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1901-11-14

Senate

PETITION

Senator Major GOULD presented a petition from the Standing Committee of the Synod of the Diocese of Goulburn, praying the Senate to refuse its assent to the Matrimonial Causes Bill.

Received and read.

PAPERS

Senator DRAKE laid upon the table

Despatch from the Secretary of State for the Colonies, of 20th October, 1897, relating to attitude of Japan towards restrictive legislation as to coloured immigration : Telegram from Secretary of State re Coloured Aliens Immigration Reserved Bill

Despatch re Sugar Works Guarantee Acts 1893 to 1895 Amendment Bill (Queensland). - Minute to Governor-General from Prime Minister.

Senator O'CONNOR laid upon the table

A return showing the Customs and Excise revenue collected in the Commonwealth for the years 1899 and 1900.

Ordered to be printed.

QUESTIONS

STATE RAILWAYS

Senator KEATING

asked the Vice-president of the Executive Council, upon notice -

Whether the Government is taking any, and if so, what steps to effectually determine to what extent, if any, the Commonwealth might with advantage exercise its powers of acquiring any of the railways of any of the States.

Vice-President of the Executive Council

Senator O'CONNOR

- No steps have as yet been taken.

JAPANESE SWORDS

Senator STANFORTH SMITH

asked the Vice-President of the Executive Council, upon notice -

If it be true that some of the swords used by the Australian Military Forces and Cadets are of Japanese manufacture, and if so, how many ?

Senator O'CONNOR

- In 1893 the Victorian Government imported from Japan, as a sample, some swords. Of these, fifteen are in use by the infantry, and 50 by cadet officers.

PRINTING COMMITTEE

Resolved (on motion by Senator STYLES) -

That leave be given to the Printing Committee of the Senate to confer with the Printing Committee of the House of Representatives, and that a message be sent to the House of Representatives acquainting that House of such resolution, and requesting the House of Representatives to give similar leave to the Printing Committee of that House.

IMMIGRATION RESTRICTION BILL

Second Reading

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Debate resumed (from 13th November, vide page 7186) on motion by Senator O'Connor -

That the Bill be read a second time, upon which Senator Pulsford had moved by way of amendment -

That all the words after the word "that" be omitted, with a view to insert in lieu thereof the words - "While the Senate is of opinion that it is desirable that immigration to Australia should be restricted to members of the white races, the provisions of the Immigration Restriction Bill do not commend themselves to the Senate as the best method for securing this object, while they are calculated to cause needless offence and embarrassment to those who are either our fellow subjects, or the subjects of friendly nations, and to produce complications with the Imperial Government, who, by treaties or other arrangements; are best

able to secure the object desired without disturbing friendly relations with other countries."

Senator Sir JOHN DOWNER

- It has been assumed throughout the discussion both in this House and another place that this question is of the most superlative importance to Australia, and that it ought to be disposed of at once. As to its immediate pressing importance, I confess that I am not so thoroughly well satisfied as are a number of honorable senators who have spoken on the subject. But what I think is of immediate pressing importance is the method in which we deal with the question. I have no fear of any sudden inroad of the races that we wish to exclude. It cannot possibly occur in many cases. It certainly will not occur in the case of other nations, and I firmly agree with what some gentlemen have had the courage to say, both on the platform and elsewhere, that to a large extent this is a question of political capital rather than of immediate importance to the Commonwealth. And from the point of view of political capital, it has been torn into rags. Look round at all the complaints that have been made from time to time; take the best statistics we can get, and we find that practically no mischief has been done. There has been no increase in the coloured population; there has practically been a decrease. The kanaka question, which has to be dealt with separately, is on a different basis. But taking the whole of this terrorism which has been going through Australia - which has induced us to put the Imperial Government in a most uncomfortable position from time to time, and to worry them, to my mind, very unnecessarily, when they were worried enough - it is all political platform business, and there is no question of black or white in it. I do not anticipate or fear any great intermixture of races from any Asiatics who may come here. The analogy of the American Republic has no application. The negroes were brought in, and had to stop there in a condition of servitude and under conditions that led to the intermixture of the races, and probably to the deterioration of both.

Senator De Largie

-Just the same as the kanakas are doing.

Senator Sir JOHN DOWNER

- We do not import kanaka women.

Senator De Largie

- Some.

Senator Sir JOHN DOWNER

- The kanaka question is on a different platform, and from my present point of view it may be necessary, in some of the tropical parts of Australia, to use, on decent, respectable terms, the labour which is suited to the occasion, rather than to say, selfishly, as some men do, both here and elsewhere - "Better hold the territory" - this big portion of the world - "unoccupied, unimproved, than allow the only people to come into it who can occupy and improve it." Selfishness never went beyond expressions of this description ! They are repugnant to all natural principles of justice which, if there be a God in heaven, must rule in the long run, and I, for one, protest against them. Who are we to talk in this lofty, high-principled way? To what is due the success of the race from which we have sprung? To colonization? Where did they colonize? In those countries whose inhabitants we now say ought to stay at home and enjoy themselves. I was pleased with the speech of Senator Higgs, although I disagreed with some parts of it, and also with the speech of Senator Pearce, who recognised quite freely that the great country from which we have sprung has always been aggressive, and has always considered that its people were entitled to go wherever they liked. If any nation endeavoured to prevent them, that nation, if it were not strong enough to resist, had to look out. As far as India is concerned, we need not bother about it, because the Indians are not desirous of coming here.

Senator Harney

- There are 700 of them in Western Australia.

Senator Sir JOHN DOWNER

- We have heard much of statistics, but Senator Higgs admitted that the statistics which he quoted were absolutely fallacious and that he could not rely on them.

Senator Pearce

- Oh, no ; they were the figures of the Registrar-General of Western Australia.

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Senator Sir JOHN DOWNER

- The same statistics were quoted by the Prime Minister when he, with his much better information, was speaking upon the subject. The Prime Minister, who knew all the honorable senator does, and a great deal more, said that if the Registrar-General stated that these figures were accurate he was wrong. In fact the honorable senator himself said that many of the persons included in the statistics might have been there previously and have returned. The number was a mere handful at any rate, and would not interfere with the magnificent State of Western Australia to any appreciable extent, I should hope. If what Mr. Barton said was true there has been a decrease in the coloured population of Western Australia.

The PRESIDENT

- I presume that the honorable and learned senator is not alluding to a debate in another place.

Senator Sir JOHN DOWNER

- Certainly not ; I know the standing orders too well to do such a thing. Victoria has not suffered from coloured immigration. New South Wales has not been burdened with any importations of people from eastern countries. Even as far as Queensland is concerned, the increase has been so small, taking into account the splendid conditions existing there, that I feel perfectly justified in saying that this is not an urgent matter of practical politics at the present moment. It is merely a political cry for the purpose of obtaining kudos.

Senator Playford

- That is a terrible charge against the Ministry !

Senator Sir JOHN DOWNER

- I know that the Ministry attach great importance to it, but I do not profess to be merely an embodiment of their views, any more than they are an embodiment of mine.

Senator Pearce

- Did the honorable senator say that on a political platform?

Senator Sir JOHN DOWNER

- I will defy any one to show that I said anything different on any occasion. Honorable senators cannot bring any charge against me in that way. I say there is no urgent necessity for dealing with this question.

Senator Charleston

- Then why did the Government introduce the Bill ?

Senator Sir JOHN DOWNER

- Because they regard it as urgently necessary. I am not speaking as a party man, but am expressing my own opinion. I do not think the question is urgent, but the Government think it is, and this House, to a man, takes that view.

Senator Sir Frederick Sargood

- I do not know about that.

Senator Sir JOHN DOWNER

- Of course I have not heard my honorable friend speak yet. I shall be quite refreshed if some honorable senator gets up and says that this is not a vital question, and that there is no necessity for disposing of it immediately. But honorable senators opposite are all playing the same game. The labour party is playing its game, and says frankly enough that it is doing so.

Senator DAWSON

- What is our game?

Senator Sir JOHN DOWNER

- I think it was Senator Pearce who frankly acknowledged it last night. He said in effect - " You know what we want, and we know what we want, and there is no mistake about it." Consequently both sides think they can nobble that party, and the only question is what form the "nobbement" shall take. There has arisen a sort of universal enthusiasm in favour

of immediate action, and it is represented that the very fate of the Commonwealth depends upon the settlement of the question. The Senate is agreed, I take it, that during the last election there was an unmistakable wave of public opinion in favour of the prohibition of Asiatics. The demand was irresistible ; but while on the platform I expressed, as I am expressing now, the opinion that there was no urgent necessity for this extreme legislation. I nevertheless recognised that the matter was one upon which there was a great amount of public feeling, and that the only question was as to the method of procedure. That is practically the question which the Government have taken up. They had to submit to the strong will of

an immense majority of the people of Australia. Under those circumstances they had to find out the best way of bringing about what the people required. But it does not follow that the people ought to get exactly what they want. If by "the people," we mean the people of the Empire, they must undoubtedly get what they want, except to the extent to which other nations may prevent them from getting it. But it is not possible for the people of Australia to get everything they want, except subject to the conditions under which they exist as a part of the Empire. Everybody is agreed, I think, that in all our colonial experiences we have been well and considerately treated by the Imperial Government. We have had protection without taxation.

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Senator DAWSON

- No !

Senator Sir JOHN DOWNER.- The only protection we had for a number of years was through the British navy, which was always ready to assist us if any danger arose.

This great democracy, of which we are so proud, grew up entirely under the Imperial aegis, assured and satisfied that whenever the smallest possession of the Crown was in danger, Great Britain would take up arms for its defence.

Senator Higgs

- Was not that protection in the interests of the British money lender ?

Senator Sir JOHN DOWNER

- I am speaking of a time long before we began borrowing, and long before we thought of obtaining money in any other way than by our 'own industry.

Senator DAWSON

- In those days Australia was the gaol of the Empire.

Senator Sir JOHN DOWNER

- From the earliest time we have been under the :1321 S of the British flag.

Senator DAWSON

- Botany Bay !

Senator Sir JOHN DOWNER

- Well, even Botany Bay was under the flag.

Senator DAWSON

- We borrowed England's criminals !

Senator Sir JOHN DOWNER

- And, incidentally, good men seem to have been introduced. When Australia began borrowing it was in her own interests. The British people did not ask us to borrow. We lived under the great flag which was ever ready to protect us against aggressions from abroad, and that flag protects us now. Our people know that they are not competent to protect themselves in any time of great disaster. But do you not think, sir, quite apart from that lower ground of requiring assistance - although that is necessary to our life and well being - that there are such sentiments as loyalty and love to the country from which we come? The Imperial Government have met us with every generosity on all occasions, and have listened to many remonstrances which have been made of an utterly petulant and futile character. Even in this present matter every leading statesman on the Opposition benches of either House of the Imperial Parliament agreed with the suggestion made by the Imperial Government, and condemned those who endeavoured to interfere with it. What was the stand taken by Mr. Reid when the Secretary of State for the Colonies met the Premiers with the utmost frankness - as I know, from my experience of ten years before, is always the case - and said - " Don't you see our trouble ? How could we do this, or that ? We will do what we can, but don't put us in too much of a hole." That is the spirit in which Mr. Chamberlain met them, and, whether it was from their own innate loyalty, or the charm of Mr. Chamberlain's manner, the skill of his utterances, or his persuasive power, they all agreed. On their return they urged most strongly the line of action which Mr. Chamberlain suggested would not produce friction, and which they recognised was the only line of action admissible. What has caused the change of feeling ?

Senator Clemons

- Is that line of action being carried out in the Bill now before us?

Senator Sir JOHN DOWNER

- Entirely carried out. I have been reading the debates carefully and trying to obtain a thorough knowledge of the question. My prejudices are against the whole proposal, but I treat it as inevitable. I think we have to give effect to it, but we have to do it in a way that will cause the least trouble to the Government, whom we are asking to carry out our desires. It was only in 1897 that the Premiers were in England. It was after the federal movement had started, and indeed it was because of the federal movement that they went home and met the Imperial Government. Mr. Chamberlain explained the position to them. He pointed out, for instance, that there was a treaty with Japan - and, by the way, I object to the manner in which Japan has been brought into this discussion. It is unnecessary to give that country so much prominence. Mr. Chamberlain said it was true that the Imperial Government had made a treaty with Japan, but that was not the only question. The treaty with Japan expressly referred only to Great Britain and the colonies under its immediate government, but it is a monstrous proposition to say because Great Britain excluded the self-governing colonies from the operation of that treaty that, therefore, it has agreed that the self-governing colonies are at liberty to do as they like in the matter.

Senator Clemons

- Is it monstrous?

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Senator Sir JOHN DOWNER

- It is ridiculous, and I will explain my reason for saying so. So far as the self-governing colonies are concerned, they have no right to make a treaty with any one. They can conduct negotiations, and arrive at their treaties through the medium of the Imperial Government. The Imperial Government, with the great courtesy that they have always shown to us, said that they wanted to make a treaty for themselves, but they would not bother us about it at present. They did not know whether we were ripe for it or not.

Senator DAWSON

- They did not consult us in making that treaty.

Senator Sir JOHN DOWNER

- There was no necessity to do so, because it did not affect us. What I complain of bitterly is that the exclusion of the self-governing colonies from that treaty is said to be a recognition of their right to do what they choose. True, the colonies are not bound by the treaty, but are still left subject to the Imperial authorities.

Senator O'Connor

- Each colony had an opportunity of coming under the terms of the treaty, and Queensland availed herself of it.

Senator Sir JOHN DOWNER

- I had forgotten that fact for the moment, but it only serves to make my position stronger. One colony agreed to come under the treaty; the others said they preferred to remain under the Imperial control.

Senator Harney

- Did the giving of that right to the self-governing colonies to decline to come under the treaty imply the right to make other terms?

Senator Sir JOHN DOWNER

- The giving of that right meant that, so far as these States were concerned, they were simply "as they were"; they were no better and no worse off. The exclusion of the self-governing colonies from the terms of the treaty has been ingeniously and most fallaciously used by persons who, I hope, are not jurists or lawyers, as an argument to show that they were intended to be excluded. The Imperial Government having satisfied the Premiers that this was the only thing they could do, the Premiers pledged themselves to adopt the suggestion. They have honestly tried to carry out that pledge. Some of them have succeeded, and some of them have failed. There is nothing before us to show that in any case in which the terms of the Natal Act have been adopted, the results have not been entirely satisfactory. Even if they have not been entirely satisfactory that fact is not conclusive. We cannot obtain everything in a day. We have certain limited powers, but we are under the Imperial Government, with a strong disposition, I should think, not to complicate them in the carrying out of the duties imposed upon them. Either this is a matter of urgency or it is not. Honorable senators on the opposite side appear to agree that it is a matter of urgency.

Senator Pulsford

- I do not say so.

Senator Harney

- Neither do I.

Senator Sir JOHN DOWNER

- Perhaps I may be included as the third man in that belief. These interruptions are instructive, and they rather help me. Perhaps I have done Senator Pulsford an injustice. So far as I understood him, he did not agree to anything. That is the view I formed after listening to his speech. 'He gave us to understand' that he was opposed to this proposal, whether in the form of a movement to keep out Asiatics, or in the more moderate form suggested and brought forward by the Government. Being determined to defeat anything that is proposed in this direction, he objected that the Bill was unsatisfactory. It would be a very hard matter to make any proposal that would be satisfactory to the Opposition. Even if the Government had come forward with the proposals made by the Labour corner - who, by the way, should be on this side of the House - we should have had a most vehement protest from honorable senators on the other side. Of course I am open to contradiction, but I have formed that opinion from the speeches which have been made.

Senator Charleston

- I thought the honorable and learned senator said that this was not a party question. He is attacking this side.

Senator Sir JOHN DOWNER

- I give my honorable friends opposite every credit for the honesty of their convictions. I think with them that there is nothing pressing or urgent with regard to this proposal, and that really, it need not be carried out. But I recognise that it has to be done, because the people require it.

Senator Millen

- The honorable and learned senator supports the proposal for that reason, although he does not believe in it himself.

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Senator Sir JOHN DOWNER

- I strongly opposed legislation of this kind in the South Australian Parliament. I thought it was unnecessary ; and I entertained a general notion - something like that held by Mr. Chamberlain about the English traditions - that Britishers generally consider themselves strong enough to hold their own. It was a wrong opinion no doubt, but the feeling I had was that if a better man could meet me on my own ground I did not care much what his colour was, I thought he was entitled to win. I am satisfied that that argument is fallacious, because it would be destructive, and the instinct of self-preservation comes in. I listened once to a gentleman speaking very strongly on this subject. He referred to the wages which the Japanese were getting. I think he said that the best paid workmen were getting from 9d. to 2s., and never more than 2s. It was pointed out that it was simply impossible that we could without degeneracy live in a such a way as would be necessary to enable us to compete with them. That impressed me much. It impressed me much when I saw throughout Australia a strong feeling against any intermixture of the races. It is not only necessary that our government should be good, but that it should be satisfactory to the people who have to live under it. Where all these people practically unite - because that is what it really comes to- and say, "Help us all you can to keep the coloured races out of Australia," - never mind whether it is because of their immorality or their excellence or anything else, or simply and solely because they would rather be without them - their views are entitled to respect, and entitled to be carried out so far as we have the power to carry them out.

Senator Clemons

- The honorable and learned senator did respect those views and kept the black men out of the mail boats.

Senator Sir JOHN DOWNER

- Did I keep the black men out of the mail boats ? Will the honorable and learned senator look up the voting?

Senator Clemons

- I do not need to look up the voting.

Senator Sir JOHN DOWNER

- The honorable and learned senator forgets j I did not do anything of the sort. My honorable and learned friend is cross with me about something or another. I hope we shall make friends some day, but I ask him in the meantime to look up the voting.

Senator Clemons

- I remember very well, I do not need to look it up.

Senator Sir JOHN DOWNER

- Oh, but the honorable and learned senator does. He has forgotten more than he remembers. Coming to the question, I begin by saying that the voice of Australia is entirely in favour of excluding these coloured aliens as far as is possible. The only question, then, is how it is to be done. Around that question the real fight must take place both in one House and in the other. The difference between the direct proposal and the indirect proposal has, of course, been fertile of infinite discussion, and has led to many stonewalling speeches of inordinate length by men who avowed that the matter was of immense urgency, but who could not speak upon it for less than six hours or so. Now they have got it through, and have discussed it as carefully, I think, as any question ever was discussed in any Parliament in the world. I ask anybody who has taken the trouble to carefully read the last speech of the Prime Minister in reply to the debate, whether he can see any answer to it. I can see none. It seems to me that the whole question is put with the most perfect lucidity. The 'Government wants to do this, but the Government is limited in its powers. What is the Government to do ? You say that the matter is urgent and ought to be dealt with at once. The Government say - " Do what we suggest and it will be done." You reply - "This does not do it in the way we want," and the Government say - "This we think is the only way in which we can do it at the present time. Take what you can get, and if that does not work properly get the rest later on."

Senator Harney

- We do not agree that this is all we can get. That is the issue.

Senator Sir JOHN DOWNER

- The Government know, and honorable senators do not, and that is just the point I was coming to.

Senator Clemons

- They also know the way we will vote.

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Senator Sir JOHN DOWNER

- I dare say, but I am talking of the merits, not about the vote. My honorable and learned friend introduces irrelevant matters. When I am discussing justice my honorable and learned friend refers to votes. That was not the point of view from which I was speaking. The Government certainly wanted to bring down for the exclusion of Asiatic aliens the strongest Bill they, could carry. But the Government on the other hand recognised that they had a duty to the Imperial Government as well as to the Commonwealth. And that is what put them in a difficulty on a matter which although it might be urgent from certain points of view, could be sufficiently dealt with in the manner proposed. I cannot think of any method that will keep more people out than that this Bill proposes. " Fraudulent, lying, hypocritical." These are the terms that have been used.

Senator Charleston

- Are they not accurate t

Senator Sir JOHN DOWNER

- They are absolute lies I should say - I have not words to express my view of them. That is the argument which has been used - that this Bill is fraudulent, lying, hypocritical.

Senator Best

- Dissimulation, chicanery !

Senator Sir JOHN DOWNER

- No doubt they will give us a few more terms in a little time. And all for what 1 Because the Imperial Government said - "You can do exactly what you want, and you can say you will do what you want, but our Asiatic allies do not desire to see on your statute-book words which declare that they are an inferior race." That is the point.

Senator Charleston

- They do not want it on the statute-book, nor in Hansard ____ either.

Senator Sir JOHN DOWNER

- Excuse me, there is a much bigger power in the Bill than any my honorable friend in the corner wants, to keep out not merely Asiatics, but other objectionable people.

Senator Pulsford

- To keep everybody out.

Senator Sir JOHN DOWNER

- Within limits.

Senator Millen

- And to let a lot in.

Senator Sir JOHN DOWNER

- At all events it puts the power in the hands of the Government responsible to Parliament, or in other words it puts it in the hands of Parliament to say whom they will keep out.

Senator Harney

- It makes the administration do what the Legislature should do.

Senator Sir JOHN DOWNER

- The words used are of immense breadth, and cover all that can possibly be required. When it is replied - "Will not this be even a greater insult?" - the answer is very simple. These countries say to us - "Make your own internal laws as you please. If you do not wish to mix with us" - and the Chinese have said it over and over again - "we do not want to have anything to do with you. We never wanted you in our country, and we never wanted to come to you."

Senator Pearce

- They came to Little Bourke-street all the same.

Senator Sir JOHN DOWNER

- Yes; but whose fault was that? The Japanese are pretty much the same, and they do not want to come here in any great numbers. Is it our Indian fellow subjects that we want to keep out?

Senator Clemons

- Scarcely fellow citizens.

Senator Sir JOHN DOWNER

- Not "fellow citizens." I used the words fellow subjects advisedly.

Senator Pearce

- "Subject fellows" is the proper term.

Senator Sir JOHN DOWNER

- If, then, the Home Government, wanting to help us, and doubly anxious not to have to express its dissent, as it has had to do three, four, or five times, or to once more reject Bills which, for more reasons than they chose to publish in their correspondence, they think would be injurious to the whole Empire, and would complicate their position, which is sufficiently complicated already, say to us - "Do you insist, not merely on the substance, but on the particular words, and put the mother country - and through her yourselves - in a position which may embroil her in trouble which we wish to avoid?" - what is to be the answer? I want the Senate to understand this view of mine. When it is asked - "Why will the Japanese agree to this, when they will not agree to that?" - I say that I can see very plainly a broad distinction between making a general law to which we ask the Imperial assent, and which the Government have not the administration of afterwards, and a direct law dealing with subject-matters over which we can exercise our own discretion subsequently, and by which we place on the first statute-book of the Commonwealth of Australia a declaration that certain people are inferior, and therefore ought to be excluded from coming into this Commonwealth. They may consent to be excluded, but they do not want to be told that they are objectionable in such an unpleasantly plain form. I can understand how the Natal Treaty was arrived at, because it met that particular objection. It was said to then] - "Why do you want to put on your statute-book an insult upon a great Empire, when, under your general powers of regulating your immigration, you can attain the same result?"

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Senator DAWSON

- They can insult us back by excluding Europeans; we shall not object.

Senator Sir JOHN DOWNER

- Yes; I know we are very bold until we are attacked. The Japanese are only a fortnight or so away. They

have great power at their back. Let Russia and Japan drop their quarrels, and let there be a little combination between them, and then, perhaps, our friends opposite will not talk in so very loud and clear a tone. At all events we know that we are not the people to say to these Asiatic races - "We shall let you do as you like," when, throughout our career, what we have been saying to them is - "You have got to do as we like." We have taken possession of their country and of their trade, and have told them they must do as we want.

Senator DAWSON

- We were wrong in doing so.

Senator Sir JOHN DOWNER

- Exactly ; and we shall do wrong again, I suppose, if we get the chance. I have too high an opinion of the British merchant to suppose that any legislation carried in this or any other Parliament will interfere with his energies. He has always got along as far as he could, and with him the weakest must go the wall.

Senator Harney

- Does not making the test any European language, instead of the English language, create an invidious distinction against the Japanese ? Is it not saying that the nations of Europe stand on a different footing ?

Senator Sir JOHN DOWNER

- I do not think so. Perhaps the honorable and learned senator will allow me to ask him a question in return. Did not the Natal Act, in making the test the English language, operate as an insult to the Japanese in proposing a test in a language which was not their own?

Senator Harney

- No ; because that placed the Japanese in the same category as other nations,

Senator Sir JOHN DOWNER

- I do not think that the Home Government will refuse to assent to this Bill. It is on the lines of their own suggestion. Although they thought that 50 words in English should be the test, they said, "You may make it stricter if you please." But what they wanted clearly and unquestionably was that we should see that we made a test which would not, on the face of it, be a gross reflection upon nations friendly to them and to us, and whose friendship they were most anxious to retain.

But we know what occurred in another place, and how hard and how long the question was fought. If the matter requires immediate attention, the sooner we get to a division and decide in favour of the Bill the better it will be for all of us. I would point out to my honorable friends opposite, that this is not of necessity a final measure. We are bringing it forward hurriedly. We know not what complications the Imperial Government may have to face, but we follow the lines they suggested, and send the Bill home. If we get an Act in this form, I am sure that we shall have power not merely to apply a test which will keep out all those whom my honorable friends want to keep out, but other objectionable people - white men. If the Act should prove to a certain extent inefficient, only an odd one will slip in here and there. If the matter is urgent, and my honorable friends want promptness, pass the Bill at once, and probably it will be assented to by telegram, and this immediate danger which they say is hanging over Australia of an inroad of coloured races will be removed. Although the Act might not be perfect, and in its incidence a few might get in, they would be educated people, and would not do much harm.

Senator Clemons

- How would they get in?

Senator Sir JOHN DOWNER

- They would pass the education test.

Senator Clemons

- In every language of Europe ?

Senator Harney

- The Bill is too elastic ; it transfers the duty of the Legislature to the administration.

Senator Sir JOHN DOWNER

- I understand that Senator Harney is in favour of a downright prohibition of Asiatics ?

Senator Harney

- I am not in favour of this Bill.

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Senator Sir JOHN DOWNER

- My honorable and learned friend says that this will be a mere matter of administration, and that is apparently what he objects to. Suppose that it is provided in the Bill that certain Asiatic races should be excluded, will that be carried out by legislation or by administration? The officer will have to find out whether a man is an Asiatic when he may be a fourth, or a half, or a twenty-fifth Asiatic. We shall have all manner of questions of infinite difficulty thrown on the officer in the first instance.

It must all depend on administration, but there should be no more difficulty in the administration in one case than in the other. Then on the other side Senator Pearce said that the Western Australian law might be all right, but that it had been badly administered, and that for that reason we should refuse to take a good law. A law of this kind must be elastic. It cannot be fixed definitely, but must vary according to the political necessities of the times. My honorable friends may talk as much as they like about keeping out every drop of tainted blood, and all that sort of rubbish, but they will still have to do what force of circumstances may compel them to do at the moment. What does Senator Clemons want to do? He wants to pass an Act presumably for all time which will shut out Asiatics absolutely. He wants to have a perfectly inelastic statute. What do the Government propose? They say - "This is a State question. We are rising to the dignity of a nation. It is not a matter of making a fixed law. These are questions of policy which must be decided from time to time. Under this Bill we can decide, as a statesman must decide, in spite of all the Acts we may pass, what the necessity of immediate circumstances require to be decided."

Senator Glassey

- How is the honorable and learned senator going to vote?

Senator Sir JOHN DOWNER

- I am going, to vote with the Government, and I do not think that anybody need have asked me the question.

Senator Glassey

- The reason why I ask the question is that the honorable and learned senator's speech is entirely against the Bill.

Senator Sir JOHN DOWNER

- My speech is entirely in favour of the Bill. My view is that this is not very necessary legislation, but the people of the States declared that it was, and I accepted that situation when I came here. I adhere to my pledges. I said the same thing to them as I say now to the Senate. When it comes to a question of rushing like a bull at a gate, and having war when diplomacy would do all we need, then I ask honorable senators to think of the country from which we have come, and of its circumstances, and to take what they can get. That will give them not only all they want, but probably something more. But if it should not, it will enable them to get in a very short time substantially what they want. If they adopt the more extreme course the result will be delay and correspondence and possibly more mischief than would have been caused by the few aliens who might have gained admission to the Commonwealth. I am not speaking from any party point of view. I am giving to my honorable friends my opinions on a subject about which I have thought a good deal. I hope they will understand that I, like themselves, am doing the best I can to arrive at a sound conclusion.

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Senator STANFORTH SMITH

- I listened very carefully to the exceedingly able speech of Senator Downer. I agree with some of the conclusions he arrived at, but I do not think that he was correct in saying that this was a parrot cry. I believe that the movement which has been going on in Australia for 20 or 30 years is the result of absolute conviction. Self-preservation is a sentiment which touches the profoundest instincts of an individual or a nation, and if the question is not dealt with boldly and fearlessly now when the Asiatic nations are waking up, there will be an influx of coloured people which will mean an alteration in our national destiny, or possibly the obliteration of our national existence. We must remember that this question reaches beyond the boundaries of the Commonwealth, and, therefore, has an international significance - it touches and affects the British Empire. We have taken upon our shoulders national responsibility, and we are bound from time to time to consider international relations. We must be prepared to recognise that there are times when we may have to modify or alter our wishes in framing Bills which affect interests beyond our shores. I agree with Senator Downer that we are under great obligations to - the British Empire. We should ill begin our national career by repudiating the obligations

we are under to Great Britain. We must remember that this land was discovered and peopled by Great Britain. We were protected when we were young and helpless. We have enjoyed profound and blissful peace. No enemy has ever set its foot on our shores. The great military nations, with their voracious earth-hunger, have only been kept from our shores by the knowledge that they would have to overcome the might of the British Empire and -annihilate the British fleet before they could harm us. I do not think that there is an honorable senator who would vote for any legislation which would seriously endanger' an Empire which bore the burden of Australia when it was young and handed it over to us, a noble inheritance, when it had become a valuable possession % We have a charter of liberties which is everything we could possibly desire. Fortunately in this great cause all the people of Australia and the rulers of the Empire are in accord. Both are fully seized of the gravity and importance of the question, and both are determined that no muddy stream of alien immigration shall foul the current of national life at its very fount. But we must remember that this huge continent, peopled as Senator O'Connor said, by a little garrison of white people, with one-seventeenth of the earth's surface, and less than 4,000,000 inhabitants, is surrounded on all sides by nations, some of which number their population by hundreds of millions. We are aware that in China, India and Japan, and the Islands adjacent to Australia there is a population of 800,000,000, or one half of the human race, and these are within a few days sail from our shores. It seems to have become the destiny of the British race to perform two duties - one to rule over an immense number of coloured races, and the other to preserve the vacant temperate lands of the world for the British and white races. One argument that we used in favour of Federation was, that whereas the various colonies of Australia separated spoke in national matters in a weakly voice, when their six voices were joined together they would speak with more robustness and clearness, and with a greater right to be heard. We consider it to be in the interests of Australia that we should be heard as one Commonwealth. If there is one thing that the Australian people are determined upon, it is that we shall work out our destiny without the terrible blot which the United States has had imposed upon it, and without the leprous curse which is beginning to spread itself in various parts of Australia. We must consider this matter also, not only from high national grounds, but likewise from an industrial standpoint. We admit the thrift and industry of the millions of Asia ; but we say that those very virtues, transplanted into Australia, become economic vices, and would undoubtedly increase the present deplorable inequality in the distribution of wealth throughout the continent. The influx of Eastern races would cause an enormous amount of wretchedness and misery amongst our labouring classes. I have no hesitation in saying that if a sufficient number of Asiatics came here to work, as the Hindoos do, for 1s. a day, they would reduce our civilization to chaos. For these and many other reasons the people are determined that Australia shall be kept for the white race. That opinion is agreed to and shared in by the rulers of the British Empire. The only question is one of method ; and I propose in a few words to consider the effect of the two methods suggested, both upon Australia and upon the British Empire. I object to the education test, first on the ground of national morality. I 'do not want to be offensive in any way, but I say that in this Bill it is. sought by a crooked, sinuous, and indirect way to accomplish legislation which should be accomplished straightforwardly and honestly. The Bill is an endeavour to cover up our intentions with the view apparently of deceiving the foreigners, so as not to hurt their susceptibilities. Our object is to keep out coloured races. We all admit that. But the Bill places no bar whatever upon the immigration of colored races ; it merely says that the immigrants from various parts, of the world must show a certain standard of education. Surely it is not necessary that Australia, on the very threshold of her national existence, should establish such a Machiavellian policy. We know that the Chinese race are adepts in the art of dissimulation, but I really think that we ought not to descend to their level. Surely we have no desire to place ourselves upon an equality with them, or to excel them in that respect. Are we adopting a policy less offensive by having prohibition, than by establishing the education test ? To ascertain the answer to this question, we must know the attitude of these Eastern nations. We find that the Japanese consul puts the position in this way

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The Japanese think that by reason of their importance as a nation they should be placed upon an equality with European nations, and for this reason they are prepared to accept the educational test provided in the draft Bill, that is, on the basis of an examination in English, -because this does place them on the same footing as Europeans, except Great Britain, whereas the test in any European language would place them at a disadvantage.

That clearly implies that the Japanese object to being placed at a disadvantage in regard to other nations. It seems to me that it matters not whether we prohibit the Japanese and let the Europeans come in, or whether we say that we will place an education test upon the Japanese whilst we do not place such a test upon European nations. I expect that under this Bill Europeans will not really be examined when they seek to come in. It is not the intention of the Government that they should be. Therefore, we are practically establishing an exclusion test against the coloured races by means of education, which test we will not apply to Europeans. The Vice-President of the Executive Council intimated that intending immigrants might be examined in any language. We practically say in this Bill that we desire to have an educated people in Australia - a people who know and understand our language, so that they may become good citizens, comprehending our laws and institutions. But Senator O'Connor says that we can examine them in any language. That means that if an educated Japanese gentleman were to come here, who could perhaps read and write English as fluently as we can ourselves, the Custom-house officer could examine him in Turkish, or Slavonic, or Swedish, or Welsh, or in any other language the officer chose to select. When the Japanese came to understand this, the real object of the Government in framing this Bill would be unmasked. They would understand what the true significance of the measure was ; and they would be entitled to feel more aggrieved than if we had said straight out that, for various honest and ethnological reasons, we would not admit coloured aliens into Australia. If we are going to adopt such legislation as proposed, and if we impose the test of requiring emigrants to write in any language of Europe, with the object of keeping them out, whilst under the same test we admit the people of any other country, I say unhesitatingly that we are degrading our parliamentary institutions. But there is another serious fault which I have to find with this Bill, and it is one which cannot be too seriously condemned. That is, that we are leaving too much to the administration. We are leaving an enormous power to the Executive. We actually give them power under this measure to suspend an Act of Parliament, and to say what people shall and what people shall not come into Australia. By this test the Government can prohibit any European coming in, or they have the discretion of allowing any coloured person to come in. In spite of all the ethical objections to the Bill, a few of which I have mentioned, the great question that concerns us is - will this education test be effective? If the Bill is administered honestly - if it is administered as apparently on the face of it it is intended that it shall be - it will not be effective. But if it is administered in such a manner that a person is examined, not in English, but in some other language of Europe, then it may be effective, but it will be degrading to Australia to adopt such a course. In considering whether such an education test honestly administered will be effective, we must remember the wonderful awakening that has taken place amongst oriental nations during the last few years. Not very long ago the Mikado of Japan issued an edict from which I shall quote' a paragraph. He said - It is intended that henceforth education shall be so diffused that there may not be a village with an ignorant family, nor a family with an ignorant member.

Those are noble words. They show the splendid intentions of the Japanese Government. The extraordinary awakening of the Japanese - the enormous advance they have made in arts and sciences and in the processes of education - has been the wonder of the western world ; but those very qualities of the Japanese, and their wonderful facility in learning languages, are the qualities that make this Bill practically inoperative. It has been mentioned before that in Japan there are 30,000 schools, and in all those schools, with the exception of the kindergartens, English is taught to any one who wishes to learn it. In Japan at the present time there are 4,250,000 children attending school out of a total population, between the ages of four and fourteen, of 7,700,000. The English language is being studied very largely throughout Japan. In fact I have read that so largely is it studied that some people believe that English will become the universal language of Japan. Personally, I do not think that is possible. I believe the Japanese have too much national pride to adopt any other language than their own, but at the same time the Japanese are undoubtedly learning English to a large extent, because they know the enormous importance of our language in commerce, and because they are a sea-going race, and appreciate the necessity of learning the language which is more universally used than any other language in the world. If we turn to India, we find from the Statesman's Year Book for 1891 that there were under instruction in that country during the year for which figures are given, 3,195,000 children. There were not under instruction, but able to read and write, 12,097,000 children, or a total of 15,202,000 children able to read and write. Over 22 per cent. of the boys of British

India are attending school. Let me take an extract from the late G. W. Steevens' book on India. He says - In Bengal, and to a great extent in Madras and Bombay, the natives took to European education as a duck to water. The numbers who learned to speak, read, and write fluently, and who passed fairly difficult examinations in a foreign tongue, testify to an appreciation and an elastic intelligence which you will hardly parallel elsewhere in the world. Thousands matriculate in the universities yearly, more than 1,000 take degrees. The calendar of the University of Calcutta, one of the five great Indian universities, shows over 5,000 of B.A.'s alone.

These facts show the extraordinary awakening that is taking place in the Eastern nations. Lord Ripon, a late Governor-General of India, writing upon this subject, says -

India, such as our universities and colleges, and railways and telegraphs and general codes, and our universal language have made it, is instinct with new life, and tremulous with new ideas.

In China the highest positions of the State are open to those who can attain proficiency in educational requirements. We know the extraordinary facility the Chinese have for learning languages, and that there is an enormous awakening there. In Africa there are thousands of Egyptians, Algerians, and negroes who can speak, and many who can write, European languages. But even a greater danger than this, to my mind, lies in the millions of coloured people who have settled in various territories belonging to European nations; because the majority of those people can speak, and many of them can write, European languages. In the United States there are 12,000,000 of negroes, all of whom are educated in the the English language. In San Francisco alone there are 50,000 Chinese, and in Natal there are thousands of Hindoos and of Kaffirs, most of whom can speak English. That is true of natives living in the East Indies, Canton, Singapore, and the Pacific Islands. When the current of immigration increases and a larger coloured population comes into Australia, I presume the Government will forge another link in that chain of enactments to which reference has been made by one of the Ministers. It is not very honorable to provide a certain test on passing which we say these people may enter Australia, and then when coloured children, perhaps, have been taught the English language in order to fit them for a career in Australia, to forge another link in the chain of enactments so as to exclude them absolutely from our shores. It would be far better to say at once that we cannot permit these people to come into Australia. The influx which has taken place in the past is no criterion of what the influx will be in the future. Oriental nations are awakening, their peoples are swarming out from their shores like ants whose nests have been trampled upon, and if the education test is administered honestly, it will not be effective.

Senator DAWSON

- There are universities in Japan.

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Senator STANFORTH SMITH

- Japan possesses perhaps one of the largest universities in the world. We must admit that such legislation as this is not only detrimental to the national prestige, but that if administered straightforwardly it must be ineffective. If it is not administered honestly, then it will be degrading to us. Our proper course is not to follow the lines laid down in this Bill, but to say at once that on scientific grounds we cannot allow coloured races to come into Australia. We should say clearly, by an Act of Legislation, that on national and ethnological grounds we cannot allow the Japanese, the Chinese, the Hindoos, or any other coloured alien race to come here, because we are able to prove that they cannot blend with us, and that they are bound to grow up separately from us if they do come here. We know that the increase of their numbers is very much greater than that of the white races. We cannot overlook the extraordinary fecundity of these races. Thirty years ago the negro population of the United States numbered 4,000,000. To-day it numbers 12,000,000.

During the last 30 years the ratio between the black and white populations there has been maintained in spite of the enormous immigration to the United States which has taken place. In India the coloured population has increased, during the last 50 years, by no less than 100,000,000, and the population of Japan is growing at an equally rapid rate. I regret to say that in Australia the increase of population is only about 1 per cent. Is it not evident that if we allow these coloured races to come here, although in comparatively small numbers at first, they will increase more rapidly in the course of time, and that they will soon equal, if not exceed, the number of our own white population? Therefore, instead of adopting

legislation which seems to me to be analagous to the dropping of pebbles into the stream of immigration, is it not better that we should adopt the amendment proposed by Senator McGregor, and thus drop in the rock of prohibition. All anthropologists agree that the Caucasian races cannot mingle with the Mongolian, the Hindoo, or the negro. Nott says -

The mulattos are the shortest lived of any of the Branch races, and are very unprolific.

Warren tells us that -

The half -cast of India comes to a premature end without reproduction, and if there are any offspring they are always wretched and miserable.

Many of the States of the United States of America have found it necessary to pass laws preventing marriages between white and coloured people. Would it not be very much more statesmanlike for us to pass an amendment such as that proposed by Senator McGregor, and to explain to the Japanese that on scientific and ethnological grounds we cannot allow them to come here, not because we think they are inferior, but because we cannot mingle with them, and cannot allow them to grow up a separate community in our midst. We do not disparage oil and water by saying they will not mix, and we do not disparage the Chinese or other coloured races by saying that they cannot mix with us. We know from the teachings of science that they cannot. It would be detrimental, not only to ourselves, but to the Japanese people, if that were to take place. We must bear in mind also that until 40 years ago the Japanese for years absolutely excluded the

British from their territory, although they allowed the Dutch to trade with them.

Senator De Largie

- Quite right.

Senator STANFORTH SMITH

- I agree with the honorable senator that if we passed a law restricting the Japanese from entering Australia we could neither palliate nor justify any action taken on our part to force our way into Japan. In order to secure Australia for the white races we must make certain sacrifices, and it would be impossible for us to justify our conduct if, while excluding the Japanese from our shores, we were to say that they must not prohibit us from entering their country. Apart from all sentimental reasons, we shall be really carrying out the desires of Japan in excluding the Japanese from Australia. The Japanese Government have said in unmistakable terms that they do not wish their people to leave Japan. That being the case, how can we do them any great injury by providing that Japanese subjects shall not come to Australia ? If we are to take the views expressed by the Japanese Consul as indicating the opinions held by his Government, we have it that he admits the right of the Australian Commonwealth to restrict immigration in any way it thinks fit, Japan, of course, claiming similar rights. We should be prepared to concede them those rights as a matter of fairness.

Senator Playford

- We can not help ourselves.

Senator STANFORTH SMITH

- We should take this action with the knowledge that the Japanese can retaliate if they desire to do so, and we should be prepared to put up with that disability in order to gain what we consider is a great national principle. In India we are faced with another problem. We are dealing there with people belonging to the Empire of which we form a part. But we find that the Government of India does not wish the Hindoos to leave that place. Great objection was raised recently when an effort was made to obtain coolies from India for Fiji and the West Indies. We should not overlook the fact that the British Government do not treat the inhabitants of India in the same way as they treat -the white races. They have never placed the coloured races on the same plane.

Senator Sir William Zeal

- Because the coloured people are a conquered nation.

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Senator STANFORTH SMITH

- They are British subjects, and we are British citizens. We are told that the Indian princes and the more educated people of that country would take great umbrage if legislation such as we propose were passed. That idea arises largely from a misconception of the facts. The immigrant races of India, with but few exceptions, are not connected with the ruling races. India is composed of a number of small kingdoms,

each absolutely distinct from the other. Their people are to some extent different in colour, perhaps, and they are different in religion and race. The coolies and lascars of India are for the most part people who belong to the Dravidian and other aboriginal races. They have no relation with such people as the princely Rajpoot, the learned Brahmins, the chivalrous Sikhs, or the fighting Gurkhas. One could not insult those people more than by telling them they were related to the aboriginal races. There is absolutely no affinity between them. The better classes care not whether the aboriginal races are prevented from leaving India or not. I cannot give a better authority on this question than Lord Roberts, from whose work, *Forty-one Years in India*, I take the following -

No comparison can be made between the martial value of a regiment recruited amongst the Gurkhas of Nepal, or the warlike races of Northern India, and of one recruited from the effeminate peoples of the South. How little this was understood even by those who had spent a great part of their service in India was a marvel to me, but then I had had peculiar opportunities of judging of the relative fighting qualities of natives, and I was in despair at not being able to get people to see the matter with my eyes.

We would no more insult the ruling races of India by prohibiting the aboriginals of that country from coming here than they would insult us by prohibiting the aboriginals of Australia from going there. They are no more related than are we to the aboriginals of Australia. In touching upon the attitude of the Imperial Government, let us for the sake of argument put Great Britain in our position. We have 100,000 aliens here, and according to the ratio of population between Australia and Great Britain that would mean a population of 1,000,000 aliens in the old country. Within a few days' sail of the British coast there would be also coloured races representing half the population of the world. If Great Britain were so situated would she say - "Let these alien people come in and swamp us"?

She would say rather - "No! we must protect ourselves. Self-preservation is the first law." She would prefer that to some diplomatic advantage 'on the coast of Japan. If that would be so, then I say we are entitled to the same respect and consideration. I feel confident that Great Britain will treat us in this matter as she has done in the past; that she will show us the same respect and consideration which she shows to her own people in the United Kingdom. We must not forget that Australia has given valuable assistance to Great Britain in a critical time, and that in doing so we have incurred a certain amount of enmity among the European nations. Australia has spent money and blood in helping Great Britain in the war in South Africa, and I venture to think that the issue of that war is of less importance than is the question of a white Australia to the Australian people. Mr. Chamberlain admits that of the two schemes proposed here he prefers the educational test. I contend that his conclusions are based upon an erroneous supposition. He says -

It is not because a man is of a different colour from ourselves that he is necessarily an undesirable immigrant, but it is because he is dirty, or he is immoral, or he is a pauper, or he has some other objection which can be defined in an Act of Parliament, and by which the exclusion can be managed with regard to all those whom you really desire to exclude.

That undoubtedly is not the attitude which Australia takes up. We say that primarily on racial grounds we cannot allow coloured people to come here, for the reason that it would be impossible for us to absorb them, and that we could not permit them to grow up among us in separate communities. Mr. Chamberlain understands the gravity of the situation, because he says -

I wish to say that Her Majesty's Government thoroughly appreciate the object and the needs of the colonies in dealing with this matter. We quite sympathize with the determination of the white inhabitants of these colonies, which are in comparatively close proximity to millions and hundreds of millions of Asiatics, that there shall not be an influx of people alien in civilization, alien in religion, alien in customs, whose influx, moreover, would most seriously interfere with the legitimate rights of the existing labour population. An immigration of that kind must, I quite understand, in the interest of the colonies, be prevented at all hazards, and we shall not offer any opposition to the proposals intended with that object.

Then he goes on to say that he prefers the education test. I think Japan thoroughly understands the position we take up. She knows we are a great self-governing community, and that by our Constitution we have a right to deal with alien immigration. She knows that we were excluded from the treaty between herself and Great Britain, and that we have the power to accept that treaty or not. I think it is always understood that a nation that has such a power has practically a sovereign right. That is' practically the prerogative of an independent people. Being aware of all this, is Japan likely to quarrel with Great Britain

for assenting to a policy which is not inimical to the policy which she herself adopts, because Japan says that she does not want the Japanese to leave her shores? If it is a question of mere sentiment, the Japanese can easily assuage their consciences by passing an Act of a similar character preventing Australians entering Japan. I say, with respect to the friendly relations that exist between the two countries, that they are as necessary, if not more necessary, to Japan than to England. We know that as things exist at present, Japan must be ready at any time for what may, perhaps, be a death-struggle with Russia, and being in that condition, is she likely to distract her attention from her great natural enemy in order to pick a quarrel with Great Britain on account of something which may happen here in the South Seas, and which is not against her own policy.

Senator Stewart

- Russia may be her friend and ally in a month.

Senator STANIFORTH SMITH

- With such diversity of interests, I think that is very improbable. Do we not refer with a great deal of pride to the action of Earl Russell, the British Minister who, when asked by the French Ambassador, at a time when there was but a little fringe of population on the edge of Australia - "How much of Australia do you claim?" drew his pencil around the map and said - "The whole of it." That is something which any citizen of the British Empire may feel proud of. Here was a whole continent scarcely inhabited, and England's Prime Minister claimed the whole of it for Great Britain. We should follow these fine traditions, and when the coloured races of the world ask us - "How much of Australia do you require for yourselves?" draw a ring round Australia, and say - "The whole of it." We know that in 1849 the people of Port Phillip distinctly said they would not allow any more convicts to come into Victoria. I think that they were entitled to say that on the ground of the injury to the colony; and Victorians to-day are proud that they took that decided stand. When Great Britain was allowing the negroes to come into the United States, if some man for national and patriotic reasons objected to that influx, and had been successful, would not every right-minded man in America to-day say that he had done good work in the interests of the great Republic? We may bring even more danger and trouble not only upon Australia, but upon the British Empire if we force this education test in the way outlined by Senator O'Connor. I say that we shall be acting in the best interests of the Empire itself if we govern the portion of it we are called upon to control in the best interests of the people. If other people in other portions of the vast possessions of Great Britain act in the same way, the best interests of the whole of the Empire will be conserved. Speaking from the Imperial point of view nothing could tend to solidify and strengthen the Empire so much as that we should build up in these southern lands a British race. The more far-seeing of the British people know that the best interests of the Empire will be conserved by having these lands inhabited by people of the British race. Mr. Meredith Townsend, in the able book written by him on the Eastern question, says that the white races can never make a lasting impression upon the coloured races of the East, and I say that we should decide that the coloured races of the East shall never make a lasting impression upon the white races of the world. We all agree that these races must be kept out. We say that it may be done by the education test, if it is worked in an unworthy manner; but that it cannot be done if the education test is administered honestly. I say that Japan resents the education test as much, or as little, as she will resent direct prohibition.

Senator Playford

- Allow Japan to speak for herself. She says she does not.

Senator STANIFORTH SMITH

- I have read extracts from letters by the Japanese Consul, which show that Japan will not object to direct prohibition, provided she may adopt the same policy.

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Senator Playford

- They have made the objection at head-quarters.

Senator O'Connor

- We are dealing with the representations of the Japanese Government, and not merely with Consular opinions.

Senator STANIFORTH SMITH

- I thought the Japanese consul could speak for Japan with some authority. If we do our part in this

matter, it will be for the interests not only of Australia, but of the English people and of the white races of the world. I feel very strongly upon this question, but I hope I have not expressed myself too strongly, because I did not intend to do so. I have listened with very great care and attention to older and abler politicians than myself. I am fully convinced that they are actuated by as pure and as honorable motives as any one can be, and believe that they are advocating this legislation in the best interests of Australia. I trust I shall be given credit for the same honesty of purpose in the course I take. I believe that if we say now that for all time we shall stop coloured races from coming into Australia, we shall earn the gratitude of those who come after us. I believe that such an Act will be of more importance than any Monroe doctrine, or any declaration of rights, because it will be a declaration that for all time, Australia is to be kept for the white and best races of the world.

Senator Sir FREDERICK SARGOOD

- I entirely concur with the statement made by Senator Downer, that this is not a pressing matter, and that there is no immediate danger. I have held that opinion for a considerable time, and have not hesitated to express it in public. I do not think it can be truthfully said that the presence within the Commonwealth of a few thousands of aliens can constitute a real danger, moral or otherwise. Neither do I think that there is any danger of the number of aliens in the Commonwealth largely increasing. I base that opinion upon the experience we have had in the various States during the past 30 or 40 years. Those who have lived here for any length of time will know perfectly well that there was formerly a very large number of aliens, chiefly Chinese, in the various colonies. Undoubtedly, for years past, the number has steadily decreased, even prior to the legislation for the restriction of Chinese immigration. We are aware that the decrease has been more marked since the Immigration Restriction Acts were passed. Apart altogether from the operation of those Acts, we have ample proof that the number of Chinese in the various States has decreased year by year, and so far as I can see there is no reason to imagine that the number would, under any circumstances, increase to an alarming extent. We should not forget, I think, that these aliens have been of considerable benefit to the various colonies in times past, whatever they may be to the States in the future. We know that we should have been at a very great disadvantage, and particularly the working and middle classes of the community, in connexion with the all-important matter of our vegetables and fruit, but for the attention which the Chinese directed to their supply. They have been able to supply those commodities at a very much lower rate than the price at which any European could produce them, and that clearly has been a great advantage to the classes to which I have referred. '

Senator DAWSON

- Did the honorable senator ever have to compete against a Chinaman for work ? If he had he would know what it means. I have had to do it.

Senator Sir FREDERICK SARGOOD

- I see the point the honorable senator raises ; but last evening we were told by Senator Pearce that this measure is not urged on the ground of the competition with the labour of these people, but on the higher moral ground.

Senator Pearce

- On both grounds. The racial is the primary ground.

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Senator Sir FREDERICK SARGOOD

- As far as I can understand it, that is the position, and I maintain that there is no present hurry for this Bill, so far as the interests of the States are concerned. But we cannot shut our eyes to the fact that, for years past, there has been a growing demand on the part of the electors of some States for some legislation with a view, in the first instance, to restricting the influx of Chinese and other aliens. As the Commonwealth idea developed the demand increased, until we can safely say that during the latter months of the federal elections there was a demand throughout the Commonwealth for what was called a white Australia. We must all frankly acknowledge that, whether we agree with it or not. Personally my sympathies are very much in that direction - pride of race, and the desire that Australia should be kept as far as possible for the Anglo-Saxon race, compel one to have a large amount of sympathy with a movement of the kind. But there is no necessity to ride a good idea to death, and it appears to me that the amendment of which we have had notice from Senator McGregor goes a good deal too far. I believe that we can obtain practically all that is wanted in the first instance by availing ourselves of the treaty between

Great Britain and Japan. Queensland has successfully availed herself of it, and the various States can at any time do the same. I believe that under that treaty there need be no fear of any large influx of Japanese, of whom I wish to speak with the highest respect. Their advance during the last 25 years has simply been marvellous, and in many ways we can take lessons from them with advantage. They are certainly very industrious.

Senator DAWSON

- They are the eastern Jews !

Senator Sir FREDERICK SARGOOD

- I would agree with the honorable senator if he had said that the Japanese have the best qualities of the Jews. As one having had considerable experience in connexion with Japan, I can state that on the score of honesty they do not take a second place to Europeans.

Senator McGregor

- What class of Europeans - traders 1

Senator Sir FREDERICK SARGOOD

- Europeans such as the honorable senator.

Senator McGregor

- I am not a trader.

Senator Sir FREDERICK SARGOOD

- I hope the honorable senator is as honest as the traders to whom I refer. The Japanese have excelled in organization. The manner in which they developed their army and navy and conducted the campaign against China was simply wonderful, and they deserve all credit. Within a very short time they will have a fleet second only to that of Great Britain. Therefore they are a power not to be lightly treated - a power with which Great Britain and all her dependencies including Australia should, if possible, remain firm friends. We have everything to gain, and nothing to lose by such a friendship. While undoubtedly we have the legal right to exclude whom we like - and on more than one occasion it has been exercised by the colonies - it carries with it obligations, and one of the most important of them is that it shall be so exercised as to create as little friction as possible with friendly nations, and cause to the mother country as little difficulty as possible. These appear to me to be the leading points which should govern our action. This question has been forced on us by circumstances, and we have to deal with the measure in a practical way. There are two ways in which it can be dealt with. One is, in accordance with the amendment of Senator McGregor, to pass absolute prohibition. That is a very straightforward and honest way, and it may be fairly urged that if we mean to absolutely prohibit the admission of certain classes or nations we should say so. There is another way which will attain the object and yet will not unnecessarily give offence or place the mother country in a false position. But for the matter of policy I should prefer to follow the straightforward way. We know perfectly well, however, that the Imperial Government would not agree to a Bill of that character. If I were strongly opposed to legislation of this kind I should distinctly vote for that amendment, because I know perfectly well that the Bill would not receive the Royal assent and the whole question would perhaps be hung up for years.

Senator Pearce

- What justification has the honorable senator got for making that statement ?

Senator Sir FREDERICK SARGOOD

- I took it for granted that the honorable senator had read the public despatches which had been circulated, and that he knew what had transpired between the Premiers and Mr. Chamberlain in the old country. I was at home in 1897, just after the conference took place, and came in contact with officials, and the conviction is forced on my mind that there is not a ghost of a chance of the Imperial Government agreeing to a Bill with a provision of that nature in it.

Senator McGregor

- Did the honorable senator meet Mr. Chamberlain too ?

Senator Sir FREDERICK SARGOOD

- I merely give that as an opinion based on the information that I obtained in the old country, as against the opinion of Senator Pearce, who probably had not the advantages I had of coming in contact with those who are well behind the scenes, and know what they are talking about.

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Senator Pearce

- I am judging by the despatches from Mr. Chamberlain.

Senator Sir FREDERICK SARGOOD

- If we wanted a further reason for holding that opinion it is furnished by the refusal of the Royal assent to the Queensland Sugar Works Guarantee Bill during the last few months.

Senator Staniforth Smith

- Did they not allow three similar Bills in Queensland ?

Senator Sir FREDERICK SARGOOD

- Not similar Bills. It may be said, and with truth I think, that while we are seeking to exclude the coloured races we are throwing the door open to all Europeans. I would infinitely rather have the -Japanese come in here than some of the lower class Europeans. I would infinitely rather have our fellow subjects in the north of India come in than I would have the peoples to whom I refer. What have we had lately in New Zealand ? Within the last twelve months the Government tried to shut out as undesirable immigrants a number of Austrians, but they were unable to do so. I happen to know that they have proved to be very undesirable immigrants. I do not wish to mention the nations, but we know that there are people in the South of Europe of whom we do not wish to see too many. As the Bill was introduced by the Government it required the immigrants to be examined in the English language, but in its present form it enables them to be examined practically in their own language, unless - and this is one of the drawbacks - the officer of Customs thinks that they are undesirable immigrants, when he can examine them in any language which he thinks they do not know.

Senator Pearce

- Supposing that he does not know any language but English.

Senator Sir FREDERICK SARGOOD

- The Government will take good care to have Customs officers who will know more than one language, just as they have Customs officers who know the Chinese and Japanese languages. We must bear in mind that, apart from the kanakas, there are a very large number 'of coloured people - about 70,000 according to the latest information - throughout the Commonwealth. As regards the northern portions of Queensland, South Australia, and Western Australia, we have either to let in under stringent provisions coloured races for the cultivation and development of those territories, or to let them go to waste.

Senator Pearce

- No.

Senator Sir FREDERICK SARGOOD

- The information which I have obtained and which I venture to say is better than that of the honorable senator, has convinced me that we must either allow the whole of the northern territories above a certain latitude to return to a state of nature, or admit under restrictive legislation coloured races. I am prepared to say that if this Bill is passed, before some of the younger senators are much older it will be repealed, and a measure such as I have indicated will be carried.

Senator DAWSON

- Has the honorable senator ever resided in North Queensland. Does he know anything at all about it?

Senator Sir FREDERICK SARGOOD

- I have not resided there, but I have a large number of acquaintances there, whose word I would take just as readily as that of the honorable senator.

Senator DAWSON

- I was born there, and have lived there all my life.

Senator Sir FREDERICK SARGOOD

- I am sure the honorable senator is giving what he believes to be his honest experience, but I think- he is unduly biassed on the question.

Senator DAWSON

- I know that a white man is better than a kanaka or a Japanese at any time.

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Senator Sir FREDERICK SARGOOD

- I quite agree with the honorable senator. I am not going to belittle the white man, but I should be very sorry to attempt to put the white man to work in a climate such as the honorable senator has lived in, and

which certainly does not appear to have done him much good. I do not like the construction of this Bill. I should prefer a straightforward method, but we cannot get that, and if I cannot get what I should like I shall take what I can get, knowing that the Bill will receive the Royal assent, and that to a very large extent it will meet the wishes of the electors of the Commonwealth, although I think that their desires are to a very large extent based on an undue fear as to the results of a moderate immigration of the coloured races. While this is nominally a Bill for the establishment of a white Australia, it goes a great deal further than that. It is not only to be a white Australia, but it is to be an Australia with the whites who are here; for I find that an extraordinary sub-clause has been introduced by the labour members in another place, very much to the surprise of all parties. It provides that no one shall be engaged in the old country, not even the relatives of any person, to come out and benefit themselves in Australia without the consent of the Minister, who knows as much about the matter -

Senator Higgs

- As the honorable senator !

Senator Sir FREDERICK SARGOOD

- If the Minister I had in my mind's eye had as much experience in that line as I have had, he would know a good deal. I am rather astonished that some honorable senator has not referred to this most extraordinary provision. I was under the impression that originally Australia was given primarily for the benefit of the British nation, but we now have a clause saying to the Britishers in the old country - "We do not want any of you."

Senator Millen

- We want them, but not under contract.

Senator Sir FREDERICK SARGOOD

- There are a large number of honest hardworking men in the old country who are not able to save much money, and certainly they are not able to pay their passage-money and to come out of their own volition. It is not desirable or fair to close the whole of the Commonwealth to our fellow subjects of Great Britain. It is distinctly in the interests of the workers of the old country, that if needs be they should receive assistance to come out here. There is an abundance of room for them, and it is adverse to the best interests of the working classes to prevent them from coming here. At the very time when wages were highest here and in New South Wales - I am speaking now of my own knowledge - immigrants were pouring into Australia at the rate of 1,000 a- week I am speaking of 40 years ago.

Senator Stewart

- What would be the result if 1,000 immigrants a week were pouring in now ?

Senator Sir FREDERICK SARGOOD

- At that time I myself was paying 17s. 6d. a day for labour. That being the case, I should like, in the interests of the working classes themselves and in the interests of the public generally, to see paragraph (<?) struck out. I shall certainly give honorable senators who belong to the labour party an opportunity of voting upon that question, in order to see whether they are prepared to deal fairly with their fellow-workers in the old country. The only other point to which I wish to allude is with regard to the landing of crews. This matter has been dealt with by the Victorian Parliament on more than one occasion. It seems to me to be an unfair thing to penalize the captain of a ship simply because one of his sailors bolts. The captain has no power over him. Even on His Majesty's ships, where the discipline is strict and the men have wages to lose and a pension to forego, the authorities cannot prevent sailors from " running the ship " as it is called. To compel captains of vessels coming here - it may be for purposes of call or to discharge part of their cargo - to run the risk of losing £100 for every sailor who manages to bolt, seems to me to be most unfair. As a matter of fact, it is within my own knowledge that a similar section in New South Wales has led to blackmailing. Crews are tempted to desert, and are husbanded and hidden away with the hope of obtaining a certain amount of money, which the captain will be bound to pay rather than face the loss of £100. I intend to vote against Senator Pulsford's amendment, because it is not a wise one ; nor would it be carrying out our pledges to attempt to kill the Bill.

Senator McGregor

- Then the honorable senator is showing respect for his pledges ?

Senator Sir FREDERICK SARGOOD

- Yes, I have some respect for my pledges, and I hope I always shall have. But I am not prepared to allow

the honorable senator or any one else to say what those pledges mean. I myself will judge as to whether I honestly carry out my pledges or not. I shall support the second reading of the Bill, and when it gets into committee shall vote against the amendment of Senator McGregor.

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Senator DOBSON

- I think that any one desirous of dealing effectively and in a statesmanlike manner with this Bill, must look at it from two aspects ; first, from the point of view of the Australian - and I am sure we are all loyal Australians - and secondly, from the point of view of the Imperialist. I hope and believe that we are all Imperialists. Self-preservation is the first law of nature, but, like Senator Downer, I do not trouble myself very much about this question, because I do not regard it in the same light as others do. No matter how we treat the Bill, there can be no doubt that Australia has spoken clearly and decisively, and I am perfectly certain that sooner or later the Parliament of the Commonwealth will carry out the wishes of the people of this country and secure a white Australia, so as to keep our own land for ourselves as far as is practicable and reasonable. On the other hand, we have to recollect that we belong to a great Empire, having a policy of its own, with which, as true Imperialists, we have to fall in.

Senator Stewart

- I for one am no Imperialist.

Senator DOBSON

- Most of us, I hope, are Imperialists. My honorable friend, at all events, belongs to the British Empire, and must fall into line with the policy of Great Britain.

Senator Stewart

- I have no belief in the new Imperialism.

Senator DOBSON

- I thoroughly indorse most of the remarks of Senator Downer, who in the most clear and forcible and admirable manner, has pointed out what should be our attitude with regard to this Bill. It is impossible for us to talk about belonging to the British Empire unless we are prepared to take the responsibilities which membership of the Empire entails. If my honorable friend Senator Stewart wishes to be considered as anything like a statesman, and not merely a third-rate politician, he must recognise that in initiating a policy upon this subject we have to consider not merely the interests of Australia, but those of the Empire, and that we cannot trample under foot our obligations to Great Britain. Let me put the matter in this way. I do not think I can put it so forcibly and clearly as Senator Downer has done, but there are one or two aspects of the question which may be emphasized. In the year 1897 the Premiers of the six States now forming the Commonwealth of Australia found themselves face to face with the Empire in the person of Mr. Chamberlain, the Secretary of State for the Colonies. After discussing this matter of alien immigration in all its lights, knowing as the six Premiers did the very grave responsibilities resting upon the Empire with regard to the question, they unanimously agreed that an educational test was a statesmanlike and satisfactory method of settling the question, and one which would not embarrass Great Britain in her relations with other nations with whom it is desirable that she should maintain the friendly terms which exist, and which we hope will always exist between her and them. After these six statesmen representing Australia returned to this country, every one of them, with the exception of the Premier of Queensland, gave effect to the agreement arrived at by introducing an Alien Immigration Restriction Bill on the lines of the Natal Act. I happened to be in another place when I heard Mr. Reid, the great free-trade leader - with whose free-trade principles I am, to a great extent in harmony - become a " Yes-No " leader on this very important Australian question. I heard him refer to what took place in England, and justify his change of front in not proposing to support the policy which he had agreed to with the Secretary of State for the Colonies, although he himself, as Premier of New South Wales, had introduced a measure to give effect to that agreement.

Senator Millen

- Does the honorable senator know the agreement which Mr. Reid used in favour of the Bill in New South Wales ? He said at that time that he accepted the principle of it merely because we were on the eve of federation, when we could get the full measure which we wanted.

Senator DOBSON

- I do not dispute what Senator Millen says, because I am utterly ignorant of the circumstances. But,

assuming that Mr. Reid did that, I still say that there is no pretence of excuse for his " Yes-No " attitude about an Imperial matter of this kind, which may embarrass the Empire at any moment if the policy he now recommends is given effect to. I heard him say--

The PRESIDENT

- I presume that the honorable and learned senator is not referring to a debate in another place ; because the standing orders say that a debate in another place shall not even be alluded to.

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Senator DOBSON

- I am alluding to the understanding that was arrived at with Mr. Chamberlain in London, and in accordance with which Mr. Reid passed an Act in New South Wales. Now, the six States not having altered in any way whatever except that they speak with one voice, Mr. Reid contends that this unity justifies him in going back upon the policy of the Empire to which he belongs. If that is to be the "Yes-No" attitude of the free-trade leader,, all that I can say is that while I am prepared to follow him. on the question of free-trade to a certain limited extent, I am not prepared to follow a leader who plays such tricks as this at such a time in connexion with a matter with which the interests of the Empire are concerned. It appears to me that so far from federation being a means whereby we can carry out some other policy than that agreed upon in London four years ago, , the argument bears in exactly the opposite direction. As Senator Downer has pointed out, it was really in view of the accomplishment of federation that this earnest conference took place. It was because federation was coming, and Australia would soon speak with one voice, that Mr. Chamberlain desired to lay down the lines upon which we should legislate in order to keep our colonies white.

Senator Glassey

- Is Mr. Chamberlain to be allowed to dictate to the Commonwealth of Australia ?

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Senator DOBSON

- I am afraid that the bitter hostility to Mr. Chamberlain that is entertained by many politicians lies at the root of the objection to this policy. But I do not think that we have any reason to be unfair to Mr. Chamberlain. I have watched his career for many years, and if every honorable senator is not proud of this man as a living, progressive, democratic statesman, then I am ashamed of their democracy. However, I will leave Mr. Chamberlain to take care of himself. He is well able to do it. I repeat that it was in view of the accomplishment of Federation, and because Australia would soon be able to speak with a united voice, that Mr Chamberlain and the six Premiers determined upon this line of policy. Therefore, the only thing we have to consider in this Bill, is the method by which we shall secure a white Australia. Australia cannot be perfectly white. Is it not now almost white enough for anyone? I find that in 1891 there were 51,900 aliens of all descriptions in Australia, and I understand that the statisticians say that during the last ten years the number of these people has not increased to more than 70,000 or 80,000. Considering the extent of this vast continent, with its tropical and semi-tropical regions, and that the Commonwealth has been asked to take over the Northern Territory practically, because it has been found impossible to develop it with white men - the climate being- such that black fellows only can work there - there is no occasion for hurrying on legislation of this kind. If we were to listen to the speeches made by some honorable senators in the labour party we should imagine that the whole country was being flooded by coloured races ; that we were going- to have our homes wrested from us; that our civilization was going to be lowered, and our morality tainted. These are exaggerations which exist only in the minds of certain honorable senators, and as Senator Downer has said, they find louder expression at election times than at any other period. Let me refer to one or two remarks made by Senator Pearce, who, from his point of view, made an excellent speech. He said that in his desire to obtain the positive exclusion of the coloured races, he thought the Imperial Government ought to be behind us, and that it should agree to an Act for total exclusion, which we were justified in passing. Does he understand where that phrase carries him to ? It means that he desires that the 3,750,000 of Australian people, who have been given this magnificent territory by the Empire, should dictate the policy of the Empire to the 40,000,000 at home. Could anything be clearer or more inconsistent? Could anything have in it more of the Little England or the Little Australian than a policy of that sort? Are the 3,750,000 people in Australia, who contribute £162,000 a year to the defence of this mighty Empire, to dictate to the 40,000,000 of people who

contribute £30,000,000, and who, instead of asking us to pay £6,000,000, which is our rightful contribution, are content to take £162,000 as a sufficient contribution? Could anything be more extravagant than the idea that this young nation, which has hardly been born, or at all events, is having a great struggle at its birth, should dictate the policy of the Empire? Is Australia in a position to say what the diplomacy of the Empire should be? Have we any men here who are trained in diplomacy? How have the nations progressed but by arms, commerce, energy, and diplomacy. How has Russia advanced of recent years? Is not her progress due to her aggressive diplomacy? Almost month after month for the last ten years she has been gaining advantages over other nations, and doing things that other nations have watched with envy, simply because of her diplomacy and by reason of the negotiations and influence of her statesmen. I am almost inclined to think that this young nation of ours has no right to talk to the Imperial authorities about the question of diplomacy, because really we know little about it. Does it not appear to be unreasonable that on this point above all others, in regard to which we have had so little experience, we should attempt to dictate to the mother country? We have never had to deal with any nation. "We speak to Downing-street through our State Governors, and we receive replies from the Secretary of State for the Colonies. We have never had an hour's experience of what it is to deal direct with the nations of the world, and it is farcical to imagine that 40,000,000 of people are going, to follow the lead of this little Commonwealth in a matter which brings them face to face with the nations of the world, and may bring about great embarrassment.

Senator De Largie

- What are the opinions held by the 40,000,000 in regard to the question of a white Australia 1

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Senator DOBSON

- The English race have been governed always to a great extent by phrases, and if ever there was a phrase which, quite independent of its merits, governed a people, it is this phrase of "a white Australia." I shall do my best to make Australia white, but I believe that it is unjust to shut out the lascars, and the wrong way of fighting for a splendid and admirable principle. Can the honorable senator say that, although the people of Australia and the 40,000,000 at home may believe that Australia should be white, there are not two or three ways in which that whiteness may be secured? Does he not know that there is a wrong and a right way of doing everything? Has not the British Government a right to expect some continuity of policy on the part of this young nation? Are we fit to take advantage of that splendid Constitution which they have given us so readily if we cannot settle upon a policy in which Australia may speak unitedly just as the Empire may speak? It seems to me to be monstrous that when the Secretary of State for the Colonies informs us that the Imperial Government do not want to see men excluded from Australia on account of their race and colour; that he does not want our "fellow Indian subjects" - those were his words, and they are our fellow subjects - to be insulted; that he does not want an insult to be cast on a friendly nation like Japan, with whom he says the Imperial Government desire to continue on friendly terms, we should refuse to pay heed to these considerations. He indicated a way in which our object could be carried out, and when our State Premiers have agreed to that proposal, is it not ungenerous and unstatesmanlike to say that we are to have no continuity of policy in this direction - that a white Australia governs us because it governs our elections! If we appeal to the Empire we cannot do that. I hope the good sense of the Senate will revolt against such a course. I hope that if Senator McGregor proposes his amendment he will only propose it in order to allow a discussion to take place upon it, and that he will recognise that as an Imperialist he must have some regard for the Empire. Let me point out what may be some of the risks of embarrassing the Empire. The British trade with China is about £35,000,000 a year; with Japan it is about £11,500,000; and with India it is about £60,000,000. Does it not strike honorable senators that if we will not have free-trade in human beings, that if we insist - as we have insisted in China, where we have blown down forts, and attacked the people themselves, because they would not trade with us - on having trade relations with Eastern nations, those nations will say in return, "If you cannot take our men with our goods; if you cannot allow a reasonable number of us to follow the trade which follows the flag, then we shall not take your goods, nor shall you come to our country to look for the goods out of which you make enormous profits." I am not here to say what China or Japan would do if we were to slap them in the face with an insulting piece of legislation. We all know, however, that when we insult a man, that man will take care to adopt a course which will inflict an injury

upon us, regardless of the injury which he may inflict upon himself. If Japan finds that after all the warnings we have received from her Consul in Great Britain - who is of far greater importance than the Consul here - that in spite of the despatches from the Imperial authorities, indorsed, as far as we know, by the Japanese Consul - we insist upon casting this insult upon a friendly nation, the time may come when she will make representations to the Secretary of State for the Colonies in regard to what we have done. Then representations may come out here, and we may find ourselves in the position of having to undo our work. We may have to rescind what we have passed, because we have hurried into legislation which we cannot defend on Imperial grounds. Even if it does not come to that, the Japanese Government may refuse to allow English ships to trade in Japanese ports. Why should they give England benefits, and receive none in return? Are not honorable senators aware that there is such a thing as the comity of nations; that there are certain lines laid down which guide the nations in their dealings with one another; and that we cannot do just as we like? With every desire to keep our magnificent country for ourselves, I cannot go the length which some of my friends of the labour party desire me to go in regard to the direct method of exclusion.

Senator Harney

- Is Japan satisfied with the European language test?

Senator O'Connor

- Yes, undoubtedly.

Senator DOBSON

- I take it that Japan is satisfied with the educational test.

Senator Harney

- But an educational test which draws a distinction between Europe and Japan is one thing, and that which distinguishes between the Japanese and English language only is another.

Senator O'Connor

- The European language test is provided for in the Natal Act.

Senator DOBSON

- I understand that the consul for Japan at the Court of St. James is satisfied with the European test. May I point out that, although Senator Harney has been asking several questions apparently with the utmost sympathy for Japan, they come from him with an ill grace in view of the fact that he tells us plainly that he is going to vote for shutting out Japanese subjects from Australia.

Senator Harney

- The honorable and learned senator is going to do the same thing. I would do it honestly, but he would do it by a subterfuge.

Senator DOBSON

- We shall see about that later on. Senator Harney made a very forcible speech, but if he had read the debate which took place on this measure in another place, he would have known that all the accusations of fraud and chicanery which he made against this Bill had been used already. The charge is unjustifiable. What are the facts? The Government, as

I understand it, acting in accordance with the arrangement made with Mr. Chamberlain, introduced the Bill on the lines of the Natal Act. An amendment similar to that suggested by Senator McGregor was moved in another place but it was defeated. Then, as I understand, the committee in another place omitted the English language test which the Government, following to some extent the lines of the Natal Act, had inserted in the Bill, and substituted in its stead words providing that the test should be passed in some European language, at the discretion of the officer conducting the examination. In introducing those words I presume the Government were influenced, to a very great extent, by the request of the labour party in the other House. Having lost the amendment by which they desired, in one or two direct sentences, to exclude from Australia all coloured aliens, the labour party adopted this stringent test. There was some justification for it.

Senator Harney

- Is there no distinction between leaving Japan in the company of Europe, and in putting her on a different footing? If the test is in the English language Japan is left in good company. If it is to be in some European language, a distinction is to be drawn between Japan and Europe.

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Senator DOBSON

- What is the use of my honorable and learned friend wobbling like this ? Why does he throw questions at my head, as though every Japanese had an interest for him, in view of the fact that he is going to vote for the amendment ? I am perfectly willing to be cross-examined by some one who is prepared to go in the same direction as myself. The terms which honorable senators have been applying to this Bill, "fraud," "deceit," "chicanery," are, it must be remembered applied, not to the Bill as introduced by Ministers, but to the Bill as altered by the other House. Senator O'Connor spoke very plainly and clearly, and I think we should thank him for the explanation he has given. I think honorable senators have taken up his language too strongly. Members of the labour party say that the Bill would not be effective, but Senator O'Connor showed how effective it might be made under certain circumstances to which I am about to refer. The Prime Minister stated that it was not the intention of the Government to apply the Bill in the way which Senator Harney has described as a fraud and a deceit, but that generally the test would be applied in the language of the immigrant seeking to enter the Commonwealth. But coming back to senator O'Connor's words, and I do not desire to shrink from their effect, what may take place may be much more drastic. The amendment to clause 4 was moved by Sir Malcolm McEacharn and supported by the labour party, because Mr. Chamberlain had said that if it was thought right the test might be made more effectual as an educational test. Of course, we can always put the screw on under an educational test, by asking a man questions which he cannot answer, and the other House was following the lines of the Imperial authorities themselves, when the more strict amendment was agreed to. Dealing with what Senator O'Connor has said, I would ask honorable senators to suppose the case of three or four educated Italians endeavouring to enter the Commonwealth. If the police had received word that they were anarchists, would not honorable senators be prepared to thank their stars if we had an Act which would allow a Customs officer, without any bother whatever, to prevent their coming here to ply their damnable trade ? If such men were coming here, this Bill would allow us to keep them out. Suppose that when Russia was turning out the Jews a shipload of educated Jews of the tailoring class came here who could speak the English as well as the Russian language. If, in our opinion, they were absolutely undesirable immigrants - and every case under this Bill will stand upon its own merits - they could be kept out under this clause. That is what Senator O'Connor pointed out. As a matter of fact, when desirable Europeans come here they will be allowed to enter, but whenever any undesirable immigrant attempts to enter the Commonwealth this test can be made absolutely effectual to prevent him. I am sure that if labour members will think this over, they will find that it is absolutely effectual. One honorable senator says that it is, and another that it is not, but it can be made most effectual. And then there is the language of Mr. Chamberlain to fall back upon, that if it is not as effectual as is desired it can be made more effectual. The whole effect of the law will depend upon the administration. Senator Harney has objected to the Bill, because it depends so much on administration.

Senator Harney

- "Why not say directly - " All persons shall be excluded at the will of the administrative officer " 1

Senator DOBSON

- Would the honorable and learned senator prefer the cast-iron way suggested by Senator McGregor ? Would he like to see a list prepared of the people who may not come in - a list of the coloured races, whether Asiatics or not - and to have the Japanese put down on that list ? That is the very thing Japan complains of - that these races should be mixed up together, and that the Japanese should be put down as no better than African niggers. My honorable and learned friend places himself upon the horns of a dilemma, because he gets back again to the very thing from which the Secretary of State for the Colonies begged us to keep clear.

Senator DAWSON

- We think that the Japanese are not good enough to come here.

Senator DOBSON

- It will be admitted that the recent progress of Japan has been perfectly marvellous. I desire to point out that it would be a very good thing for the workers of Australia if a few educated Japanese, or educated men of airy race, came here. We know perfectly well that Japanese goods are favoured in Australia, and that young people look for them as wedding presents. I know that whenever a shipload of those goods comes into the State I represent they are quickly sold. It appears to me that those who try to build a wall

around Australia to prevent the workmen from competing with any one but themselves will only succeed in diminishing their usefulness and skill ; and that while thinking they are legislating for the benefit of their race, they will only do what will belittle it.

Senator Millen

- That is a good argument for voting against the Bill.

Senator Harney

- For having no bill at all.

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Senator DOBSON

- I am speaking of the educational test. Senator Smith began by saying that he did not approve of the educational test. It is a test that I thought everybody could approve of, if it could be made effectual enough, and it has been clearly shown that it can. We cannot progress except by means of education. Do we not know that if England is losing a little ground here and there it- is because of the superior knowledge and commercial training of the German, or the superior inventive faculty of the American? To make education the test for entrance into our Commonwealth is, to my mind, a most statesmanlike idea, and I hope that under no circumstances whatever shall we depart from that principle.

Senator MILLEN(New South Wales).As the Vice-President of the Executive Council very correctly remarked in moving the second reading of the Bill, it is quite unnecessary for us to say anything at this stage as to the object aimed at. I propose, so far as the habit of interjection, which seems to be a growing one in this Chamber, will permit, to confine myself to viewing the Bill from two stand-points. First of all, I propose to examine it to see whether or not it can be accepted as a fulfilment of the pledges given to the electors prior to the election. I think I am well within the mark when I say that at least nine out of ten of those who solicited the suffrages of the people pledged themselves to all that is implied in the term "a white Australia." The pledges thus given were frank and full, and I venture to say that the response given by the constituencies was equally definite. I go further, and say that the utterances of the Government upon this point showed the least ambiguity and the nearest approach to courage which was to be found in any of their speeches dealing with the many subjects in their all embracing programme. Whether they intended it or not I feel perfectly satisfied that the people of my own State at least accepted those utterances as meaning prohibition. The proof of this is that that portion of the Government programme passed without challenge. Can it be supposed for a moment, seeing the amount of opposition that has been created by the proposed educational test, that if it had been thought that the Government intended anything but prohibition, there would not have been a challenge from some of those who were seeking the suffrages of the electors of that State ? Whether the people of New South Wales rightly interpreted the Ministerial utterances on the subject or not, it must go without question that at least they did interpret them as meaning that the Government pledged themselves to a white Australia, and pledged themselves to the prohibition of aliens. Does this Bill satisfactorily fulfil the pledge of those whose votes were given on the strength of it in support of the Government or of individual members ? We have only to look at the title - " A Bill for the restriction of undesirable immigrants," and I say that if such terms had been employed at the time of the election very few of those in my own State who used them in contradistinction to terms which implied prohibition would have been permitted to enter this Chamber.

Senator DAWSON

- There would not have been one in Queensland.

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Senator MILLEN

- I speak with more confidence of my own State, but I believe I am right in saying that, generally speaking, these remarks apply to the whole of the Commonwealth. It may be contended, as it has been, that the method proposed by this Bill means prohibition. But whatever might be said in support of the arguments put forward in that connexion they would have had a great deal more to commend them if they had been addressed to the electors before they cast their votes rather than afterwards. Holding that view I cannot accept the Bill as a satisfactory redemption of the election pledges of the Government, and I certainly cannot accept it as a satisfactory fulfilment of my own election pledges. For that reason I shall have a great deal of pleasure in supporting the amendment of which Senator McGregor has given notice. I propose now to deal with what I conceive to be the four principal arguments put forward in support of the

method which this Bill proposes. The first argument is that the method proposed in the Bill, that is the educational test, will be effective without being offensive. The second argument addressed to us to induce us to adopt this method is that by adopting it we can secure prohibition by administration. The third argument is that by this method we consult Imperial convenience ; and the fourth is more in the shape of a threat than an argument - that unless we do adopt this method we shall be confronted with the Imperial veto. I propose to examine these four contentions. As to the first, that the educational test will be effective without being offensive, I should like to remind the Senate of the remarks addressed to it by Senator O'Connor in proposing the second reading of the Bill. He pointed out that it was extremely desirable that we should give no unnecessary offence. In that I agree with the honorable and learned senator. Every honorable senator must agree that it is desirable to give no unnecessary offence to any one, friends or enemies. It should be the desire of every community, as of every individual, to get along in life with as little friction as possible ; but this first argument is altogether destroyed by the second contention, that we can make the Bill prohibitive by administration. I would ask how we can make it prohibitive by administration unless we set up that very invidious distinctions, which will create the very offence which we are told it should be our object to avoid ? I admit at once that so far as the language of the Bill is concerned we might avoid especially distinguishing one race from another. But, when we come to administer it, in what position will we be found 1 The invidious distinction which we are requested not to set up in the Bill, we are told is to be set up when we come to administer it. Japan may take it as complimentary that she has been singled out for special reference in this debate ; but Japan would see that, while we were admitting hundreds of people who were ignorant and unable to read or write, we were making an invidious distinction by applying the test not only to her own people but to all the people of the Asiatic races. Surely it is idle to say that by this educational test we shall avoid making invidious distinctions 1 We should make them, and, I submit, in the most offensive way possible. Senator O'Connor showed, indeed, how completely offensive this method must be made to become effective, when he spoke of the ample power conferred by the Bill upon the officer called upon to administer it - and, of course, the officer means the Government behind him. He said that the officer would be clothed first with the power to select the individual to whom the test was to be applied. That is the first invidious distinction which we make as against Asiatic races, and we are supposed to believe that they will not mind that a bit - that whilst they will see a man of European race, uneducated, being allowed to enter our ports, they will have no objection to our blocking men of their race provided that it is done by means of an educational test. The second power of the officer is that he is to have the option of selecting the European language in which the immigrants we desire to prohibit shall be tested ; and the third power is that he is to have the right to select the passage to be dictated. We need not mince our words or disguise our real purpose. It means that if a Japanese came along who could speak English, we should apply the test in some other language. What about the invidious distinction, what about unnecessary offence there 1 If we had racked all the ingenuity of man to devise a scheme which would be purposely and unnecessarily offensive, we could not have succeeded so well as have those who drafted clause 4.

Senator Sir Frederick Sargood

- And yet they are satisfied ?

Senator MILLEN

- I challenge any honorable senator to produce the slightest evidence of satisfaction on the part of the Japanese, or any other Asiatic race. I challenge any one to produce any evidence to show that Mr. Chamberlain is satisfied with it. These statements that they are satisfied are not only unsupported, but there is evidence to the contrary. Whatever evidence there is - and it is very slight, I admit - has been presented by a gentleman who is entitled to speak on behalf of the Japanese, and he, a resident, does not say that he is satisfied with it. His remarks were to this effect : that the Japanese were satisfied with the English test because it placed them only on the same footing as other people not English, but that they did object to anything which made an invidious distinction. Can it be contended that this Bill meets the views expressed by that gentleman 1 I am not saying that we are bound to consult his views. I only mention the fact in answer to Senator Sargood's remark that the Japanese were satisfied with this test.

Senator Sir Frederick Sargood

- I was referring to the English language.

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Senator MILLEN

- There comes in the whole point of the thing. In the one case you put a simple test - to the Russian, the German, the Japanese, the Chinese, and the Hindoo alike. But under this thimble-rigging Bill you find out first of all what language the immigrant speaks, and then you are careful to test him in a language he does not know. The deceit which the Bill attempts to perpetrate is altogether too thin to mislead anybody. The people against whom it is aimed must see clearly enough that we are trying to do in a round-about way, by a subterfuge, that which for some reason or other we have not the common honesty to do straightforwardly. It appears to me to be as different as hitting a man in the face and sneaking up behind him and kicking him.

We are asked to believe that while if we hit a man in the face he will feel it to be an insult, yet if we adopt the other method he will go away perfectly satisfied, and feel that his honour has not been in any way touched. I have sufficient faith in the capacity and intelligence of the Japanese to believe that they can understand that clause just as well as can those who propose or support it. Some figures have been quoted as proving the educational attainments of the people against whom it is directed. They show that, whilst some generations ago it may have been correct to refer to these people as uneducated, it is not correct to do so now. The fact that they have a considerable measure of education - which is rapidly increasing - will, I submit, make them very much more sensitive when we propose to keep them out, nominally, because they fail to pass an educational test, while we admit people whose education is of a much lower standard. It has been pointed out that in India there is a very considerable number of people who are entitled to regard themselves as educated. Let me point out how rapidly the number is increasing. From 2,196,000 in 1886 it had grown to 4,357,821 last year. That is a very remarkable rate of increase, and it is due not only to the great desire of the people to obtain education, but to the improved educational facilities which have been created by the Government. A commission was appointed by the Indian Government to inquire into the whole subject, and this very suggestive synopsis appears in the Statesman's Year Book -

Since the appointment of a commission in 1883 to investigate the whole system of education in India, the results have been to place public instruction on a broader and more popular basis, to encourage private enterprise in teaching, and to provide that the education of the people shall advance at a more equal pace, along with the instruction of the higher classes.

As education spreads in India, so must the capacity of the people to understand the methods of our legislation, and so, I venture to think, will increase the natural resentment which they must feel when they come to understand this measure. In Japan, where elementary education is compulsory, and is, I understand, just as complete as it is in Australia there are 7,709,424 children of school age with an average attendance of over 4,062,418 at 26,824 schools, and instructed by 83,566 teachers. In Japan, as in India, the number is not only large, but it is increasing rapidly. It has been more than doubled since 1882; children attending the schools have increased much more rapidly than has the population. In addition to the schools I mentioned, there are 1,853 other schools ranging up to the universities with 11,050 odd teachers, and nearly 212,597 pupils, and these schools, I suppose, correspond with our higher grade schools. In 1898, 20,814 books and 829 periodicals were published. Of the periodicals 464,458,141 copies were issued. When such a number of books and periodicals are published they must find readers. The nation is very much better qualified than, with one or two exceptions, are the nations of Europe to submit to any reasonable education test. Yet, this fraudulent educational test is aimed at a people who, compared with those who will be passed in, will be highly educated. The Japanese will not only understand the deliberate insult which is aimed at them, but will resent it, and think a great deal less of us than they would if we had adopted a straight-out prohibitory method. In Australia there are enrolled in public schools 797,000 children, and in private schools 141,000 children, making a total attendance of 938,000. Compared with either India or Japan, our pupils number less than one-half of the pupils in those countries. Of course, the population has to be taken into account, but still these figures show that they have every year a very considerable accession to the number of people who are entitled to be regarded, even according to our standard, as educated. But even if this deceit be successful, I submit that it is entirely unworthy of us. We know what we want and mean. From Senator O'Connor, who submitted the Bill, to every one who has spoken, there has not been the slightest hesitancy in saying what we mean, which is that by administration or by some other method there shall be prohibition. Senator O'Connor

quoted a despatch in which Mr. Chamberlain pointed out the high ideals which had always animated the people of Great Britain in matters of legislation. They made no distinction on account of race or colour, and he asked us, out of consideration for those high ideals, to avoid specially prohibiting the admission of people on that account. It is rather a pity that when he was dealing with high ideals of British statesmanship, he did not remember what to me has always appeared to be the highest ideal of all, and that is that before the law all men are equal, that once a law is passed, it must be administered absolutely impartially. We are invited, not under stress of any sudden circumstances which might oblige any Government to strain the law, but deliberately to pass a law which is to be partially administered. We are told that it is to be a law to be applied to one man and not to the other.

Senator Harney

- It ceases to be a law then.

Senator MILLEN

- Yes, and it becomes either the whim of the officer or the sport of passing circumstances. Over most of our courts we have the emblem of the blind goddess holding the scales of justice. But if this Bill is passed, and is administered as we are told it is to be, we shall have to represent the goddess with one eye partially open, and, to complete the caricature, with her tongue in her cheek. It should be the last duty of Parliament to attempt to practise dishonesty in its legislative methods. In their school-books our children are taught by the mottoes they copy that "honesty is the best policy," but here we are asked to inscribe in our statute-book - "practise deceit when expediency requires it." I can be no party to that proceeding. In passing from that phase of the subject, I must complain of what appears to me to be systematic carelessness in presenting matters to the Senate, the effect of which is to mislead. In the Bill before us, as in other Bills which have been introduced into the Senate, there are marginal notes, the effect of which is to suggest that the clauses against which the notes are placed are exact copies of Acts in force in the different States. In this instance honorable ' senators will find that there is a marginal note giving references to the Natal Act and the New South Wales Act. The only inference to be drawn is that the clauses are practically reproductions of sections of those Acts. As a matter of fact, such is not the case. Not only do I complain of that, but I venture to say that the Vice-President of the Executive Council was himself, consciously or unconsciously, misleading the Senate when he asked us to believe that the education test imposed by this Bill, is the education test enforced in other States. I say that this test is not enforced anywhere.

Senator O'Connor

- I explained the difference between the Western Australian and Natal test and the test imposed by this Bill.

Senator MILLEN

- But the honorable and learned senator said that he asked the Senate to follow a plan against which no objection has been urged where it has been tried. Where has the plan proposed by this Bill ever been tried?

Senator O'Connor

- It is substantially the same.

Senator MILLEN

- I propose to show what little substance there is in that statement. This plan is absolutely different from any other. The great difference between the Western Australian Act and the Bill now presented to us is, that in this measure the officer has the selection of the language, whereas, under the Western-Australian Act, the applicant for admission has the opportunity of selecting it. There is all the difference between those two plans. I do not mean to say for a moment that Senator O'Connor purposely used words which were intended to deceive the Senate, but probably in his desire to get his measure through, he used words which had that effect. .

Senator Dobson

- The honorable senator has had a parliamentary paper in his pigeon-hole for weeks giving him a synopsis of the whole of the Acts upon this question.

Senator MILLEN

- But this very parliamentary paper contains a misleading statement. It incorrectly says that the Bill now before us contains a clause in a certain form, whereas it contains nothing of the kind.

Senator Dobson

- Because the paper was; circulated before the Bill was amended in another place.

Senator MILLEN

- I know that the explanation probably is that the paper was prepared for another place, and we have had belated copies of it supplied to us ; but at the same time, it is not a correct paper.

Senator Dobson

- The honorable senator should not make charges of deception on slender grounds like that.

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Senator MILLEN

- There is absolutely no similarity between the test proposed by this Bill and that of the New South Wales and Natal Acts, as any one who compares them will discover at once. I repeat that the distinction is that in the one case the Bill does not lay down any general principle which any applicant for admission can ascertain and follow, but leaves it to the option of a Customs officer - which means the Government - to settle what shall be the particular test applied ; whereas in the other cases the applicant for admission has the selection of the language in which he shall be examined. Under this Bill, if it is found that an applicant for admission is proficient in one European language, the Government may examine him in another.

Senator Best

- Does the honorable senator admit that this test is more severe than the New South Wales Act ?

Senator MILLEN

- I object to it because, to use a term which I employed just now, it is simply a piece of thimble-rigging, which may be worthy of the race-course, but is altogether unworthy of the Parliament of a great country. Let us lay down , a principle embodying what we propose to do, but not say to a man - " You may come here knowing two or three European languages, but we will still trip you up, because we will examine you in a language which you do not know." It is in this respect that the chief defect of this Bill consists. What we desire to do is to avoid invidious distinctions, and giving offence to Eastern people. Yet we propose to make the most invidious distinction possible. I have yet to learn that Mr. Chamberlain approves of the method proposed by this Bill. I do not believe that the Imperial authorities will pass the measure with this objectionable clause in it. I do not think they will have a chance of doing so ; but if this Senate should give them a chance, I feel certain that, for the reasons I have mentioned, and for the reasons which Mr. Chamberlain has given, the King's Ministers will decline to advise him to give his assent to it. The whole foundation of the objection to the education test here proposed, is that it will make a distinction against people with whom the Imperial Government is in friendly alliance.

Senator Best

- Did not the Natal Act do so ?

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Senator MILLEN

- No, because it applied the same test to all people, whether they came from Japan or from Germany or from France. Under this Bill that is not done. If a Japanese comes along and says that he knows English, French, and German, the Government may test him in Russian. Yet they say that is not making an invidious distinction against the Japanese ! I ask the question fairly - Do the Government mean to aim at keeping out the Japanese solely? If a Japanese comes here knowing English, do they intend to let him enter? If so, the Bill does not impose the prohibit on which the Government claim that it does. Now I come to the 'third argument an support of this measure. It is that as part of the Empire we ought to consider Imperial convenience. I admit that at once. We ought to go slow, and approach with a great deal of caution any policy, that would be likely to create complications for the Empire, of which I presume Australia is proud to form a part. But the people of Australia, who have to work out their own destiny, must be the judges of what is " Imperial convenience," and when it should be allowed to override Australian rights. We must be the judges as to whether a matter which appears urgent to us is to give way to " Imperial convenience," or whether "Imperial convenience" is to give way to what we consider to be necessary to our circumstances. In this case, I should like, following the lead of Senator Higgs, to briefly quote from some remarks made by the late Sir Henry Parkes. I must 'regret that we. have no one to-day, at any rate in this Government, who manifests the same robust recognition of the rights of Australia as Sir

Henry Parkes undoubtedly did on the occasion to which I refer. I quote from a cable which he despatched to the Secretary of State for the Colonies, at the time when there was danger of the landing of a large number of Chinese in Sydney. He said -

It will be seen that while this question scarcely touches the people of the United Kingdom it vitally concerns those in the colonies.

It is one thing for "Imperial convenience" to be concerned about a matter which cannot and does not present itself to the Imperial Government as it does to us, and quite another thing for that matter to be determined in accord with our interests. This question of alien immigration is of vital concern to us. It is a question of the utmost importance. But to the people of Great Britain it is merely a question of convenience. Under those circumstances, we, speaking for the people of Australia, have the right not to force our views unduly against Imperial interests, but to see that our views are fairly put before the Home authorities before we do as this Government has done, and accept "Imperial convenience" as our only guide in the matter. Suppose we consider this question of "Imperial convenience" in relation to other matters. If we had been bound by such considerations the Imperial authorities would probably have still been sending their criminals to Australia. They only ceased sending them here when Australia frankly said that it would not receive them. "Imperial convenience" would have justified the Imperial Government in sending those unfortunate people here to the end of time had not the Australian people, seeing more clearly ahead than the Home authorities, uttered a protest which the Imperial Government did not hesitate to observe. Then, take the case of Chinese immigration restriction. It was not only New South Wales which had that difficulty to contend with, although I only speak for that State, because I know the circumstances.

Senator Best

- The difficulty originally arose in Victoria.

Senator MILLEN

- And the Victorian people handed their Chinese on to us in the same generous, federal manner that has always characterized them. Probably this is a matter which some of those who have spoken, like Senator Downer, would at the time have described as being merely a question out of which some people were trying to make political capital. But there was something like a revolution in Sydney over the question of Chinese immigration. A large and excited crowd, on one occasion, walked down Macquarie-street, stopped opposite Parliament House, and protested against what they believed to be the evil. A most acute situation was created, and the Government had to deal with it in a very drastic manner. If we had considered "Imperial convenience" at that time, Sir Henry Parkes would never have suspended the standing orders, to enable him to pass a Bill through Parliament at one sitting. But he took the view that I am now putting, that Australian rights and privileges are paramount even over "Imperial convenience."

Senator Sir Frederick Sargood

- At all costs %

Senator MILLEN

- I do not say "at all costs," but we must be the judges, and balance one consideration against the other. We, being entrusted with the inestimable privilege of self-government, must not, the moment there is a whisper of "Imperial convenience," sacrifice what we believe to be the vital interests of Australia. Let me mention 21 k 2 another case when "Imperial convenience" came into touch with colonial interests. There was the question of the Canadian seal fisheries, which was acute some years ago. The Imperial authorities made an agreement with the United States authorities at Washington, and Lord Salisbury actually cabled his congratulations to the President of the United States on what had been done. But the British Government bargained without Canada. The result was, that upon a protest from the Canadian Government, the British Government absolutely had to nullify the agreement arrived at. That situation arose because the Imperial authorities, viewing the matter through Imperial spectacles, and necessarily consulting "Imperial convenience," had agreed to something which was detrimental to the interests of Canada. Another matter which occurs to me as illustrating the same point is the difficulty that arose as to the arbitration about Venezuela. In that case an agreement had been arrived at - I think by Mr. Gladstone - to submit the matter in dispute to arbitration. When Lord Salisbury came into power he declined the arbitration with the United States. Then what happened? The Imperial Government did not in that matter reflect the views of the Imperial people. Public opinion in England overruled Lord Salisbury and compelled

his withdrawal of his objection to arbitration. In fact, public opinion forced him into the arbitration which he had previously declined. I mention that as further proof that His Majesty's advisers are not always correct interpreters of public sentiment. What proof have we that in this instance Mr. Chamberlain correctly interprets the views of the British Empire? Mr. Chamberlain is a gentleman for whom I have a profound respect. He occupies a high position, which entitles us to give all due weight to his words. But his utterances are not to be accepted as final.

Senator Sir John Downer

- Why do we want to bother a man who has treated the colonies so handsomely? He is the best Colonial Minister we have ever had.

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Senator MILLEN

- I do not dispute that for a moment. I will come to the matter of the conference with Mr. Chamberlain in a few minutes, and probably I shall then be able to explain the doubt as to which Senator Dobson has spoken, and to show the Senate what was really the attitude of the man whom I am proud to recognise as my political leader. In regard to the matter of consulting Imperial convenience some remarks have been made which suggest that those who would adopt prohibition are in some way or other wanting in a fair measure of loyalty to the old country. That is an unwarranted slur. There can be no question about the loyalty of Australia, yet if Australia were polled to-morrow it would be found that there was an overwhelming majority in favour of the direct prohibition of coloured aliens as against the educational test. The loyalty of Australia has passed beyond mere words. It has been proved. No one is prouder than I am that Australia has proved her loyalty is something more than mere lip-worship. True loyalists, however, are those who, knowing the sentiment of Australia, seek to crystallise it in plain, simple, honest language. They are those who are refraining from doing anything which would create the slightest friction between Australia and the mother country. I venture to think that friction and ill-feeling will be created throughout the Commonwealth if it is known that this educational test is adopted, not because we believe it to be the best, but at the suggestion of Downing-street. If it becomes known, as it must become known, that we adopt the educational test simply because the Imperial authorities have suggested it, and not because we believe it to be the best course to pursue, it will not tend to solidify the union of the Empire. I am proud to regard England as the place of my birth, and in saying that I am not in any sense wanting in loyalty to my adopted country. I should like to make one or two further quotations from the remarks made by Sir Henry Parkes, in order to prove how unjustifiable is this suggestion of want of loyalty on the part of those who desire direct prohibition instead of the educational test.

Senator O'Connor

- Who has made that suggestion? I have not.

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Senator MILLEN

- Appeals have been made to us to assist the mother country, and to remember what she has done for us. The only inference to be drawn from such appeals is that it is considered that those who adopt the educational test provided in the Bill possess a larger measure of loyalty than those who would adopt a course which might cause some trouble. Sir Henry Parkes said -

I say this with the most earnest desire to preserve the integrity of the Empire, with as loyal a feeling to Her Majesty the Queen as any other man among her subjects; but we must be loyal to ourselves - we must be loyal to the Constitution under which we live; and the only way in which we can be true to ourselves as Her Majesty's free subjects is to show that we have a lively appreciation of the great liberties - the great privileges - which we possess, and which we will never forfeit, or suffer to be impaired.

I take my stand upon that declaration. Loyalty to the Empire is not impaired by loyalty to the country in which we live. It becomes our duty, first of all, to consider what are the interests and desires of the people whom we represent, and then to consult Imperial convenience as far as we possibly can. Senator Dobson spoke of the incident of 1897, and endeavoured to suggest that Mr. Reid had been guilty of a "Yes-No" attitude because, whilst he then introduced into, and passed through, the New South Parliament a Restriction Bill providing for the educational test, he now seeks to apply the principle of direct prohibition. Let me give the House briefly the history of the incident. When he introduced that Bill, Mr. Reid had done what this Government have not yet done. He had made an effort to secure the adoption of the proposal

for direct prohibition. He had passed through the Parliament of New South Wales a Bill which applied direct prohibition. What effort has this Government made in that direction ? Mr. Reid went to England, where he, with other Premiers, had an interview with Mr. Chamberlain. No doubt it was an interesting and pleasant interview, in which few of us have been allowed to participate. I do not know what was said, but I can quite understand what would be the force of the arguments used by Mr. Chamberlain. Mr. Reid, who had failed in his effort to secure direct prohibition, told the House on his return . of the purport of that interview. He pointed out that, in the Bill which he proposed to introduce, provision would be made for an educational test, which, he said - as this Government has said of the measure now before us - would practically secure prohibition. He said, also - and it is here that I want to amplify the interjection which I made when Senator Dobson was speaking - that we were within reasonable reach of federation ; that if we adopted the educational test it would secure the exclusion of most of the undesirable people ; and that we had only to wait for a short space of time when United Australia would be. able to ask for and to obtain that which had been refused to a single State. That was the principal argument which induced the New South Wales Legislature to accept the Bill. It is somewhat to be regretted that Senator Dobson did not look further into the attitude taken up by public men on that occasion in his search for a " Yes-No " policy. Let us lie aware of the fact that some of the gentlemen whose policy he now supports were then supporters of the principle of direct prohibition ; that Mr. Barton and Senator O'Connor, as members of the Legislative Council of New South Wales, were part and parcel of the Parliament which passed the measure containing the provision for direct prohibition 1 I regret that what they then agreed to pass, as private members of the State Parliament, they have not seen fit to adopt as members of the Federal Government. My chief complaint against the attitude of the Government on this occasion is not that, after all other efforts have failed, they have resorted to this method, but that they have adopted it without making any attempt to secure direct prohibition. Had they first brought in a Bill for the direct prohibition of undesirable Asiatics ; had the Royal assent been refused to that measure ; and had they been forced, after negotiations with the Imperial authorities, to adopt the present proposal, I should have been with them in saying that this was the best we could do in the circumstances. But nothing of the kind has occurred. Not only was Senator O'Connor careful to say that Mr. Barton had not taken his views on this question from Mr. Chamberlain, but that Mr. Barton held his present views before he knew of those entertained by the Secretary of State for the Colonies. Was it becoming on the part of representatives of Australia that, before they knew that the Imperial authorities held any strong views on the matter - before they were aware of what was the Imperial convenience - they absolutely jettisoned that which they knew to be the desire of the people they represented 1 They have brought forward a measure which is not the measure promised by them when before the electors. This has been their policy since the elections, but it does not appear to have been their policy when the elections were taking place. Coming to the question of the possibility of the Imperial veto, let me say at the outset that I cannot help regarding the free use which has been made of that threat as something distinctly indecent. The threat of a veto of any sort in the Parliament of any self-governing colony is altogether out of time nowadays. It suggests the time of Walpole. Improper use has been made of it, more particularly in view of the fact that we have no assurance that the Imperial Government accept the educational test provided in this Bill. We have some proof that they would accept the test provided in the Natal Act, but not that the test contained in the Bill before us would be agreeable to them. It has been pointed out that the Royal assent has been refused to several Bills because they discriminated against certain coloured peoples. That is quite true, but what does the history of those Bills mean ? It simply amounts to this : That when a State had passed a Bill once, and the Imperial authorities declined to accept that Bill, the State did not persist in the matter. It would be different altogether if we persisted in our desire. I scarcely think that I shall be contradicted when I say that, if a Bill providing for direct prohibition were sent Home by us and vetoed on the first occasion, and that if representations on the subject were then made by the Government to the Imperial authorities, or if Parliament re-enacted the measure, there would be no second veto.

Senator Harney

- It is one thing to veto a State Bill and another thing to veto a Commonwealth measure.

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Senator MILLEN

- It is one thing for the Imperial authorities to put back a measure once, and quite another thing for them

to put it back a second time, when it has been made manifest that it represents the desires of the people. There is no reason to fear a veto, because if after this debate, and the close division which took place in the other House, the principle of direct prohibition were adopted by the Senate, I do not think the Imperial authorities would shut their eyes to the fact that there was a pronounced public sentiment here in favour of that measure. If they did, then it might become the duty of Parliament to re-enact that measure, or for the Government to make such representations as would cause the Imperial veto to be withdrawn. There is one point upon which I should like to elicit some information from Senator O'Connor. He spoke as though there was some great merit in the fact that the Bill was elastic in character. It is that very quality which gives me some measure of alarm. Its elastic provisions when administered by a Government with a tender regard for "Imperial convenience" might lead to the admission of coloured persons who were British subjects. Is this elasticity allowed to remain in the Bill in order to enable coloured people who are British subjects to enter Australia, as at present? I interrupted Senator O'Connor when he quoted some figures with a view of showing that very few aliens were arriving in New South Wales. Not long ago a large number of North-Western Province men, who were racially Afghans, but who happened to have been born on the Indian side of the border; arrived in New South Wales by ship. There was no way of stopping their landing at the time; because, although the educational test was in force, they were British subjects.

Senator O'Connor

- When was that ?

Senator MILLEN

- Since the present Act was passed. They came in under a contract which provided that they should be paid at the rate of £6 per annum, and that they were to work for a term of six years-. The moment that they landed in Sydney that contract was re-made, in order that it should be a New South Wales one. The men were taken before a stipendiary magistrate, the contract was read over to them, and they signed it in his presence. When taken to Bourke to drive camels, some of them revolted. They were put in gaol, and an effort was made to secure their liberation.. I was instrumental in raising some funds for their defence, but it was found absolutely impossible to do anything for them. They were imprisoned until they went back to work.

Senator O'Connor. - Was that after 1898?

Senator MILLEN

- If the honorable and learned senator says that the Act was passed in that year, I suppose it was. It was certainly not later than that year. There were 40 of these men, and they were British subjects. If the educational test is adopted, do the Government propose in the administration of this measure to apply it to British subjects ?

Senator O'Connor

- Undoubtedly. I have said' so already.

Senator MILLEN

- Probably I do not possess the faculty for interpreting language.

Senator O'Connor

- My language is plain.

Senator MILLEN

- But sometimes it has a double meaning:

Senator O'Connor

- I do not know what convolutions of language there may be in the mind of the honorable senator, but I spoke plainly on the subject.

Senator MILLEN

- I read a press report of Senator O'Connor's speech - the only report which was available to me - and it left a slight doubt in my mind whether he intended to imply that his Government would apply the test to Asiatics who were British subjects as well as to others. Of course he is very careful to lay stress upon the desirability of not giving offence to those British subjects.

Senator O'Connor

- I never said anything that could suggest that in the remotest degree.

Senator MILLEN

- No doubt he did not, but the honorable senator did not suggest that they would not apply it in that way.
Senator Charleston

- Did the honorable and learned senator speak for the Government or for himself ?

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Senator MILLEN

- For the Government, I assume. I accept the honorable and learned senator's statement, and I am sure the House will, as being a straight declaration of the intention of the Government. The elasticity of clause 4 is one of my chief objections to it. We might not always have a Government in power prepared to apply it in that way. It might happen that at some time " Imperial convenience " would be greatly concerned in a certain direction, and at some suggestion from the Mr. Joseph Chamberlain of the time, we might have a Government that would admit these people in small numbers at first, but numbers that would grow. I want to see put down here a statement that will settle the question once and for all, and I want an indication from this Senate that we are not going to leave it to the option of an officer or a Minister, or to any influence that might be exercised from London. I have spoken longer than I intended, but I should like to add, with regard to a remark of Senator Downer's that the matter is not urgent, that the urgency and danger of the matter is this : In spite of the fact that public sentiment is overwhelmingly against the introduction of coloured people, wherever we go in Australia, we find people contending,; perhaps not openly, but still contending, that the door ought still to be kept open. That, tome; is the danger. I cannot disguise from, my self the fact that the speech of Senator Downer shows the danger. We have had another speech of the same kind from Senator Sargood, and we know that throughout. Australia there are gentlemen occupying high positions who, if they had their way, would still keep the door open for the introduction of. these undesirable immigrants. That is the danger; and that is the reason why we should be definite in dealing with this question. For that reason I shall vote, as I hope the Senate will vote, for such direct prohibition as will stamp upon the statute-book once and. for all; a statement of the fact that there are people with whom we cannot assimilate ; people who are not like ourselves in colour, immorals, or in civilization, and that there is no room, for them here. While we wish to be on the best relations with them at a distance, we are not prepared to admit them to Australia, because we are not prepared to extend to them our franchise and privileges. If that feeling is shared by honorable senators, it becomes our duty, quite irrespective of party obligations or "Imperial convenience," to crystallize in this Bill the views which we hold, and which we believe are the views of those whom we represent.

Senator BEST

- Speaking at so late a stage of the debate one cannot help but feel a little embarrassed, by reason of the fact that, whether from the stand-point of one side or the other it is necessary to some extent at least, to repeat or emphasize the arguments used by earlier speakers. I think the Senate may. be congratulated on the high standard of the speeches delivered on this occasion; and a most excellent lead was given in that respect by the able and comprehensive speech of the Vice-President of the Executive Council. I feel, personally, a very considerable amount of interest in this question. It revives in my mind many of the fights of some three, four., or five years ago, when it became my duty, as the member of a Government administering the department of immigration and emigration, to introduce on behalf of that Government, a measure substantially on the lines of the Bill now before the Senate ; a measure practically taken from the same model, and in pursuance of the agreement made between the Australian Premiers and the representative of the Imperial Government. What has struck me most in the present debate is the extraordinary difference, so far as opinion is concerned, public and otherwise, between that period and the present. I am glad to recognise that at the present time there is an almost universal demand for regulation or restriction, such as is provided for in this measure. At the time I had the honour to introduce the measures to which I have referred, I was accused of all sorts of ultra radicalism. From the Conservative section of the community there was a substantial voice of protest, and a more potential silent influential working against the passage of any measure of the kind. Clause by clause we had to fight the measure through the Victorian Legislative Assembly. It came, at last, to this august Chamber, wherein the Legislative Council of Victoria met, and from them it met with no sympathetic treatment. The result was that the measure as first introduced was rejected. We then fought it through our Chamber again, and sent it on to the Legislative Council with the same result. One reason given for its rejection was, that as federation was close at hand it was undesirable that a measure of this kind should be dealt

with by this State; notwithstanding the fact that some three or four of the other States had already passed measures in pursuance of the arrangement with the Secretary of State for the Colonies, to which I have referred.

Senator Sir Frederick Sargood

- And because the Bill introduced in Victoria differed from some of the others.

Senator BEST. - And because our Bill substantially followed the lines laid down by Mr. Chamberlain. I would ask my honorable friend whether he, as a member of the Legislative Council of Victoria, would have been a party to the passage of a Bill on the Natal model, as recommended by Mr. Chamberlain ?

Senator Sir Frederick Sargood

- Whether I would then?

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Senator BEST

- Whether the honorable senator would then ? I ask him whether he thinks the Victorian Legislative Council would for one moment have entertained it?

Senator Sir Frederick Sargood

- I may say that the select committee recommended that the Bill passed in New South Wales should be adopted. Such a Bill would have been passed, but the Bill introduced here differed from it.

Senator BEST

- The Bill was to some extent emasculated in New South Wales, but the Bill to which I refer followed the Natal model, as recommended by Mr. Chamberlain. Apart from that, as one is naturally very much disposed to follow a measure on lines which one has previously approved, I am going to vote for the Bill introduced by the Government, because I most sincerely believe that it will be effectual in every respect. I would say, further, that I do not think the Senate would be justified in passing the measure unless it were perfectly satisfied that it would be effective. One of the strongest speeches delivered on the subject was that of Senator Harney. I must confess at once that his genial and plausible delivery, combined with extraordinary subtlety of argument, is calculated to captivate unsuspecting senators like myself. But my honorable and learned friend was not satisfied with a mere criticism of the Bill. He, above all others, taunted the leader of the Senate upon his "intellectual calisthenics," but I think my honorable and learned friend might fairly have looked at home, because I venture to say that we have had no more skilful exhibition of mental agility than was afforded by the speech of Senator Harney himself.

Senator Millen

- There should not be a mono ply of it on the other side.

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Senator BEST

- I am pointing out that there is a strong rival on the Opposition side, and it is perhaps jealousy that prompts me to make the remark. On two or three occasions during the course of his speech Senator Harney indicated his real attitude upon the question, and showed that he was opposed to any exclusion whatever. However, he said he had thought the matter out, and that ultimately when clothed in his right mind, he had seen that the coloured races could not fairly or reasonably expect to be allowed to co-mingle or mix with the Australian manhood. The honorable and learned senator saw that there was a danger, but he only arrived at this conclusion through very difficult contortions of mind. Subsequently he said that, while ready for exclusion, he was yet unprepared to vote for the Government measure ; in other words, that he was going to vote against it, although he himself had to admit that to some extent, at all events, even from his stand-point, it would be partially effective. If the honorable and learned senator was not prepared to vote even for the second reading of the measure, I venture to think that that indicated that he was not strongly desirous of promoting the amendment suggested by Senator McGregor. Senator McGregor prefers to have placed in the lines of the Bill a prohibitive provision, and Senator Harney was most cautious not to commit himself to prohibition. He was most careful not to indicate to the Senate exactly what he intended to do when the amendment came to be considered. The honorable and learned senator was also careful to tell us that, so far as he could, he would take good care that this measure was rejected altogether, so that there should be no opportunity whatever for its amendment. I do not say that it was his object to avoid any such opportunity, but the fact remains that if the Bill was rejected on his vote there certainly would be no opportunity for any effective effort towards regulating what we claim to be a

most undesirable immigration. I do not know whether there are many other friends of Senator McGregor's on the other side of the Chamber who have the same feelings in regard to this measure. It may so be that the honorable senator on this occasion will secure the support of allies, who, for the purpose of enabling the measure to be emasculated, will give him a vote in the hope that it will not meet with ready acceptance when it gets to the old country. In his preliminary remarks, one or two arguments fell from Senator Downer which surprised me a little, but I think that ultimately he answered himself. First of all he protested against this cry of a white Australia as a mere political cry, but afterwards he said that there seemed to be an almost unanimous demand throughout Australia for a measure of regulation or restriction which would effectively deal with this important subject. He drew attention to the fact that throughout this continent there are millions of acres unoccupied, and, as Senator Harney pointed out, there are millions of subjects of other countries looking with a greedy eye on that unoccupied territory. Senator Downer protested that these alien hordes should be prevented from effecting its development. In my judgment Australia would rather that those millions of acres should remain unoccupied than that its British population should be tainted by the inroad of aliens, and that is the position the people of Australia take up. The citizens of this Commonwealth, acquired and colonized by the British Empire, have a right to claim a voice in its development, and if we look with apprehension, from the stand-points of national character, of purity of race, of standard of civilization, to what is likely to be the result of an inroad of Chinese or Japanese, we cannot too early take every precaution to avoid the contamination and deterioration which would necessarily result. Senator Downer also protested that there is no urgency in regard to this Bill. I congratulate the Government on taking the earliest opportunity to introduce the Bill, because I feel that they cannot too soon deal with the subject when they have the formation to some extent of the characteristics of those within their keeping. We cannot take too early an opportunity of dealing with this matter, knowing the disasters which are likely to follow if we do not. Senator Downer said that there is no analogy so far as America is concerned, but I venture to think that there is a very striking one. We cannot look to that object-lesson without the gravest fears and apprehensions. A little time ago a few hundred Africans, in a Dutch ship, managed to find an entrance into the territory of America, and they have developed into 10,000,000 negroes, and are now American citizens, not necessarily the servile race which originally they were. From the labour as well as the social stand-point these negroes have proved a menace to the community, and they constitute the biggest social problem which America has yet had to deal with. They have been the occasion of appalling bloodshed throughout that territory. Can we look upon an object lesson of that kind, and not take the earliest steps to prevent the possibility of such a thing occurring within our shores! Senator Millen reproached the Government for not fulfilling its pledges. I have a copy of the Maitland speech, in which the Prime Minister said -

I have now come very nearly to the end of my remarks, but at this stage I must say a few words about a very important subject, that of a white Australia. Legislation against any influx of Asiatic labour we shall regard simply as a matter of course.

Then he went on to deal with the Polynesian question. That practically furnished the programme of the Government as regards a white Australia. The question of method was not then discussed in any way, but if any honorable senator who had taken notice of what had transpired between Australia and Natal and the Imperial Government had inquired as to the likely method to be introduced, what would his reply have been? The method had been discussed at the Colonial-office, and so the public of Australia had a right to infer that the Government would proceed upon the lines as agreed to between the Premiers of the Australian colonies and the Secretary of State for the Colonies. That is what would be prominent in the minds of any politicians who had given any consideration to the subject, and practically the Government have carried out what they were reasonably expected to do, and in a way which they had a right to do, having regard to what had transpired. Senator Harney and Senator Millen, in their vehement denunciation of the educational test, said that it is more offensive than the colour test. They have a perfect right to their own opinion, but the Senate is justified in giving authority to the utterances in writing and otherwise of Mr. Chamberlain on this subject. We may at least assume that when he spoke he knew what he was talking about, having regard to the external and internal conditions of the Empire. When it was discussed in 1897 it was not a new question to Mr. Chamberlain, but one which he had had to consider some months previously. He spoke with the utmost deliberation, and, no doubt, after full consultation with the Cabinet. Natal had passed a Bill directed specially against the coloured populations

of other nations, and the Royal assent had been refused. A measure on the lines of the Chinese Act had been passed by New South Wales, and the Royal assent had been refused. These matters were immediately before the conference and the real object was, if possible, by friendly consultation to come to a modus vivendi in regard to the differences of opinion between the colonies and the Imperial Government. Mr. Chamberlain said to the conference -

This is a matter, I am sure, for friendly consultation between us. As I have said, the C010113' of Natal has arrived at an arrangement which is absolutely satisfactory to them.

Senator Millen

- This is not that arrangement though.

Senator BEST

- I do not think that any honorable senator can reasonably come to the conclusion that there is such a substantial difference between the Natal Act and this Bill as to warrant any objection on the part of the Imperial Government. I have no doubt in my mind on that point, though of course I may be wrong:

Senator Sir John Downer

-This Bill is much stronger, though.

Senator BEST

- It is stronger; and some measures which have been assented to by the Imperial Government are stronger than the Natal Act, and this was within the immediate contemplation of Mr. Chamberlain.

Senator DAWSON

- Supposing that there is a change of Government.

Senator BEST

- In these matters frequently there is a continuity of: colonial policy, and I do not suppose that there is any likelihood of a change of Government within the period necessary for the passage of this Bill.

Senator Stewart

- Mr. Chamberlain has turned about twenty somersaults.

Senator BEST

- We in Australia and the people in colonial possessions generally have a right to look upon Mr. Chamberlain as a friend. He has proved at all times that he is in the fullest sympathy with ourselves, and he has yielded under many trying conditions to the wishes of the people of Australia, and of other colonial possessions.

As I have said, the colony of Natal has arrived at an arrangement which is absolutely satisfactory to them, I believe, and remember they have, if possible, an even greater interest than, you, because they are closer to the immigration which has already begun there on a very large scale, and they have adopted legislation which they believe will give them all that they want, and to which the objection I have taken does not apply, which does not come in conflict with this sentiment which I am sure you share with us ; and I hope, therefore, that during your visit it may be possible for us to arrange a form of words which will avoid hurting the feelings of any of Her Majesty's subjects, while at the same time it would amply protect the Australian colonies against any invasion of the class to which they would justly object.

Senator Harney

- Does this form of words do the two things which he mentions ?

Senator BEST

- Undoubtedly, this form will be effective. These words are stronger than the Natal words. The question therefore is, are we substantially following the Natal model? That form is practically placed before us by the Colonial Secretary, and it is that form which we are trying to follow. The Natal model is as follows : - Any person who, when asked to do so by an officer appointed! under this Act, shall fail to himself write out and sign in the characters of any language of Europe an application to the Colonial Secretary in the form set out in the schedule.

Senator SirFrederick Sargood

- Who selects the language?

Senator BEST

- That is the point I am dealing with.

Senator Millen

- The applicant for admission selects the language.

Senator BEST

- Who says so? This Act does not say so. The language may be selected by the officer himself.

Senator Clemons

- The honorable and learned senator is quite right, but the languages to be selected are attached to the schedules in the Natal Act, and are known to any one.

Senator BEST

- Then the Government is guilty of the heinous crime - seeing the weakness of the Natal Act - of introducing a measure which would cure the defects of that Act! We have the assurance of the Government that this Bill will be accepted by the Imperial Government. The New South Wales Act says - Any person who, when asked to do so by an officer, &c, shall fail to write out in his own handwriting in some European language, and sign an application to the Colonial Secretary, in form set out in schedule (as in Natal), or in a form of similar purport, proclaimed from time to time by the Government in substitution of the form set out in the schedule.

Then the Western Australian Act says -

Any person who on being asked to do so by an officer shall fail to himself write out in the presence of such officer in the characters of any language of Europe a passage in English of 50 words in length, taken by such officer from a British author, and to append his name thereto in his own language.

The language of the Bill before us is as follows : -

Any person who when asked to do so by an officer fails to write out and sign in the presence of the officer a passage of 50 words in length in any European language dictated by the officer.

Senator Millen

- There is the whole difference.

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Senator BEST

- Do the fears and apprehensions of honorable senators opposite arise from the fact that this Bill is more severe and rigid than the Natal Act?

Senator Millen

- No; from the fear that the offence we desire to* avoid will be given by the thimble rigging of this Bill.

Senator BEST

- My honorable friend need not be afraid of the offence, because he himself said¹ that that was not the matter which concerned him. This is a matter as to which the Imperial Government has some concern. According to my view; in this Bill the Ministry have substantially followed the general education test and* the model of the Natal Act; but if they have gone beyond that model they have simply made it more severe. I submit that, from my honorable friend's stand-point, he cannot justly and reasonably object to the Bill from that point of view. Now, I want to point out, as showing the justification of the Government for what they have done, that they had to deal with a sympathetic Colonial Secretary, who has indicated conclusively that he has determined to make the restriction effective if this Bill will not do so. Here are his words -

We quite sympathize with the determination of the white inhabitants of these colonies -

I especially emphasize those words -

Which are in comparatively close proximity to millions and hundreds of millions of Asiatics, that there shall not be an influx of people- alien in civilization, alien in religion, alien in customs, whose influx, moreover, would, most seriously interfere with the legitimate rights of the existing labour population.

First of all he has expressed himself in full sympathy. Then he goes on -

An immigration of that kind:, must, I quite understand, in the interests of the colonies, be prevented at all hazards.

The Colonial Secretary said it must be prevented at all hazards, and assures us that if the lines upon which he has laid down the model are not effective,, it will be his duty to advise the Imperial Government to assent to something more drastic. I read that to be the meaning of his words. Then he says -

And we shall not offer any opposition to the proposals intended with that object, but we ask you also to bear in mind the traditions of the Empire, which make no distinction in, favour of or against race or colour.

Senator Millen

- Which the Government propose to do by administration - the very thing Mr. Chamberlain asks us not to

do.

Senator BEST

- The point I am making is that the Colonial Secretary has conclusively indicated- his sympathy with our object, and that he has said that an influx ' of this- alien, population, must be prevented at all hazards.. Consequently, when my honorable friend takes exception to the more severe test that is proposed by the Bill, and expresses fears and apprehensions as to- its non-acceptability by the Imperial Government on that score, he practically ignores what has been said by the Colonial Secretary; and his apprehensions are- plainly groundless. The point was emphasized by Senator Millen that there- is no guarantee that this Bill will be accepted if it is passed in its present form. What are the prospects ? As this Bill goes in for the principle of the educational test; and as we have the verbal and written expressions of the Colonial Secretary, I would ask my honorable friend are not all the probabilities- in favour of the acceptance of this measure rather than of a Bill containing the- prohibition which honorable senators- opposite- seek to include?'

Senator Millen

- If Senator Best asks my opinion, I reply that after the debate in the two Houses, I do not believe that the Imperial Government will agree to either proposal.

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Senator BEST

- In my opinion, at all events, the Colonial Secretary having himself, laid down the least embarrassing lines from, the Imperial; stand-point, we have every reason to hope for the immediate acceptance of the Bill. In addition to which, the Prime Minister has only recently returned from England, and he has taken many opportunities of assuring another place, and of otherwise mentioning-, that the Bill as now prepared will be acceptable to the Imperial Government. Therefore as practical men. we have to inquire as to the probabilities. Is it not more desirable, when we have the lines of such: legislation laid down, that we should accept something which would be immediately assented to by the Imperial Government? Is it not from the practical standpoint more desirable that we should adopt this Bill, even if we regard it only as an instalment ? The former views of the- Colonial office have only recently been confirmed in the Queensland- despatch which has been read by the Vice-President of the Executive Council. There the Colonial Secretary urges in so many words- the educational test, and gives the assurance that if it is not sufficient, then more severe- and drastic measures will be entertained. As to what has- been said by Senator Millen and others about the educational development in Japan, India and China, I do not think there is in that objection any serious grounds for apprehension as far as we are concerned. Because, if as I have pointed out, the test is not sufficient, surely the time will rapidly come when we can cure any defect that exists in that direction by more drastic measures.

Senator Clemons

- How 1 On the same lines ?

Senator BEST

- It might be done by an educational test, or it might be necessary to directly adopt prohibition, as has been suggested. But the method adopted by this Bill is believed by many of us to be effective. As it has already proved effective, and as we have the direct promise of the Imperial Government that if it is not effective further measures will be sanctioned, what is there to be fearful of 1

Senator DAWSON

- Has the passage of English to be varied, or is it to be a set passage 1

Senator BEST

- According to the terms oi the Bill, the officer can demand that the immigrant shall write out 50 words in any European language. Of course the passage will be varied. I suppose that some honorable senators sympathize with the horror and indignation exhibited by Senators Harney and Millen with regard to the "subterfuge" which it is said is attempted by this Bill. The English vocabulary was almost exhausted by them in their expressions of alarm. They .said that the Bill was "a fraud"; that it was a "species of organized dissimulation"; that it was a piece of " chicanery " ; and all sorts of other objectionable phrases were used about it.

Senator Stewart

- Well, is it not ?

Senator BEST

- I do not think it is anything of the kind. Honorable senators must realize the position of affairs. We, as a part of the British Empire, are endeavouring to get a measure which will restrict the influx of Asiatic peoples. The Imperial Government have to give their assent to that measure before it can be passed. They say, therefore, that so far as concerns anything appearing upon the face of our measure, we must not do anything that will unnecessarily embarrass the Imperial Government. That is the first answer to honorable senators opposite. The second is that we have to administer the measure ourselves. The Imperial Government does not attempt in any shape or form to interfere with or dictate to us as to how we shall administer the Bill. They agree with us as to what the form of words shall be on the face of the measure as it goes to the world ; they know what our object is, and sympathize with it ; they say, "We will assent to this particular form of Bill, and you, enjoying responsible government, can administer it just exactly as you like." The administration of the measure is part and parcel of the form of government that we enjoy.

Senator DAWSON

- They say - "We will send you all our Asiatic hordes, but will not take them ourselves."

Senator BEST

- There is nothing to prevent Asiatics going to England. But I want my honorable friend to distinguish. Our relations with the British Empire require that we shall agree with the Imperial Government as to the form this legislation will take. They only presume to discuss and settle what that form shall be. Once having secured that form, then it is for us, enjoying responsible Government, to act within the limits of the statute, as so assented to. I venture to say that, having the freedom of administration such as we possess in this connexion, we can administer it according to our own ideas. This Parliament and the Commonwealth generally would resent any attempt at dictation on the part of the Imperial Government as to the way in which we shall administer our own affairs.

Senator DAWSON

- It is a matter of legislation, and not of administration, that we are discussing.

Senator BEST

- I have sought to draw the distinction. We consult the Imperial Government about the form of legislation. If the form of legislation is satisfactory to us, then comes the question of administration. It is for us to undertake that administration in any way we think proper.

Senator DAWSON

- We are dictated to in the first instance as to what the legislation shall be.

Senator BEST

- I do not agree with my honorable friend. The British Government have sought to carry out our desires in a way which I think will prove thoroughly effective.

Senator Harney

- This is not a law if it does not apply equally all round.

Senator BEST

- It is a law so far as the form of the statute is concerned.

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Senator Harney

- It is not a law of the land unless it is applicable to every one in the land.

Senator BEST

- Technically it will not be universally applicable.

Senator Harney

- Therefore it is not a law.

Senator BEST

- But technically it is. The question of administration is one solely for us to carry out according to our discretion. Then comes the further objection raised by Senator Harney that it is all very well for us to be passing this measure, but that it will be read together with Hansard, and he pointed out the fact that certain representatives of the Japanese nation were even in the gallery at the time. If it is desired to ascertain the mind of the Government, and the intention of this Bill, Hansard will possibly be read in connexion with the law, but may I point out to my honorable and learned friend that some five Acts of a

character similar to this Bill have been passed already, and that Hansard has been read, no doubt, in connexion with those five Acts ? Everything that has been said in this Parliament upon this Bill was said, no doubt, when those several Acts were being passed in the State Legislatures. The intentions of those Acts is well known, and yet, although they have been in force for some four or five years, there has never been any powerful protest against them on the part of friendly or other nations. Why, therefore, need the Commonwealth be so apprehensive in this direction?

Senator Sir Frederick Sargood

- Perhaps, wisely, the authorities do not look at Hansard.

Senator BEST

- That may be so. They are only justified in looking at the Act as it is passed. Consequently, looking at the Bill as it is proposed to be passed, we have the assurance of Mr. Chamberlain, who is in a position to know, that it is not objectionable from either an internal or external stand-point. The next question is whether it will be effective. I must confess that if I were satisfied that it would not be effective I would not be found supporting it. It is because I am thoroughly convinced that it will be effective that I support the measure now, as I have supported similar measures in former years in the State Parliament. We are justified in looking at the experience of other countries in this connexion. The Premier of Natal has given his personal assurance to more than one of the Premiers of the Australian States that the Natal Act has been completely effective. That fact cannot be disregarded. Natal, perhaps, is more largely affected by this question than we are. The Premier of that colony, as recorded by the Prime Minister elsewhere, gave that gentleman his assurance - and I know that he also informed Sir George Turner - that the Act in force there had been completely effective. Then we turn to the Australian States in which similar measures have been in force. With the exception of Western Australia, to which reference has been made by Senator Pearce, we are justified in saying that experience has shown that these Acts have accomplished what was sought to be achieved by them. When Senator Pearce took exception to the Act in Western Australia, I do not think he did so on solid grounds. It is true he mentioned that some 396 aliens had arrived there during the operation of the Act, many of whom might have been former residents returning but I would ask him to say, after reading, the provisions of the Western Australian Act, whether he could not make it completely effective if he had to administer it. Let me draw attention to the wording of the principal section -

Any person who, on being asked to do so by an officer, shall fail to himself write out in the presence of such officer, in the characters of any language of Europe, a passage in English of 50 words in length, taken by such officer from a British author, and to append his name thereto in his own language - shall be a prohibited immigrant. Does not Senator Pearce think that if the putting of that test had been in his hands, he could have excluded every one of the 396 aliens to which he has referred ?

Senator Pearce

- I say the Customhouse people are not as sympathetic as I am in this direction.

Senator BEST

- That is beside the question. I understand Senator Pearce to say that with such a test as this he could have kept out those people!

Senator Pearce

- Yes.

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Senator BEST

- Then is my honorable friend going to say that the law is wrong because of laxity of administration? He must admit that this is a form of law which is in itself effective. He must not blame the law because of the laxity of administration. If there is such laxity in the Commonwealth, then the Senate has a right to call to task the Government which permits it, and Members of Parliament are themselves responsible if that laxity obtains.

Senator Clemons

- I shall indicate otherwise presently.

Senator BEST

-I shall be very pleased if my honorable and learned friend will show me in what way they are not effective. I have shown that they are not only effective but in harmony with the desires of the Imperial

Government.

Senator Sir Frederick Sargood

- They may be absolutely effective.

Senator BEST

- If properly administered. The colonies have to legislate with due regard to their obligations to the British Empire. As loyal subjects, we feel that we have a positive duty in that connexion. When we pass a law we have to consider how it will affect the Empire internally and externally. We feel that the Imperial Government have a right to some voice in the matter. From an internal stand-point the Imperial Government have said that they are trustees for the Empire. They have pointed out that the Empire includes not only the Australian colonies, but likewise the Indian possessions, and that as trustees for the Empire they do not consider that they should assent to a measure which on the face of it appears to be directed against our Indian fellow subjects. (Consequently they urge, from this sentimental stand-point, that some consideration should be given to their wishes. Then, from the external point of view, they say that the colour line is objectionable if applied on the face of the Bill to friendly powers. If there is a reasonable prospect of the proposals of the Government - which are at least congenial to the Imperial authorities - being passed, why should we insist upon a measure which we know will be objectionable to them. This is a matter to which we should give careful consideration, having due regard to all surrounding circumstances. I hope that honorable senators will

Senator Millen

- I suppose it was absurd to imagine that the Government could have done such a thing.

Senator BEST

- I can hardly believe that the Government would be unwise enough to attempt anything of the kind in view of what has taken place. What would have been the attitude of my honorable friends on the other side if they had done so?

Senator Millen

- What would have been the attitude of the honorable and learned senator? He would have supported the Government just as he is doing now.

Senator BEST

- I can well imagine what would have been the attitude of honorable senators on the other side, who ostensibly entertain such strong sympathy for the amendment suggested by Senator McGregor. The Government have acted wisely in what they have done. They have acted in consonance with the wishes and desires of the Imperial authorities. I agree with Senator Millen that there is no question of loyalty involved in the attitude which we take up in regard to this Bill. It is a mere matter of discretion as to whether our sympathies are strong enough to lead us to yield to the representations of the Imperial Government. Senator Millen has referred also to the action taken by the Imperial Government in connexion with Canada and Venezuela. That does not touch the point before us in any shape or form. Action in those cases was guided by the individual circumstances. In this connexion the Imperial authorities have pointed out clearly and conclusively what are their wishes and desires. It is for us to acknowledge, at least, that the Imperial Government know a little more of these matters than we individually can know.

Senator Millen

- I mentioned those two incidents to show that they did not.

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Senator BEST

- The honorable senator also pointed out that in his opinion the Imperial Government had no right to speak for the British people - that there was no guarantee that they were in harmony with the wishes or desires of the people of Great Britain. But if he considers for one moment, having regard to representative Government as we know it exists, they may properly and justly be regarded as the mouth-piece of the British people. I have heard of no protest from the British people against what they had said upon this subject extending over several years. I should be very glad if Senator McGregor could see his way to withdraw his amendment. I point out to him that in passing a measure in harmony with the wishes of the British Government we shall, at least, be securing a substantial instalment of what we desire. He may regard it, if he chooses, as an experiment, but he is also obliged to remember what the

Secretary of State for the Colonies has promised in reference to further more drastic measures if this is not shown to be completely effective. The Government have themselves made this a vital question.

Senator Clemons

- They have made other questions vital questions in both Houses.

Senator BEST

- It may mean, of course, that this Bill may be dropped, or the Government placed in difficulty. Can we adequately picture the grief and anguish of my honorable friends opposite who are supporting Senator McGregor with a new-born zeal in the event of such a contingency happening. Look at what a calamity that would be from their stand-point. But suppose that the Bill were passed with this prohibition amendment, and sent to the Imperial Government, and rejected. Look at what a disaster that would be, and how horrified it would make some of our friends opposite, who express now such care for the amendment proposed by Senator McGregor.

Senator Higgs

- Then the "feathered mercuries" would rise.

Senator BEST

- Yes; then the feathered mercuries and the phoenixes would rise. Honorable senators are, of course, justified in holding their several opinions about the matter but I trust that when the measure leaves the Chamber it will bear upon it the impression of full consideration and deliberation, and be effective in its object.

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Senator GLASSEY

- It is quite refreshing to hear from our esteemed friend, the Chairman of Committees, and members of the Senate must be sorry that the close attention which he must of necessity give to his office prevents our hearing him more frequently. I listened with that attention and care to which the utterances of the honorable and learned senator are entitled, but I am bound to confess that, notwithstanding the earnestness and vigour with which he has sought to convince the Senate of the desirability of accepting the proposal of the Government, I am, unfortunately, unable to agree with the conclusions at which he has arrived. Honorable senators have correctly said that this is a most important measure. I think it is one of the most important measures the Federal Parliament has yet had to consider, or that the Federal Parliament is likely to have to consider, and it deserves all the care and attention which the Senate has given and no doubt will give it. The subject has been a thorny and debatable one in my own State for many years, and I have myself taken a most pronounced and unequivocal stand upon it. Not merely for political reasons, but, I trust, higher and nobler reasons than those suggested by Senator Downer and others. I think one honorable senator characterized the demand for a white Australia as a mere parrot cry, and if Senator Downer did not characterize it in the same language, he said that it was merely platform business for political reasons. I am sure that those honorable senators, if they give the matter more attention and thought, will find that there are higher and more important reasons behind it. The leader of the Senate, in the excellent and lucid speech which he delivered in introducing the Bill, with the calmness, deliberation, and clearness which characterize his utterance, said, I think truly, that Australia has determined for all time that it shall be preserved for the white race. It is with no view of flattering the honorable and learned senator, because I am sure I shall not be accused of pandering to any one, that I say his utterance was the utterance of a statesman and well worthy of the high exalted position which he occupies. In saying that, I am sure I echo the sentiments of many honorable senators, as well as myself, if I do not echo the sentiments of an overwhelming number of the people of Australia. Australia, for all time, is determined that it shall be preserved for the white race, and I am sure that no honorable senator, who has emphasized those remarks wishes in the slightest degree to offer any insult to, or to wound the susceptibilities of the people of any nation, or any colour on the planet. I am sure that the sentiment finds an echo in the hearts of the people of Australia, and that it will remain not merely for to-day, but when it comes to be read in history, will be enthusiastically received by millions yet unborn, or who do not as yet inhabit this continent. I think it is a splendid sentiment uttered in fine and emphatic language. Might I suggest, in passing, that if American statesmen in the past, prior to the founding of that great Commonwealth, could have foreseen the disasters likely to overtake their great country in the years then to come, and had taken the precautions which the people of Australia are taking, the dire calamity which

overtook that great country some years ago would never have taken place. It is not a substantial argument to advance that because a mere handful of coloured people are here, it is not worth our while to take all this bother and trouble, and to take the stand we are taking. What is it for ? For the establishment and vindication of a great principle. The principle enunciated with such clearness and in ' such magnificent language as was yesterday given utterance to by the "Vice-President of the Executive Council - that this continent shall be the home preserved for a white Australian people for all time. I well remember, as I am sure other honorable senators do the great calamity and catastrophe which overtook the great American Republic away back in the sixties. I remember it as well as yesterday. I followed the fortunes of that war, and the fortunes of those who advocated for many years persistently, and sometimes with great injury to themselves, the abolition of that iniquitous and villainous system called slavery, in the United States of America. I followed the fortunes of those people with great interest, and I followed every step of that great war with the utmost sympathy for the final victory of the North American arms, which was to abolish slavery once and for ever in that country.

Senator Stewart

- British sympathies were with the south in that war.

Senator GLASSEY

- More is the pity. Speaking of Great Britain, and as one who is proud of the country, of her traditions, ' her great achievements, and proud of her flag, I say that the heart of the mass of her people was right On that great question, though some of those in high places felt and spoke differently. I say, we have America as an example to follow. Some honorable senators have said that, the two cases are not analogous. They are entirely analogous, but in one the question is old, and and in the other it is new. If we are wise, we shall make this measure as stringent as it ought to be. It is not as stringent as I should like to see it, or as stringent as I shall contribute my little share to make it when we get it into committee. If the measure is not as stringent as we should like to see it, it is . certainly a step in the right direction. The utterances of those who constitute the Government at the present time I feel are to be relied upon. Their aim and object is as distinct as ours, though they may differ as to the methods to be employed to accomplish the end we all have in view. I do not agree with the methods embodied in this Bill. I think the method proposed in the amendment, notice of which has been given by Senator McGregor, is the correct one. I do not share the opinions expressed by some honorable senators that if this Bill passes amended in that form, as I hope it will be, the British Government will veto it in consequence of that provision being embodied in it.

Doubtless there will be a protest from the British Government, but if the Australian people are resolute and determined in their purpose, as I believe they will be, the British Government in my judgment will accept the Bill. If the people of Australia were of my mind on this question - and I speak in no spirit of bravado, and certainly not by way of a threat - the British Government would have to accept the Bill in the amended form which Senator McGregor advocates.

Senator Playford

- Oh, no ; we cannot thrust it down the throats of the English people.

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Senator GLASSEY

- There would be no necessity for doing that. There is no desire to give offence to the people of India and Ceylon, or to a friendly power like Japan. It has been alleged that the people of Japan would adopt a similar policy, and keep out British people. We could have no cause for complaint if they did. I should regret their action, but I should not complain of it. I speak with every possible respect for that young and rising nation. Members of Parliament ought always to speak with a feeling of responsibility for their utterances. The Japanese are a proud and susceptible people, who have made marvellous progress during the last 30 or 40 years. I well remember the time, some years ago, when the first emissaries visited the north of England to give an order to the firm of Armstrong and Co. for the building of a war-ship. I well remember that they visited some of our coal mines, including one in which I used to work on the River Blyth. Of course they are naturally proud of the rate of progress which they have made. It has been contended that this is really a prohibitive measure. Has it been designed by the Government to keep out the European races ? Not at all ; unquestionably the design of the Bill is to keep out coloured races. Is the method which is adopted sufficient to accomplish our purpose ? I think it is insufficient to fully accomplish our purpose, and that it would be much better to insert words to convey our full meaning, hoping and

believing that the Imperial Government will give their consent within a reasonable time to the Bill. The offence which is talked about, the dangers which are foreshadowed, the fears which are announced, are, in my judgment, merely imaginary. It has been contended that a similar measure has been found effective in Natal. However the Act may have operated in Natal, a measure of similar purport has not been a success in "Western Australia. The information which Senator Pearce and Senator Harney gave yesterday must have carried conviction to the minds of honorable senators that something more substantial than this educational test is necessary to carry out our full intention. The information which they gave, and the statistics which they supplied, convinced me that the educational test has not been that success which some honorable senators would lead the Senate to believe it has been. It has been contended with much force and reason that a vast number of the Japanese read and write English. Many of them can read and write many of the European languages. The Japanese are naturally proud of the schools and colleges which they have established for the dissemination of knowledge, and in a short time a considerable number of their people will be able to write at dictation a number of the European languages. Supposing that a number of intelligent Japanese should come to an Australian port believing that they were capable of reading and writing to dictation 50 words in an ordinary European language, and that the Customs officer, perhaps a man with not too much tact or judgment, should select some obscure language which they could not write, and that the Japanese were sent away. Does any one . imagine that that would not give offence? What would the Japanese consul in Melbourne or Sydney have to say ? What would the Mikado and his Government say when the news was flashed across the water that under such conditions a number of their countrymen had been prevented from landing ? Would they not feel deeply wounded, would not their susceptibilities be deeply injured, would not the offence to them be far greater in such circumstances as those ? Let us, in distinct and respectful language, and in no spirit of bravado, say that we desire to exclude coloured races, not that we wish to quarrel or to be on unfriendly terms with them, but because we believe it has never been ordained by Providence that the two races shall live side by side and commingle, . as they would do if there were a likelihood of that assimilation taking place which some honorable senator would like to bring about. Moreover, if highly cultured Japanese should come here and settle down, and be denied the right of participating in the making of our laws, and in the administration of public affairs, do honorable senators imagine that this would not be a great offence by-and-by when this young nation had risen higher in the scale of civilization ? These are a few matters which, in my opinion, would cause no end of friction and trouble, and might ultimately lead to far greater disasters than those which have been foreshadowed as likely to occur if an exclusive amendment be embodied in our Act. Senator Harney characterized the provisions in the Bill in language which, I think, was rather regrettable, when he talked about organized chicanery, fraud, and deception. I do not think that the use of such language was warranted. Senator Harney and I agree as to the method to be employed to bring about that which I think the majority of the Senate desire. Senator Macfarlane was very clear and explicit in his opposition, and there may be others who share his opinion. We may differ in our opinions as to the practicability and the effectiveness of the proposal in the Bill, but there is no organized chicanery, fraud, and deception. I do not believe that the Government would deliberately organize deception and fraud, or practise chicanery, in order to carry out their programme.

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Senator Harney

- Is it not deception to administer with an uneven hand what you pretend is administered with an even hand to all?

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Senator GLASSEY

- If my honorable and learned friend had had a little more experience in public life, if he had had a little experience in the diplomatic service, he would use quite different language ; and if he finds a place in a Ministry, as I feel quite sure he will do if he remains in public life, he will use quite different language in carrying out his purpose, and the intention of the administration of which he will be no mean member. I say, therefore, let us not use language which can only irritate by its violence, and which can serve no good purpose. We have been told by several honorable senators that if the Bill is passed in the form in which I wish to see it passed, it will be vetoed by the British Government. We are warned of what has taken place in Queensland, where the Imperial Government have vetoed the Sugar Works Guarantee

Act. But the principle embodied in that Act, which was passed last year, is not new. It has been the policy of Queensland for nearly 20 years. If any change has taken place in regard to it, that change has been in the Colonial Office, and not on the part of the Parliament of Queensland. There are, upon the statute-book of that State, numbers of other Acts embodying the same principle. There is, for instance, the Mineral Land Act of 1882, which, in part (3), section (7), contains the following provision -

The Governor in Council may, on payment of the sum of 10s., cause to be issued, to any person, not being an Asiatic or African alien, a mining licence under the provisions of this Act.

There is a section absolutely prohibiting the Government from issuing a licence to any African or Asiatic labourer, and that Act was approved by the Imperial Government. Then take the Railway Construction Lands Subsidy Act of 1892. Section (43) of that Act says -

The company shall not employ in the construction of the railway any Asiatic or African not of European descent under a penalty of £1 for each such person for every day during which they employ such person.

The same principle is embodied in the Mining Act of 1898 - passed only three years ago. Section 30 of division 2 says -

The Government may subject to -the provisions of this Act and the regulations grant to any person not being an alien, who by lineage belongs to any of the Asiatic, African, or Polynesian races, a lease to be called a mineral lease.

There are three sections of three statutes which find a place upon the statute-book of Queensland embodying this principle. While I was in the Legislative Assembly of that State, three or four Acts of Parliament were passed dealing with the construction of railways, or the working of mines by companies, and precisely the same provision finds a place in them. I attach no importance at all to the statement that, inasmuch as Mr. Chamberlain vetoed the Sugar Works. Guarantee Act last year, the same is likely to happen in connexion with this Bill if it is amended in the direction Senator McGregor desires. A considerable controversy has taken place with regard to the number of coloured people in the different States. I will give a few figures regarding the number in Queensland. From the census returns taken just recently I particularly wish to direct attention to the small number of alien females as compared with the number of males, showing an aspect of the question which, perhaps, has not received the attention it deserves. The census returns show that in Queensland there are of Chinese 8783 males and 530 females a total of 9,313. Of Pacific Islanders there are 8,656 males and 671 females a total of 9,327. Of Japanese there are 2,115 males and 156 females a total of 2,269. Of Indians and Cingalese there are 927 males and 12 females, a total of 939. Of other alien races, not otherwise specified, there are 1,557 males and 230 females, making a total of 1,787. These figures show that the total number of aliens, males, in Queensland is 22,038. There are 1,599 females, making a grand total of 23,635.

Notwithstanding the strict measures we have taken in Queensland during recent years, the coloured alien population has increased by something like 5,000. I think the numbers were 18,000 at the time of the previous census, and now the number is nearly 24,000. If the coloured persons in the other States have increased in the same proportion, I do not doubt that the alien population of Australia at the present time amounts to no less than 100,000 persons. I direct attention to the small number of females as compared with males, and I unhesitatingly say that one of the great evils with regard to the large number of coloured aliens in our midst arises from this cause. The moral aspect of the question is well worthy of consideration. I do not wish to discuss this point at greater length, because it is rather a delicate subject, but viewing it from this aspect, and this aspect alone the question is one of serious moment, which calls for the earnest consideration of the Government of the country. I shall vote for the second reading of the Bill, to affirm the principle of the exclusion of coloured races, but when it gets into committee I shall vote with my honorable friend Senator McGregor to amend it in such a way as I have indicated. I believe that the Bill would be far more effectual and more acceptable to the people of Australia if so amended, and I am solemnly of opinion that if the British Government is approached in a spirit of firmness, combined with respect, and without any sort of boast, and are assured that the measure expresses the deliberate opinion, intention, and desire of the Australian people, the Imperial Government will offer no objection to the settlement of the question once and for all in the manner which we favour. The question is too serious to be dealt with in the kid-gloved fashion that some honorable senators would like to see. I am in favour of dealing with it effectually.

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Senator De LARGIE

- If I were to judge from the tenor of the speeches delivered by some honorable senators this afternoon, I should come to the conclusion that the white Australia question was one of no very great importance at the last election. It has been described as being a mere political cry; and those who favour it have been represented as rather hunting after popularity than anything else. While I do not presume to thoroughly understand the full purport of the question in relation to the eastern and southern States of the Commonwealth, I can with much more certainty speak of the feeling that existed at the time of the Federal elections in the western State. I can assure the Senate that there could have been no greater unanimity or enthusiasm on any subject than there was on the question of a white Australia. So much was that the case that no candidate at the election could have had a possible hope of support unless he was thoroughly sound upon this particular question. There was no counterfeiting about the cry for a white Australia in the State I represent. Every senator returned was elected upon that question. Therefore, as far as the western senators are concerned, we have no doubt whatever about our position. Perhaps that has been brought about owing to the fact that in Western Australia we have had a taste of what the Asiatic curse is. We have also had in operation here legislation similar to that proposed in this Bill, and we have found out how very deficient it is. We have thus come to the conclusion that the proposals of the Government are altogether inadequate. Senator Harney last night struck the keynote of the position so far as the educational test is concerned. We have tried it in Western Australia, and it has failed so miserably, that we are able to produce figures which, although incomplete, prove our contention. Some time ago, I asked that certain statistics on this question should be supplied for the guidance of the Senate. I do not know whether the Government has been unable to secure them, or whether they have overlooked the question, but the figures have not been supplied. I took the precaution, however, to wire to Mr. Hastie, the leader of the labour party in the Legislative Assembly of Western Australia, and a well-known politician there, requesting him to secure for me the figures which I required. He replied, that the figures had not been compiled in any uniform way so as to be of much value, but he gave me to understand that the figures which appear in the statistical abstract as read by Senator Pearce were pretty well correct. He also supplied me with figures showing the number of Asiatics who had been put through the educational test in the Western Australian Act, which is similar to that contained in the Bill now before us. Notwithstanding the fact that over 400 Asiatics have entered Western Australia during the present year, only 36 of them have been put through the educational test. Twenty out of the 36 succeeded in passing it. When more than half of the number to whom the test was applied succeeded in passing it, we can judge fairly well what we have to expect if the Bill is carried in its present form. I think these figures go a long way to prove what has been our contention from the first, namely, that the educational test is not sufficient to secure what we all desire - a white Australia. The coloured races are more numerous in Western Australia than in any other State, with the exception, perhaps, of Queensland. In Queensland they confine their attention to one or two callings; in Western Australia, on the other hand, we find them engaged in many callings. They are to be seen working as carriers and as teamsters on the gold-fields, while they are to be found working as tailors on the coastal towns and in the city of Perth. They have entered into almost every trade and calling in that State. The insinuation has been made during the course of this debate that if we insist upon the insertion of the colour test in this Bill, the Government may drop the measure. All I have to say in reply is that even if the Government drop the measure, public opinion is sufficiently strong to secure the end we have in view. If the Government drop the measure it will be all the worse for their reputation in view of the political capital which they have made out of the cry for a white Australia. A great deal of attention has been devoted also to the Imperial aspect of the question. Perhaps this is an Imperial matter, but in my opinion, it is far more of an Australian question. So far as I have been able to understand it, the people at home, with the exception perhaps of the officials in Downing-street, do not care how the question is decided. It is a matter of indifference to them. They have not given much consideration to it. It has been said that the small population of Australia is presumptuous enough to desire to dictate to the Empire in this matter, and that we want the 40,000,000 people at home to play second fiddle. I am confident, however, that not 1,000,000 out of the 40,000,000 have ever allowed this matter to cross their minds. Downing-street may have given much thought to it, but there are millions of Britishers who have not. The question naturally arises whether we are to listen to the notions of Downing-street in this regard, or to consider the demand of the electors of Australia. Putting it in a

nutshell, the question is whether Downing-street or the people of Australia are to be the governing power in this instance. So far as I am concerned, I am going to obey the wishes of the Australian people in the matter, regardless of the inconvenience which may be caused to Downing-street. I fail to see, however, what inconvenience can be caused. How would the very people to whom such frequent reference has been made - the Japanese - act if they were in the same predicament as that in which we find ourselves ? Would they have any doubt in the matter if they felt they were in danger from an influx of foreigners to such an extent that their country would be swamped by those foreigners. Would not the law of self-preservation dictate the action they should take ? Would they wait to elicit the opinions of people on the other side of the world before determining how they should meet the case ? It is absurd to say that because Mr. Chamberlain looks upon the colour test with displeasure, we should not carry out the wishes of the country. Whether it be an inconvenience to Chamberlain, or any other British statesman, I shall be prepared to vote in accordance with the wishes of the country. I should like to read some expressions of opinion given in Western Australia upon this question. They are not very long, while they are very much to the point. They come from people whose opinions are well worthy of consideration in a matter of this kind. I shall first read a telegram from the president of the Australian Natives' Association in Western Australia, which is one of the most powerful and influential friendly societies there. The president was instructed to telegraph the opinions of the society, and he wired to me as follows : -

Australian Natives' Association of Western Australia strongly supports total exclusion of Asiatics. Protests emphatically against consideration of anything but Australian interests. Let Australia's loyalty be for Australia first. ,

They know the value of the educational test in Western Australia, and an opinion coming from such a source as this should carry some weight. I admit that in Western Australia we have tried to solve this question in our own way. Whilst we have been successful to a considerable extent, I do not wish it to be considered that we have been completely successful. The Afghan carriers on the Western goldfields were so powerful and influential that they actually ran the white man off the road. The residents of the gold-fields saw that the operations of the Afghans were spreading to other callings, and naturally began to inquire whether there was not some remedy. They held meetings and determined that a boycott should be applied to the Afghan carriers. Honorable senators will agree with me that a boycott is a very ugly weapon to use, but if people are forced into a corner they have no choice but to use it. These men were forced into that position. They applied the boycott and gave notice to 'people who supported the Afghans, with the result that nearly all these coloured carriers, more particularly on the Murchison gold-fields, have been driven off. This agitation has spread to the Eastern gold-fields, and I desire to read resolutions on the subject passed at a public meeting held in the important mining town of Leonora. The meeting was presided over by the Mayor, and I have received a telegram signed by him and other citizens setting forth the resolutions carried there as follows : -

That in the opinion of this meeting the time has now arrived when steps should be taken to stay the influx of Asiatic races to the Australian Commonwealth, as their presence in our midst is detrimental to the interests of the white population.

That with a view of acting in accordance with the foregoing resolution this meeting pledges itself to refrain from patronizing Afghan carriers, or any business people employing them in the carriage of their goods, after 31st October, 1901, and that an agreement be drawn up and presented to the business people of Leonora, to that effect, for their signature.

These are some of the developments of the question in Western Australia. They are not pleasant, but they show clearly how strongly the people over there feel upon this question. In view of these signs, I think it would be wise for this Legislature to deal with the matter in a way that will render it unnecessary for the people to resort to such methods. It is not a pleasant state of affairs that such methods should be necessary in a civilized country. We should have laws in accordance with the wishes of the people. If the people are forced to take the law into their own hand in one particular direction, they may acquire the habit of taking it into their hands in other directions, and such a practice might have most unpleasant results. Therefore, I hope the Senate will insist upon the colour test being provided for in this Bill, for that, in my opinion, is the best way in which to carry out our principles.

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Senator FERGUSON

- I do not like to go to a division upon the second reading of this Bill without saying a few words. I look upon it as the most important measure that we have yet had before us. So far as I am able to judge, we are all at one as to the necessity for passing legislation of this character with as little delay as possible. I do not believe altogether in the Bill. I do not like it, but I believe less in Senator McGregor's amendment. If we insist upon pushing the matter to an issue, and carrying the Bill in the way in which Senator McGregor has proposed to amend it, delay is sure to take place. If we accept the amendment proposed by Senator McGregor, we cannot expect that the measure will receive the Royal assent forthwith. It is almost certain that the Governor-General will reserve his assent. The Home authorities will require to negotiate with us, and there is sure to be a delay of a year or so, if we do not lose the Bill altogether. We have been reminded by Mr. Chamberlain that we belong to an Empire that prides itself upon not making any distinction between man and man on account of colour. He advised the Crown to disallow a Bill which was passed last year in the State of Queensland, on the ground that there was a clause in that Bill prohibiting the use of coloured labour. In answer to a question asked in the House of Commons, he explained that a clause in that Bill was objectionable, on the grounds both of principle and policy ; on the ground of principle because it excluded on account of their colour the Indian subjects of Great Britain, and on the ground of policy because it was offensive to the Japanese, who came under the category of Asiatics excluded by the clause in that Bill, regardless of the high state of civilization at which they have arrived. That is sufficient to show us that we should not do anything which would embarrass the Imperial Government at the present time. We must remember that it is not only Mr. Chamberlain and the Imperial Government that we have to consider. We should consider the Empire of which we form a part, and we should consider ourselves in this matter. We are only a young nation, and I do not suppose there is a single honorable senator in this Chamber who thinks that we can afford to discard our ties with the old country. I do not think we are in a position to stand alone. We are only a handful of people, and we have reason to be proud of our connexion with the British Empire, and to be glad of the benefits and protection which that connexion gives us. If it were not for our connexion with the British Empire we should think twice before we introduced a proposal to debar all Asiatics from entering Australia. If our relations with Japan were those of an independent nation we should not be so ready to adopt the high and lofty tone which some honorable senators have been pleased to adopt in dealing with this question. We should not be so utterly regardless of any complication or any hostility which our action might be expected to arouse elsewhere, and which possibly would be aroused even now only that we depend so much upon our connexion with the Imperial interests. "We have every reason to be proud of our connexion with the Empire, and we should gladly recognise the source from which we derive our strength. Another reason why we should oppose this amendment is that we are dealing with a people forming a nation that is friendly with Great Britain. As regard both Japan and India, the Imperial Government is compelled, for the sake of national interests and treaty rights, to adopt a certain policy. It is a conciliatory policy which they believe it to be their duty to adopt, and it is our duty, I think, to adopt the same policy. I visited Japan twice recently, and spent three or four months there on each occasion. I can tell honorable senators that the Japanese are as proud of their nationality as we are. They are as able and capable of protecting their own interests and enforcing their own rights. We must not think that we are dealing with an inferior race when we are dealing with the Japanese. They will expect us to treat them as we should expect to be treated by any civilized nation. The Japanese have developed into one of the Powers of the world, and they are the only nation that Great Britain can depend upon at the present time in the event of complications arising in the Far East. They are a very desirable and splendid buffer for Russia, and without their friendship at the present time it is possible that Great Britain would get into greater trouble in the Far East.

Senator Higgs

- What was the opinion of the British people at the treaty ports regarding the Japanese ?

Senator FERGUSON

- I know the honorable senator's opinion well enough. I say the Japanese nation is a first-class power. They have a splendid army, and a navy equal to that of a first-class power. Their ships of war are fitted with the latest improvements, and manned by men who know how to work them. They are low-set, strong, muscular people; with pluck enough to face any enemy in the world, and we must not treat the Japanese as though they were not fit to be admitted into our country. Another matter for consideration is this : There

is a large number of British people settled in Japan at the present time. English, Irish, Scotch, and Australians are established in business in Japan and competing with her own people in all classes of business. They have liberty there to buy property, build houses, and form their own clubs. They have every liberty and freedom that they would have in Australia. It is the same in China. If honorable senators will go to Canton and Shanghai, they will find British people competing with the Chinese in every class of business. Why should not these people have just as much right to prevent our people from going to their country as we have to prevent them coming here ?

Senator DAWSON

- We do not object to that.

Senator FERGUSON

- Do we not object to it? If anything of the kind were attempted, the first thing we should do would be to urge upon the Imperial Government, if necessary, to use force of arms to compel them to let us go to their country and do what we liked there. We find a British company owning steamers trading in the rivers there. They monopolise the river trade with their steamers, on which the only white people employed are the captains and officers, because they are manned by coloured crews. We do as we like in the countries belonging to these people, but we say that they must not come near us at all. It is selfish and inconsistent, but it would not appear so selfish and inconsistent if we were contented to remain as we are ourselves. On the contrary, we find that we are now reaching out for more territory. There is New Guinea, which is the largest island in the world with the exception of Australia, and is inhabited by brown Polynesians. At the present time the British and the Germans control those people, but we are now proposing to take over the British possessions in that island, and how are we going to treat those people ? We are making the British portion of New Guinea a part of our own country, and are we not going to allow those people to come to their own country to earn a living ?

Senator Pearce

- "We are making it a dependency.

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Senator FERGUSON

- They are coming across now to the north of Queensland. They appreciate the treatment they receive there, and the opportunities of earning regular wages, and they say they are proud and pleased to belong to the new nation. I look upon the proposal as one for an extension of coloured labour in the sugar plantations in the north. They cannot possibly do any injury to the white population, but will be most valuable and useful in making a great industry profitable that would otherwise languish and die out. We shall be able to develop the richest part of our territory with our own people, otherwise it would remain a waste and a wilderness for ever. No white men will ever develop the north except with the assistance of people of that class. I have been 40 years in the tropics - before some honorable senators were born - and I know what it means. With the step the Commonwealth Government is now taking we shall be able to grow the whole of the sugar grown in the Commonwealth with our own people, and shall not require to send away £1,500,000 a year to buy sugar grown by black labour under conditions that we would not tolerate in our own country. We shall not require to buy sugar grown by black labour receiving wages at the rate of 4d. and 6d. per day. That is what the result would be if we are to carry out this proposal for a "white Australia." The "white Australia" has become a ridiculous cry, and nothing else. I say without hesitation that it is only a political cry, and I do not know what some honorable senators will do if we propose to grow our sugar with our own people in this way, and take this cry away from them.

Senator Higgs

- The honorable senator should give us all we want, and we shall then have no political capital.

Senator FERGUSON

- This "white Australia" cry is going beyond a reasonable thing.

Senator Playford

- They will get some other cry if that is taken away.

Senator FERGUSON

- I do not know where they will get it. At the present time there are 50,000 Australian native blacks in the tropics, and they are not going to be exterminated in the same way as the tribes in the south. Some of them are employed at the present time on sugar plantations on the Johnstone River and some other

northern places, and it is found that when they are well fed and taken care of they develop into good workers. The number of them employed on the sugar plantations will increase year by year. There are 50,000 of them there, and what are we going to do with our "white Australia " when they are employed? We cannot get rid of our own people, and we cannot get rid of the natives of New Guinea, because we are going to annex them, and they will form a part of our own population. Surely we shall not prevent them from earning a living in their own country? I do not wish to take up the time of the House further. I suppose we shall have this discussion over and over again. I do not believe in the Bill, but I believe less in the amendment proposed. I hope we shall have a better Bill before it gets through committee than it is at the present time.

Senator CLEMONS

- I should be glad to move the adjournment of the debate if the Vice-President of the Executive Council would consent.

Senator O'Connor

- It is too early yet.

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Senator CLEMONS

- I was afraid the honorable and learned senator would not consent, and I shall therefore go on speaking. Although he has refused what I think was a reasonable request, I shall begin my speech by saying that I agree heartily with the honorable and learned senator in his statement that this is a measure of the greatest importance. I do not suppose any one will gainsay that for a moment. All other matters which we have discussed in the Senate seem to be of mere municipal importance compared with the Bill before us. It is the first Bill introduced into this Chamber which has a distinctly international aspect. It is obviously, therefore, a Bill which demands from every honorable senator the most serious consideration. I have recognised clearly, as I suppose every honorable senator has done, that this debate on the second reading has practically been a committee debate on clause 4. I have sometimes wondered at the assumption which seems to be obvious in the mind of every speaker that we should take it for granted that every one here is perfectly satisfied in his own mind that the immediate necessity for a white Australia has arisen ; I use the term "white Australia" because its connotation is known to all of us. So far as my constituents are concerned I stand here perfectly free to vote as I like ; I stand here committed to nothing, but I stand here committed to regard my own self-respect and to vote as I think best on the measure. I have had to look round for reasons which will abundantly justify me in acceding either to the measure as it is presented by the Government, or to the measure as it may be amended. I remember that in the debate on the address in reply I, as every other honorable senator, to a certain extent touched on this question. I then said, and I repeat, that on the racial side I cannot understand any man in Australia having any doubt. It appeals to us with the very greatest force, if we consider for one moment that we have any pride in our race. I know that there are some persons to whom this white Australia means something more than an escape from racial degradation. I assume that we are all satisfied that we must avoid the immigration of aliens on that ground. But I am prepared to go further. My views on another matter, which I hope to hear discussed only when we come to it, are well known. But on the industrial side also I recognise freely and frankly that we are abundantly justified in preventing our own workmen from having to endure competition which is unfair. I believe that we are abundantly justified in refusing to plunge our own workmen into competition with any race whose methods of life and notions of civilization are so much inferior to our own. For these reasons, I think that this demand for a white Australia is well made. There have been honorable senators who have described it occasionally as hysterical and occasionally as premature. Now, the first legislation on this matter in the Australian colonies took place in 1857. Any legislation which was inaugurated so long ago as nearly 50 years is scarcely legislation which we can call hysterical. Nor, on the other hand, since we are dealing with it now in a Federal Parliament, can it be said to be previous, when it is nearly 50 years since it was first started. This demand for a white Australia has a better basis, and it is contained in our Constitution Act. It was well debated when the Constitution was being framed. There are no stronger passages in our well-known section 51 than those which relate to alien immigration. They are the very basis of this cry. They give to this Parliament full power to deal with the people of any race other than the aboriginal race of any State, with immigration and emigration, with the influx of criminals, and with external affairs. Seeing that we have that warranty in our Constitution, for any

honorable senator to say that this cry is previous or hysterical is to say a thing which cannot be justified by any evidence. I have felt it necessary to thus briefly mention the reasons for my attitude with regard to this question. "We have gone on the assumption that everyone wants the Bill, but, practically speaking, every honorable senator has omitted to say why. I suppose if we are to consider this question in the proper order of time we ought next to consider the nationalities that are to be affected. What are they ? Those nations which are chiefly affected, and about whose treatment honorable senators find the greatest difficulty in making up their minds are, practically speaking, the Japanese and the subjects of the Indian Empire. There is no nation in this year which more compels the admiration of every man of us than the Japanese. They stand out in this year as a single instance of an Eastern nation which has risen superior to all its environments and all its traditions. They are the one nation in the history of this world who have overcome that Oriental sloth which in all past centuries has been a sufficient drag on the rest of Asia, and Africa, and the whole of the world which may be described as Oriental.. Peeling as I do about the Japanese I may be asked how I can justify their exclusion by any means. Much as we deservedly admire the Japanese we all of us collectively and individually have this feeling : that we cannot marry with them or give in marriage with them. I do not think there is an honorable senator, no matter what his feelings are, who would not recognize that position as inevitable. I do not ask that it should be brought home personally to him, but I do say that were it once brought home personally to him he would say to th&#amp; Japanese - "We cannot marry with you, and we cannot give in marriage with you."

Senator Higgs

- Become a snowy white Australia.

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Senator CLEMONS

- I view the matter in a more serious way than that ; I feel in regard to that most important branch of our social life there is a bar there now, and apparently there is a bar there for ever. There is another reason. There is no honorable senator, there is no thinking man in Australia, I suppose, who. would say to the Japanese people - "We are prepared if you do come into this continent to give you full political rights." I cannot conceive it possible that I should ever be a. party to legislate so that the Japanese might exercise full political rights. There is an abundant reason why we should not have them here. One does not want to go far back into ancient history - history quite close at hand gives abundant proof of the great danger to any nation of having within its borders a number of people to whom it cannot grant political rights. I need only refer to the Transvaal. The question there was a question much greater than ours, but the facts there were that white people, British people, were denied political rights. We know that if Japanese were here in large numbers they would be denied political rights. No matter what the class of persons, no matter what their colour, if a country has within its confines a large number of persons whom it directly or indirectly taxes - whom it, at any rate, makes subservient to its laws, but to whom it refuses the right of making the laws - then it has a trouble which will break out, most undoubtedly, sooner or later, and a trouble which it must, at all hazards, guard against. Feeling, as I do, about the Japanese, I, at any rate, am abundantly justified in saying, with all my admiration for them, they shall not come in. These arguments may be honestly applied to those Indian subjects, for whom, again, we feel the greatest sympathy. It is not to be denied that they have not political rights in their own country in the sense in which we speak of political rights. We know that we should refuse to grant political rights to them if they came here.. We also know that we can neither marry with them, nor give in marriage with them. For these reasons we are justified in saying to Japan - "We admire you excessively as a nation. You have compelled that admiration ; but for these reasons, which do not in any way reflect discreditably upon you, for reasons which are considered beyond breaking on our part, we must decline to allow you to come in here in large numbers. And in saying that we not only speak for ourselves, but we also speak for yo.u." That then is my answer to Japan in this matter. I might perhaps briefly refer to another nation that really constitutes a great menace, but the sound of whose title has not been heard practically during this debate, and that is the Chinese. We people in Australia, whether we are Australians entirely or whether we have any closer connexion than most of us with Great Britain, are, to a certain extent, arrogant. We have a certain amount of that pride of race which I have spoken of. I suppose we all feel that we despise China. So far as China is concerned - and that is the only thing I said in my electioneering campaign with regard to a white Australia - we can flout the Chinese. We can tell China that we are not going to pay much regard to Chinese feelings ; we

can ignore China, and I have recognised that during the course of the debate the trouble has been with Japan and with the subjects of the British Empire in India. The question we have to deal with most chiefly is undoubtedly a question of method. We have heard a great many arguments on the other side. We have also heard some powerful arguments, I think, on this side. Whether, in his heart, an honorable senator wishes to make us purely white, or whether he does not, in my opinion it depends solely on administration ; whether he gets it under the Bill as proposed by the Government, or whether he gets it under the amendment suggested by Senator McGregor. I made an interjection just now - I think when Senator Best was speaking - which I am prepared to amplify. It is so obvious that this educational test can be administered if the administration is what is desired, or even if it is what is not desired, as to rigidly exclude everybody who wishes to come in. If the Act is administered as the Government have announced their intention of seeing it administered, there is no one that I can imagine who can come in - I grant you that at once. You are going to get prohibition by relying solely on your administration, or, to bring the thing down to closer detail, by relying solely on your individual Customs officer, who may or may not act according to instructions which he may or may not receive from the Executive. I take it that this may be assumed, as a fair basis of argument, that when this Parliament is legislating on this matter, it owes a duty with regard to this method to more than one person or set of persons - to more than one nation. First of all it has a duty to its own people; it has a duty to show to its own people that it is going to carry out the policy which it proposes to carry out. The Government have the duty - it is no less - of informing every nation in the world which is likely to be interested in this legislation, of what the legislation really is. The Government has made it clearly understood that their present intention is to administer the Bill so as to secure prohibition, but, at the same time, they have not told the other nations who are concerned with ourselves in its administration how it is going to be administered.

Senator DAWSON

- Suppose there is a change of Government ?

Senator CLEMONS

- I do not even discuss that, although I recognise that this is a dangerous weapon to put in the hands of the Government. Other nations concerned in this Bill have no means of ascertaining the manner in which it is going to be administered. Do the Government intend to indicate this to them ? "We have heard a good deal - unnecessarily, I think - in regard to loyalty to Great Britain. It seems to me to be very pertinent to say that, in addition to the ordinary loyalty which is demanded of us, we are supposed to owe a certain amount of loyalty to British methods and traditions. Do the Government pretend that Great Britain has ever legislated in this fashion? Has any such legislation been passed by the House of Commons ? Can they imagine that the British Parliament would ever entirely hand over the administration of an Act so that it might be exercised in a manner totally different from what was expressed upon the forefront of that Act? There is in this Bill no loyalty to those British methods which should commend themselves to the Government in framing a measure of the sort. That is my answer to honorable senators opposite with regard to loyalty to Great Britain. I might refer to what has been said by Mr. Chamberlain in regard to this matter. The passage has been quoted more than once, but I wish to emphasize some points about it. ' In this speech, Mr. Chamberlain had been dealing with the influx of people, alien in religion and in civilization to ourselves. He said -

An immigration of that kind must, I quite understand, in the interests of the colonies be prevented at all hazards-

Not be prevented by some method that will suit the nations affected, but be prevented " at all hazards." - and we shall not offer any opposition to the proposals intended with that object.

Of course, if Mr. Chamberlain had stopped there, every argument that has been adduced in this Chamber and elsewhere, with regard to the wish of Great Britain as to this legislation, would be useless. But Mr. Chamberlain goes on with a " but."

But we ask you also to bear in mind the traditions of the Empire, which make no distinction in favour of or against race or colour ; and to exclude by reason of their colour or by reason of their race all Her Majesty's Indian subjects- would, Mr Chamberlain says, be offensive.

Senator Best

- That is only a qualification in favour of this form of prohibition.

Senator CLEMONS

- I know that ; I quite understand the meaning of Mr Chamberlain's words. But, in so speaking, Mr Chamberlain had before him the case of the Acts passed in the Australian States and in Natal. He made a special reference to the Natal Act; he recommended the Natal Act. That, in fact, is the only Act of which Mr Chamberlain has expressed his approval. But that is not the Act which has been copied in this Bill. I know that the Government do not attach much importance to the argument from this point of view, but I consider it to be important, because the Natal Act imposes an honest educational test, whereas this Bill does nothing of the kind. No nation needs to read the Natal Hansard in order to learn the way in which the Natal Act is to be administered. There is no subterfuge and no hypocrisy about it. The Natal Act is perfectly plain. But we deviate from it because the Government think that the Natal Act is ineffective. The object of the Government, we all know, is to make the measure effective. But, unfortunately, it is not going to be effective until it begins to be offensive. There was no offence in the Natal Act, but there was a limited amount of efficiency. "We are going to get an absolute amount of efficiency, and secure complete prohibition, but we are not going to do it until we become offensive. Not only so, but we shall also be misleading the nations affected, and shall thereby entail loss in our import shipping companies unless they are to work in conjunction with Customs officers, and instruct the rest of the world as to the way our legislation is going to be administered. It would be better for the shipping companies to lose the trade than run the risks which they must run of bringing persons here who would only be fooled when they reach our ports.

Senator Best

- Does not the honorable and learned senator think that that will be the practical result?

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Senator CLEMONS

- I am perfectly certain that if this Bill contains such a provision as that proposed by Senator McGregor, there is no shipping company which would suffer any loss. Of course, I do not urge that as a paramount reason why we should favour the amendment; I mention it because it is obviously true and unanswerable. There is no doubt, however, that the shipping companies will be in difficulties under this Bill unless they join with the Customs officers in interpreting it. I believe that the reason why the Government are anxious to insist upon this educational test is because they think it suits Mr. Chamberlain. I do not suppose that the Vice-President of the Executive Council will deny that.

Senator O'Connor

- Not deny it ! It is absurd on the face of it ! I have denied it before many times. Mr. Chamberlain happens to represent the English Government for us, but we deal with the English Government, and not with him personally.

Senator CLEMONS

- It is because he represents the English Government, so far as this Commonwealth is concerned, that the Government wish to suit his views. I ask the Vice-President of the Executive Council, without the slightest hesitation, if he was not impressed with a full knowledge of Mr. Chamberlain's desires, would he himself prefer this educational test to direct prohibition ?

Senator O'Connor

- I voted for direct exclusion in New South Wales, because I thought I could get it.

Senator CLEMONS

- Of course ! I knew that. I have a report of a speech delivered by Senator O'Connor on that occasion, and had intended to read it.

Senator O'Connor

- What difference does that make t

Senator CLEMONS

- The honorable and learned senator objects to the attitude of honorable senators on this side of the Chamber, because it is similar to his own when he was speaking in New South Wales.

Senator Best

- Subsequent knowledge and experience have shown him that this is the best method.

Senator CLEMONS

- I would not bind the Vice-President of the Executive Council to the opinions which he expressed in 1896, and accordingly I will not even read his speech.

Senator O'Connor

- I took up the same position as Mr. B, eid did ; that is all.

Senator CLEMONS

- My point is that this Bill, as we have it, is meant to suit the requirements of the British Government, as represented by Mr. Chamberlain ; of that there is no doubt. But the only way in which we can ascertain that it does come up to those requirements is by indicating to the British Government in clear and decisive terms how the Bill is going to be administered. Is that going to be done? Is the British Government going to be informed by the Commonwealth Government as to the method in which the Bill is going to be administered? Is the British Government going to be told that there is no possible method by which any man whose face is black can come into Australia, although we have an educational test, which apparently permits him to come in if he is sufficiently well educated? If know anything about the attitude of the British Government, there is no greater certainty than a refusal to any Bill of this kind, if administration is going to take the place of legislation altogether.

Senator Best

- Surely the honorable and learned senator does not insinuate that the British Government does not know what is going to be done ? The speech of Mr. Chamberlain indicates conclusively that he knew.

Senator CLEMONS

- He has never had to consider such a subterfuge as we are considering now. He has never been told that any measure of this description was going to be administered in such an underhand fashion.

Senator Best

- He had the Bills before him when he spoke.

Senator CLEMONS

- There is no Bill in existence which contains an educational test like this. Previous Bills contained honest educational tests.

Senator Best

- I am referring to the Coloured Aliens Bill which was seen by Mr. Chamberlain.

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Senator CLEMONS

- I am referring to the Bill before this Senate, and with the manner in which it is going to be administered. It is entirely un-English and the Government have no right to suppose, as they do in this airy easy fashion, that the only way to get such a Bill accepted by the Home authorities is to put in it this sham educational test. They have no warrant whatever for that assumption. I would point out to honorable senators who have to vote upon this question in some way or other that we have to depend entirely upon the administration for the result of this Bill. If the administration is carried out in the way indicated by the Government - and as I certainly admit it may be carried out - we shall then have alien immigration prohibited absolutely. I put it that, assuming that the administration is effective to the fullest extent, we have the choice of two things - prohibition secured honestly or dishonestly. There is no other choice. I desire now to draw attention to some remarks made by Senator O'Connor, because he astounded me when he uttered them. I took them down at the time, and I do not suppose he will question their accuracy. He said - "This State, like every other State, has a right to see what the standard of education shall be for those who can come in." One of the conditions of this Bill is that it provides an educational test, not to allow people in, but to keep them out ! I endeavoured to ascertain from Senator O'Connor at the time, who were likely to come in under this educational test, and by what means would they come in. Then he proceeded to elaborate his argument. This is the argument that is intended to suit Mr. Chamberlain. It was necessary for Senator O'Connor to adduce two arguments - one to suit the people of Australia, and the other to suit Mr. Chamberlain. He went on to say that an exception was made in this Bill in favour of persons of higher educational attainments. We know that the people of Australia object to the black man whether he is highly educated or not. Even if he is the best linguist in the world, we do not want him. I know that I do not. His racial disadvantages exist even if he is highly educated. But the Vice-President of the Executive Council finds a way in for him. How is the highly educated coloured man going to to come in 1 Will he gain admission because he is a better linguist than the Custom-house official ; because he will be able to exhaust all the tests that the Custom-house official can apply ? Will he be able to enter the Commonwealth because some Custom-house official, who can only put something before him in English,

French and German, will make the test, and the highly educated coloured man will be able to beat him 1
Of course, this is the sort of argument that is intended to go home to Mr. Chamberlain to show him that we have regard to his desire that the educational test should be applied. It is not meant to help to bring about the total prohibition which the Government say they are going to secure. It illustrates not only the devious methods which we adopt ; but the very fact that the Government are attempting to please two utterly irreconcilable parties, and to bring into harmony two opinions which will not harmonize. Another argument is that the educational test is to cause no offence to a friendly power. That is an argument which we are expected to believe, and to which we are asked to attach some weight. When we make an analysis of this test how can we say that it will give no offence. If it were merely a matter of legislation, and not of administration, it would still give offence. The nation that it is not desired to offend is Japan. The limitation that is put in regard to language is that the test shall be in some European language. Senator McGregor would say distinctly that no native of Asia or Africa shall come in, and it is a subtlety of refinement , to which I am not equal, to say that in one case we avoid offence and that in the other we give it. Further, the argument has been used that there are more ways of offending the Japanese than by simply saying quietly that, for reasons in regard to which we are able to give the fullest explanation, we cannot let them in. There is an obvious way of offending a nation like Japan, which is capable of understanding all the refinements of treatment and most of the refinements of our language. That way is by absolutely fooling them ; by letting them understand that there is no desire, to wound their susceptibilities ; but that as soon as we apply the education test, they are going to be shut out. What is it that Japan is seeking? Is it a nation so absurd in its desires that it wants merely to secure the recognition of the right of its people to come in, without actually coming in? The proposition is monstrous. Japan cannot be fooled in that way, and yet that is the total assumption in the arguments put forward on behalf of the Government. The Government are practically saying that as long as we let the Japanese nation understand apparently that their people can come in, we shall not offend them, but it is another matter if we take steps that will absolutely keep them out. What is the use of assuming that the Japanese are so foolish that they want only the right to come here and do not intend to exercise it. If we are threatened with this invasion we are perfectly justified in saying that the Japanese people do want to come here. That is what we want to aim against. The Government, however, do not aim at it. According to their own contentions, what they do is to say to Japan - " We are going to try and make you believe that you still can come in. If you want to realize that belief of course you shall not come in. We give you this as a sop. If you are pleased with the notion you can have it. But directly you want to realize on your possibility under our laws, we stop you." That is the attitude of the Government in this matter, unless the highly educated man mentioned by Senator O'Connor, is to be allowed to come in. I do not know how he is going to come in, but apparently he is, because Senator O'Connor says so. I should like the honorable and learned senator to tell us in his reply how it is going to be brought about. If he comes in he must come in entirely at the caprice of the Custom-house officials. No doubt the Custom-house officials will be abundantly provided with methods for keeping out any man whose face is black.

Senator Stewart

- And for letting him in.

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Senator CLEMONS

- Of course. I believe he will be able to shut out any coloured man, even if he is destitute of a knowledge of any foreign language. My opinion of the methods of the Government in regard to this educational test is such that I should not be in the least surprised if a Customhouse official were appointed to exercise this test who did not know any language but his own, and that, possibly, but indifferently. I am prepared to learn that to such an extent of foolery could this Government go, once it obtains the provision in regard to the educational test, that the Custom-house official might say to a would-be immigrant - " Write out 50 words in Russian," and that if the would-be immigrant wrote them out in the best Russian ever written the official would reply - " That is no good, you cannot come in." If it is thought that I am exaggerating the position - and apparently the Vice-President thinks so - I will again ask how is the Custom-house officer going to decide between those who are going to come in, although they have black faces, and those who are to be kept out ? It will be a most interesting operation. The only regret that I have that this Bill will not come into operation in its present form - as I hope it will not - is that we shall not have a chance of

observing its administration.

Assuming for one moment that there is a certain amount of honesty in the administration of the educational test, how is the official going to keep these people out supposing they happen to be good linguists, unless he is far superior to any other linguist? On what grounds is the official going to let them in? This is what I want to know from the Vice-President. Who is going to decide whether the would-be immigrant has sufficient linguistic attainments? Apparently the whole thing is going to be left to the Customhouse official. I was much amused by the remark made by Senator Best, when he attempted to induce us to believe that legislation was one thing and that administration was something else - that there was no connecting link between the two. If we could believe him, legislation works automatically. Once we pass a law, print it and place it in the statute-book, nothing remains to be done. That practically was his contention. Anything more absurd could not well be imagined. What is obviously the fact is that legislation and administration are intertwined so closely that One cannot well be considered without regard to the other. With regard to whether this example of legislation amounts to anything, the administration of it is all that we have to consider. There is one other matter to which I shall refer, although to a certain extent, with regret; but I am not going to refuse to do so, because it has largely influenced me in many ways since I entered the Senate. I am going to refer to the Vice-President of the Executive Council, who I see is leaving the chamber. I shall allude to it whether he is here or not. He is well able to defend himself, and at all events will be ably defended by his colleague, the Postmaster-General, who is present, and who shares with him in some of the attainments which I am going to enumerate. When measures of this sort are under consideration some regard is paid always to the possibility of its passing another place or, in other words, receiving full legislative sanction. We very properly pay attention to that consideration. Looking at this question from that point of view, I suppose there are honorable senators who entertain doubts as to whether this measure will receive full legislative sanction if we insert the direct test. We have no reason for great anxiety on that point. We may say that we are extremely proud of the performances of the representatives of the Government in this Chamber, that we recognise with a degree of great admiration their excellent skill as acrobats. We have had remarkable illustrations of it on more than one occasion. But while we are proud of the performances of the Postmaster-General and his colleagues in this respect, I object to the Senate becoming so conceited as to imagine that all acrobatic ability is limited to us. Let us give the other House an opportunity of showing their acrobatic skill. I do not see why we should be so conceited as to assume that the only political acrobats in the Ministry are those in this Chamber. I think we shall find them in excellent form down below. I think we shall find that when the ringmaster in that other political circus shakes his whip we shall get the necessary somersault. I do not think for one moment that if we insert this direct test we shall fail to have the full legislative sanction of the Commonwealth Parliament for it. I point out to those honorable senators, if there are any, who have any grave doubts upon this subject, that in my opinion, and I submit there are ample grounds for holding the opinion, they can dismiss those doubts freely. I have no doubt that the acrobatic abilities of the other House will be found quite equal to the emergency. I say that if it is only to emulate the example of their colleagues in this Chamber it is a performance we have every right to expect from them. Holding these views upon this matter, and having no doubt whatever that this Bill will receive legislative sanction if we insert the direct test in it, I do not hesitate to state that I am going to vote for that direct test. I am going to vote for it because it is the only honest way of indicating our desire, not only to the people of this continent with whom we are chiefly concerned, but also of indicating our desire to all those nations who will be distinctly affected by this Alien Immigration Bill. No matter what our opinions upon the subject may be, we now have practically only a choice of methods, always assuming that the administration is going to be what the Government want. We have now no choice of results at all. We have simply and solely a choice between adopting an honest method in full concurrence with all those methods we can find examples for in Great Britain, and on the other hand, of adopting a method for which I suppose there is no legislative assembly outside one of the South American republics, that can offer us an example, a method which will commend itself, I believe, to no person in Australia, and a method which I honestly believe is abhorrent to Ministers themselves. It is a method adopted by the Ministry of the Commonwealth, simply from an undue and exaggerated concern for what they think may be the action of the British Government with regard to this Bill. There is no other reason except the exaggerated idea which the members of this Government have of the exercise of

that power of veto which the British Government possesses, that can have induced them to put in this tortuous and deceitful test. I say that in asking the members of this Parliament to accede to their request to be deceptive, the members of the Government are asking more than we can honestly concede. Assuming full sympathy with all the statements as to the desirability of a white Australia, it is pressing us too far to ask us to consent to this deceit, in order to get it. They say - "If you want your white Australia, this is the only method, to get it." In my opinion they are absolutely fooling us in that, for I have no doubt the British Government will grant the Royal assent to this Bill, with the direct test included in it. If we, as reasonable people, tell the British Government that, while we are prepared always to consider any request they may make regarding questions involving international amity and comity, this is a matter which involves our own self-respect, and Australia cannot unitedly preserve its self-respect by adopting this educational method, I have no doubt the British Government will say that we have adopted the right method, that Australia ought to know better than they can what is best for her, and what, under all the circumstances, is the best method of getting it. I say that the adoption of the direct test is the method which will preserve our own self-respect, and that is what the British Government first expects us to do. We talk of our loyalty to Great Britain; but Great Britain has some demands upon us, and may properly say that the legislation of this first Commonwealth Parliament must be worthy of it. That is the attitude which Great Britain will assume with regard to our legislation, and she can only feel more or less contempt for this educational test. On the other hand, we want to consider our loyalty to Great Britain. I recognise that that, is the Crux of the whole question; but I believe we are abundantly justified in saying that by adopting this direct test; we shall be adopting the only means we can think of to secure what we want in this matter, and at the same time retain our own self-respect.

Debate (on motion by Senator Stewart) adjourned.

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22:36:00

Senate adjourned at 10.36 p.m.