

EAST. AFR. PROT

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1920  
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POSITION OF INDIANS

Considers question one of wider significance than local politics. Expresses views as to representation on League Council etc, acquisition of land, segregation of races, Indian Magistrates, doctors, railway travelling, trial by Jury, Education, Immigration, and Marriage.

previous Paper

588

Dr. J. F. Fuller 3 papers  
W. H. Murray

he had asked only. East in 4752/19  
for his views on the various matters  
referred to - but on 6/22/19 he also  
asked in Murray to record his  
views in writing for course of  
Dr. Murray on his return.

no action is required except  
to ask. except may state  
this letter will be brought  
to Dr. Murray's notice on his  
return from Egypt.

also 1526  
1588

15.1.20

next subsequent Paper

2910

as to representation, see Professor  
Simons' memo: (72586/19)

15/1/20  
H. S. S.

Confidential.

Sir,

I have the honour to acknowledge the receipt of your letter No. 69841/1919 of the 19th December on the subject of the position of Indians in British East Africa.

2. My own view on the Indian question is that all British Colonies and Protectorates in Africa should preserve the same policy towards Asiatics in the several territories. The policy being dictated by the Home Government on lines deemed most advisable after a consideration of the political intention of the British Empire in Africa.

3. I therefore consider the problem of the position of Indians in British East Africa to be one of wider significance than purely local politics, and it is only with a view to indicating the policy best suited to the East Africa Protectorate that I am submitting these comments.

4. The present position in East Africa is that the Indian has lived there and traded on an increasing scale for more than twenty years, that he has large financial interests in the Protectorate and that in the absence of a negro substitute, he has made himself indispensable in the past in the capacity of clerk, draftsman and petty trader. Until the African has been educated up to take his place, the Indian has a position to fill.

5. The successful settlement of some thousands of Europeans has induced a feeling of race antagonism founded mainly on jealousy. The European colonist representing

representing the ideals of Western civilization, } 8  
despises the Indian and the majority of them would  
welcome the total exclusion of Indians from the  
Protectorate. In this I consider that he goes too  
far and that much harm is done by repeated European  
representations on the subject. I believe the  
Indian is still necessary: the Europeans would be  
more wise to admit this and to devote their attention  
to the best manner in which the two communities can  
co-exist without friction. European animosity  
increases Indian agitation and the problem now  
possesses acrimonious features which might, with more  
tact on both sides, have been avoided.

6. I will refer separately to the various  
complaints in the petition.

(a) Representation of Indians.

(i) I am opposed to any measure of elective  
representation of Indians to the Legislative Council.  
Ninety per cent of the Indian population in the  
Protectorate belong to an uneducated class of coolie  
totally unqualified to express any opinion on public  
policy. Concession of the elective principle to  
Indians would open the way for the worst form of  
agitator to find a place in the Legislative Council.  
I consider that the nomination of two Indian members  
is an ample concession for the present.

(ii) The large majority of Indians in the  
Protectorate are equally unfitted to vote on  
Municipal matters.

(iii) I am not opposed to the inclusion of Indian  
members in Commissions of Inquiry wherever Indian  
interests may be concerned.

(b) Land.

(i) I am opposed to the lease of Crown Lands in  
the

the East African highlands to Indians, with the exception of townships plots in areas set apart for Indian occupation. A demand for farms suitable for European colonists exists and the area suitable is limited. The Crown should, therefore, not lease such land to Indians and I am of opinion that the subsequent transfer of such land to Indians should be prohibited, if the principle of segregation of races is definitely accepted. Regulations at present exist which render the permission of the Governor-in-Council a necessary preliminary to transfer between persons of different races; I think that this measure should be maintained as long as possible.

(11) I should prefer to retain available areas in the lowlands for eventual allotment to agriculturalists drawn from the native African tribes; but if the grant of land to Indians in East Africa is considered necessary by the Imperial Government, I believe that it would be feasible to demarcate an area on the Coast for Indian settlement. This area might suitably be found within the mainland dominions of His Highness the Sultan of Zanzibar. Further inland, I suggest that the native of Africa has the better claim to all land not set apart for European settlement. I deprecate any extension of the Indian area near Mahoroni alongside of the European settlement.

(111) I have previously expressed the opinion that Indian ex-soldier agriculturalists have less claim to land in Africa than the native African ex-soldier; if we acknowledge such ex-Indian soldier claims for services in the Great War, why not admit also West African ex-soldiers of the Gold Coast and

Nigeria

Nigeria Regiments who did far more than Indians in the local campaign.

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(c) Segregation of Races.

I consider that this principle, advocated by Professor Simpson, should be acted on where reasonably possible. Eastern and Western civilizations can never intermingle socially and segregation will remove chances of friction from unnecessary contact. But in established towns such as Nairobi, Nakuru and Mombasa, the principle cannot be fully acted on without expense and offence. In such places, enforcement of the principle should not be made too rigorous at first, but should take the form of gradual pressure when suitable occasions arise.

(d) Differentiations.

(1) I have had no occasion brought to my notice, nor have I observed any case where Indian magistrates or educated gentlemen might beneficially be appointed to the higher ranks in the service. Indian assessors to watch Indian litigation are sufficient provision.

(ii) I do not recommend an extension of the terms of the Medical Practitioners Ordinance to include Indian qualifications as sufficient to entitle an Indian doctor to register. Only the highest professional attainments should be aimed at in a tropical dependency.

(iii) It is in travelling on the Railway and Lake that European and Indian is most bound to come into social contact. This problem has always been debated with bitterness on both sides. Indians are only prohibited from travelling in compartments labelled "Europeans only" and I am unable to regard this as a serious disability. Similar restrictions are necessarily

necessarily placed on Europeans who have not, however, complained that they may not travel in "Non-European" compartments. 21

(iv) I should offer no objection to the introduction of a system of trial by jury for Indians if the Chief Justice recommends it.

(e) Education.

I agree that more provision for Indian education is necessary, but this applies equally to Arabs and Natives and in a less degree to Europeans. This matter will be dealt with in connection with the recommendations of the Education Commission whose report has not yet been considered.

(f) Immigration.

Policy governing the immigration of Indians into the East Africa Protectorate must, I think, be dictated by the Imperial Government, but I advocate restriction on Asiatic immigration as the present absence of restriction tends to keep back the African and allows thousands of undesirable Indians to flock into the country.

(g) Marriage.

I prefer to await the Acting Governor's comments on this legal matter which is outside my knowledge.

I have the honour to be,

Sir,

Your obedient servant,

(SD) EDWARD NORTHEY

Governor of the East Africa  
Protectorate.

Confidential

C O  
2515  
REC-15 JAN 20

10<sup>th</sup> January 1920

Sa

I have the honor to acknowledge the receipt of your letter No 6954 of 11/11/19 of 11th Dec 1919 on the subject of the position of Indians in British East Africa.

2. My view on the Indian question is that all British Colonies and Protectorates in Africa should preserve the same policy towards Asiatics in the several territories. The policy being dictated by the Home Government on lines deemed most advisable after a consideration of the political situation of the British Empire in Africa.

3. I therefore consider the problem of the position of Indians in British East Africa to be one of wider significance than purely local politics, and it is only with a view to indicating the policy best suited to the East Africa Protectorate that I am submitting these comments.

4. The present position in East Africa is that the Indian has lived there and traded on an increasing scale for more than twenty years, that he has large financial interests in the Protectorate and that, in the absence of a negro substitute, he has made himself indispensable in the past in the capacity of clerk, craftsman and petty trader. Until the African has been educated up to take his place the Indian has a position to hold.

5. The successful settlement of some thousands of Europeans has indeed a feeling of race antagonism founded mainly on jealousy. The European colonist representing the ideals of western civilization despises the Indian and the majority of them would welcome the total exclusion of Indians from the Protectorate. In this I consider that he goes too far and that much harm is done by repeated European representations on the subject. I believe the Indian is still necessary; the Europeans would be sure to admit this and to decide their attitude on the best manner in which the two communities can co-exist without friction. European animosity increases Indian agitation and the problem becomes more and more serious unless measures which might, with more tact on both sides, have been avoided.

6. I send you separately to the various complaints in the Protectorate.

(a) Representation of Indians

In I am opposed to any measure of elective representation of Indians to the Legislative Council. Ninety per cent. of the Indian population in the Protectorate belong to an uneducated class of coolies totally unqualified to express any opinion on public policy. Concurrence of the elective principle to Indians would open the way for the worst form of agitation to find place on the Legislative Council. I consider that the nomination of two Indian members is an ample concession on this subject.

- (ii) The large majority of Indians in the Protectorate are generally uneducated, both in municipal matters.
- (iii) I am not opposed to the inclusion of Indian members in Commissions of Enquiry wherever Indian interests may be concerned.

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(c) Land

(i) I am opposed to the lease of Crown lands in the East African Highlands to Indians, with the exception of townships plots in areas set apart for Indian occupation. A demand for farms suitable for European colonists exists and the land suitable is limited. The Crown should therefore set aside such land to Indians and I am of opinion that the subsequent transmigration of such land to Indians should be prohibited. The principle of segregation of races is definitely accepted. Regulations at present exist which render the permission of the Governor-in-Council a necessary preliminary to temporary leases of different races. I think that this measure should be maintained as long as possible.

(ii) I should prefer to retain available areas in Protectorates for eventual allotment to agriculturalists drawn from the native African tribes; but if the grant of land to Indians in East Africa is considered necessary by the Imperial Government, I believe that it would be possible to demarcate an area on the Coast for Indian settlement. This area might suitably be found within the district and dominions of His Highness the Sultan of Langkai. Further inland, I suggest that the native of Africa has the better claim to all land not set apart for European settlement. I deprecate any extension of the Indian area over boundaries already of the European settlement.

(iii) I have previously expressed the opinion that Indian co-soldier agriculturalists have less claim to land in Africa than the native African co-soldier; if we acknowledge that the Indian soldier claims for services in the Great War, why not admit also West African co-soldiers of the Gold Coast and Nigerian Pygmies who did far more than Indians in the local campaign?

(c) Segregation of Races

I consider that this principle, advocated by Professor Symson, should be acted on where reasonably possible. Eastern and Western civilization can never intermingle socially and segregation will remove chances of friction from unnecessary contact. But in established towns such as Nairobi, Nakuru and Mombasa, the principle cannot be fully acted on without expense and hardship. In such places, enforcement of the principle should not be made too rigorous at first, but should take the form of gradual process where suitable occasions arise.

(d) Differentiation

(i) I have had as occasion brought to my notice, no case I observed any case where Indian magistrates or judicial gentlemen who had temporarily been appointed to the higher ranks in the service, had any serious breach of Indian discipline and suppressed promotion.



(ii) I do not recommend an elevation of the terms of the Medical Practitioners Ordinance to include Indian graduates as sufficient to entitle an Indian doctor to register. Only the highest professional attainments should be admitted in a tropical dependency. 84

(iii) It is in travelling on the Railway Road and Lake that European and Indian is most bound to come into social contact. This problem has always been debated with bitterness on both sides. Indians are only prohibited from travelling in compartments labelled "Europeans only" and I am unable to regard this as a serious disability. Similar restrictions are necessarily placed on Europeans who have not, however, complained that they may not travel in Non-European compartments.

(iv) I should offer no objection to the introduction of a system of trial by jury for Indians if the Chief Justice recommends it.

(v) Education

I agree that more provision for Indian education is necessary, but this applies equally to Arabs and Malays and in a less degree to Europeans. This matter will be dealt with in connection with the recommendations of the Education Commission whose report has not yet been considered.

(vi) Immigration

Pragmatically the immigration of Indians into the East Africa Protectorate must, I think, be decided by the Imperial Government, but I advocate restriction in Asiatic immigration as the present admission of restriction tends to keep back the African and allows those and of undesirable Indians to flock into the country.

(vii) Finance

I propose to await the Acting Governor's comments on this financial matter which is outside my knowledge.

I have the honour to be

Sd

Your obedient servant

Edward Watney

Governor of N.E.A.P.

*SC*  
*Amid*  
*H31A*

Downing Street,  
23 January, 1920.

DRAFT.

Major-General

Sir E. Northey, K.C.M.G., C.B.

MINUTE.

Sir,

I am directed to ask the receipt of your letter of the 10th of January regarding the position of Indians in British East Africa.

Your letter will be brought to the notice of Lord Milner when he returns from Egypt.

I am to take this opportunity of transmitting to you a copy of further corres. with the Indians

Overseas Asscn. relating to Indian policy in B.E.A. and on the occasion of a Deputation of the East Africa Indian National Congress

*Mr. Parkinson, 19.1.20*  
*Mr. Grindle, 2.1.20*  
*Mr. H. Lambert,*  
*Sir H. Read,*  
*Sir G. Fiddes,*  
*Col. Amery,*  
*Lord Milner.*  
*1.0. r Jan*  
*1.0. 27th*  
*Overseas Asscn.*  
*Jan. 1920 (1588)*  
*(1588)*

to this country, ~~and~~

I am, etc.,

(Signed) H. J. READ.