The Colonial British Policy towards Indian Diaspora in Kenya: A Study of Imperial Duplicity

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ABSTRACT

During the colonial period, the overseas Indians living in the colonies of the British Empire had to face different problems due to the policies of their imperial rulers. The just cry for the 'equality' with the Europeans, the Indians had to fight for the rights in every corner of the British Empire. In the British East African Protectorate or Kenya Colony, Indians were denied the rights equivalent to the European setters. Though the Europeans and the Indians both were migrants to the Protectorate, the claims of the Europeans were upheld. After the end of World War I, there was a necessity to justify the Indian rights in the Kenya Colony to gain support from India. The British Colonial administrators did not want discontent among the Indians in Kenya Colony. In practice the colonial masters adhered to the racial supremacy of the European subjects. To preserve European claims against Indians, the British policy makers made their plea for African or 'native paramountcy' and acted as sympathisers for African natives. This paper is an attempt to review the duplicity of the British Government to solve the problem of the Indian Diaspora in Kenya colony.

Keywords: Duplicity, Kenya Colony, Indians, Racial Segregation, White Paper.

INTRODUCTION

During the second half of the nineteenth century, the Western European imperial powers shifted their attention towards the eastern coast of Africa. The Europeans came to know about East Africa when Christian Missionaries and some explorers revealed the knowledge about the interior part of East Africa. The rivalry between the European powers to exploit the resources of Africa paved the way for the famously known 'scramble of Africa'. The Indians had trading contact with the East African coast since ancient times. In the late nineteenth century as the interior part of East Africa was developed under European powers, Indians advanced to that area. Both Indians and Europeans were migrants in British East Africa. With the support of the Colonial Government, Europeans secured a dominant position in the British East African Protectorate or Kenya Colony.

The term 'imperial duplicity' is used to show the duplicate behaviour of the colonial or imperial power i.e. British. The British imperialists were pretending to adopt liberal policies as rulers of the colonies. But in practice they were far from giving justice to colonial subjects due to their action in accordance with the notion of racial supremacy. Though the British Government had accepted Indians as the British subject, they were denied equal treatment with the Europeans. The imperial policy was designed to solve the problem aroused in the Colonies; the British Government many times adopted the policy which hardly satisfied Indians. The policy that denied civil rights as the British subject to non-European races was the subject of discontent. The decision makers and those who implemented the policies were governed with the imperial idea as 'ruler.' The advantage was given to the European community at the same time the imperial master had to show their willingness to fulfill their pledge for equality. For denying the overseas Indians their equal rights as British subjects, the colonial rulers had to search for new solutions, sometimes the concept of 'trusteeship' for the wellbeing of native.

METHODOLOGY

This work is largely descriptive in nature. The primary sources related to the period of study were available in the referred archives. The data was collected from the Archives available through files classified as Home (Special) Department Files. The Memorandum, correspondence are available in the mentioned file.

Transformation of the British East African Protectorate into Kenya Colony:

The Sultan of Zanzibar had his claim over the coastal areas as well as the mainland which nowadays is called Uganda, Kenya and Tanzania. During the early years of 1880's Germans took initiative to set up a protectorate in the East African region. The British Government, who already had a protectorate over Zanzibar, was less interested in expansion in the interior. But British diplomats like Sir John Kirk were alarmed by German expansionist policies and demanded for partition of East Africa. In 1886, another British, H. H. Kitchner emphasized on Mombasa as a key point on the East African coast to check the Germans.[1] In November 1886 Britain and Germany agreed on Zanzibar Sultan's claim over the East African coast to ten miles depth. The British and German sphere of influence was recognized over the territory between river Ruvuma and Tana i.e. modern boundary between Kenya and Tanzania. Further, German interest north-west of Lake Tanganyika alarmed Britain, resulting in the Heligoland Treaty of 1890 which fixed western boundaries of their East African possessions. In addition to the Zanzibar Protectorate, Britain had secured the mainland 'sphere of influence' which came to be known as East African Protectorate and Uganda.[2] Meanwhile in 1888 Royal Charter was promulgated by British Government to Imperial British East Africa Company, a chartered company, to administer 'sphere of influence' in East African mainland. But on the insistence of the British Parliament, on 15 June 1895, the possessions other than Uganda in East Africa were taken over by the British Foreign Office from Company. This possession was declared as the British East African Protectorate i.e. modern Kenya.[3] In April 1905 the Protectorate was transferred to the British Colonial Office. After the First World War, in July 1920 the British East African Protectorate came to be known as Kenya Colony; thus, all but the ten-mile-deep coastal strip, which became Kenya Protectorate.

The Indians in the Kenya Colony:

During the nineteenth century Zanzibar Sultan permitted the Indian trading community to settle and Indians attained prosperity under the realm of Zanzibar Sultan. After 1890 Indians made rapid expansion in the interior. Early British administrators favoured Indian settlement. When the plan of Kenya-Uganda railway developed, the Indian indentured labourers were introduced in British East Africa Protectorate with repatriation agreement. In January 1896, about 350 indentured labourers from India arrived at Mombasa for railway work. By 1900 the labourers from India reached up to 19742. In all, nearly 32000 labourers were employed on construction of railway.[4] The majority of Indian labourers had claimed return passage. Those who remained in East Africa Protectorate had chosen work as employees on the railway or as petty shop keepers. However, larger immigrants from India attracted towards East Africa by increasing possibilities of better living, were involved in trading. The railway headquarter was established at Nairobi in 1899 and there was rapid growth of Indian bazaar. The Indians first catered to the needs of railway construction workers and then established flourishing trade with African and Europeans in Highlands.[5] Till the first decade of 20th century, attempts were made for settlement of agriculturist class from India in Protectorate. But these proposals did not get a favourable response from India.

The British people settled in the East Africa Protectorate during the days of I.B.E.A. Company's rule. British settlers found a suitable atmosphere in the Highlands beyond Nairobi. The Highlands comprised almost 21% of Protectorate which varied from 5000 ft. to 9000 ft. above sea level. The Highlands, with a healthy climate and agricultural suitability for the growth of coffee, maize, wheat, tea, etc. attracted the attention of Europeans. [6] Sir Charles Eliot became the Commissioner of British East Africa Protectorate in 1900. His pro-European policies and encouragement from the British Government such as favourable land policy in the Highlands made Europeans migrate to the Protectorate. During the first decade of the 20th century European settlers from Britain and South Africa came to the Highlands. According to census of 1911, the Indians numbered 11886 as compared to 3167 Europeans in the Protectorate.[7]

Discriminatory Policies of the Colonial Masters and Early Indian Response:

Indians arrived in the region before Europeans. In the late nineteenth century the political control of the East Africa Protectorate was passed to the British. The policies were outlined under European influence in the Protectorate. Several disabilities were imposed on the Indians. On the background of 'racial segregation', there were several points on which Indians came into conflict with the Europeans such as European demand for restrictions on Indian immigration, demand by Indians for equal franchise and equal representation with Europeans, and emphasis on reservation of the Highlands for Europeans. One could not deny the Indian role in the development of the Protectorate. In his evidence in 1910 before Sanderson Committee, Sir John Kirk, spoke highly of the contribution of Indian immigrants to the development of Kenya, 'In fact drive away the Indians and you may shut up the Protectorate, I think'.[8] Mr. Winston Churchill who wrote favourably with Indians in his *My African Journey*. He not only paid tribute to Indian traders but also to railway labourers and Indian soldiers.[9] Though Indian role was highly praised, the European community remained firm in creating racial based policy. The European immigrants from South Africa brought with them the virus of segregation and hatred.[10]

It was the question of ownership of land in the Highlands which first brought Indians and Europeans interest into conflict.[11] Europeans on their arrival in Protectorate demanded the Highlands should be set aside exclusively for white settlers. They had got support from Imperial administrators. Lord Delmare, leader of the European community in the Protectorate feared that the excessive Indian immigration would tend to squeeze out Europeans and lowered the standards of their living.[12] In 1907 the Land Board of the Protectorate recommended that the government land in certain specified areas should not be allotted to Indians. Lord Elgin, Secretary of State for Colonies, in his dispatch of 1908, approved the recommendations with the statement 'not consonant with the views of His Majesty's Government to impose legal restrictions on any particular sections of the community, but as matter of administrative convenience grants in the upland area should not be made to Indians'.[13] The terms of Elgin's dispatch were accepted by the Indians on the understanding that the offer of Crown Land to the Europeans was only for first alienation but that second sale or transfer would be in open market. But in 1915, the Crown Lands Ordinance was passed by which a check was placed on the alienation of land to Indian by empowering the Governor to veto transactions between parties of two races.[14]

The discriminatory policies laid by European authorities spread discontent among Indians. In 1907, the Protectorates Legislative Council was established. The small European community had secured two nominated seats in the Council. But the comparatively large Indian community did not receive any representation. In 1909, Indian nominated member A. M. Jeevanjee was added to the Council. The Indian nomination was not renewed after the expiry of his term. The bitterness aroused due to the policy of racial segregation. In 1913 sanitary expert Professor Simpson, in his report, strongly advocated racial segregation both in residential and in commercial areas of the large towns. His views were accepted and provision was made to sanction them after World War I.[15] In 1919, the Removal of Undesirables Ordinance was proposed. It empowered the Governor to remove any person not being native of the East African Protectorate and made liable for penalties and imprisonment.

Several disabilities were imposed on Indians in the Protectorate. The access to first class hotels, clubs were denied to Indians. There were separate and inferior hospitals, education institutions, prisons and transport facilities for Indians. No Indians were appointed to higher posts of civil service, police and military organization. Professional degrees like medicine and law from Indian Universities were not recognized and unlike the Europeans, the Indians did not have a trial by jury. In 1910 there was a concerted attempt to exclude the Indians from the Nairobi market.[16]

The increasing support to the Europeans from the Protectorate administration and Imperial Government prompted Indian leaders of East Africa Protectorate to establish East Africa Indian National Congress in March 1914. Its first session passed several resolutions, listed grievances of Indians in the Protectorate, and could not gather much support. Meanwhile World War I diverted attention from racial conflict in East Africa. Though soldiers from India played vital role in East African battles, the Indians' status in British East Africa Protectorate was at an all-time low.[17]

Rising Indian Discontent in Kenya Colony and the Colonial Response:

The post war situation in the colony and the attitude of imperial bosses at London made Indians to raise protest. The policy of segregation continued. The appointment of anti-Indian Governor, Sir Edward Northey and anti-Indian Colonial Secretary Lord Milner displayed the policy of washing out Indians from Kenya. Though the representatives of the imperial government continued their old policy, at the same time others recognized Indian contribution to the war efforts of Britain. Men like Mr. Winston Churchill adopted double policy as they recognized Indians' claims in Colony as legitimate British subjects while working as a mouthpiece of imperialism, they advocated pro-European policy. Indian question in Kenya was influenced not only by interests of settlers, the land-owning aristocracy and ruling class of Great Britain but also the formulation of a wide Imperial policy in Africa.[18] 1919 onwards the role of Indian Government was considered important in framing imperial policy, as due to Montague-Chelmsford Reforms India had got significant position in British Dominion. The rising tide of Indian nationalism which was strongly concerned about Indian Diaspora made the Government of India to protect Indian interest in other parts of the Empire. Meanwhile report of the Economic Commission published in 1919 aroused the Indian sentiments due to its remarks 'their (Indians) incurable repugnance to sanitation and hygiene, their antagonistic philosophy and their 'moral depravity' were 'damaging to the African'.[19] With these imperial advocators of segregation put forward the policy of protection of native African interest rather than Indian interest. It is interesting to note that same time the League of Nations entrusted Great Britain to adopt 'no racial discrimination policy' in mandated territories in Africa.[20]

In May 1920, Lord Milner, the Secretary of State for Colonies, addressed a dispatch to the Governor of Kenya after consideration and discussion of Indian questions in Kenya. The Milner Solution made election of two Indian members on Legislative Council and made elective representation of Indians on Municipal Councils. There was no restriction on Indian immigration to Kenya. However, Lord Milner's dispatch had maintained reservation of Highlands for Europeans and the principle of race segregation was adhered in residential and wherever practicable in commercial areas.[21] During the debate in the House of Lords, Milner defended his policy of segregation on sanitary grounds, saying that he was convinced that he was convinced that in the interest of social comfort, social convenience, and social peace the residence of different races in separate areas was desirable and 'calculated to mitigate hostility and ill feeling'.[22]

The rising discontent on Milner's solution and sympathetic pressure in India about the Kenya problem, made the Government of India to intervene in the matter. On 21 October 1920, Lord Chelmsford the Viceroy of India, dispatched a letter to Lord Montague, Secretary of State for India and urged for appointment of the Royal Commission. On Milner's race segregation Viceroy remarked 'seems to us to be a reversal of the principle for which His Majesty's Government have always contended in the parallel case of South Africa'. The pressure was rising and their demand was made for transfer of Kenya from Colonial to India Office. Though Montague made his protest, it was in vain.[23] Sympathetic attitude of Government of India, emboldened the Indian leaders of Kenya. A. M. Jeevanjee, who attended a session of Indian National Congress, said 'ours is an Indian Colony'. He also demanded that the administration of East Africa should be transferred to the Government of India instead of the Colonial Office. The European Community had strongly reacted and the Convention of Association (European Organization) reminded the Indians that but for 'the strong arm of the ruling power'. The efforts were made to reach a compromise through round table conference in May 1921 but found no solution.[24]

Winston Churchill and the Indian Problem in the Kenya Colony:

In February 1921, Winston Churchill succeeded Lord Milner as Colonial Secretary and from the beginning he had given his concern over Indian question in Kenya. In summer of 1921, the House of Commons appointed a Joint Parliamentary Committee on Indian Affairs under the Chairmanship of Lord Islington. Meanwhile, the Imperial Conference of 1921 had discussed the position of Indians in the Empire and resolved 'there is an incongruity between the position of India as an equal member of British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire'. Further the Conference stated 'in the interest of the solidarity of the British Commonwealth is it desirable that the rights of such Indians to citizenship should be recognized'.[25]

Churchill remained silent on the question of equal citizenship but was ready for the common electoral roll and franchise based on certain conditions. These reflected in his memorandum to the Governor of Kenya in August 1921 came to be known as the 'Montague-Churchill Proposal'. This proposal retained Highlands exclusively for Europeans.[26] Meanwhile, the Parliamentary Committee under Lord Islington pressed for electoral reforms to give satisfactory representation in the Legislative Council of Kenya and suggested the investigation of the question of Indian ownership of land in Highlands. It also advised the enforcement of sanitary regulation to meet the objection of European Community as solution for Indian segregation.[27]

The suggestions of the Parliamentary Committee alarmed the Europeans in Kenya. Meanwhile, Europeans and Indians were not satisfied with Churchill's interim proposals and rejected. By the beginning of 1922 it had been noticed that Churchill moved away from his stand and adopted pro-European policy. In his speech at East Africa Dinner in London on 22 January 1922, he reiterated the principle of 'equal rights for all civilized men' and implied that only those Indians and African who reached and conformed 'to well-marked European standards' would be accorded full 'civic and political rights'. He also pledged for reserving highland exclusively for Europeans and for strict regulations for Indian immigration.[28]

Apathetic Attitude of the Colonial Government:

Churchill's speech created a lot of criticism in India, in the Kenya Colony and in Britain also. John Harris, Organizing Secretary of Anti-Slavery Society had taken keen interest in the Kenya Indians problem. The Kenyan Indian leaders decided to renew the non-cooperation movement. Churchill faced criticism in Parliament also. Churchill's pro-European policy spread dissatisfaction among the native Africans. These factions led Churchill to modify his proposals. In late June 1922, Churchill recalled Northey and Sir Robert Coryndon was appointed as new Governor of Kenya.

The heavy pressure compelled the Colonial Office to refer the Kenyan problem to the already appointed Committee of Under-Secretaries of State for Colonies and India. The report of the Committee came to be known as Wood-Winterton Report. On 5th September 1922, Churchill wired the report to the Kenyan Governor as a tentative solution to the Kenyan Indian problem. The Wood-Winterton proposals recommended (i) a common electoral roll for all British subjects, aged 21 years and possessed prescribed qualifications (ii) census to be held to determine qualifications which would approximately result in ten percent Indian electorate (iii) seven or eight elected European members and four elected Indian members to Legislative Council (iv) elective representation for Indians in municipalities where elective basis already existed for Europeans (v) provision for appointment of unofficial Indian member (vi) no segregation, either commercial or residential on racial lines (vii) no change in existing immigration regulations (viii) continuation of Highland policy, but with provision to reopen the question in future, if India Office demands.[29]

The Imperial Government waited for the response from the India and Kenya Government to announce Wood-Winterton proposals as official policy. Lord Reading, Viceroy of India responded with Government of India's acceptance of proposal with protest over highland clause and requested five Indian representatives instead of four.[30] 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.[31] The European Community in Kenya joined the Government of Kenya. In their rebellious mood they even contemplated direct action if the Imperial Government attempted to force the issue.[32]

Indians found a sort of relief as the Wood-Winterton proposals were favourable to them. Any further steps were to be taken as the change of government took place in Britain. This resulted in efforts 'for equality' in vain.

The Conflicting Elements and Attempts to Resolve the Indian Question:

The new Conservative Government in Britain which assumed office in October 1922 had to solve the problem aroused in Kenya. There was pressure on the British Government from the Kenya Colony and from the Indian Government. So, it was necessary to come up with an amicable solution. From October 1922 to July 1923, when the famous White Paper was published, the British Government had to search for any possibility to continue the policy of the predecessors. But on the Wood-Winterton Report the European Community in Kenya was in a

rebellious mood and as the British Government could not come to a definite view, spread apprehension among the Kenyan Indians. According to the Census of 1921, the total number of Indian populations was 22,822 as compared to Europeans whose number was 9651 in Kenya Colony. This reflects that European population was almost three times and Indian population was doubled as compared to 1911. The native African population was estimated at more than 2.5 million. [33]

The Duke of Devonshire, who succeeded Winston Churchill as Secretary of State for Colonies, had limited experience of colonial affairs. He tried to press the Kenyan Governor, Sir Coryndon to get affirmation of his Executive Council on Wood-Winterton Report. But Coryndon was in favour of European settlers' demands. Meanwhile, the Kenyan Legislature attempted to pass a supplementary Immigration Bill to restrict further Indian immigration. Devonshire, who wanted to extend the term of the Kenyan legislature for a year, rejected Immigration Bill. [34] He summoned Coryndon to London. The delegation of Europeans and Indians from Kenya Colony were also invited to put their views before the Colonial Secretary. The European delegation led by Lord Delmare as well as the Indian delegation included A. M. Jeevanjee, B.S. Varma, H.S. Virjee was supported by Sir Benjamin Robertson and Rt. Hon. Srinivasa Sastri from India. [35]

Both parties from Kenya started campaigning in London for their demands. Meanwhile, both parties stated for the interest of the African community in Kenya. It was previously demanded, now acquired in greater consideration. C.F. Andrews, who came to London, advocated African paramountcy. Every leading proponent of Indian interest in Kenya started to raise the cry for native Africans.[36] The European delegates from Kenya first interviewed with the Colonial Office in April 1923 and the Indian delegates visited the same in May 1923. The negotiations continued but it could not solve the issue.

The Indian delegates in London secured support from the Indian public and Indian Government. The Indian Government had received a lot of supportive resolutions for Kenyan Indians. Most of the correspondence was forwarded to the India Office. On July 21, the fifteen members of Council of State in India, called on Viceroy and submitted a petition which concluded with statement that 'Indians have every desire to be on terms of cordial friendship with every class and section of their fellow subjects, but not at the price of national humiliation.'[37]

The Imperial Duplicity:

The British Government wanted to solve the issue as early as possible. In July 1923, the India office had sent a telegram to the Indian Government in which they mentioned the feature of 'native paramountcy'. On July 23, 1923 the British Government presented a memorandum in the form of White Paper in the British Parliament by command of His Majesty, known as 'Indians In Kenya: Memorandum'. The said memorandum consisted of two parts. The first part gave the outline of Indian position in Kenya Colony and summary of constitutional developments concerning the Indians. It also reviewed the origin of controversy. The second part was the solution for the Indian problem in Kenya.

The second part which was based on the main feature was native African paramountcy and the British Government's view to protect native interest. In *General Statement of Policy* it was clearly mentioned that '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 interest of the immigrant races should conflict, the former should prevail.' This policy also made clear about 'trusteeship' attitude towards African natives. The statement about *Future Constitutional Evolution* it was indicated that 'regard the grant of responsible self-government as out of question within any period of time which need now be taken into consideration.'[38]

The White Paper had given its decisions under *Practical Points at Issue,* concerning the controversy as 'issue arising out of the claims of Indians…' under six heads. The question of representation in the Legislative Council in Kenya had two option viz. common electoral roll or communal franchise. It was agreed that a common electoral roll would bridge the gap between Indians and Europeans. The memorandum also stated that communal representation also existed in India. The decision was in favour of communal representation under the remark 'no candidate, European or Indian, could stand as an advocate of the interests of the other race without sacrificing

the support of his own' and had conclusion that by adopting the common roll to bring the races nearer 'would be lost'.[39]

The unofficial representation in Legislative Council was decided as 11 Europeans, 5 Indians and for Arabs one elected and a nominated. For Africans, it was already mentioned that 'a communal franchise provides a framework into which native representation can be fitted in due season.' There was provision to nominate a Christian Missionary to represent native African interest. As regard to the Executive Council, it maintained the position set by Wood-Winterton Report, with addition of an unofficial member 'preferably a Missionary', who advised the Governor on matters affecting Africans' will. It also adheres the communal representation concept for municipal councils. [40]

The policy of segregation in the township was to be abandoned but reservation of highlands for Europeans was maintained. The lowlands were temporarily reserved for Indians with the condition 'without infringing on native reserves and without conflicting with native required .... the reservation of this area in the Lowlands will be reconsidered in the light of the experience so gained.' The restriction on immigration was to be imposed on the ground 'govern immigration policy in Kenya is purely economic, and strict regard must be paid to be interests of the African…. control over immigration in the economic interests of the natives of Kenya is required.'[41]

The White Paper did not satisfy Europeans in Kenya although they had secured reservation in the highlands and assurance on further immigration. There was so much disappointment for Indians in their battle for equality. The White Paper received a lot of criticism in Kenya as well as in India.

CONCLUSION

The Imperial Government displayed duplicity while framing the policy to counter the controversial issues in Kenya Colony. The White Paper of 1923 had given an emphasis on native African interest. It was the policy which exhibited the Imperial concern for native. The Imperial policy makers assured that the native Africans would get the rights when the latter achieved the standards of British traditions. The *Memorandum* clearly mentioned that 'it is the mission of Great Britain to work continuously for training and education of the Africans towards a higher intellectual, moral and economic level.' The imperial policy was changing according to time and issue. It was indicated on the matter of segregation and reservation of Highlands. It was necessary to pacify the Europeans who were in a rebellious mood by reserving Highlands for Europeans and assurance to impose restrictions on immigration. Eventually, the White Paper gave substantial gains to Europeans over the Indians. The segregation was abandoned. The Indians in Kenya would not have even secured less. The factors such as pressure from India and future cooperation from India made the policy makers to give some relaxations. It was true that by showing their awareness about native interest, the Imperial Government set aside legitimate claims of Indians as a British subject.

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