

No. 29—VOL.—LI

FRIDAY,
17TH JULY, 1953

Registered at the G.P.O. as a Newspaper

Price 6d.

INDIAN
OPINION

Founded by Mahatma Gandhi in 1903



Equal Distribution Of Possessions

By Mahatma Gandhi

True greatness in the world is not found set upon a hill, for the vulgar crowd to see. On the contrary my seventy years' experience has taught me that the truly great are often those of whom and of whose greatness the world knows nothing during their lifetime. God alone is judge of true greatness because He knows men's hearts.

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I would like to see India free and strong so that she may offer herself a willing and pure sacrifice for the betterment of the world. The individual, being pure, sacrifices himself for the family, the latter for the village, the village for the district, the district for the province, the province for the nation, the nation for all.

—Mahatma Gandhi.

THE real implication of equal distribution is that each man shall have the wherewithal to supply all his natural wants and no more. For example, if one man has a weak digestion and requires only a quarter of a pound of flour for his bread and another needs a pound, both should be in a position to satisfy their wants.

To bring this ideal into being the entire social order has got to be reconstructed. A society based on non-violence cannot nurture any other ideal. We may not perhaps be able to realize the goal, but we must bear it in mind and work unceasingly to near it. To the same extent as we progress towards our goal we shall find contentment and happiness, and to that extent, too, shall we have contributed towards the bringing into being of a non-violent society.

Now let us consider how equal distribution can be brought about through non-violence. The first step towards it is for him who has made this ideal part of his being to bring about the necessary changes in his personal life. He would reduce his wants to a minimum, bearing in mind the poverty of India. His earnings would be free of dishonesty. The desire for speculation would be renounced. His habitation would be in keeping with his new mode of life. There would be self-restraint exercised in every sphere of life. When he has done all that is possible in his own life, then only will he be in a position to preach this ideal among his associates and neighbours.

Indeed at the root of this doctrine of equal distribution must lie that of the trusteeship of the wealthy for superfluous wealth possessed by them. For according to the doctrine they may not possess a rupee more than their neighbours. How is this to be brought about? Non-violently? Or should the wealthy be dispossessed of their possessions? To do this we would naturally have to resort to violence. This violent action cannot benefit society. Society will be the poorer, for it will lose the gifts of a man who knows how to accumulate wealth. Therefore the non-violent way is evidently superior. The rich man will be left in possession of his wealth, of which he will use what he reasonably requires for his personal needs and will act as a trustee for the remainder to be used for the society. In this argument, honesty on the part of the trustee is assumed.

If, however, in spite of the utmost effort, the rich do not become guardians of the poor in the true sense of the term and the latter are more and more crushed and die of hunger, what is to be done? In trying to find the solution to this riddle I have lighted on non-violent non-co-operation and civil disobedience as the right and infallible means. The rich cannot accumulate wealth without the co-operation of the poor in society. If this knowledge were to penetrate to and spread amongst the poor, they would become strong and would learn how to free themselves by means of non-violence from the crushing inequalities which have brought them to the verge of starvation.

INDIAN OPINION

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Britain And India

WHEN Mr. Nehru, the Prime Minister of India, the other day uttered these words that "if there is no solution to this African problem very soon the whole of Africa might be ablaze," it could hardly have occurred to him that the cap was going to fit Britain. But Britain seems to have taken it so, judging from the outbursts of vituperations against Mr. Nehru by a section of the British Press and politicians. It only proves their guilty conscience. Lord Winterton's remarks were entirely out of place and in bad taste in response to advice given in the friendliest spirit. "Let me assure Mr. Nehru," said Lord Winterton, "that there is not likely to happen in Africa what happened in his country when freedom was imposed upon it. Over 5,000,000 people were murdered or rendered homeless. Until the memory of that indelible stain on the great peninsula is removed by time, Mr. Nehru should refrain from giving gratuitous advice to the British Government as to how to avoid trouble in Africa."

India and Indians are utterly ashamed of the fratricidal war that took place soon after India became independent. But if the British Government would be a little humble and would do a little heart-searching it would dawn upon them that they were in no small degree to blame for that tragic state of affairs, owing

to the conditions created by them during their two hundred years of reign. They desired that India would thus become crippled and come back on her knees begging Britain to once again rule over her. But the Merciful God had ordained otherwise and Britain had to witness not the liquidation of India but of the British Empire.

India can proudly say today with a clear conscience that she has no imperialistic designs whatsoever. The trouble is that the vision of those who are suffering from jaundice is blurred. Every thing they see appears to be yellow. The doors of India are wide open for all and she wishes that other countries would do likewise. India is not seeking possessions as the Western world is doing. But India is certainly zealous about the rights and interests of those who have settled in other countries, who have acquired their domicile there and look upon them as their only home by virtue of adoption and of birth. This, India has a right to do and she is fully justified in asserting that right. She is also zealous, as indeed all civilised countries should be, about the welfare of the indigenous population in those countries, which is being oppressed and ill-treated by the self-appointed haughty rulers to serve their own selfish ends. It is this tyranny which is the root cause of all wars and if it is desired to end

wars and to establish peace in the world steps must be taken promptly to put an end to this tyranny wherever it is practised. There can be no barriers for people imbued with such lofty aims. Nobody can claim the right to tyrannise people as being a matter of their domestic concern. India is therefore doing nothing more than what is the duty of every country claiming to be civilised to do.

So Mr. Nehru uttered just a simple truth over which there was not the slightest cause for any one to take umbrage. He in fact echoed the sentiments of all the oppressed non-White people of Africa and quite a large number of White people who are working for the alleviation of the sufferings of those people.

We speak not as Indians but as part of the oppressed people and assert emphatically that unless a solution to the African problem is found soon the whole of Africa, not *might*, but *will* be ablaze. The signs are not far to seek.

At that pace with which colonialism and racialism are taking root in the continent of Africa this is bound to happen.

The growing racialism in South Africa, the way in which the Central African Federation has been rushed through totally ignoring the sentiments of the vast non-White population, and now we hear about the formation of a vast federation of British African territories linking the whole of East Africa with the recently constituted Central African Federation, as being Kenya's European political leader, Mr. Mitchell Blundell's "dream of the future"—all these are ominous signs. The non-whites, who have no voice in all these must be forgiven if they see

nothing but imperialistic designs in them. Truth is always bitter but nevertheless it must be told.

Sir Roy Welensky

THE Central African Federation, notwithstanding the strong opposition of the non-White inhabitants has now become an accomplished fact. Sir Roy Welensky, Leader of the Unofficial Members in the Northern Rhodesia and Nyasaland, is reported by Sapa to have said, there would be no significant Native opposition to Federation in any of the three Territories. "You can take it from me, real African opposition to Federation is non-existent," he added. "What there is was all stirred up by people like our friend Michael Scott."

We have been told by the Moral Re-armament people that they have been able to influence Sir Roy and that he is now a changed man. It does not seem so judging by his utterances. To say that Native opposition to the Federation scheme is not real when the scheme has been vehemently opposed by their Congress, is beside the truth. To accuse a Godly person like the Rev. Michael Scott of stirring up the Natives is un-Christian. The Africans are intelligent enough to discern between right and wrong.

Sir Roy who had returned from Britain after attending the Coronation and was on his way to Rhodesia, told Sapa in Capetown that during his stay in England, an Alderman of Birmingham had complained at a meeting of the City Council that property values in his ward were being lowered by an influx of Coloured people into a Council housing scheme in the ward. "He demanded apartheid," said

Sir Roy. "It is amazing how, when the problem arises, it affects every place in the same way. And the reaction to the problem of the people of Birmingham was exactly the same as the reactions of the Europeans of Africa."

Sir Roy, before leaving for Rhodesia, had lunch at Parliament House with the

Prime Minister, Dr. Malan, the Minister of Finance, Mr. Havanga and other members of Parliament and Senators. Dr. Malan and Co., have certainly found in Sir Roy a valuable comrade. The non-White people will have more confidence in people like the Rev. Michael Scott than in people like Sir Roy.

of declaring as habitual criminals persons who have committed the scheduled crimes of violence, and their authority to impose whippings for first offences of house-breaking is confirmed.

Government Will Not Submit Report To UN

The Prime Minister, replying to Mr. R. B. Durrant (U.P., Turffontein) in the Union House of Assembly said the Government did not plan to submit a report to the United Nations Commission on Racial Discrimination in South Africa. In the opinion of the Union Government the discussions which took place on this subject and the appointment of the Commission were *ultra vires* the United Nations Charter and the Commission therefore could not be recognised. Dr. Malan said the Government had had no discussions with the Governments of the United Kingdom, France and the United States, with a view to concluding an international treaty governing the Union's administration of South-West Africa.

a few specific rights, but for complete freedom from the hegemony of the white people. In Kenya, the solution of the problem lies not in coercion but in the granting of self Government. Mau Mau is a result of land-hunger and frustration, and it can be cured only through a just and radical transformation of society, and not by superior violence. The rising African nationalism detests all the different forms of colonial rule established by Britain, France, Belgium and Portugal. We believe that feudal and tribal Africa can go straight to socialism with the help of a correct social theory and a non-violent technique.

Apartheid In Rhodesia

'Peace News' Correspondent, at Bulawayo writes, the Rhodes Centenary celebrations were held in an atmosphere of apartheid. Theatre seating arrangements to provide Rhodesians with "some of the finest shows produced in Britain" included a segregated area for 200 non-Europeans. There are 3,197 seats in all.

NOTES AND NEWS

Dr. Malan Offers Unsolicited Help To Australia

THE Prime Minister Dr. Malan had a motive in inviting Mr. R. G. Menzies the Prime Minister of Australia to the Union. He wanted to gain Australia's sympathy in the Nationalist Government's "apartheid" and "white South Africa" policy. He does not however seem to have succeeded.

Dr. Malan spoke of the outer wall built by Australia to defend herself and stated that South Africa too had built a similar wall for her security. Dr. Malan then spoke of a danger that might face both countries in the future. Both South Africa and Australia bordered on the Indian Ocean and what took place in the Indian Ocean concerned both countries. Dr. Malan gave Mr. Menzies "the assurance and more than the assurance that he may depend upon it that we in such circumstances will be Australia's friend." This was spoken at a luncheon in honour of Mr. R. G. Menzies given in Capetown as reported by Sapa. Mr. Menzies in his reply very significantly said, among other things, that, "his thoughts at the Coronation had been that, no matter how complex the problems within the Commonwealth were, they were simply a conflict within unity and could be faced as brothers and partners."

Dr. Malan Gets A Rebuff In Return

Even more significant is the following Sapa-Reuter's message from Sydney (Australia) which needs no comment: In addition to being unsolicited, Dr. Malan's promise to befriend Australia in the event of trouble with India was "untimely and unnecessary," the "Sydney Morning Herald" declared. In an editorial, the "Herald" said: "Australia has excellent relations with both India and South Africa, and has no intention of becoming involved in their bitter and deplor-

able feud. "The Union Prime Minister showed less than his usual shrewdness in raising this issue at a dinner in honour of Mr. Menzies, who must have found the hostile references to India most embarrassing." The possibility of India "knocking on Australia's door" in the sense envisaged by Dr. Malan was not one with which present state-ship need concern itself. The reasons for Australia's immigration policy were well understood in New Delhi, and Australian contacts with India in recent years had been increasingly close and friendly. The "Herald" said that the grievances of the Indian minority in Natal were often presented to the outside world with more passion than objectivity. "Dr. Malan's right to answer this propaganda is unquestioned, but it could be wished that he had chosen a more suitable occasion to counter-attack, and had not attempted to implicate Australia in the quarrel."

'Flogging Act' To Be

Amended

In a Bill read for the first time in the Assembly last week the Minister of Justice, Mr. C. R. Swart, will relax some of the severities of the 1952 Act by which Judges were obliged to order whippings for certain offences involving violence. The Act, which came to be known as the "Flogging Act" is unpopular with Judges since it allows them no choice of sentence. The amending Bill will also remove misunderstandings which caused Court decisions in the Cape to conflict with those in the Transvaal. It will no longer be obligatory for Courts to sentence juveniles to whippings for the offences of violence mentioned in the original Act. Juvenile offenders may again be placed on probation, or sent to reformatories or special hospitals. The Bill also widens the powers of Magistrates in certain respects. They are now to have the power

The Future Of Africa

'The Common Life' a News Letter on Reconciliation, Non-violence, Peace and Spiritual Communism, edited by Swami Ayyahtananda and published by Vedanta movement, 51 Lavacaster Gate, London, W. 2, writes: A 'colour war' may develop throughout Africa in the near future. It can be avoided if the colonial Powers, inspired by a democratic spirit, withdraw willingly, and if the 5 million white people, inspired by a sense of justice, consent to form one or two countries of their own without black labour, leaving the African peoples free to choose their own political and economic life. In the existing situation this seems to be the rational solution of the African problem. No multi-racial state, based on democracy, is conceivable in Africa so long as the white people are maddened by the spirit of domination and a sense of superiority. South Africa will be in a natural condition when there are in its two free States—one for the whites and the other for the blacks. While today *Apartheid* is introduced by the whites against the blacks, tomorrow the blacks may use it against the whites. On the other hand, reasonable distance between the two free groups will be helpful in creating understanding and a sense of respect, and it may ultimately lead to the formation of a federation. The leaders of the non-violent resistance movement in Africa should struggle not for

ENGAGEMENT

The announcement has been made of the engagement of Rustom, youngest son of Mr. and Mrs. Jalbhoy Rustomjee of Durban to Dr. Khorshed eldest daughter of Mr. and Mrs. Nasarwanjee Sorabjee Jinwala of Lourenco Marques.

When asked about this the organisers said they did it in deference to the visitors from the Union of South Africa whose support was essential to the success of the show, The Chairman of the Centenary Exhibition Council said that the discrimination was "financial not racial." However, when an Indian tried to book £50 worth of seats he was refused. Any non-European who was successful in obtaining a seat had his money refunded at the door.

Study Groups On Gandhi

The United Nations Educational, Scientific and Cultural Organization unanimously approved a resolution to consider holding study groups on the way of life on the late Mahatma Gandhi as a solution to world tensions. Gandhi, the father of the non-violence movement, preached in Indian politics the doctrine of passive resistance and civil disobedience and the use of moral weapons. Gandhian seminars are expected to be held in Europe and America on similar lines to one held in New Delhi this year. The proposal was presented by Dr. A. Mudaliar of the Indian delegation.

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LIBERAL PERSPECTIVE

RACIAL ISSUES IN SOUTH AFRICA

By C. W. M. GELL

(Reproduced by Courtesy of 'Public Affairs' in which it was published in November 1952.)

V

THE liberal solution was implicit in the old Cape tradition which the Nationalists are trying so hard to extinguish finally. It seemed to die with J. H. Hofmeyr, Smuts' Deputy Prime Minister, in 1948; but has lately been revived by the three elected Native Representatives in Parliament supported by Anglican and Jewish leaders and a band of university lecturers. The liberals accept that economic integration is a process that is irreversible and, indeed, desirable. But they ask that its moral and political implication be also accepted: that Christian and democratic principles require the abolition of colour as the test of a civilised man and the extension of full citizenship rights to all civilised people. Where nationalist intellectuals stress the survival of the White races, liberals seek primarily the survival of civilised values, believing that South Africa must go forward in the faith that men will learn to live, work and vote as men and not as units of racial blocs; that, therefore, non-Europeans must progressively assume the rights and responsibilities of citizenship as they attain to civilised standards; that all must have equal economic and educational opportunities; that the question of mixed marriages and social life must be left to the voluntary decision of individuals. This policy involves admitting the educated non-European minority now to fuller political rights and wider economic opportunities, as an earnest of good faith and guarantee of an enlarging future. Its advocates also believe that the only effective defence against Communism is to give the underprivileged a stake in the country that seems to them worth defending. At present they have nothing much to lose in South Africa.

To those who live across the ocean in another hemisphere, it may seem a simple choice between these two alternatives of partition or full integration. Provided the protagonists of partition offer adequate territorial concessions, there is little between the two ethically. But the economic argument is completely one-sided. Against that, however, must be set the very real fact of deep-rooted racial prejudices with a long and often bitter history behind them, and

the colossal act of faith required of a minority group gradually to abdicate from power voluntarily in the hope that those whom they have repressed for so long will not return the compliment when they are in a position to do so.

My personal belief is that White South Africa will continue to vacillate, unable to choose between the material or psychological sacrifices, unwilling to face the risks which each decision involves, until it is too late to choose either. Since the Dutch Churches raised the question of total *apartheid* in 1950, every Nationalist spokesman has denied that his party intends any such thing. Opposition politicians and press are equally careful to dissociate themselves from any truck with equality, whether immediate or eventual, political or economic.⁶ It is too much to expect either side to risk losing electoral support by moving towards either constructive alternative before the election.

But I believe that the two or three years immediately after the election represent White South Africa's last chance of deciding upon a goal which will command the loyalty of the non-European majority and obtain the co-operation of their moderate leaders in working out a gradual programme. Whoever wins, if one party will declare for total *apartheid* or the other for total integration as goals, men of good will on both sides of the colour bar will have a rallying-point and an organisation round which to group themselves. But if neither will move from their present positions, both White and Black will be in danger of despair and the policies of force which it breeds. Without hope of peaceful advance, leadership of the non-European movements will pass irretrievably to extremists and the two European factions will move towards solidarity over the short distance that divides them on racial matters in order to fortify themselves in a siege-economy. Two pieces of evidence that the Union is approaching that sort of moral and material bankruptcy are the number of Whites privately considering emigrating for their children's sake and terrific increase in violent crime in the non-European urban slums, where 2½ millions live in conditions of squalor, disease and homelessness that degrade the

victims as much as they menace the whole community.

As South Africans are never tired of proclaiming, these are their problems and the solutions their business, South Africans will be the first to pay for failure to solve them. But the outcome affects the future of European leadership all over Africa and is therefore of vital interest to the free world. Neither in South Africa nor anywhere else in Central Africa is the Native population ready as yet to carry the burden of civilisation or even self-preservation unaided. Moderate Africans readily admit that European direction, enterprise and capital are required for many generations in the best interest of the continent and her peoples, if they can be provided without affronting African self respect or closing all avenues of advance to the coloured races. Each African colonial empire, British, Belgian, Portuguese, French, has some special problems and none has an unstained record. But the chief factor militating against efforts to promote genuine inter-racial partnership is what has been

happening in South Africa these last four years—broken pledges, disregard of moral and legal obligations, attempts to evade or nullify the decision of a much-respected Court when it was favourable to coloured interests, the sharp increase in the severity and application of discriminatory laws. The Union contains by far the largest White community south of the Sahara. Its actions in the next few years will decide the future of Africa, since everything depends on removing the African's suspicion of the European's word and restoring his belief in European good faith. If the Africans finally commit themselves to an anti-White policy, most of Southern and Central Africa will become untenable for Europeans within this century—possibly within our lifetime.

⁶ Mr. Strauss has even thought it necessary publicly to deny that a recent speech of his contained the very reasonable observation: "It is also time it is realised that the majority of the population cannot be suppressed for always"

POLITICAL ARITHMETIC AND THE FRANCHISE

By JULIUS LEWIN

Reproduced by courtesy of 'The Forum' (Johannesburg) July 1953.

"Why should you fear the exercise of the franchise? This is a delicate question but it must be touched upon. I do not hesitate to say that I would rather meet the Hottentot at the hustings voting for his representative than meet him in the wilds with his gun on his shoulder. Is it not better to disarm them by granting them the privileges of the Constitution? If you now blast all their hopes and tell them they shall not fight their battles constitutionally, do you not yourselves apply to them the stimulus to fight their battles unconstitutionally?"

THESE words might have been spoken during the present session of Parliament. In fact, they were spoken a hundred and one years ago—on March 9, 1852, by the Attorney-General, William Porter, speaking in the Legislative Council of the Cape Colony.

Porter was taking part in a debate on the draft Constitution which was shortly to confer representative government on the colony. The question was raised whether this first Constitution should or should not embody a colour bar in respect

of the franchise. The colonists themselves, not without some dissenting voices, decided to ask Britain to frame the Constitution without a colour bar. The first franchise was accordingly open to all, regardless of race or colour, who earned £50 a year in wages or who occupied fixed property valued at £25.

In the century that has passed since William Porter spoke, South Africans have continued to debate the question of the terms of the franchise, a question that reaches to the roots of South African democracy.

Twenty-five years ago, before the general election of 1929, the subject of the common voters' roll was keenly debated on the platform and in the press. The controversy was eventually closed when the Natives Representation Act was passed by a two-thirds majority in 1936. Today, the formation of the Liberal Party, committed to a non-racial franchise, has once again reopened the ancient controversy.

Everyone holds an opinion on the question who should and who should not have the vote. Whereas all other political subjects tend to become technical and complicated under dis-

cession, the question of the franchise seems, by contrast, to be a delightfully simple one.

But it is not really a simple issue in a plural society. At the present time three alternative policies are discernible. First, there are those, mainly to be found in the United Party, who stand by the present system of communal representation which enables Africans to elect three white members to the House of Assembly. The Labour Party early this year declared itself in favour of extending this system to Africans outside the Cape province. Secondly, there are those, now mainly in the new Liberal Party, who have revived and adopted the historic Cape slogan of "equal rights for all civilised men." This policy implies some kind of educational, if not economic, qualification and is commonly called the loaded franchise, even when the same qualification applies to Europeans. Thirdly, there is the general view taken by non-Europeans themselves, especially those organised in the African and Indian National Congresses, who are inclined to aim at some kind of universal adult suffrage.

There are many illusions, statistical and other, about the actual way in which these alternative electoral systems would work. Let us consider the historical evidence regarding the common roll.

When in 1872 the colony was granted responsible government, the original qualification remained unchanged although the colony had incorporated extensive Native territories on its eastern frontier. By 1886 the number of African voters exceeded, or seemed likely to exceed, the number of Europeans on the roll in five out of 35 constituencies. In the following year an Act was passed to prevent tribal tenure of land from being regarded as fixed property for the purpose of qualifying voters. Five years later in 1892 the qualification was raised from £25 to £75 and a simple literacy test was added, under which every applicant had to be able to write his own name, address, and occupation. This amendment was designed to check the rapidly rising number of Africans on the roll and it achieved its purpose. But the franchise was still non-racial as the qualifications were required of all voters.

In 1903 there were 8,117 voters and it was estimated that they could determine the result of an election in seven out of 46 Cape constituencies

Thereafter the number of Africans qualifying fluctuated slightly, probably as a result of changing economic conditions, but on the whole it continued to increase steadily until it reached a peak of 16,481 in 1927. From that year it declined, owing mainly to administrative action taken by the Hertzog Government under which officials were directed to apply rigorously the legal tests required of voters. The number fell to 10,628 by 1936 when Africans were removed from the common roll. At that time analysis showed that Africans formed more than five per cent. of the electorate in 13 out of the 150 constituencies in the Union. They were unlikely to influence the result of an election in seats where they formed a smaller percentage than that.

The value of the Native franchise had, however, been heavily reduced by changes in the electoral laws affecting Europeans. In 1930 there were about 14,000 Africans on the roll and about 590,000 Europeans. Hertzog had always opposed the extension of the franchise to white women mainly on the ground that "the Native problem must first be settled." Then he suddenly realised that the enfranchisement of white women would halve the proportion of Africans (who all habitually voted against the Nationalist Party) in the Union's total electorate. So he proceeded to introduce, "as a private member of Parliament," a Bill that was passed giving only white women the vote and thus at a stroke increasing the electorate from half-a-million to about a million. It was the African vote, not the European electorate which was 'swamped.' In the following year, 1931, the Government went further and relieved European voters in the Cape Province of the necessity of satisfying the old qualifications laid down for all in 1892.

Only two or three per cent. of adult African men in the Cape province ever qualified for the franchise before 1936, and the percentage is not much larger at this day when the same qualifications still apply to those seeking admission to the special communal roll. It is therefore apparent that the immediate effect of laying down qualifications, however low, for African voters has been to exclude more than 95 per cent of Africans. It is much easier to earn an income of £50 a year now than it was in 1937 or 1927 or 1907. Moreover, Native education is more extensive than it was. Yet unsympathetic appli-

cation of the tests—and possibly some other intangible factors as well—serves to keep the number of African voters surprisingly low.

If, as the Liberal Party seems to contemplate, the educational qualification was raised to, say standard six, or the economic qualification above the present £50 in annual wages, the proportion qualifying would be even lower. At present under 20,000 Africans in the whole Union pass standard six every year. Dispersed throughout the country, they could hardly affect the result of an election in more than a handful of constituencies at the most. It must be remembered that the white electorate has increased to over 1,600,000, and continues, thanks to the birth rate, to increase more rapidly than any increase to be expected in the African vote. Even if African voters tomorrow reached a figure of, say, 100,000, they would constitute only six per cent. of the total electorate.

From these figures it can be argued that access by qualified Africans to the common roll would have much less effect than most politicians imagine. This would not be a new argument. When the abolition of the common roll was under discussion in the years between 1923 and 1936, the older liberals, in defending the principle of the non-racial franchise, repeatedly pointed out to Europeans that the proportion of African voters in the total electorate had grown so slowly in the Cape province during the current century that it constitute no real danger to white domination. This argument was used in answer to Hertzog who regarded the growth in sheer numbers of African voters as a menace likely to "swamp" the white electorate in the future. In other words, white opinion was asked to leave the franchise to some African voters precisely because its electoral value would not seriously disturb the balance of political power between the white and black races.

This argument is still valid. It has in fact been strengthened by the figures revealed by the general election of 1953. For it is now reasonable to argue that a limited African franchise would not even alter the balance of power between the Nationalists and their combined opponents. In the past the fear that it could do so was, of course, the main ulterior motive that drove Hertzog to remove Africans from the common roll, and it has also driven Dr. Malan to try and remove the Coloured voters.

Such considerations are certainly recognised by African leaders. They help to explain why the African National Congress declines at present to commit itself to the acceptance of a loaded franchise in one form or another. (It may be recalled that the Indians rejected the communal franchise enacted for them by Smuts in 1946 and repealed by Dr. Malan in 1949. Incidentally, that franchise was based on the educational qualification of standard six plus the economic qualification of an income of £84 a year or property worth £250.)

The Congress attitude is shared by nearly all non-European leaders on two grounds. Firstly, Africans point out that a franchise loaded against them by educational or economic qualifications, or both, will be exercised in practice only by a very limited number of middle-class men such as teachers, clerks, clergymen, and a tiny number of professional men. One of its effects might be to detach this class from the mass of the people whom it should naturally lead. Secondly, as the history of the Cape franchise has shown, this limited right will never be allowed to become an effective factor in politics. At best, it could only be a restraining influence on the less illiberal of the two major parties. Since the election of 1953, it is very doubtful whether even with the aid of non-European voters—whether on a common roll or electing three or more members on a common roll—the Opposition could win a general election against a Nationalist Government.

But the immediate reason for rejecting the loaded franchise is not that its effect would be slight. The real reason why it is not being considered by Africans is that they know that it is not being seriously considered by Europeans. Neither of the major parties today supports the idea of a common roll. The Nationalists have in fact toyed with the idea of abolishing even the special communal roll on which Africans elect three Europeans to the House of Assembly. The United Party still stands pat on the "settlement" of 1936, afraid even to support an extension of the Cape system to the Northern provinces. Moreover, what is seldom mentioned in the current controversy is the important fact that the present number of the special members elected by Africans—namely, three—was itself entrenched in the Constitution by a two-thirds majority in 1936, and could not be altered now except by another two-thirds majority.

There is thus no immediate reality in the present debate between Liberals and others on the subject of the franchise. Everyone knows that the only purpose for which a two-thirds majority is likely to be obtained in the foreseeable future is the reduction, not the extension, of political rights for non-Europeans.

In these circumstances African and Indian leaders ask themselves why they should bargain with Europeans, like the Liberals, who have, anyhow, no power to enforce their proposals. "Why," they ask, "should we bargain about the price of our co-operation with a party that has no money in its pocket?"

This attitude has been fortified by events in the great world beyond the Zambezi, about which educated non-Europeans are better informed than the majority of Europeans. Africans know that time has not stood still since 1936. All over Asia and in most parts of Africa political rights have been extended since the second world war. Nor has this expansion of democracy been hindered by illiteracy. Formal education and literacy, however desirable in themselves, are not essential to the exercise of the franchise, as the Report of the Lothian Franchise Committee pointed out in India in 1932. This fact has since been amply demonstrated in India, in the British West Indies, in West Africa and elsewhere. The use of symbols, colours, and other devices, as well as information through the radio, has enabled millions of illiterate people to distinguish parties and candidates to vote in elections based on a broad democratic franchise.

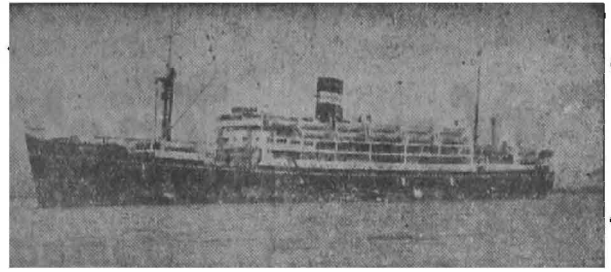
It must not, however, be implied that African and Indian leaders would never accept an individual franchise limited to persons educated to a certain standard. Their view seems to be that there will be time enough to discuss some such compromise when a major political party, with a real prospect of power before it, actually offers it. Even then, however, they might well point out that the individual franchise for educated non-Europeans can easily operate side by side with a broader system of indirect voting for illiterates. It does so in the Cape Province under the present system. Africans who are qualified, vote as individuals on the special roll, while the mass of illiterates have an indirect voice in an electoral college through their Chiefs or local councils or elec-

toral committees, whose block votes elect the four senators. A comparable system, with both direct and indirect voting, also prevails in the Gold Coast, where the general election in 1951 attracted world-wide attention.

The precise technique devised for elections in which Africans are to participate matters less than the real share of political power entrusted to them. African leaders realise this. They also realise that in the past, and to this day, Europeans have bent their minds to devising techniques calculated to retard, not encourage, the emergence of Africans as a political force. That is why Africans are now suspicious of any simple device, such as the common roll, suggested as a full and final settlement of all their political aspirations. They know that one day when there is a genuine European will, it should not be hard to devise a technical way of sharing political power between the white and non-white people. As long as that will is conspicuously absent, a detailed blueprint for expanding South African democracy seems to them superfluous.

The broad conclusion can now be stated. Few Europeans, addressing the European electorate, will go beyond the common roll and the franchise loaded against Africans. Not many will go even as far as that, and those who do hardly expect to receive popular support. On the other hand, African leaders, interested in maintaining a massive following, will not accept even in theory—for it is not proffered in practice—a franchise law that is bound, if it is not designed, to exclude 95 per cent. of Africans for generations to come.

The gulf separating the most liberal European opinion from the most representative African opinion is therefore revealed as wide and deep. Juggling with a few electoral figures here or tinkering with a educational facts there will not serve to bridge this gulf because those on either side of it are addressing different audiences and using a different political idiom. To pretend that this gulf does not exist is to cling to an illusion. For a century this subject of the franchise has been kicked about like the political football it is. There is today not the least indication that the game, and the rules by which it is played, are about to undergo a sea-change into something rich and strange.



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THE VALUES OF WORK: MAN AND THE MACHINE

By WILFRED WELLOCK

[The following is the sixth of the Orchard Lea Papers. These papers are based on, and are an extension of the thought contained in the following brochures, which were written in the order given: 'Money has Destroyed Your Peace' (6d.), 'A Mechanistic or a Human Society?' (1s.), 'The Third Way' (1s.), 'Rebuilding Britain' (1s.), 'Power or Peace' (6d.), 'The Challenge of our Times: Annihilation or Creative Revolution?' (6d.). They may be had from the Orchard Lea, New Longton, Preston, Lancs: Postage 1½d. one copy and ½d. per copy afterwards.]

WORK is a human necessity.

From the moment of his emergence on this planet man has lived and developed by hard work, by ingenuity and invention, and when these have declined he and his life have declined. To yield to ease and luxury is usually the prelude to the fall of man.

Thought and action, or ideas and their application are the means whereby civilisations come into being and thrive. Science, art, religion, philosophy, all appear in due order to play their part in man's evolution. The totality of this evolution is work made manifest.

Life as mere breathing, eating and sleeping is not enough. There is that in man which forever aspires after a plus, a more perfect and abundant life, whence he travels by wider visions through new inventions into broader expanses of experience.

In making these evolutions not only does human experience become enriched and more significant, but man himself grows in intellectual and spiritual stature, becomes a new person, and thus is forever being reborn.

To produce a more perfect thing, be it a tool, a utensil, a piece of furniture, a poem, a picture or a scientific theory, is at the same time to produce a more capable, significant and valuable man. A man's work is himself, his personality, objectified, but in the process of objectifying itself, the self is magnified by the acquisition of new skill, insight, power of understanding and of self-expression. Man is and becomes what he does.

The mind and soul cannot grow except by means of creative self-expression. The reason why man's powers of perception and understanding, the keenness of his senses and the skill of his hands are developed most completely in vocational labour, is that in such labour his entire being is keyed

up to its maximum power. Nothing cultures the mind or refines the spirit like the effort to produce useful and beautiful things. Moreover one learns more about nature, life, and even about oneself in trying to make such things out of crude raw material, be it soil, clay, fibre, paint, or words, than by any other means.

We thus see that work is a fundamental human function. A man's integrity and wholeness depend more upon the nature and quality of his work than upon anything else; although of course the quality of his work depends upon his outlook, his culture and sense of values. Men give their best hours and their finest energy to the tasks performed in their daily labour, and if those tasks do not develop the whole man and satisfy mind and spirit, it is improbable that these ends will be achieved at other times. They may be chance, and in a few cases they are, but in general a man's work determines the nature of his play, his values, his attitude to religion and life and develops or destroys his wholeness.

At root, therefore, work is a process of self-realisation through self-outpouring for worth while ends. And worth while ends are for the most part social ends. The human relationships developed by such labour constitute a volume of personal and social wealth that is beyond computation. In this process of self-outpouring the self is constantly being realised at higher levels.

Primary Aim

It follows that the primary aim of every community, of every Government, should be to provide the conditions wherein all its members may express themselves to the utmost in their daily labour and of every religious and cultural institution to teach the rising generation the art of doing that.

We thus arrive at a basic law, that they who lose, or give, their lives shall find them; and to labour with the whole soul for worthy social ends is to beautify the earth, magnify the soul, and glorify God.

Self-giving is LIFE, self-withholding, DEATH. All birth is self-giving, and all self-giving is birth. That profound law is proved every day in small things and is what, in fact, keeps the world going; yet we distrust it in the big things, and a decaying civilisation is the outcome.

We may sum this up by saying that work has five primary func-

tions: to earn one's bread and the wherewithal to a full life; to develop all one's powers—of perception and understanding, of skill, creation, achievement, including personal wholeness; to discover the laws of nature and the art of living; to make one's maximum contribution to the wellbeing of the community and thereby win the right to enjoy the fruits of others' labour, and a rich harvest of fellowship; to learn the art, and the values, of co-operation.

Work in its fullest content therefore acts like social cement in the cultivation of a rich matrix of community relationships. A man who contributes high quality workmanship to society is a social unifier and at the same time the inheritor of immense spiritual wealth. A community of such people would constitute a civilisation of high quality. There is no limit to the volume of LIFE a man may inherit who has learned the art of self-giving in his labour.

When in English history work was responsible and creative, the people were proud of their personal and collective achievements and contemplated them with deep satisfaction, from the village church on the hill or nestling in the trees to the cottage gardens, the cultivated fields, the ricks and the hedges. The quality of every man's work was known, and by it his standing in the community was determined. It was an age in which the common man had honour.

Satisfying Life

On the farm, in the workshop and in any job whatsoever, men experienced the joys of creative, social living, while the unity of their social life was expressed in worship, in songs, dances and games, and in the great seasonal festivals. That was a satisfying life, and with it went the habit of meditation. In those days there was time in which to meditate upon the things that mattered, temporal and eternal.

Such a life developed the whole man, body, mind, heart and spirit, and produced a high level of family and village integration. The esteem of one's neighbours helped to make the good craftsman a good citizen and neighbour. His social instincts came into play in almost every job he did, while his soul left its mark in the homes or on the farms within his social orbit. Nature and the village existed in his mind as a significant, satisfying unity.

The rise and fall of civilisations can be related to the degree that they stimulated the exercise of man's creative instincts and powers. That concept of man appears, for example, in the earliest Hebrew Scriptures: "And God

created man in his own image." Jesus upheld it in the words: "Greater things than these shall ye do," and St Paul in the words: "We are workers together with God."

Those passages sum up the Hebrew conception of man and his function in the world, and our own in so far as we have one. They imply that man possesses God-like qualities, some spark of the divine by which he can probe and understand the created world and fulfil its purposes in building what we are pleased to call civilisation.

Moreover every great religion embodies that concept in one form or another, and lays down principles and rule of conduct whereby man may fulfil the creative purpose, some inkling of which lies hidden in every human soul.

From time to time, however, man wanders from the path of truth and self-fulfilment and ends his life in disaster. Occasionally this happens on such a scale that a civilisation comes to an end. The worship of false Gods is easy, because it is the way of the flesh, of self-indulgence, of ease and luxury.

We are in one of those periods to-day. Our age has made the tragic mistake of equating abundant life with abundant possessions or what it calls high standards of living. In consequence it has sacrificed with scarcely a qualm the values of creative living for those of mechanical living and quantitative production. The latter values depend chiefly upon cash, the former upon the quality of a man's mind, the breadth of his vision, the ripeness of his understanding, the plenitude of his spiritual storehouse, including his wealth of social relationships.

The latter is an economy of the spirit and calls for the culture of the whole man, whereas the former is a cash economy which demands a high percentage of fragmented workers. Take a glance at our industrial practices to day!

What, in effect, the majority of industrialists now say to the boys and girls whom the Education Authorities hand over to them every year is this: "It is really very little we ask of you. This is the machine age, and machinery makes work light and easy. All we ask of you is the use of one or two tiny bits of your organism. With the rest you can do what you like. You may dream while you work, or sing, or talk, or just chew gum. We want you to be happy. Music will be on tap if you want it. We shall pay you well so that you may go to the pictures, dress well, or what you will. Keep the machines going, avoid hold-ups, and all will be well."

Thus the descent of man in the great human betrayal of modern industrialism proceeds apace. But how sad to reflect that after parents and teachers have trained and encouraged children to do and make things, and tried to stir their imaginations with the idea of accomplishing something worthy of their powers, most of them must go into offices and factories to work like automats day in day out! Their jobs interest them for a few weeks, then they tire of them and begin to wonder when they will be given a chance to do something which pulls the best out of them. But to the great majority the chance never comes. Ennui sets in and eventually despair. The sparkle leaves their eyes and dullness begins to cloud once shining faces. Within two years they have shed the inspiration of whatever education they ever received. They look around and discover that thousands of others are in a like plight, when they come to the conclusion that the only thing to do is to accept their fate. Thereafter their interests and conversation fall to the level of their work. They learn about love and sex, about film and sports stars, and give themselves up to that wide range of mass excitements which to-day serve the function of making a colourless robot existence tolerable. Hence the things of the spirit quietly pass beyond their ken. At twenty they have become fully conditioned to a fickle existence, while their creative powers which, normally developed would have produced boundless richness of the spirit, lie dormant, rejected by a soulless industrialism. In such an existence religion has no meaning.

Recently a worker in a repetition factory told me that he ran in his department a weekly half-crown football sweep in which the great majority of the workers participated, including girls of eighteen and boys of fifteen. The foreman allowed the sweep because the work was very monotonous and needed the stimulus of a little excitement. In the fore part of the week the contributors discuss teams and their prospects and afterwards how they would spend the sweep money if they won it.

But what can we expect when our experts—Mr. Taylor, e.g., an authority on the Managerial State, can write:—

"All possible brain work should be removed from the shop and centred in the planning department, leaving for the foreman and gang bosses work strictly executive in its nature.....Each man must grow accustomed to receiving and obeying instructions, covering details, large and small, which in the past have been left to his judgment."

During the recent war Sir Stafford Cripps, who then had charge of aircraft production, claimed as a triumph of labour dilution the fact that certain aircraft factories were running with no more than 2 per cent of skilled labour, which meant that 98 per cent of the workers were being transformed into industrial robots.

Who can count the cost of this degradation in frustration, in crime, in the spread of self-indulgence, of narcotics and other forms of dope, or estimate the loss in beauty, in the character of our towns and villages, in the quality of human personality and in vital human relationships?

No wonder employers are having great difficulty in holding the workers' attention to their jobs, and that many of them are calling in psychologists to help them in this inglorious task. What in fact the latter are doing is to degrade science by using it to condition human beings to function at a sub-human level. That the method "succeeds" is to our shame.

Criminologists are increasingly coming to the conclusion that repetitive industrial processes are one of the chief causes of crime to-day. Two Swiss Professors in criminology and Mental Hygiene stated in an article which appeared in the first issue of the British Journal of Delinquency, that a "serious source of aggression is the mental state of many who are caught up by modern techniques of production, particularly workers stationed along conveyor lines, where it is almost impossible for any human being to sublimate and satisfy his affections, his love and aggressiveness by work. This emotional starvation, the desire for real life, cannot be fed with substitutes, with Hollywood films, mass meetings and crime stories."

Experiments have proved that one of the best means of rehabilitating mind-warped and mind-wrecked human beings is creative occupation such as handicrafts.

Nothing can compensate or atone for this colossal waste of human genius. After a long experience among people of all classes and colours I have come to the conclusion that there is a spark of genius in almost every person, and that lack of opportunity and encouragement is the chief preventive of its development and blossoming. This immense reservoir of potential spiritual power, which is encouraged and developed up to a point in the home and the school, is finally rejected in the interest of a shoddy, uninspiring, ersatz civilisation. Yet what a paradise of creative splendour it might produce if given its chance in an understanding world!

The non-use of the higher faculties leads to their atrophy in due course, and thus to the degradation of the human species. Modern industry may make profits and quantity of goods, but it unmakes men, dwarfs their minds and cramps their spirits, while people who do not work creatively usually end by getting their pleasures on tap. On the other hand, men who work creatively almost invariably use their leisure creatively. Every modern Dictator knows that when life is reduced to mechanistic and monetary terms, mass power and money and not the "freedoms of democracy" determine the politics of the mass-man.

Vocationalism is the supreme means of developing the genius of a community, of raising the quality of its life and developing a valid democracy. Under vocationalism creative genius reaches its greatest perfection and society its maximum stability. The glories of Florence and of hundreds of mediaeval towns throughout Europe and Britain were the achievements of common men, village and small-town craftsmen who were trained and encouraged to express their exuberant spirits, craftsman inspiring craftsman until genius became as the breath of life and placed its mark on everything to which men put their

hands, and not least on themselves.

It should therefore be the primary aim of every state to make it possible for all its members to embark upon a self-chosen vocation, and to train its youth to labour gloriously. The right to a vocation is basic, and gives meaning to all the other freedoms. Moreover the hope of peace finally lies in the balanced lives of whole men and women, of societies in which material demands are conditioned by spiritual values. This is the creative revolution which our age awaits. Some of its demands will be considered in O.L.P. No 7: The Creative Society.

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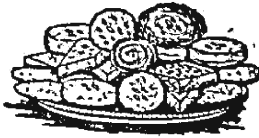
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INDIA LETTER

From Our Own Correspondent

Bombay, July 3.

THE sudden and unexpected death of Dr. Shyamasundar Mookerji, leader of the Bharatiya Jan Sangh and the Opposition leader in the House of the People, in Kashmir removes from the scene one of the most prominent figures in the public life of India. His absence will be felt keenly in many spheres and nowhere more than in the House of the People, where he was regarded as the most effective Parliamentarian. In the House, he led the National Democratic Group consisting of a number of parties which had opposed the Congress during the general elections, including the Hindu Mahasabha, the Akali Dal, the Tamilnad Toilers Party and the Commonweal Party. By sheer force of his personality and brilliance of oratory, he commanded a hearing for the various causes which he espoused against heavy odds. Dr. Mookerji who was Minister for Industry and Supply since August 1947 resigned his post in April 1950 due to fundamental differences with the Congress Cabinet in regard to its policy towards Pakistan, especially the treatment of minorities in Pakistan. During his tenure of office, industries in India received a good fillip.

Jan Sangh and Hindu Mahasabha leaders have alleged that proper medical care was not given to Dr. Mookerji and have demanded an enquiry into the circumstances of his death. West Bengal Congress and several Congress leaders including Sri P. D. Tandan, former Congress President, have supported this demand.

The controversy in regard to who reached the Everest first, Tensing or Hillary, has been laid to rest. Colonel Hunt, the leader of the Expedition and Hillary was the first to reach the summit, have now changed their statements after Tensing's threat to make "some revelations." They have now declared that Tensing and Hillary, both reached the summit simultaneously. Tensing has generously accepted this position and changed his previous decision not to proceed to England in the interest of good relations between the two countries. Tensing has already left for London with the members of the British Expedition, where he will be awarded George Medal, the highest award for gallantry granted to civilians.

Before his death, Dr. Mookerji had made an apt comment on Tensing's victory. He had written, in a letter from Srinagar, that "we are having mixed weather here—like our mixed economy, or if you like, my mixed health or mixed feelings in detention. The conquest of Everest gave us unmixed pleasure—but Tensing, though he reached first and was the real guide, got a mixed world reception. The Calcutta reception will of course be one of unmixed pride and admiration. The real discoverer of this lofty mountain was a Bengal surveyor. Sirdar, I believe, was his name. But the Burra Sahib, Everest, got an unmixed dedication. Such is life."

The President of India, Dr. Rajendraprasad, honoured the the Everest conquerors—Tensing, Hillary and Col. Hunt on behalf of the Government of India and decorated them with gold medals, bearing gold inscription in Sanskrit "Adventure is Glory."

Mr. Nehru has returned from London, where he had been to attend the Commonwealth Premiers' Conference. According to Mr. Nehru, the conference was a success. Immediately after arrival in the capital, the Prime Minister took up urgent economic matters with his Cabinet colleagues. The main problems facing the country today are high prices of essential commodities and the increasing unemployment among the educated urban persons. The food position has improved so much that no rice need be imported from any country. Controls have been relaxed to a considerable degree.

The Five Year Plan lays more emphasis on agricultural development, as there was acute shortage of food at the time of its formulation. Now the position has changed and it is likely that now greater emphasis may be laid on the development of heavy industries which can provide employment to urban population. The multipurpose irrigation and electricity projects, for which hundreds of crores of Rupees have been provided in the Plan, help in increasing the food production, raising the national income and removing the fear of flood ravages, but they are poor source of employment. The Planning Commission has recommended

immediate spending of Rs. 50 crores on schemes that will give employment to educated urban people.

The Central Cabinet may again be reshuffled in the near future. Mr. Krishna Menon, former High Commissioner for India in London, may be included in the Cabinet. Mr. Rafi Ahmed Kidwai, who is not satisfied with the Food Portfolio may be given another Ministry.

The Prime Ministers of India and Pakistan, Mr. Nehru and Mr. Mohamad Ali will meet at the end of this month in Karachi following the meetings of the two Steering Committees appointed by the Governments of India and Pakistan. The exact date of the meeting will be fixed after the meetings of the Steering Committees.

The Prime Ministers' meeting, which is likely to be a brief one, will be taking over the thread of the discussion from where it was left in London.

Though no decision is reported to have been reached on any of the issues, the London discussions are stated to have created an improved atmosphere for further discussions.

The first meeting of these Steering Committees will be held on July 14 in Karachi. These Committees will review the progress made through interchange of ideas and exchange of letters between the various Ministries of the two Governments.

Two dams were completed during the last fortnight and a formal opening ceremony was held. The biggest river valley scheme in Bombay State under the Five Year Plan, the Lower Tapi development project at Kakrapar, ensuring perennial water supply to the greater part of cultivable land in Surat District, was formally pressed into service by the Union Minister for Planning and Irrigation, Mr. Gulzarilal Nanda.

The weir will feed the canals on both the banks to benefit about 8 lakh acres of land, of which 5,30,000 acres will be irrigated annually. The existing area under rice is expected to increase considerably and large areas will come under wheat. By 1955 there will be an additional 1,60,000 tons of food grains and 16,000 of cotton.

With the execution of the Kakrapar weir, the first phase of the development of the lower Tapi basin has been completed. The next stage will consist of a dam at Ukai, 17 miles upstream, with an independent system of

canals with potentialities for power development.

Inaugurating the scheme, Mr. Nanda expressed the hope that with the extension of irrigation and power facilities to be provided by the project, "Gujarat can be made a granary of India and a growing centre of industry. With these new resources, the hard working cultivator and the enterprising people of Gujarat can make a big contribution to the prosperity of this region and the wellbeing of the nation."

Mr. Nanda stated that the new projects in progress or under consideration would irrigate 40 to 45 million acres of additional land throughout the country at a cost of about Rs. 2,000 crores. Up to March 1953 nearly 55,00,000 acres of additional land had been irrigated against the target of 20 million acres for the whole period of the Plan. The newly irrigated land up to March last had added to the agricultural production potential by 10,00,000 tons of food grains. By 1955-56 production would have increased by 4,000,000 tons through irrigation projects only.

A long cherished dream to stem the rapacious waters of Tungbhadra river and turn them to irrigate vast area in Rayalseema districts of Madras State and parts of Hyderabad has at last come true. Water was let out from the 133 square mile Tungbhadra reservoir both on Hyderabad and the Madras sides after a simple religious ceremony. The dam is 6007 feet long and 160 feet high. The reservoir spreads over an area of 133 square miles, submerging 73 villages on the Bombay, Hyderabad and Madras sides has a storage capacity of 2.6 million square feet.

The right bank canal on the Madras side is 225 miles long, the construction of which has been completed. The left bank canal on the Hyderabad side is 127 miles long navigable from the 24th mile to the end. Work is in progress till the 66th mile of the canal.

Blue-prints for erection of sugar, cotton and power alcohol factories in the project area have already been prepared.

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SOUTH AFRICA ACT AND JOINT SITTINGS

WE reproduce below for the benefit of our readers an article appearing in 'The Natal Witness' by Henry John May, author of "The South African Constitution," etc., giving a brief history of Joint sittings of both the Houses of Parliament. The Parliament of the Union may appear to alter any of the provisions of the South Africa Act, 1909, provided that sections 35 (no person to be debarrd on the ground of race or colour only from the right to vote) and 137 (equality of languages) may be altered only if the Bill embodying the alteration is passed "by both Houses sitting together and at the third reading be agreed to by not less than two-thirds of the total number of members of both Houses."

This means that the first and second readings may be passed by a majority of one, but at the third reading the Bill must have two-thirds of the total number of members of both Houses vote for it.

The number of seats in the Assembly is 159, and in the Senate 48 making a total of 207. Two-thirds of this number is 138. If there are vacancies in Parliament (e.g. there is a vacancy now in Natal's representation both in the Senate and the Assembly) the required two thirds will be reduced.

Initiation

There are two kinds of Joint Sittings; one kind for the purpose of overcoming a disagreement or deadlock between the Houses over an ordinary Bill.

The procedure for convening a Joint Sitting of the former type is as follows: The Cabinet submits the proposed Bill to the Governor-General, who then sends this message to both House of Parliament—

"His Excellency the Governor-General, having considered the provisions of the Bill which his Ministers desire to submit to Parliament, viz.: (the nature of the Bill is here set out); and having been advised by his Ministers that the said Bill falls within the provisions of sections 35 and 152 of the South Africa Act, 1909; hereby, under section 58 of that Act, convenes a Joint Sitting of both House of Parliament for the purpose of considering the said Bill. This Joint Sitting shall be held on..."

This formula was used in the previous instances in which a Joint Sitting, in terms of sections 35 and 152 of the South Africa Act was held namely, in 1918, 1929, 1930 and 1936.

It will be interesting to note whether the Message to the Houses which will read at the Commencement of the Joint Setting, will admit that the Governor-General has "been advised by his Ministers that the Bill falls within the provisions of sections 35 and 152 of the South Africa Act, 1909," because the Government's stand throughout the constitutional crisis has been that the Bill does not fall within those sections, as Parliament now has the power to alter any provision of the Act by an ordinary majority.

When the Houses meet together for the Joint Sitting, which has to be held in the Houses of Assembly, according to the procedure of that House and under the chairmanship of the Speaker, special rules are submitted and adopted then and there to provide for matters not to be found in the Rules of the House of Assembly. The additional rules usually refer to the counting of votes and the appointment of tellers. The Speaker has an ordinary vote at the third reading but no casting vote.

After the message has been read and the rules for the Joint Sitting adopted, the Prime Minister moves for leave to introduce the Bills, and if this is agreed to the Bill is brought up and read a first time. Then the second reading is taken, and thereafter the Joint Sitting goes into committee, the Bill is reported, and the third reading is moved. As it is at this reading that the votes of two-thirds of the total number of members are required to pass the Bill the main debate has in the past taken place here. But this is not necessarily the case and the Bill may be fought strenuously at all stages.

In 1929 General Hertzog introduced two Bills at a Joint Sitting, the Natives' Parliamentary Representation Bill and the Coloured Persons' Rights Bill. The former received only 75 votes out of the then total of 175 members in both Houses, and as two-thirds of 175 is 117, the Bill failed to pass its third reading. The Prime Minister then withdrew the Coloured Persons' Rights Bill.

A Joint Sitting was held in 1930 at which a Select Committee was appointed to enquire into the whole subject, but it did not complete its investigations and the matter was, for the time, abandoned.

The next occasion on which there was a Joint Sitting was in 1936, when the former Bill, slightly amended, was again introduced and pass by consider-

ably more than two-thirds of the total number of members at its third reading before a Joint Sitting.

The main differences between a Joint Sitting as a result of a disagreement or deadlock between the two Houses on an ordinary Bill and a Joint Sitting to alter an entrenched clause of the South Africa Act, is that in the former the Joint Sitting is called to consider those clauses of a Bill on which there has been a deadlock, and after it votes on those and amends them as it chooses, it passes the Bill as amended by an ordinary majority. It has only one sitting, i.e., there are no first, second or third readings as there are for an "entrenched clauses" Bill.

After the 1936 Act was passed, a case was brought by one Ndiwana against the late Mr. Hofmeyr, who was then Minister of the Interior, to declare the Act invalid because it had been agreed to at a Joint Sitting in-

stead of in the ordinary manner by each House separately, but the Appellate Division held that Parliament could adopt any procedure it thought fit. This ruling was reversed last year in *Harris v. Donges*.

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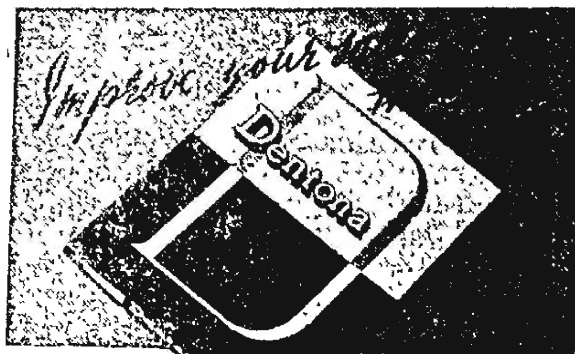
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