

# Indian Opinion

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## THE ASIATIC BILL HELD UP ROUND TABLE CONFERENCE AGREED TO

**T**HE Union Government's Asiatic Bill which was referred to a Select Committee has been held up pending the result of a round-table conference between the Union and Indian Governments.

The following is a statement on the Asiatic Bill made by the Minister of the Interior (Dr. D. F. Malan) in the House of Assembly on Friday April 23:—

When the Areas Reservation and Immigration and Registration (Further Provision) Bill was referred to a Select Committee on Feb. 17 last, I made a statement to the House setting forth the general course and results of the negotiations which had taken place between the Union Government and the Government of India. I then defined our attitude towards the holding of a round-table conference which was the immediate objective of the Government of India, and which, as then understood to be proposed, was not acceptable to us. I stated definitely that we were not and could not with any justice be opposed in principle to conversations with any outside Government, but that, on the contrary, we were strongly and in principle opposed to any conference which was one-sided in so far as it would admittedly have been expected from us to make concessions in connection with our proposed legislation, while there would apparently have been failure to counterbalance these concessions with corresponding prospective advantages. We did not consider a round-table conference as then proposed by the Government of India to be otherwise than one-sided, and as such to have the appearance of an unjustified interference from outside with our domestic affairs.

### Negotiations Resumed

After my statement on that occasion negotiations were resumed between the two Governments on the assurance on the part of the Government of India that their attitude was not correctly understood, and on the assurance on the part of the Union Government that, consistent with their previous standpoint, they still considered the door open to the holding of a conference if satisfactory assurances could be obtained as to its nature and scope. With very valuable assistance of informal conversations between the hon. the Prime Minister and myself on the one hand and the leader and the Secretary of the Government of India deputation on the other, a formula was agreed upon which, if accepted by this House, will form the basis and determine the nature of a round-table conference which before our legislation is further proceeded will make a serious and honest attempt to arrive at a real and effective, but, at the same time, amicable solution of the Indian problem.

### The Formula

This formula definitely excludes the possibility of a conference which could justly be interpreted as a mere attempt from outside to prevent the Union Government from dealing with its own problem in its own way, and which, as such, would be resented by the people of South Africa, and is and would remain unacceptable. On the contrary, it definitely ensures the co-operation of the two Governments in

exploring all possible methods of settling the Asiatic question in South Africa on the basis of the maintenance of Western standards of life by just and legitimate means. The formula reads as follows:—

The Government of the Union of South Africa and the Government of India have been further in communication with each other regarding the best method of arriving at an amicable solution of the Indian problem.

The Government of the Union have impressed on the Government of India that public opinion in South Africa will not view with favour any settlement which does not hold out a reasonable prospect of safeguarding the maintenance of Western standards of life by just and legitimate means.

The Government of India are prepared to assist in exploring all possible methods of settling the Asiatic question, and have offered to enter into conference with the Union Government for the purpose; and any proposals that the conference might make would be subject to confirmation by the Governments of the two countries.

### Bill to be Held Up

The Union Government have accepted the offer of the Government of India, and in order to ensure that the conference should meet under the best auspices have decided, subject to the approval of the Select Committee and Parliament, not to proceed further with the Areas Reservations and Immigration and Registration (Further Provision) Bill until the results of the conference are available.

The Government, the Minister proceeded, considers the assurances which the Government of India have given under the formula to be sufficiently satisfactory to justify the holding of a conference, and to postpone the proposed legislation until the results of such a conference are available, and it has accordingly recommended this course to the Select Committee. It is hardly necessary for me to point out that the successful issue of the proposed conference will almost exclusively depend upon the extent to which public feeling in India as well as in South Africa will allow the respective Governments to co-operate with each other in finding a real and effective solution of the problem. It is equally evident that the new and favourable atmosphere which is required can only be created by the utmost circumspection and self-control, and, let me add, by the absence of suspicion and by the presence of faith on the part of the leaders and peoples of both countries.

### Appeal to Patriotism

In these circumstances I have a right to appeal—and I know that I shall not appeal in vain—to the good sense and wise discretion and patriotism of hon. members of this House when they proceed to discuss the report of the Select Committee on the Asiatic question generally. Inside or outside the House, before the conference is held, I have an equal right to appeal—and I know that I shall not appeal in vain—to the good sense and wise discretion and patriotism of the Press and the people of South Africa. If Parliament should think it worth while to agree to the holding of a conference, then it is

surely worth while to make the most of the opportunities which that conference offers in the interests of South Africa.

Before concluding, I desire to place on record my very high appreciation of the way in which the Select Committee has dealt with this most serious and important question. I may say without any reservation that every member, without exception, has from beginning to end approached the problem without any party considerations, but from a broad South African point of view, and with the sincere intention of serving the best interests of our country.

I also desire, the Minister added, to express on behalf of the Government our very great satisfaction with the way in which the Government of India, including the members of their deputation, have conducted the negotiations and other relations with the Union Government and the Select Committee. By looking upon the subject of our negotiations and by practically dealing with it as a matter solely concerning South Africa and India, they have made a valuable contribution towards the practical recognition of the status of both these countries, and by inspiring confidence in their ability and sincerity they have laid the foundation of that sincere and friendly co-operation between the two Governments which alone can ensure the successful issue of the conference and lasting friendly relations between the two countries.

Having concluded his announcement, Dr. Malan brought up the report of the Select Committee, which was in accordance with the terms of his announcement.

In view of the importance of the matter, Dr. Malan moved that the report of the Select Committee be taken at once. The recommendation of the Committee is that the proposal contained in the Minister's announcement be accepted, and that meanwhile the Bill be not proceeded with.

A further recommendation is that any legislation to be introduced, as a result of the conference with the Indian Government, shall be made retrospective to the date when the Bill would otherwise have come into force and effect.

Dr. Malan at once moved the adoption of the report.

General Smuts (S.A.P., Standerton), in supporting the Minister said: I think there is only one course open for us, and it is to support the Government in the action they have taken. Whatever view we may take of the merits of this very important and serious question, there is no doubt that the Government has considered that further negotiations are necessary. The Government has been actuated by motives—as expressed in this report—motives to avoid unnecessary friction and to come to a solution which might be generally acceptable to the Indian Government and to this Government, and they have reopened negotiations, and have come to an agreement with the Government of India to hold a further conference. I think there is only one course open to members of this House, and that is to support our Government in the action which they have taken, and while we may not entirely agree with the Government on the merits of the matter, I think we are bound to support the Government in the course adopted. I only express the wish so far as this side of the House is concerned that the conference and the negotiations which will ensue will lead to a conclusion the results of which will be really to the benefit of this country, and will lead as far as possible to a lasting solution of this great question. I don't know whether the Minister is in a position to give us any information as to this conference, and where it is to be held. If I am premature then I won't press for it, but no doubt this whole matter will be viewed with very grave anxiety and concern by public opinion in South Africa, and whatever the Government can do to allay the public feeling and to pacify

public feeling, I think will prove helpful in the solution of this great question. From this side of the House I assure the Minister that we have no desire whatever to embarrass the Government in the solution of a question which has proved a most thorny one for all the Governments in this country. We have not the least desire to create difficulties for the Government in this matter. We can only give the Government our blessing. We can only express our sincere wish that the negotiations will lead to a solution which will be generally satisfactory and will safeguard the interests of this country as far as possible.

Mr. Nel (S.A.P., Newcastle) asked what the Minister meant by saying that no vested rights ought to be created, and that the Bill was to be made retrospective. He said that that was utterly impossible in view of the fact that transfers of land to Asiatics were taking place in Natal every day. How then could they make the legislation retrospective, and cancel all these transfers? He wanted to say that the Asiatics in Natal were acquiring all the land possible, and they would never be able to cancel those transfers. They should make provision immediately to stop these transfers of land to Asiatics.

The report was adopted without further discussion.

#### A CHANGE OF VISION

THE statement which we publish in this issue made by Dr. Malan, in the Assembly on Friday last in regard to the Asiatic Bill will apart from the interest underlying it, be read with intense interest by the Indian community throughout South Africa. The Union Government has agreed with India to the holding of a round table Conference. The formula, which has been agreed to by both parties upon which discussion is to be held, will be in exploring all possible methods of settling the Asiatic question in South Africa consistent with the maintenance of the Western standards of life, and any proposals that the Conference might make would be subject to the conformation by the Governments of the two countries. Reading the formula between the lines, we are forced to the conclusion that both Governments will meet with open mind, and with honest convictions, and either side will be free to bring up for discussion any points which constitute the Indian problem. The reference in the formula to the maintenance of the Western Standards of life foreshadows the intention of the Union Government to bring up the economic aspect of the problem, and they also will not fail to bring up the question of voluntary repatriation within its scope. Thus, if our anticipations are correct, the Conference will meet with the sincere intention of discussing frankly all possible methods of settling the Asiatic question. The statement of Dr. Malan, or even the correspondence exchanged between the two Governments does not disclose to what extent the Imperial Government, if at all, will be asked to take part in the discussions at the Conference. We have reason to doubt that the Imperial Government, apart from being posted up with the course of negotiations and the points of deliberations, will ever be asked by the Union Government to become a party to the discussions, for, in the opinion of South Africa, that would give rise to a form of interference by outside parties. And this, if we are right, the Union Government will try to avoid. Although it is not clear from the statement, read with the correspondence published, as to the part the representatives of the South African Indians will be invited to take in the deliberations, yet it would be but right and proper, as

parties primarily interested in the solution of the problem, that representatives of our community should participate in the deliberations of the Conference.

It will be recalled that the South African Indian Conference presided by Mrs. Naidu in 1924 first suggested by way of a resolution the holding of a round table Conference consisting of the representatives of the Union, Imperial, Indian Governments and of our community. Mr. J. H. Thomas, the ex-Colonial Secretary, repeated later the same idea of holding a Conference.

The Indians in South Africa hold a very peculiar position. They are South Africans, and yet they are not, in view of the Constitution of South Africa, which excludes them, excepting in the Cape Province, from becoming citizens, in its accepted sense. As long as they stand as a class unrepresented and disfranchised and can only claim as nationals of South Africa merely by adoption, and birth, Imperial protection must always be vouchsafed to them. This being so, any proposal by the Indian community in South Africa that Imperial interests should also be represented at the Conference will not be unreasonable. Coming to the postponement of the consideration of the Bill, we are grateful to the Union Government that even at the eleventh hour they agreed to the proposal mooted by the community, and persistently advocated by the Government of India. The Asiatic Bill, which hung over the head of the community, like the sword of Damocles is to be held up. We are sure that with the change of vision in regard to the Asiatic question, the whole matter will be debated with "absence of suspicion, and presence of faith." It is too premature yet to say, or even to suggest the course of action the Government of India would take in regard to the building of the structure of the Conference, and to appointing its representatives. But in any event India should take into confidence the South African Indian Congress, and should ascertain the wishes of the community in regard to the delicate work that lies ahead. We feel that Capetown as venue for holding the Conference should prove more congenial.

We know that numerous among the Europeans in South Africa have done silent and sincere work in focussing upon the attention of the Union Government, the desirability of holding a Conference. And to all of them, whose one objective was to see fairplay for the Indians, we are deeply grateful.

## Maritzburg Notes

[FROM OUR OWN CORRESPONDENT]

A deputation representing the Natal Chambers of Commerce met the Administrator of Natal, and members of the Provincial Executive in regard to the discussion of certain proposals, which, it is said, the Executive was contemplating with a view to a fresh taxation. It is considered that the imposing of taxation is necessary to meet heavy deficits. The Administrator heard the views of the Deputation sympathetically, and assured that the recommendations submitted by them would receive the earnest consideration of the Executive.

There were two candidates in a bye-election to the Council for Ward IV namely Mr. A. E. Harwin, and Mr. Hugh Brown. Both these gentlemen represented Ward 7 and 8 where Indian votes predominate. Mr. Brown in seeking election failed to receive the support of Indians, because of his Anti-Asiatic views. Seeking a seat in Ward IV, which is purely controlled by European votes, he strongly favoured the policy of segregation and

of refusing the issue of licences to Indians in the upper part of Church Street. Mr. Harwin, his opponent, discarded politics, and assured the voters of doing his best in the interest of the City. The polling took place on Friday and resulted in Mr. Harwin, who is a level headed business man, being returned. The voting was: Mr. Harwin, 268; Mr. Brown, 219.

A requisition has been signed by interested Europeans with a view to asking the Mayor of the City to call a public meeting to protest against the decision of the Union Government in shelving the Asiatic Bill for the present, as a result of agreement reached with India to hold a round table Conference.

## Opinions on the Malan Statement

### Swarajists on the Western Standard

We call the following from Reuter's reports:—

Pundit Motilal Nehru, Member of the Assembly, and leader of the Swaraj Party, interviewed by Reuter regarding the statement by Dr. Malan, congratulated both Governments on the results achieved. He said, however, that he felt that the condition regarding the maintenance of the Western standard of life was very vague, and might create difficulties, but he hoped that broadminded statesmanship by both sides will overcome such difficulties.

### Allahabad Opinion

The *Pioneer*, Allahabad's leading newspaper, in voicing the general opinion of the country, says it must be recognised that the Union Government has shown no little courage in meeting the protests made by Lord Reading's Government, and the views of the energetic but diplomatic deputation which is now returning with much credit to its account.

The South African Government have frankly and firmly made one reservation, which anyone acquainted with South Africa would know was vital to their existence, but the whole tone of the formula, which the two Governments have been able to issue, is so friendly that if General Hertzog has to be congratulated on his readiness in face of difficulties to understand the Indian case, the Government of India and the Indian Legislature have equally to be congratulated on the wisdom which lent them patience, and made them eschew a provocative attitude.

The paper adds that it is dangerous to prophecy; but India will probably find, before many months of 1927 are out, that in this matter at least Lord Reading's way has been more practically and finally beneficial than Lord Hardinge's way.

### Indian Press Opinion

The Indian Press unanimously welcome the Union Government's decision on the Indian question, which is hailed by the moderate Indian organs as "Good news from South Africa," and by extremist organs as "The dawn of sanity."

The satisfactory result is ascribed to the efforts of Abdurahman's deputation, to the Rev. Andrews, the Paddison deputation, and Aga Khan's speech.

Even the extremist organs do not grudge a meed of praise for the Government of India. All urge the most careful selection of terms and personnel on both sides.

Voicing European opinion the *Evening News of India* says that General Hertzog's Government has given abundant proof of a desire and solicitude that the Conference should start its handicap under the best auspices.

### Mahatma Gandhi's Opinion

"I tender congratulations to Hertzog and Malan upon having risen to the occasion." Thus Gandhi concludes a statement to the Press, in which, re-

ferring to the Union Government's proviso, he says that its acceptance by the Government of India does not much matter.

The Union Government is undoubtedly entitled to safeguard what they call the Western standard of life by just and legitimate means. Gandhi adds that if the Government of India insists on the provision be strictly interpreted, all will be well.

Turning to the forthcoming Conference, Gandhi says: "The Indian settlers have nothing to fear from the most searching inquiry. I make bold to say that at the end of the inquiry it will be found that the only crime which can be proved against them is that they are Asiatics. The economic question was laid to rest when, in 1914, all fear of unrestricted emigration from India was absolutely laid to rest. The figures produced before the Select Committee proved that the numerical strength of the Indian settlers was decreasing, while that of the white settlers was increasing. Indian trade licences were also dwindling. If only South African statesmen would face the facts squarely, it would be found that there is no case against the Indian settlers, but at the present moment I want neither to anticipate nor criticise. I have nothing but a feeling of relief and thankfulness."

### Local European Press

In the course of a leading article the *Natal Mercury* writes:—

"We welcome with heartiness, even enthusiasm, the decision of the Government and the House of Assembly by which the representatives of South Africa and of India meet together in conference in an endeavour to settle amicably and justly South Africa's Indian problem. We welcome it particularly because it shows that Dr. Malan and those who think with him, . . . have realised that the solution provided in the Asiatic Bill . . . is no solution at all. We have previously drawn attention to the injustice of certain provisions of the original Bill, and to the effect which their adoption would have upon our relations with India, and have suggested that South African public opinion whilst demanding a solution of present difficulties was not in favour of any action which did not give the Indian a fair deal. Dr. Malan at the eleventh hour, perhaps it is only the tenth hour, has realised this, and with the assistance of the deputation from India, has elaborated a formula which releases him from an almost impossible situation and permits him to make a fresh start in re-creating satisfactory relations between the two Dominions—the description may not technically apply to India but it expresses not inaptly her position, or at any rate the position which most South Africans regard her as occupying.

" . . . It is evident that as the result of discussions which the Prime Minister and Dr. Malan have had with the deputation from India they have realised that an endeavour to give effect to the Asiatic Bill would only increase present ills rather than diminish them, and that they are prepared to seek alternative solutions. It is possible, even probable, that alternatives have already been outlined; this may become apparent when the evidence given before the Select Committee by the deputation from India becomes available, and indeed it is reasonable to suppose that this postponement would not have been acceptable to Dr. Malan had he not seen that it was possible to work out a compromise which would meet South Africa's needs and yet meet India's susceptibilities. If it can be done we shall welcome it as cordially as anyone. . . . We want to protect "our Western standards of life"; we want to give a fair deal to the Indians in South Africa. There appears some prospect of achieving both ideals as the result of a round-table conference, and we therefore cordially approve of the decision of the Government which the House of Assembly adopted.

### "The Star"

*The Star* (Johannesburg) in the course of a leading article writes:—

We heartily welcome the statement made in the House of Assembly by the Minister of the Interior, and we endorse every word that he said regarding the imperative need for an amicable solution of the Asiatic question in South Africa. We have never seen any hope of a permanent settlement save by consent and along lines of co-operation between South Africa and India. There is really no other way. The particular difficulties which confront us are distinctively and essentially a South African problem due to conditions and circumstances peculiar to South Africa. But they are also, although in a different sense, an Indian problem, because the Government of India could no more afford to be indifferent to the interests and treatment of the Indian community in South Africa than the Union Government could afford to be indifferent to the interests and treatment of South Africans, if a large number of the latter were settled in India or some other Asiatic country. South Africa and India, as the two countries most directly affected, must seek and find a friendly statement. On the one hand there has been foolish insistence on the right of the Imperial Government to advise the Crown to exercise the prerogative of the veto. Some day we may have an Empire organisation which will permit of the reference of inter-Imperial differences to some inter-Imperial tribunal; but under existing conditions the exercise of the veto at the instance of the British Government would not mean a settlement, and it might easily impose a dangerous strain on the unity of the Empire. On the other hand we have had equally foolish insistence on the right of South Africa, as a fully autonomous nation with unfettered control of its domestic affairs, to do as it pleases. No country, whether within an empire or commonwealth or outside it, can afford to do as it pleases. There are well-defined limitations to complete freedom of action whether by nations or individuals. A domestic question in one country, if the issues at stake touch the honour and interests of another country, at once becomes an international question, and the only alternative to an amicable agreement is resort to reprisals or to the arbitrament of force in one form or another.

A very little reflection should serve to show that in the particular matter under discussion there is no safe alternative to a solution along co-operative lines. Suppose, for example, that South Africa were to force through legislation in the face of the strong objections and protests of the Indian Government and people, and that the legislation was allowed, however much disapproved of by the Imperial Government—we use the word Imperial in this connection although it is rapidly becoming obsolete. What, then, would be the position? We would have made an enemy of our neighbour among the great States within the British Commonwealth, and that feeling of deep hostility would be shared by the whole of the East. But leaving all this, and the possible ultimate consequences thereof, out of the question, our domestic difficulties would become acute. . . . Between the extremists on either side there is a powerful body of moderate opinion both in South Africa and India which appreciates all the difficulties and is genuinely anxious to remove them by a wise, equitable and amicable settlement. It is to this body of opinion that Dr. Malan appeals when he urges the creation of "a new and favourable atmosphere," and we earnestly hope that his appeal will meet with a wide response. Without the right atmosphere there can be little prospect that the results of the round table conference will be successful. It is of vital consequence to South Africa, to India and indirectly to the Empire that they should succeed. Dr. Malan in his effort to find a solution

which will be mutually acceptable is adopting a sane, practical and statesmanlike policy, and his statement was admirable both in substance and style. His fine tribute to the Government of India deputation will be subscribed to by all who came in contact with its members.

### "London Times"

Commenting on the postponement of the Areas Reservation Bill the *Times*, in a leader, says: "It transfers an extremely difficult problem to a new plane of discussion, and rescues it from the dangerous vicissitudes of controversy at long range. A link of reasonableness has been established between India and South Africa, and the danger that South Africa might decide the complicated issues involved in the Bill on purely local grounds without reference to India is now definitely removed."

The article further says: "The courage of General Hertzog and his colleagues in taking a far-reaching decision that will require of them very full explanations in view of the strength of feeling in the country, has its parallel in the restraint and skill with which the members of the Indian deputation have argued their case. The conference thus agreed upon will be of exceptional importance because of the large questions of principle and policy that its discussions will raise."

### Venue Under Consideration

The Minister of the Interior (Dr. Malan), on being interviewed by Reuter, expressed appreciation at the manner in which the Indian Press has received the news of the agreement to hold a round-table conference.

In discussing the question as to whom the credit was due, the Minister declared that the Abdurahman deputation had absolutely nothing to do with bringing about the result achieved. Any result achieved had been obtained in spite of Dr. Abdurahman and his deputation.

Answering a question as to the probable venue of the conference, Dr. Malan said the matter was now being discussed, and up to the present nothing had been decided.

In the course of further remarks the Minister emphasised that the success of the conference would to a very large extent depend on the attitude taken up by the leaders in their public statements, and by the Press and the people generally. It was possible to-day, he said, for the people of India to make or mar the conference by the way in which they made it easy or difficult for the Government of South Africa.

In conclusion Dr. Malan emphasised that the conference would in no way be connected with the Imperial Conference in London.

## Indian Legislative Council

### Full Text of Debate on the Asiatic Question

**THE HONOURABLE SIR ALEXANDER MUDDIMAN** (Home Member):—Sir, before you call on the Honourable Mr. Jinnah to move the resolution which stands in his name, I crave your indulgence and the indulgence of this House to make a statement.

**MR. PRESIDENT:**—If the Honourable Home Member desires to make a statement in connection with the question to be raised by the resolution of Mr. Jinnah, I could not allow him to do so unless Mr. Jinnah agrees to that course being adopted.

**MR. M. A. JINNAH:**—I am always glad to hear from the Government any statement that they may wish to make on the floor of this House as they so seldom do so.

**THE HONOURABLE SIR ALEXANDER MUDDIMAN:** I am glad that my prayer has met with your approval and I hope also the approval of the House.

Sir, my ground for asking leave to make a statement is that the matter which may come under the consideration of this House is one of the greatest importance on which I do not think there is any difference of opinion as to the object to be achieved on the part either of the Government or of any member of this House, or of the people of India generally. I am at any rate convinced that as regards the mover of the resolution his one object, I am sure, is to strengthen and not to weaken the hands of Government. Sir, I should like to make my own personal position in this matter as leader of the House clear. In the first place the resolution on the paper to-day, and the meeting of the Assembly to-day, is to fulfil a pledge I gave on the 28th January last. On that occasion, Sir, I said:—

"The discussion of the motion and the amendment at this particular juncture will, in the considered opinion of the Government of India, prejudice the position in South Africa where negotiations are at a very difficult and critical stage."

Since then the matter was raised in the House of Lords on the 28th February, and the Noble Lord Olivier, in withdrawing his motion, made the following remarks to which I would draw the attention of this House:—

"The steps which have been taken by the Viceroy, in consultation with the noble Earl, have certainly improved the situation in so far as they enabled the whole principle of the Bill to be again discussed, and after we know the result of those steps then, I entirely agree with the noble Earl, will be the time for us, if necessary, to press His Majesty's Government for and further disclosures of their policy or their intentions."

On that Lord Olivier withdrew his motion.

Now, Sir, the position with regard to the Select Committee which, as the House knows, is sitting in South Africa, is precisely the same as when the House of Lords postponed discussion. The Select Committee is still sitting and is still at the stage of hearing witnesses. Their report is not expected before the end of the month. The published correspondence shows that the Government of India have done everything in their power to represent the Indian case and to secure an acceptable settlement. I will not ask the House to accept my assurance, though it is not necessary to do so as His Excellency has already spoken on the point. However, I renew the assurance that the Government of India will continue to spare no effort to secure that the Asiatic Bill is not proceeded with and to effect an acceptable settlement of the other points at issue. Of the eventual issue it is not possible to make any forecast, but of one thing I feel sure and that is that the discussion at this stage of certain clauses of the resolution cannot be helpful and may seriously jeopardise any prospects there may still be of a satisfactory settlement. I am confident that no member of this House, and in particular the member in whose name the resolution stands, will not desire to contribute to such a result by any action on his part, and therefore I ask him, after hearing my statement, not to make his motion.

**MR. M. A. JINNAH:**—Sir, I have listened to the statement made by the Honourable Leader of the House on behalf of the Government. I fully realise the situation that is facing us at the present moment. On the 17th of February, 1926, Dr. Malan, the Minister in charge of this Bill in the South African Union Parliament, stated as follows:—

"So far we had turned down two very important requests of the Government of India, and under these circumstances we realise that the feeling was springing up in India, and also among the Indian community in South Africa, that we were forcing through this most im-

portant legislation in which they were so vitally concerned, not only against the will of the Indian community and the will of the Government of India, but forcing it through without giving them any proper opportunity of laying the case of the Indians before the Government of this country and before the Legislature."

From this it will be obvious that the South African Government have realised the intensity of feeling not only in this country amongst all sections of the people but also the intensity of feeling of the Indians in South Africa whose vested rights are in jeopardy if this measure is passed. Sir, he further proceeded to say that :—

"We felt that it was only right to attach certain conditions and safeguards. We felt it was necessary to do this (that is, the course that they adopted) because this was under the circumstances prevailing in South Africa and this House an unusual procedure (the unusual procedure being that the order to move the second reading of the Bill was discharged and a Select Committee was appointed.)

And further he recognised that the Government of India had taken up a very clear and precise position, and in his own words he says this :—

"We fully recognise that our proposals (that is, the Government of India's telegram) have been given the fullest consideration, and we further understand that the offer now made to us involves departure from the normal parliamentary practice and procedure. We see in it another proof of the desire on the part of your Ministers to find a solution of this problem."

The telegram added that the Government of India accept of the offer to let the Bill go to the Select Committee before the second reading and noted with satisfaction that the terms of reference would be sufficiently wide to include the principle of the Bill. They assume that the representatives of Indian opinion in South Africa would have an opportunity of presenting their claims which they felt sure the Union Government would agree would not fail to assist the Committee enormously in their task.

Now, Sir, I fully recognise that that Select Committee has not concluded its labours, that it has not yet made its report and, to put it in legal language, the matter therefore is *sub judice*. And Sir, nothing is further from my mind than to weaken the Government of India or their position in relation to the negotiations which are going on, and I shall be the last person who by doing it might enable the Government of India to say that because of your actions we lost this battle which is a forlorn hope in my opinion, if no other reason, for one reason alone, that we on this side would not like to come in for the slightest blame by doing anything which might be said to have frustrated the object we have had.

Therefore I am in this very difficult and delicate position, and I have therefore no desire to move this resolution at this moment. But I would draw the attention of the Government to one fact and that is that Dr. Malan, in this very speech of his which I have read, says that this piece of legislation must go through before the end of the session of the Union Parliament, which is about the end of May. Supposing the Government of India, who are doing their utmost—and I recognise that there is complete agreement between them and us—fail and this Bill is passed through before the end of this session, where shall we stand? This Legislature will be deprived of the opportunity of pressing its opinion and making the recommendations, particularly the last recommendation which is contained in my resolution. This is a matter of the most vital importance; you know the intensity of feeling through-

out the country. I would therefore request the Government that, in this matter, they should go to the length of calling a special session of this Assembly, if necessary, at an early date and give this Legislature an opportunity of then recording its opinion and supporting them further in the event of there being a disaster. (Applause).

THE HONOURABLE SIR ALEXANDER MUDDIMAN (Home Member) :—Sir, I recognise that my friend has adopted what I think this House will consider a statesman-like course in the action he has taken, and I thank him on behalf of the Government, but much more on behalf of the people of India, whose interests might otherwise have been seriously prejudiced. I notice he has referred to the negotiations and has feared an ill issue; on that it would be improper for me at this date to express an opinion, though I myself think that if one goes into negotiations with a defeatist feeling it is more likely to lead to defeat. I, though not very optimistic, am perhaps more optimistic than he is.

In regard to a special session in the event of things going wrong, it is not open to me to give any final pronouncement because, as my honourable friend well knows, the calling of the session rests with the Governor-General, and it will rest with a Governor-General who is not yet even in the country; but I can promise that this debate will be laid before him at an early date on his arrival.

## Indians in South Africa

(Continued from page 115)

I tried to impress upon my European friends in South Africa the fact that the Indian is capable of unlimited suffering. He has become accustomed to sorrow, repression, and disabilities. His patience is one of the loveliest things in the world, and anyone who knows the Indians will say without hesitation that, no matter what restrictions are placed upon them, they will bravely suffer and will continue to have their proportion of success. One of the chief Government representatives, who is responsible for the present Bill, stated publicly that one of the purposes of the Bill, whether or not all its provisions could be made effective, was to make the position of the Indians in South Africa so unbearable that they would voluntarily leave the country and 'go back' to India. In this respect, the Bill will fail of its purpose. Indians will repeat the experience of the old magnificent Israelites under Pharaoh in Egypt. The Scripture says of them, 'The more they afflicted them, the more they multiplied.'

Measures of repression have always recoiled more upon the persecutors, than they harmed the persecuted. The difficulty with the modern white man is that he ignores the lessons of history. The Indians of South Africa are not going to leave South Africa. They are there to stay. The Government of India has made itself clear upon one point. The Viceroy and all his legislators have refused to treat upon any platform which involves repatriation. Should the Government of India at some future time change its mind, this would not materially affect the situation, because neither the Government of India, nor the Government of South Africa has the right to dictate the destinies of these legitimate and rightful citizens of the land of their birth and residence. They have the same rights that the white men have. The forefathers of both were immigrants. This may well be the question upon which the worth of citizenship within the British Empire may have to be decided. The Indian in South Africa asks, 'What advantage does a citizen of the British Empire have?' South Africa is a part of the Empire; India is a part of the Empire.

Yet an Indian does not have as many privileges as a citizen of America, or of France, or of Germany, or of Japan in South Africa. The passports of these independent citizens guarantee more rights and privileges than are accorded Indians who are actually citizens of the Empire itself. Under the conditions which prevail in South Africa, I have heard many British men, as well as scores of loyal Indians say, that citizenship within the Empire as a whole, means practically nothing where matters of racial privilege are concerned in the different dominions. How long can this condition prevail?

White South Africans quite freely express their approval of the anti-Asiatic Bill, and the policy of segregation, on the ground of their fear of intermarriage. This is always the final plea of the racial jingoist. Now let us look for one moment at South Africa, and other countries in this respect. India, with a population of 320 millions, after several centuries of contact with white residents, has only a few hundred thousand citizens of mixed blood. The United States of America, with a population of 110 millions, after almost three centuries of living together, has a population of only a few hundred thousand mulattoes. Segregation is more consistently pursued in South Africa than in most any other country of the world. The cities are divided on racial lines; society is divided along racial lines; sports, commerce, education, religion, and practically every relationship of life is carried on in strict racial compartments. Yet in South Africa, with a population of 5,000,000 blacks and 1,500,000 whites, there are nearly a million people of mixed blood. I will not pursue this subject at great length, but will frankly state that in the country where segregation has been tried with unprecedented thoroughness, the largest percentage of mixtures prevails. Is it not true that in the countries where the white race has the least respect for the coloured, illicit relationships are most frequent? The reason is that if a man respects a woman, his inherent attitude towards her is one of chivalry, whilst if she is to him a mere human inferior it is easy for him to descend to an unethical relationship. The only safety of the several races with respect to miscegenation is that every race be raised to the highest possible cultural standard, so that there will be mutual respect, understanding and freedom.

The new anti-Asiatic Bill, which has passed its first reading in the Parliament, and which bears the dignified title 'Areas Reservation and Immigration and Registration Bill,' provides for the strictest application of the principle of racial segregation in residence and trade. Its author, one of the Cabinet Ministers, states in his introductory address, that the Indian is 'an alien element in the population and no solution of the question will be acceptable to the country, unless it results in a very considerable reduction of the Indian population.' This shows the purport of the entire Bill, namely, the extermination of the Indians. This is its frank and avowed aim. The white settlers and immigrants overlook the fact that they too are 'an alien element' in the African population. One alien element, now in power, is determined to exterminate another element, now politically helpless. The ethical weakness of this position is manifest.

The most rigid restrictions and limitations are outlined. To detail them would be merely a repetition of the humiliations described elsewhere in this statement. Practically all of these proposed restrictions now prevail in the Transvaal, and yet the 12,000 Indians in that Province are regarded as the greatest menace which the white population faces. If the new Bill becomes effective and the same restrictions which are now placed upon Indians in the Transvaal become general throughout the Union, what guarantee is there that the Indian community will become any less a menace? If these proscribed people in the Transvaal, under all these intolerable

restrictions, are so successful as to give the European traders such alarming concern, then why will they not become an increasing menace throughout the Union when the same restrictions prevail generally?

I have been reluctant to make any public pronouncement concerning the Indian situation in the Union of South Africa. This hesitation arises from the fact that the racial divisions and prejudices on the African continent are the most pronounced that I have ever encountered. It is, therefore, very easy to arouse animosities, no matter what one says.

The problem is difficult and there seems to be no apparent solution for the immediate present. The proposed anti-Asiatic Bill is not a solution, but an irritant. If adopted, it will accomplish no purpose, other than to aggravate the Indian population through persecution, to deepen its sense of martyrdom, and to raise up friends for the Indian community throughout the world. I sincerely trust, therefore, that true statesmanship will prevail, and that the Union Parliament will recognise the impracticability and un wisdom of the present proposal. If I were a white citizen of South Africa, I would regard the Bill as a direct attack upon the best interests of the white community, even though directed against the Indian. The indirect harm to the white community would be far greater than the direct harm to the Indian. Measures of repression and programmes of extermination have been proved by history to mean the decay of the virtues and powers of the perpetrators rather than of the persecuted. Greece, Rome, Russia, and many other examples may be cited, both in the political and the economic world.

The Indians, through all time, have had great capacity for suffering, and the Indians of South Africa are determined, in this regard, to live up to the highest tradition of their race. If a cross is forced upon them, it will be a cross of victory.

Believing that the problem will only be accentuated by the present tendencies, and that is one of paramount importance, I am persuaded that the only satisfactory adjustment will be found through friendly conferences, in which representatives of the Empire, India, the Government of South Africa, and the Indian community of South Africa, may hear and study all phases of the question. In such a way, some amicable agreement may be arrived at. Much will depend upon the spirit in which the two communities act. Protest alone, or persecution alone, will be unavailing. Both sides in the present conflict must see the whole problem and meet each other in a friendly and frank determination to find a solution which will guarantee life, liberty and progress for all concerned.

Mr. Rooknoodeen, General Commission Agent, of Durban who had been on a visit to India is returning per s.s. *Khandalla* and is due to arrive in Durban on the 5th May.

"INDIAN OPINION"

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