

Indian Opinion

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THE ADVANTAGES OF AN AGENCY AND AN AGREEMENT

(BY C. F. ANDREWS)

[PART I]

I AM one who wishes the Indian community in South Africa to be self-dependent and self-resourceful at the earliest possible moment. Therefore, I have no wish whatever that the Agency from India should continue a moment longer than is absolutely necessary. With the Agency, of course, is bound up the Agreement. The two things go together. I can see the disadvantage to the Indian community if both these aids continue too long.

But what are the advantages? Let us consider these; because sometimes we are tempted to think that the time has come to abandon both the Agency and the Agreement. I am writing this, for instance, at Kimberley where a number of Indians very seriously regard the Agency as having done harm owing to the acceptance of 'condonation' which has not led to the results they had anticipated. I want to show in this article that though there may be wide differences of opinion on certain points, there ought to be no real difference of opinion as to the advantages of having an Agreement with the Union Government and an Agent both to carry it out himself and to see that it is carried out by the Union Administration.

Let me take the last five years and consider some of our gains. First of all, there were nearly five thousand Indian waiters in the Union serving in Hotels and Clubs, some of the most hard-working men among us who bore a very high character and reputation both for sobriety and honesty, while serving in a very difficult profession. I have spoken to managers of hotels and clubs, and they have told me, without exception, that the Indian waiters gave every satisfaction.

Yet it is absolutely certain, that under the 'White Labour Policy' every one of these 5,000 waiters would have been turned out of their occupation and rendered unemployed by an Act of Parliament, if it had not been for the Agent and the Agreement. Even now, their right to remain is still slightly precarious. They are under permit. If the Agency were to be closed down, I am afraid very soon colour prejudice would come back with re-doubled power, and 'white labour' would be insisted on in this profession, regardless of the wrong done to those who are working so well and living so soberly and honestly and doing such a real service to the community.

Let me take another instance, which is still more convincing and important. Only last year the Indian community in the Transvaal was, on two occasions, on the very verge of disaster. The Land

Tenure Bill, which, in its present form, undoubtedly implies segregation and has clauses copied word for word from the Class Areas Bill, was on the point of being made law. It was only stopped by one thing, namely, an appeal to the Agreement. The plea was made that it should be held over 'pending the renewal of the Agreement.' If it had not been for the Agent and the Agreement, the Land Tenure Bill, in its most harmful form, would have been the law of the Transvaal to-day. It may be said again here, that the position is still precarious. That is true; but without the Agent and the Agreement, the position would not only have been precarious, but impossible.

Thus one disaster was staved off. Immediately another disaster threatened. A new licensing ordinance was brought forward in the Transvaal, which would have given municipalities the final voice in giving licences; the appeal to the Supreme Court would have been taken away. Every Indian knows that such an Ordinance, in the Transvaal, would have meant death to Indian trade. For the municipalities would have at once begun refusing licences one after the other, and there would have been no appeal against them. When the Ordinance was brought forward, Sir Kurma Reddi went at once to the Minister, and the Ordinance was not sanctioned.

It is just because the Agent acted in this manner that the Anti-Asiatic party in the Transvaal has been issuing its own propaganda that the Agency and the Agreement should be discontinued. When those who are so bitterly opposed to us take up this position, then the last thing we should do is to play into their hands. It should be obvious to us, that if they want the Agency abolished, then we ought to hold on to it for our own protection. I believe if a census were taken of the Indian community generally in South Africa, it would be found overwhelmingly to be in favour of retaining the Agency.

(PART II)

There are other more general considerations which point in the same direction as my last article and show the necessity of still retaining the Agency if the Indian community wishes still to be protected and to make progress. Though these are more general in character, they are none the less of very great importance.

First of all, the vital and fundamental need of South African Indians is to get their whole 'status' changed. As long as the hateful word 'coolie' continues to be used in Afrikaans and in English,

there is no hope whatever. We may get an advantage one minute and lose it the next. There has been one great personality in this respect who has accomplished nothing less than a miracle. That is the Rt. Hon. V. S. S. Sastri. His coming has made such a change of thought, that it has revolutionised the fundamental ideas not merely of the English in Natal, but also of the Dutch in the Transvaal and at the Cape. Let me show this by a very striking example. When Mr. Bajpai and other Indian delegates came to Capetown in the year 1925, they were treated so badly and rudely, as belonging to the despised Indian community, that no hotel was open to them. Only with the greatest difficulty at last Syed Raza Ali was allowed to stay at Hotel Edward, where he was called 'The Rajah.' Mr. Bajpai was treated worst of all and he has never forgotten it.

Now consider the position to-day. The very best hotels are open, not only to Indians belonging to the Delegation but to other Indians also. Though the Colour Bar has not actually broken down as far as Indians are concerned, nevertheless it has received the most smashing blow that has been given to it in the last fifty years.

Cabinet Ministers accepted the invitation of Mr. Sorabjee Rustomjee to a garden party. Other very prominent Europeans also were present. He was also invited to a Banquet at Mount Nelson Hotel to meet the Prime Minister, and Dr. Malan, and the Lord Chief Justice along with others. In these ways, not merely the Indian Delegation, but also the South African Indian Congress and the whole Indian community in South Africa were honoured. The 'status' and position thus represented differ so profoundly from what I found in South Africa in 1918,—and even also so late as in 1925,—that I can hardly believe my eyes that such things should come to pass in this colour-prejudiced country.

It may be said in answer to this, that this new 'status' only reaches as far as the Agent and the Indian Delegation. At one time, I thought that this was really the case and I used to use that very argument. But what I have seen, during these last two visits, convinces me that things have already gone much further and that the recognition of the one leads on to the recognition of the other.

Let me tell a story. When I was alone, in 1927, after the Delegation had departed, I went to Mr. C. Malan, the Head of the Railway Department to ask that Indian wholesale merchants, who came over from India in order to do business in South Africa, should be treated with common courtesy on the railways and not be segregated. They should be allowed to travel in the same way as the Japanese and to use the restaurant car freely. Mr. C. Malan asked at once the pointed question, "If we allow Indians from India to travel in this manner, what can prevent South African Indians, who can afford it, claiming the same privilege of being treated as Europeans." I answered quite frankly that it was my main object to obtain that status for South African Indians.

Mr. C. Malan put this to his Railway Board and my request was refused. But again, during this present Conference, the same proposal has been put forward in dealing with trade relations. In the long run I am quite certain that a refusal will not be given to such a reasonable request.

If it is said, that this raising of the whole 'status' of the Indian community in South Africa is too tedious a matter to wait for during all these years of humiliation, I can sympathise fully with the feeling, but at the same time I know for certain that such a slow and steady method is infinitely more effective than the method of increasing bitterness and hatred by methods of a more forceful character.

THE EASTWARD TREND OF SOUTH AFRICAN TRADE

ITS MEANING FOR THE AGREEMENT

(BY C. F. ANDREWS)

TO anyone who studies the map of Africa, it must be self-evident that the future of the development of trade and commerce in the Union lies eastward in the future rather than westward. Everything points clearly to the fact that the opening of new western ports, such as Lobito Bay, built by British capital and having its railway connection with the interior, makes a vital difference to the trade of the different ports of South Africa. They are sure to suffer. The railways of South Africa, which are State-owned, will also be badly hit.

Even if, in the course of a few years,—a new railway is constructed to Walvis Bay, in South West Africa, this will not in any way diminish that serious drain of traffic towards Europe and North America, which is now beginning to take place all along the western coast of Africa, thus cutting into the trade of Capetown and Port Elizabeth, East London and Durban.

Another factor is rapidly becoming of primary importance for the trade of South Africa, namely, the rise into world prominence of South American trade. I have recently lived in South America and have learnt to understand its significance both for Europe and for North America.

Some of the fastest cargo steamers in the world go backwards and forwards carrying fruit, corn, wool, and all the raw products of the Southern Hemisphere. Buenos Aires is a city with over 2,000,000 people, Rio Janeiro is almost as great in size, San Paulo is nearly one million in population. South Africa's cities are small compared with these figures. Again; the rainfall in South America far exceeds that of South Africa, making South America more fertile agriculturally.

All these facts are rapidly compelling South Africa to look eastward for its own future development. *This means India.*

Durban looks across the Indian Ocean towards India, and the great majority of Indians in the Union live in Natal, with Durban as its centre. These simple facts of geography, trade and population have to be related together.

Very soon, it will become as clear as possible that India, on the Eastern side of South Africa, will be the most important commercial area on this side for South African trade. This commercial connection will bring the two countries closer together. Then the vital necessity of India to South Africa will become more and more self-evident. All this was behind General Hertzog's determination not to break off the Indo-Union Agreement.

It may be said, that this trade basis is a precarious one and that it also implies an appeal to the lower side of human nature rather than the higher side. Personally, I have felt more and more, that these facts of geography and commerce are a primary necessity of human life, just like human birth and sustenance. They form a necessary foundation of all other human relations. It is true that they do not represent the *end* of human life, but they do represent the *beginning*.

When these fundamental facts are recognised on both sides, other elements of friendship and goodwill will follow.

The Capetown Conference

(BY C. F. ANDREWS)

It is very difficult to write about the Round Table Conference in Capetown at the present moment because when the Conference ended it was agreed on both sides that nothing should be published about it until the Indian delegates had returned to India and had laid the results of the Conference before the Viceroy for his approval. The members of the Press in Capetown were invited by Dr. Malan to come to see him and he put them under the obligation of silence until the two Governments should make their simultaneous announcement. This is likely to appear sometime early in March; for the Delegation only reaches Bombay on February 27th and Delhi about March 1st.

At the same time, it is generally known and has been already circulated in the Press that the Indian Delegation itself was happy at the result which had been achieved and that they went back to India satisfied with the reward of their labour. This should make it possible for us to wait with patience for the results to be finally published. With such undoubted champions, as Mrs. Sarojini Naidu, Mr. Sastri and Sir Kurma Reddi—to mention only three names that have become household words in South Africa among the Indian community—it cannot possibly be doubted that what they have agreed upon, and look forward to with satisfaction, will also be satisfactory to us. A further point needs to be mentioned, namely, that the South African Indian

Congress reserved the right of taking its own course, if in the end the Agreement, when published, proved to be unsatisfactory after all.

We know for certain that the Conference dealt at length with the two most critical subjects (i) of Repatriation and (ii) the Transvaal Land Tenure Bill. We know that, with regard to Repatriation, the Congress refused to have anything more to do with it. We know also that the strongest representation was made concerning the Land Tenure Bill in the Transvaal. Furthermore, with regard to the admission of the wives and minor children of condoness no effort that could be made was omitted. Much else was done besides that was of great value.

Now, therefore, we must possess our souls in patience and hope for the best. Personally, I do not think we shall be disappointed.

The Indian Delegates

The *Star* (Johannesburg) writes:—

The Indian delegates to the Round Table Conference passed through Johannesburg on their way to their homeland, and the reception accorded them at Park station indicated the esteem in which they are held. Those interested in their mission were as glad to welcome them as they were sorry to say good-bye. It would be difficult for any country to have sent a more distinguished delegation, and the strength of the delegation is perhaps the best proof of the serious view taken by the Indian Government of the condition of their fellow-men in the Union. It seems hardly possible that a delegation composed of such men as Sir Fazl-i-Husain, Sir D'Arcy Lindsay, the Rt. Hon. V. S. Srinivasa Sastri, Sir Geoffrey Corbett, Mr. Bajpai, and including so remarkable a woman as Mrs. Sarojini Naidu, could possibly fail in any undertaking.

Although no definite news is available concerning the terms of the agreement arrived at by the Indo-Union Conference, it is to be hoped that an arrangement satisfactory to both the Union and the Indian delegates was come to. At one stage of the proceedings it did seem as though a deadlock had occurred, due probably to the fact that the Union delegates insisted upon translating the Asiatic Land Tenure Bill into law. This Bill was, of course, the main issue of the conference because, as we have pointed out before, all the other issues were not of a very contentious nature and the delegates should have found little or no difficulty in arriving at a unanimous conclusion on all other points. It has been stated that the conference concluded an agreement which met with the approval of all the delegates concerned and that the details would be published shortly after the arrival of the Indian delegates in their native country, and after they have had an opportunity of obtaining the sanction of the Indian Government. This does not appear to have received official confirmation in so far as it relates to the unanimity of the delegation, but one thing is clear, and that is that some agreement has been arrived at, and this in itself is proof that the conference was not held in vain. We understand that Indian opinion in South Africa is inclined to be somewhat sceptical of the result of the conference on the grounds that, whatever views the delegates themselves may hold of the friendly spirit that is said to have permeated the deliberations, there can be no lasting settlement unless the Asiatic Land Tenure Bill is completely withdrawn. With regard to any suggestion not to appoint an Agent-General for India in South Africa, many Indians in South Africa share, with many Europeans, the opinion that a step of this nature would be a grave mistake not only because the Indian community would

suffer through being deprived of a form of representation that has proved most beneficial to it, but also because the establishment of the Indian Agency-General here has become an institution which has gained the respect and admiration of all those who have come into contact with it.

The Agents-General themselves have been Indian gentlemen of the highest distinction. In Sir Kurma Reddi we have a cultured diplomat and a charming guest, whose departure from South Africa is regretted by a host of friends both Indian and European. In his predecessor, Mr. Sastri, we had not only an outstanding scholar and orator, but a statesman of world-wide fame. Personal European contact with men of this type does much to modify the prejudiced attitude all too prevalent in this country. We sincerely trust that the final agreement will be acceptable to all parties concerned. If this is so, one may look forward to a period of peace and mutual understanding between Europeans and Indians in this country which will not only be a blessing in itself, but which unquestionably constitutes the corner stone upon which the future trade relationship between the two countries will be built.

"He Served His People Well"

Writing under the above heading, the *Rand Daily Mail* says:—

By the departure of Sir Kurma Reddi, upon the conclusion of his term of office as Agent-General for the Government of India, the Indian community of South Africa has lost a sincere friend who has always strenuously upheld their cause. Sir Kurma also won the cordial esteem of the European section of the population by his unfailing tact and moderation, and his outstanding social qualities.

The position of Agent-General in this country is one of great importance and delicacy. It calls for the exercise of the highest abilities. South Africa has been fortunate in regard to the two Indian statesmen who have already filled the post, Mr. Sastri and Sir Kurma Reddi. Both have done excellent work, and, as a result, the relations between Europeans and Indians have greatly improved, making for an amicable solution of the vexed problems which have so long embarrassed the Union.

Sir Kurma Reddi was largely instrumental in bringing about the Conference which has just concluded at Capetown, and in this respect he has paid a generous tribute to Dr. Malan. Of the results of the Conference, it is yet too early to speak, but apparently unanimous agreement was reached. Mrs. Naidu, indeed, has stated that in her opinion the conclusions have established friendship between South Africa and India. Thus the outlook would seem to be extremely propitious. In due course, the matter will come before Parliament, and if the agreement is endorsed South Africa will owe a debt to the members of the Conference, and not least to the Agent-General who has now relinquished office.

India On The March

A Brief Summary Of The Situation

(BY C. F. ANDREWS)

(1) THE POLITICAL SITUATION FROM THE INDIAN NATIONAL STANDPOINT

During the past twelve years, since the Great European War, the people of India have felt more deeply than ever before the humiliation of remaining a subject and dependent people. At a time when all the countries round them in Asia, in one form or other, have been achieving their national independence, it has become more and more humiliating for the one vast country of India—comprising nearly one-fifth of the population of the whole world—to remain any longer as a 'dependency.' Therefore, the national movement in India has become by far the greatest event in modern Indian history, and in Mahatma Gandhi a leader has been found who is entirely free from self-seeking ambition and wholly pledged to non-violence in achieving national aims.

On the side of the rulers, it may be said with truth that Lord Irwin has stood out supremely as a follower of Christ, winning the deep respect of Mahatma Gandhi himself and of each representative of New India, by his Christian forbearance and patience. When, after a long passive resistance struggle, taking the form of civil disobedience, it was possible for Mahatma Gandhi and Lord Irwin to meet and to have heart-to-heart talks for long hours together—often far into the night—political complications became disentangled and an honourable settlement was reached. A new political era had then dawned and brighter days were in prospect for a time. But all this brightness has now, alas, been eclipsed by Lord Willingdon's declaration of war against the Congress. I do not propose to enter into the right or wrong of this action which lies beyond my present subject; but I cannot help expressing my deepest regret that the Irwin-Gandhi Pact has fallen through.

Perhaps the most serious difficulty that remains from the national standpoint, according to Mahatma Gandhi's own utterance, is the Hindu-Muslim tension. He had stated in the daily Press again and again that unless this problem could be settled on truly national lines, it could be almost without hope that he would go to England. While he was in London he devoted his remarkable moral energy to the solution of this question and it came within a very small margin of settlement.

Other problems of great national importance have been the following:—(a) the removal of 'untouchability' (b) the representation of subjects as well as princes of Indian States in the coming Federation; (c) the control of Indian finance; (d) the defence of India from invasion; (e) the future relationship between Federated India and Great Britain. All these questions have been considered at the Round Table Conference in London at which Mahatma Gandhi was present as a representative of the Indian National Congress.

On the side of Great Britain, by far the most serious difficulty has been the economic boycott against Lancashire. Lord Willingdon in declaring war against the Congress has risked the renewal of the boycott in an intenser form than before.

Thus far it has been possible to state, from the Indian nationalist point of view, the situation in

India. I would make clear that it is from the *Indian* perspective of current events that I have been writing.

(2) INDIA FROM THE CHRISTIAN STANDPOINT

For European readers of INDIAN OPINION I would add some paragraphs from the Christian standpoint. While a considerable volume of criticism, which cannot be lightly rejected, has had its place in educated Indian opinion concerning the failure of Christianity to do away with race and colour prejudice and to break loose from imperialist aggression and economic domination of weaker peoples, the character and personality of Christ as the suffering Saviour of Mankind have probably been appreciated in India by Hindus and Musalmans alike more than ever before. In this respect the last ten years have witnessed a profound change in the outlook of educated India. They have been able to separate clearly the spotless character of Christ from the deeds of professing Christians which have often brought dishonour to His Name. Never in the history of man—both in the East and West—has the character of Christ, in its moral supremacy, stood out so remarkably and universally in human thought. There has been nothing less than a new vision of Christ given to the whole world, and in a great measure it has come from India and from the witness borne to Christ's greatness by Mahatma Gandhi.

At the same time, from the days of the earliest missionaries in South India onwards, there has been shown in action the power of the Christian life to transform and refashion the outcaste and despised and downtrodden people, called 'untouchables,' and to raise them to a new moral dignity in Christ. Over very large areas of India to-day a new Christian village life is being born. It is already showing healthy infant growth among these depressed classes. A devotion to Christ is being shown by these people, as individuals, which often puts us, who are older in the Christian faith, to shame. It is here, in India, that the greatest triumphs of the Cross of Christ are being won and moral character is being created from the very foundation of village life upwards. The movement, thus started, has touched the hearts of those who are Hindu by religion and a further and wider movement, bearing vast political significance, has already begun within Hinduism itself, which acknowledges frankly the weakening faults of the past and seek to remedy them in action.

One more movement in South India, very striking in character and big with possibilities, needs to be mentioned before closing this brief summary. The Churches in Southern India have determined to unite and worship together to the furthest limit possible. The younger generation of Indian Christians in the South has taken up the cause of Christian unity in an organic manner. The Lambeth Conference of Anglican Bishops last year at the Decennial gathering from every part of the world, while not itself endorsing every step that was being taken, gave the young united Church 'god-speed.' This is an event of the highest significance in the history of Christendom itself. If Young India succeeds, it may point the way forward to the accomplishment of the Lord's Prayer before He suffered, 'That they all may be one.'

As we look at India to-day, with nearly six million Christian souls pressing forward into the new life in Christ Jesus, we may pray our daily prayer with added meaning.—'Our Father, who art in Heaven, Hallowed be Thy Name, Thy Kingdom come, Thy Will be done on earth as it is in Heaven.'

Bill To Amend Union Insolvency Laws

The Bill amending the Insolvency Law, introduced by the Minister of Justice, has been withdrawn to permit redrafting in the light of the recommendations in the report of the Judges' Conference.

The New Bill will probably contain most of the provisions of the amending Bill introduced last year by Mr. Roux, the member for Ceres. It will further provide for the examination of persons who have assigned their estates as if their estates had been sequestrated, and for the election of an assignee subject to his furnishing security.

Bookkeeping Requirements

An offer by an assignor to repurchase his assets from the assignee shall be subject to the assent of three-fourths in number and value of all creditors who have proved claims. Creditors signing a deed of assignment shall submit sworn detailed statements of claims and be liable for a proportionate share of assignment costs in the event of a deficiency. The liabilities of an assignor under the deed of assignment shall continue for 12 months as from the date of assignment, and in the meantime he will be subject to the same disabilities as an insolvent in regard to the acquisition of property.

Trading Licence Provisions

Traders applying for trading licences or renewal shall disclose their true names and those of their partners, if any, and state whether they have traded before in the Union, and, if so, under what name and where, and shall adhere throughout the licence period to the names under which they are licensed. The information furnished shall be available to the public at the office where the licence is issued. A balance sheet, certified under oath, showing the business to be solvent, shall be submitted.

An insolvent or his bookkeeper shall, immediately after service of a sequestration order, hand over all the insolvent's business records to the sheriff or his deputy, or the provisional trustee, who shall frame an inventory of these records, issue a receipt and keep them in custody. An insolvent's schedules, in addition to the requirements of the existing law, shall furnish information on the following:—

Information To Trustee

(1) Whether his estate or that of a partnership in which he was interested had been previously sequestrated or assigned, and if so what was the date, place and name under which sequestration or assignment took place. (2) Whether the debtor is or was married, giving full name or names of wife or wives and stating whether marriage was in or out of community of property. (3) Names of his parents and whether they are deceased. (4) Nationality and place of birth. (5) Cause of insolvency.

In regard to trustees, the Bill will provide that a trustee shall *ipso facto* forfeit office if subsequent to appointment he becomes insolvent or assigns his estate or is declared a mental patient or is placed under curatorship, or within the preceding five years has been convicted of any offence and sentenced to imprisonment without the option of a fine.

Appointment Of Trustee

The Master may refuse to appoint as a trustee a person who has been a party to any agreement or arrangement with a debtor or creditor whereby in the exercise or prospective exercise of the office

of trustee he undertook to obtain for such debtor or creditor a benefit not provided in law.

The Master may also refuse to appoint a person who has presented, whether directly or indirectly, to any debtor or creditor a request to prefer him as trustee. Should creditors elect as trustee a person the Master considers undesirable he may refer the election back to the creditors for further consideration.

Creditors who submit incorrect claims may with the consent of the Court, or the Master, amend the claims.

The period of six weeks now provided in which a trustee may take over a security held by a creditor will be extended to three months.

If a lease stipulates that it will lapse or vary upon the insolvency of either party to it, the stipulation shall be null and void.

Partnerships shall not be sequestrated unless the separate estates of all partners are simultaneously sequestrated or assigned.

Offers of composition shall be made in writing to trustees, who shall at least 14 days before the meeting called to consider the offer, notify all creditors of its terms and shall report whether in their opinion the security offered is satisfactory.

All traders shall be compelled to publish in the Government Gazette information of arrangements with the general body of their creditors, such as compositions, deeds of forbearance, voluntary assignments, etc.

Mortgage Priority

Trustees shall, upon the Master's demand in writing, submit a liquidation or distribution account, or both, within a shorter period than that now prescribed.

Mortgage bonds passed to secure obligations contracted more than one month prior to the passing of such bonds confer no preference.

The Master will be empowered during the liquidation or distribution of a sequestrated estate to summon and interrogate or cause to be interrogated persons who in his opinion can provide information relating to the insolvent's affairs or the administration of the estate.

Creditors at a meeting may appoint one or more committees to take part in the administration of the estate.

Sub-section 2 of Section 19 of the Insolvency Act shall not apply to any property of the insolvent's spouse if registered in a deeds register prior to the commencement of the Act. The word "spouse" used in Section 19 shall include either party to any marriage, even if not regarded as a legal marriage for the purposes of Roman-Dutch law.

Rehabilitations

In regard to rehabilitations, the new Bill will provide that before an insolvent may apply under Sub-section 2 clause 108 he must have paid or given security for the payment of 7s. 6d. in the £1 of the claims proved or to be proved. No rehabilitation shall be granted within four years after sequestration unless three-fourths in number and value of the creditors who proved claims assent in writing, and in no case shall rehabilitation be granted before confirmation of the first distribution account.

An insolvent may be rehabilitated at any time after confirmation of a distribution account providing for payment in full of all claims proved against the estate with interest as provided in section 89 of the Insolvency Act. No partnership shall be rehabilitated.

To constitute a proper record of a trader's transactions his books must disclose the names and addresses of each of his creditors.

Insurance Provisions

The onus of proving that a trader's turnover in any year was less than £1,000 shall rest upon such trader.

The new Bill will contain provisions similar to those of Sections 35 and 36 of the Workmen's Compensation Act of 1914, applying to all classes of claims covered by third party insurance, so that where a claim against an insolvent is covered by a contract of indemnity or compensation entered into between the insolvent and an insurer then on the insured's insolvency or assignment the insurer shall have the same rights and remedies and be subject to the same liabilities to the payment as if he were the insured, but the insurer's liability to the claimant shall not be greater than it would have been to the insured.

A preference claim for wages by a weekly servant of an insolvent shall include holiday pay due, not exceeding one week's wages.—*The Star*.

The Real Remedy

The *Leader* (Allahabad) writes:—

By promulgating a shoalful of drastic ordinances to meet the menace of the revival of civil disobedience by the Congress, and by rounding up its prominent leaders in various parts of the country, the Government have unwittingly testified to the power and influence of the Congress. They have declared that they would oppose 'with their full power' and 'resist with all their might' disruptive forces. This also implies an admission of the formidable nature of the challenge which, in Government's opinion, is involved in the programme and policy of the Congress. Congressmen would be more than human if such language did not tickle their vanity and increase their self-importance. One of the reasons put forward in the Government statement in justification of starting the heavy steam-roller of repression against the Congress movement is that it is the duty of the Government to hand over to the new order a working administration and to this end to resist with all their might forces which would create a state of anarchy and chaos. It is stated that the peaceful progress of India depends upon the maintenance of the authority of Government and of respect for law, whatever that Government may be, and that the present Government of India would fail lamentably in their obligations to their successors, if during a period of transition they allowed this fundamental principle to go by default; or were content to permit the usurpation of their functions by any political organisation.

We do not dispute this fundamental principle, but we would ask the Government to consider as to why to-day there are so many disruptive forces in the country trying to subvert the existing order. Can the physical suppression of them cure the disease? Will it not drive the distemper underground? They will have to admit that maintenance of authority by means of a plethora of ordinances cannot be a permanent feature of the administration, that it is merely a temporary device to hold under control and in duress those dynamic forces which represent the 'new order', that a coercive policy of a sweeping nature often defeats its own purpose and has a very disturbing effect and that a permanent remedy has to be found by removing the causes which undermine respect for law and authority. The argument that the measures of extraordinary

severity which the Government have adopted are partly actuated by their anxiety to hand over an orderly administration to a new order can only carry conviction if the constructive side of the policy is pushed on with greater vigour and—we must not omit to add—with greater liberality. The satisfaction of the reasonable and legitimate political aspirations of the people will have a much more stabilising effect and will be more potent in restoring respect for authority than all the ordinances put together can ever hope to achieve. The open functioning of the Congress organisations can be stopped and their subversive propaganda be made more difficult by being penalised, but is it possible to suppress feelings and thoughts which regulate human action? There is no way out except the transfer of responsibility to Indian hands, and the sooner this is done the better for all concerned. There can be no peace, in the real sense of the term, nor progress so long as this consummation is obstructed or delayed. As it cannot be put off indefinitely, wisdom lies not in futile endeavours to crush the forces of nationalism but in going forward with courage and convincing sincerity to satisfy all reasonable national demands.

Disintegration Of Empire

Mahatma Gandhi's Impressions

Just before he returned to Bombay, after four months' absence in Europe, Mahatma Gandhi gave a representative of the Associated Press of India an interesting interview regarding world disarmament, the present international economic crisis, the unrest among the peoples of European countries, and other topics.

Sitting cross-legged in his loin-cloth at his beloved charak on the third class deck of the *Pilsna*, the exponent of non-violence predicted that the approaching World Disarmament Conference at Geneva would fail.

'Real disarmament cannot come,' said Mr. Gandhi, 'unless the nations of the world cease to exploit one another.'

He added that without sanctions the League of Nations could not keep peace among the nations, as was evident in the present Sino-Japanese conflict in Manchuria.

'Do you think that the application of your principle of non-violence would bring permanent peace?' asked the correspondent.

'Non-violence would be futile,' Mr. Gandhi replied, 'unless the root cause is dealt with, and the root cause in this case is the greed of nations. If there were no greed, there would be no occasion for armaments. The principle of non-violence necessitates complete abstention from exploitation in any form.'

'Immediately the spirit of exploitation is gone, armaments will be felt as a positive unbearable burden.'

Mr. Gandhi believed that Europe had advanced materially since his last visit fifteen years ago, but he doubted whether it had made much progress spiritually.

'I think, however,' said the apostle of peace, 'that there is a greater longing for peace on the part of the people. Deep down everywhere I noticed intense dissatisfaction and unrest on the part of the people with things as they are. That, to my mind, is not a dangerous but a healthy sign. Whether the Governments of Europe will translate this unrest

into real action in the right direction, remains to be seen.'

'As a result of that unrest,' asked the correspondent, 'do you visualise during the next score of years a gradual disappearance of monarchies for more democratic forms of government, as evidenced by the recent change in Spain?'

'Sudden changes such as those in Spain offer no material for a reasonable forecast,' replied the Mahatma. 'By habit, too, I am not given to peeping into the future.'

England's Failure

The Indian nationalist leader said it was indispensible that England had failed as a first class power, but he had faith enough in the English people to feel that they would turn their present economic distress to good account and become an example to other nations in spiritual progress.

'For England's sake and for the sake of the world,' Mr. Gandhi added, 'I hope England will not regain the material supremacy she enjoyed before the War because that supremacy might be used to oppress other nations.'

The Mahatma saw the British Empire disintegrating and ultimately becoming a series of separate independent units, like Canada, Australia, South Africa, New Zealand and India, but he also hoped that these units would be united voluntarily for the good of mankind.

'But this opinion,' added the Mahatma, 'may be due to the wish being father to the thought.'

Mr. Gandhi said that the strongest impression he carried away from Europe is that Europe cannot for any length of time sustain the artificial life its peoples are living today, because that life, he asserted, is too materialistic and too complicated.

'There must be a return to simplicity and proper proportions,' said the Mahatma. 'The flesh has taken precedence over the spirit. The machine age is running western civilisation. Over-production and lack of means of proper distribution may finally spell the doom of capitalistic society. The only solution I see is a return to hand industry and the emancipation of the individual from factory slavery.'

'Would you recommend great industrial countries like England and the United States to adopt the spinning wheel?' asked the correspondent.

'I think it would be an eventful day in the life of those countries if they adopted the spinning wheel,' answered the foe of machinery.

'Is the world growing better or worse?' queried the interviewer.

'So long as I believe in a benevolent God,' replied the Congress dictator, 'I must believe that the world is getting better even though I see evidence to the contrary.'—*The Leader*.

Indian Technical Education Committee

EVENING COMMERCIAL CLASSES AT SASTRI COLLEGE

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For further particulars apply to Mr. W. M. Buss, Principal, Sastri College, Warwick Avenue, Durban.

P. R. PATHER
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Joint Hon. Secretaries

Little Grey Street, Durban.

The Heritage Of The East

(From an article by Mr. T. Raghavan)

The heritage of the East is second to none. It has been said that civilisation is working on a see-saw arrangement. Asia was the seat of culture and civilisation for centuries. The scene has shifted to Europe for some centuries now and there is every sign that the see-saw may again work. Every age is a step forward. Europe has advanced and furthered the Asiatic heritage. Now we in the East shall make the most of an Asiatic and European heritage harmoniously mixed for the betterment of mankind.

The mistake in the past was our self-confidence and self-satisfaction. True, we achieved great things but we refused to admit that others could equally achieve great things. But now with the awakening of Asia a new spirit is abroad—to imbibe as much of Western culture as possible and readjust it in consonance with our peculiar achievements in the past. It is only by that means that we can march onwards.

Those achievements have been some of the greatest. Look at our ancient architecture and sculpture. It is an acknowledged fact that despite all the advance in engineering none knows the secret of the Pyramids. The ancient structures, temples, mosques, the accomplished feats of the brush and the chisel have stood centuries and defied the best brains among modern architects and artists. Talk of a Roman bath or well or the remains of a Roman road or windmill. What are they when compared to the ruins of Mohenjo-Daro in the Indus Valley more than 5,000 years old, according to Sir John Marshall? The mighty ruins of a many a forgotten empire proclaim the beauty of our heritage.

Look again at Mathematics or Astronomy. All of us know that throughout the East the study of numbers and of the stars had developed to such an extent that for centuries the West knew nothing more than what they learnt from the Arab Universities of Africa and Spain. Centuries before Europe burnt her sybils, Indian women wrote treatises on mathematics. The decimal system was "exported" from India via Arabia and Spain. Geometry among the Hindus went back to 6,000 B.C. and finds elucidation in the Vedic hymns. Algebra was developed centuries before the Christian era to a higher degree than the level obtained by Diophantus the Greek mathematician of Alexandria in 250 A.D. Here is a sample problem in double equations in one of the ancient mathematical treatises of India. "Of a swarm of bees $\frac{1}{5}$ settled on a kadambu flower and $\frac{1}{3}$ on a silindra blossom; one bee remained over, hovering in the air attracted by the charming perfume of a jasmine and of a pandanus. Tell me, charming one, the number of the bees."

Ssuma-Oh'ien, the first great historian of China begins his famous work with Huang Ti; the great Emperor who reduced the Hun-Yu (the Huns) and developed Astronomy for determining the calender some four thousand years before Gregory. From that day, fixing the calender in China had remained a royal prerogative.

Writing, instrumental music, painting, have all had their slow beginnings in China in pre-historic and legendary times, and Huang Ti's wife "the Lady of Si-ling" is credited with being the first breeder of silkworms and inventor of silkweaving.

It is well-known that civilisation knew of paper from Egypt and printing from China.

In the realm of Theology and Philosophy let me say nothing. In both, the world knows little or nothing to-day that has not been evolved already by Eastern teachers and thinkers. In poetry and other forms of *belles lettres* the different countries and literatures of Asia have admittedly produced the high water mark of human achievement. Culturally Asia has been a beehive of activity.

In medicine it is in the experience of many of us that for centuries the East has developed its own efficacious systems. Scott's "Talisman" is not a mere historical novel, but was the tribute of a great western writer to the medical achievements of the Arabs. The first organised hospital known to the world, it is said, was the one built by Asoka the Great, the Buddhist Emperor of India. Even to-day in different parts of Asia indigenous systems of medicine flourish and hold their own against other better organised and systematised forms of medical treatment. In India the Government has established colleges of Eastern medicine and even dispensaries, thereby recognising the wonderful heritage of centuries.

So also in Law. The systems of Law propounded by the Arab, Saracen, Hindu or Chinese lawgivers have stood the test of time—which after all, is the best test of all, and are to-day upheld and followed with slight variations by the modern governments of Asia.

Let me tell you that no continent has a legacy such as Asia has. The torch of civilisation has been handed down from generation to generation for a longer time than human memory can recollect. It is to the credit of scholars and orientalisists from the West that they have not only recognised but discovered and proclaimed the profound achievements of Asia in the past. Let it not be imagined that I am trying to boast. I am fully cognizant of the other side of the shield. I can well realise that whatever had been our achievements in the past the old order has changed yielding place to new, and that God is now fulfilling in other ways. We all have to admit that our heritage could not save us from a state of comparative lifelessness. But that should not discourage us as Europe to-day is assisting us in the glorious Renaissance that is now taking place from Turkey in the West to Japan in the East. It is the liberation of our spirit that we have to aspire for and not a transformation of our heritage.—From *The Indian*.

(To be Continued)

