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The Bombay Sheriff's Public Meeting to
protest against the anti-Indian legislation
of the Government of South Africa.

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Sir Chimanlal H. Setalvad, delivering his Presidential address at the Sheriff's Public Meeting of the Citizens of Bombay held at the Sunderbai Hansraj Pragji Hall on 20th April, 1943 to protest against the anti-Indian legislation of the Government of South Africa.

THE CITIZENS OF BOMBAY PROTEST AGAINST THE
ANTI-INDIAN LEGISLATION OF THE GOVERNMENT
OF SOUTH AFRICA.

A public meeting convened by the Sheriff of Bombay to protest against the anti-Indian legislation of the Government of South Africa was held at the Sunderbai Hansraj Pragji Hall on Tuesday, 20th April, 1943. There was a very large gathering representative of all shades of political thought. Those present at the meeting included Sir Vithal Chandavarkar, Sir Francis Low, Sir Sorab Saklatwala, Mr. J. R. D. Tata, Mr. B. J. Wadia, Vice-Chancellor of the Bombay University, Sir Chunilal B. Mehta, Mr. D. G. Dalvi and others.

Sir Jamshedji N. Duggan, the Sheriff of Bombay read the notice convening the meeting and called upon Seth Haridas Madhavdas to move the first resolution proposing Sir Chimanlal H. Setalvad to the Chair.

Seth Haridas Madhavdas in proposing the resolution said :—

“Mr. Sheriff, Ladies and Gentlemen,

You all know the circumstances, under which we are meeting here to-day. The old tale is being repeated of considering India as the Cyndrella of the Empire and using her as a milch-cow. On the one hand, there are congratulations from the Prime Minister of England on the heroism of Indian troops, and on the other, an important portion of the British Empire has been forging new legislation of humiliation for the countrymen of the same Indian soldiers. It is to protest against this, that we are meeting here to-day ; and who can be a more fitting President to guide our deliberations than Sir Chimanlal Setalvad, who has made this cause of Indians abroad his own for the last so many years ; who has been a consistent fighter for the rights and privileges of our countrymen, and who has studied the whole constitutional position with his usual sobriety and independence of thought ?

There have not been a few occasions, unfortunately for us, when we are obliged to hold meetings to protest against actions taken by the Colonial Governments, specially South Africa, with regard to Indian

residents in those Colonies. General Smuts, who is not tired of expressing vague platitudes about democracy and freedom, is leading the campaign this time with his usual thoroughness against Indians, and, I am afraid, unless the British Government themselves intervene or unless the Government of India take a more definite and vigorous stand than they have been doing, the nails will be fixed up in the coffin for Indians, and they will be slowly driven out of that Dominion, which they have done so much to develop.

I, therefore, propose Sir Chimanlal Setalvad to the Chair, and hope that you all will approve of it with acclamation."

Dr. T. M. Kajiji seconded the resolution, which was carried unanimously.

The following message Dated 20th April 1943 from the Secretary, the Bombay Provincial Muslim League addressed to the Imperial Indian Citizenship Association was read at the meeting :—

"I thank you for your kind invitation to Muslim League to attend the meeting proposed to be held on the 20th April, 1943 to protest against the anti-Indian Legislation in South Africa. I regret to inform you that all the Office-bearers of the Bombay Provincial Muslim League have gone to Delhi to attend the All-India Muslim League Session ; or else they would have been pleased to attend the meeting. However, our good wishes are with you. I may tell you here that the Muslim League feels as strongly on the point as any other Indian Association."

Sir Chimanlal H. Setalvad in the course of his Presidential address said :—

"We, the citizens of Bombay have assembled here this evening to record our emphatic and indignant protest against the Trade and Land Indian Restriction Bill now before the South African Parliament. One is amazed at the affrontary of the South African Union in wanting to pass such legislation based on racial and colour discrimination at a time when Indian troops are fighting heroically and shedding their blood in all theatres of war and especially in the North African campaign, the success of which directly defends and protects the South African Union. For the last few days, we have been hearing eulogistic praise for the performance of the Indian troops from the lips of the Prime Minister, Mr. Churchill

and the Generals in North Africa. But all this means to us empty and hollow words when at this very time Indians are going to be subjected to this obnoxious piece of legislation, and makes one sceptic of the professions of the United Nations that the War is being fought for freedom and liberty of all people. In South Africa, the European population is over 21 lakhs and the non-Europeans number about 81 lakhs out of which two lakhs are Indians and 71 lakhs Africans. Non-Europeans are not allowed any legislative and municipal franchise except in the Cape Province. Indians are segregated in trams, railway trains and cinemas and not allowed to use lifts. Some years ago, it happened that the Agent-General of the Government of India who was accompanied by his European Secretary was not allowed to use the lift while his European Secretary was allowed to do so. The Indians in South Africa have been domiciled there for generations and have contributed to an appreciable measure to the prosperity of that Dominion and still they and the original inhabitants of Africa are treated as outcasts and pariahs. Many years ago, Joseph Chamberlain in disallowing the Natal Franchise Law said as follows :—

“ We ask you to bear in mind the tradition of the Empire which makes no distinction in favour of or against race or colour and to exclude by reason of their colour or by reason of their race all Her Majesty's Indian subjects, would be most painful to Her Majesty to have to sanction. Indians were as loyal to the Crown as you are yourselves and among them are hundreds and thousands of men who are every whit as civilised as ourselves. They are better born in the sense that they have older tradition and older families ”.

The treatment of Indians by the South African Republic of old days was made a *causes belles* for declaring war against the Boers.

Lord Lansdowne the then Secretary of State for India said :—

“ Among the many misdeeds of the South African Republic I don't know that any fills me with more indignation than the treatment of the Indians.”

And now, Indians are worse treated than they were under President Kruggar. General Smuts complains that the Indians there instead of

subscribing to the war loans are investing their monies in buying immovable properties from the Europeans. One may well ask why do not the Europeans who get their purchase money from the Indians do not invest them in Defence Loans? If they did, then it is immaterial whether the money in the hands of Indians was so invested or the same money when come to the hands of Europeans is so invested. Ladies and Gentlemen, under the existing conditions under which the Indians have to live in South Africa, can any one blame them for not feeling enthusiasm for the allied cause? The Government of India have put in their protest but any protest without sanction behind it can never be effective. The present controversy brings vividly to light the helpless situation of India as long as it has not complete freedom to manage her own affairs. If India had been free, she would have taken up the challenge and would have tried to forge some effective retaliatory measure which might have compelled the South African Union to come to terms. If India is to be a self-respecting unit of the British Commonwealth, she must insist upon free and equal citizenship for all Indians in all units of the Commonwealth where they may have been domiciled. The present action of the South African Government and the inability of Britain to help India in this matter will, I am sure, weaken the hands of the dwindling number of persons who still want India to remain in the British Commonwealth of Nations."

The Rt. Hon'ble Dr. M. R. Jayakar in moving the second resolution said :—

"Mr. President, Ladies and Gentlemen,

I have been asked to move the following resolution :—

"This public meeting of the citizens of Bombay enters its emphatic and indignant protest against the action of the South African Union Government in introducing and getting passed by the Union Parliament a Bill to extend the duration of the Transvaal Land Alienation Act and to include in its scope Durban City with provision, if the Union Government thinks fit, to extend it to other places in the Natal Province. This action of the South African Union Government is very reprehensible at a time when Indian soldiers are bravely fighting and shedding

their blood in all theatres of war, and specially in North Africa for the protection and defence of the South African Union itself. This meeting insists that Indians domiciled for generations in South Africa and other units of the British Commonwealth should have complete and equal rights of citizenship with the rest of the population in those units."

Whatever the result of our present agitation may be in South Africa, it is clear that, so far as India is concerned and Bombay in particular, it has had the effect of uniting and bringing on the same platform the important political and other groups which had so long remained divided and isolated from one another. For nearly three years India had suffered from political frustration due to the disunion of the main political parties and it is therefore, in my opinion, a happy sign that we have all united together on this platform to convey to the South African Government our strong resentment at their behaviour. It is a fortunate circumstance and I may say a rare one too, that the Government of India is with us on this occasion.

The resolution in its earlier part mentions a few features of the Bill. Briefly, this Bill in effect condemns the helpless and economically feeble minority of Indians in South Africa to the regime of the Ghetto. To follow clearly the implications of this Bill, I must take you back to the year 1939 when, despite the protest of the Indians, the Union Government passed the Transvaal Land Alienation Act of that year. In effect, it was intended to curtail the trading and property acquiring rights of the Indian population. We were assured then that it would be a temporary measure. It was to expire sometime this year and its provisions were applicable only to the Transvaal. The present Bill is intended to extend both the period of that Act and also its operation to the town of Durban in Natal and power has been given to the Union Government, to extend the provisions to other parts of Natal. Judging from the Press reports, the cry has already been raised for securing such an extension to other parts of Natal and, if this is done, the result will be that the trading and property acquiring capacity of Indians will be reduced to a minimum and they will be confined as helots, to segregated areas from which it will be impossible for them afterwards to emerge. In other words, its effects will be as deleterious as Dr. Malan's Area Reservation Bill of 1926. The Bill denies rights of trading with Europeans and acquiring properties in what are known as predominantly European quarters. This Bill is, therefore, a violation of the

solemn undertaking in what is called the Cape Town Agreement, which secured for Indians the right (1) that Indians would be treated as a part of the permanent population of the Union and (2) that facilities, educational and otherwise, would be extended to them to raise themselves to European standards of living. The implications of this Cape Town Agreement, which large sections of Indian opinion even then denounced, are being flagrantly ignored by the proposed measure.

The plea, which has been set forth for justifying this iniquitous measure *viz.* the fast acquisition of property by Indians in European localities, has been proved to be untrue by the figures placed before the Broom Committee and published at later periods. Similarly, Field Marshal Smuts' arrogant plea that Durban is predominantly a European city is unfounded. It is now found that, in that city, European residents number 1,00,000 and Indians 90,000. This is apart from the undeniable fact that the city of Durban is practically the creation of the toil, labour and energy of Indians, many of whom went there long before the bulk of the present European residents came to reside there. The arrogant implication of the Bill, which will be resented throughout the length and breadth of India, is that no Indian, whatever his education and culture, is fit to live side by side with a European, however low and degraded. Indians are fit to fight as soldiers by the side of South Africans, but not to live as civil population within a few yards of them. The method adopted for getting this Bill through the Union Parliament was contemptible. It was a process of bribery, not devoid of the subterfuge "divide and rule", which Whites often employ in governing darker populations. Indians have been sought to be divided into rich and poor. The richer ones have been blamed for neglecting their duty towards the poorer ones and these latter have been tempted with promises of increased old age pensions announced in the same breath as the recommendation to adopt this Bill. Similarly, another sop has been thrown out *viz.*, the Mayor of Durban City has announced an Eight years' scheme involving an outlay of two millions pounds for housing facilities for the Indian population. These are all boaxes, which India is proud to see have not lured the Indian population nor divided it against itself. These promises will prove deceptive as older promises have done. What happened, we ask, to the Thoronton scheme of 1928, providing £ 50,000/- for similar purposes as a bequest of the Union Government? It is well known now that only 22 houses were built out of this fund costing

only £ 7,500/- and that too after a period of ten years. For fifteen years the City Council of Durban has been striving its best to prevent Indians from availing themselves of this so called bequest of the Union Government. Every obstacle has been thrown in their way and no attention was paid during this long period to improving the housing conditions of the Indian population. This gift of two millions will go the same way as the Thoronton Scheme went.

It is incredible that this arrogant Bill should have seen the light of the day at a time when Indian soldiers and the Royal Indian Navy have been busy, on land and in water, protecting the liberties of the South African Union and Indian soldiers are spilling their blood fighting side by side with British and American troops in the defence of South Africa. Why were Indian soldiers drained away from India, their natural fighting area? Is it also a part of the Whiteman's burden that he alone must fight and protect the dark men and is it on this principle that we see so many foreign White soldiers walking about in the streets of Bombay, from where all coloured fighting forces have been drained practically to make room for the White soldier? This Government is devoid of all imagination and sentiment and it perhaps does not realise how Indians feel, in their hopeless impotence, that even the protection of their city, their hearths and homes has to be maintained by White soldiers and not by their own countrymen. How would Londoners feel if every British soldier was drained away for the protection of other lands and the Gurkhas were planted throughout London to protect British men and women? Was it for this purpose that the fighting material of India was taken away—the Dogras, the Jats, the Rajputs, the Sikhs, the Punjabis and the Mahrattas—and is this the recompense India is to obtain for allowing her sons to be slaughtered in foreign lands, in the supposed cause of freedom, which victory in the present war is to usher for all Nations, small and great?

It is a terrible irony that, while the Bill is going through the Union Parliament, the Prime Minister of England, perhaps with his tongue in his cheek, sends a message to the Viceroy, reported in the Indian Press of the 17th instant. He has "watched with admiration the splendid achievements of the Indian troops and is filled with pride for India's fighting men and their high renown for valour." He expresses to the Princes and people of India the admiration and gratitude of the British people. Are these senti-

ments genuine? This is not the first time when Mr. Churchill would have said something which he never intended to be taken seriously. If these sentiments are genuine, what is he going to do to protect the honour and liberties of the people for whose achievements he feels so grateful?

The effect of the Bill on the Indian mind will be disastrous. It will, in the first place, show the entire futility of endeavouring to create the tie of a common Empire between the White, the Brown and the Black subjects of His Majesty. Many have doubted the possibility of such a tie between distant portions of the human race differentiated by all that makes up life, for instance, the tie of blood, the force of culture and the teachings of religion. There may be a few people who fondly believe that such a creation is possible, but many in India have doubted this possibility. To many it seems as futile as an attempt to create a Republic with lambs and lions as its component parts. As national consciousness and self-esteem have grown in India, this doubt has increased in proportion. Bills, like the one which we are criticising to-day, will completely destroy the last vestiges of the hope of creating an empire between such discordant sections of humanity. It seems to be a vain dream and Field Marshal Smuts' measure will dissolve the Empire much sooner than any hostile agitation in India. It is bound to raise the cry, in more violent terms than ever, of Asia for Asiatics and of an Asiatic Federation off which Europeans must keep their hands. The faith in a British Empire is fast diminishing in modern India. It will completely vanish if this Bill is allowed to pass with no endeavour on the part of British statesmen to stop its enactment. Secondly, Indians will lose completely their faith in the professions of the British as regards the purposes and the ideals of the war *viz.*, that it is intended to secure victory which will ensure the freedom of all people including India. Mr. Churchill's interpretation of the Atlantic Charter has already cause a deep gash in Indian sentiment. This Bill will cause a deeper wound in the Indian mind. Our faith in the professions of the British would be destroyed and also in the possibility of social and political reconstruction after the war, so as to secure India an honourable place in the British Empire. This is bound to impede the war effort in India, small as it is even now. It is undoubted that India has not been made to feel that it is her war. The moral approbation of the Indian people for the war was never secured. Some men like me made every effort to persuade the authorities early to take steps to create the confidence that our freedom



A view of the large audience at the Bombay Sheriff's Public Meeting held on the 20th April, 1943 to protest against the anti-Indian legislation of the Government of South Africa.

was involved in the victory of this war and that this was our war fought side by side with the British in securing a victory, the full fruits of which we would share equally with them. But the authorities were obdurate and refused to take such steps. What guarantee is there that, when we emerge successfully through this war, Indians will be able to obtain a position in which they will be free to pursue all lawful avocations as free men throughout the British Empire and outside, to obtain the right to enter and acquire citizenship on equal terms with the White people and to enjoy the fruits of victory untrammelled by any race discrimination or disabilities? I can say without exaggeration that, if the present Bill is passed, its effect on Indian mind will be disastrous in destroying completely our confidence both in the British professions about the purpose of the war and about the nature of the reconstruction which will follow victory.

Lastly comes the question, what is the remedy? The only true remedy is National Independence and barring that, during the period of the war, a National Government at the Centre. The Government of India, unrepresentative as it is of the popular elements in the country, have hardly any power to obtain a solution worthy of the honour of the Indian People. We are grateful that they are endeavouring in a mild way to obtain some sort of justice, but for years they have gone on relying upon promises after promises to secure an amicable understanding. All such promises have failed. Assurances given to obtain such understanding have been broken and the time has now come when the Government of India must muster courage to take a final step to assert as effectively as possible India's claim to obtain for herself the position of complete equality with the other parts of the Empire and to be treated as free citizens with all rights relating thereto. Imagine the way the Government of India have been treated by the Union Government. Their request, modest as it was, to have an opportunity of studying the provisions of the Bill and making suggestions thereon has been denied. So also the proposal to have a Round Table Conference between the Government of India and the Union Government in order to explore all possible means of arriving at an amicable solution has been turned down. I am not surprised at this, for the Union Ministers are clever enough to realise the weakness of the present Government of India, that it is not a National Government planted there by the verdict of the people, but it exists because of the good-will of the British authorities. It has no foundation in the esteem and confidence of the people. I have no doubt that, if the

Government of India prove more troublesome to the Union Government and show more strength in their dealing, the Union Government will turn round with the gibe "doctor heal thyself" and the Viceroy and the other authorities will be powerless in the face of such a cruel retort. However, we must support, with all their weakness, the present Government of India in its effort to obtain some sort of redress. May I ask them to exercise such powers as they possess and, if these are insufficient, to take new powers to themselves in order to effectively compel the Union Government to drop this Bill and to prevent the repetition of such wrongs, if necessary, by such retaliatory measures as could be advised by expert opinion. It should be their aim to secure effectively just rights to Indians throughout the Empire and to claim equal rights of citizenship and all other rights incidental to that position. If this cannot be done by any means, then India will assert her inalienable and inviolable right to separate from the British Empire and if India does that in the near or distant future, the blame will not lie on her.

With these words, Ladies and Gentlemen, I commend the resolution to your acceptance."

Sir Homi Mody seconded the resolution and said :—

"Yet another chapter has been added to the long and sordid story of disabilities and humiliations heaped upon our countrymen in South Africa. A hundred years ago when Natal was annexed, the Governor of Cape Colony said there would be, in the eye of the law, no distinction of colour, origin, language or creed, and that the protection of the law in letter and in substance would be extended impartially to all alike. It would be a good idea if we were to celebrate the centenary of this first broken promise. Incidentally, I wish somebody would compile an Encyclopædia of broken promises since our modern civilization began. It would run into a few volumes, and the leaders of South Africa are sure to find an honoured place in the compilation. It is no use, however, talking of broken promises and of justice and fairplay. The human conscience is not easily awakened, and nations, like individuals, have a habit of yielding only to force. All history has taught us that subject nations can assert their rights not by the justice of their cause but by the strength of their right arm.

The Government responsible for this latest piece of indignity has, as its head, a statesman of international reputation, one who may be expected, by his achievements and position, to be one of the makers of the new world

which, we are told, is going to rise on the ruins of the old. It is a matter of deep disappointment that a man of such eminence should have surrendered to political expediency. It is true that in his speech in the Union Parliament he has struck a note of sympathy and conciliation, and given assurances for the future which we gratefully acknowledge, but let us have no illusions on the subject. It is not Field Marshal Smuts who constitutes the authentic voice of South Africa. It is Col. Stallard and Dr. Malan and others of that kidney who arrogantly proclaim that South Africa is for the Whites, and that the Indian has only a subordinate place in the Union. It is these people who speak the real mind of their countrymen.

What is the justification for the present Bill? Field Marshal Smuts has sought to fasten the responsibility on a section of Indians, and we are bound to deplore that their selfishness and shortsightedness should have contributed to bringing about the present situation. It is not honest, however, to take shelter behind the action of this section when the White population, which sold the lands, and the Durban City Council which did nothing all these years to provide suitable accommodation, are even more to blame. If the Whites of South Africa feel so strongly about the matter and wish to keep the country as a preserve, why do they not rise above personal selfishness and greed? Why do they not start a sort of passive resistance against the Indians and become their own traders, grocers, cooks, dhobies and the like? No, the fact of the matter is that the South African needs the Indian to minister to his comforts and to promote his well-being, but he will not concede to him the common decencies of life.

Field Marshal Smuts has said that Durban is a European City. What exactly, may I ask, is a European City? Is it a city with a nobler concept of life, of a finer state of morals, or a higher standard of public and private amusements than the Asiatic is capable of that he is talking about? Or is it just a city that denies to every other element of population the most ordinary human rights? Historically, the dictum is altogether false. Times without number, it has been admitted by Britisher and South African alike that Durban has been built entirely upon the Indian population.

We no longer can challenge the right of any country to regulate its own population, and the logic of events has compelled Mahatma Gandhi and the late Mr. Gokhale and others to accept the principle of restrictive immigration. That was on the distinct understanding, however, that the Indians who are

rightfully in South Africa would be accorded a fair and equal treatment. These assurances have never been carried out. Not only has common citizenship been denied to our fellow countrymen, but they have all along been subjected to humiliations which make our blood boil. Situated as we are to-day, we recognise our impotence—it must be remembered that the whole of India thinks as one man on this question, and the Government of India have been consistently on our side. But I have always held the view—a view I advanced at a public meeting as far back as 1926—that retaliation, however ineffectual, was the only recourse left to India for the vindication of her honour and self-respect. If you do not like the word, you may call it Reciprocity; and in fact, a Reciprocity Bill has recently been accepted in the Central Legislature. A free India will of course know how to deal with the situation as the South African will find out some day, but to-day we can only fight with the weapons of the weak, and it is time we went beyond the stage of prayers and protests which have availed us little all these years.

We all know there is a large and powerful section in this country which will be satisfied with nothing but its independence. At the same time, a section of politically-minded India whose influence is not to be despised, holds the view that if India were as free to regulate her external relations and her internal affairs as Canada, South Africa and Australia, her position, power and prestige would be amply safeguarded. When we cast our eyes to-day at all that is happening around us, we, who are of that persuasion, feel more than ever fortified in our faith. A question I would like to ask, however, is: What sort of a Commonwealth is it going to be? Is it going to be an alliance which assures to every component unit the fullest equality of status and power, or is it going to be some sort of White and Brown Commonwealth which would seek to perpetuate the discriminations and disabilities which now exist? And if there is going to be an International Federation, what place will India have in it? Is the Atlantic Charter to be a sort of an Atlantic liner in which there are State cabins, cabins de luxe and ordinary cabins, and if so, what sort of accommodation are we likely to have. I hope we are not going to be deck passengers. This only I shall say—there is no Indian who would enter into any sort of Federation, be it a British Commonwealth or any other, which does not assure to his country the fullest freedom at home and the fullest respect abroad.

The question of the treatment of our countrymen in other lands has become a national problem in the fullest sense of the word. Here is a realm in which there are no territorial divisions, no Pakistan or Hindustan, nor is it a case of the Government on one side and the people on the other. We all stand together. The people of this country are fully behind their brethren in other countries, and the Government of India is fully behind the people. A common threat and a common injury unite us all. May we not hope for a larger unity to emerge? Let us devoutly hope that India does not have to enter the Conference Room of the United Nations, divided in her counsels, torn into many factions and thus unable to secure for herself a place in the post-war world, worthy of her historic past and worthy of the great part she is playing to-day in the liberation of mankind."

In supporting the resolution, **Mr. Jamnadas Mehta** said that the result of the South African legislation would be that the Indians in Natal would be segregated in the bazar areas. Voices of protest had been raised by Indians, but it had been proved that the forty crores of Indians and their Government were utterly powerless in protecting the rights and interests of South African Indians. Indians would be free only when there was equal treatment among all Indians.

Mr. Hooseinbhoj A. Laljee supported the resolution and agreed with the suggestion of Sir H. P. Mody that the provisions of the Reciprocity Bill should be made applicable to South Africa. He also desired that the leaders of Indian opinion should call upon the British Government to do their duty as trustees of this country.

Further supporting the resolution **Sir Rustom Masani** observed that if their enemies had been looking for "fifth columnists" to create discord in the camp of the United Nations, their eyes could not have fallen on more obliging agents than those South African Solons who were bent upon bringing on the statute book a piece of legislation undermining the basis of concord and co-operation. Were they in search of a weapon to strike at the steadfastness and faith with which the United Nations were fighting, they could not have found one more deadly than that baneful measure going counter to the doctrine of human liberty and dignity on which their faith and steadfastness were based. While they in India would do everything possible to denounce the action of the misguided champions of racialism, they would surely do nothing to help the enemy.

In the course of his speech in support of the resolution, Mr. B. G. Horniman said:—

“I desire to associate myself as an Englishman with the sentiments of anger, resentment and indignation which have been expressed at this meeting in regard to the treatment of Indians in South Africa. I say that as an Englishman although, standing here, I feel as much anger and desire for retaliation as any Indian can. Because I am not an ordinary Englishman. I am also an Indian.

For a long time we have heard of Indianisation. In most cases the attempt has been futile. But I can honestly say that as far as I am concerned, the process of Indianisation during the last forty years has been as complete as possible. That is why I also speak here as an Indian and I feel as much anger as any Indian can feel.

A friend told me just now he had been attending meeting to protest against the treatment of Indians in South Africa since the year 1909 and he had never known anything to come out of it. Well, for many years I also have been attending such meetings. The first I attended was as far back as 1913 and very little came out of that although I made my first public speech in Bombay on that occasion. Recently we have been hearing a good deal about “Asiatic cunning”. But in this matters European cunning has always got the better of the Asiatic. In 1913 or 1914 Mahatma Gandhi, quite sincerely came to a compromise with General Smuts, which like all such compromises, left the Indians in the lurch, because European, or at least Boer cunning was too much for an Asiatic Mahatma (laughter).

Therefore I say now let there be no compromise. Let us be firm in whatever steps we are going to take and refuse to compromise. I wish our Moderate friends would give up talking of Reciprocity instead of retaliation. Why should we be mealy-mouthed. We must retaliate. Every South African who is enjoying service in India, who is doing business in India or otherwise receiving the hospitality of India ought to be driven out of the country, lock, stock and barrel, and not allowed entry till the South African Government comes to its senses (Laud applause).

It is absurd to talk of an Empire, much less of a Commonwealth when one unit can deny citizenship rights to the member of any other part of

the Empire. If this kind of thing is allowed to go on the whole rāmshakle edifice of Empire will come down with a crash.

The other day Mr. Churchill said that he had not become the first minister of the Crown to preside over the liquidation of the Empire. There is no need for him to worry about that. Whether he likes it or not, General Smuts is doing the job very well for him (cheers). There can be no room in a Commonwealth, for a country which behaves as south Africa has been behaving. There is no room for India in an Empire which does not safeguard her rights and self-respect. There is no room for the British Empire in India unless there is a guarantee to Indians, of freedom and equality wherever they go (loud cheers). I, therefore, insist that India as a whole should join in boycotting these arrogant people in South Africa and treating them as they have treated Indians."

Sir B. Rama Rau, a former High Commissioner for India in the Union of South Africa stated :--

"I am departing from the normal convention that governs public servants in this country and am appearing on this platform to associate myself with the expression of the very strong feeling of resentment that is being felt throughout the country about the anti-Indian legislation that is now going through the Union Parliament. I am doing so, because this measure raises issues of vital importance to the future of the Commonwealth and of the world. On the question of the Indian problem in South Africa, there has been no difference of opinion between the Government of India and the various sections of public opinion in the country.

Let me describe to you, briefly the circumstances that have brought about the present deplorable situation. At the end of 1938 and at the beginning of 1939 there were celebrations throughout South Africa of the centenary of what has been called the battle of 'the Blood River', which established European ascendancy in South Africa. As a result of this emotional upheaval, a wave of anti-Asiatic feeling swept the country and there was a widespread demand for the segregation of Indians and the coloured people. It was in response to this agitation that the Union Government passed what has been referred to as the Interim Act of 1939, which placed severe restrictions on the occupation of land in the Transvaal for residential and trade purposes by Indians, who had already been subjected to grave

disabilities in this province. This Act was to be enforced for a period of two years, during which the Union Government was to formulate a comprehensive measure of segregation of Indians in the Transvaal and Natal. Fortunately, the scheme did not materialise, since the Hertzog Government went out of office in September 1939 on the question of neutrality in the present War. The new Government headed by General Smuts included Mr. Hofmeyr and other statesmen with a liberal outlook and there was immediately a modification of the policy decided upon by the Hertzog Government. A few weeks after they had taken office, Mr. Lawrence, the new Minister of the Interior, announced that it was not their intention to proceed with the measure of segregation which had been under preparation and that before considering any measure of segregation they would appoint an impartial Judicial Commission to enquire into the allegations that had been made in regard to penetration by Indians into predominantly European areas. They also stated that the policy of the Government would be to explore all possibilities of a solution on a non-statutory basis.

A Commission, presided over by Mr. Justice Broome, was appointed in 1940 to enquire into the question of Indian penetration. The report of the Commission, which was presented in October 1940, was almost entirely in favour of the Indian community. They found that there was very little penetration by Indians into European areas and that the penetration was certainly not on a scale to justify any legislation. They also reported that there had been gross negligence by local authorities in regard to the provision of civic amenities in many Indian localities. The cases of penetration found were largely due to the fact that adequate provision had not been made for the housing of the better class Indians. Their investigations also led them to the conclusion that Indians generally preferred to live among their own countrymen and that they were not influenced by social ambition in attempting to acquire property in European areas.

One would have expected that after these authoritative findings of a Judicial Commission, the cry of penetration would not be raised again and we had every reason to hope that there would be no anti-Indian legislation for many years or at any rate till the end of the War. In less than eighteen months after the presentation of this report, a Bill has been introduced in Union Parliament for extending the Interim Act of 1939 till May 1946 and to impose similar restrictions in regard to purchase of property by Indians

in Durban and other parts of Natal. This has been done after a second hurried enquiry by Justice Broome, who was not allowed even to investigate the causes of the subsequent cases of penetration reported. The measure has been introduced in the Union Parliament in spite of the protests of the Government of India, who have apparently not been given an opportunity of offering their observations on the measure.

In defending this measure Mr. Lawrence, whom I always regarded as a friend of India, has gone to the length of taunting the Leader of the Opposition, Dr. Malan, on his more liberal attitude towards the Government of India on a similar occasion in 1926, when a measure of segregation was contemplated. Dr. Malan then yielded to the representations of the Government of India and agreed to a Round Table Conference. He dropped the measure of segregation and negotiated the Cape Town Agreement. To-day Mr. Lawrence speaking on behalf of a Government which believes in the British Commonwealth, seems to take pride in the fact that he at any rate will not be influenced by representations from another member of the Commonwealth. In other words, while South Africa is prepared to receive all the benefits of association with the other members of the Commonwealth, it will not make the necessary human adjustments to make it a real partnership. This is indeed a serious position from the point of view of the future of the Commonwealth.

As far as I can see, there is not a shadow of justification for the extension of the Transvaal Act. In regard to Natal, as Mr. Jayakar has pointed out, no Indian whatever his social standing, his education, his culture or his standard of living can under this Bill purchase property in a European area in Durban without the formal permission of some authority. India cannot reconcile herself to such a statutory measure of segregation. This issue has been raised by the Union Government at a critical stage in the War when it is of the greatest importance that the solidarity of the Commonwealth should be maintained. Indian soldiers have fought magnificently in East Africa and have played a glorious part in the conquest of Abyssinia and Eritrea, which has removed the danger of an Italian invasion of South Africa from the North. Indians are still fighting splendidly in Tunisia, and the Royal Indian Navy, in co-operation with the British Navy, is to-day protecting the shores of Africa from the danger of a Japanese attack.

You will easily realise the gravity of the issues that this measure raises. When I was in south Africa I reminded the European community on several

occasions that the Indian problem was not a domestic or a parochial problem. It is an Imperial problem vitally affecting the future of the Commonwealth. When India rises to the full status of Dominion, the treatment accorded by other members of the Commonwealth to Indian residents will undoubtedly be the determining factor that will influence India's decision on the question whether she should remain in the Commonwealth or declare independence. As Mr. Hofmeyr warned his countrymen in a famous speech in the Union Parliament, they were dealing not with a small Indian community of a quarter of a million people but with the outpost of a great and proud country with an ancient civilization. The humiliation inflicted by this measure will be remembered for many generations in India.

The measure also raises issues which are of vital importance from the point of view of the future of the world. This war has clearly demonstrated that no country great or small can hereafter remain in isolation. India, South Africa and all the other nations will be forced to join some sort of a world system, if peace is to be maintained on a stable basis after the war. The great countries of Asia which have now become politically conscious will not tolerate the position of inferiority assigned to their countrymen in South Africa and unless South Africa alters her outlook in regard to Asiatics who are Union nationals the Asiatic problem may become a menace to world peace.

I do not wish to make a long speech for the earlier speakers have explained the implications of this measure, but I should like to express my deep sympathy with the Indian community, among whom I spent three long years—long, because they were very anxious years. I have shared their difficulties and their troubles and my thoughts are with them constantly to-day, for I know what it is to live in the racial atmosphere of South Africa."

The resolution was then unanimously carried.

Sir Purshotamdas Thakurdas moved the following resolution :—

"That this public meeting of the citizens of Bombay expresses its appreciation of the representation made by the Government of India pointing out that the measure was both unjust and inopportune and that they should be given time for its consideration and criticism. It is surprising that the Union Government has not extended that bare courtesy to the Government

of India. It is the plain duty of the British Government to take up the question and give its wholehearted support to the Government of India in its efforts to see justice is done to India and her people. In the meantime, the meeting assures Indians in South Africa that although they are technically Union nationals, India will consider it her duty to stand by them so long as they have no franchise and representation in the Union Parliament and have no adequate means of getting their legitimate grievances redressed, and earnestly requests them to remain united and steadfast in asserting the rights of citizenship."

In the course of his speech, **Sir Purshotamdas Thakurdas** said :—

"In moving Resolution No. 3 for your acceptance, I do not think I need say more than one word regarding the last part of the resolution, which conveys an assurance to Indians in South Africa that India will consider it her duty to stand by them in getting redress for their grievances. I am sure the Meeting will agree with me when I say that we expect the Indians in South Africa to remain united in this matter and not to give way to any short-sighted temptations which may be suggested to them with a view to divide them.

Regarding the first part of the Resolution, it is only right that this Meeting should express its appreciation of the stand taken up by the Government of India so far, but the Government of India will recognize that India expects them to follow up their attitude in an effective manner. The tradition attached to the Viceroys of India regarding their attitude towards the question of Indians overseas has been that the Viceroy has always been very sympathetic in this matter and one remembers with gratitude how Lord Hardinge made that historical speech, I think, from Madras in about 1912 which effectively changed the attitude of even the British Cabinet regarding the treatment of Indians abroad. India expects Lord Linlithgow to follow that tradition and to demonstrate that he can be firm not only against Indians seeking their fair rights of self-government but he can be firmer still against other parts of the Empire seeking to encroach upon the rights of British citizenship for Indians abroad. And, in this connection you have it on the authority of Field-Marshal Smuts that the grievances against which we have met to protest to-day are grievances which affect 80 per cent of Indians in South Africa who are South African born, and therefore, entitled to the full rights of citizenship in

South Africa. If I had time, I would like to quote to you the words of Dr. Hofmeyr, who in opposing the Bill in the South African Parliament, definitely said that the Parliament there was adopting "a course of action which one's reason could not commend and one's sense of justice could not approve." These are the words of Dr. Hofmeyr, a distinguished Minister of South Africa. He further said that he regarded the Bill as an "unjustified prolongation of an unjustifiable piece of discriminatory legislation and as a surrender to racial and colour prejudice". If a Minister of South Africa decline to associate himself with such a surrender, what else can be expected from the Viceroy of India at this juncture except that he would not only not surrender to this Bill but would protest against it most effectively. And, previous speakers have told you at some length as to what powers the Indian Legislature has just passed for the Government to vindicate the self-respect of India in this connection.

It has been said that the Bills against which we protest are inopportune. They, indeed, are so from the point of view of Great Britain. For India, I cannot help saying that if South Africa and the Whites in the Empire are determined upon racial discrimination of this order, nothing could expose their sinister motive more than these Bills at this juncture. I am afraid Nemesis has overtaken racial arrogance in a very effective manner and this is clear notice to Asiatics all over the world that the Whites have not given up their tendencies to assert their superiority. It is deplorable, but from the point of view of a complete exposition of their motive, nothing could be more opportune than this effort of theirs whilst Indian soldiers are shedding their blood for the British Empire side by side with soldiers from other White countries.

Before I conclude, I would like to refer to what Pearl Buck, the American novelist and Nobel Prize Winner, declared a few months back. She said that, to her mind, the war is losing its character as a Fight for Freedom. She felt that a change had come over the war within the past year. She said that there was a moment nearly six months ago when the great peoples of Asia came very close to the people who were opposed to the Axis in Europe and America. She wondered if there could have been a man great enough at that significant moment to have declared that this is a war for the freedom of all peoples. She does not appear to have come

across such a man yet, and concludes that this war has been limited in its true aims. "It has become a military struggle and it has ceased to be a Fight for Freedom." One only wonders whether Pearl Buck will not now say that she has come across in Field-Marshal Smuts a statesman of great distinction who has subordinated political expediency in a small part of the British Empire to prove to the world the contrary of what she was looking for, namely, a man great enough to have declared that this is a war for the Freedom of all Peoples.

I commend the Resolution to your acceptance."

Lady Rama Rau, seconding the resolution, expressed the resentment of Indian women. She said that women were in total sympathy with Indians in South Africa. Democracy meant rights of citizenship and equality for all human beings

Mr. M. R. A. Baig in supporting the resolution referred to the circumstances that had led Indians to go and settle in South Africa and assured them that India would stand by them.

Mr. M. A. Jadwat, a South African Indian, also spoke on the conditions of Indians in South Africa.

The resolution on being put to the vote was unanimously carried.

Mr. Ali Mahomed Mecklai in moving a vote of thanks to the Sheriff of Bombay for having kindly convened the meeting said :—

"We are indeed grateful to the Sheriff for urgently calling such a momentous meeting. As there is no time left for me to offer any lengthy observations on the obnoxious piece of legislation now before the South African Assembly, I would content myself with saying a few words. My friend, Mr. B. G. Horniman, has made a reference to the Prime Minister's statement that he was not going to preside over the liquidation of the British Empire. I would say that the liquidation of the British Empire, in its financial sense, would have been completed in September 1931, but for India's timely help. I refer to the time when Britain went off the gold standard. Then it was the gold resources of India which propped up Britain's currency and credit in the international market.

Unfortunately Great Britain expects India on the South African question, to act in the Christian way : *i.e.* having got a slap on the left cheek India should offer her right cheek. But gratefulness and a sense of justice demand that Britain must regard the colour problem as an Imperial issue and take drastic steps to end it."

Mr. S. A. Brelvi seconded the resolution which was carried with acclamation.

The Hon'ble Sir Rahimtoola Chinoy moved a vote of thanks to Sir Chimanlal Setalvad for having presided at the meeting.

Mr. Jamnadas Dwarkadas in seconding the resolution said :—

"Mr. Sheriff, Ladies & Gentlemen,

I rise to second the resolution moved by my friend, Sir Rahimtoola Chinoy and ask you to carry the vote of thanks to Sir Chimanlal Setalvad unanimously. But in doing so I wish to say a few words about the main resolution. My esteemed friend Sir Purshotamdas has just told us that in his opinion, Nemises appears to have overtaken the South African Union Government. I entirely agree with that opinion; but I go further and say that this is a test for Great Britain and also for White Head of the Government of India. They have been telling us that the purpose for which the War is being fought is that the freedom of every nation should be safeguarded. Nature undoubtedly wishes to test whether these utterances are sincere or are they mere lip professions made with a view to deceive the world. I am afraid that if Great Britain and the Government of India do not rise to the occasion and acquiesce in the insult that the South African Government has hurled at the coloured people then there is inevitably going to be a disruption of the British Empire or Commonwealth whatever you may call it and for that disruption not India but the White Nations of the world alone will be responsible.

One word more :

There is a wholesome feature arising out of the unpleasant situation. I believe that in 1913 there was a disunion among various parties in India. Similar question in South Africa was responsible for bringing all parties together against the common foe and the result was a great movement for securing Home Rule for India. May not this very situation

arising out of the South African Government's attitude be a precursor to a similar effort for securing unity in this country so that the present dead-lock may be solved and a National Government be established? I therefore welcome the presence, as Chairman, of my esteemed friend Sjr Chimanlal Setalvad. A personality of his experience, statemanship and high calibre, can certainly bring together all parties on the same platform, namely, the Congress, the Muslim League, the Hindu Sabha, the Liberals and other parties so that we can form a united front and compel the authorities to part with power.

I second the resolution."

The resolution was carried with acclamation.

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