Transvaal Indians. a complete account of their grievences, demands and sufferings.

THE TRANSVAAL INDIANS.

A complete account

OF

Their Grievances, Demands and Sufferings.

TOGETHER WITH FULL TEXTS

OF THE

Anti-Asiatic Legislation of the Colony.

ट्रान्सवालांतील हिंदी लोक.

त्यांचीं दुःखें, मागण्या व परिस्थिति; या संबंधाची
इंग्रजी व मराठी सविस्तर हकीकत.

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THE TRANSVAAL INDIANS.

Their Grievances, Demands and Sufferings.

NO. 1.

(Reprinted from the Daily Indu-Prakash, Bombay, 4th August 1909.)

The main points at issue.

Now or never. If there ever was an occasion peremptorily calling upon all India to speak out with united voice and in unmistakable language on behalf of their patriotic countrymen, gallantly fighting India's cause in the Transvaal in far off Africa and for that purpose cheerfully undergoing untold hardships and sufferings, it is now. The Boers and the British Colonists of South Africa have made up their jealousies and quarrels and pushed up to final success the project of a great federation, practically independent of Great Britain. A Bill formulating the constitution for the union of the Self-Governing Colonies of South Africa is now before the Parliament and its successful passage is only a question of time. If the opportunity of securing fair treatment for the Indian emigrants in South Africa as a condition precedent for the granting by the Mother country of her sanction for the constitution, is lost, the cause of the Indians shall have to be finally abandoned as absolutely hopeless. Mr. Gandhi and others are doing all they could. Deputations on their behalf have gone to England. They have sent as their delegate Mr. Henry S. L. Polak—an European gentleman, be it noted to his credit–to India and he is amongst us, seeking to rouse us to a proper sense of our duty in the crisis. We hope our leading men and the masses too, will cheerfully respond. They have often been told of the thrilling story of the woes of our countrymen in South Africa. In view of the present crisis, we propose once more to give succinctly the main incidents so that the people may know exactly the great points at issue.

There are to-day only 6,000 British Indians remaining in the Transvaal out of a total Indian population of 13,000 the remaining 7,000 having mostly been driven out or

forced to remain out of the Colony.

They are suffering terrible hardships for the sake of the Motherland. The Transvaal Government are trying to crush them out of existence and have passed laws insulting to their religion and their race. This legislation has been added to the mass of existing anti-Indian laws, rules and regulations, whose removal was promised by the Imperial Government both before and after the Anglo-Boer war. These legislations prohibit an Indian from exercising any franchise, whether political or municipal, holding land outside of a location, walking on the footpath in certain towns, riding upon the Pretoria or Johanesberg tram cars, residing on mining areas—to mention only some of a sickeningly long list of disabilities and restrictions. The Passive Resistance movement of the day is however confined to a determination of two issues—to secure the granting of two demands only. These two demands are :—

(1) The repeal of the Registration Law of 1907 (the Asiatic Act), because

(*a*) It was the subject of a solemn promise of repeal by the Transvaal Government.

(*b*) It is unBritish and reactionary.

(*c*) It insults British Indians as a race and regards them as criminals.

(*d*) It attacks religion.

(*e*) It is unnecessary.

(*f*) It constitutes a vicious precedent.

The Transvaal Government refuse to repeal the Act, and have broken their promise in that behalf. There is in force today in the Transvaal an Immigration Law of general application, restricting the immigration of Europeans and Indians alike. Read, however, with the Asiatic Act, it prohibits the entry of even the most cultured Indians. Our countrymen, therefore, demand:—

(2) Recognition of the legal right of cultured British Indians to enter the Transvaal under the tests of the general Immigration Act of the Colony on terms of equality with others, because:—

(*a*) such cultured men are needed for the healthy maintenance of the Indian community.

(*b*) Cultured Indians should be able to enter a British Colony as freely as the cultured men of any other race.

(*c*) to deny this right is an insult to the whole of India.

The Transvaal Government have taken this right away, and prohibit the entry of any Indian, however highly educated he may be, whether a professor, a doctor, a barrister or a priest.

In order to secure these two points, the Transvaal Indians have suffered terribly.

More than 2,500 sentences of imprisonment, mostly with hard labour, have been imposed on innocent, law-abiding British Indian passive resisters in the Transvaal, because they held religion, personal integrity, self-respect, and national honour of higher worth than personal safety or wealth accompanied by their degradation, as individuals and the dishonour of their country. Husbands, brothers and sons have been torn away from their families and flung into gaol, where they are treated as savages and criminals.

In the gaols they have been half-starved and often badly treated. One Indian of 18 years is said to have died after his release from gaol, owing to his having been flogged by a kaffir prison warder.

Homes have been broken up. Many people have been utterly ruined. In some cases women are hawking vegetables in order to feed their children. In others, whole families are dependent upon public charity.

Very many Transvaal Indians have been deported direct to India by the Transvaal Government, which in some cases, has left the families of these to starve.

Delegates to England and to India have been arrested and imprisoned by the Transvaal Government in order to silence the Indian community.

All this suffering has been endured for the honour of the Motherland. All this selfsacrifice has been undertaken for the sake of India.

Will the people of India and those of the Bombay Presidency help their suffering Transvaal brethren to secure their just demands? That is the question daily asked by the Indians now in gaol doing hard labour for their sake.

NO. II.

(Reprinted from The Daily Indu-Prakash, Bombay, 5th August 1909.)

Brief History of the Anti-Asiatic Campaign.

As we pointed out yesterday, the terrible struggle that has been carried on during the last three years in the Transvaal, by our valiant fellow country-men demands the most earnest attention of all India to-day. A deputation from the Transvaal Indian community (or, rather, what is left of it after the Transvaal Government had gutted their appetite for arrest and prosecution) is now in this country, to focus public opinion upon this subject, and to endeavour to secure redress of the most pressing of the many grievances and hardships. Now or never, then, is the time for India to gird up her loins, and make its feeling known in a practical and unmistakable manner. The time is long gone by, when airy sympathy and vague generalities were of any avail. We have no doubt whatever as to the depth, volume and sincerity of that sympathy with our suffering and heroic Transvaal country-men, but it lacks organised and useful expression. It is therefore that after giving the salient points of the struggle yesterday we propose to pursue the subject in greater detail, give tersely a history of the struggle, and offer one or two suggestions, whereby the situation may be adequately dealt with.

The story commences, of course, with the passing, nearly 25 years ago, of the famous Law 3 of 1885 by the Boer Government, acting in ignorance, and driven on by the jealously of the European trader of the few Indian traders, who were then resident in the country. They pretended to fear the unfair competition of these Indian storekeepers and hawkers; and perhaps, they had good reason to do so, in view of the probability that their own narrow monopoly was threatened with attack. The law was applicable to "any of the native races of Asia, including the so-called Coolies, Arabs, Malays, and Mahomedan subjects of the Turkish Dominion." Henceforth, all Indians, no matter what their status was, came to be known in the Republic as Coolies. The Law required that those persons, covered by the above insulting

definition, who entered the Republic for purposes of trade or analogous purposes, should register themselves within eight days of their entry into the Republic, on pain of heavy penalties. A registration fee of £25 (Rs.375) a year (afterwards reduced to £3) was imposed, but payment was to be made once only. The Law also prohibited any "Coolie" from holding fixed property, or from obtaining Burgher rights (the political and Municipal franchises). It also required the residence (afterwards modified, under pressure from the British Government, by the addition of the words "for sanitary reasons") in "locations" of the so-called "coolies." At a later date, the Republican Government sought so to interpret residence in a location as to include trading there, too. The dispute became a matter of arbitration, aud eventually a test-case was brought in the High Court which decided against the Indians. Mr. Chamberlain, however, reserved the right to contiune to make representations on the matter to the Republican Government. In fact, during the fourteen years before the war, the British Government constantly and consistently intervened on behalf of the Indian settlers, with a view to the removal of their grievances, and in 1899, Mr. Chamberlain publicly asserted that the Indian grievances were one of the causes of the war. Lord Lansdowne and Lard Selborne, too, as Cabinet Ministers, strongly condemned the Republican Government's treatment of these British Indian subjects of the Crown, the former asking what the 300 millions of India would think if it became kuown that the Queen — Empress' Government were powerless to secure redress, whilst the latter urged that the British people were trustees for their fellow-subjects, whether European Colonists or Indians, in any part of the globe. It is of interest too, to note that, as a result of pressure by the British Agent in Pretoria, many Indian traders were not asked to pay and therefore did not pay the £ 3 tax, and were accordingly not registered. On one occasion, too, when the Republican Government refused to issue licences to Indians trading outside locations, the British Agent recommended them to tender the licence-fees, and, if again refused, to trade without licenses. When some of them were arrested for trading without licences, he assented to the proposal that they should go to gaol without giving bail or paying fines. Thus, the present passive resistence movement in

the Transvaal has its precedent in the pre-war days, when the British Agent himself took part in it.

At the conclusion of the war, the British Indians, who, owing to military considerations, had been compelled to leave the Transvaal, as it was now called, were allowed to return in driblets only, and then too, after immense delays and difficulties. They were subjected to the requirements of a military inquisition and it gradually became kown that the new Government were going to restrict the entry of Indians to those who were pre-war refugees. Under pressure of circumstances, the Indians accepted the position, though they made it plain that they did so as an act of grace and to soothe the susceptibilities of the European Colonists and not because they admitted that the Government had any right to compel them to consent to such an arrangement. In 1905, the Peace Preservation Ordinance was passed, in order, as its name suggested, to maintain the peace, order and good government of a territory newly emerged from a bloody war. The Ordinance gave the Governor of the Colony the right to issue permits to all who desired to enter the Colony, at his own discretion. In practice, that discretion was used to keep out certain classes of criminals, prostitutes, and all the British Indians who could not prove pre-war residence. The permits so issued for the first time identified the holders, which the Dutch registration certificate, a mere receipt for £ 3, had failed to do. All Indian residents were required to furnish themselves with those permits.

At this time, the cry once more arose, on the part of the European trade rivals of the Indians, that the Colony was swarming with Indians who had never been there before the war. Lord Milner, who was then High Commissioner and Governor, immediately made searching inquiries, and was quite satisfied that the allegations of a large illicit influx were untrue, whilst some time previously, it was proved to him by the Transvaal British Indian Association that some of his officials had been guilty of corruption, when he dismissed them from office. Although he himself was quite satisfied that there was no serious danger of an "Asiatic invasion", on a small scale even, he sought the co-operation of the Indian leaders, with a view to cutting the ground from under the anti-Asiatic agitators. He strongly advised them to urge their compatriots to exchange their Dutch registration certifi-

cates for new documents, which would fully identify the holders and on which should be imposed their thumb-prints. After conferring on the suggestion, the whole community consented to take the proposed step, making it quite clear that they did so as an act of grace. Lord Milner, at the same time, stated that this registration would be a final one and that the documents then issued gave the holders inalienable rights of residence, entry, and reentry, and when this obligatory registration was completed, he thanked the communal Indian leaders. The sequel will show the manner in which this solemn promise was kept.

Before the war, it is officially estimated that the Indian population of the Transvaal was 15,000, as a minimum figure. In 1904, a census of the Transvaal population was taken, and it was found that there were then less than 10,000 Indians in the Colony. In 1906, it was officially shown that 10,000 permits had been issued to British Indians. Thus, at no time between 1902 and 1906 did the Indian population reach the pre-war figures.

Owing to an outbreak of plague in Johannesburg in 1904 due to criminal neglect on the part of the Johannesburg Municipality, the Indian Location of the place was burned and its population was spread abroad, very many Indians going to different towns in the Colony. The anti-Asiatic party were quick to seize upon this dispersion to renew the outcry against the Indian traders. In the latter half of 1904, a so-called "National Convention" of anti-Asiatics was held, which passed a number of preposterous resolutions, the principal of which were that Indian traders should be compelled to trade and to reside in locations, and that all future entrants, whoever they might be, even if cultured men or of princely rank, should be compelled to reside in locations. It may be here mentioned that, in the early part of the year, a test case was brought by the Community in the Supreme Court, in order to reverse the decision of the old Republican High Court that residence in location included trading. The British Crown Colony Government actually opposed the application, and at a tremendous cost the Indian community's contention that residence did not include trading was upheld. The Chief Justice commented upon the Government's action in the following terms:

"It does strike one as remarkable that without fresh legislation, the officials of the Crown in the Transvaal should put forward a claim which the

Government of the crown in England has always contended was illegal under the Statute and which in the past it has strenuously resisted." Lord Selborne at a later date, excused the attitude of the Government on the ground that whereas, before the war, the Imperial Government acted as an advocate of the Indian claims, their present functions were to carry out the law as it stood!

Meanwhile, the agitation against the Indian trader grew apace, and once more complaint was made, this time to Lord Selborne, who had now succeeded Lord Milner, of a wholesale illicit in-flux of "coolies" into the Colony. After close investigation Lord Selborne too gave the charge the lie. But the anti-Indians were not to be beaten and they accordingly changed their tactics by bringing pressure to bear upon the officials charged with administering Asiatic affairs.

These were represented by a functionary described, first as Protector of Asiatics, and afterwards as Registrar of Asiatics, presumably on the assumption that no protection for helpless Indians was henceforth to be expected, an assumption that was realised in the sequel. The Registrar first attempted to stretch the interpretation of the anti-Asiatic legislation to include a meaning which the Supreme Government, time after time, and with the most scathing comments, had refused to accept. Foiled here, Advisory Courts, sitting in secret, were appointed to 'assist' the Registrar to consider Indian applications for permits. These Courts were composed of rabid anti-Asiatics, and no Indian representative was appointed to them, nor were the applicants allowed to appear before them, either in person or by counsel, so that hostile evidence might be refuted. As a result, applications were rejected wholesale and the anti-Asiatic conspirators by using these rejections and juggling with figures at length succeeded in 1906 in inducing Lord Selborne to believe that there really was a wholesale illicit influx of Indians, in which the leaders of the community connived. Thus the way was paved for the introduction into the nominated Legislative Council of the now famous Asiatic Law. Amendment Ordinance in September, 1906, described by the Colonial Secretary as a measure to secure "fair and just treatment" for the British Indians. It is this law of which the Transvaal Indians demand a repeal.

NO. III.

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Brief History of the Passive Resistance Movement.

The Asiatic Law Amendment Ordinance was heralded in with a great flourish of trumpets. It purported to amend the old Law of 1885. If addition mean amendment, it certainly amended the existing law. In fact it amended its registration provisions out of existence entirely, and substituted in their place a series of drastic requirements that made it evident that the law itself was based upon the assumption that those to whom it applied were criminals. Indeed, when introducing the measure, the Colonial Secretary alleged as an incontrovertible fact that there was a large undetected illicit influx of Asiatics. It was impossible that this should be without the cognisance of the leaders of the community, and it thus became obvious that the Government indirectly charged resident British Indians with conspiring in an organised manner, to flood the Colony with their fellow-countrymen, and that this Ordinance was devised as a penal measure. The whole spirit of the new law was shown by the fact that, in the first place, it repeated the racial and religious insults contained in the old definition and Law 3 of 1885. At first it was sought to include women in its operations, but so furious an onslaught was made on the Government by the Indian community that that proposal was precipitately dropped. The law however, did include male infants in arms, who were required to be provisionally registered ! These babies when they had grown to be eight years old had again to be provisionally registered, and when they had arrived at the mature age of 16 years, they had to register themselves once again. So, from babyhood upwards, the male element of the Indian Community was to be kept under official surveillance, as

though its members were on what is known in England as " ticket of leave."!!! The whole spirit of the Law reeked of insult and humiliation. Its esoteric purpose was undoubtedly to degrade the resident Indians, and, on the pretext of confirming their rights, to oblige them eventually to leave the Colony. Indeed, when the law was published, paæns of joy rose to Heaven from their European trade competitors, who imagined that they had discovered an easy means of ridding themselves of their hated trade-rivals, and accordingly, urged on the Government, with many a whoop and howl, to refuse to listen to the Indian protests.

These howls and cries roused thoroughly the Indians whose resentment culminated in a mass meeting held in Johannesberg and attended by one-fourth of the entire population in the Transvaal, whilst telegrams of assent to any resolutions that might be passed were received from all the local committees of the British Indian Association throughout the Colony. At this meeting a solemn oath was taken, and a resolution was unanimously agreed to, that, rather than submit to an abhorrent anti-religious law, the community would go to gaol. At the same time a deputation was sent to Lord Elgin, to inform him of the depth of feeling evoked by this measure, and, after prolonged negotiations, in which many influential Englishmen and Anglo-Indians took part (many of these latter formed the South African Britsh Indian Committee, organised to watch over and protect the interests of British Indians in South Africa,) Lord Elgin caused the operation of theOrdinance to be suspended, on the ground that this was a matter in which in view of the grant of self-government to the Colony the forthcoming Transvaal Parliament should be heard.

This was as a matter of fact, construed into an indirect invitation to reintroduce the measure into the first session of the new Transvaal Parliament. Sir Richard Solomon who was then aiming at the Premiership of the Transvaal and who had just come back from England, even more than hinted that if the Ordinance were re-enacted, it would be found that the Reservation Clause of the new Constitution was a dead-letter and that the Act would receive the Royal assent. And so it proved. When the measure was re-

introduced, another Indian mass meeting was held whereat the community prayed the Government not to proceed with the law as it was offensive in every way and was totally unnecessary; and by way of proof of the *bona fides* of the Indian population, offered to secure voluntary re-registration in a manner that would fully identify lawful residents. The plea fell on unheeding ears; the Act was passed and in the fulness of time received the Royal assent, on the personal representations of general Botha who was then in England, and who clearly took advantage of the wave of Imperialism that passed over England at the time of the Colonial Conference.

From this moment the Passive Resistance movement commenced. It was intended to drive home to the interested opponents of the Indians the superior moral power of the spirit over mere brute force. That it has succeeded in once more demonstrating this great historic truth, borne out by heroic struggles from ancient times between right and might, no one can doubt. The registration offices were opened all over the Transvaal, but were almost completely ignored by the Indians. In September, 1907, a monster petition bearing nearly 5000 Indian signatures was forwarded to the Government urging the repeal of the Act, and once more offering voluntary registration. The petition was ignored. Meanwhile, the Immigrant Registration Act was passed, giving to the Government powers of deportation. The Act received the Royal assent at the end of the year and simultaneously, a number of the most prominent Indian leaders, including Mr. Gandhi, were arrested, and ordered to leave the Colony within a given time, and on their failing to do this, they were imprisoned without hard labour, being then regarded, to some extent, as political prisoners. Nearly all the leaders were subsequently arrested and ordered to leave the Colony. Finding, however these threats to be ineffective, General Smuts, the Colonial Secretary, deemed discretion to be the better part of valour and opened negotiations with the imprisoned leaders, with the result that a compromise was effected, whereby voluntary registration was accepted, the law suspended and promise of its repeal was made on the satisfactory completion of voluntary registration. Voluntary registration continued for three months, and

ended on the 9th May 1908, when the Government admitted that it had been effectively carried out. But, for a variety of reasons General Smuts found it inconvenient to fulfill his promise of repealing the law. Later, he denied ever having made it, but he did not and could not deny that voluntary registration was effected only on the understanding that the promise was made and would be carried out. He offered, however, to repeal the law if the community would agree to the substitution of another law barring the Transvaal to the entry of all future Indian immigrants, even of those Indians who could satisfy the severest education tests. By itself, the Immigration Act to-day in existence permits the entry of cultured Indians, but read with the Asiatic Act, it makes them prohibited immigrants. The Indian community was, of course, not going to get rid of one racial insult by substituting for it another, and accordingly negotiations were broken off and Passive Resistance recommenced. An effort was made to get back to the position of the previous January before the compromise by applying to the Imperial Government for an order for the return of the voluntary registration application forms. The Supreme Government refused to make such an order, and, as the result a mass-meeting of Indians was once again held, when 1,500 of the voluntary registration certificates which had been issued to the holders under false pretences and promises, that were broken, were publicly burnt. At this time, too, the Natal leaders who were old Transvaal residents themselves and who had come to the rescue were imprisoned with hard labour. The Government passed an Act, validating voluntary Registration and making provision for the future registration of resident Asiatics, then absent from the Colony; but although comparatively inoffensive by itself it did not repeal the old Act nor did it satisfactorily settle the status of cultured Indians, and the community therefore declined to accept it.

Since then there has been a shameful tale of imprisonment, starvation, ruin, ill-treatment, extreme hardships, broken health, broken hearts, broken hopes. They have been torn away from their families and have been flung into gaol by the score. In the Transval gaols, they are classed with South African aboriginal natives, most of them barely

evolved from savagery. Their diet has been a starvation one, their complaints have been ridiculed, and they themselves have been driven to arduous and degrading labour on an insufficient diet by unsympathetic and sometimes malicious task-masters. Whole famiies are today dependant upon public charity; women in their misery, have given birth to still-born children. The Government of the Transvaal have entered into a secret compact with the Natal and the Portuguese Governments whereby these forbid the landing of Transvaal-returning Indians unless they consent to make application for registration under the new Act. Another arrangement has been made with the Portuguese authorities whereby Indians deported from the Transvaal are seized and put on board vessels bound for India, where they may be, and often are, unknown and friendless and on their arrival find themselves without food, clothing, shelter, or money. That is the tale of misery so far. As to its far-reaching effects, we reserve discussions of these to a further article.

NO. IV.

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Conclusion.

The Imperial Government false to its trust.

We have in the last three articles traced the history of the present grievances of the Transvaal Indians. The most deplorable fact to note is that whereas the British Imperial Government intervened on their behalf again and again in the pre-war days, they have since the Transvaal became their own possession, receded further and further from the position of justice and dignity that they then had taken up. Promise after promise, pledge after pledge has been ruthlessly broken until the Transvaal Indians have been reduced to their present pitiable plight, almost hopeless in the knowledge that their Imperial trusties have, not indeed bought and sold them, but deliberately thrown them away, as upon a refuse heap. On two separate occasions, it was possible for the Imperial Government to bargain favourably on behalf of the Transvaal Indians. They had an unparalleled opportunity for so doing at the time of the granting of the Constitution. Instead, they simply conferred a franchise upon the European colonists to slay and burn as they would. It was thought that the clause in the Constitution reserving all legislation, differentiating against particular races for the signification of the Royal assent, or in other words, for the consideration of the Imperial Ministers, would prove an effective check and safeguard. Indeed, Lord Milner, in 1904, pointed out to a European deputation that waited upon him that the powers of reservation would be no less frequently or necessarily exercised under responsible Government than under the Crown Colony regime. We have seen however that, when the Ordinance was passed by the Crown Colony Government, the Royal assent was withheld whereas it was readily granted

when the identical measure was re-enacted by the first Parliament under responsible self Government. More; Sir Richard Solomon, fresh from his many inteviews with Lord Elgin, had the effrontery, in his very first election speech, to assure his audience that the Reservation Clause would prove to be a dead letter and the Transvaal Parliament re-enacted the measure at a later date; and the *Star* the most important newspaper in the Transvaal declared in so many words that Sir Richard Soloman had returned from England with that message from Lord Elgin!! The second occasion for bargaining came when the Transvaal Government went to the Imperial Cabinet for the guaranteeing of a public loan. The guarantee was forthcoming as though it had been a needle attracted to a powerful magnet, and there was no room for any regard for the Indian.

MORE ANTI-ASIATIC THAN THE BOERS.

More than this; the Imperial Government have even sanctioned further anti-Indian legislation. They sanctioned the Immigrants' Restriction Act conditionally upon the deletion of a clause giving the Colonial Secretary arbitrary power to remove a man from the Colony, but they did not demand the removal of a clause that rendered every passive resister, however long he might have been domiciled in the Colony (whether he had domestic responsibilities and business interests or no) a prohibited immigrant, and which likewise deliberately slammed the door of the Colony against the future entry of even the most cultured Indian. Not content even with that, they have assented to the secret compact between the Transvaal and a foreign power, whereby Indian residents, who do not happen to be registered, but who may nevertheless be domiciled or even born in the Colony, are deported direct to India without giving them the opportunity of returning to seek their rights at the hands of the Supreme Government.

The Imperial Government have in fact, been fascinated by the Transvaal's baleful glare, they have been paralysed into a condition of abject impotence. The

SINGULAR DOCTRINE.

is now being disseminated and is being sedulously fostered by Imperial Cabinet Ministers, that the Imperial Government have no constitutional right to interfere in the home affairs or policy of a Self-governing Colony.

If that be so, then why the sham and hypocrisy of the Reservation Clause? Why the specific instructions as to reservation contained in the Letters Patent addressed to the Governor? If the doctrine of the practical independence of the Self-Governing Colonies hold true, then it follows that, if the Transvaal Parliament legislate to the effect that every third aboriginal native male adult shall have his right hand amputated by the public executioner, it will be impossible for the Imperial Government actively to intervene. But that way lies anarchy; moreover, it is not true even in practice. Last year, when the Transvaal Government introduced a Bill to provide the aboriginal native labourers of the country with beer, so strong was the opposition, that the Imperial Government made an urgent representation to the Transvaal Ministry asking that they should drop the measure, as it would not be sanctioned. Indeed, the Imperial Government have gone even further. They refused to sanction the two anti-Indian licensing measures passed almost unanimously by the Natal Parliament last year. It is alleged that no interference is possible in the domestic affairs of a Self-Governing Colony. Within its limits, that doctrine may be reasonably true. But what is the position? Has the Transvaal for example the right to legislate at its sweet will for or against its unrepresented population? If that be so, the result will undoubtedly be a native rebellion within the next ten years, for the native policy of the Colony is entirely reactionary in regard to the African aboriginees. We learn, for example, that less money is spent on the public education of the children of the 900,000 aboriginal natives than the Government allocate in the estimates for the upkeep of the Pretoria Zoological Gardens !!!. But a stronger argument is, whether the treatment of the Indian population is a mere domestic matter of the Transvaallers? Is not the Imperial Government vitally concerned with the treatment of one portion of its subjects by another? And what of the effect of the present scandal on the feelings of wide India, all the 30 millions of whose population are deeply concerned with the welfare of her sons and daughters, who have gone abroad to enrich the national experience, and who have, in fact, suffered so nobly that the national honour might remain unsullied? Can anything be more outrageous

than that whilst India is left free to be exploited by any one and to be inundated with the rifraffs and adventurers of all the world Indians are not allowed even decent living in a part of the self same Empire to which she belongs?

We are in point of fact, faced with a serious constitutional crisis, however much we may be impelled from political considerations or motives of expediency, to disguise the fact. The doctrine finally enunciated by the Imperial Ministers is that any Self-Governing Colony, however minute its European population may be, is of more importance and carries greater weight in the counsels of the Empire than the whole of mighty India which gives that Empire its glory and prestige, nay its very Imperial name. Because the Transvaal has fully representative institutions, Imperial Ministers aver that they are less powerful to intervene than in the case of a foreign country. If that indeed be so, there is no doubt to our mind, of the existence of a fatal flaw in the Imperial fabric. Sooner or later, the Empire's foundation of equal justice for all its members must disappear and the Empirewill fall witha crash.

INDIAN APATHY THE CAUSE.

We believe, however, that the theory that Indian interests count not as against those of the Colonies is fundamentally false, and that it has grown because India, as India, has never yet faced the problem, studied it thoroughly, and expressed in one united voice, her views upon it. There have been many meetings held, and innumerable resolutions of sympathy with the Transvaal sufferers have been unanimously passed. But there the matter has ended. There has been no permanent organisation to carry on the work. Nobody has been sufficiently interested or informed to feel himself moved to constantly hammer away at the subject and to make it his own. There is no band of enthusiasts, there are no specialists, who have hitherto been willing to make a close study of the foreign relations of India. But at the present crisis, it becomes absolutely necessary to take some definite step to keep the matter permanently before the public notice. Otherwise, the Transvaal's evil example will spread unfailingly throughout South Africa, will thence infect the other British Colonies,

whilst foreign powers will imitate it and its baneful effects will finally be felt in India itself.

WANT A PEOPLE'S VIGILANCE COMMITTEE.

We therefore urge the formation of a permanent committee, or a number of such committees in different parts of the country, co-operating in a kind of confederation, whose sole object will be the study of conditions affecting Indian residents outside India, and the protection of their interests. The field is a wide one, and needs to be fully occupied. Meetings should be organised simultaneously throughout the country. The Viceroy and the Governors should be asked to receive powerful deputations on the subject. To-day the Transvaal is the centre that demands closest attention, and the trouble there *must be stopped*. We even propose the holding at an early date of an All-India Conference specifically to deal with this matter of South African grievances generally. We do not know whether such a Conference is feasible. That it is necessary we do not doubt. Meanwhlie, public meetings of the most representative character should be held everywhere, in order to strengthen the hands of the Imperial Government in bringing the Transvaal to terms. And here.

BOMBAY SHOULD TAKE THE LEAD.

This so because Bombay is sober, Bombay is loyal, Bombay can always rise to her duty and last but not the least, because most of the sufferers in the Transvaal are from this Presidency, and it would be shameful were Bombay to remain silent whilst this evil is wrought against the honour of her sons. India needs the experience of these Colonists of hers, and it will be a national disaster if the Transvaal trouble is allowed to spread more widely than it has already done.

Appendix A.

THE VARIOUS ANTI 'ASIATIC LAWS AND REGULATIONS IN FORCE IN THE TRANSVAAL

(Reprinted from the Daily Indu Prakash, Bombay of the 18th of August 1909 and subsequent issuses.)

LAW No. III OF 1885.
AS AMENDED BY VOLKSRAAD RESOLUTIONS DATED 24TH JANUARY 1887, AND DATED 16TH MAY 1890.

(Coolies, Arabs, & other Asiatics.)

Art 1—This law shall apply to the persons belonging to any of the Native Races of Asia, including the so-called coolies, Arabs, Malays, and Mahomedan subjects of the Turkish dominion.

Art 2. With regard to the persons mentioned in Art 1 the following provisions shall apply:—

(*a*) They shall not be capable of obtaining burgher rights, political or municipal, of the South African Republic.

(*b*) They may not be owners of fixed property in the Republic except in such streets, wards and locations as the Government shall appoint for sanitary purposes as their residence.

(*c*) Such as establish themselves in the Republic to carry on business or otherwise, shall be registered in a separate register to be kept therefore by the Landrusts of the respective districts or other officials who may be thereto appointed by the Government, according to a model to be prescribed by the Government. On such registration, which shall take place within eight days after arrival, the sum of £ 3 Sterling shall be paid.

Contravention of the provisions contained in Subsection "c", above, shall be punished with a fine of from £ 10 to £ 100 sterling, or in default of payment, with imprisonment for a period of from 14 days to 6 months. The above mentioned registration shall be effected free of charge in the case of those persons who settled in the Republic before the coming into operation of this law, provided they report themselves to the Laudrust, in the case of those living in the district of Pretoria, within eight days, and in the case of those living in the other districts, within thirty days, after the coming into operation of this law.

(*d*) The Government shall have the right to appoint special streets, wards, and Locations for their residences. This provision shall not apply to servants living with their masters.

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THE ASIATIC LAW 'AMENDMENT ACT No. II. OF 1907.

TO AMEND LAW No. 3 OF 1885 (*Assented to on 22nd March* 1907.)

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows:—

REPEAL.

I. Sub-section (*c*) Article 2 of Law No. 3 of 1885 as amended by Volksraad Resolutions Article 1419 of the twelth day of August 1886 and Article 128 of the sixteenth day of May 1890 shall be and is hereby repealed.

DEFINITIONS.

In this Act unless inconistent with the context, " Asiatic " shall mean any such male person as is described in Article one of Law No 3 of 1885, not being a Malay born and resident in any British Colony or possession in South Africa, nor a person introduced into the Colony under the Labour Importation Ordinance 1904 and not being an officer in the Chinese Consular Service.

" Register of Asiatics " shall mean the register to be kept under this Act as prescribed by regulation;

'Registrar' shall mean the officer appointed by the Governor to keep the register of Asiatics and any person lawfully acting in such capacity;

"Resident Magistrate" shall include an Assistant Resident Magistrate;

"Regulation" shall mean any Regulation made under section *eighteen* of this Act;

"Guardian" shall mean the parent of an Asiatic under the age of sixteen or any other person under whose care or control such Asiatic is living for the time being, or failing any such person the employer of such Asiatic;

"Application for registration" shall mean an application to be placed on the register of Asiatic made in such manner and forms as may be prescribed by Regulation and accompanied by the supplying of such particulars and the furnishing of such means of identification as may be required by this Act or by Regulation.

"Applicant" shall mean any person who makes application for registration on his own behalf or any person on whose behalf application for registration is made by his guardian;

"Certificate of registration" shall mean a certificate of registration under this Act in the form prescribed by Regulation;

"Lawful holder" as used in relation to any certificate of registration shall mean the person whose registration is thereby certified.

ALL ASIATICS LAWFULLY RESIDENT IN COLONY TO BE REGISTERED.

2. (1) Every Asiatic lawfully resident in this Colony shall subject to the exceptions here in after mentioned be registered in the register of Asiatic and shall there upon be entitled to receive a certificate of registration and no

charge shall be made for such registration or certificate save as in section *twelve* of this Act provided.

3 The following shall be deemed for the purpose of this Act to be Asiatics lawfully resident in this Colony:—

(i) Any Asiatic duly authorized to enter and reside in this Colony by a permit issued under the Indemnity and Peace Preservation Ordinance, 1902, or any amendment thereof or issued between the first day of September 1900 and the date of the passing of the said Ordinance, unless such permit shall have been fraudulently obtained; provided that any permit expressed to authorize any Asiatic to remain in this Colony for a limited time only shall not be deemed to be a permit within the meaning of this subsection.

(ii) Any Asiatic resident and actually in this Colony on the thirty-first day of May 1902.

(iii) Any Asiatic born in this Colony since the thirty-first day of May 1902 not being the child of any labourer introduced into this Colony under the Labour Importation Ordinance 1904.

ASIATICS TO APPLY FOR REGISTRATION WITHIN FIXED TIME.

4. (1) Every Asiatic resident in this Colony at the date of the taking effect of this Act shall, before such date or dates and at such place or places and to such person or persons as the Colonial Secretary may prescribe by notice in the "Gazette," make application for registration.

(2) Every Asiatic who enters this Colony after the date of the taking effect of this Act and who has not previously been Registered thereunder shall within eight days after entering this Colony, unless he shall have entered under a permit granted under section '*seventeen*,' make application for registration to such person and at such place as may be so prescribed; provided that.

(*a*) no application shall be required to be made under this section on behalf of any Asiatic child who at the expiration of the time within which such application is required to be made is under the age of eight years;

(*b*) in the case of any Asiatic child who at the expiration of such time is eight years of age but under sixteen years of age such application shall be made on such child's behalf by his guardian and if not so made shall be made by such child within one month after attaining the age of sixteen years.

DUTIES OF THE REGISTRAR.

5. (1) The Registrar shall consider every application for registration made under the last preceding section and register every applicant who is lawfully resident in this Colony or whose application is approved by him and shall cause to be issued to such applicant or the guardian who made the application on his behalf a certificate of registration.

(2) If it shall appear to the Registrar that any applicant is not lawfully resident in this Colony, he may refuse to register such applicant, and in case of refusal where the applicant is of the age of sixteen years or over

shall cause a notice of refusal to be sent by post to the applicant at the address given by him on application, and a copy of such notice shall be affixed to the principal door of the Magistrate's Office of the District where such application was made and the Registrar shall by such notice direct such applicant to appear before the Resident Magistrate of the District at a time therein specified being not less than fourteen days from the date of such notice and show cause why he should not be ordered to leave this Colony, and if such applicant shall fail to appear at the time specified in such notice, or having appeared shall fail to satisfy the Resident Magistrate that he is lawfully resident in the Colony, the Resident Magistrate if the applicant is of the age of sixteen years or over shall make an order in writing directing him to leave this Colony within a time to be specified in such order; provided always that if such order is made in the absence of the applicant such time shall run from the date of the service of the order upon him and such order shall be deemed to be an order made under section *six* of the Peace Preservation Ordinance 1903 and sections *seven* and *eight* of the said Ordinance shall apply accordingly; provided further that if the Resident Magistrate shall be satisfied that the applicant is lawfully resident within this Colony such Magistrate shall make an order upon the Registrar requiring him to register such applicant and to issue to him a certificate of registration.

PARTICULARS TO BE SUPPLIED BY APPLICANTS.

6(1) Any Asiatic who is the guardian of an Asiatic child under the age of eight years shall upon making application for registration on his own behalf supply such particulars and furnish such means of identification in respect of such child as may be prescribed by Regulation and if such guardian is himself registered the particulars aforesaid which he has supplied shall be provisionally noted on the register and such guardian shall within one year after the child aforesaid attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides.

(2) The guardian of every Asiatic child born in this Colony after the date of the taking effect of this Act shall within one year after such child attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides; provided that

(a) where any guardian fails to make application for registration on behalf of any Asiatic child whose guardian he is, within the time hereby prescribed for making the same, such guardian shall on being thereto required by the Registrar or any Resident Magistrate make such application at any later date;

(b) where any application which is required to be made under this section by the guardian of an

Asiatic child is not made by such guardian, or where such application is refused, application for registration shall be made by such Asiatic child at the office of the Resident Magistrate of the District within which he resides within one month after he attains the age of sixteen years.

The Resident Magistrate at whose office any application is made under this section shall cause the record of such application and all documents relating thereto to be forwarded to the Registrar who shall if satisfied that the same is in order register the applicant and cause to be issued to him or his guardian a certificate of registration.

APPLICATION BY MINOR.

7. Where particulars as to any Asiatic child under the age of eight years have not been provisionally noted on the register, as is in the last preceding section provided, by reason of the failure of this guardian to supply such particulars, application for registration shall nevertheless be made on behalf of such Asiatic child by his guardian within one year after he atttains the age of eight years, and if not so made shall be made by such Asiatic child within one month after he attains the age of sixteen years at the office of the Resident Magistrate of the District in which he resides and the record of such application and all documents relating thereto shall be forwarded to the Ragistrar who may in his discretion register the applicant and issue to him or his guardian a certificate of registration.

PENALTIES FOR FAILING TO MAKE APPLICATION.

8 (1) Any person who shall fail to make application for registration as required by this Act either on his own behalf or as guardian on behalf of an Asiatic child shall be liable on conviction to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

(2) Any person who brings into this Colony an Asiatic under the age of sixteen years not lawfully resident therein and any person who shall employ such child in any trade or business shall be guilty of an offence and shall be liable on conviction to the following penalties.

(a) to the penalties mentioned in subsection (1) of this section; and

(b) if such person is the holder of a certificate of registration to cancellation of such certificate by the Registrar:

And thereupon the Colonial Secretary may issue an order directing such person to leave this Colony and such order shall be deemed to be an order issued under section *six* of the Peace Preservation Ordinance 1903 and sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(3) Any Asiatic over the age of sixteen years who after such date as may be notified by the Colonial Secretary in the *Gazette* is found within the Colony and fails upon such demand as is hereinafter mentioned to produce a certificate of registration of which he is the

lawful holder, may be arrested without warrant and brought before a Resident Magistrate, and if he fails to satisfy such Magistrate that he is the lawful holder of a certificate of registration or that the time within which he is required to make application for such certificate has not expired, the Magistrate shall, save as in the next succeeding sub-section provided, make an order in writing directing such Asiatic to leave this Colony within such time as may be specified in such order, and such order shall be deemed to be an order made under section *six* of the Peace Preservation Ordinance 1903, and sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(4) If an Asiatic who has failed to make application for registration within the time prescribed by this Act shall satisfy the Magistrate before whom he is brought that such failure was due to some good and sufficient causes the Magistrate may instead of making such order as aforesaid direct such Asiatic forthwith to make application for registration and if such Asiatic shall comply with such direction his application shall be dealt with in all respects as if it had been made within the time within which it was required to be made by this Act, and all the provisions of this Act which would have applied if the application had been so made shall apply accordingly, but if he shall fail to comply with such direction the Magistrate shall make such order for removal as aforesaid in respect of such Asiatic.

REGISTRATION CERTIFICATE TO BE PRODUCTED ON DEMAND.

9. Every Asiatic of the age of sixteen years or over entering or residing in this Colony shall upon demand made upon him by any member of a police force lawfully established in this Colony or any other person authorized thereto by the Colonial Secretary produce the certificate of registration of which he is the lawful holder and shall also on like demand supply such particulars and furnish such means of identification as may be prescribed by Regulation.

Every guardian of an Asiatic child under the age of sixteen years shall produce on such demand as aforesaid any certificate of registration of which such child is the lawful holder and supply any particulars and furnish any means of identification in respect of such child.

EVIDENCE OF REGITRATION CERTIFICATES.

10. Every certificate of registration shall be accepted as conclusive evidence in all places that the lawful holder thereof notwithstanding anything in the Peace Preservation Ordinance 1903 contained, is entitled to enter and reside in this Colony; provided always that this section shall not apply to persons who have under section *ten* of the Peace Preservation Ordinance 1903, been ordered to leave the Colony.

DUTY OF PERSONS FINDING LOST CERTIFICATES.

11. Any person into whose hands shall come any certificate of registration or any permit

issued under section *seventeen* of which he is not the lawful holder shall forthwith deliver or transmit the same by post as soon as may be to the Registrar of Asiatics, Pretoria.

Any person who fails to comply with the requirements of this section shall be liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

PROVISION WHERE REGISTRATION CERTIFICAEE IS LOST OR DESTROYED.

12. If at any time any certificate of Registration is lost or destroyed the person who was the lawful holder thereof shall apply forthwith to the Registrar to have the same renewed and the Registrar shall upon compliance by such person with the Regulations relating to applications for the renewal of certificates and upon payment of a fee of five shillings renew such certificate. The said fee shall be denoted by means of revenue stamps to be affixed to such application by the applicant for such renewal and shall be defaced by the officer who receives such application.

TRADING LICENSES NOT TO BE GRANTED TO ASIATICS EXCEPT UPON PRODUCTION OF CERTIFICATES.

13. After such date as may be notified by the Colonial Secretary in the *Gazette* no Asiatic shall obtain any trading licence issued under the Revenue Licenses Ordinance 1905 or any amendment thereof or under any bye-law in force in a municipality unless he shall produce to the person appointed to issue such licence a certificate of registration of which he is the lawful holder and supply such particulars and furnish such means of identification as may be prescribed by regulation.

EVIDENCE AS TO AGE OF ASIATICS.

14. Whenever in any prosecution or other proceeding under this Act the age of any Asiatic is in question such Asiatic shall unless and until the contrary be proved be taken to be of the age which the Registrar shall in any certificate issued under his hand certify to be in his opinion the apparent age of such Asiatic.

EXEMPTION FROM STAMP DUTY OF AFFIDAVIT OR SWORN DECLARATION REQUIRED BY REGULATION.

15. Any affidavit or sworn declaration which is required by Regulation to be made by any person who makes an application for registration either on his own behalf or on behalf of some other person shall be exempt from stamp duty.

OFFENCES RELATING TO APPLICATIONS FOR REGISTRATION AND TO REGISTRATION CERTIFICATES

16. Any person who;

(i) for the purpose of or in connection with an application for registration or for the purpose of obtaining a certificate of registration commits any fraudulent act or makes any false statement

or false pretence or incites any person to or aids or abets any peason in such act statement or pretence;

(ii) forges any certificate of registration;

(iii) uses or attempts to use as his certificate any certificate of registration of which he is not the lawful holder or any forged certificate of registration.

(iv) incites any person to use or aids and abets any person in using as such person's certificate any certificate of registration of which such person is not the lawful holder or any forged certificate of registration;

Shall be liable to a fine not exceeding five hundred pounds or in default of payment to imprisonment with or without hard labour for a term not exceeding two years or to both such fine and such imprisonment.

17. (1) Notwithstanding anything in the Peace Preservation Ordinance 1903 contained, a permit to enter this Colony may in the absolute discretion of the Colonial Secretary be issued in the form prescribed by Regulations authorizing an Asiatic to enter and remain in this Colony for any period named in such permit, and after the expiry of such period the person authorized by such permit to enter this Colony shall be deemed to be a person not duly authorized to be in this Colony, and if found, may be arrested without warrant and the provisions of sections *seven* and *eight* of the said Ordinance shall apply to such person as if he were a person who at the date of such expiry had been ordered to leave this Colony under section *six* of the said Ordinance and had failed to comply with such order.

(2) The provisions of section *nine* of the said Ordinance shall in all cases apply to permits issued under this section.

(3) any permit issued before the date of the taking effect of this Act to an Asiatic under the Indemnity and Peace Preservation Ordinance 1903 or any amendment thereof and expressed to authorize such Asiatic to remain in this Colony for a limited time only shall be deemed to be a permit issued under this section.

(4) The Colonial Secretary may in his discretion order that the person authorized by any permit issued under this section to enter and remain in this Colony shall not during the currency of such permit be deemed to be a coloured person for the purpose of the provisions of the Liquor Licensing Ordinance 1902 or any amendment thereof and such order shall be of full force and effect for such purposes.

(5) The Colonial Secretary may issue any such order as in the last preceding sub-section mentioned in respect of any person who is a member of an Asiatic race and is not subject to the provision of this Act.

POWER TO MAKE REGULATIONS.

18. The Governor in Council may from time to time make, alter and repeal Regulations for any of the following purposes;

(1) prescribing the form of the register to be kept under the Act ;

(2) prescribing the manner and form in which application shall be made for registration, the particulars to be supplied and the means of the identification to be

furnished by any applicant for the purpose of or in connection with such application ;

(3) prescribing the form of certificates of registration ;

(4) prescribing the particulars to be supplied and the means of identification to be furnished ;

(*a*) by the guardian of any Asiatic child under the age of eight years under section 'six' of this Act ;

(*b*) by any Asiatic upon such demand as is in section *nine* of this Act mentioned ;

(*c*) by any Asiatic applying for the renewal of any certificate of registration which has been lost or destroyed;

(*d*) by any Asiatic applying for a trading license;

(5) prescribing the form of permit to be issued under section *seventeen* of this Act.

GENERAL PENALTIES.

19, Any Asiatic or the guardian of any Asiatic failing to comply with any requirement of this Act shall except where otherwise specified be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

PROVISIONS AS TO CERTAIN ASIATICS UNDER CONTRACTS OF SERVICE.

20. Notwithstanding anything contained in the Labour Importation Ordinance 1904 no Asiatic who is the lawful holder of a certificate of registration and no Asiatic who was lawfully resident in this Colony or allowed to enter it under a proper permit before the dated of the said Ordinance shall be prohibited from entering or residing in or being introduced into this Colony by reason of the fact that he is under a contract of service and has not entered into the contract referred to in section eight of the said Ordinance.

PROVISIONS AS TO HOLDING FIXED PROPERTY.

21. Notwithstanding anything contained in sub-section (b) of article two of Law No. 3 of 1885 as amended by Volksraad Resolution Article 1419 of the twelth day of August 1886 any fixed property in this Colony acquired by an Asiatic before the taking effect of such law and registered in the name of such Asiatic whether before or after the taking effect of such Law may be transmitted by such Asiatic to another Asiatic by testamentary or other inheritance.

TITLE AND DATE OF TAKING EFFECT.

22. This Act may be cited for all purposes as the Asiatic Law Amendment Act 1907 and shall not take effect unless and until the Governor shall proclaim in the 'Gazette' that it is His Majesty's pleasure not to disallow the same, and thereafter it shall take effect upon such date as the Governor shall notify by Proclamation.

Appendix B.

SUMMARY OF OTHER MINOR ACTS AND THE REGULATIONS.

(Reprinted from the daily Indu Prakash, 24th August 1909.)

REGULATIONS UNDER THE ASIATIC LAW AMEND-MEND ACT.

Section IV of these Regulations requires every applicant for registration to appear before the Registrar of the District and furnish him with particulars required by Form B:-These particulars are, on the face side of the form, Name, Race, Caste or Sect, Age, Height, Residence, Occupation, Physical description, Place of birth, Date of first arrival in the Transvaal, Place where resident on 31st May 1902, Father's name, Mother's name, wife's name, and place residing at. On the back side of the Form are to be given the Name, the righthand impressions of all the five fingers in different columns, next the left-hand impressions of all the five fingers and next simultaneous impressions of the four fingers of both the left and the right hand. In the case of minors, both the guardian applicant and the minor have to give these particulars.

Regulation VI prescribes the Form of the Certificate. On that Certificate too, the right thumb impression of the person to whom the certificate is issued has to be given.

Regulation VII provides that every adult required by Police officer or by any other authorized person to produce his Registration certificate shall, in addition to such production, supply on demand the following particulars:—his name, his present residence, his residence at the date he made application, his age and in the presence of such police officer or authorized person, a speciman of his signature if he is able to write and impressions of his thumbs or of his thumbs and his fingers if he is not.

Regulation VIII provides that in the case of minors the impressions of the thumbs of such minor or of the thumbs and the fingers shall be given.

Regulation X requires thumb and finger impression on application for renewals of lost or destroyed certificates.

Regulation XI requires an Asiatic applying for a trading license from a Municipality to give impressions of all or such of the thumbs as required.

Regulation XII requires thumb impression from any Asiatic applying on behalf of another Asiatic temporarily absent for trading license.

Regulation XIII provides that even permits for temporary residence in Colonies shall have the right thumb impressions of the grantee.

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THE IMMIGRANT RESTRICTIONS ACT No. 15 OF 1907.

Section I repeals the Peace Preservation Ordinance of 1903, but provides that "no such repeal shall affect or abridge any powers or jurisdiction by the Asiatic Law Amendment Act of 1907 conferred for the purpose of carrying out such Act."

Section 2 gives definitions and lays down that "prohibited immigrant" shall include:—(a) a person unable to write in the characters of an European language an application for permission to enter the Colony, subject to any special agreement with a foreign country; (b) a pauper; (c) prostitutes &c; (d) "any person who at the date of his entering or attempting to enter the Colony is subject or would, if he entered the Colony, be subject to the Provisions of any law in force or such date or thereafter, if found therein, to be removed from or to be ordered to leave the Colony, whether on conviction of an offence against such law or for failure to comply with its provisions or otherwise in accordance with its provisions; (e) a lunatic; (f) lepers &c; (g) an undesirable person; (h) one likely to be dangerous to peace and order.

That "prohibited immigrant" includes Asiatics unless they get themselves registered under the Asiatic Law Amendment Act of 1907 is clear from the fact that this section—Sec. 2 specifically provides that the words "prohibited immigrants" shall not include amongst others "(e) the wife or minor child of any person who is not a prohibited immigrant;" and "(g) any Asiatic who is eligible for or has obtained a certificate of Registration under the Asiatic Law Amendment Act" and who is not a pauper, a lunatic, leper, undesirable or one liable to be removed."

Section 5 imposes on prohibited immigrants entering or found in the Colony fine up to £100, or imprisonment of either kind for six months. Such persons may be removed by force.

Section 7 provides the same penalty as Section 5 for the offenecs of aiding or being accessory to entree by prohibited immigrants.

Section 8 forbids a prohibited immigrant from obtaining a license to trade or acquiring any interest in land.

Section 9 makes persons suspected of being prohibited immigrants liable to arrest without warrant and under Section 11, liable to pay expenses of removal and custody.

Section 12 makes it incumbent on hotels, boarding houses and lodging houses to keep a list of all persons they accommodate and the list is open to the inspection of any police officer etc.

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THE ASIATIC REGISTRATION ACT OF 1908.

This Act was passed in order "to validate the voluntary registration of certain Asiatics who failed to comply with the provisions of Act No. 2 of 1907 and to make further provision for the registratino of Asiatics."

Section I—'Interpretation of terms' defines "Asiatic" to mean "any male person belonging to one of the native races of Asia and shall include a coolie, an Arab and a Malay." Section 2 validates the voluntary registration of Asiatics, but only of such of them in respect of whom an application for Registration was made between the 10th February 1908 and 10th May 1908. It also recognises as valid fresh Registration Certificates in lieu of Certificates taken underAct 2 of 1907.

Section 3 provides that under the present Act of 1908 an Asiatic shall be entitled to registration if he satisfies the requirements of Section 2; or if he holds a Certificate under the Act of 1907 and desires to exchange it for a fresh one under this Act; or having been a minor resident of the Colony, he first entered the Colony with an adult Asiatic guardian duly registered or entitled to be registered; or if he was born in the Transvaal.

Section 4 requires all adult unregistered Asiatics to get themselves registered, if so entitled. Subsection 2 provides that every un-registed adult Asiatic resident outside the Colony at the commencement of the Act shall be entitled to obtain a Registration Certificate only if he was resident in the Transvaal for three years prior to 11th October 1899, and upon application for registration from a place in South Africa within one year after the commencement of the Act. Subsection 3 entitles to a Registration Certificate under the Act,such unregistered adult Asiatic residents outside theColony at the comencement of the Act as were duly authorised to do so by a permit under the Peace Preservation Ordinance or as were resident and actually in the Colony on 31st May 1902.

Section 5 requires minors to take Regisiration Certificates on their own account within a month after attaining the age of 16.

Section 6 empowers the registrar, subject to an appeal before a Magistrate specially appointed for the purpose, to refuse Registration to any Asiatic not falling within the foregoing provisions and therefore not entitled to Registration.

Sections 7 and 8 provide for the arrest and deportations of persons not taking Certificates of Registration though entitled and of persons not entitled to certificates.

Section 9 compels the production of Certificates on demand by any Eupropean poticeman or authorized person together with particulars and means of identification.

Section 14 restricts the issue of trade-licenses only to presons registered.

ट्रान्सवालांतील हिंदी लोक.

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त्यांचीं दुःखें व मागण्या.

(दैनिक इंदुप्रकाशावरून.)

नं. १.

आणीबाणीची वेळ.

सांप्रतची वेळ आणीबाणीची आहे. हिंदी लोकांच्या अलौकिक बंधुप्रेमाची व योग्य स्वाभिमानाची कसोटी या वेळेसच होणार आहे. आमच्या देशाच्या हितसंबंधाचें संरक्षण व्हावें व त्याचें यश मलीन होऊं नये म्हणून आज तीन वर्षें मातृभूमींत पोटास चिमटा बसतो म्हणून ट्रान्सव्हाल येथें वस्ती करून राहिलेल्या देशबांधवांनीं मोठ्या नेटानें आणि धैर्यानें अनेक घोर हालअपेष्टा सोसून ट्रान्सवाल सरकारच्या, त्यांस नामशेष करूं इच्छिणाऱ्या, आसुरी राज्यपद्धतीशीं सात्विक पण निकराचा झगडा चालविला आहे. ह्या आपल्या शूर, धीर देशबांधवांच्या वतीनें स्पष्टपणें व धुटीनें राष्ट्रमत आणि राष्ट्रक्षोभ व्यक्त करण्याची व त्यानें सर्व दिशा दुमदुमून टाकण्याची जर केव्हां आणीबाणीची वेळ आली असेल तर ती हीच आहे. ज्या दक्षिण आफ्रिकेंतील बोअर लोकांनीं व ब्रिटिश वसाहतवाल्यांनीं एकमेकांचा नायनाट करण्यासाठीं घोर रणसंग्राम केला, त्यांनीं आतां परस्परांतील सर्व वैमनस्याचा व मात्सर्याचा त्याग करून व सर्व तंट्यांचा निकाल लावून ग्रेटब्रिटनपासून जवळजवळ अलग असा प्रबल राष्ट्रसंघ स्थापन करून घेण्याचा आपला हेतु श्रेयस्कर रीतीनें सफल करून घेतला आहे. दक्षिण आफ्रिकेंतील स्वसत्ताक राज्यपद्धति उपभोगणाऱ्या केपकॉलनी, नेटल, ट्रान्सवाल व ऑरेंज कॉलनी ह्या ब्रिटिश वसाहतींनीं स्वतःचा एक मोठा संयुक्त राष्ट्रसंघ करण्याकरितां एक शासनसंस्था रचिली आहे व त्यास ब्रिटिश सरकारची ते संमति मागत आहेत व तत्संबंधींचें बिल हल्लीं पार्लमेंटपुढें आलें असून लॉर्ड्सच्या सभेंत तें पसारही झालें आहे. हें बिल कॉमन्समध्यें पास होणें हा फक्त वेळेचा प्रश्न आहे. म्हणून दक्षिण आफ्रिकेंतील हिंदी लोकांस निःपक्षपातानें व न्यायानें वागविलें पाहिजे ह्या अटीवरच सदरहू शासनसंस्था वसाहतींना देण्यांत यावी, अशी मागणी सर्वांनीं एकदिलानें साम्राज्यसरकारापुढें ठेविली पाहिजे. ही संधि जर आमच्या दिरंगाईनें वाया गेली तर ट्रान्सवालांतील हिंदी लोकांची दैवरेषा कायमची पुसून गेल्यासारखी होऊन त्यांच्या न्याय मिळविण्याच्या अंगीकृत कार्याचा त्यांस त्याग करावा लागेल. सुप्रसिद्ध मि. गांधी व त्यांच्यासारखे इतर देशभक्त आपल्या हातून होईल तें करीतच आहेत. त्यांच्या वतीनें इंग्लंडांत डेप्युटेशन गेलेंच आहे.

ह्या प्रसंगीं, हिंदुस्थानच्या लोकांस जागृत व कर्तव्यतत्पर करण्यासाठीं त्यांनीं ह्या देशांत एक प्रतिनिधि पाठविला आहे. हिंदी लोकांचा कार्यभार वाहणारे व त्यांचें प्रतिनिधित्व स्वीकारणारे हे मि. हेनरी पोलाक नांवाचे उत्साही गृहस्थ युरोपियन येथें आहेत ही त्यांस अत्यंत भूषणास्पद गोष्ट आम्ही सर्वांनीं कृतज्ञतापूर्वक लक्षांत ठेवण्यासारखी आहे. लोकांस कर्तव्यदक्ष करण्याकरितां ट्रान्सवालांतील हिंदी लोक सहृदु न्यायप्रिय युरोपियन प्रतिनिधींच्या मार्फत दुंदुभि वाजवीत आहेत. ह्या दुंदुभीच्या आव्हानास आमचे राष्ट्रीयपुढारी उत्साहपूर्वक व स्वदेशकीर्तीस अनुरूप असें प्रत्युत्तर देतील अशी आम्ही आशा करितों. दक्षिण आफ्रिकेंतील आपल्या देशबांधवांच्या अनिर्वाच्य हालअपेष्टांचा इतिहास सर्वश्रुत आहे. ट्रान्सवालांतील हिंदी लोकांच्या दुःखाची हृदयद्रावक कहाणी ऐकून कित्येक सहृदय देशभक्तांनीं अश्रु गाळले असल्यास नवल नाहीं. परंतु, ह्या अश्रुबिंदूंबरोबर त्यांचें धैर्यही गळून गेलें नाहीं असा आम्हांस भरंवसा आहे. सांप्रतची वेळ आणीबाणीची असल्यामुळें व लोकांनीं कर्तव्यतत्पर होणें अवश्य असल्यामुळें ट्रान्सवाल प्रकरणाचा पूर्वेतिहास व सद्यःस्थिती ह्यांसंबंधाची संकलित माहिती येथें देत आहोंत.

पूर्वेतिहास.

ट्रान्सवालांत पूर्वी एकंदर तेरा हजार हिंदी लोकांची वस्ती होती. त्यांपैकीं फक्त सहा हजार हल्लीं ट्रान्सवालमध्यें आहेत. बाकीच्या सात हजार लोकांना गेल्या पांच सहा वर्षांत एक तर जुलमानें बाहेर हाकून दिलें आहे किंवा युक्तिप्रयुक्तीनें वसाहतीबाहेर राहण्याचें भाग पाडलें आहे.

स्वदेशाकरितां हिंदी लोकांचे हक्क कायम राखून त्यांच्या अब्रूचें संरक्षण करण्यासाठीं हिंदी लोक अनेक भयंकर हालअपेष्टा भोगीत आहेत. त्यांचें अस्तित्व समूळ नष्ट करण्याकरितां ट्रान्सवाल सरकारचे प्रयत्न सतत चालू असून हिंदी लोकांचें कुलशील व त्यांचा धर्म यांची त्यांत मनसोक्त विटंबना झाली आहे असे कायदेकानू, नियम–प्रतिबंध ट्रान्सवाल सरकारनें पास केले आहेत. इंग्रज लोक व बोअर यांचें युद्ध होण्यापूर्वी व त्यान्यानंतर, हिंदी लोकांचा ट्रान्सवालांतून नायनाट करण्याच्या उद्देशानें पूर्वीच्या बोअर सरकारांनीं जे कायदेकानु अमलांत ठेवले होते ते रद्द करण्याचें बादशाही सरकारनें वचन दिलें होतें. ते रद्द होणें तर एकीकडेच राहिलें, पण त्यांत नवीन कायद्यांची भर पडून ह्या जुलमी कायद्यांच्या अभिकुंडांत हिंदी लोकांच्या हितसंबंधाची, आयुष्यसुखाची व राष्ट्रीयतेजस्वीतेची आहुति पडत आहे. ह्या कायद्याअन्वयें, हिंदी लोकांना राजकीय किंवा स्थानिक स्वराज्यविषयक मताधिकार मिळत नाहीं, विवक्षित जागेबाहेर जमीन संपादन करितां येत नाहीं, कांहीं शहरांत पायरस्त्यावरून चालण्याची त्यांस मनाई आहे, प्रिटोरिया व जोहान्सबर्ग येथील ट्रामगाड्यांत बसण्याची त्यांना परवानगी नाहीं. सुवर्ण असलेल्या चांदी सोन्याच्या खाणीच्या प्रदेशांत राहण्याचा त्यांस प्रतिबंध आहे; ह्याशिवाय अनेक अपमानकारक व अन्यायाचे प्रकार आहेत. अन्यायांची ही यादी इतकी लांब आहे कीं,

ती वाचतांच हिंदी लोकांचा मानभंग पदोपदीं होत आहे व फक्त हिंदी लोकच सहन करूं शकतील असा अपमानकारक व दुःखकारक हालअपेष्टा त्यांस भोगाव्या लागत आहेत; ही गोष्ट स्पष्टपणें ध्यानांत येऊन प्रत्येक देशभक्तास तीव्र खेद व संताप वाटून त्याचें काळीज पोळल्याखेरीज राहणार नाहीं. तथापि, ट्रान्सवालांतील अप्रत्यक्ष प्रतिकाराची चळवळ मुख्यत्वेंकरून दोन मागण्यांसंबंधाची आहे.

सांप्रतच्या मागण्या

पुढीलप्रमाणें आहेत:—

(१) १९०७ चा नांवनोंदीचा अपमानकारक कायदा रद्द व्हावा; कारण

(अ) ट्रान्सवालसरकारनें हा कायदा रद्द करण्यासंबंधानें प्रत्यक्ष वचन दिलें होतें.

(ब) हा कायदा ब्रिटिश साम्राज्याच्या शिलास कलंक लावणारा व प्रतिगामी आहे.

(क) ब्रिटिश इंडियन लोकांचा ब्रिटिश साम्राज्यांतील हिंदी लोकांचा—राष्ट्र या नात्यानें सदरहू कायद्यामुळें अपमान होतो व हा कायदा त्यांस गुन्हेगारांप्रमाणें लेखतो.

(ड) हा कायदा अनवश्यक आहे,

(ई) त्यांत धर्माची पायमल्ली झाली आहे,

(उ) त्यायोगेंकरून एक साम्राज्यविघातक व अनिष्ट राजनीति अमलांत आल्यासारखें होतें

सदरहू १९०५ चा कायदा रद्द करण्याचें ट्रान्सवाल सरकार नाकारीत आहे व असें करण्यांत मोठ्या गांभीर्यानें दिलेलें वचन त्यानें मोडलें आहे. आज ट्रान्सवालांत युरोपियन व हिंदी लोक या उभयतांसही प्रतिबंधक असा परदेशस्थ लोकांच्या आगमनासंबंधाचा सर्वसाधारण कायदा वाचून पहा! या कायद्यांत अत्यंत सुसंकृत असा हिंदी लोकांचा प्रवेश होण्यासंबंधानें मनाई करण्यांत आली आहे. म्हणून आपल्या देशबांधवाची दुसरी मागणी अशी आहे कीं:—

(२) पूर्वीतील इतर राष्ट्रांतून ट्रान्सवालमध्यें वसाहतीस येणाऱ्या लोकांसंबंधीं निर्बंध ठेवणारा जो कायदा आहे तोच कायदा भेदाभेद न करितां समानतेच्या तत्वावर सुसंकृत हिंदी लोकांसही लागू असावा व त्याविरुद्ध दुसरे कोणचेही प्रतिबंध असूं नयेत ही मागणी मान्य करण्यांत यावी; कारण,

(अ) ट्रान्सवालांतील सध्यांच्या हिंदी रहिवाश्यांची योग्य उपजीविका होऊन अबरूदार रीतीनें त्यांचा आयुःक्रम चालण्यास असा सुसंस्कृत लोकांची जरूरी आहे.

(ब) कोणत्याही जातीच्या सुसंस्कृत माणसाचा वसाहतींत प्रवेश होण्यास जितकी मोकळीक असते तितकीच मोकळीक सुसंस्कृत हिंदी लोकांसही असावी.

(क) हा हक्क नाकबूल करणें म्हणजे सर्व हिंदुस्थानचा उपमर्द करण्यासारखें आहे.

ट्रान्सवाल सरकारनें हा हक्क हिरावून घेतला आहे व कोणाही हिंदी मनुष्यास— मग तो कितीही सुशिक्षित असो, प्रोफेसर असो, डॉक्टर असो, वकील असो, किंवा उपाध्याय असो—ट्रान्सवालांत प्रवेश करण्याची ट्रान्सवाल सरकारनें मनाई केली आहे.

ह्यासाठीं सोसलेले हाल.

ह्या दोन मागण्या मंजूर व्हाव्या म्हणून ट्रान्सवालांतील हिंदी लोकांनीं भयंकर हालअपेष्टा सहन केल्या आहेत. ट्रान्सवालांतील हिंदी लोकांनीं आज पर्यंत सोसलेल्या दुःखपरंपरेचा इतिहास वाचून कठोर अंतःकरणाच्या मनुष्याच्या अंगावर देखील रोमांच उभे राहिल्या खेरीज राहणार नाहींत. मग सहृदय मनुष्याचें अन्तःकरण क्रोधाविशयानें व्याप्त झाल्यास नवल तें काय? केवळ न्यायासाठीं अप्रत्यक्ष प्रतिकाराचें अवलंबन करणाऱ्या परंतु कायद्याची सीमा उल्लंघन न करणाऱ्या अतएव नीतिदृष्ट्या निरपराधी हिंदी लोकांपैकीं आजपर्यंत २५०० इसमांस शिक्षा झाल्या. ह्यापैकीं, बहुतेक शिक्षा सक्तमजुरीच्या कैदेच्या आहेत. आणि ह्या शिक्षा होण्यासारखें महत्पाप त्यांच्या हातून कोणतें घडलें म्हणाल तर तें हें कीं, त्यांनीं स्वधर्म, स्वदेश, स्वाभिमान, राष्ट्राची अब्रू व सत्य ह्यांची किंमत व्यक्तिविषयक हितापेक्षां व राष्ट्रीय अपमान सोसल्यानें प्राप्त होणाऱ्या सुरक्षिततेपेक्षां व संपन्नतेपेक्षां अधिक धरली! पतिपत्नींचा, बंधुभगिनींचा व पितापुत्रांचा वियोग करून ट्रान्सवाल सरकारनें शेंकडों हिंदी लोकांस त्यांच्या कुटुंबांतून ओढून काढून तुरुंगांत टाकिलें आहे. तुरुंगांत त्यांना रानटी लोकांप्रमाणें व गुन्हेगारांप्रमाणें वागविण्यांत येतें!

तुरुंगांत त्यांना अर्धपोटींच ठेवण्यांत येतें व पशुतुल्य वागविण्यांत येतें. तुरुंगांतल्या काफीर वार्डरनें फटके लगावल्यामुळें एक अठरा वर्षांचा तरुण हिंदी देशभक्त मरण पावल्याचीही बातमी आहे!

ट्रान्सवाल सरकारच्या ह्या अमानुष वर्तनामुळें हिंदी लोकांच्या गृहसुखाचा नायनाट झाला आहे, कित्येकांचीं घरेंच्या घरें बसलीं आहेत. कित्येक उध्वस्त पधंदा झाले आहेत. कांहीं ठिकाणीं आपल्या मुलाबाळांचें पोषण करण्याकरितां घरंदाज व अब्रूवाल्या हिंदी कुलस्त्रियांना डोक्यावर पाटी घेऊन रस्त्यांतून भाजी विकीत हिंडावें लागत आहे! कांहीं कुटुंबांना उपजीविकेस्तव सार्वजनिक धर्मादायावर अवलंबून रहावें लागत आहे.

कित्येक हिंदी लोकांना ट्रान्सवाल सरकारनें हद्दपार करून थेट हिंदुस्थानांत आणून पोंचविलें आहे; आणि ह्या रीतीनें हद्दपार झालेल्या लोकांपैकीं कांहींचीं बायकामुलें त्यांच्या मागें ट्रान्सवालांतच उपाशीं मरत आहेत.

आपल्या गाऱ्हाण्यांची दुःखद कहाणी सांगून न्याय मिळण्यासाठीं खटपट करावी म्हणून ट्रान्सवालच्या हिंदी लोकांनीं इंग्लंड व हिंदुस्थान येथें पाठविण्यास निवडलेल्या बहुतेक प्रतिनिधींस ट्रान्सवालसरकारानें पकडून तुरुंगांत टाकलें. हा तोंड दाबून बुक्यांचा मार नव्हे तर काय?

ट्रान्सवालांतील हिंदी लोक हा हाल-अपेष्टा केवळ मातृभूमीच्या मानधनाच्या सांभाळ करण्याकरितां सोशीत आहेत. त्यांचा हा सर्व स्वार्थत्याग हिंदुस्थानाकरितां आहे. ह्या दुर्दैवी भरतभूमीच्या सांप्रतच्या उदयोन्मुख काळांत निस्सीम व सात्विक देशभक्तांचा हा स्वार्थत्याग भविष्यत्कालीन कविवर्यांच्या कवनशक्तीस स्फूर्तिदायक होणार नाहीं असें कोण म्हणूं शकेल?

नैसर्गिक मानवी हक्कांपकीकडे ज्यांची व्याप्ति नाहीं, अशा आमच्या सर्वतोपरी न्याय्य अशा मागण्या सरकाराकडून मान्य करवून घेण्याचे बाबतींत मुंबई इलाख्यांतील आमचे देशबांधव आम्हांस सहाय्य होतील काय ? असा प्रश्न हिंदुस्थानाकरितां ट्रान्सवालच्या तुरुंगांत दुःख सोशीत असलेले हिंदी देशभक्त अहर्निश विचारीत आहेत. ह्याचें समाधानकारक उत्तर आमचे देशांत मिळेल काय, असा प्रश्न आम्हीही करितों; व तें मिळावें म्हणून आमच्या शूर व धीरोदात्त देशबंधुंनीं अद्वितीय चिकाटीनें चालविलेल्या भगीरथ प्रयत्नांची कहाणी सविस्तर रीतीनें देण्याचें आम्ही योजिलें आहे.

नं. २.

गाऱ्हाणीं व मागणीं.

ट्रान्सवालांतील आपल्या देशबांधवांनीं गेलीं तीन वर्षें राष्ट्रीय कीर्ति व हक्क यांचें संरक्षण करण्याकरितां अलौकिक धैर्यानें जी चळवळ चालविली आहे, तिजकडे सर्व हिंदुस्थानचें पूर्ण लक्ष्य जाऊन हिंदवासीयांनीं ह्या पवित्र कार्यांत हातभार लावणें अत्यावश्यक आहे, असें वर प्रतिपादिलें. तें सर्व देशबंधूंस मान्य होईल यांत संशय नाहीं. ट्रान्सवालांतील हिंदी लोकांनीं स्वदेशबांधवांपुढें आपलीं गाऱ्हाणीं मांडण्याकरितां एक डेप्युटेशन पाठविण्याचें ठरविलें. परंतु, ट्रान्सवाल सरकारनें ह्या डेप्युटेशनच्या व्युहाचाही भेद करून कांहीं प्रतिनिधि मंडळीना पकडून तुरुंगांत टाकलें. बाकी राहिलेल्या प्रतिनिधींचें डेप्युटेशन सांप्रत हिंदुस्थानांत आलें आहे. ट्रान्सवाल प्रकरणासंबंधानें लोकमत जागृत करून, हिंदुस्थानांतील लोकांच्या सहाय्यानें हिंदी लोकांच्या तक्रारींची दाद लावणें हा डेप्युटेशनचा उद्देश आहे. सांप्रतची वेळ आणीबाणीची असल्यामुळें, ' कालःक्रीडति गच्छति आयुः ' अशा प्रकारचें अक्षम्य औदासीन्याचें व बेफिकीरीचें धोरण सोडून देऊन ट्रान्सवाल प्रकरणासंबंधानें परिणामकारक रीतीनें स्पष्ट लोकमत प्रदर्शित करणें हिंदीवासीयांचें कर्तव्य आहे. ट्रान्सवालांत स्वदेशासाठीं कष्टत असलेल्या देशबांधवासंबंधानें हिंदुस्थानांतील लोकांस वाटणारी सहानुभूति कळकळीची, निरसीम व प्रेमपूर्ण आहे यांत संशय नाहीं. परंतु, ही सहानुभूति सुसंघटित व परिणामकारक रीतीनें अजून व्यक्त करण्यांत आलेली नाहीं. ह्या कारणास्तव, ट्रान्सवालांतील संग्रामाचा संक्षिप्त इतिहास देऊन, सांप्रतच्या परिस्थितीसंबंधानें आपली कर्तव्यदिशा कोणत्या प्रकारची असली पाहिजे ह्यासंबंधानें आम्ही कांहीं अगत्याच्या व व्यावहारिक सूचना वाचकांपुढें मांडण्याचें योजिलें आहे.

ट्रान्सव्हाल सरकारशीं चाललेल्या झगड्याचा पूर्वेतिहास.

ट्रान्सवॉल प्रकरणाच्या संग्रामाचा इतिहासप्रारंभ सुमारें पंचवीस वर्षांपूर्वी, त्या वेळीं स्वतंत्र असलेल्या बोअर सरकारानें १८८५ चा ३ रा कायदा पास केला, तेव्हांपासून झाला. त्यावेळच्या हिंदी रहिवाशांसंबंधानें युरोपियन व्यापाऱ्यांस व्यापारविषयक बाबतींत वाटणारा मत्सर व वस्तुस्थितीसंबंधाचें अज्ञान ह्या दोन गोष्टीमुळें बोअर सरकारनें हा कायदा पास केला. हिंदी व्यापाऱ्यांच्या उत्कर्षामुळें गोऱ्या लोकांचा व्यापारविषयक मक्ता असंगत होण्याची भीति पडल्यामुळें हा

कायदा. बोअर सरकारनें कायद्याच्या शस्त्रागारांतून बाहेर काढला. " आशिया खंडांतील कोणतेही रहिवासी—कुली, आरब, मलायी व तुर्कांच्या राज्यांतील मुसलमान प्रजाजन " यांस हा कायदा लागू करण्यांत आला. पौर्वात्य लोकांवर बोअर सरकारनें हें कायद्याचें अस्त्र फेंकिलें, तेव्हांपासून, कोणीही मनुष्य–मग त्याचा दर्जा केवढाही असो—' कुली ' ह्या नांवानें बोअर लोकांच्या लोकसत्ताक राज्यांत संबोधण्यांत येऊं लागला. कायद्याच्या उपरिनिर्दिष्ट अपमानकारक व्याख्येखालीं मोडणाऱ्या सर्व लोकांनीं ट्रान्सवालच्या लोकसत्ताक राज्याच्या हद्दींत पाय ठेवल्यापासून आठ दिवसांच्या आंत आपलें नांव नोंदलें पाहिजे. नाहीं तर कडक शासन होईल असा निर्बंध सदरहु कायद्यान्वयें ठरविण्यांत आला. याचप्रमाणें, नांवनोंदणीबद्दल पंचवीस पौंड (२७५ रुपये) फी ठरविण्यांत आली होती. नांवनोंदणीचा हा कर मागाहून तीन पौंडपर्यंत कमी करण्यांत आला व वर्षांतून एक वेळच रक्कम भरण्याचा नियम करण्यांत आला. १८८५ च्या ह्या कायद्यान्वयें, कोणाही ' कुली ' ला स्थापित मालमत्ता संपादन करण्याची मनाई झाली; मग राजकीय आणि म्युनिसिपल मताधिकार मिळविण्याचें तर नांवच घेणें नको. 'कुलीं'नीं कांहीं विवक्षित प्रदेशांतच राहावें असाही निर्बंध ह्या कायद्यानें ठरविला. पुढें, ब्रिटिश सरकारकडून आग्रहाचा इशारा मिळाल्यामुळें बोअर सरकारनें ' आरोग्यविषयक कारणांकरितां ' हे शब्द 'कुलींच्या' निवासस्थानासंबंधाच्या नियमास जोडले. परंतु पुढें बोअर सरकारानें कायद्याचा अर्थ करितांना आपल्या पांडित्याची कमाल केली. अमुक लोकांनीं विवक्षित प्रदेशांतच राहावें या नियमाचा अर्थ बोअर सरकार असा करूं लागलें कीं, सदरहु लोकांनीं व्यापारही पण त्या प्रदेशाच्या मर्यादेंतच करावा. बोअर सरकारच्या ह्या भाष्यास नंतर कायद्याच्या कोर्टांत कसोटी लावण्यांत येऊन, हायकोर्टानें पण हिंदी लोकांच्या विरुद्धच निकाल दिला! ' वारांगनेव नृपनीतिरनेकरूपा ' ह्या कव्युक्तीच्या सत्यतेचें ह्याहून जास्त ढळढळीत उदाहरण कशास पाहिजे ? असो. ट्रान्सवालांतील न्यायदेवतेनेंहि प्रबळांचा असत्पक्ष खरा ठरविला तरी ह्या बाबतींत तेथील लोकसत्ताक राज्याशीं बोलणें चालविण्याचा हक्क मि. चेंबर्लेन-इंग्लंडचे तत्कालीन वसाहत खात्याचे सेक्रेटरी यांनीं आपणाकडे राखून ठेविला. पुढें चौदा वर्षेपर्यंत म्हणजे बोअर लोकांशीं इंग्रजांचा निर्वाणीचा रणसंग्राम सुरू होईपर्यंत ट्रान्सवालांतील हिंदी लोकांच्या तक्रारींची दाद लावण्याकरितां ब्रिटिश-सरकार अप्रतिहत खटपट करीत होतें. इ. स. १८९९ सालीं तर मि. चेंबर्लेन यांनीं स्पष्टपणें जाहीर केलें कीं, हिंदी लोकांच्या तक्रारी हें युद्धाचें एक कारण आहे. प्रधानमंडळापैकीं, लॉर्ड लान्सडौन व लॉर्ड सेल्बोर्न यांनींही ब्रिटिश साम्राज्यांतील हिंदी प्रजाजनांस वाईट रीतीनें वागविण्यांत येतें ह्या गोष्टीचा निषेध केला. राणीसाहेबांचें प्रबळ सरकार हिंदी लोकांच्या तक्रारींची दाद लावण्याच्या बाबतींत अगदीं निर्बल आहे असें जगजाहीर झालें; तर हिंदुस्थानच्या तीस कोटी प्रजाजनांस काय वाटेल ? असा लॉर्ड लान्सडौ

यांनीं आपल्या भाषणांत प्रश्न केला; व लॉर्ड सेल्बोर्न यांनीं आपल्या भाषणांत स्पष्टपणें सांगितलें कीं, जगाच्या कोणत्याही भागांतील ब्रिटिश प्रजाजनांचे—मग हे प्रजाजन युरोपियन वसाहतवाले असोत किंवा हिंदी लोक असोत—ब्रिटिश लोक ट्रस्टी—हिताहिताचे वाली—आहेत. यासंबंधानें आणखी एक गोष्ट लक्षांत ठेवण्यासारखी आहे ती ही कीं, ट्रान्सवालची राजधानी प्रिटोरिया शहर येथील ब्रिटिश एजंटानें आग्रहपूर्वक बोलणें चालविल्यावरून बोअर सरकारानें हिंदी व्यापाऱ्यांना तीन पौंड कर मागितला नाहीं व म्हणून त्यांनीं हा कर दिला नाहीं; आणि त्यावरून त्यांची नांवनोंदणीही झाली नाहीं. आणखी एके प्रसंगी, ठरीव प्रदेशाबाहेर व्यापार करणाऱ्या हिंदी लोकांना व्यापार करण्याबद्दलची मंजुरी देण्याचें लोकसत्ताक बोअर राज्यानें नाकारिलें तेव्हां, मंजुरीबद्दलची फी भरा; व फी भरूनही मंजुरी मिळाली नाहीं तर मंजुरीवाचूनच बेधडक व्यापार चालवा, असा ब्रिटिश एजंटनें हिंदी लोकांस सल्ला दिला. मंजुरीवाचून व्यापार चालविल्याबद्दल कांहीं लोकांस पकडण्यांत आलें तेव्हां त्यांनीं जामीन किंवा दंड न देतां तुरुंगांत जावें, हा ठराव ब्रिटिश एजंटानें मान्य केला. यावरून, ट्रान्सवालांतील सांप्रतची अप्रत्यक्ष प्रतिकाराची चळवळ बोअर युद्ध होण्यापूर्वींच सुरू झाली होती व खुद्द ब्रिटिश एजंटाचेंही या चळवळींत अंग होतें, ही गोष्ट स्पष्टपणें कोणासही समजून येईल.

इंग्रजांचें बोअर लोकांशीं युद्ध उपस्थित होऊन रणकुंड पेटलें तेव्हां ब्रिटिश हिंदी लोकांना युद्धविषयक कारणामुळें ट्रान्सवाल सोडून जावें लागलें. युद्धानंतर ट्रान्सवाल इंग्रजी अमलांत आलें; पण तेणेंकरून हिंदी लोकांनीं रदहू लढाईंत इंग्रजांस मदत केली असताही त्यांची स्थिति सुधारली नाहीं. गोरेगोरे एक झाले, व हिंदी लोकांची दैना अधिकच वाढली. त्यांना ट्रान्सवालांत येण्याची रडतखडत परवानगी मिळाली खरी. परंतु हें त्यांचें पुनरागमन संकुचित संख्यामर्यादेनें आंखलेलें व अनेक प्रकारच्या निर्बंधांनीं आणि अडचणींनीं जखडलेलें असें होतें. युद्धानंतर प्रस्थापित झालेल्या राज्यव्यवस्थेच्या स्वरूपामुळें त्यांना अनेक निर्बंध पाळावे लागले व युद्धापूर्वी जे हिंदी लोक ट्रान्सवालमध्यें होते, त्यांनाच फक्त ट्रान्सवालांत प्रवेश करण्याची मुभा नवीन इंग्रजी सरकार ठेवणार आहे अशी बातमी प्रसिद्ध झाली. परिस्थितीकडे लक्ष देऊन हिंदी लोकांनीं या स्थितींतच समाधान मानलें. परंतु, ही व्यवस्था आपण आपखुषीनें व युरोपियन वसाहतवाल्यांच्या मनोवृत्तीस मान देण्याकरितां म्हणून मान्य देण्याकरितां म्हणून मान्य करीत आहों—सरकारला ही व्यवस्था हिंदी लोकांकडून मान्य करविण्याचा हक्क आहे अशा समजुतीनें आपण ती मान्य करीत नाहीं असें त्यांनीं त्यावेळीं स्पष्टपणें सरकारास कळविलें. इ. स. १९०२ युद्धांतून नुकत्याच बाहेर पडलेल्या देशांत शांतता, सुव्यवस्थितता व सुराज्य यांची प्रस्थापना करण्याच्या उद्देशानें 'पीस प्रिझर्वेशन ऑर्डिनन्स' नामक "शांतता संरक्षक" कायदा पास करण्यांत आला. या कायद्यान्वयें, वसाहतींत प्रवेश करूं इच्छिणाऱ्या सर्व लोकांना स्वमतानुसार परवाने देण्याचा वा न देण्याचा अधिकार वसाहतीच्या गव्हर्नरास मिळाला. परंतु, प्रत्यक्ष व्यवहारांत गुन्हेगार लोक, वारांगना व निः-

ज्वळ बदमाष लोकांप्रमाणें, युद्धापूर्वी ट्रांस-वालांत आपलें वास्तव्य होतें असें ज्यांना सिद्ध करितां आलें नाहीं अशा सर्व हिंदी लोकांना वसाहतींत प्रवेश करण्याची मनाई होऊं लागली. वारांगना व बदमाष यांच्या पंक्तीस हिंदी लोकांस बसविण्यांत येतें ही गोष्ट सदरहू प्रकारावरून उघड होते! असो; ह्याप्रमाणें, प्रथमारंभीं जे प्रवेश-परवाने देण्यांत आले त्यांत परवाने बाळगणारांची तोच हा गृहस्थ अशी ओळख पटण्यासंबंधीं खाणाखुणा घेण्याची व्यवस्था करण्यांत आली. पूर्वी तीन पौंड भरल्यावर पावतीदाखल जें नांवनोंदणीचें सर्टिफिकेट मिळत असे त्यांत मनुष्याची ओळख पटण्यासंबंधीं व्यवस्था केलेली नव्हती. वसाहतींतल्या सर्व हिंदी रहिवाशांनीं हे परवाने मिळविलेच पाहिजेत असा सक्त हुकूम करण्यांत आला.

ह्या प्रसंगीं, युद्धापूर्वी ट्रान्सवालांत ज्यांचें वास्तव्य नव्हतें अशा हिंदी लोकांची वसाहतींत खेंचाखेंची होऊन गर्दी होत आहे अशी हिंदी लोकांच्या युरोपियन व्यापारी प्रतिस्पर्ध्यांनीं पुनः ओरड करण्यास सुरुवात केली. त्यावेळीं लॉर्ड मिल्नर हे हाय कमिशनर व गव्हर्नर होते. त्यांनीं तावडतोब सक्त चौकशी केली; व चौकशी अंतीं समजून आलें कीं, हिंदी लोकांचा वसाहतींत गुप्त व बेकायदेशीर संचार झाल्याचे आरोप खोटे आहेत. ह्यापूर्वी लॉर्ड मिल्नर यांच्या हाताखालच्या कांहीं अंमलदारांचें नीतिभ्रष्टतेचें वर्तन झाल्याचें ट्रान्सवालांतील ब्रिटिश इंडियन असोसिएशननें लॉर्ड मिल्नर यांना सिद्ध करून दाखविलें होतें; व नंतर लॉर्ड मिल्नर यांनीं ह्या अंमलदारांना कामावरून बडतर्फही केलें. पौर्वात्य लोकांची वसाहतीवर 'टोळधाड' येण्याची भीति नाहीं अशी लॉर्ड मिल्नर यांची स्वतःची जरी पूर्ण खात्री झाली होती तथापि पौर्वात्य लोकांच्या प्रवेशाविरुद्ध चळवळ करणाऱ्या चळवळखोरांस बोलण्यास जागा राहूं नये म्हणून त्यांनीं हिंदी लोकांच्या पुढाऱ्यांचें साहाय्य मागितलें. नांवनोंदणीचीं बोअर सर्टिफिकेटें बदलून नवीन इंग्रजी रियासतींतील परवाने घेण्याची आपल्या देशबांधवांस सल्ला देण्याविषयीं त्यांनीं ह्या पुढाऱ्यांस आग्रहपूर्वक सांगितलें. ह्यामुळें परवाने बाळगणारांच्या ओळखीसंबंधानें पंचाईत पडणार नाहीं व त्यांवर आंगठ्याचे ठसे असावेत, असें मिल्नरसाहेब म्हणाले. ह्या सूचनेचा हिंदी लोकांनीं विचार करून त्याप्रमाणें वागण्याचें मान्य केलें; परंतु, आपण हें कृत्य आपखुशीनें सवलतीदाखल करीत आहोंत, असें त्यांनीं स्पष्टपणें सांगितलें. ही नांवनोंदणी अखेरची होईल व नवीन परवाने बाळगणारांस वास्तव्याचा प्रवेशाचा व पुनःप्रवेशाचा चिरस्थायी हक्क प्राप्त होईल असें लॉर्ड मिल्नर यांनीं आश्वासनपूर्वक सांगितलें. ही सक्तीची नांवनोंदणी पुरी झाली तेव्हां ह्या तडजोडीस हिंदी समाजास प्रवृत्त करणाऱ्या हिंदी पुढाऱ्यांचे लॉर्ड मिल्नर यांनीं आभार मानले. मोठ्या गांभीर्यानें देण्यांत आलेलें हें वचन कशा रीतीनें पाळण्यांत आलें हें पुढील हकीकतीवरून दिसून येईलच.

बोअर युद्धापूर्वी, ट्रांसवालांतील हिंदी लोकांची कमींत कमी १३००० संख्या असल्याबद्दल सरकारी अधिकाऱ्यांकडून गणती करण्यांत आली होती. इ. स. १९०४ सालीं हिंदी लोकांची खानेसुमारी घेण्यांत आली आहे. तेव्हां वसाहतींत हिंदी

लोकांची संख्या १०००० हून कमी आहे असें दिसून आलें. इ. स. १९०६ मध्यें एकंदर १०००० परवाने ब्रिटिश हिंदी लोकांकरितां काढण्यांत आले आहेत; असें सरकारी कागदपत्रीं दाखविण्यांत आलें. ह्यावरून दिसून येईल कीं १९०२ तें १९०६ ह्या दरम्यान हिंदी लोकांची संख्या बोअर युद्धापूर्वीच्या हिंदी लोकांच्या संख्येच्या बरोबरीला येत नाहीं.

जोहान्सबर्ग म्युनिसिपालिटीनें आरोग्य-विषयक बाबतींत अक्षम्य हयगय केल्यामुळें इ. स. १९०४ सालीं जोहान्सबर्ग येथें प्लेग उद्भवला त्यावेळीं हिंदी लोकांचें तेथील निवासस्थान किंवा आखून देण्यांत आलेली वास्तव्यभूमि जळून गेली. त्यामुळें, हिंदी लोक चहूंकडे पसरले; पुष्कळ हिंदी लोक वसाहतींतल्या निरनिराळ्या शहरांत जाऊन राहिले. हिंदी लोकांची फांकाफांक झाली आहे, ह्या संधीचा फायदा घेऊन पौर्वात्यविद्वेषी पक्षानें हिंदी व्यापाऱ्यांविरुद्ध पुनरपि ओरड करण्यास सुरुवात केली. इ. स. १९०४ सालच्या उत्तरार्धांत पौर्वात्यविद्वेषी बोअर व इंग्रज वसाहतवाल्यांनीं एक 'राष्ट्रीय परिषद्' (नॅशनल कन्व्हेन्शन) भरवून तेथें अपूर्व विक्षिप्तपणाचे व अचाट ठराव पास केले. ठरींव वास्तव्यभूमींतच हिंदी लोकांना राहण्याची व व्यापार करण्याची परवानगी असावी व यापुढें ट्रान्सवालांत आगमन करणाऱ्या हिंदी लोकांस ते सुसंस्कृत व अत्युच्च दर्जाचे असले तरी ह्या विशिष्ट वास्तव्यप्रदेशांतच राहण्याची सक्ति असावी असे ठराव सदरहू कन्व्हेन्शननें पास केले. ह्या ठिकाणीं पुढील एक गोष्ट नमूद करणें अवश्य आहे. ह्याच वर्षारंभाचे सुमारास, ठरीव वास्तव्यप्रदेशांत राहणें ह्या नियमांत ह्या वास्तव्यप्रदेशांतच व्यापार करणें ह्या नियमाचाही अंतर्भाव होतो असा बोअर राज्याच्या हायकोर्टानें केलेला ठराव रद्द करण्याकरितां हिंदी लोकांनीं इंग्रजी रियासतींतील वरिष्ठ-सुप्रीम-कोर्टाकडे एक अर्ज केला. वसाहत सरकारानें ह्या अर्जास प्रत्यक्ष हरकत आणली तरी शेवटीं न्यायदेवता जागृत असल्यामुळें ठरींव वास्तव्यभूमींत राहण्याच्या निर्बंधांत त्याच वास्तव्यभूमींत व्यापार करण्याचा निर्बंध अंतर्भूत होत नाहीं हें हिंदी लोकांचें ह्मणणें वरिष्ठ कोर्टाच्या निकालानें यथार्थ ठरलें. ह्या कामांत हिंदी लोकांना अपरंपार खर्च आला. ह्यावेळच्या वसाहत सरकारच्या वर्तनावर चीफ जस्टिस यांनीं पुढीलप्रमाणें टीका केली:—

" जो हक्क प्रचलित कायद्याच्या दृष्टीनें बेकायदेशीर आहे असें बादशाही सरकार आजपर्यंत सांगत आलें आहे व गतकालांत बादशाही सरकारनें ज्याचा आवेशपुरस्सर प्रतिकार केला आहे असा हक्क नवीन कायदा झाला नसतां वसाहत सरकारच्या अधिकाऱ्यांनीं पुढें आणावा ही आश्चर्याची गोष्ट आहे. " ह्यानंतर कांहीं दिवसांनीं लॉर्ड सेल्बोर्न यांनीं इंग्रजी वसाहत सरकारच्या वर्तनाचें समर्थन करून असा मुद्दा पुढें आणला कीं, युद्धापूर्वी बोअरसरकार स्वतंत्र होतें व इंग्रज सरकार हिंदी लोकांच्या हक्कांचे पुरस्कर्ते ह्या नात्यानें वागलें; परंतु युद्धानंतर इंग्रजांचें राज्य बोअर लोकांवर झाल्यामुळें बादशाही सरकारचें हल्लींचें कर्तव्य कायदा आहे तसा अंमलांत आणणें हें आहे ! "

इकडे हिंदी व्यापाऱ्यांविरुद्ध चळवळ वाढतच होती. ह्यावेळीं, लॉर्ड मिल्नर यांच्या जागीं लॉर्ड सेल्बोर्न हे आले होते. वसाहतींत 'कुली'ची गुप्त बेकायदेशीर खेंचाखेंच होत आहे अशी लॉर्ड सेल्बोर्न यांच्याकडे तक्रार करण्यांत आली. बारीक चौकशीअंतीं, लॉर्ड सेल्बोर्न यांनींहि ही तक्रार निराधार आहे असा अभिप्राय दिला; परंतु, ह्यामुळें पौर्वात्यविद्वेषी लोकांनीं गम न खातां पौर्वात्य लोकांसंबंधीं राज्यव्यवस्थेचें काम ज्याच्याकडे होतें अशा अंमलदारापुढें आपल्या तक्रारी नेऊन त्यांना आपल्या कांयास वश करून घेण्याचा प्रयत्न केला. पौर्वात्य लोकांसंबंधीं राज्यव्यवस्थेचें काम पूर्वी 'प्रोटेक्टर ऑफ एशियाटिक्स' (पौर्वात्यसंरक्षक) नांवाच्या अधिकाऱ्याकडे असे. नंतर, अधिकाऱ्याचें हें नांव जाऊन त्या जागीं 'रजिस्ट्रार ऑफ एशिआटिक्स' (पौर्वात्यांची नावनोंदणी करणारा अंमलदार) हें नांव स्थानापन्न झालें. ह्यापुढें पौर्वात्यांनीं आपलें संरक्षण होण्याची आशा धरूं नये असाच नामनिर्देशांतील ह्या फेरबदलाच्या योगानें एकापरीनें पौर्वात्यांस इशारा देण्यांत आला! आणि भविष्येतिहासावरून हा तर्क बरोबर ठरला. सदरहू रजिस्टरनें पौर्वात्य लोकांसंबंधीं कायद्याची ओढाताण करून, बादशाही सरकारनें वारंवार कायद्याचा जो अर्थ मान्य करण्याचें सपशेल नाकबूल करून ह्या अर्थवैपरीत्यावर कडक टीका केली होती, तो अर्थ ह्या कायद्यांतून पिळून काढण्याचा प्रथम प्रयत्न केला. परंतु डाव साधला नाहीं. पुढें आणखी नवीन डावपेंच शोधून काढण्यांत आले. हिंदी लोकांच्या परवान्याच्या अर्जांचा विचार करण्यास रजिस्ट्रारला 'मदत' करण्याकरितां म्हणून सल्लागार कोर्ट स्थापन करण्यांत आलें. ह्या कोर्टाचें काम गुप्तपणें चालूं लागलें; कोर्टांत हलक्या पौर्वात्यविद्वेषी अशाच अधिकाऱ्यांची नेमणुक करण्यांत आली. ह्या कोर्टांत हिंदी प्रतिनिधि मुळींच नेमण्यांत आला नाहीं. इतकेंच नव्हे तर अर्जदारांना स्वतः किंवा वकिलांमार्फत कोर्टांत हजर रहाण्याची परवानगी नसे. त्याप्रमाणें अर्जदारांविरुद्ध प्रतिकूल पुरावा पुढें आल्यास तो खोडला जाऊं नये, असा ह्या न्यायप्रिय अधिकाऱ्यांनीं बंदोबस्तच करून ठेविला! ह्याचा परिणाम असा झाला कीं, परवान्याबद्दलचे अर्ज एकसहा नामंजूर होऊं लागले. हिंदी लोकांच्या अर्जांच्या ह्या नामंजुरीचा फायदा घेऊन व जादुगिरीच्या 'आंकडेशास्त्राचा' उपयोग करून पौर्वात्यविद्वेषी कटवाल्या लोकांनीं अखेरीस इ. स. १९०६ मध्यें ही शर्यत जिंकली! वसाहतींत हिंदी लोकांचा गुप्त व बेकायदेशीर रीतीनें भरणा होत आहे व हिंदी समाजाचे पुढारी ह्या गोष्टीकडे डोळेझांक करीत आहेत, असे त्यांनीं लॉर्ड सेल्बोर्न यांच्या मनांत भरवून दिलें. ह्याप्रमाणें, जयसंधी फांसे टाकून कटवाल्यांनीं डाव जिंकला. ह्या कपटद्यूताचें पर्यवसान हल्लींचा पौर्वात्य लोकांसंबंधीं कायदा (एशियाटिक लॉ अमेंडमेंट ऑर्डिनन्स) सरकारनियोजित कायदेकौन्सिलांत पास होण्यांत झालें. हा कायदा 'ब्रिटिश हिंदी लोकांना न्यायानें व निःपक्षपातानें वागविण्याकरितां केला आहे, असें वसाहत सेक्रेटरीनीं ह्या कायद्याचें वर्णन केलें! बिचाऱ्या भाषादेवीवरच ही कचकी बळजबरी नव्हे तर काय? अन्यवाक्यांतील

हिंदी लोक जो कायदा रद्द होण्याबद्दल मागणी करीत आहेत तो हाच कायदा होय.

नं. ३

अप्रत्यक्ष प्रतिकाराच्या चळवळीचा संक्षिप्त इतिहास.

अखेर १९०७ साली पौर्वात्य लोकांस-बंधी त्यांस ट्रान्सवालांतून नामशेष करावें या उद्देशाचा नवा कायदा कायदेकौन्सिलच्या टांकसाळींतून मोठ्या डामडौलानें बाहेर पडला. बोअर अमदानींतील १८८५ च्या जुन्या कायद्यांची ह्या ब्रिटिश रियासतींतील नवीन कायद्यानें "सुधारणा" करण्यांत आली आहे, असा दुंदुभिघोष करण्यांत आला. जुन्या कायद्यांत नवीन कडक कानूंची आणखी भर घालणें म्हणजे त्या कायद्यांची सुधारणा करणें असा जर अर्थ असेल तर ह्या नवीन कायद्यानें पूर्वीच्या कायद्यांची खास सुधारणा झाली यांत संशय नाहीं ! ह्या सुधारणेनें नांवनोंदणीची प्रचलित कलमें काढून टाकून त्यांच्या जागीं कडक निर्बंध व नियम स्थानापन्न केले. हे नियम–निर्बंध अशा स्वरूपाचे होते कीं, ज्या हिंदी लोकांकरितां हा कायदा करण्यांत आला ते सर्व चोर, दरवडेखोर, बदमाष इत्यादि कोटींतीलच आहेत असें गृहीत धेऊनच सदर कायद्याची उभारणी करण्यांत आली आहे असें स्पष्टपणें दिसून आलें. शिवाय, वसाहत सेक्रेटरींनीं हा कायदा रूढ करितांना, पौर्वात्य लोकांचा वसाहतींत गुप्त बेकायदेशीर भरणा होत आहे, असा आरोप केला. अर्थात्, हिंदी पुढाऱ्यांच्या संमतीखेरीज हिंदी लोकांचा गुप्त संचार होणें शक्य नसल्यामुळें, वसाहतींत हिंदी लोकांचा गुप्त रीतीनें भरणा करण्याचा कट केल्याबद्दल हिंदी पुढाऱ्यांवर अप्रत्यक्ष आरोप करण्यांत आला; व ह्या काल्पनिक कटाबद्दल शासन म्हणून हा नवीन कायदा करण्यांत आला ! १८८५ च्या ३ च्या कायद्याच्या जुन्या व्याख्येंत जे जातिविषयक व धर्मविषयक अपमान आणि उपमर्द समाविष्ट झाले होते त्यांचा ह्या नव्या कायद्यांतही अंतर्भाव झाला आहे, असें सदरहू कायद्याच्या गर्भितार्थावरून दिसून आलें. ह्या कायद्याच्या चक्रव्यूहांत स्त्रियांसही ढकलण्याचा शांसवाल्यां अधिकाऱ्यांचा बेत होता; परंतु, ह्यासंबधानें हिंदी रहिवाशांची क्रोधज्वाला देदीप्यमान रीतीनें प्रकट झाल्यामुळें हा बेत त्यांना सोडून द्यावा लागला. तथापि, कडेवर बसण्याचें ज्यांचें वय आहे अशा तान्ह्या मुलांसही हा कायदा लागू करण्यांत आला व त्यांची नांवनोंदणी करण्याचा हुकूम झाला ! हीं अर्भकें आठ वर्षांचीं झालीं म्हणजे पुनः त्यांची नांवनोंदणी करावयाची व त्यांचें वय सोळा वर्षांचें झाल्यावर आणखी एकदां सदरहूप्रमाणेंच त्यांची पुनः नांवनोंदणी करावयाची, असें ह्या कायद्याअन्वयें ठरविण्यांत आलें. इंग्लंडांत कांहीं विवक्षित वर्गाच्या गुन्हेगारांस 'टिकेट ऑफ लीव्ह' म्हणून परवाना असतो व ह्या परवान्याप्रमाणें त्यांना अधिकाऱ्यांस आपला राहण्याचा पत्ता वगैरे कळवून सरकारी देखरेखीखालीं राहावें लागतें. बाल्यावस्थेपासून ते उमेदींत येईपर्यंत नांवनोंदणी करण्याचा कायदा हिंदी लोकांस लागू करण्यांत वसाहत सरकारनें त्यांची

ह्या बदमाषांच्या वर्गांतच गणना केली हें उघड दिसतें ! मानभंग व उपमर्द यांची बदरहू कायद्यांत परमावधि झाली. हिंदी लोकांची मानहानि करून त्यांना नीच दर्जाच्या लोकांत मोडणें व त्यांचे हक्क कायम करण्याचें ढोंग करून त्यांना शेवटीं वसाहतपार होण्यास लावणें हा कायद्याचा मुख्य हेतु होय. भवति न भवति होऊन अखेर हा कायदा पास होऊन प्रसिद्ध झाला व हिंदी लोकांच्या गोऱ्या व्यापारी प्रतिस्पर्ध्यांचा आनंद गगनांत मावेनासा झाला. आपल्यायी व्यापारविषयक चढाओढ करणाऱ्या हिंदी लोकांचें वसाहतींतून उच्चाटन करण्याचें हें चांगलें साधन उपलब्ध झालें आहे, असें पौर्वात्यद्वेषी गोऱ्या कटवाल्यांस वाटलें. ह्या गोऱ्या कटवाल्यांनीं आकांडतांडव करून, हिंदी लोकांच्या निषेधप्रदर्शनास भीक न घालण्याचें वसाहत सरकारास प्रोत्साहन दिलें.

गोऱ्या व्यापाऱ्यांच्या ह्या आकांडतांडवानें हिंदी लोकांचा सात्विक क्रोधाग्नि प्रदीप्त होऊन जोहान्सबर्ग येथें हिंदी लोकांची जंगी जाहीरसभा भरली. सबंध ट्रान्सवालांतील हिंदी रहिवाशांपैकीं एक चतुर्थांश लोक सभेस आले होते व ब्रिटिश इंडियन असोसिएशनच्या सर्व ठिकाणच्या स्थानिक कमिट्यांकडून सभेत पास होणाऱ्या ठरावासंबंधानें संमतिदर्शक तारा आल्या. ह्या सभेत दृढनिश्चयपूर्वक शपथ घेण्यांत आली व सर्वानुमतें असा ठराव पास झाला कीं, दुष्टपणाचा व ज्यांत धर्माची विटंबना झाली आहे असा हा कायदा मान्य करण्याऐवजीं हिंदी लोकांनीं खुशाल तुरुंगांत जावें. ह्याच प्रसंगीं, लॉर्ड एल्जिन यांच्याकडे एक डेप्युटेशन पाठवून ह्या कायद्यामुळें हिंदी लोकमत किती प्रक्षुब्ध झालें आहे ह्यासंबंधीं माहिती त्यांना कळविण्यांत आली. ह्या विषयासंबंधानें पुष्कळ वाटाघाट होऊन (ह्या वाटाघाटींत कित्येक वजनदार इंग्रज व आंग्लो-इंडियन लोक होते; ह्या लोकांची पुढें दक्षिण आफ्रिकेंतील ब्रिटिश इंडियन कमिटी स्थापन झाली) शेवटीं लॉर्ड एल्जिन यांनीं कायद्याची अंमलबजावणी तहकूब ठेवण्याचा हुकूम केला. ट्रान्सव्हालला आतां स्वराज्य देण्यांत आलें आहे तेव्हां ह्या बाबतींत पुढें भरणाऱ्या ट्रान्सवाल पार्लमेंटचा अभिप्राय घेतला पाहिजे ह्या मुद्यावर एल्जिनसाहेबांनीं कायद्याच्या तहकुबीचा हुकूम सोडला.

स्वराज्यसंपन्न ट्रान्सवालच्या नवीन पार्लमेंटच्या पहिल्या बैठकीचे वेळीं हा कायदा पार्लमेंटपुढें आणण्याची लॉर्ड एल्जिन यांनीं हा हुकूम काढून अप्रत्यक्षपणें सूचनाच केली, असा एल्जिनसाहेबांच्या हुकुमाचा अर्थ करण्यांत आला ! ट्रान्सवालच्या प्रधानकीची वस्त्रें मिळविण्याची त्यावेळीं आकांक्षा बाळगणारे सर रिचर्ड सॉलोमन यांनीं तर असें ध्वनित केलें कीं, हा कायदा पुनः करण्यांत आला तर ट्रान्सवालच्या नवीन शासनसंस्थेंतील रिझर्वेशन क्लॉज (म्हणजे वसाहत सरकारनें परकीय लोकांसंबंधीं किंवा आफ्रिकेंतील मूळ रहिवाशांसंबंधीं कायदे केल्यास ते नामंजूर करण्याचा साम्राज्य सरकारनें राखून ठेवलेला हक्क) हा रद्द होऊन कायद्यास बादशाही सरकारची मंजुरी मिळेल. अखेर परिणामही पण तसाच झाला. कायदा पार्लमेंटपुढें आला तेव्हां हिंदी लोकांनीं दुसरी एक

जाहीरसभा भरवून सरकारला विनंति केली कीं, हा कायदा सर्वतोपरी आक्षेपार्ह व अनवश्यक असल्यामुळें सरकारनें तो हातांत घेऊं नये. हिंदी लोकांचा वसाहतींत गुप्त संचार होईल अशी जी भीति वसाहत सरकारला वाटत होती ती नाहींशी करण्याकरितां व हिंदी रहिवाश्यांच्या प्रामाणिक हेतूंची साक्ष पटविण्याकरितां, कायदेशीर रहिवाश्यांची उत्तम रीतीनें ओळख पटेल अशा प्रकारें आपखुषीनें नांवनोंदणी करण्याची आपली कबुली हिंदी लोकांनीं सरकारास कळविली. परंतु, हिंदी लोकांचें हें सर्व ह्मणणें अरण्यरुदनवत् झालें. पाषाणहृदयी, स्वार्थैकपरायण व कर्णबधिर वसाहतवाल्यांवर ह्या तळजोडीच्या शब्दांचा कांहीं परिणाम न होतां हिंदी लोकांचें सात्विक बोलणें अरुत्पुरुषसेवेप्रमाणें निष्फळ झालें. कायदा पास झाला व यथावकाशांत बादशाही सरकारच्या पसंतीचें शिक्कामोर्तबही झालें. त्यासमयीं, जनरल बोथा हे इंग्लंडांत होते. वसाहत परिषदेमुळें इंग्लंडावर त्या वेळीं वर्षाकाळांत फोंफावत जाणाऱ्या नदीप्रमाणें साम्राज्यवादाची ह्मणजे गोरे लोकांनीं यथेच्छ रीतीनें इतरांवर निष्कंटक सत्ता चालवावी ह्या दुष्ट राजनीतीची प्रचंड लाट इंग्लंडमध्यें उसळली होती. ह्या साम्राज्यवादाच्या संचाराचा जनरल बोथा यांनीं फायदा घेऊन व ब्रिटिश मुत्सद्यांच्या मुलाखती घेऊन जनरल बोथा यांनीं नवीन कायद्याला बादशाही सरकारची मंजुरी मिळविण्याचा प्रयत्न केला. अखेर बादशाही सरकारची संमति मिळालीच. हें निर्वाणीचें अस्त्र सुटल्यावर अर्थातच मानधन हिंदी लोकांस स्वस्थ बसवेना. ह्या वेळेपासूनच ट्रान्सवालांत हिंदी लोकांच्या अप्रत्यक्ष प्रतिकाराच्या चळवळीस सुरवात झाली. आत्म्याच्या नैतिक सामर्थ्यापुढें केवळ पशुतुल्य मनगटाच्या जोराचें कांहीं चालत नाहीं, शारीरिक सामर्थ्यापेक्षां नैतिक शक्तीचा प्रभाव विशेष आहे हें सत्य स्वार्थलोलुप गोऱ्या प्रतिस्पर्ध्यांच्या अनुभवास आणून देण्याचा हिंदी लोकांनीं निर्धार केला. न्यायमूलक नैतिक शक्ति व अन्यायमूलक पशुशक्ति यांच्यामध्यें प्राचीनकाळीं अनेक वेळ झगडे झाले आहेत व ह्या झगड्यांत नैतिक शक्तीचाच विजय झाला आहे. हें इतिहासप्रसिद्ध सत्य ट्रान्सवालांतील हिंदी लोकांनीं आणखी एकवार अनुभवास आणून दिलें यांत संशय नाहीं. सर्व ट्रांसवालभर नांवनोंदणीचीं ऑफिसें उघडण्यांत आलीं; परंतु हिंदी लोकांनीं त्यांकडे ढुंकून दिलें नाहीं. इ. स. १९०७ च्या सप्टेंबर महिन्यांत हिंदी लोकांनीं पांच हजार सह्यांचा एक जंगी अर्ज सरकारकडे पाठवून आक्षिप्त कायदा रद्द करण्याची आग्रहपूर्वक विनंति केली व आपण होऊन स्वयंप्रेरित नांवनोंदणी करण्याची आपली तयारी त्यांनीं आणखी एकदां सरकारला कळविली. परंतु ट्रान्सवालसरकारनें हा अर्ज धुडकावून काढिला. इतक्या अवकाशांत, ट्रांसवालांत येणाऱ्या लोकांची नांवनोंदणी करण्याचा कायदा (इमिग्रंट रेजिस्ट्रेशन आक्ट) पास होऊन, ह्या कायद्याअन्वयें नोंदणी न करून घेणाऱ्यांस हद्दपार करण्याचा सरकारास अधिकार मिळाला. वर्षअखेरीस सदरहू आक्टास बादशाही सरकारची मंजुरी मिळाली व त्याबरोबरच मि. गांधी आदि प्रमुख हिंदी पुढाऱ्यांस पकड-

त्यांत घेऊन, विवक्षित मुदतीच्या आंत बहाद्दरपार होण्याचा त्यांस हुकूम झाला. हा हुकुम त्यांनीं मान्य न केल्यामुळें त्यांना बंदिवासांत टाकण्यांत आलें. त्यांस थोड्याफार प्रमाणानें त्यावेळीं राजकीय कैदी मानण्यांत आल्यामुळें सक्तमजुरीची शिक्षा न देतां साध्या कैदेची शिक्षा झाली. नंतर, बहुतेक सर्व हिंदी पुढाऱ्यांना पकडण्यांत येऊन बहाद्दरपार होण्याचा त्यांना हुकूम झाला. धाकदपटशाचा कांहीं परिणाम होत नाहीं असें पाहून वसाहत सेक्रेटरी जनरल स्मट्स यांनीं हडेलहप्पीचें धोरण सोडून देणेंच शहाणपणाचें आहे असा विचार करून बंदिवास भोगीत असलेले मि. गांधी यांच्याशीं समेटाचें बोलणें चालविलें व शेवटीं एक तडजोड ठरविण्यांत आली. या तडजोडीस अनुसरून आपण स्वयंप्रेरणेनें नांवनोंदणी करूं ही हिंदी लोकांची सूचना सरकारनें मान्य केली, आक्षिप्त कायदा तहकूब ठेवण्यांत आला व स्वयंप्रेरित नांवनोंदणीची समाधानकारक रीतीनें पूर्णता झाल्यावर सदरहू कायदा रद्द करण्यांत येईल असें वचन देण्यांत आलें. स्वयंप्रेरणेची ही नांवनोंदणी तीन महिने चालू होती. इ. स. १९०८ च्या मे महिन्याच्या तिसऱ्या तारखेस नांवनोंदणीचें काम संपलें व हें काम समाधानकारक झाल्याचें सरकारनें कबूल केलें. परंतु अनेक कारणांमुळें कायदा रद्द करण्यासंबंधींच आपलें वचन पाळणें जनरल स्मट्स यांना गैरसोईचें वाटलें ! आणि पुढें तर आपण हें वचन दिल्याचेंही त्यांनीं नाकबूल केलें ! ! परंतु, हें वचन देण्यांत आलें आहे व तें पाळलें जाईल अशा समजुतीवरच स्वयंप्रेरित नांवनोंदणी करण्यांत आली ही गोष्ट त्यांस नाकबूल करित आली नाहीं. त्यांनीं एक नवीन तडजोड सुचविली. यापुढें केव्हांही नवीन हिंदी मनुष्यास–ते शिक्षणासंबंधीं अत्यंत कडक अशा कसोटीस उतरले तरी–ट्रान्सवालांत प्रवेश करण्याची मनाई केली जाईल असा कायदा पूर्वीच्या कायद्याचे ठिकाणीं स्थानापन्न करावयाची सूचना त्यांनीं पुढें मांडली व या अटीवर आक्षिप्त कायदा रद्द करण्याची खुषी दर्शविली. हल्लींच्या इमिग्रेशन आक्टाप्रमाणें, सुशिक्षित हिंदी मनुष्यास ट्रान्सवालांत प्रवेश करण्याची परवानगी आहे; परंतु, हा आक्ट व आशियाटिक आक्ट ही दुकल घेतली तर या जोडगोळीनें हिंदी लोकांस प्रवेशाची मनाई करण्यांत आली आहे असा त्यांचा संयुक्त अर्थ तेव्हांच समजून येईल. असो. हिंदी लोक एका अन्यायाचें परिमार्जन दुसरा अन्याय स्वीकारून करण्यास व आगींतून फुफाट्यांत पडण्यास तयार नव्हते. त्यामुळें तडजोडीचें बोलणें सुटून अप्रत्यक्ष प्रतिकाराच्या चळवळीस प्रारंभ झाला. तडजोड होण्यापूर्वीची स्थिति प्राप्त होण्याकरितां हिंदी लोकांनीं प्रयत्न केला व स्वयंप्रेरित नांवनोंदणीचे आपले फॉर्म परत मिळण्यासंबंधीं हुकूम व्हावा असा त्यांनीं बादशाही सरकाराकडे अर्ज केला. परंतु, बादशाही सरकारनें अशा प्रकारचा हुकूम करण्याचें नाकारिलें. त्यावरून, दांभिकतेचीं खोटीं वचनें देऊन, स्वयंप्रेरित नांवनोंदणीचीं जीं सर्टिफिकिटें लोकांस देण्यांत आलीं होतीं त्यांपैकीं १५०० सर्टिफिकिटें हिंदी लोकांनीं एक जाहीरसभा भरवून जाहीर रीतीनें जाळून टाकलीं. यासमयीं, ट्रान्सवालचे जुने रहिवाशी असलेले परंतु माघा-

हून नाताळांत गेलेले हिंदी पुढारी ट्रान्सवालांत आपल्या देशबंधूंस सहाय्य करण्याकरितां आले होते त्यांना सरकारनें तुरुंगांत टाकून सक्तमजुरीच्या शिक्षा दिल्या. नंतर, वसाहत सरकारनें एक कायदा पास करून पूर्वी झालेली स्वयंप्रेरित नांवनोंदणी कायदेशीर ठरविली व वसाहतींत राहणाऱ्या परंतु त्यावेळीं गैरहजर असलेल्या पौर्वात्य लोकांच्या नांवनोंदणीची व्यवस्था मुक्रर केली. परंतु, हा कायदा तत्त्वतः निरुपद्रवी स्वरूपाचा होता तरी त्यायोगें जुना आक्षिप्त कायदा रद्द झाला नाहीं किंवा सुशिक्षित हिंदी लोकांचा दर्जाही योग्य रीतीनें ठरविण्यांत आला नाहीं. या कारणास्तव, सदरहू कायद्याचा स्वीकार करण्याचें हिंदी लोकांनीं नाकारिलें.

कार्यकारणपरंपरेची येथपर्यंत मजल येऊन ठेपली तेव्हांपासूनचा आतांपर्यंत इतिहास केवळ हिंदी लोकांच्या दुःसह दुःखभोगाची व अपमानाची कटू कहाणी आहे. कारागृहवास, उपासमार, गृहसौख्याचा नायनाट, तीव्रातितीव्र क्लेश, देहभंग, हृदयभंग, आशाभंग वगैरे अनेक दारुण संकटपरंपरा ते भोगीत आले आहेत व भोगीत आहेत. परमप्रिय स्नेहसंबंध व कुटुंबसौख्य यांतून हिंदी लोकांना ओढून काढून भराभर तुरुंगांत टाकण्यांत येत आहे. दक्षिण आफ्रिकेंतील मूळच्या रानटी रहिवाशांप्रमाणें त्यांना तुरुंगांत पशुतुल्य वागविण्यांत येतें. त्यांस देण्यांत येणारें जेवण व उपासमार यांत भेद नाहीं, त्यांच्या तक्रारी धुडकावून लावण्यांत आल्या आहेत आणि सहानुभूतिशून्य व दुष्ट अंमलदारांनीं त्यांना केव्हां केव्हां अघोरी आत्यंतिक अंगमेहनतीचें व श्रमाचें काम करावयास लाविलें आहे. ट्रान्सवालांत सांप्रत कित्येक हिंदी कुटुंबांना सार्वजनिक धर्मादायावर दिवस काढावे लागत आहेत. अनाथ हिंदी स्त्रिया अवर्णनीय हालअपेष्टेंत वाळंत होऊन त्यांचीं अर्भकें जन्मतांच मरण पावलीं आहेत. नवीन आक्टाखालीं नांवनोंदणी करण्याचें नाकबूल केल्यावरून ट्रान्सवालपार करण्यांत आलेल्या हिंदी लोकांना फिरून ट्रान्सवालांत प्रवेश करण्यास प्रतिबंध करण्याकरितां ट्रान्सवाल सरकारानें नाताळ व पोर्तुगीज सरकारांशीं गुप्त संगनमत केलें आहे. पोर्तुगीज अधिकाऱ्यांशीं दुसरें एक संगनमत ट्रान्सवाल सरकारनें केलें आहे. या ठरावानुसार अशी व्यवस्था करण्यांत आली आहे कीं, हिंदी लोकांना हद्दपार करण्याचा हुकूम झाला कीं, हिंदुस्थानाकडे यावयास निघालेल्या गलबतांत त्यांना धरून बसविण्यांत येतें. याप्रमाणें, हद्दपार झालेल्या हिंदी लोकांपैकीं पुष्कळ लोक असे असतात कीं, त्यांच्या हिंदुस्थानांत ओळखी किंवा स्नेहीसंबंधी नसतात. यामुळें, हिंदुस्थानच्या किनाऱ्यावर उतरल्यावर अन्नवस्त्र व पैसाअडका जवळ नसल्यामुळें, त्यांचे फार हाल होतात. असो; याप्रमाणें, हिंदी लोकांच्या दुःखाची हृदयद्रावक कहाणी आहे. मानवी सुधारणेस लाजविणाऱ्या या अमानुष क्रौर्याचे व रानटी राजकारणाचे परिणाम किती दूरवर पोंचण्याचा संभव आहे, यासंबंधीं विवेचन करूं.

नं. ४—उपसंहार.

त्यांचीं गाऱ्हाणीं, मागण्या व हालअपेष्टा.

भूतिर्नीचगृहेषु विप्रसदने दारिद्र्यकोलाहलो
नाशो हन्त सतामसत्पथजुषामायुःसमानां शतम् ।
दुर्नीतिं तव वीक्ष्य कोपदहनज्वालाजटालोऽपि सन्
किं कुर्वे जगदीश यत्पुनरहं दीनो भवानीश्वरः ॥
—भामिनीविलास.

बादशाही सरकारची कर्तव्य-पराङ्मुखता.

या विषयावरील हा आमचा तूर्तचा शेवटला लेख होय. यांत पूर्वेतिहासाची समाप्ति होऊन हिंदुस्थानचें कर्तव्य काय तें सांगितलें आहे. वरील तीन लेखांत ट्रान्सवाल प्रकरणाचा इतिहास आम्ही दिलाच आहे. हा इतिहास संक्षोभकारक व उद्वेगजनक नाहीं असें कोण म्हणूं शकेल ? न्यायाचीं, भूतदयेचीं, नीतीचीं व साम्राज्यविषयक कर्तव्याचीं तत्वें सपशेल पायाखालीं तुडवून ट्रान्सवाल सरकारनें निसर्गदत्त मानवी हक्कांकरितां झगडणाऱ्या सात्विक हिंदी लोकांचा जो अमानुष छल मांडला आहे तो पाहून हिंदुस्थानांतील सर्व लोकांचीं अन्तःकरणें विव्हल होऊन ते क्रोधसंतप्त झाले असल्यास नवल तें काय ? सृष्टींतील विचित्र असमानता पाहून, श्री नीचांची प्रिया होऊन राहिली आहे व सात्विक लोकांचे घरांत दारिद्र्यकोलाहल सुरू आहे वगैरे प्रकार पाहून जगन्नाथ पंडित क्रोधायमान झाले; परंतु 'माझें काय चालणार ? मी पामर व तूं सर्वेश्वर आहेस' असे उद्गार काढून त्यांना स्वस्थ बसावें लागलें. हिंदुस्थानच्या लोकांची स्थिति जवळजवळ अशीच आहे. त्यांच्या हातांत राजसत्ता नाहीं; त्यामुळें आपल्यास देशबांधवांस परराष्ट्रांनीं न्यायानें वागवावें म्हणून आपल्या राष्ट्रीय सामर्थ्याच्या जोरावर त्यांना कांहीं इलाज करितां येत नाहीं. अर्थात्, आपल्या साम्राज्यवर्चस्वाखालच्या एवं देशांत दुबळ्या व राजसत्ताविरहित हिंदी लोकांना न्यायानें वागविण्यांत यावें अशी व्यवस्था करणें हें ब्रिटिश सरकारचें पवित्र कर्तव्य आहे. परराष्ट्रांत एखाद्या इंग्रज मनुष्याला कैद केलें किंवा त्याला वाईट रीतीनें वागविण्यांत आलें, की पार्लमेंटांत प्रश्नोत्तरांचा कडकडाट होऊन अन्यायपीडित इंग्रज मनुष्याच्या दुःखनिवारणार्थ ब्रिटिश राष्ट्राचें अनेकस्वरूपी बळ एकवटतें. ब्रिटिश साम्राज्याची उभारणी न्याय व समता या तत्वांवर झाली आहे असा अभिमान बाळगणाऱ्या ब्रिटिश सरकारानें अशीच कर्तव्यदक्षता ट्रान्सवालांतील अन्यायपीडित हिंदी लोकांसंबंधानें दाखवावयास नको होती काय ? बोअर युद्धापूर्वी बादशाही सरकार हिंदी लोकांच्या वतीनें वारंवार मध्यस्ती करीत होतें; परंतु, ट्रान्सवाल ब्रिटिश सिंहाच्या पंजाखालीं आल्यापासून आपली पूर्वीची न्यायसंमत व शिष्टसंमत भूमिका बादशाही सरकारानें सोडून दिली आहे. क्रमशः, ट्रान्सवाल सरकारची न्यायबुद्धि पार अस्तंगत होऊन व वचनभंगाचा कडेकोट होऊन शेवटीं ट्रान्सवालांतील हिंदी लोक सांप्रतच्या अंधकारमय दुःखगर्तेत येऊन पडले आहेत. बादशाही सरकारनें आपणास बुद्धिपुरस्सर ट्रान्सवालांत आणून विकलें नाहीं तरी उकिरड्यावर फेर टाकून

थावा तसें बादशाही सरकारानें आपणास टाकून दिलें आहे, असें हिंदी लोकांस कळून आल्यामुळें त्यांस आपली एकंदर स्थिति निराशासंचारक वाटत आहे. ट्रान्सवालांतील हिंदी लोकांच्या तर्फेनें श्रेयस्कर मध्यस्ती करण्याची बादशाही सरकारला दोनदां अनुकूल संधि प्राप्त झाली होती. ट्रान्सवालला स्वराज्यदायी शासनसंस्था (Constitution) देण्याचे वेळीं तर बिनमोल संधि आली होती. परंतु, बादशाही सरकारनें या संधीचा फायदा न घेतां युरोपियन वसाहतवाल्यांस वाटेल तसें नागवें नाचण्याकरितां—मताधिकारदान करून टाकलें. जातिविषयक भेदाभेद करणारे कायदे मंजुरीकरितां बादशाही सरकाराकडे पाठविले पाहिजेत, असें एक कलम शासनसंस्थेच्या नियमांत समाविष्ट झालें होतें, परंतु ग्रान्सवाल सरकारावर दाब राहण्यासारखें हें कलम नाहीं असें स्पष्टपणें तेव्हांच दिसून आलें. एक युरोपियन डेप्युटेशन लॉर्ड मिल्नर यांच्याकडे गेलें होतें त्यावेळीं मिल्नरसाहेबांनींही सांगितलें कीं, पूर्वीच्या अमदानीप्रमाणें आतांही रूढ झालेल्या जबाबदारीच्या राज्यपद्धतीच्या अमदानींत देखील या प्रतिबंधक कलमाचा विशेष उपयोग केला जाणार नाहीं! शिवाय, पूर्वीच्या क्राऊन कॉलनीच्या अमदानींत म्हणजे ग्रान्सवालास स्वराज्य मिळालें नव्हतें तेव्हां, बादशाही सरकारनें एकदां ग्रान्सवाल सरकारच्या एका कायद्यास मंजुरी देण्याचें अमान्य केलें होतें. परंतु, स्वराज्याची—जबाबदारीच्या राज्यपद्धतीची—अमदानी सुरू झाली तेव्हां पौर्वात्य लोकांसंबंधीं ट्रान्सवाल पार्लमेंटनें पास केलेल्या कायद्यास बादशाही सरकारनें लगेच मंजुरी दिली हें आपण पाहिलेंच आहे! शासनसंस्थेंतील रिझर्वेशन क्लॉज केवळ फार्स असल्याचें आणखी एक उदाहरण घडलें. लॉर्ड एल्जिन यांच्या मुलाखती घेऊन ताजेतवाने होऊन आलेले सर रिचर्ड सॉलोमन यांनीं नवीन पार्लमेंटांत स्वतःस निवडून घेण्याच्या वेळीं आपल्या पहिल्याच भाषणांत उद्दामपणानें जाहीर केलें कीं, शासनसंस्थेचा रिझर्वेशन क्लॉज (जातिविषयक कायद्यास बादशाही सरकारची मंजुरी घेतली पाहिजे असा प्रतिबंधक नियम) प्रत्यक्ष व्यवहारांत रद्द झाल्यासारखाच होईल. ग्रान्सवालांतील प्रमुख वर्तमानपत्र ' स्टार ' यानें तर सर सालोमनच्या या भाषणावर असें भाष्य केलें कीं, सर रिचर्ड सॉलोमन हे लॉर्ड एल्जिन यांच्यापासून हा संदेशच घेऊन आले आहेत कीं, स्वराज्योपभोगी ग्रान्सवालनें हिंदी लोकांविरुद्ध कोणतेही कायदे केले तरी ते बादशाही सरकार मंजूरच करील!!! पुढें एकदां एक सार्वजनिक कर्ज उभारण्यासंबंधांत हमी मिळविण्यासंबंधानें ट्रान्सवाल सरकारनें बादशाही सरकारला विनंति केली होती. ट्रान्सवाल सरकारची कर्जाऊ रकमेच्या हमीसंबंधाची विनंति अर्थात् मान्य झाली; परंतु हिंदी लोकांच्यातर्फे मध्यस्ती करण्याचें मात्र बादशाही सरकारास सुचलें नाहीं!

ट्रान्सवालच्या नवीन अमदानींत हिंदी लोकांच्या विरुद्ध आणखी कायदे झाले त्यांसही बादशाही सरकारानें मंजुरी दिली. ग्रान्सवालांत परदेशांहून येणाऱ्या लोकांच्या आगमनास प्रतिबंध करणारा कायदा बादशाही सरकारानें मंजूर केला. मात्र, वसाह-

तींतून मनुष्यांस हाकून लावण्याचा वसाहत सेक्रेटरीस बेलगामी अधिकार देणारें एक कलम बादशाही सरकारनें रद्द केलें. परंतु, वसाहतींतील कितीही दिवसाचा रहिवाशी असला किंवा वसाहतींत त्याचें व्यापारविषयक हितसंबंध कितीही असले तरी तो अप्रत्यक्ष प्रतिकाराच्या चळवळींत पडला कीं, त्यास वसाहतींत शिरण्याचा ज्यांना प्रतिबंध करण्यांत येतो अशा लोकांच्या पंक्तीस बसविणारें—व ह्यापुढें हिंदी लोकांस मग ते कितीही सुशिक्षित असोत—वसाहतीचा दरवाजा बुद्धिपुरस्सर बंद करणारें—कलम बादशाही सरकारनें रद्द करविलें नाहीं ! एवढें करूनही बादशाही सरकारचें समाधान न होतां, नांवनोंदणी न झालेल्या लोकांना—ते वसाहतींत पुष्कळ दिवस राहिलेले किंवा जन्मलेले असले तरी—एका परकी राष्ट्राच्या मदतीनें गलबतांत बसवून थेट हिंदुस्थानांत हद्दपार करण्याच्या गुप्त व्यवस्थेसही त्यानें मंजुरी दिली आहे ! अशा रीतीनें हद्दपार झालेल्या मनुष्यांना परत ट्रान्सवालमध्यें जाऊन आपल्या मालमत्तेसंबंधीं वगैरे हक्क शाबीत करण्याची संधि देखील मिळत नाहीं. ह्याप्रमाणें, हिंदी लोक ट्रान्सवालांत राहण्याच्या हक्कास पारखे होतात एवढेंच नव्हे तर स्वकष्टार्जित मालमत्तेसही ते मुकतात. रशियन सरकार व ट्रान्सवाल सरकार यांची तुलना केल्यास रशियाचाच अपमान केल्यासारखा होईल, ही गोष्ट ह्यावरून उघड होत नाहीं काय ?

ट्रान्सवाल सरकारची वशीकरणशक्ति अचाट आहे; कारण बादशाही सरकार ट्रान्सवाल सरकारानें भारल्यासारखें दिसत असून हिंदी लोकांसंबंधानें स्वतंत्र कार्य किंवा स्वतंत्र विचार करण्याची त्याची शक्ति नष्ट झाल्यासारखी दिसते. तोरेबाज, तरुण व मोहक रूपाच्या नायकांच्या ताब्यांत सांपडलेल्या कामलोलुप जरठाप्रमाणें बादशाही सरकारची स्थिति झाली असून साम्राज्यप्रपंचांत ट्रान्सवालच्या बाबतींत तरी त्याचें कांहीं चालत नाहीं असें आजपर्यंतच्या अनुभवावरून दिसून आलें आहे. स्वराज्योपभोगी वसाहतींच्या कारभारांत हात घालण्याचा बादशाही सरकारला कायदेशीर हक्क पोंचत नाहीं हें विलक्षण तत्त्व प्रतिपादन करण्यांत येत आहे; व ह्या तत्त्वास बादशाही प्रधानमंडळ आपल्या कृत्यानें अप्रत्यक्षपणें उत्तेजन देत आहे. हें तत्त्व जर खरें असेल तर जातिविषयक कायद्यास बादशाही सरकारची मंजुरी घेतली असा निर्बंध शासनसंस्थेच्या नियमांत समाविष्ट करण्याचा दांभिकतेचा फार्स करण्याचें प्रयोजन तरी काय ? स्वराज्योपभोगी वसाहतींच्या अनियंत्रित स्वातंत्र्याचें तत्त्व जर खरें असेल तर, उद्यां ट्रान्सवालच्या कायदेकौन्सिलानें तीन नेटिवांपैकीं एकाचा उजवा हात सार्वजनिक मांगाकडून कापून काढावयाचा नियम केल्यास, बादशाही सरकारला ह्या बाबतींत प्रत्यक्ष हात घालूं देणार नाहीं. परंतु, ह्यामुळें अंदाधुंदी माजेल ! असो. वसाहतींच्या अनियंत्रित स्वातंत्र्याचें तत्त्व व्यवहारांत खरें ठरत नाहीं. उदाहरणार्थ, गेल्या वर्षी देशांतील मूळच्या रहिवाशांपैकीं हमालाचें काम करणाऱ्या लोकांना दारू पुरविण्यासंबंधानें एक बिल ट्रान्सवाल सरकारनें पार्लमेंटपुढें आणलें. परंतु, ह्या बिलाविरुद्ध चोंहोंकडे ओरड झाल्यामुळें 'हें बिल काढून घ्या; त्यास आमची मंजुरी मिळणार नाहीं' असें बादशाही सरकारनें कळविलें. बादशाही सरकार ह्याहीपुढें गेलें आहे.

गेल्या वर्षी नाताळ पार्लमेंटनें हिंदी लोकां-विरुद्ध लायसेन्ससंबंधाचे दोन कायदे जवळजवळ सर्वानुमतें पास केले होते; परंतु या कायद्यास मंजुरी देण्याचें बादशाही सरकारानें नाकारिलें. स्वराज्योपभोगी वसा-हतींच्या घरच्या कारभारांत ह्मणजे अंतर्व्य-वस्थेंत बादशाही सरकारनें हात घालणें शक्य नाहीं असें दुसरें एक विधान पुढें आणण्यांत येतें. हें तत्त्व विशिष्ट मर्यादेच्या आंत बरोबर असेल. परंतु, ज्यांचे प्रतिनिधि पार्लमेंटांत नाहींत अशा लोकांसंबंधानें स्वे-च्छेनुसार वाटेल तसे कायदे पसार करण्या-चा ट्रान्सवालला अधिकार आहे काय ? अशी स्थिति असेल तर दहा वर्षांच्या आंत ट्रान्सवालांत तेथील मूळ रहिवाशांवर अत्यंत जुलूम होऊन त्यांचें बंड झाल्याखेरीज राहणार नाहीं; कारण आफ्रिकेंतील मूळच्या रहिवाशांसंबंधानें ट्रान्सवालचें धोरण सर्वतो-परी प्रतिगामी स्वरूपाचें आहे. उदाहरणार्थ, प्रिटोरिया शहरांतील प्राणिसंग्रहालयाकरितां दरवर्षी जितका खर्च ट्रान्सवाल सरकार अंदाजपत्रकांत मंजूर करितें त्याहूनही कमी खर्च आफ्रिकेंतील मूळच्या ९०००० (नऊ लक्ष) रहिवाशांच्या मुलांच्या शिक्ष-णाप्रीत्यर्थ होतो असा अंदाज आहे. परंतु, मुख्य मुद्दा हा आहे कीं, हिंदी लोकांना कसें वागवावें हा प्रश्न ह्मणजे ट्रान्सवालवा-स्यांच्या घरची बाबत आहे काय ? साम्रा-ज्याच्या एका भागांतील लोकांनीं दुसऱ्या भागांतील लोक कसे वागवावे या प्रश्नाशीं साम्राज्य सरकारचा अत्यंत महत्वाचा संबंध येत नाहीं काय ? ज्या साम्राज्यछत्राखालीं असल्याबद्दल आह्मी हिंदी लोकांनीं धन्यता मानावी असें सांगण्यांत येतें, त्याच साम्रा-ज्याच्या एका भागांत, परदेशी राष्ट्रीय अनुभवांत भर घालण्याकरितां गेलेल्या व ज्यांनीं राष्ट्रीय कीर्ति निष्कलंक राहावी ह्मणून अपरंपार कष्ट व दारुण क्लेश सहन केले आहेत अशा आमच्या ट्रान्सवालां-तील हिंदी बंधु—भगिनींना निर्घृण क्रौर्यानें व आसुरी अन्यायानें वागविण्यांत येतें या गोष्टीचा हिंदुस्थानच्या तीस कोटी लोकांच्या मनावर काय परिणाम होईल ? हिंदुस्थानांत कोणीही येऊन संपत्तिक लूट करावी व हिंदी लोकांस मात्र हिंदुस्थान ज्या साम्राज्याचा एक घटकावयव आहे त्याच साम्राज्यांतील दुसऱ्या एका भागांत नुसतें लोटनेटकें राहण्याची देखील मनाई असावी याहून अधिक दुःखद व अधिकसा-म्राज्यविघातक गोष्ट कोणती असूं शकेल ?

राजकीय किंवा युक्तायुक्ततेच्या विचारां-मुळें वस्तुस्थिति झांकून ठेवण्याकडे कोणाची प्रवृत्ति असली तरी एक गोष्ट निर्विवाद आहे कीं, आमच्या या गरीब हिंदुस्थानाला राजकारणाच्या इतिहासांत अननुभूतपूर्व अशा महत्वाचा व आणीबाणीचा प्रसंग येऊन ठेपला आहे. बादशाही सरकारच्या प्रधानांकडून अखेर प्रतिपादित झालेलें तत्त्व असें आहे कीं, ब्रिटिश साम्राज्यास साम्रा-ज्यपद प्राप्त करून देणाऱ्या प्रबल हिंदुस्था-नापेक्षां एखादी स्वराज्योपभोगी वसाहत अधिक महत्वाची आहे ! ट्रान्सवालला स्वराज्याची शासनसंस्था मिळाली असल्या-कारणानें एखाद्या परकी राष्ट्राप्रमाणें ट्रान्स-वालच्या बाबतींत आपणांस हात घालतां येणें शक्य नाहीं, असें बादशाही प्रधानांस वाटतें. अशी स्थिति असेल तर साम्राज्य-यंत्राचा कांहीं तरी भाग अत्यंत कमकुवत झाला असला पाहिजे यांत संशय नाहीं. याप्रमाणें वस्तुस्थिति असतां साम्राज्य-

देहात असलेला भयंकर रोग दूर करण्याचे साम्राज्याधिकाऱ्यांनी प्रयत्न केले नाहीत तर साम्राज्याचा समान न्यायतत्त्वाचा पाया केव्हां तरी ढासळून प्राचीन काळांतील रोमन, ग्रीक वगैरे साम्राज्याप्रमाणे ब्रिटिश साम्राज्याची टोलेजंग इमारतही धाडकन् खालीं आदळल्याखेरीज राहणार नाहीं.

हिंदुस्थानांतील लोकांचें औदासिन्य.

वसाहतींच्या हितसंबंधापुढें हिंदुस्थानचे हितसंबंध म्हणजे कस्पटासारखे आहेत ही कल्पना अर्थात् चुकीची आहे आणि हिंदुस्थानच्या लोकांनीं वेळींच ह्या प्रश्नाचा पूर्ण विचार करून त्यासंबंधीं आपलें मत स्पष्ट रीतीनें व पूर्ण ऐक्यानें प्रदर्शित केलें असतें तर ह्या तत्त्वाचें परिपोषणच झालें नसतें. आजपर्यंत पुष्कळ सभा भरल्या आहेत व ट्रान्सवालांतील हिंदी लोकांसंबंधानें असंख्य सहानुभूतिप्रदर्शक ठराव पास झाले आहेत. परंतु सहानुभूतीची मजल यापलीकडे पोंचलेली नाहीं. ट्रान्सवालांतील देशबांधवांचें दुःखनिरसन करण्याकरितां एकादी कायमची संस्था स्थापन झाली नाहीं किंवा ह्या विषयाचें पूर्ण परिज्ञानही कोणी करून घेतलें नाहीं. तसेंच हिंदुस्थानच्या परराष्ट्रीय संबंधाच्या प्रश्नाचा यथासांग अभ्यास करण्याकरितां उत्साही देशभक्तांची एखादी सुसंघटित राजकीय संस्थाहि अस्तित्वांत आलेली नाहीं. परंतु, सांप्रतच्या आणीबाणीच्या प्रसंगीं, हा विषय लोकांच्या डोळ्यांपुढें सदोदित असावा एतदर्थ कांहीं ठाम योजना होणें सर्वतोपरी अवश्य आहे. ह्या बाबतींत असेंच या पुढेंही तटस्थ वृत्ति ठेविली तर ट्रान्सवालांतील सार्वत्रिक अनीतिप्रचुर राजकारणाचा संपर्क दक्षिण आफ्रिकेंतील इतर वसाहतींसही होऊन ह्या उदाहरणाचें परराष्ट्रेंही अनुकरण करितील. किंबहुना, ह्या राजकारणाचें विषमय घुटके प्राशन करण्याचा हिंदुस्थानावरील अखेर प्रसंग आल्याखेरीज राहणार नाहीं.

लोकपक्षाची एक कमिटी स्थापन झाली पाहिजे.

ह्या कारणास्तव, हिंदुस्थानाबाहेर राहणाऱ्या हिंदी लोकांसंबंधींच्या प्रश्नाची माहिती मिळवून योग्य अभ्यास करून त्यांच्या हितसंबंधाचें संरक्षण करण्याकरितां लोकपक्षाची एक कमिटी स्थापन झाली पाहिजे, अशी आम्ही आग्रहपूर्वक सूचना करितों. ह्या कमिटीसारख्या दुसऱ्या अनेक कमिट्या देशभर स्थापन होऊन ह्या कमिटीसंबंधानें परस्परसहाय्याच्या तत्त्वावर कार्य करावें. शिवाय, सर्व हिंदुस्थानांत जाहीरसभा भरून स्पष्टपणें राष्ट्रमत प्रदर्शित करण्यांत यावें. ह्या प्रकरणासंबंधानें, वजनदार डेप्युटेशन व्हाइसरॉय व गव्हर्नर यांच्याकडे पाठवून ह्या विषयासंबंधानें चर्चा केली पाहिजे. आज ट्रान्सवाल प्रकरण हेंच लोकचळवळीचें व लोकप्रयत्नांचे केंद्र होऊन राहिलें पाहिजे; व ट्रान्सवालांतील अन्यायाचा प्रकार बंद झालाच पाहिजे. सर्व हिंदुस्थानांतील लोकांची परिषद् भरविण्याचीही आम्ही सूचना करितों. दक्षिण आफ्रिकेंतील हिंदी लोकांचीं गाऱ्हाणीं व त्यांची सांप्रतची स्थिति ह्या विषयावर परिषदेंत चर्चा व्हावी. अशी एखादी परिषद् भरणें अवश्य आहे हें कोणासही नाकबूल करितां येणार नाहीं. ही राष्ट्रीय परिषद् भरण्यापूर्वीं, हिंदुस्थानांत सर्वत्र सभा भरून लोकमत प्रदर्शित केलें पाहिजे. ह्या चळवळीनें, ट्रान्सवालला शुद्धी-

घर आणण्याचे बाबतींत बादशाही सरकारलाही एका दृष्टीनें पाठबळ दिल्यासारखें होईल.

मुंबापुरीनें पुढाकार घ्यावा.

विचारगांभीर्य, राजनिष्ठा, एकजुटीनें कार्य करण्याची हिंमत ह्या गोष्टीबद्दल विख्यात असलेल्या मुंबापुरीनेंच ह्या चळवळींत पुढाकार घेणें श्रेयस्कर आहे. कारण, ट्रान्सवालांत हालअपेष्टा भोगीत असलेल्या लोकांपैकीं पुष्कळ लोक मुंबई इलाख्यांतीलच आहेत. आपल्या कन्यापुत्रांचा ट्रान्सवालांत अनिर्वाच्य व अमानुष छळ होत आहे असें पाहूनही मुंबापुरीनें तटस्थ राहणें लांच्छनास्पद होईल. वसाहतींतल्या आपल्या देशबांधवांच्या अनुभवाची हिंदुस्थानच्या लोकांस जरूर आहे; म्हणून ट्रांसवालांतील सांसर्गिक रोगाचा विस्तार झाल्यास राष्ट्रावर एक महत्संकट कोसळल्यासारखेंच होईल. 'यत्रयोगेश्वरः कृष्णो यत्र पार्थोधनुर्धरः' ह्या वचनाप्रमाणें ट्रांसवालांतील आपले देशबांधव कायदेशीर रीतीनें परंतु करारीपणानें झगडून धनुर्धराचें काम करीतच आहेत. हिंदुस्थान योगेश्वर झाल्यास विजयश्री प्राप्त होण्यास कांहीं हरकत आहे काय ?