

The position of Indians overseas has been a source of great anxiety to the Government of India and the authorities concerned in England for a considerable period of time. Early in the present century, the late Mr. Joseph Chamberlain, addressing one of the Colonial conferences in London, pointed out the danger of discriminating against His Majesty's Indian subjects in the same way as other Asiatics. In 1911 attention was again drawn by the Secretary of State for India, who then watched over Indian interests in these gatherings of dominion representatives, to the resentment which undue differentiation against their compatriots in other parts of the Empire was causing in India. But these representations did not in any appreciable measure obviate the hardships or disabilities to which Indians in some of the British dominions were subject. In some parts of the Empire, the situation even deteriorated. The result was continued public irritation in India. In 1917, when the representatives of the Government of India were for the first time admitted to the councils of the Empire, one of them, the Right Honourable Lord Sinha, then Sir S. P. Sinha, presented a memorandum reviewing the whole question for the consideration of his colleagues from overseas. The moment was opportune in as much as personal discussion between the various parties concerned was feasible. It was no less opportune, as public opinion in India, long agitated over the question, was

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impatient for a solution of the problem, compatible with the self-respect of a people with an ancient civilisation and consonant with their aspirations, born of and fostered by contact with the west and quickened by the part which their country was playing in the war. The result of a full and frank discussion was the so-called reciprocity Resolution in which the Imperial Conference "accepted the principle of reciprocity of treatment between India and the Dominions."

(2) The Resolution, though general in its scope, was a salve to Indian sentiment in so far as it recognized India's right to treat the nationals of the various dominions in the same way as her own nationals were treated by the Governments of these countries. Concrete suggestions relating to the admission of the wives and minor children of Indians already settled in other parts of the Empire and the future admission of Indians as settlers or as students, tourists and merchants, contained in the memorandum, were referred for consideration to the Governments of the Dominions.

(3) The next stage in the history of the question was reached in 1918, when the Imperial War Cabinet passed the following resolution:-

1. That each community of the British Commonwealth should enjoy complete control of the composition of its own people by a means of restricted immigration from any other dominion;

2. That facilities should be given for visits for purposes of commerce, including temporary residence for the purpose of education, but not for labour or non-permanent settlement;

3. That Indians already domiciled in other British Dominions should be allowed to bring in their wives and minor children, provided that not more than one wife and her children should be admitted for every Indian.

Part 1 of the Resolution disposed effectively of the problem of future immigration for purposes of permanent settlement. Such immigration is only possible to the extent the Government of the community concerned is prepared to allow it. In practice, it has meant the complete stoppage of immigration from India. In the case of Canada, this statement is amply confirmed by the fact that the number of resident Indians has actually diminished from 6000 or 7000 before the outbreak of the war to 1200, which is the estimate of the last census. The diminution is partially due to migration to the United States but largely to returns to India.

Part 2 deals with the admission of tourists, students and merchants, for purposes of temporary residence; part 3 with the provision of facilities for the entry of the wives and minor children of settlers.

(4) The Resolution definitely removed the fear of an inrush of Indian settlers calculated to dislocate the economic life of the dominions. It precluded the possibility of even temporary competition by Indian labour by excluding the labourer from among those classes who could be admitted for purposes of temporary residence. The fears which had prompted discrimination against the Indian were thus set at rest, and public opinion in

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India naturally clamoured for the removal of such disabilities as still existed on Indian settled in the dominions. Reciprocity, which merely meant reciprocity of restrictions, could only be tolerated if it were followed by the removal of inequalities where they existed. The demand for equality became insistent as a result of India's awakened national consciousness and her sacrifices in the war. Its sympathetic consideration became imperative in view of the emergence in Indian politics of a movement of secession from the Empire. The movement could only gather strength by the continuances of the disabilities of Indians in other parts of the Empire. Separation could only become a live issue if separatists could invoke these disabilities as illustrations of the flagrant incongruity between India's theoretic equality with other parts of the Empire, and the exclusion of her nationals resident in those parts of the Empire from the full rights of citizenship.

(5) At the Imperial Conference which met in London in the summer of 1921, this aspect of the question was fully discussed. The representatives of the self-governing dominions realised the gravity of the situation in India and the imperial importance of the issue raised. They accordingly passed the following resolution:-

"The Imperial Conference, while reaffirming the resolution of the 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 Imperial 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 recognized."

The representatives of South Africa record their inability to accept this Resolution in view of the exceptional circumstances in 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 negotiations between the Governments of India and South Africa some way can be found to reach a more satisfactory position.

The abstention of South Africa from adherence to the main recommendation was due to the peculiar problem of Natal, where the Indian population exceeds the European and where the immediate and absolute application of the principle of equality consequently was impracticable. The matter was, therefore, left to be settled by direct negotiation between the Governments of India and South Africa.

(6) The Resolution, like other resolutions passed by the Conference, was undoubtedly a recommendation the adoption of which must depend on the Parliaments and peoples of the dominions concerned. The Government of India felt that the visit of an Indian delegation might help to place the matter in its true perspective and prepare public opinion in the Dominions for such legislative action as might be necessary to give effect to the terms of the resolution. The

proposal was heartily welcomed by the representatives of the Dominions and Mr. Sastri was accordingly deputed by the Government of India to visit the Dominions of Australia, New Zealand and Canada.

(7) In Australia the number of resident Indians is nearly 2000, of whom nearly all except 600 or so are in enjoyment both of the federal and the provincial votes. The exceptions are to be found in Western Australia and Queensland, but as a result of the representations made by Mr. Sastri, their enfranchisement at an early date is expected. The only other disability from which Indians resident in that dominion suffered is exclusion from the benefits of the Old Age Pension Act. The federal authorities have promised to introduce the necessary legislation to remedy this. In New Zealand, political rights are enjoyed by the 600 Indians domiciled there on the same terms as by citizens of British birth.

(8) In Canada there are no more than 122 Indians, of whom 1100 are to be found in British Columbia. The rest are scattered all over the country. In British Columbia they are excluded from the provincial franchise, and consequently, under Section 30 (1) (g) of the Dominion Elections Act, 10-11 George V. Chapter 46 of 1st July, 1920, and Chapter 29 of 4th June, 1921, from the dominion franchise as well, except insofar as they are covered by the exception made, in the latter half of the section in the Dominion Act. The Government of British Columbia to whom Mr. Sastri made representations, while

convinced of the logic, fairness and force of the claim, expressed themselves as unable to promise any measure of relief until they had ascertained the reception with which any such proposal was to meet at the hands of Parliament. They felt that their hands were tied by popular prejudice and the fear of agitation among Labour circles. Mr. Sastri specially interviewed the leaders of Labour organizations in Vancouver to ascertain their attitude, and was assured by them that far from opposing, they would support any measure of emancipation calculated to benefit the "hinda" whom they regarded as a law-abiding and loyal comrade.

In a memorandum submitted to Mr. Oliver, the reasons for early conferment of the political and municipal franchise were exhaustively set forth. They would bear recapitulation for mutatis mutandis; they apply with equal force to the question of the federal franchise in Canada.

1. Sober political thought in India is convinced that India will be best able to realize her highest destiny as a member of the British Commonwealth of Nations. It will be useless however, if not dangerous, to ignore that a very powerful section is striving for complete separation. Continuance of disabilities of Indians settled in other parts of the Empire tends to make the question of separation a more and more living issue.

2. It weakens the influence of those who wish to retain her within the Empire.

3. It helps to keep alive the feeling of bitterness among those Indians who are directly affected by the

disabilities, and prevents their being assimilated into the political and economic body of the country of their domicile.

4. The old argument that Indians cannot claim outside their own country rights which are denied to them at home, is no longer valid. The recent political reforms in India have conferred the vote on every individual who pays the very moderate sum of thirteen shillings and six pence per annum as land tax to the Government. Every one of the Indians resident in British Columbia would, if he were in India, probably be entitled to the vote.

5. In Australia in three out of the five States and in the whole of New Zealand, resident Indians enjoy the franchise. In Australia more than 1200 out of the 2000 Indians settled there, and about 500 Indians in New Zealand have the vote. In neither of these dominions has their admission to political equality with the white population been a source of embarrassment to the Government or fraught with danger to the normal political life of the country. British Columbia could follow safely in the footsteps of New South Wales, Victoria or South Australia or New Zealand.

6. There is no justification for putting the Indian on the same level as a Chinaman or Japanese. He is a British subject and is therefore entitled to better treatment than aliens.

7. India shared to the full in the perils and sacrifices of the war. Her self-respect demands that her nationals should enjoy the same privileges as any other class of His Majesty's subjects. She has demonstrated

her fitness to be treated as an equal partner of the British Commonwealth in the storm and stress of war. Is it reasonable that she should be denied equality in the privileges of peace?

Since the above was written, information has been received that notice has been given of a resolution in the Indian legislature "recommending to the Governor General in Council that a policy of strict retaliation and reciprocity of treatment should be followed by the Government of India towards the self-governing Dominions of the British Empire." The advocates of this resolution would only be strengthened by indefinitely postponing the conferment of the rights of citizenship on Indians. The Government of India have so far successfully resisted pressure to pass retaliatory legislation. They recognize that the best interests of the Empire will not be served by retaliation. They have worked consistently for a settlement of differences on the basis of mutual understanding and good will. It is of vital importance that they should be helped in their endeavor by the Governments of the Dominions. The best way to help them is to ensure that the disabilities of resident Indians are quickly removed. The step is necessary in the interests of good-fellowship among the component parts of the British Commonwealth as well as its solidarity.

Ottawa,

September 2, 1922.