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Mr. *Calder*

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Secretary of State.

Memorandum by the Gov. of India's  
Committee on the Position of Indians  
in the Colonies.

- and memorandum by Mr. *Stonley*.

Previous Paper

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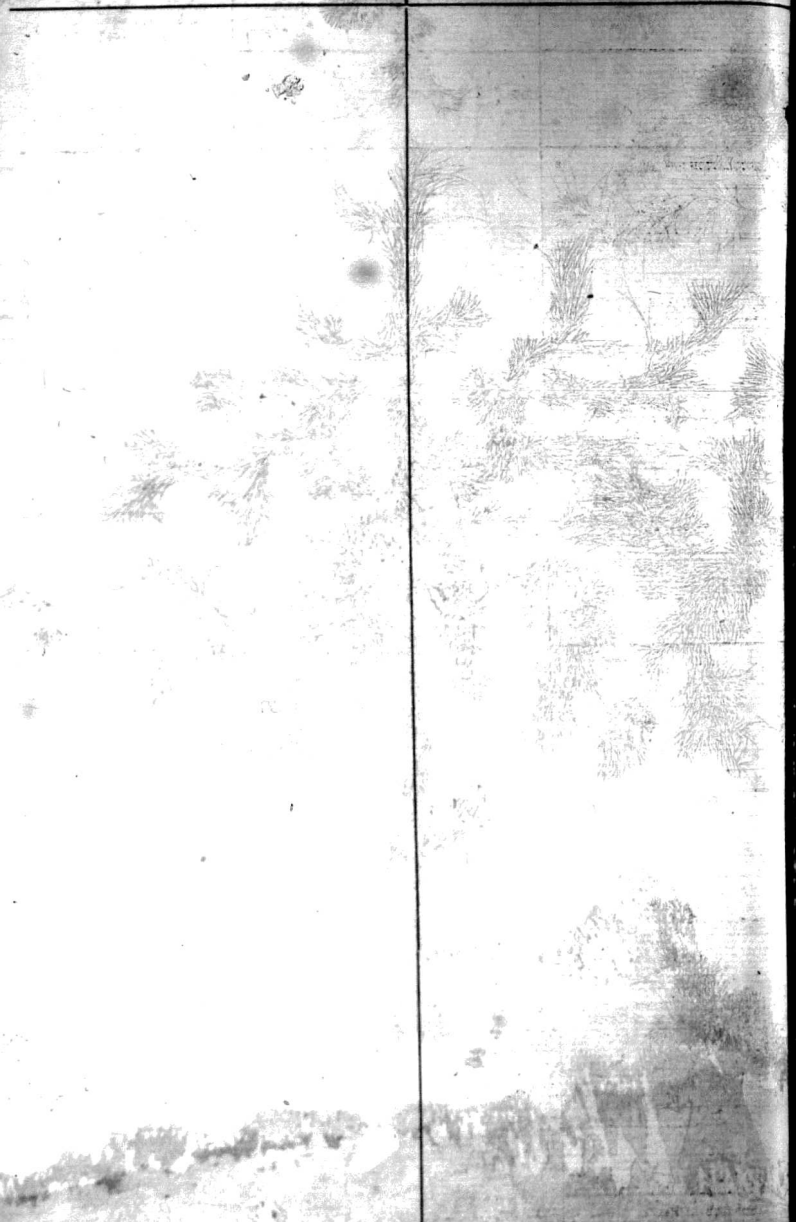
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Number 535

MEMORANDUM

The present position.

The Government of India have accepted the underlying principle of the White Paper of July 1923 that the interests of the African natives must be paramount and also the decision to abandon segregation. They generally reserved the right to make representations regarding the other matters dealt with in the White Paper, and this right was recognised by the Secretary of State for the Colonies on behalf of His Majesty's Government at the Imperial Conference 1923. Public opinion in India has been in complete accord with the attitude of the Government of India.

The position of the Labour party was stated by Colonel Wedgwood in the House of Commons on July 25 1923, when speaking on behalf of the party, he said with reference to the White Paper "It is not easy when a step like this has once been taken, ever to put it right but I am certain the party I have the honour to speak for tonight when their turn comes, will do their best. I cannot say more than that because Heaven knows what the repercussion of this will be before that time. But we will do our best to establish justice and fair play throughout the British Empire and put an end to what is ruining our chance of real peace and development." The Colonies Committee confidently look forward to the fulfilment of the expectations raised by the Labour party.

2. The Committee have received the draft Kenya Immigrants Regulation and Employment Ordinance 1924. While they do not propose to discuss its provisions in detail, they observe that it gives power to the Immigration Board, subject to the approval of the Governor

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Governor-in-Council to schedule any specific trade business and occupation as protected in the interest of the natives of the Colony, and thereupon the immigration of any person intending to exercise any such protected trade, business or occupation is prohibited. It also vests the Board with general power to determine whether any person seeking to enter the Colony shall be allowed to enter or shall be deported. The Committee considers that the provisions of the revised bill are not less drastic than those of the draft which was referred back to the Colonial Government on the ground that it was in the words used by Lord Olivier in the House of Lords on February 26th "quite unnecessarily drastic". They desire to lay before the Colonial Secretary the reasons why no change in the existing immigration law appears to them to be necessary or justifiable.

The Bill purports to give effect to the policy of His Majesty's Government as stated in paragraph 9 of part II of the White Paper. The following broad principles are set out in the Bill. It may be stated definitely that only in extreme circumstances could His Majesty's Government contemplate legislation designed to exclude from a self-governing colony immigrants from any other part of the British Empire. Such a discrimination in immigration regulations, whether specific or implied, would not be in accord with the general policy of His Majesty's Government, and they cannot countenance the introduction of any such legislation in Kenya. The White Paper however went on to say "the consideration which must govern immigration policy in Kenya is purely economic and strict regard must be paid to the interests of the African" and directed the Governor of Kenya "to explore

explore the matter further, on his return to the Colony and, in concert with the Governor of Uganda, to submit proposals to the Secretary of State for the Colonies for giving effect to that amount of control of immigration which the economic interests of the natives of both dependencies require." The draft bill which has been submitted in accordance with these instructions is, as the Committee have noted, a drastic one. Although on the face of it the bill does not discriminate against Indians, - this would indeed be contrary to the policy of the White Paper - the Government of India cannot but be alive to the agitation which led up to the bill, and they apprehend that, if it is passed there is grave danger of its being used in practice to exclude Indians wholesale. That, it may at once be said, is the reason why the Bill has excited so much mistrust in India and among Indians in Kenya

(4)

On receipt of the first draft of the Bill the Government of India telegraphed to the Secretary of State for India - "The principle of exclusion of immigrants from other parts of Empire from Crown colonies and possessions on economic grounds is, we believe, introduced for the first time. Once His Majesty's Government accept this principle and put it into practical operation in one Crown colony it will become difficult to refuse its application in other possessions of His Majesty which are not self-governing Dominions. It may thus have serious consequences to Empire and it would be impossible to deny India similar right which some are sure to claim and obviously it may lead to undesirable consequences to Empire which may not have been fully present to the minds of His Majesty's Government when announcing

(5)

solution



solution of a specific problem confined to Kenya." The Committee doubt whether in the case of Crown colonies and British possessions it is constitutionally justifiable or politically expedient to resort to legislation directed against the immigration of other British citizens.

Historical.

4 The Secretary of State for the Colonies is aware that Indians have been settled in East Africa for generations. When the Royal Charter was conferred upon the Imperial East Africa Company in 1898 by Queen Victoria it was advanced in the preamble of that document as one of the chief grounds for the grant "that the possession by a British Company of the coast line as above defined which includes the port of Mombasa would be advantageous to the commercial and other interests of our subjects in the Indian ocean who may otherwise become compelled to reside and trade under the government or protection of alien powers". Persons whose authority cannot be questioned have testified to the valuable work of Indians as pioneers in East Africa. Indians have pushed forward and thriven in territories beyond the limits of British administration. In the early days of the Colony their advent was welcomed. They were brought from India in large numbers to construct the Uganda railway, and attempts were made to induce cultivators from India to settle in the Colony. Mombasa is practically an Indian town. Neither in Lord Milner's decisions of 1920 nor in the Goodwin-Winterton agreement of 1922 was it held that any ground existed for restricting their rights of entry. Any further restriction of the right of immigration will thus deprive Indians of a right which they have enjoyed for many generations.

The volume  
of Indian  
immigration

5. The number of Indians in the Colony, as disclosed at the census of 1921 (22,822), is small relatively to its size and total population. The statistics furnished by the B.I.S.N. Company which conveys practically the whole of the passenger traffic between Mombasa on the one side, and Bombay and Perbandar on the other, show that the net immigration of Indians is at present insignificant. During the last six years the total number of deck passengers arriving in the Colony have exceeded the total number leaving it by 254 only, or if first and second class passengers are included, the total number of entries has exceeded the total number of departures by 403 only. We attach graphs showing the movement of Immigrants and Emigrants between India and Kenya during the last six years, and monthly during the 14 months ending on February 20th last. We are aware of nothing in the economic condition of the Colony which would suggest that there will be a greater opening in the near future for Indians than in the past. On the contrary as natives become qualified to replace Indians the tendency will be in the opposite direction. The Committee are convinced that the fears of a serious Indian invasion are unfounded.

Economic  
competition  
Indians  
with natives

6 On the assumption that the doctrine of the economic protection of the natives of a country by immigration legislation has the support of the present Government, the Committee have carefully examined the figures contained in the latest Kenya Census report in order to ascertain what light they throw on the economic competition of

Indians

Indians with the natives. The main classes of occupation in which Indians are engaged are:-

(a) Government service and Railways.

The figures are as follows:-

	<u>Europeans</u>	<u>Indians</u>
Government service ... ..	789	784
Railways ... ..	167	1698

As qualified natives become available, Government is free to employ them in lieu of Indians or Europeans, when their current contracts expire, and with due regard to the claims of domiciled immigrants, and does not require a new Immigration law for this purpose.

(b) Professional.

The figures for those not employed in Government service are as follows:-

Europeans ...	204
Indians ...	40

If Government servants are included the figures in detail, are as follows:-

	<u>European</u>	<u>Non-European</u>
Lawyers	47	8
Doctors and dentists	56	32
Veterinary Surgeons	13	1
Civil Engineers	63	-
Architects	11	-
Clergy	66	4
Schoolmasters	20	28
Trained nurses	64	2
Total	340	75

Africans are not yet qualified for these professions, but as they become so, it is clear that it will not be the Indian who chiefly stands in the way of their obtaining suitable employment.

(c) Commercial.

The figures are:-

Europeans	937
Indians	3,942

(13) The Indian trader or dukawalla is of great value to the African native, firstly because he is willing to buy and sell commodities in very small lots such as no European would care to deal in, and secondly because by bringing new and desirable articles to the notice of the natives, he creates in the latter a desire to possess such commodities and gives them a stimulus to work harder and to better themselves. In these ways the Indian trader assists the economic development of the country and at the same time teaches the native by his example the art of retail trade. In a new country such as Kenya every extension of trade creates new openings and leads to more work all round. The Committee submit that it would be a retrograde policy to hamper such development and to keep out the very people who are pioneers of trade in the native areas.

(d) Industrial.

The figures are:-

Europeans	569
Indians	3024

(14) The Indians are mainly artisans and their example does not fail to be instructive to the natives. As the native standard of living is lower and in their own country natives will work for a much smaller wage, they are bound gradually to replace Indians as they become qualified to undertake the work now performed by the latter.

(e) Agriculture: The figures for settlers and farmers are:-

Europeans

Europeans	1,893
Indians	120

(P)

The native tribes of Kenya are at present pre-eminently agricultural and it is in this field that economic competition is likely most seriously to affect them. It is evidently not the Indian who competes with the African here. This is made still clearer when the areas of land alienated to Europeans and Indians respectively are compared. The figures up to 1923 so far as the Committee have been able to ascertain, were:-

	<u>ACRES</u>
Europeans	7,280,000
Indians	14,128

7. Our conclusion is that Indians are not at present an obstacle in the way of African advancement. On the contrary they are essential at the present stage to the economic progress both of the Colony as a whole and of the African, and their exclusion would greatly retard that progress. The contention of the Committee is in brief that no further restrictions on Indian immigration are required, on the broad grounds

- (a) that the number of Indians is not at present increasing materially and is not likely to increase more rapidly in the future. The tendency is on the contrary likely to be in the opposite direction;
- (b) that the Indians do not constitute a menace to the economic interests of the Africans. On the contrary they are at the present stage essential to the economic welfare and progress both of the colony and of the natives.

The Committee hold therefore that the future of Indian immigration may safely be left to the operation of economic law.

8. The Committee further respectfully invite the attention of the Secretary of State for the Colonies to the broader implications of a measure of this character and

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Conclusion  
Economic  
Argument.

(16)

Imperial  
Act of  
Question.

(17)

and to the grave effect which it will have on Imperial solidarity. They understand that the Governor of Kenya laid great stress on the importance of passing the Election and the Immigration Bills simultaneously, and they feel that they are justified in concluding from this that the latter was intended to placate European opposition to the former by giving the non-official Europeans a solid assurance that Indians would never be in a position to attain the full equality of citizenship in the Crown Colony of Kenya which was promised to them by the Imperial Conference resolution of 1921 in the case of all self-governing Dominions except South Africa. If stringent restrictions are imposed on immigration into Kenya, such as are proposed in the draft bill, India can hardly help regarding them more as aimed against her than for the protection of the interests of the Africans. Should her fears in this respect be realized the result would in effect be a departure from the policy set forth in the opening portion of paragraph 9 of Part II of the White Paper and should such a departure be acquiesced in by His Majesty's Government, an example would be set which might be imitated elsewhere and the principle which that Colony proposes to adopt would be capable of being applied in India itself with very serious results to British interests. A policy which would result in the exclusion of Indians from a Crown Colony is liable to give rise to an agitation in India for retaliatory measures, which His Majesty's Government and the Government of India will have great difficulty in meeting. Such difficulty has indeed already been encountered, as Australia, South Africa,

Africa, New Zealand and the territories held by them under C mandates are now closed to Indian settlement and Indians resent the fact that few British territories within convenient reach of India remain open to Indian commerce and enterprise. India cannot fail to contrast treatment of this kind with the freedom of access which Indians enjoy in neighbouring foreign or mandated territories. Such a position is a disappointing return for the part played by India and by Indian troops both in the Great War and in the early history of the East African Colonies.

Any interference with the freedom of Indian Immigration will not only be resented by Indians on sentimental grounds as an affront to their self-respect and a derogation from the status accorded to them at the Imperial Conference but will also vitally affect Indian commercial interests. In 1922 19 per cent of the total trade imports into Kenya and Uganda (value £2,871,240) came from India. The Colony affords in particular an important market for Indian cotton piece goods and for Indian bags and sacks. India also took no less than 70 per cent of the total domestic exports of cotton. The virtual exclusion of Indians from the Colony will not only place serious obstacles in the way of the maintenance and expansion of Indian trade but will also deprive the Colony of one of its best markets.

The considerations, to which they have drawn attention above, seem to the Committee clearly to prove that there is no case for imposing any further restrictions on immigration than those that now exist.



Indian Memorandum  
on Keya

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I annex a note on various points raised in this memorandum, but it seems desirable to give ~~more~~<sup>special</sup> prominence to the points of principle which have to be considered.

On No. 15082, the Secretary of State initialled the minutes which indicate <sup>that</sup> the best line of action would be as follows: \*

- (a) That the Committee should be heard generally on the various questions - that as regards the particular question of immigration there should be a discussion of the details of the draft Bill - and that after this the Committee should be allowed to go, with an intimation that the Secretary of State would communicate his decisions in writing;
- (b) At the same time get the India Office to refer out the draft Bill to the Indian Government (this has been done);
- (c) Then consider as to the policy to be followed generally and consult the Governor as to any changes contemplated (we are committed to this);
- (d) After hearing from him and securing the observations of the Indian Government and India Office on the Immigration Bill, take decisions on various questions and communicate them in writing to the Chairman of the Committee.

As is pointed out above, the Secretary of State has undertaken with the Governor that he will be consulted before any decision is arrived at.

In addition, the matter is one which has come before the Cabinet, and it is presumably necessary that nothing should be announced or communicated to the

Committee

Committee until further reference to the Cabinet has been made.

All this points really to protracted consideration of the whole question, and it would seem that there is no need for the Committee to remain in this country, so far as Kenya is concerned, until the consideration of the question is complete. The decisions would, therefore, fall to be communicated <sup>to</sup> ~~the~~ <sup>the</sup> Committee through <sup>and</sup> to the Government of India through the India Office; although no doubt as the Chairman of the Committee will remain in this country he should be informed of their tenor.

A plan of action of the kind indicated above seems especially necessary in the matter of immigration into Kenya, which is one far more of policy than of argument. It may be taken as certain that nothing will be achieved by legislative control of immigration which could not be obtained by well-organised effort to give the preference to the African in every possible way; in fact, by boycott. The <sup>utter</sup> ~~disparance~~, of course, would be deplorable both politically and because of its effect on the Indians already domiciled in Kenya.

From the point of view of Kenya political troubles, we have to remember that the White Paper was not accepted whole-heartedly by the Europeans, and that they had attached both before and after the issue of the White Paper the greatest importance to this question of immigration. We could safely conclude, <sup>if</sup> ~~that~~ we did not know it definitely from the Governor, that if it were decided to take no action at all in

the question of immigration, we should be very much in the same position as we were ~~last August~~ in the worst times of 1923.

On the other hand, it is necessary to bear in mind that the intensity of feeling which exists in India has little to do with any keen desire to immigrate to Kenya, and still less with any active interest in the fortunes of the Indians already there. In India it is a question which may alternatively be described as one of agitation or as one of fundamental <sup>Sentiment</sup> ~~resentment~~, and, we may assume that, if Indians were in practice definitely excluded from Kenya, there <sup>would</sup> ~~will~~ be a movement in favour of retaliatory measures in India which the Government of India might not be able or might not wish to resist. So much seemed to be clear at the preliminary meeting of ~~the~~ the Committee.

The Immigration Bill does not amount to the exclusion of Indians in Kenya, and we may ~~be~~ <sup>not</sup> certain that it would <sup>not</sup> in practice so operate. Further, any attempt so to administer it could be checked from here.

The latest figures as to immigration and emigration which we have got show that the figures furnished at the beginning of 1923 cannot be supported. They do, however, show that the tide is setting in strongly, and that, assuming that a large Indian immigration is detrimental to native interests, it will be necessary to watch the tendency very carefully.

It

It may not be possible to justify immediately the putting into operation of any measure of control, but, we have, at all events, enough to justify our taking ~~steps~~<sup>steps</sup> to bring such measures into operation if necessary. That is the line adopted by Mr. Churchill in commenting on the Wood-Winterton terms in 1922.

The question is whether, if we simply enacted an Ordinance in the form of the Bill sent home or in some other form, and use it for the purpose of ascertaining the ~~expenditure~~<sup>extent</sup> to which immigration for various occupations ~~was~~<sup>is</sup> necessary or unnecessary, but otherwise holding it in reserve until the pressure of Indian immigration becomes more acute than it is now, we should attain the immediate object of quieting Indian demands without rousing the animosity of the Europeans, or whether, in fact, we should not be in the position of antagonising both. How the Europeans would accept such an arrangement would be a matter for reference to the Governor.

(S. H. Reed Hansen)  
 W.C.S. 19 5 24

In the following comments of detail on the Indian Committee's memorandum my numbers refer to those which I have inserted in the margin of the memorandum.

1. The position as regards the Imperial Conference is not quite accurately stated. The right of the Government of India to make representations on this or any other subject was not in dispute. The question was whether, in order to prevent the Imperial Conference from breaking up in disorder, His Majesty's Government could accept the proposal made by an Indian representative that a Committee should be appointed by the Government of India to consult and discuss with the Secretary of State on all questions affecting British Indians in the Colonies. The reply by His Majesty's Government was that they agreed except in the case of Kenya, where the position was altered by the recent decisions embodied in the White Paper. In the case of Kenya the Committee might make representations but no hope could be held out of the White Paper decisions. *being reviewed.*

2. It is hardly for me to discuss the position created by ~~the~~ statement of the position of the Labour Party made in the House of Commons last July. It is equally, I venture to think, outside the province of a Committee appointed by the Government of India to bring the Labour Party as a Party, into this matter.

3. In principle the Bill provides that where a man is wanted for any occupation he should be found

from inside the Colony if possible. There is nothing very drastic about this.

4. The inference that the Bill would be used in practice to exclude Indians wholesale is <sup>speculations</sup> ~~continuous~~ so far as the Government of Kenya and the Colonial Office are concerned. There are many occupations for which Indians are and will be <sup>for</sup> some time essential, and I am not aware <sup>in a situation</sup> of ~~any intention~~ to use the Ordinance for anything beyond the carrying out of the principle indicated in (3) above.

5. There is no question of excluding immigrants from other parts of the Empire. If under the operation of the Bill the requirements of a particular branch of industry could be met from within the Colony, the exclusion of immigration would be general. In Nigeria provision exists that the importation of labour for hire can be prohibited by the Governor. In that case it happens that the introduction of Chinese labour was what was apprehended, but in each case the Regulation is in general terms, and the European from England, the Indian from India or the non-British subject from any other country is so far as the Government is concerned to be equally subject to the Kenya Law.

6. Going back to 1888, when our only concern with tribes in East Africa was to prevent them being slave-raided, does not carry much weight. The administration of East Africa has undoubtedly been and will be advantageous to the commercial and other interests of Indian subjects; but this does not touch the question whether

whether the entry of Indian subjects could be continued for all time irrespective of numbers. Further, this passage of the preamble of the charter was definitely confined to the coast-line, as indeed had been the previously existing <sup>Indian</sup> settlement in East Africa, and it does not afford much argument in favour of the unrestricted immigration of Indians into East Africa generally.

7. The statement that Mombasa is practically an Indian town is hardly borne out by the census figures. The total population is I believe about 40,000. The non-Africans number ~~just~~ somewhere about 15,000, of which about half (7,575) are Indians.

8. The statement that it was not held in the Wood-Winterton agreement of 1922 that any ground existed for restricting Indian right of entry must be qualified. The terms stated that "In present circumstances no change was contemplated", but the Secretary of State for the Colonies added a note that he had made it plain that his view was unchanged on this question of immigration, and that, if the danger ever arose of a large influx of Indians, he held himself free to take any action which ~~may~~ <sup>might</sup> be necessary.

9. The number of Indians in Kenya may be small relatively to its size and total population, but the question is whether it is small in comparison with the need which exists for Indians. Excluding agriculture (which Kenya Indians do not touch), what scope is there for them?

10. The discussion on numbers of ins and outs  
on

on the basis of the last reports became more and more unprofitable. The latest figures we have from Kenya show that it is necessary to throw over altogether the statement that in the nine months ended December, 1922, there was a net influx of 2,888 Indians. It seems clear, however, that a considerable emigration of Indians in 1921 was converted into a small net immigration in 1922, which rose to 1,642 for the year 1923. This is rather over 7% of the existing Indian population.

B On the economic aspects of the question, I must refer to the separate memorandum which I prepared earlier in the year, and of which I annex a copy. Subject to that, I make the following comments on the remarks on the memorandum:

11. Government Service and Railways. The Government will certainly employ Africans in lieu of Indians, or, where appropriate, Europeans, and I do not think that much regard will be paid to the claims of domiciled immigrants in this matter. On this point, perhaps a new Immigration Law is unnecessary unless to prevent the domiciled immigrants from having a worse time than they otherwise would.

12. Professional appointments are and will be for many years outside the picture for this purpose.

13. The value of the Indian trader is fully recognised in East Africa and in my memorandum. It cannot be said that the European has done or can do nothing in the way



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of small trade or that the Africans themselves will not come on in this matter. The question really is whether there is scope for an unlimited supply of fresh Indian immigrants for this purpose.

14. Industrial. Indian artisans may be either instructive or obstructive to the natives: both views have been expressed. The point here is that until the native artisans have been more fully trained, there is a natural tendency, on the part of employers who are not themselves of a mechanical profession, to choose the ready-made Indian artisan, and thereby tend to discourage the advance of the African.

15. The reference to agriculture is irrelevant and is only put in ~~to~~ <sup>to</sup> make the suggestion that the European farmer competes with the African agriculturist. There is enough land available ~~for the natives~~ for the cultivation by a much larger number of natives than exists - even if they were all agriculturists by tradition. The presence of the European only means that the native who does not wish to cultivate for himself has an employer waiting to ~~get~~ <sup>find</sup> him a job.

16. The "conclusion" of the economic argument is not convincing. Granted that some Indians are essential at the present stage to the economic progress of the Colony, it does not follow that the exclusion of further immigrants would greatly retard that progress. The Committee's argument should be that the expulsion of all the Indians in the country would greatly retard its progress, but that is not ~~the~~ <sup>the</sup> point. Further, the Committee's contention that

there will be no large Indian immigration, and that the tendency is likely to be in the direction of decrease, is not consistent with the view that has been urged on us from time to time that Kenya is the natural outlet for India's surplus population, and, in particular, for the vast numbers of Indians who have a skilled trade for which they can find no outlet. It is just because of the existence of this possible supply of skilled labour, which we had understood was ready to come to Kenya, that the question of control of its immigration came into prominence.

17. Of what is called the Imperial aspect of the question it is difficult to say anything. It is a fact that the European community in Kenya, with I believe an unusual unanimity, regard this question of controlling Indian immigration as fundamental in the settlement which the late Government arrived at. They have in their minds a stage at which they will be free from the control of the Home Government, and they see no use for their Utopia if the Indian is going to be in a political majority. There can be no question of political rest or unbroken economic progress if they cannot be assured on this point. There can be no doubt that financial credit in Kenya has been materially confirmed by the White Paper.

On the other hand, it is clearly impossible to please both ~~the~~ Kenya, European and Indian sentiment, and

and it is obvious that ~~the consequences to the~~  
 Empire as a whole <sup>can suffer more deeply in</sup> will be more serious if India breaks away  
 than if ~~we had the community of Kenya on our hands.~~ The  
 question which has to be answered in the first place is  
 whether, if we gave up Kenya entirely to India, it would  
 make any perceptible difference in the political position  
 in India: for my own part, I do not think that any change  
 would be noticeable after a couple of months.

18. The statement that India took no less than 70%  
 of the exports of cotton from East Africa in 1922 is  
 unimportant, but requires comment. That figure represents  
 the exports to India, it is true, but we know that in the  
 financial year 1921-2 a large amount was re-exported to  
 Japan, and we are told that the exports to Japan had  
 increased since then. Until we have definite figures  
 we must suspend judgment, but it is very probable that the  
 part of the crop which India retained did not amount to  
 more than one-third of the whole. But the whole of this  
 passage is open to <sup>the</sup> criticism that it deals with the matter  
 as if it was one of the expulsion of Indians who are  
 already there, unless <sup>we</sup> only assume (what is very true  
 to a small extent, but no further) that the Indian  
 population is a floating one consisting of people who make  
 their money in the country and go away and spend it.

The White Paper (Cmd. 1922) issued in July, 1923, on "Indians in Kenya", contained the following passage on the question of Immigration :-

" The consideration which must govern immigration policy in Kenya is purely economic, and strict regard must be paid to the interests of the African. When the question is re-examined from this standpoint, it is evident to His Majesty's Government that some further control over immigration in the economic interests of the natives of Kenya is required. The primary duty of the Colonial Government is the advancement of the African, and it is incumbent upon them to protect him from an influx of immigrants from any country that might tend to retard his economic development.

In course of time, as the natives progress intellectually, they will no doubt take the place which Africans hold in other parts of British Tropical Africa in mechanical and subordinate clerical work and in small trade, and it must be the aim of the British Administration to further this development by all possible means. With this object the Colonial Government must weigh as far as may be practicable, the effect on native interests of the admission to the Colony of would-be immigrants of any race".

In the White Paper the problem of immigration

was dealt with in general terms, and no question of racial discrimination arose, but it must be recognized that any measure of immigration control which is based on the factor of competition with the native must tend to exclude a greater proportion of Indians than of Europeans. In fact, it can be maintained generally that, so long as means are found to prevent not only encroachment on native areas by aspirations to European settlers, but also any tendency to influence natives to work on European farms rather than to cultivate native land, the immigration of Europeans does not compete with native economic interests, and gives, indeed, an opportunity for those natives who prefer to work outside reserves. If, therefore, Indians will be primarily affected by a restriction of immigration, that is a result, and not the cause, of the decision of the late Government, which was based entirely on the interests of the natives.

It has been claimed that there is no proved necessity for restricting Indian immigration, and that such immigration is not inimical, but beneficial to the natives. In this memorandum, an attempt is made to show the grounds on which the decision of the White Paper was based, and the extent to which the view is justified that Indian competition is adverse to the advancement of the native.

#### SUMMARY OF PREVIOUS CONSIDERATION OF THE QUESTION.

In 1910 the relations of Indians and natives were discussed in letters sent to the Governor of the

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East Africa Protectorate by the heads of the three principal Christian Missions. Extracts from these letters form an Appendix to this Memorandum. The views expressed in them are, naturally, coloured to some extent by the writers' desire for the spread of Christianity among the natives, but, while the economic importance of the question is recognised, a distinction, as regards moral influence, is fairly drawn between different classes of Indians.

In 1917 an Economic Commission was appointed in the East Africa Protectorate, and it reported in 1919. Its deliberations, therefore, preceded any acute stage of political feeling in the country. The report was disfigured by an attack on the morality of Indians which, by its virulence and generality, must be condemned as improper, and that passage was repudiated by Viscount Milner in 1920.

But this unfortunate outburst of anti-Indian feeling cannot be allowed to remove from consideration the views expressed by the Commission on the economic aspect of the case; and if the Commission had confined themselves to the passage which is quoted below their views would have commanded much weight.

"In the African Protectorates under the Colonial Office, Indian immigration is not prohibited, with the result that in East Africa the immigrants have not been confined to the trading class, but have included coolies, clerks, artisans and mechanics. German East Africa was for long protected from this invasion, but latterly, for political reasons, considerable encouragement was given to Indians there."

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"It is the distinguishing peculiarity of this country that here the Indian plays the parts of clerk, artisan, carpenter, mechanic etc. functions which the African is capable, with training, of performing, and does elsewhere perform, satisfactorily. The presence of the Indians, organised as they are to keep the African out of every position which an Indian could fill, deprives the African of all incentives to ambition and opportunities of advancement.

It may be admitted that the Indian has played and still plays a useful part in opening up trade, stimulating the wants of the natives and inducing them to part with their products for purposes of export. For this service he is entitled to credit, but the essential point is that the same service might, with due encouragement have been performed by the Native peoples.

In every direction, the sphere of the Indian in this country is not complementary but competitive with those of the European and African. Even in the minor spheres the European, if the Indian would submit to the civic, moral and commercial obligations current in European Society, has nothing to fear from Indian competition, the contrary theory, which formerly found favour in local governing circles, having been completely exploded by the history of the past thirteen years.

But with the African, the case is different. He is not strong enough anywhere to stand against the competition of a more crafty race. So long as that race is organised to keep him in servitude, by shouldering him out of all the posts which lie in the path of his advancement, he must be content to remain a mere hewer of wood and drawer of water".

The period of political controversy then began and was to some extent embittered by the reflections which had been made on the Indians in the Economic Commission Report. During this period the European community, looking forward to some measure of self-Government, and fearing that they would be swamped by an influx of Indian voters, called for immigration control on purely political grounds. They left out of account the interests of the natives, deliberately, as has been explained since the White Paper was issued, because it was clear to them that such an argument, however sincerely advanced, would have been regarded as hypocritical.

During the last three<sup>or four</sup> years, it has been held by successive Secretaries of State that there can be no racial discrimination in any Immigration Ordinance. Viscount Milner, in his despatch of May 1920, laid it down that Indians must not be placed at a disadvantage in regard to immigration, as compared with other immigrants. In the Outline of Policy of August 1921 it was contemplated, on the general basis of "equal rights for civilised men", that Indian immigrants, like others, should

should be subject to the English test of literacy.

In the Wood-Winsterton terms of September 1922 a statement that "in present circumstances no change was contemplated in the existing regulations" was subject to the note by the Secretary of State for the Colonies that

"Throughout the discussions with the India Office, I have made it plain that my view is unchanged as to immigration control, and that if the danger ever arises of a large influx of Indians I hold myself entirely free to take action which may be necessary. In view of the figures which you have supplied as to the influx and efflux of Indians in 1921-22, I have not felt it necessary to insist on any alteration of the law at present".

The danger which Mr. Churchill held himself free to meet was considered to have arisen when, in 1923, information was received as to the number of immigrants and emigrants between Kenya and India during the nine months ended December 1922. It was shown that there had been a net influx of 2,880 Indians, and it seemed clear that the tide of immigration which, coupled with the rapid natural increase among the domiciled Indians, had doubled the Indian population between 1911 (11,886) and 1921 (22,822), had set in more strongly than ever.

The statement in the White Paper, therefore, did not involve any sudden change of policy. It maintained the principle that any immigration legislation must be non-racial, but at the same time, it endorsed the view of the previous Secretary of State for the Colonies that the rate of Indian immigration was a

factor

factor which might render legislation necessary, and it gave to that view the immediate practical importance indicated by the latest information available.

Summary of the Allegations as to  
Indian influence on Native Advancement.

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Apart from the matter of simple economic competition, the allegations made are not such as can be supported with any enthusiasm. That of actually bad moral influence has already been mentioned: in addition, it has been alleged, first, that the Indian artisan will not help the African in the workshop to learn his trade, and that the training of Africans in mechanical occupations can only be carried out under a European foreman; and secondly, that the Indian petty trader in selling to or buying from the native cheats him as to quality, quantity and price. On the other hand, it is claimed that Indian artisans do help the African learner, that the African artisans who have been trained have learnt their craft from Indians, and that the native trade of East Africa is entirely the creation of the Indian petty trader, who alone has the patience for the protracted bargaining which the African considers essential in transaction. A native of Uganda is reported to have said that "But for the Indians, we should go back to bark-cloth".

In regard to the artisans, it is reasonable to suppose that examples can be produced on either side, and it is not improbable that the attitude of Indians towards African learners depends very largely on the interest taken by European supervisors in the efforts made to assist the training of Africans.

As regards petty trade, the share of the Indian in its development is recognised in the extract from the report of the Economic Commission already quoted. They, however, considered that the African might, with due encouragement, have been allowed to develop this trade for himself, and in a recent Report, the Chief Native Commissioner has expressed his opinion that the Somali inhabitants of Kenya might take a share in the small retail trade in the country, although "their inability to get on well with other natives and their wish to become rich quick are both severe handicaps in such a calling".

The purely economic problem calls for fuller consideration. It is certain that the natives of Kenya are in a more backward state, especially as regards skilled labour, than those of West Africa, where the Indian element has not been introduced. It is certain also that they take a smaller share in skilled occupations than the natives of Nyasaland or even Uganda, where the Indian element in the population is less conspicuous. From the experience of other parts of tropical Africa, therefore, it is probable that, if the Indian had not been available for skilled occupations, the natives would by now have reached a higher stage of advancement, although the progress of the country might have been retarded; but the important question is whether the serious efforts which are now being made to stimulate the natives in skilled work are compatible with the unrestricted introduction of Indians, in addition to the rapidly increasing numbers of Indians already domiciled there.

The above comparison with other parts of tropical Africa makes this a suitable place in which to refer to the  
claim

claim which has been made that in some Colonies, notably in the West Indies, the entry of Indian immigrants has been made for the advantage of the Colony and its inhabitants. In the following section of this memorandum the essential differences between the circumstances in Kenya and the West Indies are set out.

#### CONTRAST WITH WEST INDIAN COLONIES.

The three Colonies which give the most suitable comparison with Kenya in the matter of Indian immigration are British Guiana, Jamaica, and Trinidad. For British Guiana and Jamaica the Census returns for 1921 give ample opportunity for comparison with Kenya, although, as the form of the Census Report is different in the three cases, exact comparison is not possible.

In some ways Jamaica offers the closest parallel, with an Indian male population of 2.5 per cent of the total male population. In Kenya the proportion is more like 1 per cent, but there a large number of natives are semi-nomads, outside the ordinary conditions of settled civilised life. Of the Indian males in Jamaica, 80 per cent are engaged in agriculture and about 9 per cent in various other occupations, i.e. professional (including Government servants) commercial, industrial and domestic. The remaining 31 per cent include other occupations and the unemployed miners. In Kenya, only .8 per cent <sup>of the</sup> Indian male population are engaged in agriculture (these are almost entirely market gardeners). The professional heading includes 5.4 per cent, while commercial, industrial and Government railways represent 24.5 per cent, 15.4 per cent and 10.9 per cent, making about 60 per cent as against 9 per cent in Jamaica.

Jamaica. As before, a large percentage represents minors and other unemployed persons.

But when we compare the proportion of Indians engaged in various employments to the total so engaged, the contrast is more conspicuous. On this basis, we find that in Jamaica the Indian share of agricultural work is 36 per cent, as against an absolutely negligible percentage in Kenya; under "professional" .4 per cent as against 37 per cent in Kenya. This Kenya figure does not include the Government railways, in which the Indians represent 78 per cent. Under "commercial" (which includes petty traders) we have 2.5 per cent in Jamaica and 60 per cent in Kenya. Under "industrial" (including artisans) we have .8 per cent in Jamaica and 71.6 per cent in Kenya. Under "personal service" (including domestic), we have 3.5 per cent in Jamaica and 28.3 per cent in Kenya.

Turning to British Guiana, we find that the circumstances are very different, as, excluding from consideration the few thousand aborigines, the Indian males represent <sup>per cent</sup> 48 of the total male population. It is natural that in such circumstances the Indian share of the non-agricultural work of the country is greater than in Jamaica, but the figures show generally the same characteristics as in Jamaica. Of the Indian males, 66 per cent are engaged in agriculture, .5 per cent in professional occupations, etc. 2.6 per cent in commercial, 2.6 per cent in industrial, and only .8 per cent in domestic. Taking the proportions of male Indians engaged in these employments to the total of the males so engaged, we find that under agriculture no less than 87.4 per cent are Indians, the corresponding figures

for other employments being 9.3 per cent in professional, 30.7 per cent in commercial, 15.3 per cent in industrial, and 44.7 per cent in domestic employments.

It is unfortunate that the Trinidad census reports do not give any classification of the occupations of Indians as such, but it is notable that, out of 87,077 Indian males, only 2883 are in the towns. It is in fact well known that in Trinidad, as in British Guiana and Jamaica, the Indians are to a very great extent engaged in agriculture. The total number of males engaged in agriculture in Trinidad is only 63,171.

In these Colonies, therefore, the Indians provide either the backbone of the agricultural work or a valuable supplement to the local agricultural population. In more skilled employments they take, in most cases, a very small share, and in no case a share which is in excess of that which their total numbers would indicate as reasonable. It is precisely in these skilled or semi-skilled occupations that the Indians in Kenya almost entirely engage, and it is to these same occupations that the native must look if he is to be given an opportunity of development towards a higher standard than that of a mere tiller of the soil.

#### THE PROBLEM IN KENYA.

It may be taken as established that in Kenya the Indian is not giving the assistance to agriculture which he gives in the West Indies, and that, on the contrary, he does by far the greater part of the skilled work which, in the West Indies and West Africa, is



done by the local population. What is to be the future position?

It is not too much to hope that in, say, twenty years, there will be as many natives as there are now Indians in Kenya, capable of these skilled occupations, and in that time the adult male local Indian population will, in the natural course of events, have greatly increased. Will the capacity of the country for absorbing skilled labour have so much more than doubled in that time as to justify the admission of any large number of additional Indians?

Taking a shorter view, it may safely be assumed that the unrestricted immigration of Indians must tend to reduce the rate of progress of the training of natives. In the past, that progress has undoubtedly been hindered by the fact that Indians, ready trained, have been available as artisans, clerks, etc. and that tendency would continue except so far as it is resisted by an organized attempt to discourage Indian labour. In Government employment, the need for economy and the desire to provide openings for natives etc. tend to limit the openings for Indians. In unofficial European employment, the same causes, coupled with the political fear of Indian encroachment, etc. operate strongly in the same direction, and there is good reason for expecting that, if the problem of immigration is not faced, there will be a new and increasing employment of Indians which cannot fail to affect the prospects of those already domiciled in the country, with a resulting embitterment of race feeling.

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It is not, therefore, a simple choice between restricted Indian immigration and economic evolution.

If immigration is restricted, the employment of natives is encouraged, the local Indians are left free to take their position in the life of the Colony, and one source of political unrest is removed. If nothing is done, native development is prejudiced, the economic position of the domiciled Indians is jeopardized, and a source of constantly increasing political unrest is left open.

It is perhaps necessary to make it clear that, whatever the more ardent seekers after self-Government in Kenya might say, there is room in the Colony for Indian immigrants of the cultivator class who will actually cultivate the land which can be set apart for them. But that class is now absent from Kenya, and the problem of Indian immigration there remains distinct from that of any other part of the world, a problem which must find its solution in terms of the interests of the inhabitants of Kenya, the natives first, but also the Europeans and, ultimately, the domiciled Indians themselves.

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VIEWS OF MISSIONARIES IN KENYA ON THE  
POSITION OF INDIANS.

The following extracts are taken from letters to the Governor of the East Africa Protectorate (now Kenya), in 1910, by the Bishops of the Anglican and Roman Catholic Churches, and the Head of the Church of Scotland Mission. They are of special interest as being old enough to be free from any suggestion that they were influenced by the more recent political developments.

They originated out of an interview (published in a London newspaper) with a gentleman who was then, and still is, prominent in Indian circles in Kenya. A great part of the letters concerned matters largely personal to this gentleman, and for that reason, and also for brevity, the letters are not annexed in full.

A.

\* A reader ... would easily gather, for instance, that only European capital and Indian labour were needed to develop the country. That European capital is an imperative necessity to such an end is absolutely correct; but it is quite a false idea that only Indian labour is required to supplement the capital and directing efforts of the European, for bit by bit as the African is being trained he is displacing the Indian clerk, the Indian servant and labourer, the Indian overseer and the Indian artisan. The European with his capital, and the properly trained African labourer, clerk, artisan and shop assistant, are just suited to

the all economic needs of this developing Colony, and will be quite equal, in due time to doing without the presence of the Indian at all.

X X X

Were the British not in power ..... any Indian who might venture to travel into the interior, and settle in places distant from the coast, would, I imagine, soon be attacked, robbed, and very likely killed by the spearman of the tribes, because the Indians who have so far emigrated to East Africa, with the exception of the better class, are accustomed to deceive, to cheat, and to ill-use the African, and would meet with rough vengeance.

From a religious point of view it would be deplorable to witness a widespread influence of Mohammedanism and Hinduism over people whom we are earnestly seeking to bring under Christian civilisation, to know that concubinage and its many accompanying evils would prevail so much more than now; and to see the present low standard of morality and honesty, and the low commercial tone of the Indian community become more marked year by year, should the European have to give place to the Indian, and the African come more and more under the grip of the Indian.

B.

I consider that the presence of the low class Indian in such large numbers as we have them today, is one of the greatest obstacles to the progress of the native races xxxxx The Indian trader, - I do not mean the well-to-do trader of Nairobi of whom there are comparatively few; but the low class trader who is to

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be found all over the Colony, - has brought with him a low moral tone and a dishonesty in dealing with the natives which undoubtedly have a deteriorating effect upon the native character.

The fact to be most deplored is that all the half-skilled labour of the Colony is in the hands of the low class Indians. The result is that the natives of this country, in whose hands such work should really be, are discouraged from learning and are not entrusted with the responsibility which is necessary to raise them into the positions which are rightly theirs. As long as the Colony is full of Indian masons, carpenters, engineers and such, so long will the incentive to the native to rise to undertake these trades be wanting.

In Uganda the native is capable of filling important places as half-skilled workers. In Nyasaland the native has been trained to perform the whole of the skilled labour of the colony under European supervision. He is, in fact, taking his part in the development of the colony. In both of these cases the advancement of the native in the skilled work of the country is because of the demands made upon him.

There are practically no skilled Indians in either of these countries, but here it is different. I am perfectly satisfied that if the Indian had not been in this Colony, the training of the natives to fill the position of the skilled labours of their own country would have been much more advanced than it is today.

C.

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them are very inferior workmen .... They apply every effort to deter the native from becoming a workman in his own country, in those crafts so useful and necessary to build up a new country.

Indians exist in the country chiefly as small merchants. They are unscrupulous in cheating the simple in extorting from the timid natives. As merchants they are not the pioneers they boast to be. They are not to be found in the interior except under the sheltering influence of military or missionary establishments.

In morality they are on a level with the natives, and contrarily to the latter, they give no promise of ever becoming better.

For the whole country they are a perpetual danger of infectious plague and disease, their religion forbidding them to cause the death of any animal, obliging them therefore to make their houses the home of all sorts of small and big vermin - propagators of disease.

In German East Africa, where Indians are but an insignificant minority, the traveller is agreeably surprised to see the progress made by the natives in good manners, cleanliness, intelligence and technical. This can only be attributed to the constant and immediate contact of the native with his white masters, to the absence of that inferior go-between which is such a plague in this country .... It would be a crime to give to the Indians any greater influence than they have already. In my opinion they have already too much. I think the Indians the blight of the British East Africa Protectorate.

Paraphrase telegram from the Secretary of State for the Colonies to the Governor of Kenya.

(Sent 3.45 p.m. 22nd May 1924)

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Secret and personal Indian question.

You will realise that while I am most anxious to protect the interests of Kenya and the economic position of the natives it is necessary for me to give full consideration to the Imperial aspect of the question the gravity of which is continually increasing. With regard to the question of immigration the late Government's attitude in holding that immediate control was necessary was based on the figures supplied for the year 1922 and our position is materially affected by the fact that these figures cannot now be maintained.

2. I am considering whether it is possible to adopt the following attitude on this point:- I adhere to late Government's view which was also the view held by the Secretary of State at the time of Wood-Winterton terms, that the power of control is essential, and the tendency to increase of immigration as shown by the latest figures supplied by you indicates that it may be necessary to use that power soon. The proposals for legislation put forward by you provide the machinery not only for control but also to investigate how far immigration is necessary for various purposes. An Immigration Ordinance should be passed so that the latter machinery may be set up and to secure the power to introduce actual control of immigration when I am satisfied as to the need for it. The terms of the Ordinance will not necessarily follow those of the draft prepared by

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