, finding absolutely unbearable and yet determined to keep their vow of non-violence under the gravest provocations, many have left Peshawar to carry on their work elsewhere.

Situation In U. P.

This can hardly be called an improvement in the situation. These reports and the reported large numbers of deaths, caused by firing in the Frontier

Province, alone disclose that the situation is giving enough to call for an independent inquiry. Sir S. Hoare reported that the "No-Rent" campaign had practically been abandoned in the United Provinces. If so, why is the repression not stopped? In the Allahabad District, the authorities have raided villages with Police help and practiced much oppression. Many places and properties worth several hundreds have been attached for rent of few annas leaving the Kisans utterly destitute. Villagers have been mercilessly beaten. Notwithstanding all this, the resistance is growing stronger. A large number have left their homes and are lying under the trees, yet carrying on processions and meetings in all parts. The properties of relations have been seized by the Police for the fines imposed on volunteers. Ladies are taken in lorries several miles and dropped in out of way and uninhabited places. Volunteers are beaten half dead and then left on the road stripped of all clothes. Two persons were tied behind a horse cart and were mercilessly dragged a long distance and were whipped on demanding water. Persons are beaten even after their becoming senseless. Hospitals are closed and patients are turned out. Educational institutions have also been declared illegal. Even small boys are whipped. Some persons are interned in their own houses. An 80 years old lady was jailed. The belongings of the Swadeshi League Allahabad were forcibly seized. Films featuring Gandhiji and Sardar Patel are banned. Many Charka Sanghs and Khaddar Bhandars have been seized. The Manager of one of Bhandars was arrested for selling national flags. A boy of 12 years was asked to furnish security and on refusal was awarded one year's imprisonment. The President of a Trade Union was attacked by the Police in his own house and received lathi blows. Sixty girls of the Bethune College have been rusticated for absents from the College in sympathy with a fellow-student, rusticated for participating in Congress hartal. Head Masters of schools in Allahabad have been ordered by the District Magistrates to spy on their boys who may attend Congress meetings or processions. Notwithstanding all that the number of students who have joined the movement is great and many more are likely to join in a few weeks when the Schools and Colleges close for the long vacations. The merchants of Cawnpore, Allahabad, Benares and Calcutta were ordered by the Magistrate not to close down shops on Congress hartal days. The order was disregarded and the hartals were even more effective than before. The Magistrates were helpless in view of the united action of the shop-keepers. It is reported that convicted persons are being treated callously inside several jails as ordinary felons. Many cases of private funds, belonging to individuals and funds belonging to public institutions have been confiscated or ordered not to be used on the mere suspicion that they may be used for Congress purposes.

"Country Seething With Discontent"

It is impossible to convey a complete idea of the present repression. But the very large number of persons arrested and imprisoned and the reports in the press show, far from having cowed down the people, the severe and rigid measures adopted and the sufferings inflicted upon the people have only stiffened their backs and aroused a spirit of resistance among them to join the movement in unprecedented numbers. The country, as a whole, is seething with bitter discontent. Even those who are not Congressmen and who so far never concerned themselves with politics, are sympathising with the movement and helping it where they can. Trade and business is being ruined. The prestige of the Government has been lowered as never before. Financial bankruptcy is overtaking the Government. The present policy has now been sufficiently tried

and proved to be utterly ineffective, for suppressing the determination of the people to win the freedom of their country. Not only on grounds of humanity and justice, but also of the lower selfish grounds of the trade relations between Great Britain and India; Parliament should insist on an immediate abandonment of the present policy and on undoing, so far as is possible, the wrong that has been done to India in pursuit of that policy and on the resumption of a policy of conciliation and co-operation on a footing of real equality with India's accredited representatives; to establish full Swaraj at the earliest possible date.

THE ISSUE BEFORE US

WE are glad to note that the *Natal Advertiser* has condemned the Agreement arrived at between the Governments of the Union and India on the Indian question in stronger terms than we did in our last week's issue. Nevertheless, however, we do not agree with our contemporary's conclusion that Indians, because they are ill-treated in this country, should leave it and go to another country where they may find a happier future and may become colonists rather than helots. That, in our opinion, is not the right way. The Britishers in South Africa will surely not go away to England because they are ill-treated by the Dutch people in this country. Anglo-Indians in India will not leave India and seek a new home because they may be ill-treated and given no voice in the affairs of the country. They will fight for their legitimate rights. Had India been a free country and had her own Government, the Union Government would have dealt with her representatives differently, because they would have come not as mendicants but would have spoken as free men to free men with power behind them. A man is not worth his salt if he yields to tyranny when he knows his cause is just and right. If he has earthly power he makes use of it to resist against such tyranny. But one who has no earthly power has a higher power to guide him. Indians in South Africa are indeed not ignorant of that power. Let them not forget the days of 1913 when thousands of indentured Indians resisted against the £3 tax, and, in doing so, bravely went through untold sufferings, and the Government of the day was compelled to abolish the unjust tax. To-day the issue before us is quite clear. The question we have to consider primarily is whether we are here for bread and butter only or whether we have any higher

aspirations? Are the terms "self-respect" and "our national honour" mere high-flown terms to be used to demonstrate our oratorical powers; or do we value them as much as we value our own lives. If it is bread and butter alone that we are seeking and are prepared to take it even at the price of our national honour and self-respect, then we have no reason to complain against the Agreement of the Transvaal Land Tenure Bill. We might as well follow the advice of the *Natal Advertiser* and seek new pastures. But, if we consider our national honour and self-respect above everything else and are prepared to give up even our lives for them, then we may not accept the Agreement nor the Transvaal Land Tenure Bill even in its modified form. Nor may we take any part in the colonisation scheme. The rich and the poor will have to stand united and be prepared to sink or swim together. The rich, for their own gain, may not be a party to any scheme which would deprive the rights of their poorer brethren. We must be prepared to fight to the last and let the Government forcibly drive us out of the country if they can dare to do so. Under no circumstances should we meekly submit to the decision of the Government and voluntarily surrender our birth-right in this country. But this advice is too tall if we are after monetary gain only and are ready to undergo any humiliations that we may be subjected to. In such circumstances there could be no help for us, and we would deserve the worst possible fate. We can only hope we have not sunk to that depth of degradation.

We deeply regret to record the sad news of the death of Mr. Shekhu Peerbhoy Butler, an old and well-known resident of Durban, which took place at his residence in Pine Street last Tuesday after a very short illness. The late Mr. Butler fell ill on Thursday last week and suddenly contracted double Pneumonia. He was keenly interested in sports and had developed his body so well that although he was nearly sixty-five years old he looked much younger than his age. For many years the late Mr. Butler was a merchant and of late he was Manager of Messrs. Lokhat Ltd. The late Mr. Butler leaves behind him a widow who has, only three months ago, returned from India, a young daughter and three grown up sons to mourn their sad and irreparable loss. We extend our heartfelt sympathy to the bereaved family.

European Press Comments On The Agreement

The guarded barrenness of Dr. Malan's statement on the result of the Indo-Union Conference of some months ago is deeply significant. One might at first be inclined to exclaim that too much secrecy has been observed over a matter on which apparently there was little of a definite kind to be said. If the Minister or the Indian Government had released this statement two months ago (so it might be argued) no harm would have been done: for the utterance is devoid of any definiteness whatsoever.

But this would be a foolish and short-sighted way to view the matter. It must rather be supposed that the weeks which have transpired since the Indian delegation left our shores have been spent, by those delegates at least, in discovering whether or not they were justified in proffering to the Indian Government so poor a harvest of achievement; while the fact that apparently the Indian Government has approved the general tenor of Dr. Malan's utterances goes to show that the Viceroy and his Council have nothing better to offer to the Indian peoples in Natal. The Indian delegation has returned to India with empty hands. This is the full significance of Dr. Malan's statement; and the fact that that statement accords substantially with the Indian Government's view of the matter invests it with a very great significance.

Between The Lines

Reading between the lines, the only conclusion that a dispassionate observer can come to is that South Africa is not disposed to encourage, or even to suffer, Indian Government interference in the domestic legislation of the Union so far as that legislation affects the Indian people in Natal. For some years past, the Indians in this Province have had the temerity to raise their eyes to their own Fatherland and to hope that some succour might be found for their plight in the powerful advocacy of the Indian Administration. Whether or not this advocacy should rightly have been looked for, or whether or not the disaffection of the Natal Indian was being exploited by the Indian Congress as a factor in the larger scheme of India's struggle towards "independence," does not matter greatly at the moment. For some years it has been the fashion of Indians in Natal to look overseas for help. The "agreed" statement of Dr. Malan virtually closes the door on this hope. Eighty per cent. of the Indians in Natal to-day are Colonial-born. Their native land is South Africa and, for well or ill, they are the political subjects of the Government of South Africa. India apparently acquiesces in this position. India has failed to secure any amelioration of their condition. India has as concluded that the most she can do is to co-operate with South Africa if and when the latter country devises a scheme which will offer the Natal Indian some alternative to the conditions he knows to-day.

Now it is at this point that we want our Indian readers particularly to look facts clearly in the face, and reject as we are compelled to reject, what is desirable as against what is probable. There is room in South Africa for all the Indians who are here at present; for the Indian is by no means the worst type of subject we have in our midst. He is intelligent; he is industrious. In these two qualities alone he is far in advance of thousands of people who are fated to be his political lords and masters for a very long time to come.

The Cause Is Lost

But he is not allowed to live in South Africa. He is virtually confined to Natal; and because of that he is regarded (with some economic justification) as a menace, and is regarded, too (also with

some justification), with a fear that, in time, breeds hate. Deplorable though the fact is—thrice deplorable from a British point of view—he is not likely to gain ground in the affection or regard to the ruling race in this country. He is more likely to lose ground. If he prospers he is feared. If he sinks to a dull lethargy and abandons all ambition to improve his standards of living, he will more and more provoke the resentment of European peoples who will dread the rapid multiplication of his type which is an inevitable concomitant of destitution and despair. The majority of white people in South Africa are not likely to be fair or just to him because they either fear or hate him; and not all the political pleading of that minority which still has some regard for justice and equity is likely to alter the position. If India has decided she cannot promote the lot of the Indian in South Africa, the cause of the local Indian is lost. He should make what terms he can with a white master who fears, distrusts and sometimes hates him, and certainly is never disposed to give him the citizenship that all men who help to build a nation are entitled to expect.

A Fresh Start!

And this brings us to the dark hints about colonisation overseas by Indians at present in Natal. We know that even a man with a brown skin, with rags on his limbs and poverty as his inheritance, is entitled to love his native land and to cling to it with a dumb tenacity though it has nothing to offer him but a grave. At the same time, though a great many Natal Indians were born here and know no other home, they should be ready to confess, even though they do it with bitterness in their hearts, that the Natal experiment has not been a success. They should—if they really cherish those latent aspirations to a lot that is more than helotry—be content at least to view with open minds any practical way of escape from what otherwise may prove an age-long condition of political servitude. The British Empire is still a real and living organism; and where doctrines of self-government have not steeled men's hearts against the liberal principles that once were the glory of our race, there are still fields of Imperial endeavour ruled over by British administrators where the industrious Easterner is treated as a subject with subject rights and a man who shall have some say in the making of the laws which govern him. For forty years the Israelites wondered before they came to Canaan, and often they knew temporary subjugation to alien masters before they could call their souls their own. The years of the Dispersion were almost countless. Yet the Jew never lost the desire for the National Home that only to-day he is inheriting. Even our Dutch friends in the Union sit at times and count the generations of tribulation they endured before a virtual sovereignty in South Africa came within their grasp; and often the home that was theirs one day was theirs no longer the day after. If there is, then, a real hunger in the Natal Indian's heart for a sense of nationhood beyond the seas; if he has outgrown the ryot philosophy of his peasant forefathers, and feels stirring in the blood the desire to have an abiding home under the British Flag, but a home that will assure him the right and the power to develop those political instincts which South Africa, in a queer sort of way, has quickened: let him at least meet half-way any practicable proposals that seem to assure to him and his offspring a happier future in lands where he will be a colonist rather than a helot. Let his psalm hereafter be:

*Woe is me that I sojourn in Mesech, that I dwell
in the tents of Kedar!*

*My soul hath long dwelt with him that hateth peace.
I am for peace, but when I speak they are for war.*

Let him gird up his loins and depart where he can be free!—*Natal Advertiser.*

India And The Union

Dr. Malan's long delayed official statement on the results of the India-South Africa Conference which concluded at Capetown on Feb. 4 was made yesterday, simultaneously with a statement in precisely similar terms by the Indian authorities. It adds little to the fund of common knowledge and its chief importance lies in what can easily be read between the lines with the aid of well-informed forecasts made by the Parliamentary correspondent of the *Natal Mercury* while the Conference was in session. Briefly, the failure of the assisted emigration, or repatriation, scheme devised by the Capetown Agreement five years ago is frankly admitted by both sides, but, although there exists a strong sentiment in the Union in favour of the termination of that compact, statesmanship has provided a last opportunity for achieving a settlement by consent. The question of ending or renewing the Agreement has therefore been suspended for a year until a Commission representative of the Union and Indian Governments and the South African Indian community has thoroughly examined the possibilities of an ambitious colonisation scheme by which Indians from India as well as from South Africa can be settled in other countries. If by the wholehearted political collaboration of both Governments and the assistance of the British Government a practicable colonisation scheme can be framed which will make a definite appeal to the patriotism of Union Indians then the Capetown Conference will reassemble to implement it. If, however, no such solution is forthcoming then it is recognised that South Africa will inevitably be obliged to proceed with her own measures to deal with the Asiatic problem along lines which offer the most efficient safeguards against the Asiatic challenge to our civilisation and political security.

At first blush the colonisation scheme might seem chimerical. But patient study of the possibilities outlined in an article we publish elsewhere to-day by a political correspondent who possesses an intimate knowledge of the Indian problem destroys that illusion. What has evidently weighed with the Conference delegates on both sides has been the astonishing success of the Japanese emigration policy in Brazil, where a colony of approximately 100,000 Japanese has been so securely established that to-day a regular steamship service between Japan and Brazil flourishes on the trade created by the experiment. British Guiana was mentioned in one of our Parliamentary correspondent's messages as a possible site for an Indian colonisation scheme, and, provided the collaboration of the British Government were obtained—and there is reason to think that it can be obtained—it is probable that it could be made the scene of a large-scale settlement that would provide the fullest outlet for all classes of South African Indians. British Guiana is a sugar country; India imports annually about 750,000 tons of sugar from Java; Natal Indians are trained pioneers in sugar cultivation; and a legitimate preference in India of 10 or 20 per cent. on sugar grown by an Indian colony in Guiana would provide from the outset a sound commercial basis for the experiment. Furthermore, the political development of British Guiana has not yet advanced to such a state that there would be any bar, as in this country, to the advancement of Indian colonists to the exercise of full political rights—a consideration which would attract a class of South African Indians to whom the repatriation scheme of the Capetown Agreement has made no appeal.

It is obvious that the success or failure of this attempt to achieve a friendly settlement of the Indian problem in the Union depends in large measure on the Indian Government and the Indian community in this country. The Union Government has on two occasions given dramatic proof of its goodwill. It is our duty to support it loyally in

this final effort to win Indian co-operation. But beyond this no South African who is concerned at the alarming encroachment of Indians upon the residential and trading strongholds of the White civilisation of the Union will be prepared to go another inch.—*Natal Mercury*.

Dr. Malan Points The Moral

South Africa will welcome the intimation given by Dr. Malan in the agreed statement which he read to the House of Assembly on Tuesday, that the recent conference of delegates representing India and the Union only found it necessary to make one modification in the Capetown Agreement of 1927. Otherwise the agreement stands, and will continue as a powerful influence for the promotion of friendly relations between the Indian and European communities.

This is eminently satisfactory, for it would have been most deplorable if the arrangement reached five years ago had been destroyed to any material extent. Such a culmination of the Conference would have meant a recrudescence of the bitter feeling which has, unfortunately, so often characterised discussion of Indian grievances. Evidently both the Indian and the Union Governments have realised this, and have wisely decided that their joint task is to work together with the object of harmonising their respective interests in regard to Indians living in the Union. From that standpoint, we trust, there will be no departure.

The one modification which has been made in the agreement is of great interest. The Union's scheme of assisted emigration to India having ceased to be effective, the two Governments now propose to combine in an investigation of the possibilities of settling Indians, both of India and South Africa, in other countries. Whether the inquiry will meet with any success so far as South African Indians are concerned remains, of course, to be seen, but at least it bears further testimony to a common policy, and from that point of view it can be heartily commended. The Indian community, it may be hoped, will appoint a representative to participate in the investigation.

Apart from the announcement of amendments of the Asiatic Tenure Bill, a direct outcome of the Conference, the only other striking statement by Dr. Malan was his reference to the association of the Government and the Opposition in the negotiations. Because of the general outlook of the European population on the Asiatic question, this co-operation can be readily understood. Nevertheless, as the Minister observed, the public "will not fail to appreciate the importance of this further step which has now been taken, by which political parties have deliberately associated themselves with each other in a common responsibility in order, for the country's sake, to keep an important national question out of the arena of party strife."

The public, also, will not fail to ask why similar co-operation could not have been secured for the settlement of the Union's grave economic difficulties. Never was close association of the political parties more urgent, notwithstanding a difference of view. Yet the Government has preferred that a crisis in the country's economic life should be allowed to arouse the utmost party rancour and create much racial bitterness. Perhaps, even now, however, Dr. Malan's remarks may have a beneficial influence upon his colleagues and also on members of Parliament, in whatever part of the Legislature they may sit. Only if they work together in the spirit of the Capetown Conference can South Africa make real progress in this trying period. Dr. Malan has pointed the moral very clearly indeed.—*Rand Daily Mail*.

The Colonisation Scheme

The only redeeming feature of the statement on the result of the Indian Round Table Conference held in Capetown at the beginning of the year was that an agreement had been reached. But at what a price—India must co-operate with South Africa in getting rid of its nationals, under the guise of a colonisation scheme, from the land of their birth. One could understand if the Union was overcrowded that a colonisation scheme became necessary. But is it?

These are all matters of history—that the Indian was invited to come to this country and when he came he helped to build up the industries of the province, he rescued Natal from bankruptcy, he worked on the sugar estates, underground in the mines, the railways, roads, he was the scavenger and the menial. Impartial commissions recorded the usefulness of the Indian to the life of the province. He has served a purpose, and now, like a sucked-out orange, there is no use for him.

The door is barred against immigration from India and of those who are now in the Union 80 per cent. were born in South Africa. They have accepted white supremacy, they have agreed to conform to the Western standard of civilisation. They are law-abiding, statistics of crime prove that, compared with the other sections of the community, white, coloured or native, the Indians as evil-doers number the least.

If the Indian is backward he is a menace, if he is progressive he then becomes a danger. What is he to do? It might be mentioned, in passing, that in the educational upliftment of the Indian, Natal does not spend a penny out of its own revenues for Indian education, except what it receives as subsidies from the Union Government; and for many years a fair amount of the subsidy was diverted to other sources than for Indian education.

The diversity of our racial groups comprising the South African population may, on account of its character, at times create friction but a group cannot, therefore, be eliminated as it is proposed to send out of the country a number of Indians; in another decade or two, the native population would become more and more conscious of their rights, and so with one or two other groups, and where then would these people be sent to?

The task of South African statesmanship would be to harmonise the interests of every group, consistent with the just claims of each, and it is in doing this that she can claim to have contributed her share to the solution of the world's racial problem.

As for the Capetown Agreement, the application of the colonisation scheme would certainly be nothing short of the denial of the birthright of a section of the population who have equal claim to consideration, as any other section of the South African community.—*The Natal Witness*.

Commenting on the Capetown agreement the *Statesman* (Calcutta), the organ of Anglo-Indian opinion, though welcoming the proposed amendment to the Gold Law, declares: "We would have preferred something more than the mere empowering of the Minister to make exemptions under the Gold Law. Clearly, the best way to deal with this discriminatory measure is by its complete repeal, which, however, can only come when the Cape electorate is convinced of the wisdom of elementary liberalism. The carrying out of the exempting powers would be a test of the Union Government's sincerity. Dissatisfaction will remain, but considering the state of Dutch opinion, it is difficult to see how any delegation could have done more."

What Indians Should Never Do

Here are some of the charges laid against the Indian community by some hon. members in the course of their utterances on the Indian question in the Union House of Assembly. We take note of them lest they may forget:—

Mr. Acutt mentioned with a note of horror in his voice that he had recently seen an Indian newspaper correspondent in the Press gallery. In the Capetown Opera House he had seen a box occupied by Indians. Mr. Madeley was much concerned as to what should happen if Indians became Cabinet Ministers!

The above is a guidance to Indians as to what they should never do. Would that the Government of India Delegation to the Round Table Conference knew of all this. They would then have certainly not talked of Indians adopting the Western standard of life or of affording them opportunities for their upliftment. They would then have told us in clear terms that we should for ever remain "hewers of wood and drawers of water" if we at all wished to be saved from the wrath of the ruling race.

Indian's Case Before Appeal Court

Bloemfontein, Sunday.—The Appeal Court heard argument on Saturday in the appeal from the judgment of the Transvaal Provincial Division of the Supreme Court. The appellant is Essop, alias Chopadat, an Asiatic, and the respondent is the Commissioner for Immigration and Asiatic Affairs.

The facts of the case are, shortly, that in 1913 the appellant applied for permission to enter the Transvaal, describing himself as a minor son, aged 13, of one Essop Adam, a registered Asiatic residing in the Transvaal, and the latter also applied for him to enter. The appellant was accordingly permitted to enter the Transvaal in 1913, and has resided there ever since. In 1929 it was ascertained that the appellant was not the son of Essop Adam, and this he admitted. The latter was actually the uncle and guardian of the minor, whose deceased father had never been resident in the Transvaal.

When these circumstances were revealed and established the immigration officer declared appellant a prohibited immigrant.

The appellant appealed against the decision to the Immigrants' Appeal Board, who dismissed his appeal and ordered the certificate of registration to be cancelled.

The Board reserved certain questions of law for the decision of the Transvaal Court. The main question was whether, in view of all the facts disclosed, the Board was entitled to declare the appellant a prohibited immigrant.

In the Transvaal Court Mr. Justice Krause held that the Board was entitled to do so, and upheld its decision.

After hearing further argument the Court adjourned till three o'clock, when it resumed its sitting, and adjourned at five o'clock, reserving its judgment.

Dr. H. Reitz appeared for the appellant and Mr. V. H. Naser for the respondent.—*Reuter.*

Advice has been received from the Joint Matriculation Board, Pretoria, that Mr. Jasoor Llewellyn Joshua, of Verulam, son of Mr. J. S. Joshua, has passed his Matriculation examination, held in February.

Colonisation For Indians

Durban officials of the congress are still awaiting information in regard to the nature of the modifications to the Asiatic Tenure Bill effected by the Minister, and meanwhile declining to comment on the re-introduction of the measure.

The Hon. E. Baring, acting Agent-General for India in the Union, left Capetown for Johannesburg. Probably, it is learned, the executive will refer the agreement for consideration to an emergency conference of congress members.

British Guiana

The opinion that any colonisation scheme for settling South African Indians in British Guiana would not commend itself to the Asiatic community in this country and would have small chance of success, was expressed by Mr. P. R. Pather, secretary of the South African Indian Congress, when commenting this morning on Dr. Malan's announcement of the agreement reached between the Union and Indian Governments as the outcome of the round-table conference at Capetown.

Mr. Pather declared that such an Indian colonisation scheme for British Guiana was considered many years ago and definitely turned down by the Indian community, chiefly on account of the adverse climatic conditions of that country. He had no doubt that the scheme would meet with an equally adverse reception to-day if it were again brought forward.

It must be emphasised, however, said Mr. Pather, that no official intimation had been given that British Guiana was under consideration as the country to be selected for the colonisation scheme referred to by Dr. Malan. All that had been said was that the possibility of launching a colonisation scheme "in other countries" would be explored.

Points To Consider

The success of such a scheme would depend entirely on whether the conditions offering in the country selected would be sufficiently favourable to attract emigrants from the Union. Those taking advantage of the scheme would go, not as indentured workers but as ordinary emigrants, who would find it very difficult to make a living unless their new environment was at least as favourable, climatically and economically, as the country they had left. This was the essential condition which must be met if the colonisation scheme was to prove a success.

No definite opinion on the scheme generally could be given, however, until projected inquiry had been completed. It was simply the principle of the investigation which had been accepted. The Indian community had not been pinned down to any scheme.

The position would be different if a scheme acceptable, on climatic and general grounds, to the leaders of the Indian community was eventually evolved. He felt that if under such a scheme South African Indians found they were given the opportunity of settling elsewhere under improved conditions many of them would take advantage of it. But they would certainly not go to a country where their conditions would be worsened.

Representatives of the South African Indian Congress had been in close touch with the Indian delegates to the conference at Capetown and had early information that a colonisation scheme was being considered. But the name of no particular country had been mentioned, and certainly not British Guiana.

There were grounds for congratulation on the renewal of the agreement, said Mr. Pather, indicating

as it did that goodwill between the respective Governments had been maintained.

Emigration To India

As to the scheme for assisted emigration to India, while its possibilities might be practically exhausted now, as the Minister had said, it must be remembered that under it the Union Government had been able to get rid of practically the whole of the "floating" Indian population. There remained the Colonial-born element, approximating 80 per cent. of the total Asiatic population of the Union to-day. These people had their birthright in the country and could not be bundled out. But this did not mean that fair consideration would not be given to any scheme of overseas colonisation which offered reasonable opportunities.

On the point of the Transvaal Asiatic Tenure Bill, the South African Congress had rejected the measure in toto as originally framed. The Minister had declared that "important modifications" to the measure had now been effected. Until the nature of these modifications was known, no good purpose would be served by comment on the reintroduction of the Bill.

Statement Submitted By S.A.I.C.

To Government Of India Delegation

(Continued from last week)

Township Amendment Act No. 34 of 1908

Section 62 of Act No. 34 of 1908 authorises the Governor to make regulations fixing the terms and conditions to which Freehold Stands or Lots shall be subject. One of the conditions promulgated reads inter alia the land having been formerly held as a right acquired under Law No. 15 of 1898 Transvaal or a prior Law, the owner shall not transfer or sub-let or permit to be transferred or sub-let any portion of the land to any coloured person nor permit any coloured person other than his bona-fide servant to reside thereon or occupy the same. In this case also we ask that the Delegation press for the repeal of this Section.

Assisted Emigration Scheme

We ask for the complete abandonment of the of the Assisted Emigration Scheme as enunciated in the Capetown Agreement of 1926 and ratified by Act 37 of 1927. The scheme as it appears in the Agreement, no doubt, seems to be voluntary in character, but in its application an element of compulsion has been introduced with the result that a considerable number of our people, who would otherwise have stayed in this country, have left these shores.

The Assisted Emigration Scheme, to use a publisher's language, is a "revised edition" of the Repatriation Scheme. Section of Act 22 of 1914—an Act passed to give effect to the Solomon Commission of 1914, provided for the grant of a free passage from any port of South Africa, to any Indian who was desirous of returning to India. As an encouragement to leave these shores the Government paid each repatriate the sum of £5. Up to the end of 1919 the number of repatriates who took advantage of this scheme was 7,912. Then followed the Asiatic Enquiry Commission of 1919 at which Sir Benjamin Robertson and Mr. (now Sir) Geoffrey Corbett (who we are happy to find is a member of

your Delegation), represented the Government of India. In their statement to the Commission the representatives of the Government of India in plain words suggested that it was in the interests of everyone to encourage and facilitate the repatriation of those who were willing to return to India. A significant passage in their statement reads as follows:—

"It has been seen for many years the Government of India have been compelled to recognise that it was necessary to restrict the number of Indians in South Africa in order to secure fair treatment for those who are permanently settled there." With this aspect of the question we shall deal later. The Asiatic Enquiry Commission took the cue, as it were, from the representatives of the Government of India, and reported that the Union Government should give every encouragement to Indians to repatriate themselves. The Report was the means of increasing the bonus to £10 per head. And to give it an impetus the Government advised that they could—at a time when export of gold and gold ornaments was restricted—take with them as much of the gold that they possessed. This certainly did give all the encouragement that was necessary for we find that up to the end of 1926 when the Capetown Agreement was being arrived at in Capetown, 14,307 of our people had availed themselves of this scheme.

We now come to the time of the last Round Table Conference. The last Conference was the result of the intense agitation of the Indian community of South Africa against the Areas Reservation and Immigration and Registration (Further Provision) Bill which sought to seriously restrict our development in this country. The Bill was designed to bring forward the policy of segregation against the introduction of which the Indian community of South Africa rose as one man and made a determined stand. We are grateful that the Government of India fully interpreted our views at the last Round Table Conference in regard to the policy of segregation. As a result the Bill was not proceeded with by the Union Government. But at what sacrifice? Here again it would be observed that as a consideration for the dropping of the above Bill, the repatriation scheme was improved upon, given a name that was not so odious, and put into force.

The effort of the Agreement, as far as can be gauged from the working of it, is that the Bill was dropped in consideration of effecting a reduction of the Indian population of South Africa to a "manageable compass."

The rights and privileges of a section of the Indian community were sacrificed in order that the remainder of the Indian community may not suffer the indignities that the Bill offered and may be recognised as part of the permanent population of South Africa.

The assisted emigration scheme was accepted by the Indian community of South Africa as the means for providing assistance to those comprised the floating population of South Africa. It was accepted in the belief that it would be helpful to those who were actually desirous of leaving for India. That we think was the intention of the scheme. In its application the scheme has by no means been confined to its original intention. Up to the end of November 1931 the number that availed themselves of this scheme was about 10,000. It would be interesting to ascertain the reason why the figure during the last five years has been large. One factor that contributed to this increase is that the bonus which was £10, under the repatriation scheme was increased to £20 per head under the assisted emigration scheme was increased to £20 per head

under the assisted emigration scheme. The increase in the bonus meant, to many hundreds of our countrymen, the possession of a sum of money which, owing to their low earning capacity, they would never possess for many years.

Another factor which we venture to submit was the more important, was the employment by the Department of the Interior, of agents whose work was, as their very employment suggests, to induce people to take advantage of the scheme.

Various ways and methods have been adopted by these agents to induce people to leave South Africa. Various rumours are spread amongst the poorer section of the Indian community and these coupled with the depression and the unemployment which seem to be so noticeable amongst Indians, have contributed very largely to a considerable number of our countrymen leaving South Africa, the land of their birth and adoption, for good and never to return. We do not deny that the assisted emigration scheme is an improvement on the repatriation scheme, a feature being the right given to the emigrant to return within three years but after the expiry of the first year. Whilst the scheme confers the right on the emigrant to return, it stipulates that he can only return if accompanied by his whole family. And in consequence of this irksome stipulation and the impediments placed upon intended emigrants in the different centres in India towards facilitating their return, the number of returned emigrants is negligible.

We desire to emphasise that the Congress in Conference has decided not to countenance any scheme which has for its object the sending away of the members of our community. The Congress firmly believes in the principle that the granting of rights and privileges to the Indian community of South Africa must be made with no spirit of bargaining.

As illustrations, we may quote Act 22 of 1909 (Natal) which gave the right of appeal to the Supreme Court against refusal to renew a dealer's licence was passed only when the Indian Government gave a promise that indentured emigration would be permitted for another year.

Again before the Asiatic Enquiry Commission, Sir Benjamin Robertson has distinctly stated that in order that those who are permanently settled in this country may receive fair treatment the number of Indians must be restricted. And at the last Round Table Conference the reduction of the number of the Indian population so that those who remained here may not be burdened with an irksome legislation was agreed to.

And so it would appear that on every occasion when the rights and privileges of the resident Indian community of South Africa were at jeopardy something had to be given away to maintain them.

The scheme is directed in the main to a section of the community who were brought into this country for its development. The province of Natal owes its prosperity to Indian labour, for it was India that supplied the coal mining and sugar industries with a constant flow of labour.

They were brought into this country where they lived for several decades. They have adopted the customs and manners of this country, they have children born here whose mode of living and outlook in life are quite different to those living in India. It is utterly impossible to expect these people to find their way back to India.

The scheme has been characterised as inhuman for not only has it succeeded in repatriating those

who were born in India but also thousands of children who were born in South Africa. To them India is a strange country. Having been born and bred in South Africa in a western atmosphere, the South African born Indian could not, by any stretch of imagination, adopt themselves to the conditions in India.

Statistics show that the major portion of the Indian population of this country are South African born. It is believed that only fifteen per cent. of persons born outside South Africa remain in the country and will in a short period die out. Is it reasonable then to apply the assisted emigration scheme to a people whose home is in South Africa?

We emphasise again that the Congress resolutely asks for the abandonment of the scheme which is against moral laws.

(To be Continued)

South African Indian Congress

An executive meeting of the S.A.I.C. will take place at the Congress office, 175 Grey Street, Durban, on Sunday the 17th instant at 11 a.m. for the transaction of the following business:—

AGENDA:

1. Minutes.
2. Round Table Conference announcement.
3. Transvaal Asiatic Land Tenure Bill.
4. Annual Conference.
5. General.

A. I. KAJEE

P. R. PATHER

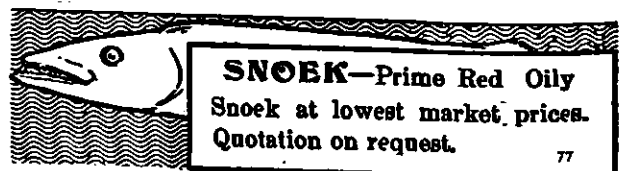
Joint hon. Secretaries.

Notice

INDIAN UNEMPLOYMENT

Will employers of Indian labour kindly notify the undersigned of any vacancies in their establishment.

WRITE: - Hon. Secretary, Sir Kurma Reddi Unemployment Relief Committee, 175 Grey Street, Durban, or Phone Central, 3506.



COAST TRADING CO, 917 Kershaw St., Capetown.