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POSITION OF INDIANS.

1920

ESTR Naby.

at previous Paper.

Considers position gives cause for anxiety. Is of opinion that status of British Indian in E.A.P. should be clearly defined at once. Discusses questions of franchise, representation on Legv Council and currency.

16333

*W. B. Stott*

See memorandum by Mr. B. Stott  
annexed.

In Mr. Stott's comments on the  
F.O. letter etc. of 4/5/20  
It is sent to him after his  
arrival & before receipt of  
page's views.

This is an interesting paper on  
the question of elective representation  
of Indians to the Leg. C. will  
be useful for the S.P.'s

See also views on this point in N/19/22/110  
P. 10/24 p. 100-101

*W. B. Stott*

Recd  
20.4.20

In view of general action

*Partly*

*S. K. R.*

at subsequent Paper.

16894

AFRICA PROTECTORATE

NO. 45

GOVERNMENT HOUSE,

NAIROBI,

BRITISH EAST AFRICA

CONFIDENTIAL

C. O.  
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February 28th, 1920.

My Lord,

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I have the honour to acknowledge the receipt on the 19th ultimo of Your Lordship's Confidential despatch of November 26th transmitting for my observations a copy of a letter from the India Office together with copies of a despatch from the Government of India and a Memorial presented by a Deputation from the British Indian Associations in this Protectorate. I regret that through pressure of work my reply has been delayed and I trust that it will not reach Your Lordship too late for discussion with Sir Edward Borthwick.

2. In the first instance I should like to state that it is my very strong opinion that the status of the British Indian in East Africa should be clearly and unmistakably defined with as little delay as possible. I further consider that this is a matter which should be dealt with by the Imperial Government by means of an Order in Council which would govern any subsequent local Legislation affecting British Indian interests in the Protectorate. In arriving at a decision on this

THE RIGHT HONOURABLE

VISCOUNT MILNER, P.C., G.C.B., G.C.M.G., &c. &c.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.

this important matter the Imperial Government would doubtless be guided by the general policy of the Empire with regard to the treatment to be accorded to its subjects outside their country of birth or origin, after giving full consideration to the special circumstances obtaining in East Africa amongst the most important of which must be placed the welfare and social elevation of the native population.

3. The Report of the Local Economic Commission dated 21st March 1919 will, I trust, be of some assistance to Your Lordship when the question of the future status of the Asiatic is being dealt with, but in this connection I am bound to record my views that the conclusions arrived at by the Commission in Chapter VII of their Report under the heading "General Native Policy" are not free from bias against the Asiatic. This bias is, I regret to say, almost universal amongst the European Community and is in my opinion, the cause of the general feeling of apprehensiveness of the attitude towards it by the European population. Rash and thoughtless statements by "Prominent" local European settlers at public Meetings, articles and letters in the local Press and resolutions such as that which forms the appendix to the Memorial now under cover, have not been conducive to a good feeling between the two races, while the published

published report of the Economic Commission has naturally been viewed with feelings akin to consternation by the Asiatic Community generally.

4. It is therefore hardly surprising that Indian opinion has been stirred up very considerably and that a suitable field has been provided in which the more extreme agitators have been able to sow the seeds of discontent. Seeing their reasonable requests opposed by the European Community the Asiatics have replied by pressing claims which, in many instances, cannot be considered legitimate. The position has undoubtedly become acute and every opportunity for a further ventilation of their grievances is seized by the leaders of the Indian Community. The latest example is the action recently taken and the further action foreshadowed as regards the local Currency and Exchange problem. This is, I fear, being exploited as another case of subordinating Indian to European interests and much stress is laid on the undeniable fact that the arbitrary local fixing of the Indian Rupee at a figure considerably below its exchange value in India has resulted in a greatly increased cost to the Indian Community both for foodstuffs imported from India and for remittances to that country for the support of families and dependents.

5. One of the most noticeable features of the Indian question in East Africa Protectorate is the apparent unanimity which now prevails

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prevails amongst the various classes and sections of the Indian Community on political questions. This was exemplified at the recent meeting of the "East African Indian National Congress" which was attended by representatives of all sections. I regret that my complete ignorance of Indian affairs in British India prevents me from assessing the true value of this combination but it appears to me very likely that a large proportion of those who attended the meeting were merely attracted by curiosity or were flattered by the attention devoted to them by the chief movers of the local agitation. For I cannot but believe that the lot of the average Indian clerk, Artizan or petty Trader is infinitely better in British East Africa than it is in India itself. Be that as it may, the fact remains that the whole Indian Community is being influenced by the more restless spirits and there is every indication that the influence is likely to spread and become increasingly effective. At the present moment the local position gives cause for some anxiety. Rumours of a general strike by Asiatic employees are in the air and the political leaders fully appreciate the serious embarrassment which would arise if the local Indians were to cease work for even a limited period.

6. I am in entire agreement with the opinion of the Government of India and of the

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the Secretary of State for India, as expressed in the enclosures to Your Lordship's despatch, that the claims of the Indians in East Africa to adequate representation on the Legislative Council and on local bodies should be sympathetically considered. Until recently I have consistently held the view that such representation on the Legislative Council would be best effected by nominations by Government; but I have had occasion to change my opinion on this subject and I now feel convinced that nomination will never satisfy the Indian political leaders now that the principle of elective representation has been accepted in the case of the non-official European Members. In the past I have feared that the election of one or two Indian members would have resulted in the interests of the most influential sections only being represented, but the unanimity amongst the different sections to which I have alluded above removes that objection. There remains to be considered the number of members and the method of their election. As regards the number I am of opinion that 2 is sufficient - one for the Coast and one for the interior. I am aware that this would not satisfy the Indians but I consider that any protests could be met with the reply that Government is not prepared to consider any increase in the number until at least some experience of the working of the innovation had been acquired. It would be of the greatest assistance if Your Lordship could secure the concurrence of the Government

Government of India in such a limited form of representation. Otherwise we are bound to be faced with claims that British Indians are entitled to exactly the same privileges as British Europeans and arguments based on the numerical preponderance of the former will be rejected. This position is what where in my opinion would be desirable. The primary rights of the European Community of the Crown to control the country's affairs, laws, etc. insisted on, due to the numerical preponderance of the European sections of the Community.

In regard to the mode of election to the Council of the Government of British India, I suggest certain prescribed qualifications for the election of Members from the Indian Community. Thinking it would be desirable to have as the only qualifications, the following: (1) age, (2) property, (3) education, (4) language, (5) residence, (6) etc. A system of adult suffrage has been approved for Europeans would be unsuitable for the Asiatic because of the large number of illiterate individuals holding menial positions which is included in that Community. I am aware that such a modified franchise as I suggest would be opposed by Indian leaders who will put forward a plea for equal

"equal rights", but on this point as in the case of the number of Indian Members to be allowed, Government should take a firm stand.

8. A second alternative would be for Government to undertake to appoint two Members of the Indian community selected by any methods the local Indian Associations or Congress might decide to adopt, subject to reasonable educational and age qualifications of the members to be appointed. This would allow them to embark on any elective system of representation which they might consider suitable. It would facilitate their appointment so far as Government is concerned and if properly conducted would at the same time give the entire Indian Community a voice in the appointment of its representatives. In effect, it would probably result in the same members being selected as would be elected under a properly arranged franchise as indicated in the preceding paragraph. A somewhat similar procedure was adopted by Government 2 or 3 years ago for the election of representatives on the Nairobi Municipal Committee. On that occasion, however, an 'election' was arranged by the Nairobi Indian Association at which various malpractices occurred which resulted in complaints being made to Government and the so-called election being quashed. I am therefore unable to recommend this alternative.

9. In this despatch I have endeavoured to make it clear that I am convinced that, given a clearly



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clearly defined policy which is accepted by the Imperial Government as in the best common-Imperial interests, adequate representation on the Legislative Council would be of great value in at least reducing to a minimum, if not actually putting an end to, the continually recurring complaints of the Indian Community both on minor details of Administration and on matters of large importance --- and I am equally convinced that no representation which is not based on the elective principle would be considered "adequate". I can see no objections whatever to granting this privilege. It would probably be regarded by the European Community, and would certainly be exploited by the more extreme Anti-Indian sections thereof, as the "thin end of the wedge" for the grant of further concessions, but such arguments should, I think, be disregarded. The Indian has firmly established himself in the Protectorate and plays an important part in its commercial and economic development and, while I entirely agree that his activities should be controlled within limits, I feel very strongly that his just claims should be met and dealt with fairly and without prejudice.

10. Your Lordship has requested a full statement of facts on certain special matters referred to in the Memorial of March 22nd last to His Excellency the Viceroy together with any suggestions I may have to make. I propose to deal with this in a separate despatch in order

that

that my remarks on the general question of the local status of the British Indians may not be further delayed.

I have the honour to be,  
Your Lordship's  
humble, obedient servant,



ACTING GOVERNOR.

This is quite impossible.

Candidates for the new Legislative Council have been practically unanimous in recommending some system of restriction of Indian immigration. Their suggestions are not definite and it is impossible to see what basis of restriction could be adopted.

An education qualification is impossible as a practical measure in the case of a country of origin with illiterate scripts, while a monetary qualification is also impossible.

1920

... (who as a matter of fact will be of Indian origin).

The Indians have pressed for the right to elect their own representatives or on some occasions have equal franchise with the Europeans. The latter is one of the questions since it means that on account of heads the Indians would carry practically every seat. As regards the alternative of Indians voting for an Elected Member for Indian constituencies there is no serious objection apart from the fact that so largely

an illiterate community are likely to choose not the best and most representative but the most numerous of their number as their members, and generally it would be better to await the experience of Elective institutions in India before applying them to this overseas Indian community.

The suggestion has been made in a recent communication that the women's franchise which has been given in the case of Europeans should be extended to Indians. This seems an extraordinary suggestion in view of the position of the women in India and very few of them are educated and not put to any use.

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quarters also.

In West Africa the segregation of Europeans and natives is largely a matter of the risk of transmission of malaria from the native dwellings in which it is endemic. The width of the zone of separation is there determined by the probable distance of the flight of the mosquito. In East Africa, especially in the Highlands, the separating zone is mainly directed against other diseases than malaria, e.g. the spread of plague by means of rats and the dissemination of other diseases by the risk of physical contact. This question of segregation pure and simple is not without difficulty. There is no real reason why the Indian who lives in European fashion should not live among the Europeans, to say nothing of the possibility that he

... in some cases have a European wife. But apart from the practical difficulties of distinguishing between one Asiatic who may live in the European area and another Asiatic whose standard of living is not suitable for that privilege, it is maintained, in favour of segregation, that however closely the manner of living of the head of the family may conform to European habits, he may be sure to have a train of dependents and relatives living with him who will live in the Indian fashion, and apart from the danger to health make their neighbours lives a misery by their Asiatic addiction to noise.

3. The extension of the principle of segregation to prevent Asiatics from owning land in the European residential quarter is a far more difficult matter. It was introduced at the end of 1917 by the Acting Governor on his own responsibility and has not been explicitly approved by the Secretary of State. On this matter we have not the support of our principal sanitation expert - Professor Simpson - who in his report on East African Sanitary matters in 1918 certainly said that he saw no objection to Asiatic owning land in the European quarter.

The objections are practical rather than of principle. If an Asiatic owns a house in the European quarter the difficulty of preventing him from living in that quarter is increased, but what appears to be regarded as more important is that there is every probability that Indian capital, <sup>which would</sup> in large amounts locally and which is likely to be available in large sums from India, will buy up the whole or almost the whole of the European quarters in large towns and hold would-be tenants to ransom.

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