

1911

LAST AFR. PROT.

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Governor
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Forward 90

Date.

October

Previous Paper.

LEGISLATIVE COUNCIL
MR A.M. JIVANJI'S APPOINTMENT

Reports expired on the 31st Sept. Does not consider that the interests of the Indian Community justify representation on the Council. As not propose to take any steps to fill the vacancy.

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Mr. Piddes,

The decision to have an Indian representative on the Legislative Council was taken in May 1908 at the instance of the then Governor, Sir J. Hayes Sadler. He represented that the Asiatics residing in the Protectorate numbered some 25,000; that they had for years been intimately connected with the trade and development of the Protectorate; that their numbers were increasing; that a large part of the trade and commerce of the port and towns was in their hands; and that they almost monopolized the retail business with the natives in districts in which they were able to thrive under conditions which would be impossible for a European. The decision to appoint an Indian representative was hailed with satisfaction by the India Office and various organizations in India. Mr. Jivaji was recommended by the Governor as "the best, if

not

not the only, qualified candidate for the appointment", and he was accordingly appointed for a term of two years in September 1909.

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Sir Percy Girouard had then just arrived in the Protectorate. He at once requested by telegraph that the appointment might be postponed until he had been fully able to take up his position. He pointed out that the most certain way to a legitimate community, our oldest native

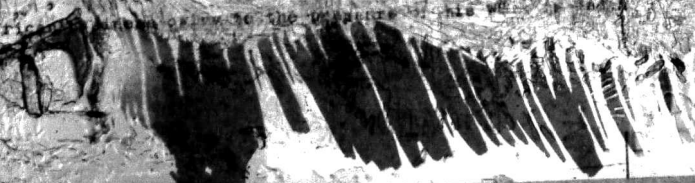
tribe, who outnumber the Indians in the Protectorate, were not even British subjects. It was, however, been suggested, if possible. In April 1910 the

Government had asked permission to sit beside him during the sittings of the Council on the ground that he himself was unable to read or write. The Secretary of State was unable to approve of the proposal. In May 1910 the Governor sent a special despatch on Mr. Jivanji's conduct on the Council. He

reported a case in which Mr. Jivanji had signed a minority report against a Government Bill although he himself was in favour of it as his reason the fact of the intimate connection of his firm with Messrs. Smith Mackenzie and Co. and his fees had not agreed with another

unofficial member of the matter, the question would have been taken up very seriously by Indian merchants both in the Protectorate and in India. He also informed the Governor that having cast himself aside from his official duties owing to the pressure of his work

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he had not wished for appointment to the Council but was pressed by certain native Legislative Councillors in India and by the Indian communities in India to accept the appointment, their opinion being that, as this was the first occasion on which an Indian had been appointed to the Council of a British Colony, his refusal would probably be used by the British Government as an excuse for refraining from making any further appointments. He stated quite candidly that he was practically under instructions from these Legislators and other bodies in India to report exactly what he was doing on the Council and how any proposals which he was making were being received, so that, in the event of Indian disabilities not being removed, they could make representations to the Home Government.

In the middle of 1906 Mr. Jivanji came to England. His presence here was signalled by articles in the "Daily Chronicle" based on statements by Mr. Jivanji which the Governor characterized, in a telegram, as fabrications and falsehoods and as having caused much indignation in the Protectorate. The matter was taken up by the London All-India Moslem League to whom, for consultation with the Governor, who had by that time come to England, a detailed reply, in which the India Office had concurred, was sent in March of the present year. Mr. Jivanji offered to place himself at the disposal of the Secretary of State if he wished to discuss any public question with

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Reply that the Secretary of State
that the vacancy may remain
for the present.

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GOVERNMENT HOUSE
NAIROBI
BRITISH EAST AFRICA

EAST AFRICA PROTECTORATE.

4th October, 1911

CONFIDENTIAL
No. 90.

SIR,

I have the honour to report that Mr. Alibhai Meola Jivanji's appointment as a member of the Legislative Council of this Protectorate expired on the first ultimo.

My predecessor, as you are aware, was of opinion that the interests of the Indian community justified representation on the Council, and as reported by Mr. Jackson in his confidential despatch No. 48 of May 20th, 1909, Mr. Jivanji was selected as the best, if not the only, qualified candidate for the appointment.

5. Mr. Jivanji is an illiterate person with no great knowledge of English, and he consequently experienced difficulty in following the proceedings at the only session he attended, which was in April, 1910. He rendered no assistance to Council in its deliberations and his presence provoked a bitter feeling against Asiatics generally amongst the white non-official members and the local press. Mr. Jivanji left East Africa for England in May, 1910, and his visit

THE RIGHT HONOURABLE
LEWIS HARCOURT, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

visit there will be chiefly remembered by the statements which he made to the Daily Chronicle and by the particulars which he furnished to the London All-India Moslem League, whose memorial formed the enclosure to your confidential despatch of October 27th, 1910. I have already commented on the glaring inaccuracies and gross misrepresentations of fact contained in both the memorial and the statements to which the London Press saw fit to give wide publicity. Mr. Jivanji has not since returned to East Africa, and from information which I have received he is not likely to pay us a visit in the near future.

4. I do not agree with Sir J. Hayes Sadler that the interests of the Indian community justify representation on the Council. There are so many interests in East Africa that it at once becomes invidious if one section, not being the ruling section, is chosen for representation, especially when that section is divided into many classes and castes, and there is no doubt that Mr. Jivanji represented a small portion of the Indian population of this Protectorate only. The old established Indian merchants of the Coast, for instance, have little sympathy with Mr. Jivanji or with the propaganda of the Indian League, and all they desire is to carry on their business without interference, being content to leave the framing of laws to others in the full knowledge that their interests will not be overlooked.

As soon as Mr. [Name] appointment was
 gazetted I received an application from the Arabs
 who are subjects of the Government of Zanzibar and
 own large tracts of land at the [Name] for
 representation on the Council. They were at a loss
 to understand, they stated, why the honour of represent-
 ing their own people on the Legislative Council had
 been granted to the Indians whilst their own claims
 in this matter

the [Name]
 appointment

and as this appointment has [Name] person,
 that that you will agree that it is now necessary
 to re-appoint a special representative for this
 section of the community.

I have the honour to be,

Sir,

Your humble, obedient servant,

GOVERNOR.

10 Dec 1911

DRAFT

Edw. Camp
for Lieut. in command

MINUTE

- Mr. 19.5. 7/12/11
- Mr. Butler
- Mr. Fildes
- Mr. H. Jack
- Mr. J. Anderson
- Mr. Lucas
- Mr. Harcourt

I have the honor
to acknowledge the receipt of
your kind letter of the
4th of Dec. regarding the
Lieut. in command
as a member of the
Legislative Council of the
Islands on the 2nd of Dec.
I allow of your
vacancy remaining unfilled
taking the step of
the vacancy being
at any time in the future