

1924

KENYA

C. O.
9248
26 FEB 24

80

FROM
Polak, H. S.

Date
25 - Feb, 1924

CIRCULATION

Mr.
Mr.
Mr.
Asst. U.S. of S.

Indians in Kenya

Permit U.S. of S.
Part U.S. of S.
Secretary of State.

Further observations.
ask whether he may
communicate to the
Indian public certain
extracts from his former
letters and do reply thereto.

Previous Paper

21
9170

MINUTES

See also 8870 and 9170 below. It seems to me essential that Mr. Polak should now be told that the Secretary of State must reserve any expression of view on the Indian question until the Indian Committee arrives and puts its points to him. I think that this correspondence with Mr. Polak has gone far enough, and that any future communications should be made to persons with more official position than he possesses. He does not even write these letters as Secretary of the Indians Overseas Association.

In the second paragraph of this letter Mr. Polak uses the phrase that "any proposed Immigration Bill will be submitted to the Committee for its observations". This is the sort of phrase that rouses one's suspicion. It has been stated

so

Ans. S. O. of Feb.

I quite agree.
H. S.

Subsequent Paper

See CO

100 Kenya (3)

H. S.

so often that the Committee is to make representations, that Mr. Polak's phrase must be regarded as intended to produce a contrary impression. Of course, the draft Bill will be on the table when they make their representations, but it will not be submitted to them.

In the same paragraph it is suggested that the Secretary of State's hands are not free because of the statement made by Colonel Wedgwood in the July debate. That is hardly for me, but it seems to me that the Secretary of State would do well to repudiate the claim.

It is hardly necessary to discuss what he says about the Franchise Ordinance. To cancel it definitely means to scrap the White Paper decisions, and to cancel it at this stage would mean that the position in Kenya would be ~~worse~~ worse than 12 months ago.

I am afraid that in drafting on 7296 I overlooked the necessity of marking the draft "Confidential". This sort of correspondence is only tolerable on the assumption that it will not be published, and Mr. Polak should be informed, briefly, that publication cannot be permitted and at the same time he should be told that the Secretary of State cannot accept the points to which I have referred as arising out of paragraph 2. ?

W.S. 20.2.24
N.J.R. 26/7/24

S.P.S.

I think, in view of his
letter, the less said, the
better. I understand he is a hero
to be rather careful of.
I have discussed the
proposals with the
advising committee with
Bottomley, who drafted it
I he agrees that it would
be better to proceed on
the following lines instead -
^{to say exactly}

- (1) That of course, ~~any~~
~~unofficial~~ publication
cannot be permitted of
your letter of 16th inst.
- (2) That you are not
prepared to continue
this correspondence
further - sending the
representations of the
Institution Committee.

a
2/2

~~Wm. Ashurst~~
~~his friend~~

Please see S.P.S. up
to Mr. Plak & also the letter
from Lord Oliver. Ed. Arnold
has seen Em 29. 2

Seen. Wood. 4/3
H. J. R.
5/11/24

124 1/2

Dear Mr Polak,

I have received your letter
of Feb 22nd and I have also
seen Lt Hoover's letter to you
of today's date. and I can only
say that I am in complete
agreement with every word
of the latter which is a
complete expression of my own
opinion on the matter in hand.

You must be aware that my
letter to you of the 19th ~~was~~ ~~marked~~
~~marked~~ 'Confidential' was
not intended for publication, and
that I could not agree to that.

If you publish Lord Olivier's letter
you should ask me to state how
I am in entire accord with
what he says.

Yours sincerely

Thanked by H.S. completely after.

Dec

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29.2

INDIA OFFICE,

Whitehall, S.W.1.

29th February 1924.

My Dear Member

I enclose for your information a copy of a letter I have had from Mr. Polak and of the reply I have sent him.

Yours sincerely

Oliver —

The Right Hon. J.H. Thomas, M.P.

47-48 Danes Inn House,
265 Strand, W.C.2.

The Rt. Hon. Lord Olivier,
India Office.

Dear Lord Olivier,

I have been astonished to receive a letter from Mr. Thomas in reply to my long letter to him of the 12th instant of which I send you herewith a copy.

Mr. Thomas does not appear to realise that at this moment his action will be taken in India to involve a definite repudiation of the Labour Party pledge given by Colonel Wedgwood last July.

I send you herewith a copy of my reply to him and venture to hope that you will press the matter still further with him. There is no doubt of the peculiar bitterness of Indian opinion on this question.

Yours sincerely,
H.S. Polak.

ad
Feb.

INDIA OFFICE,

Whitehall, S.W.1.

29th February 1924.

Dear Mr. Polak,

I am obliged by your letter of the 25th instant enclosing a copy of your correspondence with Mr. Thomas. If I may say so without offence, and certainly intending none, I think you were rather too quick to feel astonishment with what appears to me to be a perfectly straightforward and inevitable communication.

You say that Mr. Thomas does not appear to realise that at this moment his action will be taken in India to involve a definite repudiation of a Labour Party pledge given by
Colonel

H.S. Polak Esq.

Colonel Wedgwood last July.

"India" is a large expression; many people there may think one thing, many people another. I think it is quite probable that Mr. Thomas fully realizes that his action may be misrepresented by some persons in India as a definite repudiation of a pledge, but it is impossible to allow straightforward policy to be affected by apprehensions of mistaken interpretations of this kind, when the policy itself does not justify them.

You speak of the Labour Party pledge given by Colonel Wedgwood last July. Mr. Thomas is much better informed than I am as to whether any or what pledge was given by the Labour Party on the occasion to which you refer.

I am aware of no record except of what Colonel Wedgwood said, which is as follows:-

"I

"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, we will do our best to re-establish justice and fair play throughout the British Empire and put an end to what is ruining our chance of real peace and development."

There appears to me to be something whatever in the letter written by Mr. Thomas which is inconsistent with Colonel Wedgwood's words, whether or not they were spoken with the corporate authority of the Labour Party. In my statement in the House of Lords last Tuesday you will see, if you will read the full official report, what my views are on the subject. I am interested to observe, what I was not at the time aware of, that my advice to Indians on the upshot of the situation was identical with that of Colonel Wedgwood which was as follows:-

"If I were to advise my Kenya Indian friends what to do about the settlement, I would say to them 'Accept it. It is all you can get, and all you can expect. Do not suppose that you have got justice. It is

not

not your business any longer. Take the five seats and elect your men. Put on men who will stand up for your rights. Do not adopt the silly policy of non-cooperation which has ruined the political situation in India. Get on the Council and carry on."

You will recognise that Colonel Wedgwood's feeling and desires on this matter ^{mine and} and ^{our} recommendations for the best way of dealing with it, are practically identical, and although I have not discussed the matter with Mr. Thomas, I should be very much surprised if his were divergent.

Our common purpose, yours and a Colonel Wedgwood's and my own, is to get the principle of equal citizenship recognised throughout the Dominions of the British Empire. In so far as I have been able to intervene in such controversies at all I have all my life carried on a running fight on this behalf, both in regard to all parts of the Empire and on behalf of the natives of South Africa as against the policy of white supremacy

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supremacy which has prevailed in such wide areas under the influence of Afrikanerdom, and my personal admiration for Mr. Gandhi dates from the period of the stand made by him on behalf of Indians in that part of the world.

If, therefore, you fear that Mr. Thomas' attitude ^{be held to} may indicate a change of view on the part of the Labour Party, I think it is your plain duty to point out to all your friends that it indicates nothing of the sort, but that constitutional changes having been accepted, it is quite impossible and entirely contrary to the whole methods and traditions of British constitutional development towards free and equal institutions, immediately to reverse and upset arrangements which have been made, not for the purpose of establishing an ideal form of democratic constitution, but for the essential purpose of Government, namely, of carrying on the business

business of Government in the interests of the greatest happiness and greatest possible freedom of the greatest number.

What I have said on this point tallies with exactly similar force with what I said in my statement in the House of Lords with regard to the political situation in India which again is identical with what Colonel Wedgwood said in the debate from which I have now quoted. I am convinced that this is the only effectual path of progress. Accept what you can get and press on to get more till you get all that you can claim as due to you.

If you should desire to use any of this letter for publication, my only condition is that you should so use it whole and intact.

Yours very truly,

Oliver.

HV. S. L. POLAK,

47-48, Danes Inn House,
265, Strand,

C. O.
433 9248

26 FEB 24

London, W.C.2.

22nd February

1924.

TELEPHONE: CENTRAL 2532.
ADDRESS: KALOSH, ESTRADE, LONDON.
CABLES: KALOSH, LONDON.
BENTLEY'S COOK.

The Right Hon. J.H.Thomas,
Colonial Office,
S.W.1.

Dear Mr Thomas,

I thank you for your letter of the 19th inst. I greatly appreciate your assurance that the view held in the Colonial Office is clearly that the Government of India Committee, when it comes, will be free to make representations on any question relating to Indians in Kenya.

Whilst, as Sir Tej Bahadur Sapru has admitted, it is technically correct that the Secretary of State for the Colonies is free in regard to any question ~~as~~ carrying out the decisions in the white Paper, there was a very real fear that it was the intention of the Colonial Office to face the Committee in the matter of Immigration with a fait accompli. And it is a matter of satisfaction that any proposed Immigration Bill will be submitted to the Committee for its observations. On the other hand, though speaking generally, the Secretary of State is free to take the aforementioned steps, it is very questionable whether the present Secretary of State is so free, having regard to the Party pledge on the whole question given with the present Prime Minister's authority, by Colonel Wedgwood last July.

I do not propose to repeat the argument contained in my letter of the 12th inst. on the very questionable evidence on which the late Government decided to authorise fresh Immigration Legislation for Kenya. The matter will

be further dealt with doubtless by the Committee. The same considerations, however, do not apply in the case of the Franchise dealt with in the last paragraph of your letter. Here undoubtedly it would seem that you are giving your definite approval to a policy establishing differential standards of citizenship upon a racial basis.

It would be better to have a party of them for good

It is not a question of disfranchising the Arabs and such Indians as you refer to, but of setting aside for them an inferior category of citizenship. I am afraid that your decision on this question is calculated, not merely to embarrass very gravely the position of the Indian Committee, when it comes here to discuss this question among others, but to estrange still further Indian sentiment from the Government and to deprive the present Government of the confidence of the Indian people that the Prime Minister and his colleagues are admittedly anxious to secure.

May I be allowed to point out that it would be unreasonable, on the part of the present Government, in view of the Official Party view expressed by Colonel Sedgwood last July, to regard with disapproval the actual decision of the Indian community to decline to participate in the setting up of machinery creating for them an inferior and subordinate status of citizenship. I imagine that the leaders of the Indian community would view the action of a small minority of individual Indians, either through fear, weakness or other motive, in accepting such an inferior status, very much in the same light as the leaders of a trades union in this country would do as regards "black-leg" action in the case of a strike which had been decided upon by the general will of the members of the trades union concerned.

My letter of the 12th was marked "Confidential," but I see that

your reply is not similarly marked. I should be glad to know whether I have your permission to communicate to the Indian public the request made by me in the passage commencing "The critical moment" towards the end of paragraph 34 of my letter, and the reply contained in the last paragraph of your letter, under reply together with a statement to the effect that this question, like all others, will come within the scope of the Government of India Committee.

Thanking you for the favour of an early reply and again expressing my appreciation of your courtesy.

Yours sincerely,

A handwritten signature, possibly "V. K. Rajwade", written in dark ink. The signature is somewhat stylized and appears to be written over a horizontal line.