

YICAL PAMPHLETS—IX.

THE KENYA PROBLEM.

SELECTION FROM THE SPEECHES AND WRITINGS

OF

Rt. Hon. V. S. SRINIVASA SASTRI, P. C.

The Servants of India Society,
POONA.

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THE SERVANTS OF INDIA SOCIETY,

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PREFACE.

FEW will doubt that Mr. Sastri has correctly voiced the feelings of Indians on the question of their position and status in the Kenya Colony. After the confidence they had reposed in the British sense of justice and fair play, the decision of the Tory Cabinet, embodied in the White Paper, came as a great disappointment to them, their only source of comfort being the Labour Party whose spokesmen assured them that on coming to power they would do their best to render justice to the Indian claim. When that Party has come to office, though one cannot say to power, and the Kenya question is to be reopened by the Colonies Committee appointed by the Government of India, it is believed the reader would like to remind himself of true Indian feeling on the question, and that for that purpose the present little volume would be of some help.

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I

RESOLUTION IN THE COUNCIL OF STATE.

Mr. Sastri moved the following Resolution in the Council of State on the 5th March, 1923, on the rights and status of Indians in Kenya :

“That this Council recommends to the Governor General in Council that he be pleased to convey by telegraphic message to His Majesty's Government the view of this Council that no settlement regarding the political rights and status of Indian settlers in the Crown Colony of Kenya would satisfy the people of India unless Indians in Kenya are granted full and equal rights of citizenship with European settlers.

And this Council records its indignant protest at the reported threats of violence on the part of the latter and fully trusts that His Majesty's Government will take effective steps to prevent any such outbreak and to afford the Indians resident in Kenya the necessary protection.

And this Council records its emphatic conviction that no restrictions on new immigration from India will be acceptable to public opinion here.”

He said:—

In speaking on this Resolution it is my great desire to avoid all rhetoric or attempt to excite feelings. I will confine myself merely to a statement of view because I believe that the facts in themselves are such that they carry their own conclusion. In the first place, I think in the course of public

discussion upon this subject, there has been some mistake of an important character which, if I may, I would try to put right. Those who have advocated the Indian case have grounded themselves more or less expressly upon the Resolution which in the year 1921 the Imperial Conference of Prime Ministers adopted on the subject. I venture to think, having been a party to that Resolution, that it is somewhat of a serious mistake. That Resolution, Sir, was the result of a case that the Government of India put forward. I am in a position to say, and the public are in a position to judge from the memorandum of the Government of India published at the time, that our case did not concern any of the Crown Colonies. It was concerned solely with the self-governing Dominions of the Empire, and the case was also argued, as I have a right to state, solely on the ground that it concerned itself with the self-governing Dominions of the Empire. The case for the Crown Colonies rests on equity and does not derive in the least from that Resolution. We have got pledges of equity dating far back in the history of India. We have got it asserted again and again on high and solemn authority, and it did not require the Resolution of the Imperial Conference of the year 1921 for the first time to give vitality to our claim for equity of treatment in the Crown Colonies. I make this repudiation at this early stage of my speech because I am particularly anxious that nobody here should carry the impression that the implication of that Resolution applies to Kenya Colony. That Resolution cites in the very beginning the right of every community in the Empire to exclude elements of the Empire's population which it does not care to assimilate.

We have given that right to the self-governing Dominions and to India. We have not given that right, and if the people of India have a voice in the matter, they will not allow the right to be given, to the Crown Colonies. The whole claim of the self-governing Dominions in the matter is based upon the fact that, whatever the equities, whatever the rights and wrongs of the case, a people who can govern themselves, have a right in the last resort to say who shall compose the population. No Crown Colony, neither Ceylon, nor Fiji, nor Mauritius, nor Kenya, has yet acquired the right to say who shall form the population. If it is to be determined entirely by the Colonial Office, the Colonial Office, being a part of the British Cabinet, cannot settle the matter without amicable arrangements with the India Office; and the Colonial Office and the India Office, agreeing together, will determine these matters and not the people of Kenya. I am very anxious to make this repudiation also for the reason that, when this is once granted, the expression "the people of Kenya," "the community resident in Kenya" has, by a sort of verbal jugglery which I cannot understand, been applied solely to the white population of Kenya, as if they were the only community who had a right to determine who shall go to Kenya and who shall not.

Having made that point perfectly clear, so far as I can, let me now proceed to say that our claim to equality is, even as regards Kenya, rather academic and theoretical to-day. We assert the right to equality but we are quite content—and I wish more general recognition were given to that circumstance than has been given to it before—in the achievement of equality to proceed by stages. For what are the

demands of our people in Kenya and what are the demands that the Government of India and the Secretary of State for India have so long supported? In the first place, we do not ask for universal suffrage as the European community there enjoy to-day. We do not ask that the Legislative Council of Kenya, such as it is, should be composed of elements giving to the Indians proportionate representation, either considering the number of the population or considering the amount of taxation that they have to pay towards the general support of the Colony. We are content that we should be less than a half in the Legislature, and so far as the Executive Government is concerned, no more than a bare admission of the Indian element has been conceded. If I may be permitted to say so, nothing more has yet arisen in the shape of a definite demand of our people. It is then, Sir, considered on the merits of the question, a partial, a very partial fulfilment of the rights of equality that is being asked for. As to the franchise, we have expressly agreed that such a qualification should be fixed as will enfranchise only 10 per cent. of the resident Indians. Now, upon what ground is even this modest demand for a partial fulfilment of equality, where the full assertion of equality would have been eminently justified, resisted? Sir, I think it is best in answering the question to go to the root of the matter at once and without hesitation. The root of the matter I had personal opportunity of understanding. Last year, there were in London certain representatives of the white Kenya community, come to press their views on the authorities, and I was privileged to be present at a private discussion in which their claims were put forward. I

may at once state that their claims were clear and were firm. East Africa, Sir, and the Colony of Kenya with which we are particularly concerned, is unfortunately dominated by the spirit of South Africa. It is that spirit that reigns there. The spirit of South Africa, to those who have understood it, is to be summed up in two expressions. The first is "no admission of equality for Indians"; the second is "the expulsion of Indians if possible." There is no mistake about that. I heard these things myself, and the residents who came there told us that it was their desire as early as possible to get into the Union of South Africa as an African Empire, so that Kenya is now to be prepared in its treatment of the Indian element to enter the future African Confederation. That means clearly that Indians are to be expelled and such as happen to be residents are to be denied in so many words that there would be anything like equality accorded to them. Why, Sir, it was my painful business that day to listen continually to statements of this kind: "We will not allow this equality which is an academic theory, which is the folly of the Colonial Office, we cannot have it here. Let people come out there and see for themselves." And, in order to enforce this point of view, all things that we have seen usually on such occasions are being enacted.

Sir, it is quite extraordinary that even the facts of history are being denied to support this claim. History is falsified and even the facts that the Indian was on the soil before the white settlers appeared that he has done a good deal to make the Kenya Colony what it is, are being denied. And on the occasion that I have referred to, I further heard it

said that if the Indian has done something, as any human being would have done if he were resident in a place, that thing could have been done for the Kenya Colony if the African native was educated for the purpose, and that it was not necessary, that it was not desirable, that the Indians should be allowed to base their claim on the mere fact that they were there, and that they did something to build up the railway or to carry on the trade. If that was done, it was a mistake and it should be modified at the earliest possible opportunity. The Colonial Office was spoken of in terms of the utmost disrespect and contempt, and everybody can see now in the papers that my unfortunate friend, Major the Right Honourable Ormsby-Gore, has come in for a good deal of abuse at the hands of the African press for the simple reason that he stands up for the dignity, for the righteousness and for the good name of the British Empire.

With regard to the natives of Africa, Sir, as I have said to the Council already, I will try not to raise feeling. The natives of Africa are, as everybody knows, not quite civilised. They are advancing by leaps and bounds. Great efforts are necessary to pull them up along the line of evolution. But will history answer the question in the affirmative, that when the European exploiter, the European colonist, has gone abroad and come into contact with semi-savage tribes, the contact has been beneficial to the latter invariably? Could it be claimed to the credit of the European nations that they have been careful, that they have been solicitous, to observe scrupulously the rights and serve the needs of a semi-barbarous population? Assuming, however, that here and

there such a statement could be made with an approximation to the truth, we are in a position to say from information that comes over that the European settlers in East Africa can by no means claim to come under this humane description. Well, Sir, innumerable instances could be quoted to show that their treatment of the East African native is by no means marked by a consideration of common humanity. I will only read one or two extracts to show the spirit in which the thing is done.

The Hon'ble Mr. B. N. Sarma: May I suggest, Sir, that we are dealing now with the question of Indians in East Africa, and having regard to the state of feeling it might be desirable not to dwell too long upon the question of British *versus* natives of East Africa?

The Hon'ble the Chairman: The Honourable Member has not yet done so. His extract, when he reads it, will show us what he means. I will allow the Honourable Member to proceed.

The Right Hon'ble V. S. Srinivasa Sastri: Sir, I was only saying that as regards the East African native of the soil, it is not the Indian but the white settler from whom he has to be protected. It is that point which I was trying to labour as it is being exploited in England that the introduction of the Indian and his maintenance in full rights of citizenship would be injurious to the development of the East African native. Our whole point is that in so far as that humane object is concerned, we are far more useful in East Africa than the white settlers. I will only read one extract, Sir. It is a quotation from a paper which was addressed to the Head of the Government in East Africa by the Indian residents:—

“Again a party consisting of members of the same school of thought, including amongst them a prominent member of the present Reform Party, assembled in front of the Nairobi Court House, and in the presence of the Magistrate and Police Officer, and in the teeth of the remonstrances from the former and checking by the latter, they publicly flogged certain innocent natives on the plea that it was useless to take them to court to be dealt with according to the law, etc. etc.”

I only mention this to show that Indians could not have done such a thing; but the white settlers in Kenya seem to have a notion of ordered life in a community very different to ourselves. On another occasion it would appear that they did something which was most extraordinary. A number of Europeans, including some prominent members of the present Reform Party, marched up in an unlawful assembly to Government House, insulted Sir James Hasler, the then representative of His Majesty's Government, threw stones at Government House, shouted to Sir James to resign his office, and behaved themselves in such a rebellious manner, simply because the then Governor disagreed with them in their views and policies of forced labour. I do not wish to contemplate what would happen if a number of people came to the Imperial Secretariat in Delhi and behaved in the same manner. His Excellency the Commander-in-Chief would have something to say to that.

Now it is a fact that the white settlers of Kenya have been, through the weakness of that Government, led to believe that they can deal shortly and summarily even with their Government, and when they

threaten violence in case equality is forced upon them, they are not bluffing by any means. When the Honourable Member in charge of this subject spoke in another place, he seemed to regard these assertions as mere threats which were never intended to be carried into effect. I thought at the time that he was much too optimistic, and I hope the news that has since come over has made him also change his opinion somewhat. Sir, I can only say that our people, whether in India or abroad, have shown such humility, such respect for order, such patience under the greatest provocation, and such forbearance and modesty in their demands for perfectly established rights, that what an American lady told me recently is perfectly true, that we Indians are about the only Christians left now, omitting the Chinese, on the face of the earth.

Honourable Members will notice that there is a third clause in my Resolution. I wish to say a few words on that subject. The third clause protests against restriction on Indian immigration which it is the intention, it would appear, of the Colonial Office, to enact for the first time. In the other place, when this matter was discussed recently, this matter was not brought to the attention of the authorities in the same way. But immigration and the control of immigration in respect of Kenya Colony is so important that I ask your leave, Sir, and the leave of the Council while I keep them for a few minutes on this subject.

It has been admitted, and admitted on authority that is no longer questionable, that India is an equal partner in the British Empire with Great Britain and with the Dominions. It is a proposition with an enormous variety of implications. I do not believe that the

Indian people will ever take advantage of that claim and draw out all the implications and insist on each one of them. But on this they will. We are three hundred millions in this country. If eighty millions of people must have an outlet, and if they find enormous outlets, vast unoccupied spaces all over the world, and keep them all to themselves and coop up the three hundred millions within the limits of India and say to them: "You have no outlet, but you are equal partners in the Empire nevertheless"—that is a proposition to which it is very hard for us to assent. I can understand, although I cannot approve, its being said that other parts of the Empire with vast unpeopled spaces were not conquered by Indians, were not settled by Indians. Perhaps it is a sort of answer; I will not pause to examine it; but the case of East Africa, the case of Kenya Colony is clean. There can be no gainsaying that it cannot be called a British colony and it cannot be allowed to become a British colony. If anything, it is a British Indian colony. Indians having somewhat prior rights, but because they are politically weak and cannot assert their rights in full, they are quite willing to share their rights equally with the British people. It ought to be considered a British Indian colony and we cannot therefore allow the Right Honourable Winston Churchill's assertion that Kenya must be kept a characteristically British colony. Moreover, look at the irony of the situation. Quite recently a sum of £ 10,000 has been taken from the public revenues of Kenya Colony to which Indians contribute, I understand, somewhat over 50 percent., and set apart for the establishment of a Publicity Bureau in London with the object of attracting English settlers to that colony. At that very time

and while public money to which Indians contribute is freely used for the purpose of attracting white settlers, it is proposed—what an irony of things—to enact restrictions as to Indian immigration which will have the effect of excluding Indians altogether from Kenya. It is impossible for a self-respecting people to submit to such bare-faced violation of the fundamental equities of the case. We are afraid that under pressure it is quite possible that the Colonial Office may yield. Sir, speaking on this occasion, I will, as I have done very frequently before, acknowledge on the part of the Indian public with the fullest appreciation and gratitude the way in which the Government of India and the Secretary of State for India have throughout championed our cause in this matter. We only beg them to keep the fight up a little while longer. If we lose in Kenya the result is we lose all along the line. The Dominions, where I received such hospitality and such sympathetic hearing when I presented our case, the Dominions will be perfectly justified, when a successor of mine goes round hereafter, in turning on him and saying, "What is the case in the Crown Colonies which are administered by the British Cabinet themselves? How can the British Cabinet solemnly pass a resolution and send you out to seek fulfilment thereof, while its spirit is being violated by the British Cabinet themselves?" Losing in Kenya, we lose therefore in the self-governing Dominions, we lose all round, and its moral reaction on the progress of India itself towards the status of a Dominion need not be described in detail. Sir, we cannot afford to lose there. There will be very few friends left in India to plead for the cause of the British Empire. You will wipe out the friends of

Britain in India by any such settlement. Britain herself in the eyes of the world will be generally condemned as having fallen a victim to moral decay. For, after this war and the amount of brotherhood that really came up amongst the nations after the League of Nations, and solemn pledges on the part of the British Empire that they are only a lesser League of Nations within the larger League of Nations, the world will be quite justified in passing upon the British Empire the judgment that it has become subject to moral decay, and moral decay cannot long precede material decay. I will say nothing more, Sir, but commend the Resolution to the acceptance of the Council.

II

SOME INTERVIEWS.

(i) WITH THE ASSOCIATED PRESS

Mr. Sastri who sailed for England on Saturday (14-4-23) as the head of the Kenya Deputation elected by the non-official members of the Indian Legislature was interviewed in Madras by the Associated Press. The following is an account of the interview:—

1. Now that the opportunity for the public of knowing what you propose to do regarding the Kenya question has been denied since your lecture had to be abandoned owing to your unfortunate indisposition, will you please let us know what your views are regarding the Kenya situation?

A.—I have given general expression to my opinion on this question more than once. Our primary duty of course is to stand by our countrymen in that colony and to support their demands in respect of the equal status which has been promised us. The points of dispute are four in number and fairly well-known. It was understood that the agreement between India and the Colonial Office extended to all these four items. Apparently, however, within the last few months this agreement has been disturbed and the authorities seem to be contemplating the erecting of barriers to future emigration from India. Our people have in their turn begun to repudiate the former understanding which was only, after all, in the nature of a compromise. This move on their part was apparently taken under provocation and seems justifiable

in the circumstances. I am persuaded that the Government of India would stand as firm as ever not only as to the assertion of equality but also as to the exact measures by which to carry it out. And from all accounts the fears once entertained of the attitude of Lord Peel and Earl Winterton are unfounded. By the last mail I have received information from Mr. Polak, who watches all Indian problems with a sleepless eye, that our case, when it comes to be considered by the Colonial Office, will be backed very influentially. There is, for one thing, the powerful advocate, Lord Hardinge, who has now assumed the lead of the Indian Overseas Association. Several well-known members of Parliament are friendly to our side of the dispute. The Anti-Slavery Association and some missionary societies are interesting themselves in the matter. So if the decision goes either wholly or partially against us it will not be for lack of knowledge on the part of the authorities or weakness or vacillation in the presentment of our case. We have to recognise in the last resort that to do what is barely right and proper in this instance the Cabinet has to wear down a section of their own countrymen who do not recognise, and in fact refuse to recognise, either the ideals of the British Empire or the actual promise of equality made to us in India. These truculent folk have doubtless many supporters in England both in and out of Parliament, so that both sides would receive the strongest possible representation, and the British Cabinet must treat this as a first class issue concerning their honour before the world. That the white settlers in Kenya are actuated by the bitter racial spirit of South Africa and that in the end they desire their colony to become a part

of South Africa are notorious facts. And the real dispute at the bottom is—Is the British Empire capable of reconciling India and South Africa or is it going to decide between the two? I am inclined personally to attach considerable importance to the fact that the Under-Secretary for the Colonies is Major Ormsby-Gore, a man who is the soul of honour, and holds a much respected position, not only amongst the younger members of Parliament, but also amongst those who are believed to represent the ideals and principles of the League of Nations. There is also the possibility of the question being referred in the absence of a satisfactory settlement at present to a Royal Commission. Lord Islington and others have favoured the proposal for sometime. If it is revived, it may be part of the duty of the deputation to consult friends and decide what to do. With such help as Mr. Andrews can give, we shall certainly be in no lack of competent guidance in London.

(ii) WITH REUTER.

London, April 29—The delegation on the Kenya question headed by the Rt. Hon. V. S. Srinivasa Sastri has arrived from India.

Interviewed by Reuter's representative, Mr. Sastri said that it was unthinkable that the intelligentsia in India would ever consent to emigration restrictions relative to Crown Colonies, especially Kenya, which she had agreed to relative to the Dominions. He contended that India was entitled to, though she did not ask for, preferential treatment in Kenya. He paid a tribute to the work of the European Missionary teacher, but argued that generally speaking the

Indian in Kenya did the work of a civiliser of the Natives to a much greater extent than did the white-man there.

THE BOGEY OF INDIAN DOMINATION.

Mr. Sastri put emphasis on the baselessness of the bogey of Indian domination in Kenya and laid stress on the groundlessness of the fears that it was wished to convert Kenya into an annexe of the Government of India. As regards the Highlands, he declared that Indian settlers could adduce far more solemn, more continuous and more authoritative pledges. He concluded by saying that Britain stood pledged before the world to a doctrine of equality and brotherhood pre-eminently within the Commonwealth. He hoped that the solution to be reached would keep India where she wished to be—a contented and proud, because equal, partner in the British Commonwealth.

Mr. Sastri maintained that the natural life of the Indian community in East Africa required that future emigration from India should suffer no artificial check. The skilled artisan, the small clerk and the trader and in future the professional man must all be allowed, as in the past, without let or hindrance.

The newly reformed Legislature in India would not tolerate for a moment that East Africa should be closed to Indian immigration. He had heard that European settlers were willing that the restrictions should be so framed as to apply to all alike, but their actual application might be such that while the formulae employed would sound alike, Indian immigration would be either eliminated or reduced. Such

camouflage, however, would be easily detected, and now India would be no longer content with an appearance of equality, while in reality it was denied her. All his information, declared Mr. Sastri, went to show that the Indian hitherto had got on much better than the European with the Native. Mr. Sastri stated that it was impossible to understand how if the Indian were removed from the scene the European settler could deal directly with the indigenous population. He much misunderstood the practical statesmen in Britain, if they would lend a willing ear to the proposal that the Indian should be squeezed out in order to make room for other non-British races. In all the proposals which he had seen he had never come across anything which might be even remotely interpreted as a desire on the part of Indians to take into their own hands, without the partnership of the British, the future of the colony or the management of its affairs. The proposal regarding the franchise should be so framed as to give the vote only to highly qualified Indians and only to so many as would not out-number British settlers. That should be sufficient to allay such fears.

THE HIGHLANDS.

India supported the demand for the repeal of the restriction which prevented the transfer of land on the Highlands to the coloured population as conflicting with Lord Elgin's assurance against racial discrimination. Referring to the question of pledges regarding the Highlands, Mr. Sastri said that a pledge which was in conformity with the ideals of the British Commonwealth, which recognised the equality of its various component elements and

which was calculated to enhance the moral prestige of Britain must be upheld. Any other pledge must give way and the Indian case was that there was no other pledge now waiting to be fulfilled. Mr. Sastri said that the British Commonwealth was not a white Commonwealth, and no longer stood for the domination of the white man or the subjection of the coloured man.

(iii) WITH THE *Manchester Guardian*.

Mr. Sastri, who is the leader of the Delegation from India which has come to urge on the Government the claims of the Indians in Kenya Colony to fair treatment as British citizens, was interviewed by a *Manchester Guardian* representative. He was first asked for his opinion on the suggestion made in the *Manchester Guardian* that the question, as one affecting the Empire as a whole, might be referred for solution to the Imperial Conference in October. The Indian case is largely based on the decision of the last Imperial Conference in favour of giving Indians equal rights as British citizens throughout the Empire.

Mr. Sastri replied that the suggestion was new to him. He thought that, in view of the strained state of feeling in Kenya, it would be unwise to postpone the decision until October. "I do not quite see how the Prime Ministers from the Dominions will be in a position to decide," he said. "The Imperial Conference has no authority to enforce its resolutions. On the whole, I am not in favour of referring a question which is solely within the jurisdiction of the Colonial Office to the Imperial Conference, especially as Kenya is not a self-governing Dominion."

Asked about the state of feeling in India, Mr. Sastri said that it was "none too pleasant." If the Indian claims were rejected India would begin to think of going out of the Empire. That was now the direction in which men's minds were going. "I should feel it personally as a terrible blow," he said, "I have preached both in India and in the Dominions the doctrine that this Empire is not a White Empire and that it is going to realise sooner than other organised communities of the world the great principle of equality and brotherhood. If the Kenya question is decided on the wrong lines India will refuse to listen to such talk."

DOORS SHUT AGAINST INDIANS.

Mr. Sastri went on to explain how the question strikes the ordinary Indian. "Within the Empire," he said, "the Dominions have practically closed their doors against him, and have refused to let in even the professional man. In the Crown Colonies the Indian labourer has been employed in the past for purposes of development, but the exploiters have no more use for him, and do not want other Indians in any capacity.

"The Indian is not disposed ordinarily to emigrate, but some communities in India have shown a certain amount of trading enterprise and have from a time, perhaps reaching back 300 years, been found on the eastern shores of Africa. Some time ago there was even some loose and unauthorised talk about German East Africa being used as a sort of outlet for the Indian population. Authorities have declared that India is an equal partner in the British Commonwealth, and it would be a flagrant violation of her

natural rights, as well as her rights to political equality within the Commonwealth, to be now told that even in Kenya, her people would be unwelcome unless they consent for ever to be hewers of wood and drawers of water. And yet the white settlers in Kenya talk to-day of stopping further Indian emigration, of Kenya being an exclusively white colony and a field for the spread of what they call Western Christian civilisation.

GOVERNMENT FOR BENEFIT OF WHITES.

“The details of the current administration disclose at every turn marks of being designed for the benefit of white settlers and not for that of the Indian. In India, however, these details are not generally known, but what is known is not calculated to reassure even the most Moderate-minded politicians. The Indian community is much larger than the white population, and naturally as between the white and the Indian population Indians bear the large share of taxation, and yet the demand is pressed from the side of the white settler that in the Legislature, the Executive Council, and in the public offices generally the Indian community should be relegated to a very subordinate position and certainly not encouraged to entertain any idea of equality.

“There is no doubt that the post-ponement for so long a time of a decision on this matter is due to the fact that the white settlers have threatened forcible resistance to any orders from Whitehall calculated to imperil their position of undisputed authority. The Imperial Cabinet must recognise the unfortunate effects that would be produced if they confessed inability to do the right, because one community refused

to abide by just decisions. It would be impertinent for me to point out the moral effects to the British Empire in the judgment of the world. But in India few people would continue to have any faith in the ideals of the Commonwealth or in the professions of her statesmen.

THE INTERESTS OF THE NATIVES.

“There is a talk of Responsible Government being granted to Kenya. I hope that nothing of the kind will happen till the native is able to look after himself and take over the administration. I do not wish to be hard on settlers of one race or another, but we should be rejecting all the lessons of experience if we permitted the local settlers and exploiters, white or coloured, to have entire control of the destinies of a semi-civilised people. The authorities here at the centre of the Commonwealth must retain the final voice in all native affairs. Perhaps it would be wise to limit vigorously the power of the local Legislature to regulate native affairs.

“The African native would seem to stand in greater need of protection from the white settler than from the Indian. The Indian is playing an extremely useful part in teaching him to use the ordinary implements of labour, and as he is able to mix more freely with the native and talk his own language, he is probably more fitted to be a civilising agent than the white settler. But as my point is that it is the Colonial Office here that must continue to look after the welfare of the natives, I will not distract attention from the main topic by comparing the attitude of the European and the Indian in relation to them.

"I will say a word now about the fear of the Government of the country passing into the hands of the Indians. Talk of this kind simply amazes me. Responsible Government for a long time yet is out of the question, so that in the Legislature we must maintain an official *bloc*, the elected element being less than half of the total strength. If on this elected element the Indian had one half not much harm could come. I am for my part perfectly willing, so long as there is a common register and approximately equal voting strength, to trust to absolutely unrestricted elections, so as to give the two communities the chance of working together and considering public questions without too much reference to communal interests. The desire to become responsible for the Government of Kenya has, so far as I can see, not yet formed itself in the minds of the Indian community. They only want fair play and equal treatment."

III

AT THE ANTI-SLAVERY SOCIETY.

The Anti-Slavery and Aborigines Protection Society called a conference on the 5th June, 1923, to discuss the Kenya problem, with special reference to the Natives. Mr. Charles Roberts, M. P., presided, and was supported by Lord Pentland, Sir Sidney (now Lord) Olivier, and Sir Thomas Bennett, M. P. Sir Thomas Bennett moved the following resolution:—

“This meeting, recognising the important issues involved in the problem connected with the Indians in Kenya Colony, and its close bearing on the interests of the native peoples, begs to urge upon His Majesty's Government (1) that in any settlement reached by the parties no bar resting solely upon race, creed or colour, shall be permitted in the way of industrial and civic advancement; (2) that in any form of constitution granted to Kenya Colony, provision shall be made for the ultimate enfranchisement of the natives on a property and educational qualification, as in the case of the constitution of Cape Colony and the proposed constitution for Southern Rhodesia; (3) that until such time as an adequate proportion of the native community attains the franchise, native interests shall be served on the legislative body by men and women, selected for their interest in native affairs nominated by the Governor and sanctioned by the Secretary of State.”

In speaking to the resolution Mr. Sastri said that the Indians admitted unreservedly that in the administration of Kenya the interests of the African native must be paramount. They had begged the Colonial Office in all earnestness so to order their administration of East Africa that it would result in the uplift

of the natives. If the natives were to be uplifted and educated in arts and privileges of civilisation, they must be protected from the exploiter, who was there to profit from their ignorance and disorganised condition—be that exploiter white or Indian. It was no use trying to camouflage things.

Even the Colonial Office was an imperfect instrument for the discharge of the task, but it was the best organisation within the British Empire to whom this task could be entrusted. "But you must watch it carefully," he said, "I would ask the Anti-Slavery Society never to relax from their labours. I would ask you to watch it most minutely, to see whether it is fulfilling the highest task of the British Empire. It will not do to give any people, whether white or coloured, or white and coloured together, any power over the natives of African. Let the Colonial Office keep them in its own hands and under the control of Parliament, the State Church, and the Anti-Slavery Society."

If that were done, he added, the Indians had nothing to say. They acquiesced. If the franchise were to be given to anyone in the colony it must be given equally to all with the same qualifications and under the same conditions.

"Ladies and gentlemen," said Mr. Sastri, "your long enjoyment of power has made you a great and in some ways a chivalrous nation, but it has a serious disadvantage which you must guard against. You require a little education, you are not qualified fully to enter into the feelings of those who have lost their liberty and who are attempting to recover it. During the war you rose to sympathy with the small nationalities of the world. You set the flag of freedom

flying. I beg you on my knees not to take it down. That flag of freedom was not of freedom for you, but for the world, and especially for this League of Nations which we call the British Commonwealth. I beg you not to dishonour the Union Jack."

He asked why the unrestricted immigration of Indians should be considered a danger to the East African native. His information was that if the African learned anything to-day, it was from the Indian and not from the European, who did not take his coat off and did not work. The Indian and the native associated in all forms of work.

IV

QUEEN'S HALL MEETING.

The following is a summary of the speech delivered by Mr. Sastri at the great meeting held in the Queen's Hall, London, on the 26th June, 1923, to express sympathy with India, Mr. Ramsay MacDonald presiding :—

The question, "Shall Britain and India walk together?" is rather a sharp one. Speaking for the Indians, I can say that nine-tenths of us would refuse to think of Britain and India severing their alliance. For myself, I know of no greater calamity than if my country should make up her mind that she has no self-respecting place within this great and beneficent organisation of our Commonwealth.

There are two ideals of this great Commonwealth. One of complete equality and brotherhood amongst the various component parts, with mutual trust and respect, that each contributes to the Commonwealth according to its capacity and tradition, for humanity as a whole. The other ideal is that the general privileges and profits are largely to belong to the white population, and that these great advantages should be shared with other populations to a very limited extent. If you wish to maintain this Commonwealth at its level of efficiency and advantage to the world at large, you must drop this second ideal, and adopt without reservation or qualification the first. (Applause.) South Africa was given Dominion Status some years ago with great prestige to

the Empire. But in the Constitution of parts of the Union of South Africa, an article of the fundamental law lays it down in so many words that there shall be no equality between white and coloured in Church or State. The existence of an article of that kind in certain self-governing parts of the Commonwealth, you will at once see, is a force that will make for disunion and disruption rather than for consolidation. (Applause.) We are, therefore, all alike interested in finding its root, rigidly localising the trouble, and applying all possible remedies. I rather fear this poison has recently shown a tendency to spread, and that tendency fills me, as it must fill every friend of the Commonwealth, with alarm. I am grieved to think that while this attitude is an attribute generally of the Boer population, it sometimes has a tendency to affect even the larger manhood and higher principles of the British people, when they go to dwell in those regions. Your great Empire-builder, Cecil Rhodes, left an exactly opposite principle to operate, and that was equal privileges for all civilised men. (Applause.) Colour or creed or race was not to interfere, but if a man was civilised he had the same rights as every other citizen. Unfortunately, the whole Union of South Africa is marked by a tendency to create a difference between coloured and white, and Kenya is another sphere where it is beginning to manifest itself. Can we view with equanimity a state of things in which the whole of Africa, so far as it is part of the British Commonwealth, should become a theatre within which white populations will be contending with other populations for the maintenance of privilege and monopoly, which we have resolved for the benefit of humanity

to banish from other parts of our Commonwealth? (Applause.) It is specially unfortunate that the white population in Kenya have asked for support from South Africa, and General Smuts has apparently promised that, when the time arrives, he will interfere on their behalf. It will be nothing short of a disaster for the Commonwealth if General Smuts permits himself to interpose in this matter. Is he, when ideas of equality and brotherhood are gaining ascendancy in the British Commonwealth, to come in and put things wrong again? (No.) I shall regard it as an abdication and a complete surrender on the part of the Imperial Cabinet here if it permits the head of the South African Government to dictate to it what its policy should be in the conduct of this the chosen instrument in the hands of Providence for the redemption of mankind.

One other point. People bid us "Be patient." We are a very ancient people, and trace our existence long, long before the time when Europe became a civilised continent. (Applause.) Have you won your famous rights and privileges, your immunities, by the exercise of patience? Are our white friends in Kenya now giving us a model of patience? Even the patient peoples of the East seem at last to be learning a lesson or two from you. I much regret it: our patience and moderation have been our shield in the past. Non-co-operation in India, a comparatively mild weapon, although it had the backing of Mahatma Gandhi, a man of unexampled purity of life, did not have the wholehearted support of our countrymen. Our faith in the virtue of constitutional agitation is still unshaken. We still believe that by the adoption of exclusively peaceful methods,

we shall achieve Dominion Status and equality abroad, and hand down to the world an example of which the British Commonwealth may be proud. Will you not strengthen every element that makes for peace, that encourages the growth of bodies like the League of Nations, which seeks to compose differences between Nations and communities, by discussion, by compromise and settlement, and not by the arbitrament of war? Upon the way in which you treat the demands of Indians, whether in Kenya or South Africa or India—whether you call upon them to put forward force and violence or whether you welcome their demands and meet them, as you should, with high-souled generosity—upon that depends whether you help forward the ideals of the League of Nations and prevent a future war, upon that depends whether you build this British Commonwealth of yours upon the largest foundation of justice. (Applause.)

V

INTERVIEW WITH REUTER.

INDIA HUMILIATED.

LONDON, JULY 26.—Interviewed to-day by Reuter, the Rt. Hon. V. S. Srinivasa Sastri condemned the Kenya settlement as a profound humiliation and the deepest affront to India. Mr. Sastri said that the India Office and the Government of India are dealing with an enormous population. Enormous interests have been pushed aside, not for the first time, before the advancing spirit of South Africa. The colour bar on which she insists, has been sanctioned by the Imperial Cabinet. In fact, the people of India are no longer equal partners in the British Commonwealth, but unredeemed helots in a Boer Empire.

Mr. Srinivasa Sastri said that the highest authority had delivered judgment against India. India would whole-heartedly join the chorus of approval as to the paramountcy of the African Native's interests, which was a clear gain to humanity. The free right of immigration was enunciated in one paragraph only to be taken away in another. Avowedly, a non-racial phrasing was adopted, but the grounds on which the restrictions would be imposed, occupations discriminated against and the machinery proposed to carry out the restrictions were all decisively against Indians.

THE HIGHLANDS.

As regards the Highlands, the Cabinet had sanctioned a law which forbade the coloured even to

buy land in that large area. Apparently feeling that this would be wrong, it sought to right it by another wrong, namely, by offering to exclude the whites from a corresponding area in the Lowlands. Indians would, without hesitation, refuse to accept this bribe, declared Mr. Sastri.

SUPERIORITY OF THE WHITES.

With regard to franchise, the superiority of the whites was maintained by a system of separate registers. As the majority in the council would consist of white officials, there was no need for the least numerous community in Kenya to have an absolute majority of non-officials also. The whites would have a voting strength and political power which they did not deserve, and which would enable them to sweep aside every other interest without the slightest difficulty. But the worst of the franchise arrangement was that a white and a coloured citizenship was established, the one higher and the other lower.

This arrangement was essentially unstable and fraught with infinite mischief in the future.

IDEA OF EQUALITY BLOTTED OUT.

The abandonment of the segregation proposals was a gain however, small, but the idea of equality was simply blotted out.

THE ONLY GLEAM OF HOPE.

The only gleam of hope for India lay in Colonel Wedgwood's promise that the Labour Party, when they came into power, would establish justice and equality.

TRIBUTE TO THE GOVERNMENT OF INDIA.

Mr. Sastri paid a tribute to the firmness with which the Government of India stuck to their

original position. He said that he would stop short of no measure which would mark the Indians' sense of outraged self-respect, provided it was not unconstitutional, added to Indians' strength and inflicted no lasting injury to Indians.

WHAT SHOULD BE DONE.

Much might be done within the limits of Parliamentary action and as examples he cited complete withdrawal from the Empire Exhibition and the resignation of Indian members from the Government. All the parties in the Reformed Legislature must view this as an unexampled National insult and a new direction and a new determination should be given to unofficial endeavour, marked by dignity and self-reliance and calculated by the fearless use of the power already acquired to ensure India's acceptance as an equal by those who now refused to recognise her status.

VI

A STATEMENT

The following statement was made by Mr. Sastri in the "Observer" (London).

The time has come when Indians feel that although some of our British friends and sympathisers may urge them to continue their moderation and accept the settlement, this advice will have to be regretfully disregarded. Nothing can exceed the devotion of leading Indians to the Empire, but they are being relentlessly driven to the conclusion that so long as they show unlimited capacity for compliance, these protests will go unheeded.

So long as the Executive Government of our country is still under Whitehall, it is not in our power to retaliate. But we could put pressure in a constitutional manner on the Government of India to withdraw from all such Imperial undertakings as are of a voluntary or semi-voluntary nature, such as the forthcoming Empire Exhibition and the Imperial Political and Economic Conferences. The League of Nations is on a somewhat different footing, but even there the time has come when non-officials should refuse to represent the Government of India, unless they were allowed to have initiative and to vote subject only to the wishes of the Government of India and not necessarily as members of a British group. Hitherto the head of our delegation has been an Englishman, and though I have every respect for those who have acted in that capacity so far, I think it is no longer compatible with the status of India, as a member of the League in her own right, to be

represented by a non-Indian. The Indian Legislature will demand exclusion of all Colonials from India in respect of her services or channels of exploitation, and from service as officers in the Army. Other things might be done also with the object of showing that the more respectable folk in India resent bitterly being told that they are inferior and will be treated as such in the Empire. The Indian Government recently proposed to extend to Colonials the same special privileges with regard to trial by jury as to the inhabitants of the United Kingdom. This clause was specially inserted in the Racial Distinctions Bill against our better judgment, and at the instance of the Secretary of State in Whitehall, who persuaded us that it might help him to get us better terms in the delicate negotiations with regard to Kenya. The Assembly will certainly now object to this clause in the Racial Distinctions Bill.

What is especially galling to us is that in the whole of this matter the spirit of South Africa has prevailed at the instance of South Africans who recently went to Kenya. The colour bar has now been established in the Empire.

I am hoping that the conscience of Britain will still wake. Indians note carefully the promise made on behalf of the Labour Party by Colonel Wedgwood that they would still establish equality in the Empire should they come to power. That may be a distant prospect, whereon wise politicians would not build plans, but it does indicate that the decision of the present Cabinet is not altogether the decision of the British people, who might yet prove that their hearts beat with the whole of humanity, and not only for the white portion of it.

VII

AT THE HOTEL CECIL.

The following speech was delivered by Mr. Sastri at the Hotel Cecil in London at a reception accorded him by Sir Ali Imam on 2nd August, 1923:—

Sir Ali Imam, Your Highness, Ladies and Gentlemen, I am indeed extremely grateful to our host and hostess for this opportunity of meeting friends before I depart from these shores. As a homage to the great importance of the subject of the Kenya decision, I have departed from my usual practice and set down some thoughts on paper, with the full intention that I should speak with perfect candour as befits this great occasion.

The Indian Delegations from Kenya and from India have, without hesitation, rejected the settlement announced the other day by the Cabinet and approved by Parliament. News from India and from Kenya clearly indicates that the vast bulk of the community resent the settlement with an especial bitterness.

It is noteworthy that Anglo-Indians and Britishers here who had avowed genuine sympathy with Indian feeling, are disposed to think that, however unsatisfactory the settlement may be in certain respects, Indians had better acquiesce in it for the time being, and seek a betterment when a more propitious condition of things should have been established.

It looks like inconsiderateness and ingratitude not to profit by the experienced counsel of comrades, and I, who have received evidence of friendship in an

unbounded measure, feel under an especial obligation to explain fully and candidly why I consider acquiescence in the settlement, on our part, impossible.

There is one gain of immense significance upon which all parties to the dispute, as well as the Imperial Cabinet, may congratulate themselves. It is the clear and unequivocal recognition that the interests of the African native are paramount, and must take precedence of those of the immigrant communities. The Colonial Office have in express terms declared themselves to be trustees, and, it is to be hoped, will take their trust more seriously and conscientiously than they have done heretofore. (Laughter.) Missionary and Humanitarian Agencies cannot afford to relax their vigilance in the slightest degree, nor suppose that the new Government of Kenya, or the representatives of Christianity there, will prove efficient guardians of the indigenous population from a menace that has neither been discouraged nor weakened. However, in spite of this trusteeship which, according to the Colonial Office, they have always held, the position of the white settlers has not been constitutionally altered, while their prestige has been enhanced by the undoubted triumph of their recent agitation. The Cabinet will yet rue the day when they shrank from the only step which would have effectuated their trusteeship, namely, the disfranchisement of the white community and reversion to pure Crown Colony administration. Neither the Governor nor his official majority can be expected to shake off the domination to which in the past they have so abjectly surrendered, to the detriment of the unfortunate native, as well as of the other coloured communities.

A word will be in place at this point as to the contention that the white settlers have sustained a loss under the head of responsible government. Now no competent authority had promised them anything like self-government. Mr. Churchill's statement, often quoted in this connection, is no more than a pious personal wish, and could not have furnished occasion even for a legitimate hope.

The abandonment of a mere dream can by no means be described as a loss in political campaigning. On the other hand, look at the facts. The white settlers are still to have an Adult Franchise, in this respect being in advance of nearly every other part of the Empire, and their continued representation in the Legislative Council by eleven elected members leaves them undisturbed, whether as to absolute numerical strength or as to the possession of a clear majority even in the non-official part of the Council. Even the smaller expedient of withdrawing native affairs from the scope of the Legislature has been negatived, and Lord Delamere has sought, by a remarkable exercise of ingenuity, to debar the five Indian representatives, if they should ever sit on the Council, from meddling with native affairs, on the ground that the trusteeship is exclusively British. Where, then, are we to find any guarantee in the new Constitution for the protection of the native which there was not before, or for the more moderate and equitable exercise of political power by a strongly entrenched, self-assertive oligarchy, backed by the sympathy and support of the official majority?

Let me now assess the gains and losses of my own community. One gain only is clear, though even that is subject to qualification—the rejection of

all proposals for residential and commercial segregation. The latter, *i.e.*, commercial segregation, has been abandoned as impracticable, while the former is to be secured by building and sanitary regulations, and not by the offensive method of racial discrimination. Segregation, however, in respect of the Highlands is to be perpetuated, and segregation is to be introduced, although not in a physical sense, in the political and municipal franchise of the Colony. The Wood-Winterton Agreement had fixed a proportion of 10 per cent. of the Indian community for enfranchisement—the White Paper appears to favour the idea of an even higher percentage on the apparent ground that it does not matter how many are brought on the register so long as the register is confined to Indians. If anyone thinks that a concession made on that obvious ground is likely to please or be valued, he does not know human nature. To compensate those who are excluded from the Highlands, it is proposed to constitute, under limitations, an Indian reserve in the Lowlands. The Indian community looks upon this offer as a trap which must be avoided and a bribe which must be rejected. They object to exclusion, whether it is of the Indian from the Highlands or of the white man from the Lowlands. If they ask for equality, it is for equality of privilege, and not for equality in disability. If then, they escape from the ignominy of physical segregation, it is the only gain which can at all merit that description.

And what are the losses? Exclusion from the Highlands has just been mentioned. Hitherto, resting under the approval of the Secretary of State for the Colonies, this discrimination, involving barefaced partiality, is invested, henceforth with the sanction

of H. M. Government and the Imperial Parliament. Nor is this the only colour bar that has been erected. The new franchise penalises colour in three different ways. First of all, it segregates coloured from white communities. It passes one's comprehension how the Cabinet can make themselves responsible for a statement so clearly opposed to the truth as this on page 12 :—

“No justification is seen for the suggestion that it is derogatory to any of the communities so represented.”

Surely Communal Representation on the Legislature has been demanded in Kenya, solely on the ground that the white is superior to the coloured person, irrespective of individual qualifications. Communal franchises in India exist, but for different reasons; not that I would justify them even for those reasons, but it is only just to point out that they have nothing to do with the galling suggestion of inferiority on racial or coloured grounds. The reasoning of the White Paper would almost appear to indicate that the Communal System was good even for Great Britain, but however that be, the following statement is utterly gratuitous and borders on hypocrisy :—

“From the point of view of the Indian residents themselves”—how they appreciate our views!—“this system permits of a far wider franchise being given than would be the case if a common electoral roll were introduced, and this alone renders it acceptable to all supporters of the Indian claims who have at heart the political development of the Indian people.”

They might have asked us whether our view corresponds to this statement. (Laughter.)

Here again, a reference must be made to the unfortunate Wood-Winterton Agreement, which the India Office have apparently swallowed, which would have established a common electoral roll with the qualifications applicable to all communities alike. The communal system renders it possible to establish another great disparity between the communities; so in Kenya we shall find an adult franchise for the white citizen and a suffrage limited by qualifications for the Indian citizen. And apparently, also suffrage on different qualifications for the Arab citizen, and when the time becomes ripe, for the native citizen. But the citizenship of the Indian is a third decisive humiliation. Though he greatly outnumbers the white citizen and, though he is no less important, makes no less contribution to the resources of the State, he is to return only five members to the Legislature, against eleven allotted to the favoured community. On the one hand, eleven is a clear majority of the non-official portion of the Council, and five, it is no great piece of arithmetic to know, is less than half of that. No more contemptuous negative could be given in answer to India's claim of equality.

Next, as to immigration: the subtle cynicism of the White Paper is most perceptible under this heading. The theory propounded is in favour of the Indian, the practice prescribed is all to the benefit of the white. Starting off with a courageous declaration that racial discrimination in immigration regulations, whether specific or implied, would not be in accord with the general policy of H. M. Government, the document proceeds to record two findings:—

1. That it is immediately necessary to restrict the immigration of those from whom the African native stands in risk of economic competition.

2. That these undesirable economic competitors are small traders, subordinate clerks in Government and private employ, and mechanical labourers.

Now it is a well-known fact that these three professions are exactly those which are followed by Indians in Kenya. Does it merely happen? Is it a simple accident?

We know two facts just previous to the arrival of the various deputations in London. When the terms of the Wood-Winterton Agreement were made known to the white population in Kenya, they refused even to look at the document, unless Indian immigration were forthwith restricted, with a view to eventual stoppage. The Colonial Minister, changing his mind as to the necessity of immigration, sent for the Governor of Kenya, attended by representative white settlers. What was demanded was restrictions openly directed against Indians. What is given is restrictions directed against the occupations for which Indians go to Kenya. Shall I be called perverse if I say that our case is lost, even on the immigration question? We cited facts and figures to prove that, taking the last twelve years into account, the European community has increased much faster than the Indian. We cited facts and figures to prove that during the last two years more Indians have left the Colony than have gone into it. We pleaded that, instead of being competitors, at present we were the only people who trained and taught the native anything. We pleaded that when the competition stage was reached the native would, in the ordinary course

of things, defeat us on his own ground. We pleaded that the Government had no data as to the extent of the competition, or as to the numbers of the various communities or professions that the Colony could absorb. We pleaded that it would be unjust without an open enquiry to conclude on the prejudiced and one-sided statement of settlers, or even of missionaries, that our presence was a menace to the development of the native. The facts and figures and pleas have all been set aside, and we have been condemned. To add a touch of sarcasm to the whole thing, we are bidden to congratulate ourselves that we are not excluded on racial, but on economic grounds. (Applause.)

Which is the greater menace to the welfare and the progress of the African native? Is it the small trader or the artisan who can be squeezed out by the ordinary laws of competition, or is it the farmer, who grabs land on a large scale, and squats permanently and fortifies himself by every means that the law will allow? Does anyone seriously believe that the white man, once established in political ascendancy over the semi-civilized, will ever help him along in the path of political evolution and in the end gladly surrender responsible government into his hands? Does the experience of Ireland, Egypt, or India justify such a forecast? The white man's mission to rule, to domineer, to annex, is blazoned forth on every page of history—(applause)—and yet this Cabinet of Great Britain, newly awakened to their obligations as trustees of the native, would let white immigration flow unchecked into Kenya. They have not been impressed at all by the fact that the Indian has long emigrated into East Africa, that he has

been excluded from the self-governing Dominions, and that to exclude him from the Colonies on racial or economic grounds is to deny him the benefits of British citizenship and, in fact, to deprive it of all value to him.

Towards the end of the White Paper the Cabinet profess to apply the principle enunciated in the resolutions of the Imperial Conference of 1921 to the peculiar conditions of a tropical colony in British East Africa. Those jaw-breaking expressions of proper names are meant to terrify you with the extraordinary difficulty of conditions in Kenya. In fact, the expression they use is to relate the principle of the Conference to the conditions of Kenya. "To relate"—well, this relation is achieved by the institution of a colour bar, and by the relegation of Indians to an inferior position and a debased citizenship.

How short is human memory! It is not so long ago that no words were good enough for the Indian for his services during the war, his loyalty, his bravery on the battlefield, and the rich compensations he had earned. Where are the pledges gone, and the full rights of citizenship and absolute equality and ungrudged partnership in the Empire? They came from Royalty, from responsible Ministers, from the Press and from the platform, with every grade of solemnity and in every tone of sonorous phrasing. Why cite the resolution of the Imperial Conference of 1921, with its demurrer from South Africa and India's answer thereto? That resolution applied only to the self-governing Dominions, with which India had in the year 1918 entered into a pact of reciprocity. H. M. Government controlling the Crown.

Colonies directly came under the sway of Principles of Equality and Brotherhood long anterior to 1918, and pledges and promises of quite respectable anti-quity.

After waiting for a long time with his proverbial patience, and after earning equal treatment a hundred times over, and after endless expostulations and entreaties, and having delared that Kenya supplied the acid test of Empire and his position in the Empire, the Indian has been cruelly betrayed. The victim of many broken pledges, the dupe of many solemn promises, his faith in the character for justice and impartiality of the British Empire seemed almost incurable. He is at last undeceived.

He now realises that a large section of the British people, the section that keeps the present Government in power, have not come under the sway of the spirit and ideals of the League of Nations, and that in their opinion pledges made to a people not able to exact their fulfilment need only to be honoured to the extent that it may be convenient or profitable. The deciding factor of the decision is not to be found in the White Paper at all, make no mistake about that. It is something outside of it altogether. As Colonel Wedgwood said the other day, it is the fact that the whites in Kenya threatened force, while the Indians relied on the merits of their case. Not justice or truth, but the amount of trouble that a party is able to cause prevails with His Majesty's Government to-day. (Applause.) Having had this lesson burnt into them, Indians, let us hope, will not ever forget it again. (Cheers.)

In making war on the Republic of South Africa, Great Britain professed to teach President Krüger

exalted and righteous principles of Government. President Krüger is now fully avenged. Not only are Indians worse treated under the Union Jack than ever before, but the colour bar of South Africa is spreading over the British Empire, and it is now infected with the poison of the Boer spirit. The undertaking to establish justice and righteousness in the Empire, which the Labour Party gave through Colonel Wedgwood, untamed champion of good causes, however weak, is the one bright feature of an otherwise gloomy situation. We owe them a deep debt of gratitude. (Applause.)

One final word. Our friends must understand that in the whole of this struggle India has looked in vain for one sign, one gesture that Britain recognises her right to equality, or, as Sir Robert Hamilton, in a wise and temperate speech, said, that they will have the citizenship of the British Empire. Is there one matter in respect of the Highlands, the franchise or immigration restrictions wherein that aspiration and sentiment are satisfied? The denial of it is written large on the pages of the White Paper.

How can India acquiesce in this settlement for one moment? It blasts at once the hope of India and the honour of Britain.

Now, ladies and gentlemen, I have expressed myself, as I told you before, with fulness and candour on the question as it appears before us. What we are to do in the future is the question, I am sure, that is oppressing young hearts here, as it is oppressing young hearts in India. (Applause.) In short interviews I have given indications of my personal views, but they are only personal views. It is difficult to take decisions when one is far away from friends.

Anxious thought, mature deliberation, are necessary before plans can be laid. Wait yet awhile in patience. I will not, therefore, at this moment say what will be done in India. But I will say this once more, which I have said before, I will allow myself to say this, that India has lost many a time because she has never shown that she can resent indignities in the only way in which a strong Western Power understands resentment. (Cheers.)

VIII

INTERVIEW WITH MANCHESTER GUARDIAN.

"SECOND-HAND CITIZENSHIP" RESENTED.

Mr. Sastri, the spokesman of the unofficial members of the Indian Legislature in the Kenya negotiations, expressed his strong disappointment with the settlement to a *Manchester Guardian* representative. He said that Indians would certainly refuse to accept it, as it ran counter to their claims on the three essential points, immigration, the Highlands and the franchise. He argued that if immigration was to be restricted in the interests of the natives, it was more important to stop the immigration of white settlers. The Indians were helpful to the natives, whereas the white people seized their lands, and in spite of all the authorities could do were a standing menace to the political development of the natives.

As to the Highlands, it was very unfortunate that for the first time a British Government should sanction the legal prohibition of any community in any area of the Empire, and this solely on the ground of colour. This was a fundamental violation of British principles of administration. In any case the right of Indians to acquire land by open purchase ought not to have been denied.

The decision on the franchise question was hopelessly at variance with British traditions and democratic principles. Communal electorates might

be supported on several grounds, but they were utterly indefensible on the ground of the superiority of one race. Well-wishers of the Commonwealth, of brotherhood and righteousness would not sanction the co-existence of a white or higher citizenship and a coloured or lower citizenship. If equity were to govern the matter, white settlers, who could after all count on the official majority to back them up in nearly all matters, might well have been placed in a minority.

THE EFFECT ON INDIA.

Asked what steps the Indians would take, Mr. Sastri said that it was quite possible that the Indian representatives would refuse the second-class citizenship now offered them. As to the effect on India, he said that the British Government could not have done anything more effective if they had wished to deprive themselves of the few friends of the Empire they had in India. Speaking for himself, he should press on the Indian part of the Government in India the immediate resignation of office in view of their importance to secure elementary citizenship for their nationals. He should advocate the withdrawal from colonials of the benefits recently extended to them under the Racial Distinctions Act with regard to special procedure in criminal cases. He would next demand the compulsory retirement of all colonials employed in military or civil offices in India, and speaking generally, retaliatory measures with regard to domicile and acquisition of trading and other rights. He would, of course, take care that India did not violate the Constitution or disregard her pledges, nor would he do anything really from the spirit of

vengeance. But as India had suffered in the past from her unlimited trust in the British sense of fair play, he would urge the Government and people to speak in the only language that seemed to be understood here. He thought that India could not be blamed under the circumstances if she either withdrew from the British Empire Exhibition or refused to send representatives to the forthcoming political and economic conferences.

Mr. Sastri expressed his gratitude to the Labour Party for its support and for the assistance received from part of the press and from public men.

IX

AN ARTICLE IN THE *OUTWARD BOUND*.

WHAT THE FORM OF GOVERNMENT OUGHT TO BE.

The following article appeared in the August number of the *Outward Bound*:—

The goal of British administration in that part of the world is now recognised on all hands to be the preparation of the African native to govern himself and take his destinies into his own hands. This had, apparently, been dimly perceived before; perhaps the Colonial Office would claim that it had not only perceived it but kept it more or less in view in its conduct of Kenya affairs. This claim, however, cannot be allowed because an adult franchise has been conferred on the white inhabitants, who allege, further, that hope has been held out to them of complete Responsible Government in the future. The official majority in the Legislative Council enables the Crown to impose its will on the administration, but in practice this majority has always acted in conformity with the wishes of the dominant race, who have thus been allowed to consider themselves as the exclusive masters of the soil and the custodians of the welfare of the population. They have even claimed that they are the chosen trustees of the African natives and refuse to share this great responsibility with any other community. Anyhow, the future course is clear. Steps must be taken to ensure that the virtual, and not merely legal, control of policy and measures is exercised from Whitehall. For it is

here that one can find the best guarantee that the great ideals of the Commonwealth, as well as the experiences of local administration will be remembered. A pure Crown Colony type of Government, then, must be set up in Kenya. A Legislature with a certain number of members, nominated by the Government to represent the various interests, would doubtless be a valuable adjunct to the authorities on the spot, but the present constitution which includes a strong and assertive minority of white colonists, is certainly not compatible with free exercise of final control from the seat of Empire. A body of members elected by free constituencies have a tendency, which is almost invincible, to grasp at the reality of power, and cannot fail to exercise intimate influence on all the details of administration. It is true there are, in the varied Empire, many spots in which communities enjoy limited opportunities of giving constitutional advice to the authorities. Such arrangements, however, are generally transitional, and, except as stages to Responsible Government, have no decreed value in themselves. By common consent Kenya is not to have any form of Responsible Government till the native can be said "to have come into his own." Why then, embarrass ourselves with the forms of a regular Constitution, which can only obscure the seat of ultimate responsibility, and create expectations of growth which cannot be fulfilled? Moreover, the existence of franchise for one section of the community—not the most numerous, although of great importance—necessarily leads to a demand for a similar franchise by other communities, which it would be impossible to resist. Indians, Arabs, and even natives of Kenya, who possess the prescribed qualifications,

must in fairness be admitted to the full rights of citizenship. In view of these considerations, it is to be hoped that the Imperial Cabinet will have the wisdom and summon the courage to withdraw the franchise now enjoyed by the white community in Kenya. For a wonder this franchise goes further than the franchise of Great Britain or the franchise of South Africa, to which the White Community so often looks for inspiration. It has only been in existence since 1919, and no one who studies the recent annals of Kenya will assert that the political power it carries has been used with moderation or impartiality. It is possible also to quote a few instances, like that of Jamaica, where a white community has surrendered the franchise which had been granted. After all, the feelings of a small number of immigrants must not be allowed to stand in the way of an arrangement obviously necessary to the paramount interest of the indigenous population. The spokesmen of the Indian community have unhesitatingly given their consent to the reversion to Crown Colony administration. Whatever their interests or self-esteem may seem to require, they have too much sympathy for backward communities not to put them aside. Indians, too, will hail with joy the deliberate adoption, almost for the first time, by an aggressive Western power, of a policy which sets trusteeship above exploitation, and may derive some small satisfaction from being instrumental, even though indirectly, in the inauguration of an experiment charged with such promise for the moral regeneration of the human race.

KENYA DEPUTATION'S STATEMENT.

FOUR MAIN HEADS OF THE DISPUTE.

THE following is the text of the statement prepared by the Kenya Deputation under the joint signatures of Mr. Srinivasa Sastri, Mr. B. S. Kamat and Mr. Jamnadas Dwarkadas:—

The body that deputed us on the Kenya Mission, namely the Central Legislature of India, not being in session, we are glad to avail ourselves of the opportunity considerably and courteously afforded by the Editor of the *Times of India* to submit to the country through its columns a brief statement of our work.

The four main heads of dispute between our countrymen and the white settlers of Kenya were (1) segregation, (2) the right of purchase in the Highlands, (3) common franchise and adequate representation in the Legislative Council, and (4) the right of free immigration. Our case succeeded only under the first head. The second and third heads have gone directly against us. The fourth has also gone against us, but indirectly—not on the ground originally apprehended but on a different ground. India's heart yearned for equal citizenship of the Commonwealth the settlement gives us a citizenship inferior to that of the white population. The settlement does not discuss our claim to equality at all. No reason is given for its denial now, no hope is held out for the future. Our mission, therefore, has met with almost complete failure.

One feature of general satisfaction deserves mention. The interests of the African native are declared paramount and entitled to precedence over those of the immigrant communities. The Colonial Office have asserted, or according to them reasserted, their trusteeship of the native. It involves as a corollary the denial of responsible government for a long time to come to the people of the Colony. Indians are told to rejoice with the natives of Kenya at having escaped subjection to a narrow oligarchy of white settlers. Poor comfort to those that had every right to expect equal citizenship and equal partnership in the Commonwealth.

ACKNOWLEDGMENTS FOR HELP.

When the deputation arrived in London at the end of April, the propaganda of the other side had gained ground to an alarming extent. The air was full of lying stories of deep-laid plots on the part of Indians to acquire political supremacy in Kenya, to annex the Colony to India and to defraud the natives and whites alike of their just rights. It seemed doubtful that we could produce any impression at all. Friends and champions, however, came forth and gave valiant help. In the ranks of the press, we should make grateful mention of the *Daily News*, the *Daily Herald*, the *Manchester Guardian*, the *Observer* and the *Nation*. Associations got up meetings in furtherance of our cause, like the Anti-Slavery Society, to give but one instance. Opportunities were given us to address small groups of members of Parliament. We lie under special obligations to the Theosophical Society in London, and to the British Auxiliary of the National Con-

ference in Delhi, for arranging the great Queen's Hall demonstration and a number of gatherings in various towns, as well as for continuous and unremitting attention to the cause of India. The social position, personal influence, and untiring industry of the Lady Emily Lutyens were at our command. Mr. Jinarajadasa brought to our aid moving eloquence and moral fervour. Out of many other individuals who helped, a few must be selected as deserving in a special degree the gratitude of India. It were an impertinence to praise Mr. Andrews. The consecration of his life, his character and his unequalled knowledge of Kenya and kindred problems, gave his words an authority that could not be denied; and to his clear-sighted humanity must be given as much credit as to any other single cause for the final acknowledgment of the African natives' paramount interest. Mr. Polak, lidless watcher of India's weal in Britain as well as overseas, often criticised but not thanked equally often, was practically in charge of our deputation's activity and never grudged time, energy or money. Our good fortune secured us the sympathy and aid of the Rev. Dr. Oldham, whose lively sense of justice and human brotherhood is united to rare sagacity and power of persuasion. His Highness the Aga Khan, it needs scarcely be said, throughout guided our counsels and ungrudgingly employed the skill and resourcefulness of a remarkable personality in the cause which during several years he has made his own. No list, however meagre, of our indebtedness could be complete which did not make prominent mention of the great service rendered by the party which now forms His Majesty's

Opposition, in allowing its spokesman in Parliament to promise that, when it comes into power, justice and brotherhood shall be established in the Commonwealth.

COMPLAINT AGAINST COLONIAL OFFICE.

We are constrained to make one adverse remark on the procedure of the Colonial Office. They granted private interviews to us and what were understood to be preliminary interviews to the Kenya deputations, white and Indian. Our countrymen were asked besides to submit a written statement of their case, which they did. A long time was then allowed to elapse. A week before the Colonial vote was to be taken up in the Committee of the House, the Indian deputations were received together by His Grace the Duke of the Devonshire attended by his principal officials. We were told that our representations had been fully considered, that the Colonial Office had embodied their conclusions in recommendations placed before the Cabinet, that these could not be divulged and that we might make any further representations that we wished to make at the stage. We said we might be able to adduce fresh evidence or make additional statements if we knew the recommendations that His Grace had made to the Cabinet. But he was firm in refusing to take us into his confidence and added that the white deputation would be placed in no better position. After some more futile talk the meeting broke up. We must record our feeling that if we had known of the recommendations even at that late stage we might have shown sufficient reason to change them at least in part. In a statement published in London Pres-

after the debate in the Commons, Lord Delamere stated that he and his colleagues had signed the settlement in token of their acceptance. The Kenya Indians were not invited to sign anything. We could not make out whether any discrimination was made between the two deputations by the Colonial Office. Some light must be thrown on the matter.

RELATIONS WITH INDIA OFFICE.

Lords Peel and Winterton showed us every possible consideration personally. We saw them fairly frequently in the first part of our stay in London. Besides, they enabled us to see other influential persons by arranging luncheon parties for the purpose. These and similar kindnesses and courtesies we desire to acknowledge with the most sincere gratitude. Our discussions of the Kenya question were full in the beginning and marked by much freedom. It would be appropriate in this context to indicate certain important points which arose from these discussions.

I. The India Office urged us at the very start to take a definite stand on the Wood-Winterton agreement. After a little hesitation we adopted the advice, but not before obtaining from the India Office a declaration of their intention not to be shaken. From that time onward, we have on every public and private occasion repeated our adherence to this compromise. The final settlement, however, as any one can see, is a material falling off from the Wood-Winterton agreement under every head except segregation. Yet our champions at the India Office have acquiesced in it, and advise India to do likewise.

Our fellow-countrymen from Kenya have maintained an attitude of disapproval towards this agree-

ment. Still we have good reason to believe that in the end the Cabinet's decision had coincided in the main with that agreement, they would have come into line with us and accepted it as a working compromise.

II. We pointed out to the India Office that it was wrong to base our claims on the resolution of the Imperial Conference of 1921. That resolution applied only to the self-governing dominions, with which India had entered into a sort of reciprocity.

SUCCESSION OF PLEDGES.

It was obvious on a perusal of its terms that in the particular case of Kenya it would negative the claim that India put forward to free emigration. As a matter of fact, the white settlers were not slow to take advantage of this flaw in our reasoning and to insist that before the second part was applied to their colony, the first part should be applied as well. We followed our own line in advocating India's claims, and as Lord Peel stated in the Upper House, relied rather on the equities of the case and the succession of Britain's pledges.

In fact, our case with regard to Kenya would not have lost in cogency if the 1921 Conference had passed no resolution on the status of Indians abroad. Our readers will note, however, that the White Paper treats the Indians' claim as though it rested solely on the terms of that resolution.

III. Some few weeks after our arrival in London the India Office began to induce us to accept the communal in place of the common franchise. This we firmly refused to do. When reminded of several communities in India being in favour of the commu-

nal arrangement, we replied that even those communities would reject it without hesitation if Indians were not granted the same amount of representation in the legislature as the white settlers. The idea of equality was the supreme test, and if it was not to be found in a common franchise, it must be found at least in the amount of representation.

AN OMINOUS DIFFERENCE.

IV. An ominous difference made its appearance in the very beginning. The India Office professed a horror of first principles, and urged us to avoid such expressions as equality and equal citizenship. We argued that it sounded like practical wisdom in a debate on details; but our entire claim was to equality and no actual suggestion could be tested except by reference to that principle. Where it seemed unnecessary we would avoid rhetoric as generalisations but if it came to losing a point by losing sight of the equality idea we should not shrink from enunciating it. Propaganda was impossible without continual appeal to principles. We were unable, therefore, to heed this caution of the India Office. In the propaganda of our adversaries, the head and front of our offending was often stated to be the assertion of a claim to equality, the very audacity of which was sufficient to take away their breath. The public will not fail to notice the fact that throughout the White Paper, the equality test is not applied to any of the Cabinet's decisions. It is for the very good reason that none of these will satisfy it. Did the India Office smell a dismal lack of principle in the coming decision that they were so anxious to disturb our simple faith in the very beginning?

About a week before the White Paper was issued, we were informed, on what seemed good authority but turned out otherwise, that the Cabinet were going to decide in our favour on segregation and immigration, but against us on the Highlands question and the franchise. We did not give up hope even then, but sent to Lord Peel on the 20th July for submission to the Cabinet a letter on those two points. We annex a copy and request that it be read as part of this report.

DISAPPOINTMENT AND INDIGNATION.

Our disappointment and indignation can be imagined when we read the White Paper. Indians would not be excluded on racial but on economic grounds. The native of Kenya needed to be protected from unequal competition in certain occupations; and just those occupations were named which Indians followed. The Cabinet had nothing to say about those that took away the land and the liberties of the native by force and by diplomatic expedients of a questionable character well-known in the history of the contact of East and West, and of civilised and barbarous communities.

Decisions so palpably one-sided and so flagrantly subversive of repeated promises and professions must have a deeper basis than is to be seen in the specious reasoning of the White Paper. The first part thereof purports to give the historical background, but it is utterly misleading on account of two glaring omissions. One of these is the long, close and uninterrupted connection of India with pre-British as well as British Kenya. The other, with which we are concerned here, is the state of preparedness for rebellion in which the white community of Kenya have been for some

time. They boasted that British opinion would not tolerate the despatch of forces to Kenya, and that if forces were despatched in defiance of that opinion, they would not act. A notorious parallel from the recent history of Ulster was relied on in support of this hope. On the other side, what was there to fear? Discontent amongst certain sections of Indians might be genuine but it was harmless. Hard words never lost an empire. Secession, paralysis of the administration, chronic deadlocks, these have been talked of for some years now. Non-co-operation ended with the arrest of the leader. The salt-tax agitation could not come off. As for the Liberal party in Indian politics, did they ever amount to much? Anyhow, they were no longer necessary. This cry of "Wolf" had been overdone. The Viceroy of India could still keep the country quiet if told to do so. In any case there was a safe interval now. Let British interests be consolidated in all possible ways, before Indians learned to cause real trouble.

FUTURE LINES OF ACTIVITY.

Sentiments of this tenour were often expressed in certain organs of the British press. We heard them now and then in circles where the secret springs of policy are known. It would be beyond the province of our deputation to suggest the future lines of non-official activity in India or in Kenya. But our report would have been incomplete, indeed it would have been false and misleading, if we had for any reasons whatever, kept from the people of India the real inwardness of the ill-success of our mission.

V. S. SRINIVASAN

B. S. KAMAT

JAMNADAS DWARKADAS.

APPEAL TO THE CABINET.

LETTER TO VISCOUNT PEEL.

The following is the full text of the letter which Mr. Sastri and Mr. Jamnadas Dwarkadas addressed to Lord Peel when the Cabinet decisions were impending:—

265, St. James's Court, S. W. 1.

20th July, 1923.

Dear Lord Peel,

Please allow us, at this eleventh hour, to plead with you against two decisions in respect of Kenya, which, we understand, the Cabinet are being advised by the Colonial Office to take.

The prohibition of purchase of land in the large area known as the Highlands by a community whose only fault is their colour would not have been sanctioned by the Cabinet if it had been brought before them in the beginning. The far-reaching effect of the Ordinance required that it should not have been promulgated by inferior authority. Now that the Cabinet are about to make their first pronouncement on the subject, should the fact that two or even three Colonial Ministers have gone wrong preclude them from laying down the right policy? After all this particular Ordinance is not of long standing and has been questioned from the very start by the excluded community. Surely the custodians of the honour and high principles of the Commonwealth cannot afford to make public confession of their impotence to reverse so flagrant a violation of equity as between His Majesty's equal subjects.

If an absolute reversal is impossible, let the present state of things continue for a certain number of years. Let the white settlers enjoy a little longer the benefits of this partial law and consolidate their privileged position to the extent they can. At the end of the term let the situation be considered afresh in the light of correct and equitable principles of administration. We are solicitous not merely of the rights of Indians, but of the character of the Commonwealth, neither of which should be directly injured by any action of the ultimate executive authority.

As to the franchise, the Indian community have gone very far to remove the grounds of suspicion and alarm by the provision of the Wood-Winterton agreement, which would start them with a much smaller numbers of voters and a much smaller proportion of the elective seats on the legislature. What reconciled them to this compromise was the partial recognition of equality implied in the proposed admission to a common electoral roll. This recognition of equality is the one consideration to which they attach, as everyone knows, the greatest importance, and the test by which they judge every suggestion made to them. A communal arrangement violates this essential requirement and cannot at any time command their acquiescence. Even that section of Indian opinion which favours the communal principle in India will refuse to countenance it in the case of Kenya, where it is demanded on the odious ground of racial superiority. If in addition the representation granted under it in the future Legislative Council be at all less than that of the white settlers its condemnation in India will be complete. That in view of the majority of Government nominees the

Council will be advisory and the precise amount of representation not nearly so important is a consideration which, so far as it is valid, is equally valid to both communities, and neither should ask for superior weight of numbers. Besides, where the system is frankly communal and the official nominees are likely in a great number of cases to find themselves in natural agreement with the white settlers, inferiority of voting strength must inevitably reduce the Indian community to a position of chronic impotence and unredeemed humiliation. From the large imperial aspect the communal franchise is scarcely less objectionable. When once adopted in Kenya on the authority of the Cabinet it will, in course of time, be extended all over the Commonwealth even to those parts where now the more wholesome principle is in operation. Two, if not more, classes of citizenship will thus become the distinguishing characteristic of the British Constitution—classes based on colour—a distinction inimical to the destiny of the Commonwealth, the ideal of democracy and the hopes of humanity.

Sincerely yours,
 V. S. SRINIVASAN.
 JAMNADAS DWARKADAS.

XI

AN APPEAL TO THE PUBLIC.

I FEEL it a great misfortune to be put out of action when there is such urgent call for service in the cause of the Motherland. But I have been warned that I must take complete rest if I am to avoid a collapse. Before doing so, I wish to say a few words to the public.

I advocate without hesitation a policy of vigorous action by our country to indicate our genuine feeling to a people who attach no meaning to mere verbal expression of them. I say "country" generally, because it is impossible to expect a Government which is not National, either in spirit or in personnel, and which is compelled to look to Whitehall for orders even in matters of secondary importance, to act for the people and in the name of the people, when despatch-writing and argumentation have come to an end. This proved incapacity of our Government is a grievous handicap in the maintenance of our just rights as against other communities in this Empire. If we could imagine for a moment that we had our own Government when the Cabinet decision on Kenya was announced, they would have taken instantaneous action with the same instinct with which, for example, one's right hand moves to protect from injury any part of one's body. There would be no need of public meetings and protestations, no need of harsh and passionate cries for help. There is no

country in the world where, if time were allowed for popular deliberation, or the balancing of good against evil, of material interest against National honour, eminent individuals and even considerable sections of people would not be found to counsel a course of feebleness and resignation. In India it is no wonder that such active feeling of indignation as there is cannot be mobilised for an immediate stroke. It is an inherent weakness of the present stage of our political evolution that a large popular effort should lead to much spectacular display but little calculable result. There is no use trying to transcend this regrettable limitation. The situation would be utterly devoid of hope if we waited till we could act on the highest plane and with shining prospects of success. With cheap cynicism people fling the word "ineffective" at all proposals which cannot bring about the surrender of the British Cabinet and revocation of the settlement of July 24th. Those who would act within the limitations of their time cannot afford to be answering these everlasting objectors.

Nor would any one seriously claim for the puny efforts proposed the dignified epithet of retaliatory or punitive. How dare we expect to punish the mighty? But there is none so weak, but he can refuse to part with his self-respect voluntarily, no community so fallen but may reject an ignoble association to which it is under no coercion to consent. Why should Imperial authorities deviate from their settled policy if they find that it makes no difference to the outward action, either of the Government or of the people of India, that while the Government is prepared as ever to employ the resources of the country for pur-

poses of Imperial glorification, the representatives of the people continue ready and willing, even on a footing of declared subordination, to participate in the councils of the Empire and to join in schemes of a voluntary or semi-voluntary nature for the common good or ostentation of the dominant communities? A hard-headed and hard-hearted employer would not be impressed by brave resolutions and declarations of rights on behalf of his workmen if he could count on their coming at the stated hours and working under the stated conditions for as long as he chose to employ them. Things would doubtless be different in the case of a right-minded and noble-hearted employer. But he offers no similitude to the present Tory Government of Great Britain.

Some time ago the representatives of two Dominions, displeased at a comparatively trifling arrangement made by the authorities of the British Empire Exhibition, 1924, threatened non-participation and carried their point. That is the way in which serious displeasure shows itself. If our Government could take such a step, no Cabinet would think of treating it as they have treated it in the case of Kenya. Few persons realise in India what great importance is attached to the Exhibition as a display of the resources of the Empire, or what glowing hopes are entertained in the business world of its material benefits. In both directions India's part in the show is imposing. Doubtless the trained exploiters of the world would see that she profited as little as possible in the end. Correspondingly, her withdrawal, if its possibility could be conceived, would be felt as in the nature of a blow at the Empire. Tremendous efforts must be made by influential local

Committees to keep back private exhibitors and semi-official agencies, while the Government and statutory bodies like Improvements Trusts must be reached by the usual channels of public opinion until the new Legislatures could take the constitutional action open to them.

Nobody supposes that the withdrawal of the unofficial representatives of India from the Imperial Conference will reduce it to a state of impotence or paralysis. Those, however, who value self-respect and study its manifestations in human affairs will look for certain "prompt reactions," to use an American expression, when it is infringed. It is not easy any longer to persuade the average British politician that amongst our intelligentsia and their representatives in high circles, feelings of resentment and indignation are of the same kind as in the rest of the world. Dominion as well as British statesmen may think our indignation misplaced and profess unconcern at our absence. But they cannot help being conscious, in contemplating our vacant places, that affronted human nature had found becoming expression. Again, who will pretend that the measures of retaliation recommended to our future Legislatures will inflict injury on the offending communities at all adequate to the injury that we have received? Nevertheless, such action as we can take is fully expected and cannot be avoided except at the risk of worse indignities and insults. I will remember being told in 1921: "If we hit you, why don't you hit us in return? We have accorded you full power of reciprocity." Where one is in the grip of a big bully, patient and philosophic submission is no remedy. To hit out with all one's

strength may not be effective either, but it is at least a vindication of one's manhood. The poet has said that the imprisoned cobra strikes not so much to punish the tormentor, as out of wounded pride.

The prosecution of these measures, provoked by the denial of equality in the Empire, will be necessarily obstructed and rendered nugatory by the Government of India. In taking such an attitude, the Viceroy and his Councillors will only be increasing their own difficulties and goading the Assembly on to fixed and implacable hostility, which can only hasten the day of Responsible Government in the country. That would be a gain, not the less great for being indirect, of the course of determined opposition forced on the people and their chosen leaders at this juncture. These developments, which the immediate future holds in store, must be made clear to the constituencies at this general election. Their political education will thus receive an impetus which nothing else can give and candidates must regard it as their primary duty to obtain mandates in this behalf, besides canvassing votes in the usual way.

One is sometimes amused and sometimes irritated by the unscrupulous use to which the existence of castes in this country is put by our enemies. Subdued and chastened, we bow to the penalties inflicted on us by the law of National Karma. But how can they admonish us who profit by our divided condition and in not a few cases foment it? Are they our Providence? Do they set up as our teachers? If so, let them show us the better way by their example, and not quote our social strata as a justification for their unworthy practice. We are hungering, through our renovated religion and revived philosophy, for

opportunities of teaching the world some spiritual truths. While these opportunities seem slow in coming, here is a degenerate Western world, copying our caste system, our practice of segregation, our social iniquities and, alas, even our diarchy, our communal elections and our "disproportionate representation" of minorities. We are endeavouring to get out of these unhealthy institutions. The reactionaries and obscurantists in our country can wish for no better support for their outworn systems than their adoption by the civilised nations of the West in express imitation.

Far be it from me to ignore or even to underrate the enormous benefits of the British rule in India. I have often spoken and written of these and of the glorious mission of the British Commonwealth. And I hope to live to do so again in better times, when British Imperialism shall have shed its lower and assumed its higher character. But it is sad to contemplate a people with a high destiny within their reach and calling themselves a lesser League of Nations, setting up, after mature deliberation, a colour bar after the Boer pattern.

Hard as flint, dry as the Sahara, must be the Indian heart which can survey without emotion the long tale of wrongs and indignities to which our people have been subjected within an Empire that talks all the time of human brotherhood and even-handed justice. I cannot stop now to tell the tale. Let us look at Kenya. We have gone there for some centuries now. The British Commonwealth came there only to safeguard our interests. Not only did we furnish the occasion, but we exerted our influence to establish a British Protectorate. The earliest

British officers thought that the new territory could be a suitable outlet for congested Districts in India. Our cooly labour built the Railways. In fact, to-day not only the Railways but the Government offices are run by our clerical labour. The currency system was ours till it was supplanted recently to the ruin of Indian wealth. The Indian Penal Code was introduced. Our armies fought on the soil of Kenya more than once to keep the Union Jack flying. We are the only people now that do anything to teach and train the Native in the arts of the civilised life. Great numbers of Indians were born and bred there. After many years, during which we were invited, employed and encouraged, to be now told, at the bidding of a few narrow-minded whites, that we are a danger to the Native: that we are a moral and physical infection and that our future immigration must be controlled and finally stopped—this is a refinement of ingratitude and tyranny, the thought of which still lacerates my heart, though it has been my constant companion, night and day, during some months.

It may not be pleasing to Government, but it is good for them to know that there is hardly an intelligent or patriotic Indian who does not interpret and lament the Kenya settlement in the way I do. It may not be pleasing to Government, but it is good for them to know that there is hardly an intelligent and patriotic Indian who does not consider the settlement as setting aside a long succession of righteous pledges in the direction of human brotherhood, in favour of an unrighteous pledge made by incompetent authorities and in the face of earnest protests. It may not be pleasing to

Government, but it is good for them to know that, when I declare the attenuation of my faith in the British Empire and in the British professions, the only Indians, even in "Moderate circles" who dissent, are those who avow that they had never any faith in either. The Kenya settlement is a grave National humiliation. It shakes the foundations of our public life. Party interests and party shibboleths seem now an irrelevance as well as a heavy handicap. I am happy to believe that the members of the Servants of India Society are unanimous in their desire while remaining true to the Liberal creed and that of its Founder, to co-operate with men and women of all parties in the country in trying to get the grievous wrong righted and in the speedy achievement of Swaraj, which is the sovereign need of the hour.

XII

BANGALORE SPEECH.

The following speech was delivered by the Rt. Hon. V. S. Srinivasa Sastri on the eve of his departure from Bangalore, where he stayed for over three months to recoup his health, at a large public meeting convened to bid him farewell.

After some remarks of a personal character, Mr. Sastri said: "Having failed and not, as some of you said, succeeded in the mission entrusted to me, I feel like a person who has fallen from a high estate. You gave me a great commission. I went forth knowing that it was difficult, knowing too that many another stronger and braver fighter for India's cause gladly avoided it. I knew that I should fail. But I undertook the task, because I knew that my failure would not matter, that perhaps through my failure somebody after me would be enabled to build up a success that you and your children of the future might really cherish as one of India's achievements within the Empire.

KENYA LOST, EVERYTHING LOST.

Don't expect me to go fully into the recent history of this Kenya affair. But you will forgive me if I make a few observations which I cannot keep back in this my first public speech, after an enforced but temporary retirement. Well, "Kenya lost, everything lost." You have been reminded of that expression of mine more than once this evening. I really feel

that in this case of Kenya, a good deal is bound up of vital importance to the whole future history of this country. It is difficult for me to speak with moderation upon a subject touching so deeply, not merely our interests, but our pride as Indian citizens. I will, however, forbear to use language that might seem to abuse the hospitality of an Indian State, but certain observations I must make on this occasion.

THE REAL INWARDNESS OF THE AFFAIR.

Some one said that the history of the Kenya betrayal might be read in a public document. Believe me, friends, if you wish to know the real inwardness of affairs, do not pay any attention to that fuliginous document which they call the White Paper. It does not contain the true history at all. The actual facts at the bottom of the case will not be found in the discussions that ensued in Parliament, they will not be found in the respectable newspapers of Great Britain, they will not be found, no, not an allusion to them, in the vast flood of oratory that marked the proceedings of the last Imperial Conference. No reference has been made in these solemn papers to the fact that the British Cabinet gave this decision—because the white people in Kenya threatened rebellion. I do not say that the British Cabinet got intimidated. I do not say that the custodians of the Empire shrank from a trial of strength with such a petty little place as Mombassa or Nairobi. That is not my meaning but those who are responsible for the conduct of the Empire to-day did shrink from a struggle with their own countrymen; if they ventured to put forward a regiment, the regiment would refuse to act. That was secret of the whole thing.

THERE WERE ANGRY WITH ME.

The White Paper discusses the question as if on its merits and on its previous history. No reference, however, is made to this subject. When I, caring only for truth and for India's honour, mentioned it for the first time to a public audience, they all seemed aghast. They seemed to think that I was giving utterance to something which ought to be hidden from the public gaze. They were evidently not proud of the transaction. They certainly were very angry with me. Friends and critics, newspaper oracles, Members of Parliament, those who were glad any time to welcome me in the street and shake hands with me as fellow-citizens, all thought that I had been guilty of a sin of the most grievous description, much like the sensitive daughter-in-law in a family, who, having received a beating from the husband, smarted under it no doubt, but far more because the brother-in-law and sister-in-law had been looking on. The British Cabinet and the public of London were not so ashamed of their having yielded to fear and inflicted grievous wrong on India. They were far more angry, because I had taken the world into my confidence.

WE OUGHT TO HAVE A DIFFERENT GOVERNMENT.

And now, what are our defenders doing? The Government of India, all honour to them, stood by us to the very end of the discussion. Perfectly true, they gave us every moral support they could. But when the time for talk had gone and the time for something substantial had come, when we had to tell the British Cabinet that, if one side threatened rebellion, we should

at least threaten a little trouble, when the time had come to say that, our Government necessarily shrank back—you could not expect the agents of the British Cabinet to take up that attitude. Then, let me tell you, for the first time more vividly than ever, for the first time more stirringly than ever, I felt that if we were to win our way in the world, we ought to have a different Government altogether. What is the state of things to-day?

THE IMMIGRATION BILL.

The Government of India, in order to hearten us, say: "Now that matter is gone, let us not weep over it, because all is not lost. There is the Immigration Bill coming on. We will discuss it threadbare, attack all its provisions from A to Z. We will see what the Kenya people will do and what the British Cabinet will do." We are going certainly to have thick books filled with discussion about Clause A and Exception B and Explanation C. But I assure you that it is the case of the young lad who was bidden to hold a runaway bull but was foolish enough to let the nose rope go and then hung on for all he was worth by its tail. You know what would happen to that innocent young adventurer. Well, the people of India and the Government of India are in no better case. When the British Cabinet allowed the Kenya Government to control our immigration on one pretext or another, the case was gone. The horse had been stolen, you might shut the door bang a hundred times after, but you could not recover it by any discussion, however meticulous, however ably conducted, of the provisions of the Immigration Bill. I do not say that nobody should care about it. I do

not say that the Indian Chamber of Commerce in Bombay, for instance, must not busy itself with necessary representations to the authorities of Kenya. Let them by all means do so. But the essence of the matter lay here. When they said that it was necessary to administer Kenya in the interests of the African native and that for that purpose it might be necessary to control immigration, as a theoretical proposition we had no alternative but to agree, and we might willingly and gladly agree, as people long accustomed to the galling chains of subjection and anxious therefore to help anybody, even Kenya natives, to get back their rights from the white aggressors. We could well agree to that, and we did.

But the point is this, that the unhappy African native has his only friends amongst Indians, that the white settler there is a landgrabber, that he is a political tormentor whose one business is to oppress, to keep down, to make selfish laws, to exact labour from poor people there, to use their energies for his own benefit; in other words, to use the language of one of their accredited spokesmen, having stolen the lands of the native, the next thing was to steel his limbs. If immigration was to be controlled, the immigration of the white man was to be controlled, and not that of the Indian. That is an attitude that we ought to have taken and that is an attitude that we should yet take in the matter. I expressed it several times in London. I have nothing to conceal and I will say that again. But there comes the trouble. Do you expect Lord Reading to say so for you? Do you expect Lord Reading and his Government to say that if immigration has to be controlled, it has to be in the case of whites and not of Indians?

Every one of them might feel so, and I believe in my heart of hearts that every one does feel so, but nobody dares to say it; and yet if we are to win in this case, that is the thing, however unpleasant, to be said. There again comes a handicap in our having a Government, which can only go a short way in championing our rights, which cannot speak the full truth, which cannot speak as you and I would, which cannot tell the British Cabinet, "Be impartial, be just if you dare and tell your own people not to do wrong".

THE ELECTIONS.

There is another point that is being forced upon my attention. However unwilling I was to recognise it in such vivid colours in the past, I can no longer conceal from myself that without a Government that we could make and unmake as free people, we are bound to lose in the struggle in future. It is to that great object that all our energies have now to be bent. All talk of moderate and immoderate, of extreme and mean in Indian politics, has now no meaning for me. All must unite round this banner of Dominion Status and that promptly. What do we hear from the representatives of British power in India to-day? I do not envy Lord Reading this task. I certainly do not believe that fate has been excessively kind to him in calling upon him, liberal as he is in politics, to go about the country on the eve of a general election and tell the people: "Your struggles for an immediate constitutional advance will meet with *non-possumus*. Elect, therefore, people who will be content to go on the present footing." Well, he might say so, but the country has decided otherwise. Weak and disunited

almost like a baby in her politics, India has, it seems to me, still spoken out boldly, I mean through the general elections. India has not heeded the warning which, bidden or spontaneously, Lord Reading thought it fit continually to administer to our people.

KENYA AND ANGLO-INDIANS.

Now what do the great people who have to guide us in all these matters say? I mean the great representatives of the Anglo-Indian press, the great representatives of the British press, or those who, occupying high and responsible posts in the Indian Civil Service, continually admonish the Indian patriot on his duty, tell young and old alike without any bias or partiality that if we place the whole of the Indian finance at their disposal and, perhaps, abolish the posts of Accountant-General and Auditor-General, everything would go well with India. They tell us: "What are you doing? You, people of modern India are not like your forefathers at all. Your forefathers talked of Life Everlasting, of the eternal round of *Samsara*, of the vanity of all worldly effort. Why hurry? There is an Eternity before you. Did they not speak of life after death? You live for ever. Why want equality at once? Wait." Applying this argument to the immediate problem of Kenya a great friend of ours, in whose good intentions I still have faith of a sort, mind you, told me: "Really you are unreasonable. It is true that there is no perfect equality between your people and mine in Kenya. Those fellows have got 11 seats on the Legislative Council and have given you 5. Well, I admit this is an inadequate number. Certainly it ought to be increased and I am perfectly willing when the time

comes to give my vote for 6." Who knows, ten years hence, or twenty year's hence, another enterprising man may come forward and tell us, 'we will give you seven,' and twenty years after that a still more beneficent-minded statesman may be willing to go ahead and venture to vote for 8, so that in about two or three centuries we shall reach the figure 11. Now that man was quite sincere. He thought that it was good enough progress for the Indian. An Anglo-Indian Civilian here told me: "If you want increased Indianisation, you are now, say about 11 per cent in the Services; you get it raised to 12 or 13, if you please, and be done with it. Don't disturb us for another generation." Well, that is the way they have begun to talk to us. They do not deny the justice of our case. Only they are somewhat disquieted when we wish to rush along at this furious rate threatening the peace of India and the safety of the Empire, but are willing to agree to "a more wholesome, better ordered rate of progress."

THE HARDENED BRITON.

Now I come to the most pathetic part of the whole thing. There are some amongst us who believe that, for one reason or another, we must bide our time and obtain our due, may be more slowly than we wish. If finally we are sure that we shall get the thing, let us be content to march at even a slower rate than heretofore. Let me tell you frankly that I am one of those who sympathise with this line of argument. I also have always spoken for peaceful and constitutional progress, and I believe, examining my heart as minutely as I myself can, I am still on the side of peaceful and constitutional progress. I

am quite willing that we should move slowly, provided that we were sure that our faces were set in the right direction and that day by day, year by year, we left things behind that were in front and got along to positions which seemed too far off, provided that we were sure we were moving and moving ahead. But "are we sure?" is the whole question. I thought we were. I do not think so any more, and therein lies my apprehension for the future. The Englishman, having once been generous, is now afraid of his generosity. He thinks he has given too much and there is a disposition in England which, I am thankful, is not universal, but is undesirably prominent amongst the Die-Hards and Tories, who now wield the destinies of the Empire—there is a disposition on their part now to think that if they cannot actually take back, it is best to keep things stationary. You may plead justice, equality and the necessity of fidelity to promises and pledges and engagements. That does not touch the hardened Briton when he is bent on safeguarding his vested interests. I have seen it. Justice and equality, very well, fine things these. All homage is due to them and the Englishman is ready with his homage as well. But if a conflict with his interests arises, if without open barefaced denial he could keep off the evil day, he would by every means in his power. That may be human nature, and some of you may say we are no better perhaps. We are not, any how we have not been, keeping an Empire, we do not wish to preserve rights stolen from other people. We do not wish to aggress and, therefore, let us speak with our limited experience and not test ourselves in any imaginary scale. The trial has not come to us and we may well, therefore,

tell the people who boast so much about their principles of justice and human brotherhood: "Keep your engagements like honest folk, fulfil your promises like just kings, that take their power from on high and must use their power so as to be approved from on high." That we have continually to tell them.

VESTED INTERESTS AND BRITISH JUSTICE.

Lord Reading, to whom we have to look for guidance, from whom the words that come are certainly entitled to our respectful attention, counsels us in our future struggle to put faith in the sense of justice and righteousness of the British nation. Well, allow me to speak with a little freedom on this part of the subject. "The sense of justice of the British Nation" is an expression with which I am fairly familiar. I have used it on countless occasions. I know its full meaning, but I know, alas, its limitations also. There is a sense of justice, I will admit and admit to the full, but that sense of justice is not easily mobilised every day. You have got to stir it up and nothing stirs it up as the prospect of excitement and turmoil and trouble, as the prospect of something being in danger, of some vested interests being squashed in the struggle. Nothing stimulates the somewhat inactive sense of justice as the manifestation of your political strength.

A PAGE FROM PAST HISTORY.

Let us read the history of England. You remember some time ago, in the old days of the Ilbert Bill controversy, when nothing more serious was at stake than the continued enjoyment of an invidious privilege, the Europeans of Calcutta and the neighbour-

hood, on the occasion of this threatened loss of privilege, banded themselves together and went so far as to arrange for the deportation of Lord Ripon. He was to have been summarily seized and put on board a boat that had come up the Hooghly. Remember, however, no injury was to be done to him. Only he was to be deposed from his august position and taken away to be safely deposited somewhere on the more hospitable shores of Great Britain. That is how they teach us how to preserve rights. You have all read English history more or less. I will only go back to the recent struggle in Ireland. Did the Irish people have no faith in the sense of justice of the British nation? Oh, they had, and they had plenty of it. Only whenever they made an appeal to the sense of justice of the British nation, they also made an appeal to some other sense, so that two or three senses, quite awake to the situation and acting together, might do some little justice. And how did the white people in Kenya behave when their rights were threatened? No, not their rights, let me say their unjust privileges. They did the same thing. They gave notice to the Governor that if he was going to give anything like equal treatment to Indians or carry out laws to that effect framed by the British Cabinet, he also would be treated in the same gentle way in which the Viceroy of India was to be treated on the Ilbert Bill occasion. They had everything ready for seizure, not only of the Governor, but of his senior officials. Their places of detention were actually fixed.

CHAMPION OF KENYA WHITES.

That is the way in the British Empire their own people, when they want things done, go about

the business. One of you, heroically inclined, may say: "If I should do such a thing to-morrow, what would be my fate?" I cannot promise him the treatment that they gave, for instance, to Lord Delamere in London. Lord Delamere was received everywhere. His words were listened to as if they were gospel truth. He had a seat in the House of Lords. The Duke of Devonshire was smilingly sweet on him; so was the Colonial Office from top to bottom. There was nothing that Lord Delamere could not do. And yet it was Lord Delamere who, as Executive Councillor in Kenya, had taken the oath of allegiance to His Majesty, had promised to administer laws and to do nothing to disturb the peace of the public and so forth, and whose duty it was to preserve the public peace—it was Lord Delamere who had presided at countless meetings where the white people threatened to rebel. He had himself presided and assisted at these disorderly proceedings. He was a man who, if the ordinary law had prevailed, should have been treated in the manner in which some thousands and thousands of our people are being treated to-day.

OUR CONSTITUTIONAL BATTLE.

I cannot promise you a treatment of that kind from the Government of Lord Reading, but you know where you are exactly. You could do things, if only your skin were white, which you cannot think of doing, being what you are. But within your limitations, within the law, within the limits recognised as allowable to those who are struggling to regain lost liberties, who are struggling to obtain the slow fulfilment of pledges of longstanding and of solemn import, there is plenty which we, non-officials, may

do. There is plenty for us to be doing night and day, and it will be my proud privilege, when I have left your kind and hospitable neighbourhood, to take my humble place amongst those who fight this peaceful and constitutional battle.

INDIANS OVERSEAS AND INDIAN STATES.

May be, I have done wrong to pour into the contented and placid ears of the citizens of the model State of India the moanings and wailings of my anguished spirit, but I think the question of Indians overseas affects Native States as well as British India. Moreover, I look forward to a time not far distant when the distinction between British India and Indian India will be one of form and not of substance. I look forward to a time not far distant when you will consider yourselves in daily life and not merely in theory, as citizens of a large, beautiful and lovable India and not merely as citizens of Mysore. If to me and to those of my age that India is but a vision, there are about me young people who will raise glad and joyful eyes on that dream as the realised spectacle of daily life, and I believe you will forgive me if, for a moment, I have asked you in anticipation of some years yet to share with me some of the troubled thoughts with which the British Indian citizens are now oppressed.

FAREWELL.

I hope you will allow that I have not wasted your time, as I believe honestly that I have bestowed one of my afternoons well, when at the close of three months' stay amidst such generous surroundings I take leave of all who have helped to make my stay happy. I do so not leaving behind in their hearts a

feeling that I have gone away as a sphinx having come as a sphinx, but having told the trouble of my heart and some little plans that I may have formed for the future, having in that way tried to repay some of the hospitality and tenderness and personal attachment that the citizens of Bangalore have always been extending to me during my stay.

XIII

AFRICA OR INDIA.

The following speech was delivered by Mr. Sastri at a meeting of the Criterion Club, St. Stephen's College, Delhi, on the 24th Feb. 1924.

The title of my subject today is "Africa or India?" It seems to be an alternative which it is hard to present to anybody. I have not invented it in order to attract a crowd of listeners. But the alternative, "Will the British Government care for Africa or for India more?" was presented in a somewhat acute form to the British Cabinet during the progress of this Kenya difficulty. You know Kenya is only a part of British East Africa. But the white people in Kenya are drawn to a considerable extent from South Africa. In fact our countrymen allege that while, before the advent of these South African whites, everything was smooth sailing, after they came and settled there, the trouble of the Indian community began. But it is not a trouble between whites and Indians in Kenya alone. It is unfortunately largely aggravated by the circumstance that the South African whites have openly declared themselves to be in sympathy with the whites in Kenya.

The great man who rules over the destinies of South Africa, General Smuts, lent the weight of his authority to the agitation of the white community in Kenya. He backed them to the utmost of his power and I heard at the India Office that he sent many a long cablegram to the British Cabinet, advising them, threatening them, and generally

warning them that the British Cabinet were not dealing with Kenya only, but with the whole of Africa, meaning the whole of white Africa; and in the course of the discussions it became evident the question would be, will the Indian case prevail or the African case prevail? I have not told you in detail the way in which the cause of the whites in Kenya and the cause of the whites in South Africa became identical. It is not necessary to our purpose; but it was they who presented to the British Cabinet this alternative: "If you are going to redress the so-called grievances of the Indian community, you would be driving us out of the Empire. The Indians tell you for their part that if you were going to decide the issues in our favour, India would have to go out."

Now, the British Cabinet was obliged in some way to settle the question as though it were a case between Africa and India. I will only mention in passing that at one time the propaganda of the whites reached such proportions that it looked likely that it would be a case not only of Africa *versus* India, but of the whole of the Dominions and Crown Colonies *versus* India. Luckily, the Dominions were too sensible and too aware of the magnitude of the difficulties of the Empire to throw in their lot with Africa. So it shrank somewhat into the dimensions of a struggle between India and Africa.

Ladies and gentlemen, when a question assumes that importance, we must extend our sympathy to those that have to deal with it on that footing. So we who went to England on this Kenya mission always asked ourselves, what should we do, if we were in the position of the British Cabinet? I am afraid the persons who came over to plead for the

cause of the Kenya whites failed to rise to the height of the occasion and did not look at the problem from the point of view of the British Cabinet charged with the maintenance of a world-wide empire, but were too full of their own little troubles. Now, you might ask me "Why is Africa pitted against India in this matter?" Now it is alleged it is not only a question of economical interests, but it is a question of two cultures and two civilisations struggling to occupy the same ground. That is how they put it: not that we wish our culture and our civilisation to be planted in Africa to the detriment of anybody, but they always put the case, as though India were behind this movement and were struggling to obtain a large and secure foothold on the continent of Africa, so that she may thrust her hungry millions on the soil of Africa and thus not only dispossess the whites, but in course of time dispossess the natives of Africa also. Now in South Africa there is a very peculiar constitution, which, I think, the English people did not fully understand when they annexed South Africa, or they would have tried to establish some sort of compromise: because the ideal which the South Africans have is injurious and diametrically opposed to the ideals of the British Empire. British Empire ideals are well known. Happily, the British Cabinet, low as they have fallen in their power to maintain those ideals, have not yet repudiated them. Those ideals, as you are aware, are justice all round, equality all round and brotherhood between all peoples composing the Commonwealth. In South Africa the *gratidwet*, or fundamental law includes the declaration: "There shall be no equality between white and coloured persons in church or state." For long dec-

ades the South African white, who is the Boer predominantly, has had to struggle with the blacks of Africa, and therefore has from his very upbringing the notion that the black man is unequal to the white, that he is born only to serve the white, and that if he will not serve the white he should be compelled to do so or killed off as soon as possible. Between the white and black therefore, they will never grant equality, and they conceive that the black man of Africa is the prototype to which the Indian also must be consigned, and they treat the Indian really the same way. Well, it may be right or it may be wrong—I am not here to argue the case either for or against the South African Boer. But the Boer is there, every moment thinking of this ideal of the white man's natural and inherent superiority over the coloured person. He is taught every minute of his life that that is the true doctrine. No use quarrelling with him. When therefore the British Empire annexed South Africa with this ideal which runs clean against their own cherished ideal, British statesmen undertook a serious responsibility and they must have vowed to themselves that, if they found it necessary to annex South Africa with this degrading doctrine, running counter even to Christianity, they at least were under a moral obligation to see that this degrading ideal never travelled beyond South Africa, that it was confined to this primitive population of Boers. They might have hoped that some day, some bold, some enthusiastic, some pious missionary might go and convert them to a decent form of Christianity; but in the meanwhile they must have vowed to themselves “We will never allow this doctrine to spread beyond South Africa”.

But what happened in the case of Kenya? White people from South Africa went there, carried their doctrine and reversed the current which Kenya affairs had run for a long time; for an Indian aspect had been given to the progress of affairs in Kenya, which now the Boer was determined to check with a view, first of all, to restricting the immigration of the Indians and afterwards in course of time, as his power grew, finally to close the doors of East Africa to Indians altogether.

Now, lest you should think that I am overstating the case, I have brought you a memorandum which General Smuts presented to the Imperial Conference. General Smuts at that Conference made himself the spokesman not only of the Kenya whites, but generally of Africa. He presented their case and you may remember it was mentioned in the papers at the time that his principal desire was to get repealed that resolution of 1921 of the Imperial Conference which recommended that Indians everywhere in the Empire should be granted equal rights of citizenship with any other class of His Majesty's subjects. Now, let me tell you at once that, although General Smuts at the 1921 session of the Imperial Conference was no party to this resolution, and even expressly dissociated himself from it as a person who was present at it, I can tell you this much—that it was quite open to General Smuts to take his stand on the understanding that no resolution should be passed which was not unanimous, and he could therefore well have said at the time, "As I am not a consenting party to this resolution I will not allow you to pass it." But, ladies and gentlemen, far from taking that position, which he was entitled to take, General Smuts was so

impressed with the Indian case, with the difficulties which the Empire was experiencing in holding together, that he actually said, "Although it is not possible for me to join, my sympathy is with Mr. Sastri; let this resolution go; I do not mind; provided it does not bind me." I am mentioning that in prominence because it has been lost sight of and something hangs on that little point, trifling as it may appear to you.

Gen. Smuts comes forward in 1923 and tells the Conference, "It was a mistake of yours to have passed that resolution; you ought now to repeal it"; and he puts it on the express ground that equality is an idea foreign to the Empire. Whoever thought of equality between people and people in the Empire? He says so openly; and it is worth while for me to read that to you. The whole of his memorandum is very interesting reading, and I would like you to read it at leisure some day. It is a short document, but I shall read only the relevant portion.

"There is no equal British citizenship in the Empire, and it is quite wrong (this is the point) for a British subject to claim equality of rights in any part of the Empire to which he has migrated or where he happens to be living. There is no indignity at all or affront in the denial of such equality. Once this is clearly recognised the stigma above referred to falls away."

There is no equality—so we will treat Indians as our inferiors, but there is no stigma in it and Indians have no right to feel it at all. That is the kind of argument that Gen. Smuts addressed to the Conference. But of course he went further. Instead of confining himself to a mere statement of that sort,

being the General that he is, and accustomed to carry the war into the enemy's territory, he has given a paragraph to an attack on me; and for what reason?—above everything else, that I had decided to tour through the Dominions and speak of equality, and he says that by so doing I have not advanced my cause even a bit; and certainly in South Africa the feeling against Indians is now much more bitter than before. Certainly it would be; whoever denied it? If you went and claimed equality with a proud and arrogant people of that kind, no doubt they would be opposed to you; but would you expect me, would any intelligent Indian expect me or any other spokesman to shrink back from expressing the idea of equality merely because it might offend the white people in this part or in that part or the Empire? That was my sin, and this is how General Smuts describes the thing:—

“This latter change is in some measure due to the Sastri mission. Mr. Sastri by his mission and his speeches has undoubtedly made matters worse; he has for instance never failed whenever an opportunity presented itself to attack the Indian policy of South Africa and thereby has greatly exasperated public opinion in that dominion, already very sensitive on this issue. In other dominions he has made people alive to the issue—(Great sin on my part, isn't it?)—indeed he has largely created it. The claim he has everywhere vigorously pressed for equal franchise and rights for Indians over the whole Empire, has not only gone further than the local claims of the Indians themselves—(I will recur

to this point a little later)—but has tended to raise opposition in quarters where it did not exist before. It is because I foresaw this development that I did not invite Mr. Sastri to include South Africa in his tours." (Loud Laughter).

Now, a statement of that kind coming from him, ladies and gentlemen, you will allow me to produce before you as emphatic and conclusive testimony that my mission was not a failure. I have roused opinion in these parts. I have told these people that the Indians claim equality and have disturbed the equanimity of Gen. Smuts and his Boer followers. It is something to have done. I was very much concerned the other day to read in a paper that our honoured friend Lala Lajpat Rai quoted, Gen. Smuts's testimony as to the failure of my mission. This is not failure as I read it. It means that I presented my case as you would have had me present it, and that it brought me the measure of success which it was possible to attain in all the circumstances. Now, ladies and gentlemen, I come to another part of Gen-Smuts's memorandum.

The other day in our legislative house, I mean *our* legislative house, the Council of State (laughter), we passed, the Government of India remaining ostentatiously neutral, a reciprocity measure which Dr. Gour had persuaded the Assembly to pass last session. It was feared by some of our timid friends in the house, and perhaps also Government shared the fear, that if we enacted a reciprocity measure, that is to say, if we returned blow for blow to the whites in the Dominions, they would be greatly incensed and they would do much more harm and we should be

seriously injuring our position. I told them, "I have known Gen. Ian Smuts; Gen. Smuts is certainly not a timid or a vacillating exponent of white opinion. I have met him before and he has told me personally that if we used our reciprocity power he would never take it ill at all: in fact he expressed surprise that we had not done it already in 1921." Here is what he says:—"India should be free to deal with nationals of the dominions on a basis of reciprocal treatment and neither on her part nor on the part of the dominions concerned should there be any resentment or ill-feeling in the matter."

So we have done nothing wrong. General Smuts should say "Well done, India", and I am sure he does. But you may ask "Very well, you have done it: where shall we be next?" Ladies and gentlemen, permit me to tell you one thing: that we were not the first people to throw a stone at our neighbours in the Empire. We had never done it before: we had suffered; we had been humiliated; we had been deeply pained; but we never hit back, hoping by our patience, by our resignation, by our Christian virtue of submission, to convince the white tyrant that he was continually misbehaving against the law of God and man. It did not pay us. At last we have taken one puny step of what is called euphemistically reciprocity. I had to explain one thing to my colleagues the other day, the difference between reciprocity and retaliation. It is a curious Empire, it is a curious political organisation, this British Commonwealth. Curiously are we, heterogeneous people, mixed up together in this wonderful unit, that instead of exchanging amenities and expressions of good will and preferential duties and so forth, we should be

engaged in the task of exchanging blows and taunts of retaliation. We did not make this Empire. Those that made it and those that keep it in such a condition ought to be ashamed of it. We need not hang down our heads; we are trying everything, let me tell you, to keep this Empire together; it is the European, the white man in the Dominions and in places like South Africa and East Africa, who will not tolerate another people in his household, except they be serfs and slaves and helots—it is he that is the danger to the Empire. He is the wrecker; we, if anything, are preservers of the Empire.

Then, ladies and gentlemen, General Smuts has made another statement which is exceedingly interesting. He says, "What are these Indian people asking? They forget the essence, the first thing, the A. B. C. of politics." It would appear that we are not an independent Government like Japan or China, and yet this is what he says:—"Neither the Japanese nor the Chinese people have claimed what these Indian people claim." Now, as an assertion it is emphatically untrue. Only a Boer could put it forward, because the Japanese and the Chinese feel their exclusion from citizenship rights, the same as we, and being stronger and backed up by an independent government their protests are much more vehement and they get, let me tell you now, being backed up by their own government, they get more humane and better treatment from these Colonials than we do.

Let that pass. But then, is it just to maintain that we who belong to this Empire, who own the same allegiance and salute the same Union Jack as much as any white man, is it right that we, who

fought for the Empire and saved these very white people from extinction (Applause), is it right that we should be told that we have no more right to demand equality than the Chinese or the Japanese people? What, then, is the inducement to remain within this Empire, if there is no difference between one who belongs to the Empire and one who is outside the Empire? Is there no difference between the German whom we had to fight in time of war and us in time of peace? If we are to be treated worse than the Austrian and the German, what place have we within this Empire? And yet General Smuts puts us this question. He says:—"The Indian Government should not claim from other Empire Governments what the friendly Governments of Japan and China would not claim, and the fact is"—as I have told you, it is not a fact,—"that with neither of these Governments have we any difficulties in the dominions, while the difficulties with India are notorious and growing".

Now, Ladies and Gentlemen, I must ask you to listen to me with some patience and give me a little time, for this is a very important and large subject. It concerns our honour. If I therefore keep you a little longer than the customary lecture period, do not blame me. Now they say, after returning from the Kenya mission, I am a changed man—I do not take it ill at all. I am not inclined to think that is an ill compliment. If there is any Indian who can go through the experiences through which I went in connection with this Kenya mission, if there is any Indian who could have seen the things that I saw, who could have heard the sentiments which I was compelled to hear, who could have experienced the

utter lack of responsibility that it was my misfortune to encounter in London during a few weeks of bitter sorrow and suffering: if there is any such Indian, I think, Ladies and Gentlemen, most of us should disown him. I have changed. Any Indian would have changed. General Smuts in another part of his speech blamed me for using a harsh expression and stigmatising this Empire as a Boer Empire. It strikes me as extraordinary that General Smuts should be ashamed of it. He should be rather proud of it. If I said that he was able to spread his doctrines and impose his ideals on the whole of the Commonwealth, why does he not take it as a compliment? Evidently, he felt that he was in an uncomfortable position, because I was drawing prominent attention to the fact that the Kenya decision was calculated and intended to please the Boer. He took that very ill, and he blamed me for it; but so long, Ladies and Gentlemen, as there is a colour bar, so long as there is a first class citizenship and a second class citizenship created in response to the demand of either the Boer or the Britisher who is not ashamed to follow the Boer, so long as that is the case within the Empire, I am fully justified in using the expression which I did, and discarding the expression, the British Commonwealth.

There are many people who think that I was quite wrong in stating that the Kenya decision was based on a certain amount of fear of the whites in Kenya who threatened to rebel. Now that is quite true. It could be proved at any time. In fact the white Kenyan was rather proud of it. He came and said, 'We are going to fight the British Empire.' Well, they talked about it all over the place, the

newspapers were full of articles on that subject, and even a magazine like the *Nineteenth Century and After* was quite willing to admit an article in which it was openly stated that the white men in Kenya had arranged everything for a rebellion. Well, I am not going to detain you by trying to prove these facts. But there is a point in it. There are a number of innocent people here, Englishmen, Englishwomen, Britishers of all shades, quite innocent people—I do not blame them at all—who tell me, ‘What? Do you want us seriously to believe that the British Cabinet was afraid of a few thousand whites in Kenya and therefore gave an unjust decision? Oh no, it is impossible. We who put down the Germans at a tremendous cost, do you mean we are going to be afraid of the white Kenyans?’ But what is the logical inference of such a claim? If you say and if people believe, as I am afraid there are a few ignorant people in the Government of India who believe, that the British Cabinet did not give this unjust decision out of fear of a very tiresome rebellion, what, then, led them to give us this palpably unrighteous decision, which disgraces the Empire and which blackens the name of the British nation? Why did they give this decision, then, if not out of fear? Are these innocent people prepared to say that the British Cabinet was inherently vicious, loved injustice more than justice, did not care for the long course of pledges and promises and brushed aside wantonly their own ideals which they had held out to other people? Oh, I prefer the other alternative, because I know it is in accordance with the facts of British history, especially of recent British history. Let us believe it, and I would ask you to believe it;

if you are lovers of the British name, as I am, in spite of my great resentment and vexation, if you are lovers of the British name, never come and tell me that they were not afraid, but loved injustice for its own sake. Lord Olivier, who criticised the Kenya decision the other day, showed a much firmer grasp of the reality. Lord Peel—I must speak of his lordship with great consideration, specially because he is no longer in the India Office now,—Lord Peel, when I was there, specially told me, “Now Mr. Sastri, do please moderate your language; do not let your mastery of English lead you to a fall; do not generalise. Especially, do not mention the words ‘equal citizenship,’ ‘equality’ and things like that. They won’t go down. English people don’t love these abstract expressions,” Now I owe to Lord Peel many kindnesses. I received much assistance from him. But he took too much on himself to advise me that way, and I never forgot, in spite of his lordship, that the British people are lovers of justice and equality all over the world.

Now, Ladies and Gentlemen, I wish to say one word about the mission that is proceeding in the course of the next two weeks, if possible, to get this wrong righted, and I will only permit myself one remark. Amongst them there is one, His Highness the Prince Aga Khan, who appreciates the real nature of these wrongs. In my frequent talks to him, I remember one expression coming from His Highness again and again. He was referring particularly to our franchise rights and immigration rights, and he said: “Whatever we surrender, whatever we might have to compromise, we cannot compromise on these two fundamental rights.”

We have no right to compromise on these two things, because they do not belong to us or to the Indians resident in Kenya; they belong to the Indian nation; they belong to our children and our children's children; we have no right to disgrace posterity within the British Empire. Whatever you yield, Mr. Sastri, do not yield on this immigration question." I am glad His Highness has accepted a place on this Kenya mission, and while he is there, I will continue to hope that he will exert his utmost to press our demand. Because even when we were in London, good friends at the India Office used to tell us frequently: "It is all very well for you three fellows of the Indian Legislature to come up and say, "Oh, we will wreck the Empire and we will do this and that", but pray, don't you think of the good of the Indians resident in Kenya? Would they like you to use these harsh words? If the Kenya whites are wrong, you must not be equally wrong on the other side. Your mission, as we understand it, is to try and do what little good you can to your countrymen in Kenya. Go down on your knees, surrender, compromise and abandon anything, if you can get them a little good; no matter what happens to the Indian name—but benefit your countrymen in Kenya." Now, Ladies and Gentlemen, this is, in many cases, well-meant advice. In other cases, however, it is not well-meant. They always tell us, who are struggling for large liberties, "We will give you some little, be quiet", and so they silence generation after generation. If we are looking always for the praise of the powers that be, if we are desirous of getting a pat on the back, why blame them for bribing us with little gifts so that

we may forget, like children, the big things that India is hungry for and that she must get if she is to take her place among the nations of world? Sir Malcolm Hailey put a question at the last session. "What would your countrymen say there? Do they want you to retaliate and hit back and enter on a franchise war with those whites? Won't they suffer much? After all, you can hit only one white man or two; they can hit lakhs of your people at one stroke". Yes, I have asked many Kenya Indians what they would want. We had a very strong deputation of the leaders of Kenya Indians working with us. I told them particularly: 'Now this is primarily your matter; we have come here to assist; do tell us what you would like; would you accept the crumbs they offer and ask us to lay down arms?' 'No', to a man they said. 'We come from a numerous African Congress. We are resolved to fight this battle to the bitter end. Do not surrender. It is not we who are concerned. It is India's honour we are concerned to maintain. We would rather be killed by the rebellious whites in the streets of Nairobi and Mombasa than that India yielded a jot of her honour and self-respect.' (Hear, Hear). Well, what are they doing there today? History is repeating itself. Just as when in the bitter years before 1911, longer than I care to recollect, Mr. Gandhi and his brave South Africans undertook a campaign, in the face of terrible odds, of passive resistance, just as when our Bengali countrymen, sore at the partition, declared a boycott of British goods, finding that everything else failed, just as on those two occasions we Moderates and Extremists, title hunters and revolutionaries, all of us joined together and said: "We will stand by

these countrymen of ours. It is true they have taken a strong step, but what could the poor men do?"—so have we now to stand by our Kenya brethren in their sore hour of trial. After making every attempt at pacification, the Congress there has declared non-payment of the poll tax which they consider unjust and inequitable. What are we going to do? Are we going to say to Kenya Indians, 'We cannot support you in this extreme measure?' I hope we shall rise, even as we rose on the two memorable occasions I have named, I hope we shall rise to the full height of our nationhood and support our Kenya Indians in their hour of bitter, alas, it may be today, losing struggle. Lord Hardinge once said to the British Empire "What could the poor Indians do in South Africa? They are perfectly justified in inaugurating passive resistance." May we expect Lord Reading or the Honourable Sir Narasimha Sarma to declare some day before the session closes: "What could the Kenya Indians do; we are behind them in their refusal to pay the poll tax"? And now, you may say that some of us in arguing this question are going a little beyond the proper limits when we say 'Oh! if we were a Dominion, if only we were a Dominion!' and then our critics, not altogether white critics, I mean some Indians too, say: "You must be utterly foolish to talk like that. How could it benefit you if you were a Dominion in the struggle against a white people? Even if you were completely independent like China and Japan, you could do nothing." I do not say we could despatch our army; I do not say we could fight these people on their own ground; but I do say this, that our case would be advocated on the

highest ground, that Government of India would not be afraid to stand out and say, we are altogether and completely for the Indian case. What do you find on the other side? The Government of Kenya is entirely at the disposal of the whites of Kenya. The whites of Kenya rule the province. The Government are doing everything that the whites of Kenya ask them to do. The Government of India here put their finger on their lips and say, "Don't say that, lest you displease the other side." And is it likely that we shall go to the wall or that we shall come triumphant out of the struggle in which the people on the one side have a Government which is constantly afraid of the other side, or a Government which completely identifies itself with its own people and comes forward and puts the case of the whites against the black, Africa versus India? Will our Government say in its turn "India, not Africa"? I ask you, if we have no such Government, don't we stand certainly to lose in this struggle? That is the difficulty. If we had a Dominion Government, the Viceroy would speak as we wish him to speak to the outer world. Instead, the Viceroy speaks to us as he is bidden to speak by Lord Peel with the British Cabinet behind him. Well, that is why we ask for Dominion status. We find that, pitted as we are against a people who have a Government solidly behind them, proud to stand up for their subjects and not afraid of the British Cabinet, we have a Government that go a certain distance—I am not denying it—but then are prevented by the constitution, by the fact that they are agents of the Secretary of State and of the British Cabinet, from going as far as they should. That is the chief difficulty.

I have mentioned only one general consideration. Shall I mention to you two points in respect of which our not being a Dominion is a severe handicap in this struggle? Do not misunderstand me. I am not quarrelling with individuals, but I am bound to draw your attention to this, unpleasing as it may seem, oh, mightily distasteful as it would be, to the British Government here. We are going to send a delegation to fight our case with the Colonial Office. Mind you, you must dismiss all prepossessions from your mind, and tell me whether you would allow that delegation to be headed by an Englishman, by a white man? He may be the noblest, the most philanthropic, the most pious Christian; he may completely identify himself with our case. But do you expect him to forget that there are certain things that he cannot say and that we should say? For example, when driven to the wall, we should say to the British Cabinet and to the Colonial Office, 'How dare you expect after this decision that we should remain in the Empire?' Do you expect such a good man—even as Lord Willingdon—to say that for you? There is almost nothing, I know, that Lord Willingdon would not do to uplift and to raise India's name. If you do not expect him to say that, it is hard to find any Englishman for that position. I go so far as to say that it is an Indian case, in which the bitterest feelings are entertained by the Indian people. It is they, then, that should present this case before our adversaries. Why, have we not got men here who can do that? Have we not got men whose loyalty, whose empire patriotism are unquestioned? It is a very difficult office for an Englishman. It is an office which we should

naturally and properly and rightfully hold. Assume now we were a Dominion for one minute, assume that everybody in the Assembly and in the Council of State was in a position to exercise power, the usual legislative power over the Cabinet; would they dare go and ask an Englishman, merely because he had administered a province, to head such a delegation?

There is another question. You all know that the British Cabinet has decided that Kenya should be administered for the benefit of the African native and not for the benefit of either the white man or the Indian. As you know, we accepted that decision with enthusiasm. We said that is the right and the only proper view to take of the case. Only we begged the British Cabinet to see actually carried out any policy and any measure which would protect the African native. But they have now ruled that our immigration should be controlled. We will pass by the plausible fallacy, the misleading sophism that they employ in describing it. They do not say the Indians should not come; all that they say is that people who follow this profession and that profession and the other profession (only Indians follow these professions!) should not come or that they would be prevented from coming in. So while on paper it does not look like racial discrimination it is intended to be and it is going to operate as a racial discrimination.

Now, let us assume that in the interests of the African native it was necessary to control immigration. I will convince any impartial man that far greater danger to the African native comes from the British immigrant than from the Indian.

immigrant. The unhappy Indian immigrant is weak; they will not protect him; he is only an economic competitor. The African native himself could crowd him out or he may be told to clear out, unless he means to make trouble and shed blood and do a hundred other things which I will not mention. But you read history. You have read about the way in which the white man, when he comes to live amongst black populations, among uncivilised peoples, uses his power, his superior civilisation, his superior command of fighting materials, his superior command of the destructive weapons of human warfare. Lynching is not an Indian word, is it? Well, flogging comes easily to the white man. Why, the other day, some Kenya white, it seems, was shocked at the idea of anybody preventing him from flogging the African native. "What is the African native for and what am I here for?" That is the way he thinks. I ask you in all honesty, from whom does the African native stand to lose more? From the Indian who is only a competitor at the most, who may be told to go any moment, or from the white man who goes and stays and tyrannises and exploits and steals land and limbs and liberties and refuses to yield them up? Is he an easy man to deal with? Let India answer. Only the other day we made a national demand for our liberties, and what answer did we get? When the Englishman is enthroned in power, when he commands the purse, when he controls the political liberties of another people, when he is established in economic ascendancy over another people, he does not let go easily. When he does wrong, none of his compatriots will say so, while he

is alive. Some time after perhaps, a historian professing to ransack old libraries and the India Office records might say "Oh, he might have done better", but as a rule the white man, especially in power over coloured populations, is hard to displace. If the British Cabinet desired to become trustees of the African native and therefore wanted people of certain kinds not to come into his country; if there were a *bona fide* disposition to find the people really harmful, really dangerous to the colony and keep them out, I should say every time, keep out the white man. Well, even some of you may think it is an astonishing doctrine for me to propound to you. Perhaps some of you wonder, uneasily, why you ever came here. But that is the honest truth. If we were a Dominion Government and our principal spokesmen went to England, they would not hesitate to say, "If you want to protect the African native, keep the white man out." And yet, what did the British Cabinet tell us? "No, no. We are not going to restrict you by mentioning you as a race; but we will carefully enumerate all the occupations that you follow in East Africa and we shall say, men following these occupations shall not come". And yet the Government of India write a serious communique to the press and say, "It is a great thing gained that Indians are not going to be excluded as a race by legislation," as if it matters anything to us whether we are going to be excluded as a race or as the followers of our own peculiar occupations; whether we are going to be excluded by legislation or by an ordinance which is derived from the law of the land, what does it matter? We are to be excluded one way or another.

Now, there is only one more word which I shall say before I conclude. In following controversies of this nature you would be sometimes impressed by the fact that there are a great number of Anglo-Indian newspapers here who have the fairness to allow that the Indian case is good and sound and who sometimes go further and blame the white people of Kenya for their un-Imperial narrow outlook; and perhaps you will think that it is a very satisfactory state of things. I dare say we must be thankful for small mercies in this world; it is a very good thing and I am willing to acknowledge assistance and sympathy from whatever quarter it comes. But I have noticed another thing also, and we must put the two things together. I went through the Dominions and as I described the transitional stage in which our Government stands, how there are still large departments of administration to accrue to our people, how we are still suffering from bad law, from ill-understood conditions, they said: "How tiresome of these English folk! They have long held India; they always say they are there only for the good of the Indian people; why don't they give you self-government and quietly go back?" Now, the white people abroad are quite willing to give you their sympathy when you fight the British people here; and these British people here are quite willing to give you their sympathy when you fight their white kinsmen abroad. So we have sympathy exactly from the quarter which is unable to translate that sympathy into anything like practice. Like sensible people we ought to take notice of this—the colonial white man, not interested in maintaining his ascendancy in India, thinks that the Britisher here is wrong; and the white man here, who is not

interested in Kenya personally, thinks that his white kinsman there is wrong. Our deduction is that both are wrong. But whether here or there, the white man teaches us how to maintain our ground; the white man teaches us how to defend our liberties and our rights. The moment he is offended, he does not pause to consider, "What will this man say and what will that man say and what will my Government say?" He hits you straight in the eye, straight; that is what he did when he had a quarrel with poor President Krüger; he did not wait to convince the world. Those that have power are not restrained in their use of it, while we, that have not the power, try to deceive ourselves that this world is governed entirely by reason and by justice. There is a certain scope for argument, for reason, for adjustment. But there are stern limits to the operation of these enlightening influences. Beyond that limit our operations have to change and assume a new phase. Now, ladies and gentlemen, let me not allow you to misunderstand me. I will declare exactly what I mean. The time for argument, for cool presentation of a case is there. But there is also a time when you are expected in this world to use such power, as you have, honourably and, let me add, constitutionally. It is those that shrink from using even that power, lest it should displease the powers that be, who write themselves down in history as people that do not deserve any power. That is my reading of the situation. I wish this were a different world. I wish the war had really taught us the lessons that we thought we had all learnt. I wish the British Empire really stood for those principles of justice and fair play and human brotherhood of which we dreamt a little while

ago. Those principles and ideals are still there, and perhaps the next generation of Indians will live in a time when it is sufficient to show, that our cause is just, for it to prevail. I am painfully driven to the conclusion that that time is still to come. In the meantime we cannot afford to lose the battle in Kenya or anywhere in the Empire. But if occasionally you hear from me advocacy of some measure that may seem to be of a combative character, be sure it is not actual fighting, for we have not the fighting strength. We are essentially non-violent. But such as we have, such means as we have of ensuring our self-respect, it is not only weakness, but it is treason to our people, it is betrayal of our children not to exercise with due restraint, with due submission to the Almighty who knows how to judge the right from the wrong and can pull down the mighty from their seats, with due submission to Him, but with a clear consciousness that in the prosecution of our own right, the exercise of lawful means, peaceful pressure, constitutional power, is not only rightful but dutiful. In that consciousness we have to fight of our battles. (Loud Applause).

XIV

INSTRUCTIONS TO CROWN COLONIES COMMITTEE.

The Right Honourable Srinivasa Sastri: Sir through your courtesy I move, on behalf of the Honourable Mr. Natesan: *March, 19, 1924.*

"That this Council recommends to the Governor General in Council that, as soon as practicable, he should cause to be published the brief of instructions to the Committee which will confer with the Colonial Office on the Kenya Immigration Bill and other matters concerning Indians in that Colony, and the materials placed at their disposal in so far as they have not been published already."

Sir, one or two remarks seem to be called for with reference to the Committee mentioned in this Resolution. This Committee has been long in being constituted, and even now my information is that it is without a Chairman duly appointed. It is a matter for gratification that the personnel of the Committee has been chosen and the date of their departure has been fixed for the middle of this month. I am sure the Council would like to send their good wishes to this Committee who are about to proceed on behalf of India to undertake an arduous and extremely delicate negotiation. I am perfectly sure that their high sense of patriotism and their fearless advocacy will bring triumph to our cause. Another remark that I am compelled to make with reference to this Committee, is that nothing is known yet of the status of this Committee, about which an impor-

tant statement was made by Dr. Sir Tej Bahadur Sapru at the Imperial Conference and later, the public have been told on his authority that this Committee will have the power to deal directly with the Colonial Office and that they will not be mere agents of the India Office in this particular matter, and that in that way India will have gained a step in constitutional status. Dr. Sapru was at that time the agent of the Government of India and I presume that it was with the knowledge and consent of the Government of India that he made a proposal of that far-reaching character. In answer, however, to a question which the Honourable Member in charge took full time to consider before answering, he stated that nothing was known on this subject yet, and that as soon as something definite should be known he would inform the Council. Now I think it a great pity that even on the eve of the departure of this Committee, nothing should yet be published authoritatively as to the definite status which they are going to enjoy. Now before dealing directly with the subject may I, with due respect, say a word about the attitude of the Government of India towards this subject of Indian disabilities in Kenya? Honourable Members of this Council will bear with me for a minute if I ask them now expressly to associate themselves with me in according a very high praise indeed to the courage, to the pertinacity and to the faithfulness with which the Government of India have championed our cause throughout this whole affair. They have, it is well known, recorded their protests and their remonstrances up to the point that constitutional propriety will allow, and I think there is not a man in the country who follows these matters who will not admit that

the Government of India have done quite as well as they could, subject to the limitations of constitutional decorum to which they are subject like other people. It may be asked, then, why do I bring forward a Resolution asking for the publication of papers? Sir, we are not fully perhaps, but we are by character, a democratic constitution. The authority the Government of India have, the prestige they carry, the attention they command, are all derived in the last resort from the exact correspondence that at any time prevails between them and the intelligent section of the people of India. Nobody will deny that, if the representations of our Government have carried any weight so far, they have done so merely because the Government had a coherent, well-expressed, definite public opinion behind them and backing them. It is necessary that this agreement between the attitude of Government and public opinion should be maintained and that the mind of intelligent India should be kept actively employed on this subject and quite alert to the ever-changing nature of the situation. Now, suspicion, misgiving, distrust—these ought to be eliminated as far as possible from the proceedings of this Government. To ask for the publication of papers is the commonest thing in the English Parliament when they wish to obtain a definite statement from Government on the exact stage that a negotiation has reached. Secret papers, confidential documents, demi-official correspondence, that passes between different authorities may not be revealed, but their substance must, so far as possible, be made known to the public in order that they may have informed opinion, and not merely highly excited opinion on materials supplied by ignorance. I hope,

therefore, nothing will be said to impugn the motion which prompts me to ask to-day for the publication of certain papers. There is intense feeling in the country in respect of this matter and there is further, whatever the Government of India may say in their communiqués and statements to the press, an uneasy consciousness that our last attempt in this matter, about the middle of last year, met with almost complete failure. I do not discuss, Sir, at the present moment how far that failure was complete. I know that Government have been very strenuously maintaining that we had substantial gains. I venture to deny that statement *in toto*. Such gain as we have had—and we have had one gain—was slight. Another gain on which stress is laid in Government communiqués was of a very equivocal and doubtful character, having been yielded in theory but taken away afterwards in substance. And as for the rest, our record is a blank failure and there is no mistaking it. It is well known too that this estimate of our success on the last occasion was shared by the Government of India to a very large extent if not absolutely; for the House will remember that, when first the news of the decisions contained in the White Paper was announced here, the Government of India ventured to say that they could submit to those decisions, if they must submit, only under protest. Now that expression has of course been afterwards withdrawn to some extent, modified and interpreted away. We all know what that means. It means that the Government of India were not allowed by the priests who preside over constitutional ritual in England even to protest. Now, Sir, I must say that the people of India note these things, if not always

with official eyes, with a sense of keen anguish when they find that, in their struggles with other peoples within the Empire, they are fighting behind a Government, whose weapons, such as they are, are used to the full extent without doubt, but whose hands are tied behind them. If it were in my power, I would persuade the noble Lords of the second House in the Imperial Parliament that it was not necessary certainly to erase from the vocabulary of a subordinate Government the innocent word 'protest', even though the Government is employed merely on the task of defending the inherent rights of the coloured subjects of His Majesty.

Then, Sir, Mr. Andrews, whose knowledge upon these matters, I venture to say, is not rivalled even by those who have access to secret documents, has definitely stated in one of his writings in the newspapers that some time ago a former Secretary of State, Lord Peel, made a secret compact with the Colonial Office—these are the words he uses 'secret compact'. I am not responsible for them—giving away the stand that the Government of India had uniformly taken in respect of the question of the sale of lands in the Highlands. Such information as I have tends, unfortunately, to confirm this impression that Lord Peel did admit that, so long at least as he was Secretary of State for India, he would not raise this question of the free and unrestricted right of sale and purchase of land in the Highlands. Well, if that was so, it appears to me to be a serious mistake, to be a surrender on a vital point of the position that the Government of India have always taken; and I believe that the Government of India, if they knew

this matter at all, should have placed it before the public of India and armed themselves with the necessary authority to repudiate this surrender. The Honourable Member in charge of this subject has throughout shown a reluctance to take the public into his confidence, which I think has not been conducive to the growth of that full trust in the doings of Government in this matter which, as I said before, is a fundamental postulate of success. Some time last year, apparently in September, he was interpellated in Simla by one who was then a member of this House as to whether he would kindly publish the documents that led up to the White Paper. A negative answer was given, and the request was renewed this Session in another place to which that gentleman has recently been translated; still a negative answer was given. Other Members also have been plying the Honourable Member with questions; but he has throughout steadily refused to publish papers or to give necessary information. To a simple question as to the constitution of this Committee the Honourable Member, seeming to give an answer, gave a negative answer. The only information he vouchsafed me was that this Committee was going to be called the Colonies Committee; and when I re-read the Viceroy's speech on the opening of this House and found that he had employed the word in two places in that speech, I said to myself the Honourable Sir Narasimha Sarma has succeeded in many words in telling me nothing. The Honourable Sir Narasimha Sarma has once sat on these benches and it will not be long before he resumes his seat here.

The Honourable Sir Dinshaw Wacha: I hope you will be there before long.

The Right Honourable Srinivasa Sastri: I hope not, Sir Dinshaw. And then I venture to think he will renew his experiences of the ravages of an appetite for information which, we feel, is tied away in those bundles before him, marked in all sorts of formidable labels, "secret," "urgent," "immediate," and so forth.

Sir, I have only to refer to two passages in the opening speech of His Excellency the Viceroy which seemed to us to call for some comment and to compel us to ask for information. I will read those two passages:

"The Kenya Government has treated Indians on the same lines as Europeans and granted adult suffrage. Given communal franchise, this method of working may be accepted, and it has now become law. It is open to our Committee, however, subsequently to make representations setting forth our contention that there are grounds for an increase in the number of seats to Indians and that in our view all voters should be registered on a common electoral roll."

This is satisfactory so far as it goes, but I wish to give a warning to the Honourable Member in charge, if he needs that warning—I am sure he does not. Apparently this passage seems to convey a sort of satisfaction that the Indians have been treated very generously by the Kenya Government inasmuch as they are now to be endowed with adult suffrage. That, however, is only a plausible sophism, as I shall hope to show to this House. Adult suffrage we did not ask for; adult suffrage it was not in contemplation to give us; but adult suffrage has for a wonder been given. I hope the House will understand the significance of this. Throughout this contest of our people with the white settlers in Kenya the question

of a common electoral roll and a common franchise has lain at the bottom of our demand. The white settlers have refused to admit us to the common roll on the express ground—there is no mistaking this—that we are inferior citizens, and that it would not do for them to come and canvass our votes or to have their votes canvassed by Indians. But they said, “We will treat you generously, magnanimously, with unexampled generosity and magnanimity, if you agree to be put on a separate roll with a separate representation of your own, put away in a certain compartment so that you could be strictly limited, whatsoever your franchise, how many soever you may be as electors; you may be millions, while we are hundreds; still, if we put you in a separate electorate of your own and give you so much representation as a community, you will never exceed that representation and we could always keep you down.” That was their idea. Now by the giving to us of an adult suffrage, they have given us a preponderance of voting strength which is simply overwhelming, so that, if we were with our adult suffrage to be put on a common electoral roll, they would be absolutely nowhere, unless they jerrymander the electorates in a manner that will stand self-condemned. So that the grant of the adult suffrage now and the enactment of it in Statute is practically the closing of the door, so far as they are concerned, to a common electoral roll. For it is impossible for them now, with their deep-rooted ideas, to admit us to a common electoral roll. It is not, therefore, a blessing, and I must object to the implication in this passage that it is a thing upon which the Indian community should congratulate itself.

Then there is an ominous reference here in this passage "to an increase in the number of seats to which the Indian community are entitled." Emphasis is not laid, as it has been laid throughout, on equality of representation. Now, Sir, judged by the right of the case, a preponderant majority in the community ought to have the preponderance of strength in the Legislative Council, but as the weaker party in this negotiation, we have never asked for the preponderance to which we may be entitled and to which, when the European community are entitled, they would lay claim without any compunction; but we have reduced our demand and merely asked for equality. On the merits of the case, too, the white settlers have always governed the Government of the country. The Government of the country who have the majority of official seats all filled with white men would always be behind the white settlers, so that if the mere necessity of the case were to be considered, the white settlers do not need any representation at all in the Legislative Council. The officials there ought to represent them, but we do not take that line. We only wish them to have the same representation with ourselves. On the other hand, representation has been given to them which gives them now the power to outvote all other non-official votes together. Now, that seems to me to be unfair, and it is therefore to me a matter of somewhat ominous significance that in this speech the words "equality of representation" are avoided, and the words employed are "an increase in the number of seats allotted to us." Now the number of seats allotted to us is 5, the number of seats allotted to the European community is 11, more than twice our strength. Now I know in

the House of Commons and in the House of Lords some people were generous enough to say "Oh! they are entitled to some more seats, 6, 7, 8!" Perhaps some venturesome man may go as far as 9, but I do hope that our Government will instruct our Committee to accept nothing less than equality where, by all the rights and all the necessities of the case, we are entitled to something more than the other community.

Then there is another passage here to which also some attention has to be drawn, and that is the passage relating to the Immigration Bill:

"We took immediate steps".

says His Excellency the Viceroy :

"to urge the postponement of the introduction until the Government of India were able fully to present their objections, and at the same time we strongly pressed that the Colonies Committee appointed by the Government of India should have an opportunity of examining the question of restrictions on immigration embodied in the Bill."

Now that is a small matter. But the large question here is whether there ought to be any restriction on immigration at all. We have always taken the line, and the Government of India have taken the line, that the view to put before the Cabinet was that immigration might continue practically unrestricted as before without any prejudice to the African native community. That view must still be maintained, because the African native stands to gain by the immigration of Indians, and, although it might seem harsh from my lips, I do not hesitate to say, as I have said it before, the African native stands to lose somewhat by the unrestricted immigration of the

white farmer, of the white exploiter. However, I am willing that the African native should be protected equally from the white as from the Indian. It has been found, Sir, all over the world, where immigration restrictions had to be adopted, that no type of restrictions will operate evenly and impartially which are based upon considerations where elements of doubt and personal prejudice and individual caprice will come in. America, therefore, trusts to restrict immigration on a numerical quota principle. It is blind in its operations, it is impartial in its operations, it may perhaps be unreasonable, but it is a thing that is understood, it is a thing about which there is no possibility of mistaking, it is a thing with regard to which there can be no imputation of unfairness or partiality. Should in the last resort immigration be restricted in Kenya to which be it remembered in pre-British days we had unrestricted immigration rights,—let it be on the American quota principle, and the Indian people, however reluctantly, might be induced to reconcile themselves thereto. But, if restrictions are introduced based upon one pretext or another, there is nothing to prevent people suspecting, and we should be constrained at every turn to attribute motives, based upon experience, not blindly or wickedly, but motives based upon our experience and our intimate knowledge of how these things work, and we should be compelled to question the good faith of any restrictions on immigration which are based upon such grounds as have been alleged in the White Paper. I hope our Committee will be allowed—and that is my point—I hope our Committee will be allowed to raise this question of the need of immigration restrictions, and not merely go into the

character of the immigration restrictions and try to whittle them down in one particular, modify them in another or soften them in a third.

Now, generally speaking, in small minds accustomed to routine and easy views on matters there is prevalent an impression that the proper attitude of our negotiators in these matters should be, "how shall I benefit the Kenya Indian community"—not "how shall I preserve the honour and self-respect of the Indian?"—not "how shall I maintain unassailed the position of equality of Indians with our fellow subjects of His Majesty's Dominions?" There are any number of advisers to tell us that our proper attitude is, "How can I get something to-day for my Kenya Indian countrymen, no matter how India loses in the struggle, how can I benefit them?" Now, Sir, I venture, in the name of India, to repudiate this slave mentality utterly; for I know that when once we assume that position, the bureaucrat will say, "Yes, the good of the Indian community in Kenya. And what is the good of the Indian community? That which it pleases me so to consider, not that which the Indian community in Kenya vociferously asked for, not that which their Congress may demand; not that which their chosen representatives may voice, but that which it will please my bureaucratic heart to consider as good for them." Now, Sir, I venture to protest most emphatically against this degrading doctrine. The Kenya Indians, whom I know through their best representatives, do not want that India should surrender her case in the smallest particular for any small concession that may be won for them from a reluctant British Government. They wish India to fight her battle unmindful of any harm that

might come to the present Indian community. Our honoured representatives, headed by—I should not say headed, because there is yet no head—our representatives, who go in the middle of this month to England, should be allowed to stand up for the dignity, the honour, the right and the claim of India to absolute equality with the Empire and the Dominions, and not merely to look at the question from the extremely narrow, restricted and petty-minded view of what may be temporarily good for the Indian community there. That is why I would, if I may, venture to say a word through this House and on this solemn occasion to our representatives who go forth with all our good wishes, to take no ignoble compromises now; if necessary to leave the question open so that, under better auspices and in happier conditions we might be able to re-open the question and lead the struggle to a more successful issue. But do not for Heaven's sake, for India's honour and for the consolidation of this Empire, accept a compromise which we shall be obliged afterwards to repudiate. Sir, I would venture to remind the Council of the noble words used by His Highness the Aga Khan in this respect. He told me definitely more than once: "Our rights in this matter are nothing. But posterity, the Indian nation as a whole, have rights in respect of this Kenya struggle which no representative of India dare compromise."

Now there is only one word which I must say to the House before I resume my seat, a word as to the status of Indians as British citizens. To my great grief, and I make no doubt to the great grief of the Government of India, the status of British Indians is not recognised in the Dominions and the Colonies

as it should be. If I may venture to say that rather pointedly, in strange and utter contrast to that proverb which says, a slave who sets foot on English soil finds his chains snapped, in contrast, in opposition, to the spirit of that saying what do we find? Instead of British citizenship elevating the Indians, the Indian drags down British citizenship. It is a great pity. Our status and our position in South Africa was lowered after the British occupation of the Transvaal from what it used to be in the time of President Krüger, until it became a commonplace in Parliament that, to their shame, they were unable to protect India and Indians from those humiliations against which the British Government had themselves protested in pre-British days. The other day, in a debate in the House of Lords, a remarkable incident happened which perhaps has failed to attract public attention. Lord Chelmsford, Lord Hardinge and our late Secretary of State, Lord Peel, all alike drew attention to a strange anomaly. They said, "The Highlands in Kenya are open to immigration to the Greek, to the Bulgar, to the Italian, and they will be open to-morrow to the German and to the Austrian, whom the Indian has fought for our sake; but the Highlands are not open to the Indian and yet the Indian is a British citizen while these people are not." They said, "If the Cabinet found it necessary to accord to the white subjects of His Majesty concessions and privileges denied to the Indians, let that be so." and some of them did really approve of it, "but let not Indians be placed lower than non-British whites." Now a protest so authoritatively made and made with the sole motive of exalting British citizenship, when it attached to a dark skin—that

protest went unheeded, and should I go too far if I take this Council into my confidence and say, that three days before the White Paper was issued, and the Cabinet announced their decisions, when I went to the India Office, the India Office people were exultant over the victory they had won; for they told me: "We have won this for you that, though a white settler belonging to His British Majesty's Dominions will be preferred to you, no non-British white will be preferred to you. We have secured that," they said. No, but the White Paper did not contain this victory, and that is why these noble Lords whose names I have dragged before you to-day thought it necessary to protest against that. Now I ask the House to realise what a degradation it is that, in spite of these protests, the British Cabinet should have been unwilling to accord to the British citizen, merely because he had a dark skin, that which they do not shrink from giving to a person who was not a British citizen, but who could boast only of his white skin. Now I am not saying that this will remedy our grievances at all. We do not want to drag anybody down to our level. Our whole attempt is to raise ourselves, through British co-operation, to the level of others. I am not therefore for depriving the Bulgar of his rights to the Highlands, but I am for our being admitted to equal citizenship in the Highlands of Kenya as well as elsewhere. Sir, I move the Resolution.

APPENDIX.

WHITE PAPER.

The following memorandum summarises the history of the Indian question in the Kenya Colony and Protectorate and sets out the general policy which has been laid down by His Majesty's Government, together with the decisions which they have taken on the practical points at issue.

DEVONSHIRE.

COLONIAL OFFICE,
23rd July, 1923.

PART I.

1. The question of the status of Indians in Kenya has come under the consideration of successive Secretaries of State for the Colonies in one form or another for many years; but with the recent change in the constitutional and political position of India, it has now become a matter of Imperial policy, to which His Majesty's Government have given prolonged and anxious consideration in order to reach a settlement of the existing difficulties.

2. The history of the position of Indians in Kenya up to the end of the late war may be summarised briefly. There have been Indian merchants established along the East African Coast for a long time, and, with the opening up of Uganda and Kenya, and particularly with development of British administration in those countries during the last thirty-eight years, Indian traders have penetrated into the interior. Many Indian artisans and labourers employed on the construction of the Uganda Railway remained to engage in commerce, and, at the beginning of the present century, the number of Indians in Kenya was greatly increased by the arrival of artisans, clerks and small traders. There is a limited number also of professional men and traders on a large scale who have come from India to the Colony. The agricultural Indian is, however, almost unknown in Kenya.

3. It was the question of the ownership of land in the Highlands which first brought Indian and European interests into conflict. The Highlands, less the area in that region reserved for Africans, amount to about one-tenth of the total area of the Colony and Protectorate, and they are in climate unique in the great belt of Tropical African possessions of the Crown. There were a few European settlers from about 1897, but the encouragement of their immigration into the country as a matter of policy may be dated from 1902. From that time the influx of European settlers increased steadily. The policy of the reservation of the Highlands for Europeans was definitely laid down by the Earl of Elgin, when Secretary of State for the Colonies in 1908.

4. At that time the unofficial element on the Legislative Council was entirely nominated, and in 1909 the experiment was tried of adding an Indian nominated member. This experiment did not prove entirely satisfactory, and the appointment was not renewed when the term of office of the Indian concerned came to an end.

5. In 1913, a distinguished sanitation expert, Professor (now Sir William) Simpson, furnished a report on sanitary matters in Kenya, in which he advocated strongly a system of racial segregation, both in the residential and in the commercial areas of the large towns. His views were accepted, and when the time came for applying them after the war, this question of segregation formed one of the main points at issue between the European and the Indian communities.

6. At the end of the war it was decided to give effect to the long-standing desire of the European community for representation on the Legislative Council by means of elected members. The grant of elective institutions was approved by Viscount Milner in 1919 and took effect at the beginning of 1920. The number of European elected unofficial members of the Council was fixed at eleven, but provision was made for maintaining an official majority in the Council.

7. In 1919, the report of a local Economic Commission of Enquiry into post-war development was published. This contained disparaging references to the Indians then in

Kenya, and advocated strict control of future immigration from India. Although the passages in question were repudiated by Lord Milner as not representing the view either of His Majesty's Government or himself, the report undoubtedly added to the feeling of bitterness among the Indians.

8. At the same time Indian sentiment, both in India and Kenya, was becoming more and more articulate, and a large number of claims was put forward by the Indian community in Kenya, including a demand for representation on the Legislative Council on an equality with Europeans. After full consideration and discussion, Lord Milner addressed a despatch on the 21st May, 1920, to the Governor of Kenya, conveying decisions on the various points at issue. That despatch has already been published locally in the "Official Gazette." The decisions may be summarised as follows:—

- (a) Arrangements to be made for the election of two Indian members of the Legislative Council on a special franchise.
- (b) Arrangements to be made for elective representation of Indians on Municipal Councils.
- (c) No restriction on Indian immigration which would place the natives of India at a disadvantage as compared with other immigrants.
- (d) Lord Elgin's decision in regard to the reservation of the Highlands for Europeans to be maintained, but reasonable opportunity to be afforded for Indian agricultural settlement in areas of adequate extent and good quality which could be set apart for that purpose without infringement of native rights.
- (e) The principle of race segregation to be adhered to in residential areas and, whenever practicable, in commercial areas also.

Other matters were dealt with, but these were of minor importance and need not now be recapitulated.

9. The Government of India reviewed the whole position in a despatch of 21st October, 1920, which has been published as Command Paper 1311.

This despatch reopened the whole question and led to protracted discussion between the Secretary of State for the Colonies and the Secretary of State for India, in which the points at issue were considered in relation not only to Kenya but also to the general political position in India. This discussion continued during the spring and summer of 1921, and in that period also the matter was raised by the Joint Parliamentary Committee on Indian Affairs under the chairmanship of Lord Islington. The report of the Committee has been published as House of Commons Paper 177.

10. The more general question of the position of Indians in the Empire came under discussion at the Imperial Conference of 1921. At the final meeting, the following Resolution was adopted :—

“The Conference, while reaffirming the resolution of the Imperial War Conference of 1918, that each community of the British Commonwealth should enjoy complete control of the composition of its own population by means of restriction on immigration from any of the other communities, recognises that there is an incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire. The Conference accordingly is of the opinion that, in the interests of the solidarity of the British Commonwealth, it is desirable that the rights of such Indians to citizenship should be recognised.”

The following observations were appended to the Resolution :—

“The representatives of South Africa regret their inability to accept this resolution in view of the exceptional circumstances of the greater part of the Union.”

“The representatives of India, while expressing their appreciation of the acceptance of the resolution recorded above, feel bound to place on record their profound concern at the position of Indians in South Africa, and their hope that by negotiation between the Governments of India and of South Africa some way can be found, as soon as may be, to reach a more satisfactory position.”

11. The question of the settlement of the position in Kenya was discussed between Mr. Churchill, then Secretary of State for the Colonies, and Sir Edward Northey, the Governor of Kenya, who was on leave, and when Sir Edward Northey returned to Kenya in September, 1921, he attempted to secure an agreed settlement, but without success.

12. A deputation of Europeans came to England in the following winter, and an Indian deputation, consisting of persons who were already in this country, was also received by the Secretary of State. No progress, however, was made towards a settlement on this occasion.

13. An Interdepartmental Committee, consisting of the Parliamentary Under-Secretaries of State for the Colonies and for India (The Honourable Edward Wood, M. P., and the Earl Winterton, M. P.), with representatives of the two Offices, met several times during the summer with a view to arranging terms which would meet the insistent demands received from India for a full measure of Indian representation in Kenya and at the same time secure a settlement acceptable in Kenya itself. They drew up a report, which was adopted provisionally by the Secretaries of State for reference to the Government of Kenya and the Government of India, in order to obtain a confidential expression of the opinion of both Governments on the proposals.

14. Meanwhile, Sir Robert Coryndon had succeeded Sir Edward Northey as Governor of Kenya, and a telegram was sent to him on the 5th September, 1922, conveying the substance of what is now known as the "Wood-Winterton report." The terms of the proposed settlement as detailed in the telegram were as follows :—

(I) *Franchise*.—A common electoral roll for all British subjects and British protected persons (male or female), aged 21 years and upwards, possessing qualifications which were to be prescribed.

(II) *Qualifications*.—Either a complete census or a test census to be held in order to determine a method of adjusting qualifications which would approximately result in a

ten per cent. Indian electorate. To obtain this percentage it might be necessary to adopt alternative property or educational qualifications instead of a combined qualification. Should the census show that in order to get the ten per cent. the qualification standard would obviously be unreasonably low, reasonable standards would be laid down irrespective of the resulting percentage. Qualifications to be settled in time to enable the new Indian electorate to vote at the general election in March, 1923. European voters already on register would be admitted to the new register whether or not in possession of the new qualifications, but all fresh applicants for registration, whether Europeans not registered under the Legislative Council Ordinance 1919, or Indians, would be required to possess these qualifications.

(III) *Constituencies.*—The official majority to be retained. Alternative proposals as follows :—

- (a) Eleven elected members representing seven constituencies, three of which to return one member and four two members. In the former, European candidates only to be qualified for election: in the latter, there would be one European seat and one Indian seat, giving a total of seven Europeans, four Indians.
- (b) The India Office suggested that there should be twelve elected members representing four constituencies, each constituency returning three members, or, alternatively, eleven elected members, representing four constituencies, of which three would return three members and one would return two members. One seat in each constituency should be Indian, the rest European, giving eight or seven Europeans according as the total were twelve or eleven elected members and four Indians. This alternative (b) would not prejudice the position of the Europeans, and might be more acceptable to the Indians. The Government of Kenya to

examine and report upon the possibility of giving effect to alternative (b), but the reply to the telegram not to be delayed for that purpose.

(IV) *Municipal Franchise*.—Agreed that in municipalities Indians must be given adequate representation on an elective basis where such basis already existed for Europeans, but detailed arrangement could not be decided upon until the receipt of a despatch on the subject expected from the Governor.

(V) *Executive Council*.—Provision already existed in the Constitution for such persons to serve as unofficial members of the Executive Council as the Governor might appoint from time to time. There was now one unofficial Indian member of the Executive Council under this provision, and it should be understood that this arrangement would continue. No distinction to be made between Europeans and Indians in deciding on the fitness of individuals to be members of the Executive Council.

(VI) *Segregation*.—No segregation, either commercial or residential, on racial lines, but the Colonial Government or municipal authorities to have power to impose at their discretion sanitary, police and building regulations, subject to these regulations containing no racial discrimination as such.

(VII) *Immigration*.—It would be announced that in present circumstances no change was contemplated in the existing regulations.

Note.—The Secretary of State added a note on this subject as follows:—

“Throughout discussions with 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.”

(VIII) *Highlands*—The following to be the terms of the announcement:—

“The Colonial Office cannot contemplate any change in the existing law and practice, having regard to past policy and commitments. The India Office take note of this view, but are unable to accept it, and reserve the right to reopen the question, if need be, at some future date.”

15. The Government of India were willing to accept the scheme, although they did not consider that it fully met the claims put forward on behalf of the Indians. The Government of Kenya rejected the scheme mainly on the ground that it gave no sufficient safeguard to the European community against Indian predominance in the future.

16. No immediate progress was possible for various reasons, but, with the change of Government in October, 1922, discussions were resumed between the Secretary of State for India and the new Secretary of State for the Colonies. The desirability of arriving at an agreed settlement was impressed upon the Governor, but his discussions with the leaders of the European community in Kenya led to nothing. The fears of the Europeans were rendered the more acute by demands put forward by Indian political leaders in Kenya and elsewhere, who were understood to state that they only accepted the Wood-Winterton proposals as a basis for further demands, and that nothing short of the full equality of Indians and Europeans would be satisfactory. The Europeans, seeing themselves outnumbered by Indians already by more than two to one, and fearing a further large influx of Indians, regarded such a claim as establishing Indian domination on the unofficial side of the Council and as depriving the Europeans sooner or later of all representation on the Council.

It became obvious that the policy proposed in the Wood-Winterton report would not satisfy parties in Kenya. It was therefore arranged that a European and an Indian delegation should come to this country from Kenya, together with the Governor, for further discussion. The European delegation

was accompanied by the Reverend Dr. J. W. Arthur, selected to represent the views of the Missionaries in Kenya on the native interests involved in the controversy. A delegation, consisting of three Indian political leaders, headed by the Right Honourable Srinivasa Sastri, also came from India to represent the interest felt by Indian public opinion in this question. The delegations arrived in the course of April and May 1923. Every opportunity has been taken of gathering the opinions of the several parties interested, and the question has now been reviewed in all its bearings. As a result of this re-examination of the position, His Majesty's Government have arrived at certain conclusions, which are set forth in the following part of this memorandum.

PART II.

1. *General Statement of Policy.*

The general policy underlying any decision that may be taken on the questions at issue must first be determined. It is a matter for satisfaction that, however irreconcilable the views of the European and Indian communities in Kenya on many points may be, there is one point on which both are agreed, namely, the importance of safeguarding the interests of the African natives. The African population of Kenya is estimated at more than 2½ millions; and according to the census of 1921, the total numbers of Europeans, Indians and Arabs in Kenya (including officials) were 9,651, 22,822 and 10,102 respectively.

Primarily, Kenya is an African territory, and His Majesty's Government think it necessary definitely to record their considered opinion that the interests of the African natives must be paramount, and that if, and when, those interests and the interests of the immigrant races should conflict, the former should prevail. Obviously the interests of the other communities, European, Indian or Arab, must severally be safeguarded. Whatever the circumstances in which members of these communities have entered Kenya, there will be no drastic action or reversal of measures already introduced, such as may have been contemplated in some quarters, the result of which might

be to destroy or impair, the existing interests of those who have already settled in Kenya. But in the administration of Kenya His Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust, the object of which may be defined as the protection and advancement of the native races. It is not necessary to attempt to elaborate this position; the lines of development are as yet in certain directions undetermined, and many difficult problems arise which require time for their solution. But there can be no room for doubt that it is the mission of Great Britain to work continuously for the training and education of the Africans towards a higher intellectual, moral and economic level than that which they had reached when the Crown assumed the responsibility for the administration of this territory. At present special consideration is being given to economic development in the native reserves, and within the limits imposed by the finances of the Colony all that is possible for the advancement and development of the Africans, both inside and outside the native reserves, will be done.

His Majesty's Government desire also to record that in their opinion the annexation of the East Africa Protectorate, which, with the exception of the mainland dominions of the Sultan of Zanzibar, has thus become a Colony, known as Kenya Colony, in no way derogates from this fundamental conception of the duty of the Government to the native races. As in the Uganda Protectorate, so in the Kenya Colony, the principle of trusteeship for the natives, no less than in the mandated territory of Tanganyika, is unassailable. This paramount duty of trusteeship will continue, as in the past, to be carried out under the Secretary of State for the Colonies by the agents of the Imperial Government, and by them alone.

2. *Future Constitutional Evolution.*

Before dealing with the practical points at issue directly connected with the claims of Indians, it is necessary, in view of the declaration of policy enunciated above, to refer to the question of the future constitutional evolution of Kenya.

It has been suggested that it might be possible for Kenya to advance in the near future on the lines of responsible self-government, subject to the reservation of native affairs. There are, however, in the opinion of His Majesty's Government, objections to the adoption in Kenya at this stage of such an arrangement, whether it takes the form of removing all matters affecting Africans from consideration in the Council, or the appointment of the Governor as High Commissioner for Native Affairs, or provision for a special veto by the Crown on local legislation which touches native interests; and they are convinced that the existing system of government is in present circumstances best calculated to achieve the aims which they have in view; namely, the unfettered exercise of their trusteeship for the native races and the satisfaction of the legitimate aspirations of other communities resident in the Colony.

His Majesty's Government cannot but regard the grant of responsible self-government as out of the question within any period of time which need now be taken into consideration. Nor, indeed, would they contemplate yet the possibility of substituting an unofficial majority in the Council for the Government official majority. Hasty action is to be strongly deprecated, and it will be necessary to see how matters develop, especially in regard to African representation, before proposals for so fundamental a change in the Constitution of the Colony can be entertained. Meanwhile, the administration of the Colony will follow the British traditions and principles which have been successful in other Colonies, and progress towards self-government must be left to take the lines which the passage of time and the growth of experience may indicate as being best for the country.

3. *Practical Points at Issue.*

Turning now to the practical points at issue arising directly out of the claims of Indians domiciled in Kenya, these may be considered under the following heads:—

Representation on the Legislative Council.

Representation on the Executive Council.

Representation on Municipal Councils.

Segregation.

Reservation of the Highlands for Europeans.

Immigration.

4. *Representation on the Legislative Council.*

(a) *Elective System.*—In no responsible quarter is it suggested that the Indians in Kenya should not have elective representation upon the Legislative Council of the Colony. The point at issue is the method whereby such elective representation should be secured. There are two alternative methods:—

(i) A common electoral roll.

(ii) Communal franchise.

Under the former system, Kenya would be divided up into a given number of constituencies, in each of which European and Indian voters on the roll would vote together at an election for candidates of either race, and the qualifications for admission to the voters' roll would be the same for Europeans and for Indians. Under the latter system, European and Indian constituencies would be demarcated independently, not necessarily coinciding in number or boundaries; the qualifications for admission to the voters' roll would not necessarily be the same for the two communities; and while Europeans would vote in the European constituencies for European candidates, Indians would vote in the Indian constituencies for Indian candidates.

As a variant of the former system, there is the common electoral roll with reservation of seats. This arrangement would involve the setting apart of a certain number of seats in a given constituency for candidates of a certain race; for example, in a constituency returning three members, with two seats reserved for Europeans and one for Indians, the two European candidates and the one Indian candidate highest in the poll would be elected, irrespective of the position in the poll of other candidates of either race.

The common electoral roll for all British subjects and British protected persons, with reservation of seats, was

proposed in the Wood-Winterton report and it was further suggested that the qualifications for voters should be such as to admit, if possible, ten per cent. of the domiciled Indians to the register.

For the common electoral roll it is claimed that it would bridge the gap between the Europeans and Indians by giving a candidate of one race an incentive to study the needs and aspirations of the other race. Further, Indian sentiment, both in India and Kenya, strongly favours the common electoral roll, even though a communal franchise exists in India itself.

A communal franchise secures that every elector shall have the opportunity of being represented by a member with sympathies similar to his own, a consideration which in other Colonies has led the domiciled Indians to press for its adoption; it is well adapted to the needs of a country such as Kenya; no justification is seen for the suggestion that it is derogatory to any of the communities so represented, and it is believed that, so far from having a disruptive tendency, it would contract rather than widen the division between races in Kenya.

So far as Africans are concerned, a communal franchise provides a framework into which native representation can be fitted in due season.

From the point of view of the Indian residents themselves this system permits of a far wider franchise being given than would be the case if a common electoral roll were introduced, and this alone should render it acceptable to all supporters of the Indian claims who have at heart the political development of the Indian people.

Finally, it allows of the immediate grant of electoral representation with a wide franchise to the other community in Kenya which is ripe for such institutions, the Arabs of the Coast.

These considerations were weighed before the Wood-Winterton report was drawn up; the recommendation then made turned largely on the desire to meet Indian feeling so far as conditions in Kenya would admit. The result of the

reference to opinion in Kenya of the recommendation that a common electoral roll should be adopted, even though combined with a reservation of seats, was to show that the advantages claimed for the common electoral roll would in practice have been illusory. In the special conditions existing in Kenya it is clear that no candidate, European or Indian, could stand as an advocate of the interests of the other race without sacrificing the support of his own. If elections were to be fought on racial lines, as they undoubtedly would have been in Kenya, the main advantage claimed for the common electoral roll, namely, the bringing of the races nearer together, would be lost.

Having regard to all the circumstances, His Majesty's Government have decided that the interests of all concerned in Kenya will be best served by the adoption of a communal system of representation.

(b) *Qualifications for Voters.*—It is not intended to effect any alteration in the qualifications for admission to the register of European voters as laid down in Ordinance No. 22 of 1919; that is to say, adult suffrage, subject to certain necessary and customary reservations. Under the communal system His Majesty's Government are prepared to grant to Indians a wide franchise. It will be a matter for the Governor of the Colony to ascertain the views of the Indian community and to submit the necessary legislation to give effect thereto. The same procedure will be followed in the case of the Arab community.

(c) *Qualifications for Candidates.*—His Majesty's Government are prepared to adopt a similar principle in regard to the qualifications for candidates, except that there must be a test which will ensure that candidates have such a knowledge of the English language as will enable them to take their part in the proceedings of the Legislative Council. No system which would involve the use of two or more official languages in the Council will be contemplated; but His Majesty's Government have no ground for supposing that the imposition of this necessary condition will create difficulties or limit unreasonably the choice of suitable candidates.

(d) *Numbers on Legislative Council.*—The question then remains of the number of seats on the Council to be allocated to each community. As matters stand, there are eleven elected, unofficials (Europeans) on the Council, and as a provisional measure authority was given in 1921 for the substitution of four nominated Indian members for the two elected Indian members contemplated in Lord Milner's despatch of the 21st May, 1920.

After full consideration, His Majesty's Government have decided that provision should be made for five elected Indian unofficial members on the Council; while for the Arabs, it has been decided that there shall be one elected member in addition to the nominated Arab official member for whom provision already exists. The Europeans will continue to return eleven elected representatives. The number of nominated official members will be fixed so as to maintain an official majority on the Council.

In the opinion of His Majesty's Government adequate representation of the interests of each community will be secured by this allocation. It is desired, however, that the views of the Indians in Kenya should be ascertained before a decision is taken upon the actual arrangement of the constituencies to be represented by the five Indian members.

No articulate expression of opinion can be yet expected from the African tribes in Kenya, and the time has not come to consider what should be their representation on the Council. The educational development of individual natives will undoubtedly precede the political education of the general body of natives; there are, indeed, signs of this already.

In present circumstances the Governor has the advice of the Chief Native Commissioner in all matters affecting the African population and with the official majority can ensure the enactment of any measures for the betterment of the natives which may be approved by His Majesty's Government. It has, however, been suggested that a nominated unofficial member chosen from among the Christian Missionaries in Kenya specially to advise on such matters should be added to

the Council until the time comes when the natives are fitted for direct representation. His Majesty's Government see no objection in principle to this arrangement, and they agree that provision should be made accordingly. It will be for the Governor to select a suitable person for nomination from time to time. It will, of course, be understood that there is no question of the representation of the Missionary bodies as such, and that consideration of religious denomination will not affect the selection. Nor will the nomination of this one member relieve the Governor and his advisers of their full responsibility for representing the native interests.

5. *Representation on Executive Council.*

As regards the Executive Council, the present position as set forth in the Wood-Winterton report will be maintained, except that the Governor will be given authority to nominate as an additional unofficial member a suitable person, preferably a Missionary, whose advice on matters affecting Africans will, in the opinion of the Governor, be of value.

6. *Representation on Municipal Councils.*

The only municipality which has been set up in Kenya is that of Nairobi.

The Municipal Corporations Ordinance No 33 of 1922 provides for Municipal Councils to consist of so many Councillors as the Governor shall determine, and the appointment of these Councillors rest with the Governor.

It was not desired to suspend the enactment of various amendments to the existing law which are included in the Ordinance until the policy as to elections for Municipal Councillors had been determined; consequently, the provision for the constitution of Municipal Councils was re-enacted generally in the form in which it appeared in the Municipal Corporations Ordinance of 1909.

Lord Milner contemplated in 1920 election in lieu of nomination of Municipal Councillors, but no concrete scheme was submitted by the Colonial Government for giving effect to that policy. The matter is one requiring careful examination, but, in principle, if an elective basis is now introduced,

It follows from the decision in regard to the Legislative Council that municipal representation must also be on a communal basis, due provision being made for the protection of the interests of the Africans until such time as they are fit to exercise a franchise.

It will be an instruction to the Governor to put forward proposals for consideration of the Secretary of State for the Colonies after he has been able to consult his advisers in Kenya.

7. *Segregation in Townships.*

The next matter for consideration is that of segregation of the European and non-European races. Following upon Professor Simpson's report, a policy of segregation was adopted in principle, and it was proposed by Lord Milner to retain this policy both on sanitary and social grounds. So far as commercial segregation is concerned, it has already been generally agreed that this should be discontinued. But in regard to residential segregation, matters have been in suspense for some time, and all sales of township plots have been held up pending a final decision on the question of principle involved. It is now the view of the competent medical authorities that, as a sanitation measure, segregation of Europeans and Asiatics is not absolutely essential for the preservation of the health of the community; the rigid enforcement of sanitary, police and building regulations, without any racial discrimination, by the Colonial and municipal authorities will suffice. It may well prove that in practice the different races will, by a natural affinity, keep together in separate quarters, but to effect such separation by legislative enactment except on the strongest sanitary grounds would not, in the opinion of His Majesty's Government, be justifiable. They have therefore decided that the policy of segregation as between Europeans and Asiatics in the townships must be abandoned.

But for the present, at any rate, it is considered desirable, as in other native dependencies, to keep the residential quarters of natives, so far as may be practicable, separate from those of the immigrant races. In the case of individual

natives, such as servants, strict segregation would be unworkable; but it is important that, when areas have been fixed in townships for native residence, those areas should be regarded as definitely set aside for the use of natives, and no encroachment thereon by non-African races should be permitted.

8. *Reservation of Highlands.*

As early as 1906 the question of the grant of land in the Highlands to non-Europeans had arisen for consideration, and Lord Elgin, who was then Secretary of State for the Colonies, informed the Commissioner (now styled Governor) that it would not be in accordance with the policy of His Majesty's Government to restrict any section of His Majesty's subjects from holding any land in British Protectorates; but he thought, in view of the comparatively limited area of the East Africa Protectorate suitable for European cultivation, that a reasonable discretion should be exercised in dealing with applications for land from natives of India or other non-Europeans. The principle which had been acted upon by the previous Commissioner, namely, that agricultural land in the Highlands should be granted only to Europeans, was approved.

Lord Elgin confirmed his decision in 1908, stating that while it was not consonant with the views of His Majesty's Government to impose any legal restrictions upon any section of the community, grants in the upland area should not, as a matter of administrative convenience, be made to Asiatics.

It has been claimed on the side of the Indians, first, that Lord Elgin's decision only related to the initial grant of Government land in the Highlands, and that it has since been stretched so as to preclude the transfer of land from Europeans to Indians in that area, and further, that Lord Elgin's statement that no legal restrictions should be imposed has been varied by the terms of the Crown Land Ordinance of 1915.

At the time of Lord Elgin's decisions, Government land in the East Africa Protectorate was alienated by allotment by the Lands Office, and the Commissioner had the power of veto on all transfer of land between private holders. In view of this general veto, it was unnecessary for Lord Elgin to deal

specifically with the question of transfer, and, although no public statement was made on the point, it is clear that the question of land in the East Africa Protectorate was considered by his successors and the local authorities on the basis that the reservation of the Highlands to Europeans must cover transfer as well as original grant from the Crown.

In the consideration of land policy which led to the enactment of the Crown Lands Ordinance of 1915, it was decided:—

- (a) To substitute for the system of selling land by allotment the system of selling leases at public auction.
- (b) To abolish the Governor's general power of veto on transfer, which was found to interfere unduly with the lessee's ability to deal with his land by mortgage, &c.

In order to apply these decisions in a manner consistent with the principle of the reservation of the Highlands to Europeans, it was found necessary to provide that, in announcing the conditions of the sale of particular farms, the Land Officer should state (in cases where the point arose) whether the bidding at the auction was limited to Europeans or not. To deal with the case of transfer it was necessary to retain, in a modified form, the Governor's power of veto, and this matter was very fully considered by Mr. Harcourt (the late Viscount Harcourt), who was Secretary of State at the time. He refused to agree to a veto on transfers between Europeans and Asiatics involving a definite racial discrimination; but, in order not only to deal with the particular case of the Highlands, but at the same time to secure protection for non-European landholders (particularly in the coast strip which now forms the Kenya Protectorate) against their being victimised by concession hunters, he approved of provision being made to retain the power of veto on transfers between persons of different races.

It will be observed that the passages in the Crown Lands Ordinance of 1915 which have been complained of raised no new principle, but merely maintained the principle of past

practice. Nor can it be claimed that they amount to legal discrimination against Indians, for it would be possible for the Executive Government to grant land in the Highlands to an Asiatic, or to approve of the transfer of land from a European to an Asiatic, without any alteration in the existing law.

In adhering to the position adopted by his predecessors in this matter, Lord Milner, when Secretary of State, made it clear that the reservation of a certain area for Europeans implied that a similar reservation should be available for Indians who wished to take up agricultural land, and he contemplated a reservation of such land in the Lowlands of Kenya, on the understanding that the land offered to Indian settlers would be examined as to its suitability and adequacy by a representative whom the Indian Government might send.

After reviewing the history of this question and taking into consideration the facts that during the last fifteen years European British subjects have been encouraged to develop the Highlands and that during that period settlers have taken up land in the Highlands on this understanding, His Majesty's Government have decided that the existing practice must be maintained as regards both initial grants and transfers.

An area of land in the Lowlands which can be set aside without infringing on native reserves and without conflicting with native requirements will be temporarily reserved in order that it may be ascertained by experience what demand there is for agricultural land on the part of Indians who will give suitable guarantees of their intention to develop the land themselves. After the expiration of a limited period, the reservation of this area in the Lowlands will be reconsidered in the light of the experience so gained.

9. *Immigration.*

Finally the question of immigration into Kenya has been canvassed both by the Europeans and by the Indians. It is sufficient to say that the line taken has varied with the point of view, and it is not necessary to present the arguments which have been advanced.

It may be stated definitely that only in extreme circumstances could His Majesty's Government contemplate legisla-

tion designed to exclude from a British Colony immigrants from any other part of the British Empire. Such racial 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 existing Immigration Regulations of the Colony are of quite general application. It is clearly as important in the general interests of Kenya to prohibit the entry of undesirable persons from Europe or America as from Asia. There is no reason to suppose that the Regulations in present circumstances are inadequate for this general purpose. But 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, so far as may be practicable, the effect on native interests of the admission to the Colony of would-be immigrants of any race. No information is yet available to show what number of immigrants following a particular occupation the Colony can absorb. The problem is complicated by the position of the separate dependency of Uganda, to which the normal access lies through Mombasa and the Kenya Colony, and this necessitates careful consideration before any scheme is definitely decided upon. Further, some arrangement must be devised for securing a strictly impartial examination of appli-

cations for entry into Kenya, possibly by a Board on which the various communities, including the natives, would be represented. It will, therefore, be an instruction to the Governor of Kenya to 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.

10. *Conclusion.*

In conclusion, His Majesty's Government desire to record that the decisions embodied in this memorandum have only been taken after an exhaustive review of the several complicating factors which have led to the present unhappy controversy. Their constant endeavour throughout their deliberations has been to relate the principles which must govern the administration of a British Colony in Tropical Africa to the wider considerations of general Imperial policy as enunciated in the Resolution of the Imperial Conference of 1921. It is regretted that on certain material points it has not been possible to meet the wishes of the Government of India, whose views have received the fullest consideration from His Majesty's Government at the instance of the Secretary of State for India. It is not to be expected that issues so grave can be compassed to the immediate satisfaction of the several interests concerned, but His Majesty's Government believe that the decisions now taken, resting as they do on the broad basis of the British trusteeship for the African, provide an equitable adjustment of those interests. It is the confident expectation of His Majesty's Government that, if the whole matter is viewed in its true perspective, decisions so based will be accorded general acceptance, and it is their earnest hope that a sincere effort will be made to restore in Kenya that spirit of co-operation and good-will so essential to its welfare and development.

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