

made towards the settlement of the differences between the two Governments because the Indian Government had insisted upon the acceptance by South Africa of "a condemnation said to be implied in the resolution of the Assembly" and because the Indian Government had continued their policy of economic sanctions.

The *First Committee* devoted seven meetings to the question, the discussion centring (as at the last session), around the two main questions: whether the racial policies of the South African Government contravene the provisions of the Charter dealing with fundamental human rights and freedoms; and whether there existed between India and South Africa international engagements of a kind to invalidate the plea of the South African Government that the treatment of Indians in South Africa was a matter essentially of domestic jurisdiction.

The Question of Discrimination

The *Indian* representative (Mrs Pandit) made several strongly worded attacks upon the policies of the South African Government which she said should be condemned as repugnant to the Charter. The political, social, and economic status of non-Europeans had been "dwarfed and stunted," and the South African Government apparently intended that condition to continue. South Africa contended that "human rights and fundamental freedoms" comprise only a limited category of rights so fundamental as to be the concern of the society of nations. But the Charter stated clearly that the right of any individual, man or woman, not to be treated differently by reason of race, language, or religion, is a fundamental human right.

Mr Lawrence (*South Africa*) denied that South African legislation did infringe upon fundamental human rights. It was based not on racial superiority or inferiority, but on racial distinction. The former was a violation of the Charter, whereas distinctions of a racial character were not all undesirable and were even necessary for a better understanding of human rights. The different races living in South Africa preferred to be separated and the lifting of residential restrictions, for instance, would only result in greater friction and animosities. A majority of speakers, however, contended that the Union Government had been guilty of discriminatory legislation not only against the Indians, but also against the native population of South Africa. The delegates of the *Soviet Union* and *Yugoslavia* compared South Africa's discriminatory legislation to that of Nazi Germany and claimed that the South African Government, in defending their country's policy, were justifying the "Fascist theories of racial hatred" which constituted a potential danger to the world.