

1931.

Kenya

No. 17400

SUBJECT

C0533/417

Native Forest Policy.

Previous

See 17329/31. (Future of
Forestry)

- 17311/31 (Forest Dept Report
(Annual) 1930)

Subsequent

See 18268/32.

the Government has been... the necessary seats to the Muslim community... the present obstructive Indian members... elected, an Association hopes that... found to find seats for the Muslim members... in the number of Indian seats is contemplated... with the report of the Joint Committee.

Lastly, I beg to state that the Indian seat on the Executive Council has been in the past occupied by Hindu members for years and in accordance with the recognized practice of the Government of India according to which such solitary seats are granted alternately to a Hindu and Mohammedan member, the submission of my Association is that a Muslim member may... be nominated at the pleasure and convenience of His Majesty. This submission, if granted, will almost immediately result in the break down of the non co-operation of the five elected Indian members who have abused the privilege conferred upon them and they will jealously rush to the Legislative Council. In any event it will give an opportunity to the representative of the Muslim community to give the necessary advice on all Indian affairs to the Government which is completely lacking at the present moment.

I have the honour to be, Sir, Your obedient servant, (Signed) ALLI RAHMAN, President, Muslim Association.

its attitude on non co-operation with the Government and similarly all the contents of the petition presented by this Association will perhaps be published when the matter is finally decided. I may mention that Mr. Shams-ud-Deen has in deference to the opinion of this Association decided to refrain from fighting the election on the platform of non-co-operation which his pledge implied.

Since the submission of the petition of this Association, the report of the Joint Parliamentary Commission on Closer Union has been published and my Association understands that the E.A.I.N. Congress proposes to call their session in December. My Association is of course, not concerned with their programme but if they decide to continue the non co-operation with the Government my Association will be compelled to dissociate itself publicly from all such activities as the Muslim community are irrevocably pledged loyally to co-operate with the Government which pledge was conveyed to His Excellency by this Association by a Radio message two days before His Excellency landed on the shores of Africa.

The report of the Joint Committee implies that there is room for changes in the constitution of the Legislative Council of this Colony in-as-much-as representatives of the Natives will be increased and also there appears to be room for increased representation of Indians. It is anticipated that an Order-in-Council will have to be obtained for these changes and I respectfully beg to request that sanction for the necessary changes suggested by this Association (viz reservation of seats for the Muslim community in proportion to their population and the separation of their Voting register) should also be obtained at the same time.

Should.....

-6- October 31st, 1931.

an utter impossibility. The demand for a Common Roll is merely an infection imported from Hindu quarters in India and is totally unacceptable and unadaptable in this Colony in any form.

The Aga Khan, the leader of the Indian Moslems. There is, however, the likelihood of bitter resentment being shown by the Hindus against the acceptance of the Communal Roll by the Muslims, which will, doubtless, lead to various forms of spectacular demonstrations so popular among Hindus; and it is, therefore, the desire that this eventually should be obviated by the Government taking the initiative step in granting the desire of the Muslim community which incidentally harmonises also with desire of the European population of the Colony.

Should the Government have any hesitation or doubt in its mind as to the unanimity of the Muslim community with regard to the views expressed here, I respectfully submit that the best manner to test the popularity of the representations made herein would be to publish the intention of the Government to put in to practice the recommendations made herein in order to ascertain if there is any opposition from the Muslims thereto., I may mention that this Association has been in existence for the last 30 years and has satisfactorily and popularly represented the interests of the Muslim community. In making this representation this Association has carefully studied the views of H.H. the Aga Khan and all other respected Muslim Leaders who are members of the Round Table Conference now sitting in London on the subject of the Common versus Communal Roll. For the reasons mentioned in the penultimate paragraph. My Association requests that this representation should be treated as strictly confidential.

I have the honour to be,
-1-Your Excellency's obedient servant,
(Signed) Alla Bakhash

President,
Muslim Association.

October 31st
-5- October 31st, 1931.

beginning of next year, it is absolutely necessary to pass a legislation similar to Section 5 (Amended) of the Local Government Municipal Ordinance 1928 which would enable your Excellency to nominate members on the Legislative Council according to your discretion. My Association undertakes, if necessary, to find such suitable and respectable citizens who would be quite willing to be nominated.

My Association has not thought it fit to hold mass meetings for taking a referendum as it has not the slightest doubt that it is voicing the united and unanimous feeling of the whole Muslim population of the Colony on the subject in making this representation to the Government. The unnecessary and untimely publicity which will inevitably be given to the desire of the Muslim community to have a separate Electoral Roll, by holding mass meetings of Muslims, will, it is apprehended, stir up the Hindus who may create communal friction in order to frustrate the secession of Muslims from the "so-called Indian Congress". It is obvious that if the Muslims secede from the Congress and accept a separate Roll on communal basis, the Hindus will no longer be able to continue the parrot cry of the demand for a Common Roll in the name of the whole and united Indian community.

It has been found in practice that the Common Roll of the Hindus and Mohammedans which is at present granted to the Indian community in this country, is nothing but the exploitation of the inarticulate Muslim population and is in effect tyranny of the articulate community. A peaceful Common Roll of Europeans and Indians is, therefore, an utter.....

-5-
Your Excellency's
Justice Association
Mulla Salim

-4- October 31st, 1931.

- (a) on hearing some news from India will completely dislocate the machinery of subordinate services of Government and European commercial houses. Indeed the whole of "Indian Question" in this Colony is a creation of this class. The aim of the Hindu community to prevent scrupulously all Muslims from entering any Government or European offices is not based on religious, economic and social grounds alone; but the antagonism is in no small measure due to the sharp political division which exists owing to the refusal of Muslims in India and also in this country to join in anti-British and subversive programme pursued so vigorously by the Hindus in both the countries
- (b) As a result of the reasons stated in the above paragraph Muslims, notwithstanding their overwhelmingly large numbers, form the bulk of what is forced to remain inarticulate Indian population, leaving, again, the monopoly of the Electoral Roll to their Hindu brethren who, by reasons of the facility mentioned above, can enrol themselves almost to a man.
- (c) Owing to the Purdah System in the Muslim society, majority of the female voters cannot take advantage of the privileges of the franchise offered to them by the Adult Suffrage.
- (d) I herewith append a copy of a hand-bill issued by this Association in July last urging all Muslims to enrol themselves; but the response, although quite encouraging, has by no means been anything like the proportion of the Muslim population in the Colony. The Indian Congress have for the last ten years followed such an inconsistent, oscillating and undignified programme of spasmodic co-operation and non co-operation that the Muslim community no longer find it possible to acquiesce, even tacitly, in allowing itself to be a party to such a programme; and the time has come when the Muslim community must adopt a definitely decided and independent course in accordance with and in the interests of the community.

My Association, therefore, requests the Government to place the Muslim voters on a separate Electoral register similar to that of the Arabs, apportioning not less than 2 seats for them in accordance with the numerical strength of their population and not necessarily the number of registered voters.

Pending the completion of a separate voters' register, which my Association suggests should be introduced from the beginning.....

reasons elucidated hereafter; and, it is the considered opinion of my Association that unless Muslims are placed on a separate register, allotting them proportionate number of seats according to their numerical strength based on the figures of Census, the adequacy of the representation of the Mohammedan Indian population will always remain an uncertainty and entirely dependent on the mood and good wishes of the non-Muslim electorate. Hindu electorate can only be coaxed into a mood of generosity if the Muslim community falls in line with the totally destructive programme of non-Muslims. Muslims cannot, on principle, adopt such a course which is manifestly against the dictates of their conscience and the tenets of their religion. The reasons why Muslim population will always remain at the mercy of the Hindus in a joint electorate are as follows:-

- (a) The Hindu community have taken the fullest advantage of the indifference and the lack of desire on the part of the Government and the European employers in maintaining an equalizing influence by employing a mixed staff of the followers of both the religions, who form the Indian population of the Colony and, consequently, the Hindu community have carried out secret but a systematic programme of allowing none but their co-religists to be introduced in any office or department of the Government which employs Asian staff. The same force has been at work in respect of all the large and small European firms and Contractors, who employ Asiatic staff of clerks or artisans. As a result of this state of affairs, the Hindu community has to-day such a complete monopoly of Asiatic services throughout the Colony that they not only lead and control what is called "Indian politics" in this country but constitute a positively perilous menace to their employers, who may one day find themselves totally dependent on the mercy of their employees in the event of a general strike, which may be proclaimed at any slight political, economic or social difference with their employers. Such instances have by no means been absent in this country; but to-day the Asiatic services are so completely in the hands of the Hindu community that any strike by them on.....

October 31st, 1931.

very reluctantly felt the necessity of registering this disclaimer especially as Mr. Shams-ud-Din has been a respected member of the Association and has taken a very prominent part in the work of the Association for many years; but this Association must regretfully dissociate itself from the activities of any member, when his action clashes with the fundamental principles of the Association and Islam itself.

My Association wishes to place on record, once for all, that the Muslim community of this Colony is pledged to support loyally all measures which are calculated to be in the best interests of the Colony and the country of their adoption; and, in this connexion, it is not only their duty to co-operate with the Government but also with the European community in the interests of peace and prosperity of the country; and, therefore, the Muslim community does not wish to be involved in anything that is derogatory to the harmony, good-will and peace among all communities in the Colony.

My Association understands that on the 2nd November or soon thereafter when the Report of the Joint Parliamentary Committee (which Report, according to the forecast in certain quarters, is sure to be adverse to the aspirations of the Congress) is published, the revolutionary section of the Congress proposes to launch a programme of various forms of disloyal and subversive activities. My Association hastens to assure the Government that the Muslim community has no intention whatsoever of associating or identifying itself with such proposed activities.

My Association further wishes to state that the Common Electorate in which Muslim and other communities are placed on one register has, in practice, proved to be very detrimental to the interests of the Muslim community for the reasons....

COPY.

ANJUMAN-I-ISLAMIA,
(Muslim Association)

P.O. Box 290,
NAIROBI.
Kenya Colony,
October 31st, 1931.

His Excellency Brigadier-General
Sir Joseph Aloysius Byrne, K.C.M.G., K.B.E., C.B.
Governor and Commander-in-Chief
of Kenya Colony and Protectorate.

May it please your Excellency,

I have the honour to state that at an interview which the deputation of this Association had with your Excellency, at the Government House, on the 29th August, it was stated clearly that the Muslim Association, representing the Muslim population of the Colony, does not associate itself with the activities and representations made by the Indian Congress in the name of the Indian community, in which expression is included also the Indian Mohammedan community, which forms 43 per cent of the Indian population in this Colony according to the Census.

My Association views with great disfavour and totally disapproves the action of the Indian Congress which has adopted the very objectionable method of non co-operation with the Government by blocking the seats on Legislative Council and by refraining from taking the oath of allegiance to His Majesty the King.

My Association considers such revolutionary methods and disloyalty to the Sovereign as well as to the established Government as totally opposed to their religious tenets.

In this connexion my Association wishes to dissociate itself with the action of one of its members, Mr. Shams-ud-Din, who has recently given a pledge of non co-operation to the Indian Congress. My Association has

very.....



KENYA.

No.

CONFIDENTIAL.

GOVERNMENT HOUSE,
NAIROBI
KENYA

17th November, 1931.

Sir,

I have the honour to transmit for your information a copy of a memorial submitted to me by the Muslim Association and dated 31st October, and a copy of a letter from this Association to my Private Secretary dated the 13th instant.

I have the honour to be,

Sir,

Your obedient, humble servant,

Answered (2)

BRIG. GENERAL.
GOVERNOR.

THE RIGHT HONOURABLE MAJOR SIR P. SUNLIFFE-LISTER.
P.C., G.B.E., M.C.
SECRETARY OF STATE FOR THE COLONIES.
THE COLONIAL OFFICE,
LONDON. S.W.1.

point out that the ^{Indian} Indian member

of the Executive Council has been ^{long}

a ~~member~~ ^{member} for many years. Their

memorial ~~seems~~ ^{is} to me to be a

development of considerable importance

and it opens up ^a ~~the~~ question affecting

Indian representation on the Legislative

Council which was not before the Joint

Select Committee of Parliament.

I should therefore be glad to ^{receive} ~~have~~

your ^{comments} ~~views~~ upon the correspondence.

3. I would refer in this connec-

tion to my despatch No. 835 of the 22nd

December, 1911, in which I have invited your

observations generally on the report

from the Joint Select Committee.

I have, &c

I infer, moreover, from the third
para. of the President's letter of Nov. 15th
that the Association anticipate an
expression of my views on their
request to their representatives.

2

C. O.

17399/31 Kenya

Downing Street,

// January, 1931

- Mr. Eastwood *8/1*
- Mr. ~~Director~~ *8/1*
- Mr. ~~Allen~~ *8/1*
- Mr. ~~Robinson~~
- Mr. ~~Tomlinson~~
- Mr. C. Bottomley *8/1*
- Sir J. Shuckburgh
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

For Air Mail 12th January

C.D.
 R 9-JAN
 D 11

Sir,

DRAFT conson.

KENYA
Confidential

Handwritten initials and 'Jan 3'

I have, etc., to ack.
 the receipt of your Confidential
 despatch of the 17th November,
 in which you forwarded a copy
 of a memorial submitted to you
 by the Muslim Association, and
 of a letter subsequently addressed
 to your Private Secretary by the
 Association.

2. The Muslim Association
 disassociate themselves from the
 non-co-operation programme adopted
 by the East African Indian
 National Congress and ask for
 separate representation on the
 Legislative Council. They also

point

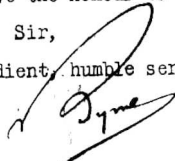
Muslim will retire on the 14th instant. Even if two Hindoos are nominated the resultant balance of representation as between Muslim and Hindoo will not be seriously affected.

7. I have given careful attention to this matter and I hope you will agree that the course I have proposed constitutes a sound line of policy. This seed has but newly been sown - if it has genuine strength it will germinate and produce a force of which we must take account and be perfectly ready to recognise, but we should, in my judgment, put ourselves in a false position if we grasped it too eagerly and ran the risk of finding that it crumbled in our hands.

I have the honour to be,

Sir,

Your most obedient, humble servant,



BRIGADIER-GENERAL.

G O V E R N O R .

attitude is correct, they will hold the Indian seats in Legislative Council for the next two years during the remainder of the lifetime of the present Council. In the meantime, however, there will be ample opportunity for the Muslim Association to demonstrate its strength and convince Government of the desirability of securing Muslim representation.

If, on the other hand, the present members still decline to take their seats, it will be open to me, in nominating fit and proper persons, to select both Hindoos and Moslems without committing this Government to a definite policy of religious representation: and again allow time for the development of the separatist movement.

6. Now as regards Municipal representation, this Government has for the past dozen years recognised the East African Indian National Congress. Last year precedent was followed when the moderate party captured the Executive. This year that party has dislodged itself by abstaining from attendance and the de facto Congress has offered cooperation. I have, therefore, decided that no break should be made with past practice so as to meet either the views of the Muslim Association or those of Mr. Jeevanjee's Congress from which I may say the Muslim Association dissociates itself according to information given by its Secretary, and I have invited the Congress to submit names to me for nomination expressing the hope at the same time that fully representative Indians will be selected. The Congress proposes to hold an informal election at which any Indian may stand, but I understand that the Muslim Association will take no part in it. It is the case that in Nairobi last year three Hindoos, three Muslims and one Sikh were nominated and that one Hindoo and one Muslim...

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that until a few months ago the suggestion of separate Muslim representation has never been made in this Colony,

5. As you say the line taken in this memorial opens up an important question, but one, which in my view, requires to be considered with caution. The Association claims to speak in the name of all the Muslims. Incidentally I understand that it includes some African Muslims. The request for a separate Muslim representation is new and for the present, until I obtain more definite evidence of the reliability of its claim, I do not feel justified in advocating that any immediate special measures should be taken to meet its request. In so far as Legislative Council is concerned the Congress nominees are in possession and I am certainly of the opinion that they should be required to fulfil the obligations of membership or surrender their seats. I am, therefore, in favour of an amendment to the Royal Instructions to the effect that, if a member duly elected fails to assume his seat during the first session of Council after his election without having a reason for so doing which satisfies the Governor that he is not wilfully refusing to assume his seat or at any time thereafter fails to attend any meeting of Council without reasonable excuse, of which the Governor shall be the sole judge, his seat shall be declared vacant and the Governor shall be empowered to nominate some fit and proper person in his place. This provision would, of course, not be retrospective in effect.

If such an amendment is made, I opine that the present elected members will at once take their seats. If so they can be considered to be representative of the Indian Community as, with one exception, they were elected before the Muslim separatist movement showed itself. It is the case that all the present elected members are Hindoos, with the exception of Mr. Abdul Wahid who is stated to be a non-practising Muslim and is not a member of the Muslim Association and, if my estimation of their

attitude...

two parties. Mr. Jeevanjee himself was, however, absent from Nairobi at the time and subsequently dissociated himself from what occurred and indeed still claims to be President of the Congress in being. His chief lieutenants, however, joined in again with the leaders of the extremist party and the new Executive so appointed have since corresponded with Government as spokesmen of the Congress.

3. In January of this year the usual session of the Congress was held but both Mr. Jeevanjee and the Muslim Association advised their adherents to stand aloof from the proceedings. In November when an election was held to fill a vacant Indian seat on Legislative Council, both Mr. Shams ud deen, who had previously led the cause of cooperation, and Mr. Pate, gave an undertaking that, if elected, they would decline to take their seat. Mr. Shams ud deen's action was repudiated by the Muslim Association.

At the Congress session in January a resolution was passed removing the ban of non-cooperation in Municipal affairs. It so happens that during this month two Indian members retire from the Nairobi Municipal Council and also from the Mombasa Municipal Board, and I have received representations in regard to the Nairobi vacancies from no less than four sides each of whom claims that I should consult them only, e.g. The Congress Mr. Jeevanjee, the Muslim Association and the Eastleigh Association.

4. Now the Muslim Association, though it is said to have been in being for very many years, has only quite recently come into active existence in the political world. Its leaders admit frankly that they have taken their cue from the Round Table Conference in London and

that...

311

KENYA.

No. 31

CONFIDENTIAL.



RECEIVED
29 FEB 1932
COL OFFICE

GOVERNMENT HOUSE
NAIROBI
KENYA

5 February, 1932.

Sir,

No 2

I have the honour to refer to your Confidential Despatch of January 11th in which you invite my comment on the memorial from the Muslim Association which was transmitted to you with my Confidential Despatch of November 17th last.

C. Mad (Conf(a))
13 July 1932

2. My advisers have, during the last fortnight or so, had several interviews with the leaders of the various sections of the Indian Community in which their representative character has been discussed and it may be useful if I discuss for a moment the position of the parties. You will remember that in January 1931 the moderate party which favoured co-operation with Government succeeded in ousting from the Executive of the East African Indian National Congress the extremist party. They elected Mr. T.M. Jeevanjee as their President and Mr. Shams ud deen as the Honorary General Secretary and in due course submitted to me the names of various Indian gentlemen for nomination to the Municipal bodies in Nairobi and Mombasa. In August last a rapprochement between the two parties was effected and a new Executive was placed in authority at a meeting of the leaders of the two.....

THE RIGHT HONOURABLE,
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W. 1.

Council could be reconstituted but of course that would hardly be possible at this stage. It seems absurd that the natives should be represented by one unofficial member only, whereas 25 voters at the Coast return a European member.

The second matter is the proposed Sisal Ba industry. I hear on good authority that Imperial Chemicals - through a subsidiary company - are likely to come in on a fairly large scale as they have tried the sample bags at Magadi and found them very suitable for their products. You probably know more about this than I do for the prime mover is Colonel Pollitt, one of the Directors who recently paid a visit to this country.

Yours sincerely,

J.A. Byrne.

*Extracts
relevant
to ...*

Sir W.C. Bottomley, A.C.M.G., C.B., O.B.E.
The Colonial Office,
London, S.W. 1.

PERSONAL AND CONFIDENTIAL.

9
4
Government House,
Kenya,
East Africa.
21st May, 1932.

Dear Bottomley,

There are two pending matters regarding which I think it is desirable that you should have some information later than that contained in the normal despatches.

No. 3
The first is in connection with my confidential despatch No. 21 of the 5th February on the subject of Muslim representation both in Legislative Council and on Municipal bodies. The religious cleavage is growing and I believe now that the Muslims would be prepared to throw over the "Common Roll" and accept nomination by the Governor; but of course the Indians here are very tricky, so one has to act cautiously. I have made definite recommendations to the Secretary of State in the fifth paragraph of the above quoted despatch and, if he decided to adopt my suggestion, it might clarify the position. Personally I wish that the whole Council

PERSONAL AND CONFIDENTIAL.

4
Government House,
Kenya,
East Africa.
21st May, 1932.

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which you are ⁴pursuing as reported
in paragraph 6 of your despatch.

I have etc.,

(Signed) P. CUNLIFFE LISTER

elsewhere
the African Dependencies e.g. Nigeria, there

is provision that if any elected member shall for any reason be absent from the sittings of the *legislative* Council for more than twelve consecutive months or shall be absent, except on the ground of illness, from the sittings of the Council for a period of two calendar months during the session of the Council, without leave of the Governor, his seat on the Council shall thereupon become vacant.

It is further provided that in such a case the Governor shall issue directions for the election of a new member, but there is no provision for nomination instead of election. *N.P.* The Kenya R.I. of the 28th March 1927 provide for nomination in place of election only where, after a dissolution, less than five persons are elected.

to

to be Indian Elected Members or if at any time the number of Indian Elected Members is less than five.

6. I do not rule out the possibility that circumstances may arise which would justify incorporating in the R.I. of Kenya a provision similar to that obtaining in Nigeria and elsewhere *and complying* with it a provision for making a nomination to the Council as an alternative to directing a new election. But as I have already said, I do not consider that the time is opportune for considering any such amendment of the R.I; and even if it should become necessary hereafter I am *suggest* of opinion that it should be in general terms and applicable to all Elected Members irrespective of the racial community which they represent.

7. As regards municipal representation I agree with the policy

which

his seat may be declared vacant and the Governor may nominate some other person in his place. The proposed amendment would make the Governor the sole judge of the circumstances which would justify resort to this provision and would (even though it may reasonably be assumed that such a power would not in practice be exercised) ~~to~~ give ~~to~~ the Governor arbitrary power to declare a seat vacant for a single absence. (Such a provision is, in my

~~opinion, far too drastic and apart from~~
~~this objection, I consider~~ ^{cannot help thinking} that it would be inopportune to make any amendment in the direction indicated, at a moment when the Indian community will be confronted with the ^{decision} ~~fact~~ that in accordance with the recommendation of the Joint Select Committee no change is to be made in the system of communal representation.

4. I may however point out that

I have given careful consideration to your proposal; but I feel that such a provision is too drastic & I fear that I cannot accept it. But, apart from any objection which may be urged to the substance of it,

have in my confidential despatch of
even date dealing primarily with
the question of native representation
asked you to review ~~and to furnish~~
~~me with your views on the whole~~

(17407/31)

matter of the composition of the
Legislative Council. ^{No doubt}
~~you will when~~

doing so keep this question of
^{Muslim}
~~Muslim~~ representation in sight,
though it seems improbable that
the position will have altered
in the course of a few months
so materially as to ^{cause} ~~enable~~ you
to modify the views which you
have already expressed.

3. I now turn to the
specific recommendation in para.5
of your despatch that the R.I.
should be amended to provide
(though not with ~~any~~ retrospective
effect) that if a member duly
elected fails to assume his seat
during the first session of Council

his

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(17407/31)

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his

C.O.

Mr. *W. Allen* 276

Mr.

Mr.

Mr. Parkinson

Mr. Tomlinson

Mr. C. Bottomley

Sir J. Shuckburgh

~~Perm. U.S. of S.~~ *3/16/32*

~~Party U.S. of S.~~ *3.7.32*

~~Secretary of State~~

28/6/32

PM

DRAFT.

for consen.
v. minutes.

KENYA

CONFIDENTIAL.

Gov. Byrnes

K/17399/31 Kenya.

C.D.
R 6-JUL
D 7

6 m
90

*(To go by the same mail as the
copy in the last [unclear] report)*

Downing Street,

13 JUL 1932
Jama, 1932.

Sir,

I have etc. to acknowledge
the receipt of your ~~Confidential~~ despatch
No. 21 of the 5th February commenting
on the memorial for the ~~Muslim~~ Association
regarding the representation of the Indian
Mohammedan Community on the Legislative
Council of Kenya.

2. I agree with you that this
memorial opens ^{up} an important question
which ~~must~~ requires to be approached
with caution and I note that at present
you do not feel justified in advocating
any special measures to meet the request
for separate ~~Muslim~~ representation. I

have

This was brought forward
at the Conference with the Pops
Regarding the Hunt-Larimer report
- draft - in regard to which I saw
many of circulation.

The Pops considered that
his proposal in para 5 of the
draft was too drastic &
also unworkable.

Submit draft for

Case.

W. Allen

27/6/32.

Re: S. Wilson

I gather that this report
is based upon oral
instructions from the Pops.

The Pops puts up his proposal
with rather a special request
for endorsement. He has evidently
given a good deal of thought
to the matter. So the rejection
of the proposal in para 3 of
the report seems rather abrupt.
I have done a little therefore to
expand & soften at that
point

W. Allen
27/6/32

17407/31.

nominated to represent native interests should be increased from one to two. He had also dealt in an earlier despatch dated 25th November, 1931 with regard to the provision that the nominated native representative shall be chosen from among the Christian Missionaries. That restriction the Governor regards as unnecessarily narrow and not in the best interests of the natives. The despatch has been noted for consideration in the general review of the report.

A specific proposal is that in order to deal with Indian abstention from the Council the R.I. should be amended by giving the Governor the power to ^{declare} such seats vacant and to nominate instead. The present R.I. contain provision for nomination if no election is made to any Indian seat. This provision definitely relates to Indian seats but the new provision now proposed if adopted should I think be non-racial in terms. In addition to an amendment of the R.I. an amendment of the local Ordinance award would also be required.

It would be clearly undesirable at this particular moment to implement the Governor's present proposal which should await the consideration of the report as a whole by the Secretary of State in the light of the Governor's despatches. Any amendments to the ^{new} R.I. or the local Ordinance which may then be required can be made as a whole.

as in the case of the despatch regarding native representation this should be noted to come up in connection with that general consideration: but the general line of policy which the Governor proposes to adopt towards the Muslim Association seems sound.

H.F. Allen.
1.4.32.

Sir S. Wilson

I agree that this can wait. But I think Sir J. Byrne's proposed amendment of the R.I. is too drastic. To give the Gov. arbitrary power to declare a seat vacant because of a single absence would create a precedent - irrespective of the fact that he would never use the power in that way.

S.W.A.
1.4.32

Sir R. Hamilton

You should see I agree with the action proposed.

S.W.A.

5.4.32

Blatt

8.4.32

B.D. as to ^{of} ~~connection~~ in connection with Glaser's Muslim Report

Sir J. Byrne - ~~that~~ - 2/1/32

This will come up at the Conference - but the Gov. has not yet seen the papers.

S.W.A.

1.4.32

6/6/32

000

Copy sent mail
of 12/11/31

2 To Gov Conf (11/10/31) con 11 JAN 1932

3. for Kenya — 21. Conf. 17/8/32

Discuss the position of the parties of the Indian Community, & their strength in Leg. & Municipal Councils. State views as to future nominations to Councils — & in favour of an amendment to Royal Instructions in regard to duly elected members of Leg. C. not failing to take their seats.

The Governor considers that it would be premature to grant separate representation to Muslims. The fact that the Muslim Association apparently includes African Muslims among its members does certainly complicate the position.

In the first instance these representations should be considered with the Governor's proposals regarding para 97 of the Joint Comm. Report. and when a decision has been reached a sympathetic reply can go on this paper.

In the meantime para 5 should be reworked to a new file in order that the question of attraction of the Royal Instructions to cover the point of wilful non attendance

at meetings of the Legislative Council can be considered.

H. S. P. M. S. M. A.

4/3/32

The political issues as regards Indians arising out of the Joint Committee report include —

(a) the Common roll (paragraph 100)

(b) the feeling expressed by the Committee that "it is open to question whether any increase in the Asiatic representation on the Council might not with advantage be considered" (paragraph 97).

No reference to the Common roll was made in the Secretary of State's Confidential despatch on the report nor is it mentioned in the Governor's operations. It is no doubt regarded as a matter of high policy for His Majesty's Government, and it may, I imagine be assumed that the Governor concurs in the view of the Committee that a Common roll is impracticable under present conditions.

As to (b) the Secretary of State's Confidential despatch said that careful consideration should be given to the views of the Committee as to Indian and native representation, though he recognised that any substantial increase in the unofficial element will involve difficulty by adding to the number of official members, which is already inconveniently large.

In his general despatch while dealing with the question of native representation, the Governor makes no comment on the point at (b).

As regards native representation the Governor suggested that the number of unofficial members nominated

serve any useful purpose &
discuss this at length, at
any rate pending the Gov's
reply to the Dep. why for
his observations on the Joint
Ctee's Report. P. B. u. with
that reply.

Richardson
31.12.31.

(These people are of course not the
same as the Northern Africans, whose
memo. to the Joint Ctee ~~found~~ is
in 96 on 26001/A/31 Pt. V.)

We appear to have nothing on record about
this Association. According to the East African
Red Book 1930-1, it was founded in 1917
and has a membership of 2000. If the
Muslims form 43% of the Indian population,
the Association can claim, on a numerical
basis, to be fairly representative.

Presumably the Gov. (or his Private Secretary)
has sent a soft answer, and has not
committed Self. to any pronouncement of policy.

As proposed. (Better not send a copy to 197)

Richardson
4/1/32

I don't think any action is called for in
this? buty

10/1/32

5/1/32

Sir R. Hamilton

To see

I agree that we can wait as
Mr. Eastwood proposes, but in
view of para. 3 of the last
resolution we shall have to ask
at a time on the Gov's will be
suspected of oppression.

CS 6.1.32

Sir C. Brotherton

This is a development of considerable
importance. It opens up a question
affecting Indian representation on the Dep.
Co which was not before the Joint-Committee.
It may put an end to Indian non-
cooperation, as the Indian M. Dns, notably
Aga Khan & Khajras, are an influential
body of traders. We shd. I think,
ask for the Gov's views.

Richardson

6.1.32

St. for comm

CS 6.1.32

1. for Kenya — Conf — 17/11/31²
Two copies of a memorial submitted
by the Muslim Association, dated
31. Oct. 1931 & further letter dated
18th November.

This is sent for info. It will
be seen from his 2nd letter that the
Assoc: asked what it might be
sent to the SPS.

Briefly the Muslim Assoc:
dissociate ~~itself~~ from the
non-cooperation programme of the
Indian Congress & ask for
separate representation on the
Leg. Co. They also point
out that the Indian member in
Leg. Co. has been a Hindu for
many years.

I have no info as to
the relative importance of the
Hindus & the Muslims (I find
nothing in the Blue Book) but
in this petition the Muslims
lay claim to numerical importance
at least.

It would not, I think

* The 1926 figures are:-

Muslim { M. 6889 = 4520
 { F. 4632

Hindu { M. 7829 = 10857
 { F. 3038

1. for Kenya — Conf — 17/1/31.²
Pro. copy of a Memorial submitted
by the Muslim Association, dated
31. Oct. 1931 & further letter dated
10th November.

This is sent for info. It will
be seen from his 2nd letter that the
Assoc: asked that it might be
sent to the S.P.S.

Briefly the Muslim Assoc:
dissociate themselves from his
non-co-operation programme of the
Indian Congress & ask for
separate representation on the
Leg. Co. They also point
out that the Indian member of
Ex. Co. has been a Hindu for
many years.

I have no info as to
the relative importance of the
Hindus & the Muslims (I find
nothing in the Blue Book) but
in this petition the Muslims
lay claim to numerical importance
at least.

It would not, I think

* The 1926 figs are :-

Muslims { M. 6889 = 8520
 { F. 4632

Hindus { M. 7819 = 10857
 { F. 3038