

# Indian Opinion

VOL. VI.

PHOENIX, NATAL, SATURDAY, JUNE 27TH, 1908

No. 26

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## Indian Opinion

SATURDAY, JUNE 27TH, 1908.

### Revival of Passive Resistance

It is a thousand pities that General Smuts has, while yielding on the question of the repeal of the Asiatic Act, taken up an obstinate position on mere matters of detail and of no significance from a Colonial standpoint. General Smuts' attitude savours very much of straining at a gnat and swallowing a camel. He has taken all the grace away from his offer to repeal the Act by robbing it of all advantage to the Asiatics of the Transvaal, and it is hardly to be wondered at that British Indians have summarily rejected an offer which, in effect, places them, as a body, in a worse position than they occupied before the struggle. It is true that the bait was held out by the General in the shape of easing the position of those who were included by him in the repealing Bill. To the credit of the communities let it be said that they have not taken the bait. As passive resisters, they could not, in order to gain a position for themselves, barter away the rights of others who were just as much entitled to remain in or enter the Transvaal as they themselves. The proceedings of the Mass Meeting show unmistakably that Indians are just as much deter-

mined as ever to see the fight to the finish, and this time they will command far greater sympathy and help, and, if General Smuts has the slightest regard for the Empire, to which he belongs, he will still, while there is yet time, refrain from unnecessarily wounding Indian feeling.

### Indian Nationality

A contemporary, discussing the present position in India, remarked that "India is not, and never can be, in any sense, a nation—rather is it, like Europe itself, a complex congeries of races, with widely-differing religions, opposing constitutions, distinct manners and customs." It all sounds sweeping and conclusive, and one is led to believe that there is nothing more to be said on the subject. But there is. History is not dogmatic. It is the revelation of the unexpected, the realisation of the impossible, the refutation of the propa't'e. Let us take but a few simple instances.

Reading John Richard Green's "Short History of the English People," who would have thought that the warring Teutonic tribes, that invaded England, half Christian, half-barbaric, would, in so short a time, have federated all their conflicting interests, and, in but little time longer, unified them into one imposing national fabric? Yet it was done in those slow-going days, almost in a flash—we speak comparatively, of course.

Who would have thought that the Puritanical New England States would have expanded to absorb, without apparent discomfort, the large Catholic French and Spanish settlements of the Mississippi and the Caribbean Sea, and would, with their growth, have engulfed the hundreds of thousand of immigrants from all the four corners of the world—Catholic Irish peasantry, British Nonconformist Settlers, Polish and Lithuanian industrialists, Italian workers, Russo-Jewish political refugees—and welded them all into that marvellous entity, the American nation? Yet it has been done in a short hundred years. And, as for Europe itself, are there not those who look forward to a confederation of European States?

Who would have thought, at the time of the Louis Real Rebellion in Lower Canada, half a century ago, that French and English Canadian would, in the briefest possible time, unite to form a great Canadian people which, at this moment, is assembling to commemorate the deaths of the British Wolfe and the French Montcalm on their common field of battle? Yet we have, amongst the Empire's

greatest statesmen, the Franco-Canadian Laurier, Prime Minister of the Dominion, co-operating heartily with the Scoto-Canadian Strathcona, the High Commissioner for the Dominion in London.

And coming nearer home, who would have conceived, after the bloody South African war of 1899-1902, in which every man's hand was against his brother, where blood-relatives fought on either side, that the two apparently bitter and irreconcilable foes would so thoroughly and so earnestly settle down, within five years, to promote the realisation of a great South African nationality and the unity of common interests? Yet we see it being done under our own eyes to-day.

History, indeed, is full of miracles. A hundred years ago, Britain and America were double-shooting their guns against each other, and no-one protested; to-day, a war between the two countries would be regarded as a crime against humanity. Who, reading the story of the hideous internecine fighting amongst the petty German Principalities or Italian States, would ever have credited the possibilities of the German Empire and the United Italy of to-day? Circumstances brought forth the men who made them possible, and the men created the circumstances that perpetuated them.

And what of India? Why should not similar phenomena occur there? The country is homogeneous. Its people are, on the whole, peaceful, docile, and apt. They are moved by deep religious emotion, and their sense of duty is as lofty as the faiths inspiring it. Be they Hindu or Mahomedan, they are all Indians, often of the same blood and race as the other. Three-fourth of the people follow one faith, in its various forms, and one-fourth, another faith. Both are co-operating, wherever bureaucratic influences permit, in the development of a higher national life. A common language unites the more thoughtful members of the various sub-divisions of the people in different parts of India. Once remove the sinister maxim, *Divide et impera*, and they would remain together as closely as they did before the British rule. Time and time again we find Mussulman sovereigns with Hindu Ministers, and Hindu sovereigns with Mussulman Ministers. In the villages, except in exceptional instances, Hindu and Mahomedan live in peace and amity with each other, and we have seen how all sections of our own South African Indian community united to fight as one people against the Transvaal Registration Law, and will do again and again, in proportion

as the national instinct becomes stronger and stronger.

All the more educated and thoughtful men are becoming more and more imbued with this spirit. All their actions and advice are based upon a growing appreciation of a known fact. The *Gita* verse, "What wise men do the multitude follow," is truer, perhaps, of India, with its patriarchal system of domestic and internal government, than of any other country in the world. We all are impressed by the unrest and seething turmoil existing equally in Bengal, the Punjab, Bombay, and Madras. Could anything be more natural than this ferment? It is the movement of a people striving to realise its unity and nationality. Perhaps no apter words were said than when Mr. Bernard Shaw declared, in his preface to "John Bull's Other Isle": "A healthy nation is as conscious of its nationality as a healthy man of his bones. But if you break a nation's nationality, it will think of nothing else but getting it set again. It will listen to no reformer, to no philosopher, to no preacher, until the demand of the Nationalist is granted. It will attend to no business, however vital, except the business of unification and liberation."

And that is the story of India today! British statesmen would be well-advised not to misread the symptoms.

WE ARE GLAD TO NOTE THE NEW spirit that is moving the Natal Labour Party in regard to its outlook upon matters Indian. The *Natal Mercury's* report, which we reproduced last week, shows an appreciable advance, in the Party, on the subject of the treatment of the non-indentured Indian. Mr. Connolly deserves the Colony's hearty thanks for his manly stand, both at Ladysmith and Durban, against what he did not hesitate to call "a contemptible and unwarrantable act of oppression and injustice." Our own estimate of the Government's anti-Indian Licensing Bills could not have been more concisely or neatly put. Without desiring in any way to bind the Indian community to the economic programme of the Labour Party, we may nevertheless associate ourselves with that Party cordially in its adoption of a report condemning any policy of differentiation between the public treatment of Europeans and Asiatics. It is regrettable that Messrs. Palmer and Hagger should not have been able to overcome their anti-Asiatic bias, and have shown the same broad common-sense as their Parliamentary colleague, Mr. Connolly. But the latter has good reason to be proud of his spade-work, and if the great ideal of justice, that he has placed before his Party, necessitates the elimination therefrom of those who cannot

escape from the toils of race and colour prejudice, he will learn that, as in the case of passive resistance in the Transvaal, the abstentions will make for the greater strength and solidarity of those who remain true to the ideal.

#### THE MONTHLY MEETING OF THE Lower Tugela District Association held last week was noticeable for two things. The

one was the lengthy speech of Mr. W. F. Clayton, M.L.A., who moved a strong resolution frankly condemning the Government's Bill to abolish indentured Indian immigration in three years' time. The other was the opposition of Mr. F. Addison to the principle of the new licensing Bill refusing new trading licences to Indians, on the ground that "it was an unjust Bill." Yet another Saul amongst the prophets! In regard to Mr. Clayton, it is a fitting preface to his remarks to recall that he was the gentleman, if our memory is not at fault, who opined that his children would rather derive squatters' rents from the land he might be able to leave them than cultivate it themselves. From such a model parent much may be expected. Mr. Clayton wants indentured labour at any cost. To him, free labour is abhorrent. He cannot see any virtue in it—it is too unreliable, independent, and costly. Thank goodness! That is one of the chief reasons why we want the Bill to go through, and why we are certain that it will not go through. We want to see Indian labour free and independent, able to demand a living wage, so that the manner of life of the Indian labourer may more nearly resemble that of a human being, than that of an ill-kenned dog. Unfortunately, against us we have the massed forces of vested interests based upon an anxiety to secure chattel-labour at a price that imposes upon the labourer all the disadvantages and discomforts which are natural concomitants of the indenture system. Mr. Friedlander, too, who regaled his audience with the narrative of his Indian experiences, seems to be one of those amazing individuals who cannot conceive of such a condition as the freedom of labour. His expression of horror that "in one place (in India), where there was only free labour, the employers were absolutely in labourers' hands," is the sort of thing that one would like to keep on a phonographic record, as an example of a prehistoric survival of the early part of the twentieth century! When the labourers are absolutely in the master's hands, as in Natal, we know what happens. The suicide-rate is three times what it would be were the labourers free. Let Mr. Friedlander contemplate that *with equanimity*—if he can!

WE DRAW THE ATTENTION OF OUR Chinese friends to the amended definition of the term "Chinaman" contained in the regulations issued under the provisions of the Cape Chinese Exclusion Act. The new definition illustrates the spirit of arrogant intolerance contained in the Act itself. The suggestion that a descendant of a Chinaman, who has married a non-Chinese, may, if he prove to the satisfaction of the Minister that he no longer possesses Chinese characteristics, secure exemption from the Act, is a studied insult quite in keeping with the suggestion in the Transvaal Registration Act that approved Indians would be legally permitted to secure spirituous liquor and degrade themselves with it. Probably, the Cape Chinese community will not leave this matter where it stands. We should certainly be surprised if they consented to submit to this wanton attack upon their Chinese nationality.

### Southern Rhodesia Parliament

#### Asiatic Registration Ordinance

(FROM OUR OWN CORRESPONDENT)

Salisbury, (Monday, June 22.)

The third reading of the Asiatic Registration Ordinance was passed to-day.

Our Correspondent telegraphs that Umtali and Salisbury Asiatics are resolved to take further constitutional steps to oppose the coming into law of the above enactment.

London, June 24.—The British Indian Committee has made representations to the Colonial and India Offices against the Asiatic Bill now before the Rhodesia Council, and state that they would deplore a repetition of the trouble which occurred in the Transvaal.—Reuter.

London, June 25.—The Chartered Company, interviewed by Reuter, declared that the Asiatic legislation in Rhodesia was most essential to prevent the Colony from becoming a dumping ground for Asiatics from other States. They did not desire to make the legislation distasteful, or necessarily totally to exclude Asiatics, and there would be no necessity to have recourse to the finger-print system.

The Natal Indian Congress have received a telegram from the Salisbury Indian Association, Rhodesia, stating that the Asiatic Ordinance was passed and that it was considered much more drastic than the Transvaal Act.

[A full report of the debate will appear next week.—Ed. I.O.]

## House of Lords Debate

### Indian Traders in Natal

On Tuesday, May 19th, Lord Amphill rose to "call attention to the statement concerning the Municipal Corporations Act and the Dealers Licences Act of the Colony of Natal, made by the Secretary of State for the Colonies on the 6th inst. that there were no papers to be laid." He hoped that on the present occasion Lord Crewe would be able to lay papers and to give the House some indication of his policy. The Dealers Licences Act, which was passed in 1897, had placed the Indian trader in Natal completely at the mercy of his European competitor. The licensing boards, composed solely of Europeans, who were often the actual trade rivals of the Indians, had unlimited powers of granting or refusing trade licences or renewals, and there was no appeal from their decisions to the Courts of the Colony. These boards were using their powers in the most high-handed and unjust fashion. They had refused the renewal of licences to Indian traders on the flimsiest of pretexts. Some of the Indians, who were thus deprived of their means of livelihood had been resident in Natal for 20 or 30 years, and had made the Colony their home. Apart from the injustice and inhumanity of this policy to drive the Indian traders out of the Colony, it was both shortsighted and ungrateful. It was shortsighted because the Colony could not do without the Indian coolie labour, and it could not have that labour unless the Indian traders were allowed to remain; and it was ungrateful because it was not too much to say that it was the Indian traders who had saved the Colony from ruin, and that the Colony would become bankrupt to-morrow if the Indian traders were to leave. The Indian population in the Colony was 100,000. Of these 40,000 were indentured labourers, and the remainder were free Indians, of which the great proportion were women and children. He did not deny the right of any colony to limit or restrict the immigration either of Indians or of any other people; but he contended that such measures, affecting any section of His Majesty's subjects, should be so framed that there could be no suggestion or suspicion that the exclusion was made on grounds of colour or race prejudice, but was made solely for economic reasons. In 1896 the free Indians in the Colony were deprived of the political franchise. By the Municipal Corporations Act it was now proposed to deprive them of the municipal franchise. Why had the Government not protested against this proposed disfranchisement? Meanwhile the persecution of Indians under the Dealers' Licences Act had been going on apace. It was idle to say that these were domestic concerns

of the colony with which we might not interfere. The fact that the South African colonies were not alone concerned was amply demonstrated by the feeling in India. The Government interfered to save the Chinese, who were not our fellow citizens, from what they termed ill-treatment; by what quibbling could they deny that their right and their duty to protect our Indian fellow subjects was far greater? The Government had done nothing, because they were not trusted by the colonies, and because they were not on friendly terms with the colonies. At the instigation of a meddling section of their supporters they had treated the colonies unfairly in matters which were really not our concern; they had interfered in the matter of martial law and in regard to Dinizulu; and it was on account of that interference that the colonies were flouting them now, and that the Government knew that any protests they made would not be listened to.

The EARL OF CREWE said there were two so-called Acts concerned in this matter. One was the Dealers' Licences Act, which was enforced, and the other was the Municipal Corporations Act, which was not enforced, although the speech of the noble lord might have led any one to suppose that it was at this moment the law of Natal.

LORD AMPHILL: I said clearly the Government reserved it in order to make a bargain.

The EARL OF CREWE said it was true that Lord Elgin did, when the Prime Minister of Natal was here, propose what the noble lord called a bargain, and the reason for doing so was this, that it might undoubtedly be somewhat of a grievance to the Indian to lose his municipal vote, but the advantage of getting the appeal as to the Dealers' Licences Act would have been from the Government's point of view so infinitely greater that if that bargain could have been made it would have been an extremely good bargain. The Municipal Corporations Act was a reserved Bill, and nothing had happened under it, and therefore the Indian still had his municipal vote. Lord Elgin's despatch of last September had not so far been answered. What the noble lord asked them to do seemed to be to make a fresh and entirely independent attack upon the Dealers' Licences Act, with a view of getting that altered. If the bargain, as Lord Amphill called it, could be carried out, he would proceed with the policy of his noble friend. He did not propose to deal with the part of the noble lord's speech in which he said that the Government were regarded in an unfriendly spirit by the colonies. He had no reason to believe that that was so, and, indeed, he repudiated the suggestion. When the noble lord accused them of having lost the affections of some of the colonies by having shown an interest in the native question, he must not forget, with his

very natural devotion to the cause of India, that there were coloured men of other races who were also the subjects of His Majesty, and in considering the interests of one they certainly did not intend to sacrifice the interests of the other. As regarded the reason why no further correspondence had taken place, there was no real advantage in pressing for an answer to Lord Elgin's despatch until the Natal Parliament had met. It was to meet next month, and the Government would be in a very much better position then to give a full reply to the noble lord's question than they were at the present moment.

Viscount ST. ALDWYN said that as he happened to know something about the Colony of Natal he wished to make a few observations. It was not surprising that Lord Amphill, with his great knowledge of India and his interest in the subjects of the King in that part of the world, should have brought this question before the House, but the noble lord did not make quite sufficient allowance for the extreme difficulty of the Colonial Office in dealing with such questions as this in the Colony of Natal. (Ministerial cheers). The Colonial Office had to consider not only the rights and claims of our Indian fellow subjects, but also the feelings and the interests of the white population in the colony, and it was often extremely difficult to reconcile these two matters. (Hear, hear). It was easy for us to talk of the rights of our Indian fellow subjects in a British colony, but their lordships must remember that it was a British colony and not an Indian colony. Personally he did not see that because Indians were fellow subjects of the King, therefore they had the right to the position of what was, after all, the dominant race of the British Empire, and to be placed on the same footing in Natal as the British race or Dutch race there. But he thought they had a strong claim to be treated with fairness and justice, having regard to the rights which they had acquired at present in that colony. The noble lord must remember that the Indian population in Natal outnumbered the white population, and that the white population had to deal in addition with an enormously preponderating number of South African native races. (Hear, hear.) It was an extremely difficult position, and a position which was growing and increasing in difficulty very rapidly. He believed that the time ought to come very soon when the immigration of Indians into Natal—the indentured coolie immigration—should be brought to an end. Of course, any obligation entered into with the Indians already there ought strictly to be observed. We must remember the feelings—noble lords might call them prejudices if they liked—of the Natal colonists in this matter. From his own experience, he knew the feel-

ing of the white population in Natal generally might almost be called bitter against the competition to which they were subjected from the very virtues of the Indian trader. The Indian was an abstemious and frugal person, he lived on very little, he was always sober, he was content with small gains, and he was fitted in every way to be a trader, and the white trader in Natal, as in other parts of South Africa, found it almost impossible to compete with him successfully. (Hear, hear.) So naturally there existed this kind of feeling in Natal that they would desire to limit the number of Indians who were allowed to trade, and the Colonial Office here could not ignore that fact nor that they were dealing with a self-governing colony. His knowledge of South Africa led him to say that the less the Colonial Office interfered in any matter with the self-governing colonies of South Africa, the better for the Empire as a whole. (Cheers.) There was the Natal side, the white Natal side, of this question to be considered as well as the Indian side, and the Colonial Office had to judge between them.

LORD AMPHILL said he had not received any answer to his question as to why there had been no further correspondence and no protest against the proposed deprivation of the municipal franchise.—*India.*

## Cape Chinese Exclusion Act

### Amended Definition

Proclamation 241 of 1908, published in the Cape *Government Gazette* of the 9th inst., amending Proclamation 304 of 1904, states that whereas, by the latter Proclamation, certain regulations framed under the provisions of the Chinese Exclusion Act of 1904, were promulgated, and whereas it is desirable to amend the definition of the term "Chinaman" in Section 1 of the above regulations, the following amended definition of that term is promulgated:—

"Chinaman" shall for purposes of administration mean any male person of the age of eighteen years and upwards, and of the Chinese race or Chinese descent through either line, unless, in the opinion of the Minister, the race characteristics have been materially modified through intermarriage or union with another race.

THE INDIAN MONUMENT. When publishing our illustrated supplement describing the Indian Monument in Johannesburg, last week, we omitted to state that the blocks were made from photographs specially taken for the purpose by Mr. W. M. Vogl, of Johannesburg.

## Indian Petitions before the Natal Legislature

The following petitions were presented in the Natal Legislative Assembly, by Mr. Wylie, K.C. on the 18th instant:—

To The Honourable, the Speaker, and members of the Honourable, the Legislative Assembly of Natal, Pietermaritzburg.

The Petition of the undersigned, representing the resident Indian population of Natal.

HUMBLY SHEWETH THAT:

1. Your Petitioners have read with the utmost alarm the provisions of the two Bills recently published in the *Government Gazette* of this Colony the one contemplating the stoppage of the issue of new trading licences to any Indian or so-called Arab after the 31st day of December next, the other contemplating the refusal of any trading licence to any Indian or so-called Arab after the 31st day of December, 1918.

2. Your Petitioners venture to strongly protest against the principles underlying these two proposed measures, as being entirely opposed to the public interest, and calculated to deprive the Indian community of this Colony of long-established vested rights, inflict grievous hardship upon law-abiding and deserving citizens, and bring about their ruin and the breaking up of Indian homes.

3. Your Petitioners specially desire to draw the attention of this Honourable House to the fact that the proposed measures constitute class and race legislation of an undisguised nature, and your Petitioners fear that their introduction is due to an exaggerated importance being attached to ill-founded reports, detrimental to the honour and character of the Indian traders, circulated by their trade rivals with the object of doing away with what these naturally consider to be undesirable competition.

4. Your Petitioners feel that this Honourable House will not countenance measures or accept principles so unjust, un-British, and unconstitutional, knowing that, if they pass into law, grave offence will be given to millions of law-abiding subjects of the British Crown in India.

5. Wherefore your Petitioners pray that this Honourable House may be pleased to reject the above-mentioned Bills or to grant such other relief as to it may seem meet. And for this act, etc., etc.

To The Honourable, the Speaker, and the members of the Honourable, the Legislative Assembly of Natal, Pietermaritzburg.

The Petition of the undersigned, representing the British Indians resident in Natal,

HUMBLY SHEWETH THAT:

1. Your Petitioners have observed, with the deepest gratification, the publication in the *Government Gazette* of this Colony of a Bill to put an end to the introduction into Natal of Indian Immigrants, under the provisions of Law No. 25 of 1891.

2. Your Petitioners venture to congratulate the Government upon taking a definite step towards stopping a system of importation of indentured labourers from outside the Colony which, in the humble opinion of your Petitioners, is, in the highest degree, detrimental to the fullest development of the Colony, ethically, politically, and economically, and to the interests of those who are thus introduced.

3. Your Petitioners venture to express the hope that this Honourable House will reduce the period before which the introduction of Indian indentured labourers will not cease, and so the sooner put an end to conditions which, without in any way conferring advantages upon the indentured Indians, are calculated in no degree to further their moral advancement.

4. Your Petitioners venture to express the opinion that the continued introduction of Indian Immigrants into this Colony under contract has done much to cause and to increase the regrettable misunderstanding that exists on the part of the white population of Natal and other parts of South Africa in regard to treatment of the independent resident Indian population.

5. In the event of this Honourable House assenting to the principle of this measure, your Petitioners venture to hope that the provision of law, imposing an annual tax of £3 upon every ex-indentured adult male or female Indian, who chooses not to re-indenture and not to return to India, will be repealed, since there will no longer be a valid reason for the continued imposition of the tax upon a population that, if not actually undergoing diminution from economic causes, will not increase except from the operation of natural causes.

6. Wherefore your Petitioners pray that this Honourable House will assent to the principle of the above-mentioned Bill, or will give such other relief as to it may seem meet. And your Petitioners shall, etc., etc.

A CHINESE SUCCESS. A Montreal telegram states that considerable interest has been aroused in Montreal educational circles by the fact that a Chinaman, Peter Hing, has succeeded in winning a position as prize man in the second year law course at McGill. Mr. Hing is the son of a Chinese missionary in British Columbia and has been very successful at McGill, running close for prize honours last year. He is a very bright young fellow, quite Canadianized in his habits and is popular both in literary and athletic circles at the university.

## At the Heart of the Empire

### A Monthly Survey

London, June 1, 1908.

#### The Franco-British Exhibition

The event of the month for us in this great Metropolis has been the opening of the wonderful White City at Shepherd's Bush, which, beautiful as it is, stands for something more valuable than anything which can be embodied in outward form, namely, friendship instead of suspicion, a sympathetic understanding instead of perpetual menace. When King Edward and the President of the French Republic exclaimed "wonderful, magnificent," as the splendid vista of buildings met their eyes on entering the Court of Honour a few days ago, they were only expressing the universal sentiment of all visitors. The White City, with its domes and minarets, its stately courts, its palaces, its gardens, lakes, and waterways, seems like a Venetian Utopia, rather than a temporary erection which has arisen on an area of 140 acres, till recently in possession of brick works, cabbage gardens, and the clay dug out of the tube of the Central London Railway. It is a transformation scene which will continue to excite amazement throughout the summer, and it seems a pity that at the end of six months the dream city must vanish. Although the buildings are temporary in character, they have had to comply with the strict regulations of the London County Council in the matter of safety. They are not simply lath and plaster; the twenty important palaces are constructed of iron and concrete, and everything that foresight can demand has been carried out for the prevention of fire. Enormous work, such as draining the waste land, making roads, laying water mains and electric cables, has had to be done; it is unseen, but it is the foundation on which the success of the White City depends. The architecture is oriental for the most part, with lavish display of ornamentation; the whiteness is dazzlingly fair in bright sunshine; it is more beautiful at night; when every palace is outlined with myriads of small electric lights; the plash of the fountains, the roar of the great cascade, and the shimmering waters of the lagoon reflecting the thousand lights give that refreshing coolness without which no beautiful scene is complete. The whole scheme is daring and grand, and has been carried out with patient but consummate skill at enormous expenditure, running into several millions sterling.

But the Exhibition is not yet complete; when I write the next Monthly Survey for *INDIAN OPINION* I may be able to report that galleries of empty show cases are full of interest, that scaffold poles and workmen's tools have disappeared, and that no more notices of "Not yet open to the public" are to be found anywhere.

To-day they abound, but there is marked improvement since the opening day a fortnight ago, when the crowd of visitors disputed entrance with the workmen demolishing scaffold and only two of the great doors would open! Still, for the most part, good humour prevailed, despite drenching rain, and attention was concentrated on what had been accomplished, not on what remained to be done before anything like completion was reached. Pitiless rain, a cold wind, a general state of incompleteness on the opening day might have damped the ardour of promoters and visitors, even of the lady divers who stood on the high board and then cut through the rain drops into the tank in the midst of the arena of the Stadium,—but they did not, and by the time His Majesty and President Fallières visited the Exhibition together, accompanied by Queen Alexandra, Princess Victoria, the French Ambassador, and a brilliant retinue, great advances had been made. Perhaps one of the most disappointed of men on May 26 was the veteran Lord Strathcona, who was obliged to stand before the closed doors of the Canadian palace and express regrets that it was not ready for the distinguished visitors. "Never mind," said King Edward, "it will be worthy of the Dominion and I will come another time to see it!"

We are still searching for a special name for the Exhibition: "Franco-British" is too long and formal for ordinary use. The "Ententeries" has been suggested and may "catch on;" it would embody the underlying spirit and for that reason has much to commend it. For, it must be understood, the Exhibition is in every sense dual; each British section is matched by a French one; both nations have put their best work into it to ensure success, and one of the most notable features of the undertaking is the collection of French and British works of art. Truly, too, one hears almost as much French as English spoken, and the services of the "Interpreters" are constantly in demand. We shall improve our French, let us hope, and teach our friends some very colloquial English, no doubt; one wonders how they will translate "Flip-flap"—a name which has come to us from Canada and applies to the huge iron arms which perform an ordinary gymnastic movement of stretching out and meeting overhead; but each of these gigantic arms of 150 feet in length bears a car to hold fifty people; after being raised into mid-air the car gradually descends and brings its passengers to earth again on the opposite side to that at which they began to "flip-flap." Of course there are many other attractions in the form of amusements; there is a scenic railway which is like a journey across Canada; there is an Irish village containing an exact reproduction of the thatched cottage in which the grand-parents of President

McKinley were born: there are other villages, too, with the proper inhabitants from Ceylon, Senegal, etc., and there is an Indian Arena, where the cleverest of India's conjurors, acrobats, wrestlers, snake-charmers, not to mention elephants, perform.

The Indian pavilion—the Government building—is less pretentious than the Colonial palaces; it is in severe Mahomedan style, and the coloured decoration over the portal is the work of a young Mahomedan artist in London. The interior was just ready, by dint of hard work, in time for King Edward's visit with the President, and during the short stay they made, the royal party took note of the beautiful carpets, the silver and brass work, the silks and embroideries, and the fine wood-carving. Both the King and the Queen repeated more than once to the official committee and to some of the exhibitors, "We shall come again!"

I must add a word or two about the various sections; in addition to the Fine Arts already referred to, there are exhibits of "Liberal Arts," by which such matters as the production of books and newspapers, photography, map-making, printing of all kinds, and engravings are denoted; mechanical, mining and electrical engineering are well represented, as also agriculture, horticulture, chemical industries, textiles of all kinds, social economy, hygiene, education, transportation, and shipping. There is the palace of Women's Work which is a remarkable collection of vital interest and shows that in the past, as well as to-day, women's work counted for much in the world's work.

Then, too, there is the sporting interest which centres in the huge Stadium; London will celebrate the Olympic Games this year and it was a happy idea to combine the special interest which will be aroused with that of the "Ententeries." The great arena, surrounded by its tiers of seats, will accommodate 150,000 spectators and one of the great races, the Marathon race, will start from Windsor Castle and finish in the Stadium. In the Olympiad twenty-two nations will compete, and it is probable that London in 1908 will witness the greatest gathering of athletes the world has yet seen. King Edward and the Prince of Wales have promised to attend on the occasion.

#### Indian Tableaux in London in Aid of the Famine Fund

On May 9th the Caxton Hall, Westminster, was the scene of a novel and beautiful presentment of Indian history in the form of twelve tableaux. The scenes chosen began with the Buddha and his worshippers; then followed the Princess Sanghamita, daughter of Asoka, planting a branch of the Bo-tree in Ceylon and teaching the people the Buddha's words; the Golden Age of Hindu India was represented by Kalidasa reading *Sakuntala* at the Court of King

Yikramaditya; then followed Jadav Rana welcoming the Parsis to India; the scenes from Moghul history included the Emperor Baber dying for his son Humayun, Akbar and his philosophic circle at Futtehpur Sikri, and Shah Jehan, on his deathbed, gazing at the Taj; the pathetic and beautiful story of the disciples of Guru Nanak disputing as to how the body of the Guru should be disposed of and their surprise on lifting the sheet which covered it to find only roses there, was one of the most successful and appealing scenes. Then the influence of women was strongly brought out. Besides the Buddhist missionary Princess, there were portrayed Princess Mirabai, the Hindu saint and poetess, Princess Zebunissa, the Moghul poetess and "new woman"; Shivaji's mother, bidding her son go forth and do his duty, and finally, Mother India, with all her children gathered round to do her service. The ideas emphasised were the symbolic meaning of each scene—India as philosophic teacher with a message to the world; India as a refuge; Akbar, the maker of United India; woman, too, as inspirer, as individual, as religious enthusiast. The sequence of thought was excellent, and each tableau was made clearly comprehensible by the charming poetic description, composed by Mrs. W. F. Westbrook, and finely recited by Miss Millicent Murby. In the intervals oriental music and some recitations were given by Indian and English friends, and the whole presentment aroused keenest enthusiasm. The performers were Indians whose willing obedience to the command of their inspirer, Mrs. Westbrook, ensured complete success. Costumes, furniture, and other accessories were willingly lent by friends, and expenses were kept down so well that a profit of not less than £50 was reaped for the Local Relief Fund. It was a notable evening and a noteworthy success; this was the only reward desired by those who gave their services to the noble cause.

OBSERVER.

THE CAPE CONFERENCE AND ASIATICS. The *Natal Mercury's* Parliamentary Correspondent writes: It appears that the Conference discussed Asiatic immigration at some length, and, on the motion of Mr. Merriman, the Conference declared itself "strongly opposed to the introduction of any Asiatics from any part of the world into South Africa, and resolves that the members of the Union introduce legislation to prohibit such immigration." Col. Rosado, on behalf of the Portuguese Government, intimated his willingness to concur in the resolution, but stipulated that it should not apply to the Portuguese Indians who lived according to European habits.

## Common-Sense on the Asiatic Question

### A European's Views

((Concluded))

The methods adopted for dealing with both the poor European labourer and the Indian in Natal are not efficient, and will bring about no solution of the problem as it now exists. It is no good building better houses, or demanding that they live in less squalid conditions, until we have created the conditions under which they will be able to get more pay for their labour. The remedy I have to suggest will not only go a long way to solve the poor problem, but will also be an efficient remedy for what is termed unfair competition with the European merchant. I admit there is a degree of competition which may be termed unfair, and that is when it is pushed to the extent of grinding down the hired servant (whatever his calling may be) to conditions under which a proper standard of living is impossible to be maintained. This is called "sweating," and it is because the Indian is chiefly the "sweater" in trade in this colony, because he pays the lowest wages to his servants, that his competition becomes objectionable to the European storekeeper. But the practice of "sweating" in Natal is not confined solely to the Indian storekeeper, but is present in the case of some industries controlled by Europeans, and in fact all who employ Indians at a low rate of pay, with which they are unable to maintain a proper standard of living, are "sweaters." The only remedy for this is to fix by law a standard wage which, though it may be exceeded for exceptional efficiency, must not be lowered under any circumstances. The Indian and European alike who did not pay a proper wage to his employes should immediately have to cease business. The standard wage could be fixed on a graduated scale to provide for the difference between skilled and unskilled labour. In these circumstances the Indian would be brought into line with the best class of European storekeeper in point of the wage he had to pay his employes, and would therefore be less a source of danger as an unfair competitor than at present. The Indian would have to show the same capacity to manage and control a business that characterises the European manager, before he could become a serious competitor, and in these circumstances his competition would be a healthy stimulus. By this course we should be applying a principle applicable to all without respect to race or colour, and far from it being oppressive we should be making the just demand, that before anyone could take out a licence to carry on a business, it shall be obligatory on his part to pay his employes a just and reasonable wage. This, I contend, would be a sound principle on which to base the

laws governing the issue of licences, and one calculated to bring about an improvement in our social system, and to require a greater necessity for individual efficiency, and in the interest of European and Indian alike.

### To Whose Advantage?

What, though, if these Bills are passed and become the law of the colony, for whom would it be an advantage?

Another force will be at work whereby the colony will be denuded of its European population. For since the European storekeeper objects to his Indian competitor it must be in consequence of the latter underselling the European. When, therefore, there are no Indian storekeepers the prices of goods will go up. But will tradesmen's wages go up? We have already seen that they are going down, and that there is every indication that they will go down still more. The European tradesman then, finding his wage go down, and prices go up, will decide that Natal is a good place to be out of.

On the practical side of things we have now seen that whilst these Bills, if they become law, may prevent competition with the merchant, they will increase competition with everyone else. Whilst salaries and wages have a tendency to go down, the prices of living will go up. We have seen that the proposed legislation offers no solution to the problem of the poor, that it will remove not one whit of the squalid conditions at present obtaining; it is unjust and can only become a blot upon our national escutcheon; it will have the effect of driving Europeans away instead of keeping them in the colony. Is it necessary to urge anything further of the "practical" description than this against these measures?

We have the Indians here, and if we could afford to send them away, it is doubtful if India would allow us to increase their problem of the poor already existing there, by dumping down another 100,000 souls. There seems no way of getting rid of them, and if we wish them to be beneficial or helpful to the country, if we wish them to remain law-abiding and peaceful, we shall have to see that they are governed with justice: and we must let them feel that the Natalian means to help them to improve their ways and conditions, otherwise they will become discontented and probably recalcitrant. But as surely as we would be unjust towards them, or any section of the community, so surely will misfortune wait upon us, an inevitable retribution for our oppression.

Commenting upon Mr. Gaskell's views, M. L. H. Greene, writing to the same journal, describes the two Licensing Bills as standing self-condemned, as not being worth two minutes' consideration by our Legislature. They are ill-advised, vicious and un-British. They reveal weakness,

incapacity and selfishness. They presuppose injustice by the fact of the provision of compensation, wherein they admit the existence of rights. Those rights it is sought to take away, and the terms are to be fixed for their removal without show or say from the owners of those rights. Such procedure, I submit, is manifestly

### Unfair, Harsh, and Impolitic.

Moreover, it is not necessary, nor is it constitutional.

Our laws of citizenship, definite and comprehensive as they are, have been framed with every care so as to avoid all semblance of harshness, bias, or class distinctions, for civilised races, and they afford no authority for retaining one class and rejecting another.

When the rules of society are found to have been infringed penalties are inflicted. The crimes of a citizen must be very great before he can be banished from the community in which he is domiciled. If from time to time the laws are found to be inefficient they are adjusted and made effective on the lines of equality and justice.

What has the Asiatic trader done that he should be placed outside our laws? Are our laws not those which govern the human family? It will be difficult to prove that these people are uncivilised; or that national, humane and just laws cannot be framed to reach them, and others who lag behind too, and make them toe the line; or that their ways and ideas are opposed to human freedom; or that no course other than expulsion is possible; or that their removal will bring about any benefit to the colony. The measures before us are tantamount to an admission of inferiority which does not square very well with that superiority so vociferously claimed by those who denounce the Asiatic. They disclose palpable evidence of fear, of narrow prejudices, and a lamentable want or knowledge of rudimentary statesmanship, not to mention the violation they contain of all that is free and just and true and great in the national ambitions. And they ignore altogether that inspiring Imperial idea which made our late Queen the Empress of India. Furthermore, they disregard entirely that spirit of democracy which has characterised the British nation ever since it began to grow. Its growth to greatness has been by the healthy process of liberal assimilation.

Before the Asiatic can be outlawed as these Bills intend, it must be conclusively proved that he is an uncontrollable danger to the State. But even then outlawry cannot improve the conditions of a race: and I take it for granted that the traditions of the British people are against such methods, that they are rather in the direction of conciliation.

In a country's desire to improve its position and to fit itself as a people amongst nations in attempting to attain that noble end, the least infringe-

ment of the liberty of a single subject may be a weak point that may grow into the larger proportions of an abuse, and the abuse may grow into a national disaster.

## The Aim of Indian Education

### St. Aidan's College, Sydenham, Prize-Giving

[SPECIAL TO INDIAN OPINION]

The 4th annual Prize-giving took place on Saturday, June 20th, in the College Hall, which had been tastefully decorated by the teachers and students with evergreen and with flags (kindly lent by Messrs. King & Sons). There was a considerable attendance of European and Indian friends. The prizes were distributed by Archdeacon Gregson, in the absence, through illness, of the Superintendent, Canon Smith.

Mr. C. T. Loram, Inspector of Schools for the Coast District, said that, as he had often, in his official capacity, to point out faults, he was glad to have the opportunity of saying that it was a treat to go to the schools of St. Aidan's Mission. Of course they had their faults, but these were atoned for by the endeavour to aim high. After paying a tribute to the work of the principal, he congratulated the teachers on the way in which they were doing their work, a result largely due to the energy of the Head Master of the Lower School, Mr. M. Beethasee. On his recent visit of inspection he had been glad to be able to report "work going on satisfactorily."

He believed that there was, in connection with Indian education, a danger of distinctions, not of caste, but of class. It had been represented that the grants for Indian education ought to be spent on those who dressed and lived like Europeans; but the policy of the Education Department was to make the grants available for all Indians alike. Another danger was the tendency to look for rewards, medals, and prizes. A medal given to the football players who scored most goals was an encouragement to selfishness, and was utterly opposed to combination which was of the essence of football. The ambition of Indian boys, as well as of Europeans, was almost always to obtain employment in an office; St. Aidan's College endeavoured to lead some to go on the land, and he hoped that in this effort it would be successful.

During the afternoon an interesting programme of Songs, Recitations and Drill was given, and the Prizes were distributed.

## Imperial Parliament

### Cape Immigration Act

In the House of Commons Sir WILLIAM BULL asked the Under Secretary of State for the Colonies whether his attention had been drawn to the case (recently tried before Mr. Justice Maasdorp) of Bapau, a British Indian who was domiciled in the Cape Colony prior to 1906 and who, having gone on a visit to India without having provided himself with a permit authorising him to temporarily absent himself from the Colony was now, upon his return, threatened with expulsion?

In reply, COLONEL SEELY said:—  
"Yes, Sir. I understand that the Indian failed to avail himself of the means provided in the Act for protecting existing rights, and is liable, therefore, to exclusion from the Colony because he cannot comply with the general requirements of the law. The Judge, I observe, suggested that the Minister should consider whether some indulgence might not be granted on the ground of misunderstanding, and the Cape Government will no doubt give due weight to this suggestion. The Secretary of State will enquire what decision has been arrived at in the matter."

## Shaving Indian Women's Heads

### The Congress Moves

The Joint Hon. Secretaries of the Natal Indian Congress have addressed a letter to the Attorney-General, calling attention to the letter which appeared in the *Natal Mercury* recently complaining of the alleged shaving of an Indian woman's head who had been imprisoned for having failed to pay the £3 tax. "In view of the great importance of the matter to the Natal Indian community," concludes the letter, "we are desired by the committee of the Congress to request you to inform us whether the prison regulations permit of an Act such as that alleged, and, if not, whether you will be good enough to investigate the facts, and give publication to the results of your inquiry at an early date."

THE "INDIAN REVIEW." An interesting article by Mr. H. S. L. Polak, Editor of INDIAN OPINION, entitled "The End of the Transvaal Trouble," appears in the April number of Mr. Natesan's popular monthly, the *Indian Review*. The article deals with the Transvaal situation as it appeared at the end of January last.

## MASS MEETING

### Of British Indians

#### Great Scene in Johannesburg

#### Passive Resistance Again

#### "Safeguard our Honour"

#### Thanks to Sympathisers

Last Wednesday afternoon, at 3-45 p.m., a Mass Meeting of British Indians was held under the auspices of the British Indian Association, Mr. Essop Ismail Mia presiding, to discuss the situation that has arisen owing to the breach of the spirit of the compromise by the Transvaal Government. Delegates attended, and telegrams of sympathy and support were received from the Indian communities at Pietretief, Nylstroom, Middelburg, Krugersdorp, Wakkerstrom, Pietersburg, Vereeniging, Belfast, Zeerust, Volksrust, Ermelo, Potchefstroom, Komati Poort, Lydenburg, Standerton, Rustenburg, Lichtenburg, and Pretoria, and from Messrs Ali Latib, Hajee Cassim, V. S. Pillay, and M. M. Patel, representing their various groups, of Pretoria.

Delegates attended from Pretoria, Potchefstroom, Vereeniging, Lichtenburg, Krugersdorp, Fortuna, Boksburg, Germiston, and other places in the Transvaal.

Amongst those present were Messrs. Imam Abdul Cadir Bawazeer (Chairman, Hamidia Islamic Society) Moulvi Ahmed Mukhtar, E. S. Coovadia, M. P. Fancy, M. K. Gandhi, Omarji Sale, and G. P. Vyas; also Revs. G. J. Doke and Perry, and Messrs. G. Isaac and H. S. L. Polak.

Amidst great enthusiasm, the Chairman rose and delivered the following impressive address, in Urdu, which was afterwards rendered into English by Mr. N. A. Cama:

#### Chairman's Speech

Delegates, Friends, and Gentlemen, When we met last in front of the Holy Mosque, we never imagined that, the hatchet having been buried, we would be obliged to dig it up again. The compromise entered into between the Government and the Asiatic communities, we had hoped, had settled, once for all, the points that had given rise to so much suffering and so much bitterness among us.

The world knows that our part of the compromise we have fulfilled, both to the letter and in the spirit, and that, in order to carry out the compromise, your Chairman and your Honorary Secretary suffered grievous bodily harm at the hands of their own countrymen who misunderstood the position; and, yet, is it right for me to say that they misunderstood the position: We, the vast majority of British Indians, trusted the Government implicitly. They who assaulted the Chairman and the Secretary distrusted the Government. In their

opinion, we had misled them, and, when the proper time came, we had sold the community to the Government. Whilst I emphatically repudiate any such suggestion, it is impossible for me to deny that the Government have, by their recent conduct, lent colour to the suspicion and distrust. For the past few weeks we have been kept in terrible suspense. The first intimation of the Government's intention not to carry out the compromise, as the Asiatics had understood it, came in a very indirect manner. It was then repudiated. General Smuts showed surprise that we should ever have credited him with any such intention. To-day, however, we know the worst.

It is true that General Smuts offered to repeal the Asiatic Act, but the offer was accompanied by conditions impossible of acceptance by us as a self-respecting community. What are these conditions? He says:—

Those who paid £3 for registration under Law 3 of 1885, before the war, shall become "prohibited immigrants," whether they are in the Colony or without the Colony.

Those who are old refugees, but have not yet been able to re-enter the country, shall also be treated likewise.

Those whose applications for voluntary registration are still in Mr. Chamney's hands shall have their fate decided by him only in his administrative capacity, although no evidence has been taken or given on their behalf in a public and judicial manner, and although they themselves would not know even the reason for rejection of their applications.

Lastly, British Indians, like Sir Mancherji, to whom we cannot be sufficiently thankful for his championing of our cause, and who was considered fit to be honoured by the Sovereign and to sit in the House of Commons, shall not enter the Colony, except as temporary visitors, holding documents which may be graciously granted to them by an indulgent Government, and which may be revoked at will.

We, on the other hand, say that the first three classes of Asiatics are domiciled residents and, therefore, as fully entitled as we are to remain in or enter the Transvaal; but we do not say that their statement should be accepted. We submit that they may be put to the proof and, if they succeed in proving that they are old residents of the Transvaal, they should be entitled to remain in the country; and we ask that their fate should be decided, not in secret by an administrative official, but publicly and by a judicial officer. No reasonable Colonist has ever contended that domiciled Asiatics should be hounded out of the Colony, or, being out, should be prevented from re-entering the country of their adoption.

With reference to educated Asiatics, the Government insult our intelligence when they ask us to consent to their being disqualified from entering the

Transvaal as free citizens of a free Empire, because we may gain some questionable advantage in the Colony for ourselves. We refuse to sell our brothers' birthright for a mess of pottage, and, though we have, for such refusal, to pay the price of imprisonment, deportation, confiscation of our property, I, for one, say that it will be a glorious end. We have too often been credited with mercenary motives only—that we come to the Colony, by unfairly competing with the white Colonists, to live as parasites. Let, then, the Colonists and the world at large know that we have, no matter what foul charges may be flung at us, enough manliness left in us to sacrifice, be it ever so little, for the sake of our brothers.

This is no occasion for speech-making. I shall, therefore, content myself with drawing your attention to certain resolutions that will be submitted to you. The resolutions you know already. They merely restate the position we have always maintained; and one resolution expresses our thanks to those who have helped us during the most trying times. That our own countrymen in India helped us is a matter for no surprise; that the South Africa British Indian Committee, led by Lord Amphill, has unceasingly worked for us is, perhaps, also not surprising; but that there have been Europeans found in South Africa ready to respond to our sufferings is undoubtedly a matter for very agreeable surprise to many of us, and is no small proof that God and His Truth are with us. With Him on our side, we need not despair, although we may have to go through the whole of the struggle over again.

General Smuts is said to have repudiated the statement that there was a promise to repeal the Asiatic Act. Let him and Mr. Gandbi settle the dispute between themselves. The ordinary Indian knew what he was doing, and, when he tendered voluntary registration, he knew that he sounded the death-knell of the Asiatic Act, not merely to the letter, but in reality, and that he did so in order that his position and that of those Indians who were entitled to remain in the Transvaal might be considerably improved. And, if General Smuts now states that such was not the compromise, let him, as an honourable man, return the documents that we gave to him by way of grace, and not by way of right. We went to prison to buy liberty of conscience and freedom from molestation and restraint, and we did not come out of the prison-gates in order to submit to a law, or a revised edition of it, which was calculated to take away those priceless possessions. We want no bandying of legal phrases and subtleties of lawyers. We, as common sense men, want our honour to be respected, and it is for that that this great meeting has come to plead.



The following Resolutions were then put and carried unanimously:

**Resolution I.**

This Mass Meeting of British Indians domiciled in the Transvaal deplores the fact that the Government intend to depart from the spirit of the compromise entered into by them with the Asiatic communities of the Transvaal last January, in that they make it a condition of repeal of the Asiatic Law Amendment Act that rights of certain Asiatics domiciled in the Transvaal before the War are surrendered, and that the Asiatic communities should consent to an insult being offered to Asiatics of educational attainments.

Proposed by: Mouli Ahmed Mukhtar

Seconded by: Mr. M. K. Desai

Supported by: Mr. Essop Suliman (Volksrust)

**Resolution II.**

By reason of the decision of the Government not to carry out their part of the compromise, and regard being had to the fact that the Asiatics in the Transvaal have, almost without exception, made application for voluntary registration, this Mass Meeting hereby resolves to withdraw all the applications so made, and reaffirms the solemn declaration made on the 11th day of September, 1906, not to submit to the Asiatic Law Amendment Act, but to suffer, as loyal citizens and conscientious men, all the penalties consequent upon non-submission thereto.

Proposed by: Imam Abdool Cadir Bawazeer (Chairman, Hamidia Islamic Society)

Seconded by: Mr. C. H. Desai (Krugersdorp)

Supported by: Messrs. Dildar Khan, Thambi Naidoo, R. B. Chetty, Omarji Sale, E. S. Coovadia, G. K. Desai, A. E. Moogalia

**Resolution III.**

This Mass Meeting tenders its respectful thanks to all those, whether in South Africa, England, or India, who have helped and sympathised with the British Indian community of the Transvaal during its struggle for legitimate freedom and to retain its self-respect, and earnestly trusts that they will continue to assist with their sympathy and support until justice is fully vindicated.

**Resolution IV.**

This Mass Meeting hereby authorises and instructs the Chairman of the British Indian Association to forward copies of the preceding resolutions to the Honourable, the Colonial Secretary, and to His Excellency the Governor of the Transvaal, for transmission to the Imperial Secretaries of States for the Colonies and India.

Proposed by: Mr. Mulji G. Patel

Seconded by: Mr. A. M. Cachalia

Supported by: Mr. E. M. Aswat

**Southern Rhodesian Registration Draft Ordinance**

**British Indian Petition**

The following is the text of the Petition presented to the Southern Rhodesian Legislative Council on Thursday, the 18th inst., by the British Indian community of that Territory:—

To The Honourable, the President, and Members of the Honourable, the Legislative Council of Southern Rhodesia.

The Petition of the undersigned, representing the British Indians resident in Southern Rhodesia,

HUMBLY SHEWETH THAT:

1. Your Petitioners represent the resident British Indian population of Southern Rhodesia, numbering, approximately, some 400.

2. Your Petitioners enter their respectful protest against the Draft Asiatic Ordinance recently published.

3. In your Petitioners' humble opinion, the Draft Ordinance in question is calculated to provoke intense bitterness and irritation among the Indian community resident in this Territory, and to wound its susceptibilities to an extent which it is difficult to gauge.

4. Your Petitioners respectfully submit that the Draft Ordinance amounts to a complete reversal of the principles hitherto ruling the legislation of Dependencies of the British Crown, and of the solemn promises and statements of Imperial policy repeatedly made by British Administrators.

5. The Draft Ordinance confers upon British Indians in this Territory absolutely no privileges, but, on the contrary, robs them of many primary ones that they already possess, and this, too, in a manner which, to use the words employed by a late Imperial Minister of the Crown in regard to a neighbouring Territory, "puts an unnecessary affront" upon British Indian settlers in Rhodesia.

6. Your Petitioners venture respectfully to affirm, with the utmost emphasis, that the Draft Ordinance is calculated to offend religious susceptibilities, in so far as Mahomedan subjects of the Turkish Empire are specially legalised against; and to restrict the liberty of the subject, in so far as, under certain conditions, arbitrary power is given to the "Registrar," an official hitherto unknown, over the actions and movements of every British Indian resident in this Territory, whether male or female, child or adult; whilst the licensing and police restrictions are calculated to promote a feeling of contempt for the community, represented by your Petitioners, on the part of their fellow-Colonists, who are not subject to the provisions of this measure, as they cannot but imagine that the British Indians as a class must be possessed of criminal propensities, such a sug-

ma, your Petitioners humbly submit, is entirely undeserved by the peaceable and law-abiding British Indian community resident in Southern Rhodesia. These remarks apply equally to the use of the objectionable term "coolies," of whom none are resident in this Territory.

7. Your Petitioners humbly beg to draw your special attention to Clause 6 of the Draft Ordinance, which debar any British Indian, being absent from this Territory, from returning, unless, having been resident here for at least three years before the promulgation of the Ordinance, he shall return within six months thereof and submit himself to a degrading and, in your Petitioners' humble opinion, entirely unnecessary, proceeding: evidence as to previous residence having to be furnished to an official, probably ignorant of local conditions, and acting in an arbitrary capacity. Your Petitioners venture to submit that such a provision is unjust in the highest degree, and calculated to deprive resident British Indians of vested rights.

8. The Draft Ordinance would compel every British Indian, male or female, over the age of eight years, to be registered. In your Petitioners' view, this measure would needlessly violate female modesty as it is understood by millions of British Indians, and would ride roughshod over sentiments cherished dearly for ages by the community represented by us. The Draft Ordinance, if it be carried into effect, would mean that the governing authorities of this Territory, and His Majesty's Government, would condemn every British Indian as criminal, a charge which is indignantly repudiated by the British Indian community.

9. It is possible to enumerate still further objectionable features of the proposed Ordinance, but your Petitioners rather desire to emphasise their objection to the entire spirit of the measure, rather than oppose categorically each separate clause thereof. Moreover, your Petitioners hope that they have already indicated in what manner and to what degree the proposed measure is offensive to the community represented by them.

10. The Draft Ordinance contemplates racial distinctions of a kind that can never be accepted by your Petitioners. Indignity and restriction are heaped upon them by a measure which presupposes a vast immigration of British Indians into this Territory, an assumption which, by virtue of the present extremely small numbers of the British Indian population of Southern Rhodesia, and the known condition of financial depression suffered by all classes of the population, your Petitioners venture to stigmatise as absolutely false.

11. The Draft Ordinance embodies an entirely new principle of class-legislation, so far as this Territory is concerned, and indicates a feeling of hostility and suspicion towards the

community represented by your Petitioners, which they humbly assert is entirely undeserved.

12. In conclusion, your Petitioners humbly venture to remind you of the disastrous effects, to British Indians and Europeans alike, when the neighbouring Colony of the Transvaal passed and put into effect a similar but less drastic measure. Your Petitioners humbly submit that, as a result of the constitutional agitation carried on against that measure, its provisions became virtually a dead letter, and its repeal is but a matter of a brief period.

13. Wherefore your Petitioners pray that the measure before this Honourable House may not be proceeded with, or that this Honourable House may grant such other relief as it may deem fit. And for this act of justice and mercy, etc., etc.

(Sgd.) BHIMJEE R. NAIK,  
and others.

Dated at Salisbury  
this 18th day of June, 1908.

## The Transvaal Trouble

### General Smuts Plays False

### Impossible Terms

### Rejected by British Indians

We regret to announce that all efforts to avoid a breach of settlement, arrived at last January between the Government and the Transvaal Asiatics, have proved unsuccessful, and on Monday last, the Pretoria Correspondent of the *Star* sent the following report to his paper:—

At the request of the Colonial Secretary, Mr. Gandhi waited on him this morning and was permitted to peruse the draft amendment to the Immigration Restriction Act proposed by the Government. General Smuts intimated that it was the intention of the Government to repeal the Asiatic Registration Act.

After perusing the Act Mr. Gandhi had an interview with the Colonial Secretary, and raised the following points:—(a) The position of the Asiatics who had made voluntary application for registration, having given their finger-prints and who for some reason or other have not received their permits. Mr. Gandhi asked that in case where permits were refused an application or appeal should lie from the Registrar of Asiatics to some judicial officer; (b) he also asked that those Indians outside South Africa who are in possession of residential passports issued by the Republican Government in return for the registration fee of £3, should be permitted on returning from India to register voluntarily; (c) that the educational exemption should be maintained in the new Act as it was in the old; (d) that genuine refugees

domiciled in the Transvaal before the war, now in India or elsewhere, who were in possession of the Republican passport, or not, be permitted, on producing evidence, to return and register voluntarily.

With regard to the education exemption, General Smuts argued that they had no exemption under the original law. He declined to make provisions for appeal from the Registrar of Asiatics in cases where voluntary registration had been refused. He also declined to offer facilities for the return of Asiatics at present out of the country, who were genuine refugees, or possessed the Republican residential passport.

The interview was a brief one, and the Colonial Secretary, we understand, intimated to Mr. Gandhi that if he, as leader of the Indian community, was prepared to accept the proposed amendments to the Immigration Restriction Act the Asiatic Law Amendment Act would be withdrawn. The Colonial Secretary would proceed to introduce a Bill legalising the registration in the existing Registration Act.

Mr. Gandhi then withdrew, and during the course of an interview gave a representative of this paper authority to make the above statement. He stated that he would immediately apply to the Supreme Court for an order calling on Mr. Chamney (the Registrar) to return the finger impressions and other documents voluntarily tendered by the Asiatics.

### General Smuts' Statement

In connection with Mr. Gandhi's statement, we have received a statement from the Colonial Secretary to the effect that the repeal of the Asiatic Law Amendment Act was not part of the arrangement with the Asiatics, as was apparent from letters constituting the arrangement. The Colonial Secretary was willing to meet the Indian community and repeal Act 2 of 1907 and to treat Indians in future coming into the Transvaal as prohibited Indians under the Immigration Act, if the leaders of the Asiatic community would agree to the amendment of the Act which the Colonial Secretary proposed. These proposed amendments were submitted to Mr. Gandhi, and they did not at all satisfy him for various reasons, which he advanced, and therefore he was informed that nothing remained to be done but to abide by the agreed terms of the compromise, as the Colonial Secretary was unwilling to repeal Act 2 of 1907 and then to find an agitation started afresh against the Immigration Act. Voluntary registration would not be legalised under Act 2 of 1907 but under a separate measure, according to the compromise.

### What Might have Been!

Last Saturday's *Pretoria News* contained the following: The statement made some time ago in the *Pretoria News* and afterwards cabled from Lon-

don to the effect that the Asiatic Registration Act was to be repealed this session, receives confirmation to-day. Mr. Quinn, the leader of the Chinese community in Johannesburg, has spent several days in Pretoria interviewing the administrative authorities. He returned to Johannesburg to-day, having been informed that it was the intention of the Government to repeal the Asiatic Registration Act this session. The Bill, legalising the voluntary registration of the Asiatic community, will be published in the *Gazette Extraordinary* on Tuesday, and the Colonial Secretary may be expected to make a statement in the House early next week.

On Monday the *Transvaal Leader* said:

It is understood that the Government has decided practically to repeal the Asiatic Amendment Act, under which the Government sought to secure the registration of the Indian and Chinese residents. The passive resistance which this evoked is now happily a chapter of the past. The new Bill is also expected to repeal those penal provisions of the Peace Preservation Ordinance which were specially retained to deal with Asiatics who should refuse to register under the Act. The principal provision of this nature—the power to deport—was found of doubtful utility in practice. In the correspondence which ensued on the passing of the Immigration Restriction Ordinance by the Transvaal Legislature between the Colonial Office and our Government, Lord Elgin took exception to the powers of summary deportation conferred upon the Colonial Secretary. The Government met this objection frankly, and expressed an intention to excise the clause during the next session, and to confer the administrative authority of deportation upon the courts of the Colony. It was necessary, therefore, to overhaul the Act during the present session, and the occasion was thus offered opportunely for dealing with the Asiatic difficulty at the same time. The necessary provisions for dealing with Indians, absent during the three months' period of voluntary registration will doubtless be inserted. It is, we understand, a moot point whether a fixed period will be laid down within which Indians entitled to reside in the Transvaal must return and take out domiciliary certificates. In any case, the burden of proof is rightly placed on the Asiatic, the Act providing short shrift for all unable to satisfy the Immigration Officer on this vital point. The Colonial Secretary is to be congratulated on his successful manipulation of a difficult piece of business.

### Mr. Gandhi Interviewed

The *Transvaal Leader* of the 23rd inst. contains the following:

Mr. Gandhi was seen last night by a representative of the *Transvaal*

*Leader*, and, asked to state what course it is now intended to adopt. Mr. Gandhi said: Throughout the negotiations the leaders of the Indian community have been kept informed, as also, indeed, the general body of the community, of what was going on. "Though, therefore, the decision of General Smuts has come to them as a painful surprise, they have not been taken altogether unawares. When it first became known that there was no likelihood of the Act being repealed many Indians wrote to Mr. Chamney asking him to return their application forms and other documents filed with him voluntarily. These documents have not been returned. The Supreme Court will be approached immediately, and if the documents are returned, that at once places the Indian community in the position in which it was before the compromise—that is to say, every Indian is liable to be prosecuted, under the Asiatic Act, for non-registration; but if the action were unsuccessful, even then so far as I am aware, it is not the intention of the Asiatics to allow voluntary registration to be legalised anyhow.

"Immediately on my return from Pretoria, a meeting of the committee was held, and the members were very enthusiastic. They realised that the whole of the passive resistance will have to be gone through all over again, and they seem to me to be ready for it.

"We are holding on Wednesday next at three o'clock, in front of the Hamidia Mosque, a mass meeting of British Indians throughout the Colony. Delegates have been invited by telegram from all parts of the Colony. A series of resolutions will be passed at the meeting.

"I cannot help saying," said Mr. Gandhi, "that, having yielded on the principle of the repeal of the Act, General Smuts is very unreasonable in refusing to recognise what I consider to be the very moderate and just suggestions."

#### A "Star" Interview

The *Star* of the 23rd inst. contains the following:

The negotiations regarding the registration of Asiatics and the rights of those who claim to be domiciled in the Transvaal have reached a deadlock, which will probably result in a renewal of the agitation of last summer. It is alleged that in accordance with the compromise arrived at in February, the Colonial Secretary undertook to repeal the Asiatic Law Amendment Act of 1907, but in the draft of the Bill, by which voluntary registration of Asiatics will be legalised, certain provisions are embodied to which the Indians object. There are four points at issue. The Act does not exempt educated Asiatics, and as all immigration would be stopped, those Indians who would be entitled to admission under the Immigration Act could not enter. A

clause in the draft Bill excludes the operation of the educational test in the case of Asiatics, and Mr Gandhi claims that this is legislation on racial lines, which his compatriots are not prepared to accept.

The next point at issue is that Law 3 of 1885—the old Registration Law—contains a clause to the effect that every Asiatic entering the Colony for the purposes of trade shall take out a registration certificate which costs £3. That certificate had not to be renewed, and the Asiatics now contend that these certificates gave the right of domicile in the Colony. We understand that the Registrar has withheld decisions regarding some 400 applications for voluntary registration which are supported by these certificates. The certificates were accepted by the Crown Colony Government as establishing the *bona fides* of the applicants, but the Colonial Secretary is not prepared to accept them.

In addition to the traders who took out registration certificates under the law of 1885, a number of other Indians, such as store assistants, cultivators, etc., were resident in the Transvaal before the war, and they were not required to register. They have no document in their possession to prove the fact that they were resident here, and the leaders of the Indians claim that they should be given an opportunity of proving the fact that they were former residents. A number of these did register under the Peace Preservation Ordinance of 1902 on Lord Milner's advice, but a number did not. The Colonial Secretary is prepared to recognise the claims of those who registered in 1902, and to give them the right of re-entry, but he is not prepared to recognise the claims of any others. The Indians claim that there are 6,000 Asiatics out of the country at the present time entitled to return, and that some 2,000 will be banned under the new Bill. Mr. Gandhi denies that he is for any new right in pressing the claims of these people, and in confirmation he referred to the fact that when Mr. Duncan first introduced the Asiatic Act he stated that there were some Indians who were not covered by permits who should get protection. Not only that, but some Indians who come under the category who have been fortunate enough to much forward their applications have already received their permits. What Mr. Duncan contemplated in his mental reservation Mr. Gandhi now claims should be legitimately defined. General Smuts, Mr. Gandhi says, does not want to legitimately define the position but wants simply to shut the door. The letter on which the compromise was based states "such mode of registration (voluntarily) should apply to those Asiatics who, being out of the Colony, may return and otherwise possess the right of re-entry." Mr. Gandhi mentioned to a *Star* reporter the case of an Indian

merchant of 23 years' standing in the Transvaal who holds credentials from European firms and who is not entitled under the proposed law to return.

The last point which is in dispute is in connection with the decisions of the Registrar, from which Indians claim the right of appeal, and Mr. Gandhi points out that under the Immigration Acts of the Cape Colony, Natal, and other Colonies immigrants have the right of appeal to a Magistrate.

There are 150,000 Indians in South Africa, and local Indians are satisfied that they will have the undivided support of their compatriots in making a determined stand against the proposed law. A meeting is to be held at the mosque to-morrow afternoon at which the position will be explained. Mr. Gandhi's appeal to the Supreme Court to compel the Registrar of Asiatics to return his application for voluntary registration and all documents relating thereto will probably be heard on Monday, and till then matters will remain in abeyance.

#### Application to the Supreme Court

Mr. Ebrahim Aswat has applied to the Supreme Court, supported by affidavits from Messrs. Essop Ismail Mia and M. K. Gandhi, for a return of his voluntary application form. Full report will be given next week. Advocates Ward, K.C., and Home have been briefed, and the application is set down for Friday at 11 o'clock.

#### What the "Leader" Says

Writing editorially on the situation last Wednesday, the *Transvaal Leader* says:

Our note of Monday, stating that a satisfactory arrangement in regard to the Asiatics had been arrived at, was premature. To all appearance the Colonial Secretary and the leaders of the Asiatics have arrived at a deadlock, and the community is threatened with a renewal of the troubles and agitations of a few months ago. No doubt the Colonial Secretary will make a statement to Parliament within the next few days, pending which the public will reserve judgment. On the face of it, however, there seems no sufficient reasons for the deadlock. The broad point seems to us to be the fact that the European community feels that the Colony cannot be expected to carry more than 15,000 Asiatics who were in the Colony when the recent difficulty arose. The Asiatic leaders do not seriously object to this, beyond asking that any of their countrymen who wish to enter here shall be subject to exclusion for the same reasons, as any other would-be immigrants are excluded, and not merely because they are Asiatics. There are subsidiary points at issue; such as whether Asiatics now outside the Colony but en-

titled to re-admission in terms of the compromise may return after the period of three months; but these do not seem to present insuperable difficulties to the Colonial Secretary's diplomacy. There seems to be the less reason for discriminating against Asiatics as such—especially those who happen to be British subjects—when one reflects that very few educated Asiatics are likely to present themselves, since, if the number of the common people be kept as at present, there is no apparent livelihood for such immigrants. The most workable method would seem to be to leave it to the Supreme Court to decide in any case in which there is doubt, and to place upon the would-be entrant the onus of setting the processes of the Court in motion. One can fully appreciate the anxiety of the Colonial Secretary not to let the Colony be filled with Asiatics pending a possible Union, on the plea that it does not matter, since a South African Parliament would deal with the problem as a whole, only to find that new vested rights had grown up in the meantime. If, however, the Supreme Court were left to decide cases, danger to the interests of the Colony is not apparent. We do not like leaving matters of such a nature in the hands of officials, and not allowing appeal. That has a Russian look about it. It is to be hoped that the Colonial Secretary, after steering his way as well as he has done in a very trying situation, will not find the present difficulty unmanageable, with tact and reliance upon his own common-sense.

#### Mr. Gandhi Speaks

Mr. Gandhi has forwarded us a copy of the following letter which he has circulated amongst the Transvaal Press:

Various statements have appeared in the Press regarding the charge of breach by the Colonial Secretary of the compromise between the Government and the Asiatic communities. Hitherto, owing to the delicate nature of the negotiations that were going on between the Government and the Asiatic communities, it has not been possible to state the case before the public.

I am sorry to say that the negotiations came to an abrupt and unsatisfactory end to-day. I use the term unsatisfactory as applicable not merely to the Asiatics but to the whole Empire. General Smuts was willing to repeal the offending Asiatic Act, which has cost the Asiatics treasures of money and much trouble, including incarceration of over two hundred innocent Asiatics, mostly British. This shows that General Smuts was, and still is, under promise to repeal the Act.

But if he was willing to carry out the letter of the compromise, he wanted to break the spirit of it. For it will be argued that the material

position of the Asiatics was, under and after the compromise, to be lower than under the Asiatic Act. Yet such was General Smuts' draft which I was to-day pained to study and, so far as I was concerned, to reject.

The draft measure proposed to treat the following as prohibited immigrants:

(a) Asiatics possessing educational qualifications prescribed by the Immigrants' Restriction Act:

(b) Asiatics, whether in or out of the Colony, holding Dutch Registration Certificates, under Law 3 of 1885, for which they paid £3.

(c) Other Asiatics who were residents of the Transvaal before the war and who could prove before a Court of Law their previous domicile;

(d) Those Asiatics whose claims have been rejected by Mr. Chamney (For these it is contended only that they should have the right to have their claims investigated by a judicial tribunal, not finally disposed of by an administrative official).

In rejecting these claims for consideration and adjudication, not for admission *ipso facto*, General Smuts has misread the passive resistance struggle. It was undertaken, not for selfish purposes, but for the benefit of the Asiatics as a whole, and, shall I add, even the Empire. Moreover, he has wrecked a whole compromise to javoid the possible accession to the Asiatic population of the Colony of two thousand Asiatics as an outside figure. I call these people an "accession," but, in fact, they are already domiciled residents of the Colony, though General Smuts' draft ignored their rights.

The position of the Asiatics is simple. They must revert to the condition that prevailed in January last in this matter, and they have been advised to withdraw their voluntary application forms. General Smuts has declined to return them. If he had the courage to face the passive resisters, he would return them without much ado.

Asiatics were labouring under a cloud of suspicion up to January last. Mr. Duncan had levelled the charge, and it was repeated, even in the highest places, that there was an organised illicit entry of Asiatics. The fact that over seven thousand six hundred out of nine thousand have already proved their *bona fides* disposes of the charge. It was in order to refute that foul charge that voluntary registration was tendered, and for no other reason. The Asiatics, therefore, approach the public with clean hands. Moreover, they have shown by their sufferings that they have a right to command sympathy from a humanitarian public.

Lastly, they have shown, by some of their leaders being severely assaulted by their own countrymen, that they are just as eager to serve the Government as they are to serve their countrymen.

General Smuts' Act will be that of the Government and the Government's will be the white men's—mostly British. When I explained the compromise to my countrymen, the less thinking among them said: "Do not trust the white man. Repeal of the Act should precede voluntary registration and not succeed it." I told them that that was not a dignified position to take up.

In tampering with the compromise, I venture to say that General Smuts does not know what he is doing. Will the Englishmen in the Colony tolerate the position, when their main intention is granted, that future immigration of Asiatics should be effectively controlled?

Johannesburg,

22nd June, 1908.

### Immigrants' Restriction Act

[SPECIAL TO INDIAN OPINION]

As General Smuts has contended that the interpretation of the Immigrants' Restriction Act prohibits Indians with educational attainments from entering the country, a test case is to be fought in the name of Mr. Sorabji Shapurji, a well-educated Parsee Indian of Charlestown. Mr. Sorabji, therefore, entered the Colony on Wednesday, but, contrary to all expectation, he was allowed to pass without hindrance. He has, therefore, arrived in Johannesburg. He is being watched by the Police.

## Late News

Johannesburg, Thursday

Yesterday Mansook Madee and Mahomed Shah were brought before the Magistrate on remand. The evidence for the prosecution was completed, after which the evidence for the defence was called. At the conclusion of the proceedings, the Magistrate committed the first accused for trial, but Mahomed Shah was discharged on the ground of insufficient evidence to warrant the Magistrate sending the accused up for trial.

The *Rand Daily Mail's* London correspondent cables that Lord Ampt-hill has been chosen to succeed Sir Frank Lascelles as British Ambassador at Berlin.

The *Leader* states that the Birthday honours include a Baronetcy for Sir Cowasji Jehangir, leader of the Bombay Parsi community.

The test case has been postponed to Thursday next. A replying affidavit has been filed which states that no promise to repeal the Act was ever made.