

# Indian Opinion

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## NOTES AND NEWS

MAHATMA Gandhi writes in *Young India* dated Dec. 26 :—The serpentine coil round the Indian settlers of South Africa is daily tightening. Now in Natal they are deprived of the municipal franchise. This was said to have been protected. When the attempt was made to take away from them the political franchise, the Natal Government declared that they had no design upon the enjoyment by Indians of the municipal franchise. But no promise was made to a weak party is sacred in the estimation of modern Governments. Each party must be able to defend its rights by its own inherent strength. The Government of India's vaunted statesmanship fails at the crucial moment. I know that the settlers look to us for help and protection. Let them know that they can have little help from India for the present. She herself is engaged in a life and death struggle. Years ago the late Pheroze Shah prophesied that India would be of little help to the Indians overseas, so long as she had not acquired the ability to assert herself. The late Pestonji Padsha was even disgusted with me for going to South Africa. He thought every Indian worker going out of India was so much economic waste. I think his clear brain partially misled Mr. Padsha. My residence in South Africa is not an economic waste of power. But is there not much truth underlying Mr. Padsha's burning desire first to secure India's freedom? Till we have acquired it, we must send our countrymen across the seas such comfort as newspaper and other sympathy can give them.

At a Native meeting held recently in the Waark Location near Bloemfontein Clements Kadala, general secretary of the Industrial and Commercial Worker's Union of South Africa, is reported to have indulged in a provocative speech, in which he threatened that the Natives would hold up the railway service and the mining industry if the Government refused to bring in a Minimum Wage Bill for them." In the course of a violent attack on the English people the speaker is reported to have said that in the Cape the Natives were all Nationalists and the talk about British ideals was pure hypocrisy." He is reported further to have urged his hearers "to make such an agitation everywhere that Parliament House will tremble and to tell the white man he has robbed you for the last 200 years, robbed you in the land of your fathers. Kick up such a row that the white man cannot sleep."

The Bloemfontein Correspondent of the *Natal Mercury* says: Indignation is expressed that Native agitators from the Cape should be allowed to come here and disturb the minds of the local Native population which numbers over 20,000 in Bloemfontein alone without any check from the authorities. It is felt that if he intends carrying his inflammatory propaganda into places like Basutoland, which is said to be his object, the authorities should put a stop to it.

We are no advocates of inflammatory propaganda. But we do not see any difference between Mr. Clements Kadala's speech and the white man's propaganda against the black. The only difference we do see is that while the outspokenness of the former is somewhat justifiable the action of the latter is totally unjustifiable. "The Native must be segregated;" "the Native must be given no more land;" "the Native women must carry night passes;" "the Kaffir must be kept in his place;" "the Asiatic is a menace to the white man;" "we must oust the Coolie;" "we must not support the Coolie;" "we must segregate him;" "we must drive him out of the country;" "we must take the law in our own hands." Are these statements not provocative? and yet they are commonly heard from the white propagandist against the black, and it is a wonder to us that no voice of protest is raised against such a propaganda nor have the authorities considered it advisable to put a stop to it. But the white man can say and do as he wills. It is a heritage apparently bequeathed to him by his skin. But should a black man make his voice slightly heard, Action! Action! is shouted out from the house-tops.

A Bill gazetted on January 22, restricts the issue of certificates of competency in the mining industry to "persons other than Natives or Asiatics," and provides for the apportionment of occupations on mines and works "between Natives and Asiatics and other persons." The object is to give legality to those mining regulations which were ruled by the lower and higher courts to be *ultra vires*, and to render Natives legally incompetent to follow such skilled and semi-skilled occupations as are enumerated in the Mines and Works Act of 1911. Mr. Justice Krause described the colour bar regulations as "*prima facie* repugnant to the law of the land, . . . unreasonable, and even capricious and arbitrary." The proposal to make the regulations *intra vires*, to strengthen the colour bar and make it a permanent institution, says the *Umteteli Wa Bantu*, affords another illustration of the Pact attitude towards the Native people.

At a mass meeting of the Indians of Pinetown held last Sunday, the following resolution was carried unanimously: "That this mass meeting of the Indians of Pinetown hereby resolve to organise and form themselves into a body under the name of Pinetown Indian Progressive Association."

The objects of the above Association are, we understand, to protect and safeguard the true interests politically, socially and educationally of the Indian community of Pinetown.

A further resolution was carried requesting the Association's officials to take immediate and necessary steps for the establishment of an English School in Pinetown and for that purpose to move the Administration of Natal in the matter as they may think advisable.

The Kanamia Moslem League in Capetown has decided to raise £3,000 to meet the requirements of the rising generation of Indians in Capetown. They have secured a plot of ground, on which they propose to erect a school, in which provision is to be made for the education of their children in English, Urdu and Gujarati. A subscription list has been opened, and is headed with a donation of £100. Over £700 have been subscribed to the fund already.

#### QUESTION OF MAHOMEDAN WIVES

THE judgment given by the Supreme Court (Natal Provincial Division) in the case of Immigrants Appeal Board vs. Ayesha, the report of which is reproduced elsewhere in this issue, is of very great interest to the Indian community. It brings to our memory vividly the Passive Resistance struggle, with all its woes, that resulted from the judgment of Mr. Justice Searle in March 1913, in the matter of an appeal by Hassen Esop against the Minister of the Interior for an order restraining the respondent from deporting to India Bai Miriam, the lawful wife of the applicant. It was this judgment that, for the first time, opened the eyes of the Indian community to the fact that according to the then existing law the wife of every Hindu and Mahomedan was in South Africa illegally, and, therefore, at the mercy of the Government, whose grace alone could enable her to remain in this country. The said law did not admit the legality of marriages celebrated according to the recognized Indian religions. This was naturally received with a severe shock by the community, for it was an insult not only to the womanhood of India but to the Indian nation in so far as non-Christians were concerned; and as no steps to amend the law were taken by the Government the community had no other course but to resort to Passive Resistance in which women also participated and Valiamma, whose name will never be forgotten by the Indian community in South Africa, sacrificed her life. It was after this offering of a life and much suffering that the Government condescended to bend and a settlement was arrived at between the Government and the Indian community with the passing of the Indian Relief Act of 1914, which Act amended Section 5 (g) of the Immigrants Regulation Act 22 of 1913 which was the cause of all the trouble.

The question asked by the Immigrants Appeal Board in the present case we are referring to in this article was: "Is the Indian woman Ayesha a prohibited immigrant in view of the provisions of Section 5 (g) of the Immigrants Regulation Act 22 of 1913, as amended by Section 3 (2) of the Indians Relief Act 22 of 1914."

The Section referred to above, in so far as it affects the present case, reads as follows:—

"the wife' shall include any one woman between whom and the exempted person mentioned therein there exists a union recognized as a marriage under the tenets of an Indian religion notwithstanding that by those tenets the union of that exempted person with other women at the same time would be recognized as a marriage: Provided that no woman shall be deemed to be the wife of such exempted

person—(a) if such a union exists between him and any other woman who resides in any Province, or (b) if such exempted person has in any Province offspring by any other woman who is still living

In answering the question put by the Board by the negative Judge-President Sir John Dove Wilson said the language of the section was plain and obvious, and Mr. Justice Carter concurred. But Mr. Justice Tatham was doubtful as to the meaning of the section and thought that the section was ambiguously worded. His Lordship thought "that the Act really meant that an Indian could only introduce a wife if he kept one woman to be treated as his wife in terms of the Immigration laws." It this would be the interpretation given to the Act it would again mean that marriages according to Mahomedan Law are not recognized. Whether two or four a Mahomedan's wives are his lawful wives according to the tenets of his religion and as such they must be recognized. That should be the purpose of the law. The restriction, however, is in regard to the introduction of such wives, and that, as the Judge President has said, is very clear, i.e., it allows the person to select only one of his wives, at a time, to bring into this country, and that too not in all circumstances, for, the provisos in the section prevents him from doing so if at the time of the attempted introduction a wife by a similar union is residing in South Africa, or if there are children from a similar union alive in South Africa. This is the present position of the law.

#### MAHOMEDAN WIVES AND IMMIGRATION STATED CASE BEFORE SUPREME COURT AN INTERESTING JUDGMENT

The case of Immigrants Appeal Board vs. Ayesha was brought before Sir John Dove Wilson, Judge-President; Mr. Justice Carter; and Mr. Justice Tatham in the Supreme Court (Natal Provincial Division).

This was a case stated by the Board for the decision of the Supreme Court. The Board found that Ayesha was born in India and is not entitled to enter South Africa unless she can prove that she is the wife of Cassim Ebrahim, an Indian domiciled in Natal. In 1915 Cassim Ebrahim contracted a marriage with one Fatima at Dundee under Mahomedan rites. Fatima in 1921 was allowed to go to India on a visit, with the right to return, and she is still in India. Cassim Ebrahim went in 1923 on a visit to India and married Ayesha there in January, 1924. He brought her out and applied for her admission into Natal.

The Board found that the existing union between Cassim and Fatima precludes the recognition of any other woman as his wife. The question asked of the Court by the Board was this: "Is the Indian woman Ayesha a prohibited immigrant in view of the provisions of Section 5 (g) of the Immigrants Regulations Act 22 of 1913, as amended by Section 3 (2) of the Indians relief Act 22 of 1914."

Mr. J. J. L. Sisson instructed by Messrs. C. P. Robinson and Goulding, appeared for the woman, and Mr. W. S. Bigby, K. C., Attorney-General, instructed by Messrs. D. A. Shaw and Co., for the Board. The question in dispute was really this: Under the 1913 Act a wife of a domiciled person was not a prohibited immigrant provided that she was married to the husband by a monogamous marriage. This excluded all Hindu and Mahomme-

wives, as Hindu and Mahomedan law allows polygamous marriage. The Indians Relief Act of 1914 recognised for the purposes of immigration Hindu and Mahomedan wives as wives, but provided that no such wife should be recognised if such a union already existed between the husband and another woman residing in any Province. Fatima, *see* Mr. Sisson argued, was not residing in the Union now and so therefore Ayesha was entitled to enter as a wife. He quoted *Mia v. Principal Immigration Officer* 1920 C. P. D. 347 and *Mariam v. Immigrants Appeal Board*, N. P. D. 382

Mr. Bigby quoted *Kulsum Bibi's case*, 1913, N.P.D. 437, to show that before this Indians Relief Act of 1914, a Hindu or Mahomedan wife was no wife at all in the eye of the law. He argued that the provisos to Section 3 (2) of Act 22 of 1914 could not increase the rights of an Indian wife, and that the sub-section itself was the dominant art. He cited *Craes Statue Law* on this point.

In giving judgment, Sir John Dove Wilson narrated the facts above set out. He then detailed the provisions of the two sections in the Acts of 1913 and 1914 which govern the question in this case.

Polygamous marriages are not recognised as marriages in Roman Dutch law, and the effect of the 1913 Act was to exclude all Indian wives married under Hindu or Mahomedan law. The Act of 1914 amended the 1913 Act so as to give an Indian the right to bring in a wife by Hindu or Mahomedan law into this country. Dealing with this section 3 of Act 22 of 1914, his Lordship said that the legislature recognised that it was going too far to say that a polygamous marriage was never a marriage at all. It allowed an Indian to select one of his wives, otherwise a prohibited immigrant, and bring her into Natal. But he had not this right in all circumstances. There were two provisos. He could not do this if at the time of the attempted introduction a wife by a similar union was residing in South Africa, nor if there were children from a similar union alive in South Africa. These provisions do not, however, effect Ayesha, since Fatima is residing in India and is childless. Ayesha is, in terms of Section 3 (2), a wife by Mahomedan law, and by the terms of that Section the husband has a free hand in bringing in which of his Mahomedan wives he pleases. It was said that he had no discretion because one of his Mahomedan wives formerly lived with him in Natal. There was nothing in the Section to take away the husband's discretion in circumstances like these. The wording of the first proviso, in the present tense, was against such contention. Ayesha was, therefore, plainly entitled to enter Natal. Fatima is independently of her husband a domiciled Natalian, and may as such be entitled to enter Natal. His Lordship guarded himself against expressing any opinion as to Fatima's rights to return. It may be that the Legislature did not foresee the result of these Sections when enacting them. Cassim has been enabled to introduce a second wife into Natal, although he already has a wife in existence. But this cannot affect the interpretation of the plain and obvious language of the Statute. Mr. Justice Carter concurred. Mr. Justice Tatham said he was doubtful as to the meaning of Section 3 (2) of Act 22 of 1914, and thought that the Section was ambiguously worded. He, therefore, looked to the state of the law when Act 22 of 1914 was passed. At that date all wives married under polygamous systems of law were not wives at all, and no Indian could introduce any woman as his wife, even if she was his only wife, if his religion permitted polygamy. In 1914 Parliament introduced a remedy, and his Lordship thought that the Act really meant that an Indian could only introduce a wife if he kept one woman to be treated as his wife in terms of the immigration laws. Here Cassim was treating two

women as his wives for the purpose of the immigration law. His Lordship did not dissent, but concurred with great hesitation.

The question put was answered in the negative. The woman Ayesha was given her costs against the Board.—*Natal Mercury*.

#### WANTED LESS ANTI-NATIONALISM AND MORE PRO-HUMANITY

##### TO SOLVE THE PRESENT ECONOMIC PROBLEM

The following letter representing a very sane view of the Asiatic question appeared in a recent issue of the *Natal Mercury* :—

Sir,—Letters appearing in your columns upon the Asiatic question are more or less in the nature of an intermittent flow, but in spite of all that has been written and said concerning this economically important section of Natal's population, we, as a people, do not seem to make any definite move towards discovering a solution to the problems arising out of the existence of the Asiatic in South Africa.

No doubt many people are in sympathy with the points of view as expressed by "Townsmen" and "A Countryman" in your recent columns, and there may be various reasons why they are so, but we may safely suppose that the dominating reasons may be traced to—

- (a) Race and colour prejudice.
- (b) A partial realisation of economic differences.
- (c) A belief that Asiatics in the industry and commerce of Africa are occupying jobs which should rightly belong to the present white population of the Union, and,

- (d) The fact that the majority of people are more or less totally ignorant of the economic workings of the system under which we live.

It is rather difficult to confine this matter to the restricted columns of the Press, but it is of such paramount importance as to warrant considerable time being spent upon it, even to the extent of daring to fly in the face of public opinion, for there must be quite a number of people to whom it is glaringly apparent, that in order to cure the evils popularly ascribed to the presence of the Asiatic, we must be prepared to go to much greater lengths than the mere curtailing or refusal of licences.

One may be sympathetically inclined towards those who advocate the repatriation of the whole Asiatic population, but even these must give way to the stubborn fact that the South African-born Asiatic is a South African subject of the King, geographically, of course, and India has as much right to treat one so born as a foreigner to India, as England would have in refusing recognition to the South African born of English parents.

In this connection I may mention that General Smuts, when dealing with the matter of the deportment of Europeans from South Africa some years ago, when questioned as to why he had not deported the South African colleagues with the deportees, replied to the effect that South Africa must consume its own smoke. In any case, we may take it as an accepted fact that South Africa is the home of people born in the country, and that being the case, we cannot legally expel those Indians who were born here. This fact is a poser to the advocate of "lock, stock and barrel" repatriation, but unfortunately, the anti-Asiatic will not accept this fact, and is consequently led into worse confusion.

The scheme next in favour to repatriation is segregation, and this too appeals strongly to those who do not stay to consider all that it may mean. Too many Europeans see in this talk of segregation a general exodus of Asiatics from the towns, leaving the "white" free to take up the jobs and collar the trade vacated by the departed Indian. For many who advocate this step, it would appear that they were

firm believers of "out of sight, out of mind," but Asiatic segregation would not work out so simply as that, out of sight they might be, but so long as they were in South Africa they could never be out of mind, and for various reasons, but chiefly because no system of segregation can cut them off from competing against the rest of our population or from competing against the best of the world.

"A Countryman" appears to be chiefly concerned with the Asiatic as a competing trader, and he is not alone in this, because many of those who are keenly anti-Asiatic are much more concerned about the competing trader than they are about the competing artisan or labourer. This is a great pity, because, when investigated, it is at once seen that the competition between workers for the jobs available (in this country made more manifest because of our racial questions) is responsible for the existence of the Asiatic trader. How so? Because the standard of wages due to competition between workers is low enough to compel the more poorly paid, to shop with those who appear to be the cheapest. In Durban—the Asiatic, other places—the Jew.

If the Asiatic is the cause of all our poverty and distress, why do we hear so much from railwaymen and others of the importations of cheap workers from the country districts? If the Asiatic is the cause of our troubles, why is poverty so rampant in those countries peopled entirely by whites? If we take the time to inquire into this matter we shall see that the trouble lies much deeper than is popularly supposed, and is bounded by neither the activities of the Asiatic trader nor his less affluent brethren. The whole trouble is grounded in the basis of our economic system, and is peculiar to South Africa only in so far as it is a racial question as well.

The trouble is world-wide, and even if South Africa could miraculously dispose of her Asiatic population overnight, we should still find ourselves under-fed, under-clothed, and under-housed, and so must we suffer until men demand less anti-nationalism, and more pro-humanity.—I am, etc.,

S. H. PAYNE.

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BRICKHILL ROAD EXTENSION PROPERTIES  
UNFIT FOR HUMAN HABITATION  
PUBLIC HEALTH COMMITTEE'S RECOMMENDATION  
755 SOULS THREATENED TO BE THROWN OUT  
ON THE STREETS

The Public Health Committee of the Durban Town Council has submitted to the Town Council the following report on the recent reports of the Borough Medical Officer of Health in connection with properties within the Borough of Durban many of which are owned by Indians.—

With regard to the properties at Brickhill Road Extension, the Borough Medical Officer of Health points out that there are 23 houses with 205 rooms. There are 154 families and a total population of 755 adults and children, giving an average number of persons per house of 3.3 and the average number of persons per room is three. The site these houses occupy adjoins the swampy area on the Eastern Vlei and on occasion certain parts of it are under water. There is no hardened or drained road the uneven and loose nature of the surface of the area makes it impossible to remove or properly clean up the rubbish which continually becomes littered about the site. There is no sewerage or storm-water drainage, a night soil service being carried out every alternate night. The dwellings generally are wood and iron structures in an advanced state of disrepair and dilapidation. This applies to roofs, gutter and down-pipes (where there are any), windows, walls, floors, kitchens and sanitary con-

veniences. There is an absence of proper lighting and ventilation and the whole area, in the opinion of the Borough Medical Officer of Health, constitutes one of the worst slums in the Borough.

Having regard to the reports of the Borough Medical Officer of Health, we are of the opinion that notices, under Section 30 of the Public Health Bye-Laws, should be served on the owners of the premises in question, and that a period of three months be allowed to enable the owners thereof to take necessary steps to render the premises fit for human habitation.

That notices in terms of the provisions of Section 30 of the Public Health Bye-Laws for the Borough of Durban, be served on all the owners of the properties referred to in the above report.

TOWN COUNCIL

The following discussion is reported to have taken place in connection with the above matter at the meeting of the Durban Town Council held on the 5th instant:—

Councillor Smith said he had been that morning presented with a petition in regard to these houses in Brickhill Road which had been condemned. The petition was a matter which could not be dealt with by the Town Council that day, and he did not think it would serve any purpose to read it out. Those people, whose names were set out in the item, were asking that the Town Council should grant to them, with some security of tenure, another, or the same piece of ground, and they would undertake to erect houses which would pass the building by-laws of the town. He thought the Committee had definitely decided to recommend to the Town Council that these places be destroyed. They were only "fooling about the subject" if they were going to ask these people to put these places in repair when, even originally, they were not properly erected. He was going to support the views put forward by these people that some ground should be put aside for the 755 people the Council was turning out.

Councillor Kemp said that every time the matter of these premises in Brickhill Road had come up these people had promised to effect repairs, and when the matter came up again the Council found nothing had been done. He protested against lavender glove methods, adding, "We are going to administer the Public Health Act and not the public health by-laws which were passed 20 years ago."

Councillor Mrs. Knight said that these tenants had been there 23 years. In 1912 they were told that the Town Council might require the land at any time, and they were placed on a monthly tenure. Since then they had received from the Corporation nothing but water—no sewerage, no lighting and no roads. "If we turn these people out, we must find some place where they can go."

Councillor Mrs. Benson quoted the opinion of the Borough Medical Officer that "there is an absence of proper lighting and ventilation, and the whole area constitutes one of the worst slums in the Borough." Councillor Benson pointed out that she tried to get the Town Council to agree to the purchase of land outside the Borough for the use of these people, but that was turned down. She felt they had to be reasonable and to be humane, yet they must clean up the town by some means. She felt the Committee's recommendation a step in the right direction, and she wanted it to go through.

The Committee's recommendation was adopted.

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The Transvaal Agricultural Union's Native Affairs Conference which was held in Pretoria on the 4th instant, has passed by a majority a resolution urging immediate territorial, economic and social segregation of Natives with a view to total segregation when the European population demangled it.

## THE CONTRAST IN INDIA

## BRITISH OPINION ON INDIAN POLITICS

The following is an editorial article in a recent issue of *The Nation and Athenæum* —

It is rare for any country to display so striking a contrast between commercial prosperity and political distress as that which India affords to-day. If we are to take the Viceroy's word for it, (and there can be no reason why we should not), Indian economic conditions have not for many years been comparable with those of the present winter. The Associated Chambers of Commerce, which have been meeting in Calcutta, are themselves a sign of the times. They represent the co-ordinated business forces of British India. It was to this body that Lord Reading presented his "prosperity" report of the Indian year. Abounding crops, the railway earnings leaping up by crores of rupees, and a seaborne trade rapidly overtaking the highest records; jute and tea "basking in the sunshine of an abundant prosperity;" an expected Budget surplus bringing relief of taxation—such are the principal items in the Viceroy's survey. The recital of them is, inevitably, linked with certain statements and implications concerning the change of Government in London and the assumption that the direction of Imperial affairs may not be altered within a term of five years or so. That is as may be; but it should be remarked that the British commercial community in India regards the conditions described by Lord Reading as being bound up with the return to a more resolute temper in the Administration, and particularly with the Bengal Ordinance and the present methods of Lord Lytton in that province.

## CHAOTIC POLITICS

There is a disturbing change of scene when we turn from the Viceroy and the Chambers of Commerce to the political parties and leaders. It may truthfully be said that at no time since the beginning of the Indian reform movement forty years ago have political affairs been so chaotic. This fact cannot be estimated apart from the circumstance that there is now no organization in existence which can claim to be national, or to embody the general political mind of India. The disruption of the Indian National Congress must, from any reasonable stand point, be deemed a calamity. For thirty years this body co-operating with a continuous organization in England, performed its work of political education, framed its programmes, and led in the advance towards Indian self-government. It could not survive the war, the new Mahomedan movement, and the explosive force of Mr. M. K. Gandhi's apostolate. It is true, of course, that the Indian National Congress is still in existence and, further, that it meets more frequently than of old. But the fact remains, none the less, that we cannot deal with it, or consider it, in its former representative and constitutional character. As we shall see in the course of the next few days, its annual winter session can do little more than reflect the faction warfare and the distracted leadership from which the Indian Home Rule movement increasingly suffers.

## AFTER GANDHI'S RELEASE

The Indian National Congress is meeting now at Belgaum. Mr. Gandhi is president. His position in the chair—inevitable, as things go in India, after his release from jail last February is one of the sharp points of a bewildering situation. If the signs are not altogether misleading, he cannot any longer be called a political leader. During his two years in prison the political Swarajists under C. R. Das and Motilal Nehru undermined the structure of Non-co-operation. Mr. Gandhi, on his liberation, was welcomed as prophet and martyr, but he found

that he had become an alien in his own movement. Non-co-operation as he saw it, was a religious and social crusade. The Swarajist leaders, who were his lieutenants from 1919 to 1922, are politicians who understood political tactics but cannot be interested in hand-spinning let alone the Mahatma's doctrines and asceticism and penance. Mr. Gandhi found them active in the Legislative Councils, committed to the programme of obstruction and separated by a wide gulf from the ideas through which, in the two years following the Amritsar tragedy, he himself had swept the multitude. It is not denied that, in consequence of this development, the Mahatma's decisions and appeals during the past half-year have been variable and inconsistent. He began by condemning the wrecking tactics in the Bengal Council; and when Lord Lytton cut the knot by dismissing the Council, Mr. Gandhi told Mr. C. R. Das that the folly of his method was now exposed to the world. This position, however, Mr. Gandhi did not maintain. When the Viceroy's Ordinance was proclaimed two months ago, and the wholesale arrests were made in Bengal, the Mahatma entered into a close alliance with the Swarajist leader. His action was, of course, precipitated by the Ordinance; but a compact made for the purpose of resisting a definite policy of administrative coercion should not carry with it the surrender of a principle such as that which Mr. Gandhi had identified for five years. By means of his extraordinary fast carried through for three weeks in order to force the issue of Hindu-Moslem unity, Mr. Gandhi undoubtedly recovered in great measure his power over the popular mind. But the renewed adoration of the masses cannot materially affect his relation to the National Congress and the Swaraj party. He appears before the Belgaum gathering, still the spiritual head of the Indian people, but by his own confession outmanoeuvred and worsted as a political leader. He admits the steady waning of his political influence. He refers to himself as an unsafe guide for the politicians. He has, it is true, hinted at the announcement of a possible new form of Non-co-operation; but there can be no doubt of his being prepared to find that the great majority of the National Congress delegates have been won over by C. R. Das and are ready for renewed aggression in the Legislative Assembly and the Provincial Councils.

For the Government of India, and for Lord Lytton as Governor of Bengal, the task of restoring peace in India is undoubtedly very difficult. The special Committee appointed to consider the working of the Reform Constitution has produced two reports, neither of which could be made to provide a means of escape from the present deadlock in the Councils. The conditions of the public services are to be improved by the early adoption of the Lee Commission's recommendations. This step should go far to remove the grievances of British officials and therefore to encourage a more hopeful spirit in the Services. But it must be recognised that the daily difficulties of the Indian Administration are made chiefly in the districts, by the disappearance of the confidence and respect that once existed between the people and the executive officer. So far from helping towards a restoration of the old feeling, it is to be feared that the first result of the new Service policy will be to intensify it. The problem of a privileged bureaucracy in an epoch of change is needlessly complex. We are, however, disposed to think that, all things considered, the key to the immediate problem may be discoverable in Bengal, by means of a fresh move on the part of the Viceroy and Lord Lytton. Since the round-up of suspects in October nothing has been done to end the deadlock. The arrested men have not yet been tried; the Bengal Government is still deliberating over its policy of forcing through legislation that will give

permanency to the terms of the coercion Ordinance. It is perfectly plain that there is no peace to be obtained by such means. The Government would be wise to limit the scope of the summary procedure in the strictest fashion; to aim at the quickest possible release of such prisoners as may be able to clear themselves of the charges of sedition and conspiracy; and above all, to return, as rapidly as may be, to reliance upon the ordinary law. Lord Reading as we know is convinced that his Ordinance was necessary. But no Government that is strong and wise can attempt to rule by emergency measures.

### GANDHI

[BY EDWARD B. HOOPER, M. A.,  
VICAR OF NORTHORPE]

We take the following very interesting article from the *Lincolnshire Chronicle* dated 22nd Nov. 1924:—

One of the most remarkable world personalities of to-day is Gandhi, possibly at once one of the best-loved men and the most hated and detested, a sure sign of greatness.

It will be a good thing if Englishmen try and understand this strange individual; we have inherited a great empire, and of that empire India is by far the greatest part, measured not in area, of course, but by population. In the past, many imposing empires have come and gone: in the near past we have seen three great European empires pass away, is this British Empire of ours also to pass away? That question raises many problems. Have we the statesmen and the understanding to know how to treat India with sympathy, justice and goodwill?

Should the Empire-builder of to-day approach this problem in the spirit of racial domination, or with any idea or sentiment for white superiority, then our Empire is doomed.

#### NO WHITE "SUPERIORITY"

I fancy that the study of a man like Gandhi may help us very considerably. If we fail to understand him we shall fail to understand India; but if we, on the other hand, begin to understand such a man, it will inevitably cure us of any sense of white superiority.

This Gandhi at one time held a lucrative post in South Africa, but influenced by the writings of Tolstoi, and through Tolstoi becoming acquainted with the famous "Sermon on the Mount," he began to take a warm interest in the conditions of his countrymen in that colony of the Empire to which he belonged. With him religion and politics naturally went hand in hand—and he led an heroic Passive Resistance Crusade in South Africa on behalf of the Indians in that colony, when he returned to India he was received as a national leader and a saint, and to-day he is almost worshipped by millions of Hindus and Moslems, and surely we may add loved by countless Christians too, in many lands.

#### A MAN THE WORLD NEEDS

He is a type of the international man that the world needs so badly in these days. He has discovered that "patriotism is not enough," and he has no hatred for any race of man.

Just recently he has come into the lime-light through the completion of a fast of 21 days and nights and was the recipient of a great welcome organised by the Calcutta Corporation. Tens of thousands were there to welcome him, and this demonstration in his honour was a most impressive spectacle.

These events cannot be ignored, they are essentially Indian, and it is not easy for prosaic Englishmen to understand them. India is essentially a religious country, and the same cannot be said

of England. English officials are easily, too easily, inclined to look askance at these events—it is so unlike any of our English national habits, and they feel uncertain where it may lead, and therefore this great Indian is somewhat "suspect" by our leading Imperialists, but it is imperative to us to try and understand. Gandhi is India's "man of religion," and one of their master-minds.

#### WHY HE FASTED

But, we ask ourselves, why did Gandhi fast, and what was the purpose of this particular fast? Fasting is an indispensable feature of all Oriental religions; here in the West it is practically unknown; a few Catholics talk about fasting, but it is nothing very serious; the only fasting in England is compulsory, due to unemployment or destitution, and as such has no value at all; it is different in the East. There it is an essentially religious act.

Gandhi has an abhorrence of all acts of violence, and because of these deeds of violence perpetrated by his fellow-countrymen, he voluntarily undertook this fast as an act of national penance: everyone knew why he underwent this ordeal. During his fast he was visited by many religious and political leaders, men and women, Hindu and Moslem, and a remarkable Christian priest, C. F. Andrews has also been in constant attendance; in fact he is the great friend of this wonderful Gandhi, whom we hardly know whether to call Hindu or Christian or Moslem, for he so perfectly invites in his person the best spiritual and ethical principles for all three religions, as unique as it is unusual.

A strange man undoubtedly, but his influence in India is immense, and surely it was an act of incredible stupidity for a former Government to imprison such a character. Fortunately, we released him.

#### A DISASTER

But it is deplorable that at such a time as to-day, with India seething with discontent, but capable of being led by statesmen of real insight and sympathy, and possessed of lofty ideals, we should have chosen a man like Lord Birkenhead, of all men, as our new Secretary of State for India, a man who is a cynical disbeliever in all idealism, and thereby disqualified for any Indian post. Such an appointment is a disaster of the first magnitude and a peril to the Empire.

We shall never hold the millions of India by the sword—it is both impossible and undesirable—but if we win the loyal affection and adherence of a Gandhi, the links of the Empire will be firmly welded, to the lasting benefit of India and England and mankind.

### INDIAN QUESTION IN THE COUNCIL OF STATE

#### A WITHDRAWN MOTION

Delhi, Feb. 9 (Reuter).—A lively discussion on the question of the position of Indian subjects overseas was anticipated to-day in the Council of State on the motion of Sir Deva Prasad Sarbadhikari, unofficial member of Calcutta, who tabled a request for the appointment of a Committee of members of the Central Legislature and officials to report on the steps necessary to improve the condition of Indians overseas.

Since the motion was sent in, however, Lord Reading, in the course of a sympathetic reply to a representative deputation headed by Sir Dinshaw Petit, advised patience, and deprecated anything like acrimony that might embarrass the delicate negotiations now proceeding.

In view of this advice, Sir Deva Prasad Sarbadhikari withdrew his resolution, reserving, however, the right to move it later when the results of the negotiations were known.

Sir Muhamod Habibullah, new member in charge

of Emigration, informed Sir D. P. Sarbadhikari that it would not be in the public interest to publish at this stage the correspondence with the South African Government, while correspondence relating to Kenya and Tanganyika was only routine in character.

### News in Brief

The *Hindu* (Madras) understands that Lady Sadasiva Iyer (wife of Sir T. Sadasiva Iyer) has been offered and has accepted a seat as Honorary Magistrate in the Children's Court which will be established under the new Children's Act.

The late Mr. Montagu took up ornithology as a hobby, and had one of the best stuffed collections in Europe. It is said that he wished to pay a visit to India a year or two ago, purely in the interests of bird-collecting, but the Government of India, viewing the proposition from a political standpoint offered him no encouragement.

A Reuter's Delhi message states:—The Assembly has at great length debated Aiyanger's motion to supersede the Bengal Ordinance by an Act of the Indian Legislature. Metilal Nehru held that cases of serious revolutionary crime had not been proved, and that the ordinary law was sufficient. Sir Alexander Muddiman (Leader of the Assembly) said he hoped the House would not send messages of encouragement to the revolutionaries. The motion was eventually carried by 58 votes to 45, amidst the applause of the Indian members.

The Assembly, amid a good deal of excitement and some uproar, carried by 50 votes to 40, a motion by Khan Bahadur Patal to introduce a Bill repealing various measures against sedition, says another message. Sir Alexander Muddiman hotly opposed the motion. He read striking messages, inciting to murderous crimes from the latest revolutionary pamphlets, but the Swarajists voted solidly against him.

The Indian Legislative Assembly also carried by 48 votes to 4 a motion to introduce a Bill for reciprocal treatment of America and any colonies which treated Indians as an inferior race.

Sir Thakur Das, President of the British Indian Colonial Merchants' Association is reported to have introduced a Bill in the Indian Legislative Assembly declaring the sovereign as legal tender at 15 rupees.

Mr. F. H. Coleman has been appointed South African Trade Commissioner in France.

The system of appeals to the Privy Council is denounced in Canada as injurious to Imperial unity.

Dr. J. E. Holloway has accepted the position of Director of Census in succession to Mr. C. W. Cousins, now Secretary for Labour.

Sir Eyre Hutson has been appointed new Governor of Fiji. In 1915-16 and in 1918 Sir Hutson had been acting Governor of Fiji.

## BOROUGH OF DURBAN

### MAHOMEDAN SECTION — GENERAL CEMETERY

All persons claiming ownership of grave lots in the Mahomedan Section of the General Cemetery situated at Brook Street are requested to produce their receipts or other evidence in support of their claims to the Chief Sanitary Inspector, Old Court House; Durban. On production of satisfactory evidence of ownership, the owner's name will be registered in the block book which has been prepared in conjunction with a plan of that portion of the Cemetery.

A. O. JONES,  
Town Clerk.

Town Clerk's Office,

Durban, 15th January, 1925.

### دربان شہر

#### سار्वজনیک کھترستاننو سولہم وبلوگ

ہرک سٹیٹماں آوےلا سار्वজনیک کھترستاننو سولہم وبلوگماں کھترواणी جہیننی مالیکینا دہو کرنارا سبھا لوکینو پواتانا آوے دہوانا ڈکاہماں پواتانی پھوآیا آھتھا آھتھ پوراوے ڈرہمننی جونی ڈرہنا مہانماں آیک سینیڈری ڈنسپیکٹر سبھ رنج کرہانی وینتلی کرہماں آوے ڈ. مالیکینا سٹوپکارک پوراوے رنج تھاتھی کھترستاننو آوے وبلوگانا پھاننی ساہے تھتھار کرہماں آوےڈی ہلوک جھکماں مالیکتو نام نوڈھا ماں آوہی.

آوے. آوے. آوے. س,  
ڈاؤن کھارک.

† قبرستان عامہ اسلامی حصہ †

تمام لوگوں کو کہ جو قبرستان عامہ واقع بروک سٹریٹ کے اسلامی حصہ میں قبروں کے ٹکڑوں کے دعویدار ہوں انکو اطلاع دی جاتی ہے کہ وہ اپنے اپنے دعوے کے ثبوت کی رسیدیں یا دوسری شہادتیں "صدر محکمہ صفاہی" (چیف انسپیکٹر سائینٹری) عدالت کڈ پارینہ (اولڈ کورٹ ہاؤس) دربان کے پاس پیش کریں

مالکی کی تسکینی شہادت پیش کرنے پر ملکوں کے نام "بلوک بلک" میں رجسٹر کئے جائیں گے کہ جو قبرستان کے آس حصے کے نقشے کے ساتھ تیار کیا گیا ہے

"ڈی-او-جونس"

کاتب شہر—دربان کورپوریشن

### بھارتیہ ڈیڈیا سٹیٹم نیویگیشن کمپنی

سٹی. "ڈاروآیا" ڈیڈیاری تا. ۱۶ مئی سوارے ۶ واہے ڈپڈی.

ڈتا ڈہوآیہ ہارے ساہان شہیوارے سوارے ۱۱ واہتا سوبھیماں پوڈنٹ پھوآیتو کرہو آہنے سٹیوارے ساہے ۷ واہتا سوبھیماں سٹیہرہر سٹی جھو.

وڈھ پھوآیہ

ڈیڈی ڈیڈی ۳۷۰ پارڈن سٹیٹ، ڈرہمن.

آوے سہے مہوآیہ آھتھا ڈھوآیہ مہو ڈھو.

