CHAPTER FIVE
THE LIBERAL ACTIVITY FROM 1923 TO 1926

The stray individuals among the Liberals who found a place in the Legislature after 1923 could not materially affect the course of politics inside it. In the Legislative Assembly Sivaneswami Aiyar, C.H. Setalvad and N.M. Samarth (all nominated) generally voted with the Government, while the other two Liberal members, Diwan Bahadur Ram Chandra Rao and B. Venkatapati Raju, who were elected, joined the Swarajists in the debate over the Reforms resolution and in rejecting the budget and the Finance Bill. The action of Rao and Raju created a stir in the Liberal camp. In the Bengal Council the Liberals were undecided as to the stand they should take with regard to the leave to introduce the Bengal Criminal Law (Amendment) Bill. For example P.C. Mitter, while admitting the existence of a terrorist conspiracy, advocated the enactment of portions only of Rowlatt Act. Mitter came

1. Irwin to Birkenhead, 30 December 1926, Enclosure, statement showing the composition of the Legislative Assembly and Provincial Councils, Halifax Collections, op. cit., Letters to Secretary of State for India, April to December 1925, pp. 178-79. Also Return showing the Results of Elections in India in 1926, P.P., Commons, 1927, vol. 18, (Cmd. 2923), pp. 396-418.
in for a good deal of criticism from a section of Indian Press both for his alliance with the Swarajya Party and for his advocacy of Rowlatt Act. At a time when the Swarajists were showing increasing sign of dissensions it was generally not known whether the Liberals would vote for or against the Government and the Bengalee had at one time severely to criticise them for their irresolution. In short their action inside the Legislature after 1923 was thus marked by lack of unanimity and an inability to strike out a line of their own.

Their activity after 1923 therefore lay chiefly outside Legislature which ran in two directions. The demand for constitutional advance became the first dominant feature of Liberal activity since 1923.

Commonwealth of India Bill -

This Bill was not a sudden move. The origin of the Bill lies in National Conference which was called early in 1923 at Delhi. The discussion for the National Conference was, however, taken up earlier in 'New India', Mrs. Besant's organ, by Srinivasa Sastri and C.P. Ramaswami Aiyar, advocate


7. On one occasion the Liberals did not move the resolution tabled for recommending the retransfer of transferred subjects to Ministers. Anticipating defeat they preferred not to move the resolution, Report from Bengal for the first half of December 1925, ibid., no. 112(1)/1925.

8. Bengalee, 6 December 1925.
general of Madras in July 1922. At the same time in a letter Mrs. Besant had broached the idea also to Sir Tej Bahadur Sapru. In September of the same year a number of members of Central Legislature, at the instance of Mrs. Besant, approved and elected an executive committee including the Liberal D.P. Sarbadhikari, B.S. Kamat and Jamnadas Dwarkadas to collect signatures to a letter convening a conference of representative persons in Delhi to discuss the desirability of holding "a convention held on essentially non-party lines, consisting of members of the Central and Provincial Legislatures, such convention having power to co-opt non-members of the Legislature". Such convention was to "formulate a scheme of responsible government", i.e. complete provincial autonomy and a cabinet responsible to the Indian Legislature for the Civil Government of India. It was further proposed that a mandate should be sought from the electors at the election of 1923, an educative propaganda being carried on upon the outline points.

Before the salt tax controversy had commenced in the Legislature all these efforts crystallised into a National Conference at Delhi on February 12 and 13, 1923 under the

10. Mrs. Besant to Sapru, 15 July 1922, Sapru Papers.
   (National Library, Calcutta)
12. Ibid., p. 93
presidency of Sir Tej Bahadur Sapru, who had just relinquished his charge of Legislative portfolio of the Governor-General's Council to discuss programme for the achievement by India of self-governing status within the Empire. Touching on the subject of Reforms Sir Tej Bahadur Sapru said in his presidential address that divided responsibility in the Provinces and no responsibility in the Central Government could neither be a fair test of the capacity of Indians, nor could it develop a sense of administrative responsibility among them without which no Government could render a good account of itself. The education of the electorate and attempt at solving minority problem must go hand in hand with the development of political institutions. He said in conclusion that the goal was Dominion Status with a parliamentary form of Government and the method for attainment of the goal would be constitutional. He warned against strengthening the reactionary forces in England by loose talk of India going out of the Empire, and ended with a note of hope that they could settle their differences and made an unequivocal and clear demand for raising India to Dominion Status. Resolutions were then passed advocating the introduction at an early date of full autonomy in the Provinces and the transfer to Central Legislature of responsibility in regard to civil departments. The conference generally considered that the control of the Army and the Foreign Policy should be

13. Ibid.
The next resolution appointed sub-committees to investigate and report upon the working of the Reforms and in particular upon the direction in which existing Government of India Act could be amended to bring Dominion Status; upon the question of India's defence and the problems connected therewith; upon the Indianisation of the services; and upon certain less important topics. The Liberals figured strongly in each of the committees appointed by the Conference. The outline of a constitution was then sketched carrying out the resolution of the Moderate Conference of 1918 to place India on an equality with self-governing dominions of the British Empire in which the Executive both of the Central and of the Provincial Governments might be made responsible to the Legislature, while the control of the Army and the Navy and Foreign Affairs should remain under the Viceroy until such time as India would safely take responsibility for these departments. The Conference then broke up and preparations were made to secure by a standing organisation the progress of the ideas by which its members were animated.

In February 1924 the second session of the National Conference met again spearheaded by Mrs. Besant. Sapru presided and among those present were Besant, Sastri, Sivaswami Aiyar,

15. Ibid., 14 February 1923.
16. Ibid.
17. Ibid.
Deva Prasad Sarbadhikari, Khaparde, Natesan, B.C. Pal, Kunzru and Jamnadas Dwarkadas. In opening the session of the Conference which was held at Delhi on 22 February Sapru said that the object of the Conference was to bring about an alteration or amendment in the constitution of the country and of the Government that would satisfy the aspirations of the Indians. There were some who pinned their faith to a Round Table Conference and others to an Official Committee, and still others, like himself, who thought that a Royal Commission would probably solve the difficulty. Whatever was the agency created, those who believed in constitutional advance felt that they ought to have an effective voice in the determination of the future of India. Sastri, who followed him, said that as the convention was to consist only of members of Legislatures, a scheme drafted by such a body, was sure to receive attention from reasonable people in England. Under the leadership of Sapru it was then generally agreed in the Conference that National Conference should follow the line of preparing the ground for a Royal Commission and should aim at producing a clear and precise statement of the constitutional changes which India desired. Subsequently it was agreed that a deputation consisting of Sastri and Iswar Saran should shortly proceed to England in order to lay before the authorities the desire of India for

18. Ibid., 23 February 1924
19. Ibid.
20. Ibid.
the speedy appointment of a commission of enquiry. While the sentiments expressed in the National Conference continued to be echoed and amplified in Provincial Liberal Conferences in various parts of India, Sastri went to London as a member of the Indian deputation in May and busied himself interviewing almost daily statesmen of different schools of political thought among whom were E.S. Montagu, Lionel Curtis, Sir Michael Sadler, Sir Gilbert Murray, Harold Laski, the Prime Minister and the Labour Secretary of State for India Lord Olivier.

By December 1924 the National Convention, of which Sir Tej Bahadur Sapru was the president and Mrs. Besant was the general secretary, prepared the rough draft of the Common-wealth of India Bill. And B. Shiva Rao acted as Sapru's Secretary in drafting the document. In January the following year Mrs. Besant presided over a sub-committee of the All Parties Conference, of which Mr. Gandhi was the chairman, to indicate the main principles of a scheme of self-Government.

21. Ibid., 24 February 1924.
22. Report of the Progs. of N.L.F. of India, December 1924. Also Meeting of the United Provinces Liberal Association presided over by Sir Tej Bahadur Sapru, Ibid., 6 March 1924.
The sub-committee endorsed the main principles of the draft Bill with a few alterations which were subsequently incorporated in the new Bill itself. In April 1925 the convention again met under the chairmanship of Sir Tej Bahadur Sapru and in its three days sitting at Cawnpore considered various amendments sent in and the Commonwealth of India Bill reached its final form. The Bill purported to confer upon India the status of a self-Governing Dominion, except for certain reservations as regards Defence and Foreign Affairs. The Council of India was to be abolished and the Secretary of State for India would have the same relation to the Commonwealth of India as the Secretary of State for the Colonies had to the Governments of the Dominions. The Viceroy and Provincial Governors would have cabinets to advise them consisting of a Prime Minister and a number of Ministers. The constitution was of federal type with autonomous Provinces and the powers of the Commonwealth and Provincial Legislatures defined, residuary powers being vested in the former. Communal and special representation was abolished, but as a temporary measure the number of seats reserved for Mussalmans and Europeans would be maintained for a period of five years. The rights of minorities were

27. This sub-committee also included Sivaswami Aiyar, B.C. Pal, M. Ram Chandra Rao, Diwan Bahadur T. Rangachariar, B. Shiva Rao and A. Rangaswamy Aiyangar.
29. Ibid., 13, 15 April 1925.
protected. There would be a Supreme Court of India in addition to the existing High Courts. In May 1926 the Bill was sent to Major D. Graham Pole, the Hon. Secretary of the British Committee on Indian Affairs in England under forty three signatures including those of Sapru, Sastri, M.R. Jayakar, B. C. Pal, N.C. Kelkar and B.G. Khaparde and L.A. Govinda Ragavachariar. It was approved by the leading members of the Labour Party and introduced in the House of Commons and read a first time. But after it was closely examined clause by clause by the Executive Committee of the Parliamentary Labour Party and passed unanimously, it was put on the list of Bills ballots for as an official measure. A memorandum explaining the imperative need of passing the Commonwealth of India Bill signed by over forty Indian leaders among whom were Srinivasa Sastri and three other Liberal members from Bengal - I. B. Sen, J. Chaudhury, and Satyananda Bose - was immediately issued. And Mrs. Besant again proceeded to England on 3 July 1925 to influence the members of the Parliament some of whom had already supported the Bill. Sapru wished 'bon

33. Ibid.
34. Ibid.
35. All India Leaders*Manifesto, Bengalee, 29 June 1925.*
voyage' to Mrs. Besant and 'all success in your high mission'.

On Mrs. Besant's return from England two Commonwealth of India Bill Conferences were held one in Karachi on 14 February and another on 7 May 1926 where a number of messages expressing sympathy with the principles of the Bill were read including those from Sapru, Chintamani and Kunzru.

But fate did not prove propitious to the Commonwealth of India Bill. Already the seeming approval by some Indian leaders of political murders and the recurrence of Hindu Muslim riots which were being fully exploited by the anti-Indians in England for their own purpose had made the task of Indian delegation in England much harder during May-July 1925. In July 1925 the Conservatives came to power in England, displacing Labour. Lord Birkenhead became Secretary of State for India with Earl Winterton as under Secretary. Though Ramsay MacDonald, the leader of the opposition in British Parliament, had welcomed the Commonwealth of India Bill, the Conservative Government, as Sastri rightly anticipated did not look at it with favour. Thus although the Bill had come a long way from the Besantite - Liberal dominated conference of 1923-24 to the support of All Parties Conference in 1925 and the Labour Party

39. Ibid., p. 186.
in England but the Liberals could not save the Bill from going ultimately into the scrap heap.

From the Liberal point of view the Commonwealth of India Bill had two merits. As Sapru pointed out, firstly, it was the natural evolution of the constitution, fragmentary as it was, which was given by British Parliament and, secondly, it seemed to meet the point of view of a considerable section of those who were interested in the future of the present constitution.  

For these reasons the Liberals had not only played a prominent part from its inception in the National Conference through the process which gave the Bill its final form but had actually made serious effort to get it passed by the British Parliament. For "no self-respecting and thoughtful Indian can feel happy", Sapru told Mrs. Besant on one occasion, "with the present constitution or with the position which India occupies or with the marked inferiority which is the lot of Indians in dominions or colonies ..."

Indians Overseas - Efforts to Ameliorate Their Condition -

Another question of supreme importance that absorbed the attention of the Liberals during the period was that of the status of Indians as equal subjects under the British Crown in its colonies across the seas. The Liberals were often abroad on official and non-official missions in the interest mostly

40. Sapru to Mrs. Besant, 17 June 1925, Sapru Papers.
41. Ibid.
of the status of Indians overseas, an interest which they inherited from their master, Gokhale, who had secured the stoppage of Indian indentured labour emigration in 1911 and had visited South Africa in 1912. The problems varied greatly in character and degree, from New Zealand, where it was merely formal, to South and East Africa, where it was a constant cause of grave anxiety. Of these South Africa was a self-governing dominion and Kenya was no better than a crown colony. In both these territories the domiciled Indian labourers were not given equality of status with the whitesettlers. They were treated as inferior in political status which was 'inconsistent with their rights as equal subject under the British Crown'. They adopted methods calculated to encourage racial and colour prejudices. The Indians were looked upon as alien whose presence was an 'economic and political menace' and who must be sternly kept down as inferiors to be taxed and ruled but never encouraged to feel that they ever could be equal citizens. Thus they created zones of segregation of non-European races and debarred them from the privilege of the parliamentary and municipal franchise.

A hopeful start was made in the Imperial War Conference of 1917 and 1918. In recognition of India's services during the great War, the Imperial Government invited India to join "the inner circle" of the British Empire. "She had bled herself white", declared Sir Austen Chamberlain, "at the beginning

of the war to supply the deficiencies of the Empire in troops, arms and guns." The question or free citizenship within the Empire therefore came before the Imperial War Conferences of 1917 and 1918 and the Indian case was put before the Conference by Lord Sinha. On his motion a reciprocity resolution was generally accepted which, while affirming the right of each community of the Commonwealth to control by immigration restrictions, the composition of its own population, recommended that facilities should be given to Indians for visits for the purpose of pleasure, commerce or education.

The principle of the resolution was confirmed at the Imperial Conference of 1921. Srinivasa Sastri, who was nominated a member of the Indian delegation (of which the leader


44. Ibid.

45. The resolution which emerged from the 1917 Conference runs thus: "The Imperial War Conference, having examined the memorandum on the position of Indians in the self-governing dominions presented by the Indian representatives to the conference, accepts the principle of reciprocity treatment between India and the dominions and recommends the memorandum to the favourable consideration of the Governments concerned." P.P., Lords, 1917, vol. 16 (cmd. 8565), p. 130. At the 1918 Conference both the self-governing dominions and the British Government agreed on three resolutions of which the most important was one which said as follows: "It is an inherent function of the Governments of the several communities of the British Commonwealth, including India, that each should enjoy complete control of the composition of its own population by means of restriction of immigration from any of the other communities." A.B. Keith, Speeches and Documents on British Dominions, (O.U.P., 1961), p. 9.
was Montagu), underlined the British Prime Minister's claim for the Empire and added that it was the peculiar good fortune of India to remain in it and work for the realization of its noble ideal. He then proceeded to refer to the status of Indians in the dominions and pleaded that there was no reason whatever to deny full right of citizenship to Indians who were lawfully settled in the dominions. But Sastri found General Smuts, the Governor-General of South Africa too strongly entrenched to be routed. The Boer General reminded Sastri without ceremony that, in view of the feelings on the subject in South Africa he dared not and would not concede to Indians the right of citizenship which other British subjects enjoyed in that dominion. Montagu who was closely working with Sastri regretted that General Smuts should be so anti-Indian in sentiment. The Conference in the end recognised that there was 'incongruity between the position of India as an equal member of the Empire and the existence of disabilities upon British Indians domiciled in some parts of the Empire'. The resolution was finally passed 'that in the interest of the solidarity of the Commonwealth it was desirable that the rights of such Indians to citizenship should be recognised'.

47. Ibid., pp. 210-11.
48. Ibid., p. 218.
50. A. B. Keith, op. cit., p. 64.
51. Ibid.
This pronouncement was accepted by all members of the Conference except General Smuts, the representative of South Africa, who expressed his inability to accept the resolution and pleaded 'exceptional circumstances'. Thus General Smuts accepted the principle of equal citizenship in the Empire as a whole and made a reservation only with regard to South Africa. Sastri who was the Indian representative recorded his 'profound concern at the position of Indians in South Africa and hoped that further negotiations between the two Governments might lead to a more satisfactory situation'.

The Sastri resolution 'made history' in the Imperial Conference. It was the first time that the rule of unanimity of the Conference resolution was set aside in favour of a majority vote. India which was but a subordinate and non-white branch of the British Government, succeeded in carrying a resolution in the Imperial Conference, the other members of which were Prime Ministers of White Dominions and isolated South Africa. One outstanding result which emerged as a result of these Conferences was that direct negotiations relating to this matter would henceforth be conducted between the Government of India and Union Government without the direct intervention of Imperial Government. In the past such matters were controlled by the Colonial Office in accordance with the exigencies of British political interest rather than those of the Indian people.

52. Ibid., p. 65.
53. Ibid. Also P. Kodanda Rao, op. cit., p. 102.
The Liberal opinion in India appeared to be fairly satisfied with the attitude of the Imperial Conference and saw in it 'a definite break from the policy that so long guided India's relationship with the British Dominion and Colonies'. A resolution was passed in the annual session of the Liberal Federation held at Allahabad, appreciating the services at the Imperial Conference of Sastri for obtaining equal status for Indians in the Empire and welcoming the resolution of the Imperial Conference regarding the status of Indians in the Empire.

In the meantime a resolution was moved in the Legislative Assembly in February 1922 on the subject of the position of Indians in South Africa and Kenya. All sections of political India stood united in protesting against the grievances of their compatriots overseas. In the same year the Legislative Assembly passed a comprehensive measure, which empowered the Government of India to control emigration and to protect Indian interest. That Act declared that emigration for the

54. Bengalee, 31 December 1921.
57. Indian Emigration Act of 1922.
purpose of unskilled labour should not be lawful except to such countries and on such terms and conditions as the Governor-General-in-Council, by notification might specify in this behalf and that the notification should have the full consent of both chambers. A standing committee composed of twelve members was appointed to advise the Government of India on all major emigration questions. Thus the Indian Legislature could now effectively control the organised emigration of all unskilled labourers.

Subsequent to the Imperial Conference of 1921 a deputation from India headed by Sastri visited the Dominions with the object of "softening the prejudice" against Indians and to appeal to the respective Governments and public for due recognition of India's status within the British Empire. Sastri's 'ambassadorial visit' in Canada, New Zealand and Australia was successful in directing the attention of the dominions to certain disabilities under which resident Indians were suffering. On 23 February 1922 Sastri's report of his deputation was published, and the result may be described in Sastri's own words: "Reviewing in the light of actual achievement and of prospective reforms", observed Sastri, "I am glad that the deputation was sent to the Dominions. The constitutional importance to India of negotiating directly with the Dominions of matters of mutual interest through an accredited represen-

tive is too evident to need elaboration. What is less obvious is the indirect value of such visits both for facilitating the realisation of the immediate objects in view and the promotion of a spirit of imperial solidarity. India has suffered in the past from lack of knowledge and of understanding. The progress made by her during the last sixty years is hardly known outside the country. The average citizens of a Dominion still regard India as a land of mixed poverty and splendour, barbaric in outlook and aspirations as well as in magnificence. He has had no opportunity of meeting Indians of refinement and culture, without which it is impossible to dissipate the phantoms of superiority born of an imperfect appreciation of Indian capacity. The incentive to active trade relations between India and Dominions has also been lacking. To promote the personal intercourse is the best solvent of prejudice and the only means of securing better relation in the future is the promotion of such intercourse. Of the desire of the Dominions to understand India there can be no doubt. In the task of formulating and satisfying this desire the educated people of India no less than the Government must do thankful share.

Sastri's mission was hailed as a great success by the Liberal Party in India.


In 1923 it was Sapru who fought out the case of Indian settlers in South Africa. He proposed at the Imperial Conference that the Union Government of South Africa should agree to appoint an agent of the Government of India in the Union who would act as a liaison officer between the two Governments and keep a watchful eye upon the interest of Indian nationals on the spot. But the Union Government refused to grant any further concession to Indians in South Africa and rejected the proposal for the appointing of an intermediary. General Smuts declared that the Union Government were now concerned with "the basic consideration for the continuance of Western Civilisation" and should not encourage extension of political rights of Indians within its dominions.

In the following year the Union Government introduced a measure entitled 'Class Areas Bill', containing provisions which would be used in urban areas for the compulsory segregation of Asians. The main intention of the Bill was to compel Indians to live in compulsory segregation. Meanwhile Liberal opinion was deeply agitated over the prospect of this.

63. Ibid., pp. 113-17.
64. Ibid., p. 115.
65. Ibid., pp. 128-40.
legislation designed to inflict invidious distinction on Indians in the Empire overseas. On Sapru's motion a resolution was passed recording their 'indignant protest' against such anti-Asian legislation which was the 'most offensive and oppressive of Union Government measures against loyal inoffensive Indians settled in the Dominions'. In 1926 when the Union Government decided to bring up the Class Areas Bill (Areas Reservation and Immigration and Registration - further provision Bill), they urged the Government of India to take action.

Reading also was in favour of sending a deputation to South Africa in order that the whole question may be decided by a non-party spirit by a conference with the collaboration of representatives of the Imperial and Indian Governments. Accordingly a deputation, consisting of George Paddison, I.C.S. and Sir Devaprasad Sarbadhikari, Syed Raza Ali with Mr. G. S. Bajpai, I.C.S., as Secretary proceeded to South Africa in November 1925. In the face of many difficulties the delegates succeeded in their mission and in due course gave valuable evidence before select committee of the Union House of Representatives. In the end it was agreed that a conference of the representatives of two Governments would be held and it

68. Ibid.
70. Reading to Birkenhead, 22 January 1925, Reading Collection, op. cit., vol. 8, p. 20.
was also decided to postpone any further consideration of the

71 Bill. This welcome decision was received in India with

thankfulness and relief.

The Round Table Conference as it was termed, on the

Indian problem in South Africa met at Capetown in December

1926. The Government of India were represented by Sir Muhammad

Habibullah, Member of the Viceroy's Council, Sir Geoffrey Cor-
bett, Sir George Paddison and two Liberals - Sastri and Pheroze

Sethna. C. F. Andrews, than whom there was no greater friend

of the Indians overseas, interposed his good offices wherever

and whenever required. The Union Prime Minister General

Hertzog opened the Conference. Both Governments recognised

the fact that upon the question of the proposal of the Bill

all classes and communities in India stood united in their

opposition and it would be unwise to proceed any further with

regard to this matter which would be interpreted as violating

the spirit of the Imperial Conference resolution on citizenship

within the Empire. The Union Government undertook to propose

a scheme of voluntary but assisted repatriation of the Indians.

The old repatriation scheme demanded of the Indian: a specific

and irrevocable surrender of his South African domicile, and

that stung the sense of self respect of India. The assisted

71. Telegram from Governor-General of South Africa to the

Govt. of India, 13 April 1926. I.Q.R., 1926, vol.1,

pp. 137-38.

72. Leader, 14 April 1926. Also Bengalee, 14 April 1926.

73 P. Kodanda Rao, op. cit., p. 212.
emigration scheme obviated this humiliation. Domicile need no longer be surrendered and could be resumed within three years—just like a European emigrant. The upliftment section of the agreement was a unique achievement which constituted the Magna Carta of the Indians. They also agreed to drop the segregation Bill which was already on the legislative anvil in order that the agreement might come into operation under favourable auspices and have a fair trial. It was agreed that proper investigation would be made into the general condition of Indians domiciled in South Africa and also some relief from colour bar would be granted in matters of employment. In order to secure continuous and effective co-operation between the two Governments, a permanent Agent of the Government of India was appointed and Sastri was selected for the post. The result of the Round Table Conference was designated the Capetown agreement.

The Capetown agreement was necessarily a compromise but India gained more than South Africa. It was too good to be true and many wondered if it contained some undisclosed concessions or some secret clauses. Replying to the misgivings of Sir Sivaswami Aiyar, Sastri underlined the following words: "The Boer ministry have changed their heart". "We leave Capetown pleased with our labours", Sastri told his audience.

75. T.N. Jagadisan, op. cit., p. 276.
in Town Hall on the eve of his departure from South Africa, "and if the Indians in South Africa will play the game the future is full of hope." In India the public reception of the Capetown agreement would turn largely on the opinion of Mahatma Gandhi who, more than any other Indian, understood the conflicting interest of South Africa and could approve it in a proper perspective, and the Mahatma also described the agreement as an honourable compromise. "The negotiations at Cape-town, wrote Gandhi, "have brought within the region of probability a satisfactory ending of a controversy that has vexed nearly two generations". On the whole it was generally well received both in India and in South Africa. In May 1927 Sastri was appointed Agent, and held office until January 1929. The agency proved to be of great value on all sides and helped to secure continuous and effective co-operation.

77. Young India, 24 February 1927.
between the two Governments. "I have no doubt", Irwin wrote
to the Secretary of State, "that his (Sastri's) work there for
India has been of the highest value and that he has succeeded
in creating a wholly new spirit among Europeans towards Indian
problem ... he has contrived to lay very remarkable foundation
for him to build upon, and the experiment of sending him to
inaugurate the task has been abundantly justified".

The Capetown agreement was understood to be operative
for a period of five years, and it came up for consideration
at a conference held in January 1932. The outcome of the
conference was a recommendation to continue the agreement with
81. It was renewed subject to the modifica-

79. The Natal Mercury (with anti Indian sentiment) wrote:
"So admirably has Mr. Sastri, the Agent of the Government
of India in the country, identified himself with the
public life of the Union, so completely has he won the
respect of all classes of the community that it is dif-
ficult to realise that he arrived here over a year ago
and that before very long time we shall have to contem-
plate the end of a term of an office already extended
by six months ... Mr. Sastri by his culture and perso-
nality and by his really statesman like qualities has
been ideally suited to the office he has occupied. He
has been able to reveal to the vast majority of South
African a new type of Indian opinion, to show us, India
and her people in an entirely new light. Moreover he
has gone a long way towards reconciling those differences
in the Indian community which have so long been a barrier

80. Irwin to Peel, 24 January 1929, Halifax Collection, op.
cit., Letters to Secretary of State for India, January
to December 1929, p. 22.

81. The terms of the agreement, 5 April 1932, *I.G.O.,* 1932,
tion that colonisation replaced assisted emigration. It was recognised that the agreement had exercised a powerful influence in fostering friendly relations between the two Governments.

The arena of conflict in the colonial Empire in East Africa was more acute than that of the self-governing dominions like South Africa and by far the most formidable of Indian problems which confronted the Liberals since the year 1922 was the situation in Kenya. It came to be raised into an Imperial problem. Kenya was a crown colony directly administered by the British Cabinet through the Secretary of State for the Colonies. The situation in Kenya involved problems in some respects different from those in South Africa. Here the Indians had played a significant part in the process which led to British rule and British enterprise in that area. Nevertheless for sometimes they were labouring under most shameful disabilities imposed by the white settlers who were trying to oust them from the country. Of the disabilities the most unjust was a prohibition against the transfer to Indians of agricultural lands in the highlands of the colony on the plea of racial segregation, branding the Indian as inferior. The inadequate representation of Indian population upon the Legislative Council, their political helplessness despite their large stake in the economic life of the colony and the threat in the way of free immigration had long been matters of gravest concern.

In 1920 the Government of India had pressed the matter Home for a consideration of the interest of Indians in East Africa. The Secretary of State in reply promised to urge upon His Majesty's Government the strength of Indian case. During the years 1921 and 1922 the race feeling between the Indian and the European settlers rose to such a height that the relations between the two communities became extremely strained.

The matter was first referred to an inter departmental committee composed of the Under Secretaries of State for India and the Colonies. The negotiation regarding Kenya took place between Colonial office and India office in London and resulted in the tentative proposal known as the Wood-Winterton agreement which recommended (1) a common electoral roll for all British subjects with certain prescribed qualifications, (2) no restriction to adequate representation of Indians on Municipal Council, (3) abolition of segregation but (4) no changes in the reservation of the Highlands and finally (5) retention of the existing immigration regulations.

To the Indians the Wood-Winterton proposals, which recognised their claims to equal franchise, were satisfactory for it was a promising step to protect them against discriminative legislation. At the East Africa Dinner in London, in 1922

83. Correspondence regarding the position of Indians in East Africa, Letter from Govt. of India, 20 October 1920, Telegram from Secretary of State to Govt. of India, 24 December 1920, P. P., Commons, 1921, vol. 26, (cmd. 1311), pp. 226-38.
85. Ibid., pp.146-47. Also T.N. Venkatanan, op. cit., pp.100-02.
Churchill who was the Secretary of State for the Colonies, however, set aside the principle of equality of status for Indians; assured the Europeans that their interest with regard to Highlands would be maintained. In the Legislative Assembly N.M. Samartha, the nominated Liberal Member, raised a voice of protest against 'the indiscreet, unwise, reckless and irresponsible pronouncement from a member of the Imperial Government', and a resolution was finally passed stating that any attempt to violate the principle of equality of status of Indians in Kenya would create a further breach in the relationship between India and the Empire. The Imperial Government were reminded of the service Indian troops had rendered in German East Africa during the World War. Mr. Montagu in a speech in London on 9 February 1923 assured the Indians that it was inconsistent with the sincerity of Britain's policy that because they were Indians they could not hope for recognition. Montagu made a vigorous plea for the Indians.

A step was taken for negotiation with delegations from India and East Africa. The delegation from the Government of India was headed by Sastri on 4 April 1923. Sastri and his

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88. Ibid., p. 2325.
89. Ibid.
90. Bengalae, 12 February 1923.
two colleagues, helped by friends like H.S.L. Polak kept up a practically non-stop campaign in England. He addressed several public meetings, gave many press interviews and held discussions with the authorities, particularly in India Office. Sastri's effort to arrive at an amicable solution between the delegations resulted in the repudiation of Wood-Winterton agreement which had been regarded just about a year previously as the 'only approach to state craft'. A period of confusion, disagreement, various attempted settlement and acute crises followed after which the 1923 the British Government issued a White Paper elaborating the doctrine of trusteeship on 23 July 1923. This state document rejected the claims of the Indians for racial equality and repudiated the proposal of a common electoral roll providing an equitable system of representation. As regards the reservation of Highlands the White Paper supported the claims of the Europeans. The immigration policy declared in the White Paper on Kenya was an effective step for keeping out the Indians from East Africa.

Indian sentiment was deeply stirred by the statement. Such things as communal representation merely emphasised to

92. N. Gangulee, op. cit., p. 103.
the Indian: his separateness which stood to him as badge of inferiority. Sastri speaking for Indian delegation in London rejected the terms of the settlement and charged the Imperial Government of sabotaging the Indian position by yielding to powerful pressure from the European community in Kenya.

Adjournment motion was also brought in the Legislative Assembly to consider the situation. The members voiced the opinion of the general public when they said that the policy of exclusion of Indians from the Highlands was based on racial and not on economic grounds. The official reply to the debate was, of course, that the settlement was a decision arrived at by the British Cabinet and therefore there was no question as to whether or not the Indians would accept the terms of the settlement. On point of order the Government of India refused the motion against the acceptance of White Paper.

A Bill by Dr. Gour to regulate the entry into residence in British India of persons domiciled in other British possessions was passed by Legislative Assembly in one day as protest against the recent decision. Then came the famous Imperial Conference.
of 1923 and Sapru who was appointed the Indian representative was determined this time to have an opportunity in the Conference to display to the world that 1921 resolution was not a mere pious hope. Sapru could not contemplate a watering down of the 1921 resolution. What he wanted was some assurance that practical steps would be taken to make this resolution a real thing, so that he would come back to his country and say that "the day is still not lost. The Imperial Conference really meant business by the equality resolution ... Practical steps are being taken to cope with and overcome difficulties."

But Sapru at the Imperial Conference of 1923 was at an even greater disadvantage than was Sastri in 1921. Another two years had gone by since the cessation of hostilities. In the meantime the regime at the India Office had changed and had assented to the betrayal of Indians in a crown colony (Kenya) in the face of the pleas advanced by Sastri and his colleagues who had been sent not as representatives of the Government of India but of the Indian people upon a special mission to England who pointed out that His Majesty's Government's consent to worsen the Indian position in Kenya would have the most injurious effect. Sapru met the Secretary of State several times and insisted that present position should be tidied over by the appointment of a committee in order to

100. Sapru to Reading, 10 October 1923, Reading Collection, op. cit., vol. 21, pp. 352-52a.
report the conditions of the Indians in the Empire. But the Secretary of State was sometimes entirely at cross purposes. Sapru found General Smuts, the representative of South Africa, most disappointing. "He told me frankly," Sapru wrote to Reading, "that I could expect nothing from him. On the contrary he put up an extraordinary proposition that the 1921 resolution should be formally rescinded ... I told him this meant war. He ... asked me not to give him an ultimatum." Before the plenary session of the Conference met Sapru also interviewed several other persons - Earl Winterton (the Under Secretary of State), Lionel Curtis, Duke of Devonshire, the Colonial Secretary, and Masterton Smith. He also arranged a series of conferences with Prime Ministers of other dominions - Mackenzie King of Canada and Mr. Bruce of Australia. Baldwin listened to him with great sympathy and support and he had also been in constant touch with Montagu, the ex-Secretary of State. Sapru now prepared himself for a last strenuous fight on the question of Indians abroad and the case that he presented stands as a monument of advocacy on behalf of India.

102. Peel to Reading, 3 October 1923, Reading Collection, op. cit., vol. 6, p. 152. Also Sapru to Reading, 10 October 1923, ibid., vol. 21, p. 255.
103. Same to same, 23 October 1923, ibid., vol. 21, p. 355.
104. Sapru to Reading, 8 August 1923, ibid., vol. 21, p. 333. Also same to same, 10 October 1923, ibid., vol. 21, p. 351.
105. Same to same, 10 October 1923, ibid., p. 351.
106. Same to same, ibid., p. 357.
He recounted the depth to which Indian opinion had been stirred, and under which she laboured through the treatment meted out to her nationals in other parts of the Empire. He put forward an eloquent and reasoned appeal for the execution of 1921 resolution adumbrating the machinery for consultation between the Government of India and the Dominion Governments on the question as to how best and how soonest effect might be given to it. Turning to the Kenya question, Sapru dwelt upon the unanimity of Indian opinion and the justice of the Indian cause, drawing the attention of His Majesty's Government to the sinister effect which the decision had already exercised upon Indian political situation. After briefly referring to the grievances of Indians in the colonies and protectorates he pleaded powerfully for an examination of the whole question, in consultation with the authorities concerned, by a committee to be appointed by the Government of India. In the case of Union of South Africa which was not a party to the 1921 resolution, Sapru expressed the hope that Government of India might be allowed to maintain an agent who would serve as an intermediary between Indian nationals and Union Government.

108. Ibid., pp. 72-77, 80.
109. Ibid., pp. 82-83.
110. Ibid., p. 84.
The main outcome of the Imperial Conference was that Sir T.B. Sapru succeeded in securing the new constitutional concession from the Conference, namely that India was to have the right of direct negotiation with the Colonial Office in respect of Kenya and other matters and with the Dominions (other than South Africa which maintained a non-possumous attitude) and Baldwin, the Prime Minister, in winding up the debate accepted Sapru's proposal for a consideration of the question by a Committee. The Liberal opinion in India was happy with the Imperial Conference result and Sapru received a number of congratulations.

In March 1924 a Colonies Committee was constituted to confer with the Colonial Office and make representation on a variety of important subjects affecting Indian interests particularly in East Africa. But the Committee's work proved to be a partial success. As a result of the representation made by the Colonies Committee the Colonial Secretary made a statement with regard to representation recently made to him on certain matters affecting India. He assured that Kenya immigration ordinance would not be enacted but declined to accept the request for a common poll and decided to retain the communal representation in Kenya and further he could give no

111. Ibid., pp. 133-34.
113. Peel to Reading, 6 November 1923, Reading Collection, op. cit., vol. 6, p. 174.
hope as regards the highlands.

To the Liberals the decision was disappointing. Sapru in a press interview admitted that the present decision of the Colonial Office once again proved that 'in any conflict between the Government of India and even a crown colony the former must go under...'

In 1927 the Colonial Office issued another White Paper in which it declared that His Majesty's Government "adhere to the underlying principles of White Paper of 1923 entitled 'Indians in Kenya' both in regard to the political status and other rights of British Indian residents in East Africa. At the same time they wished to place on record their view that while these responsibilities of trusteeship must for a long time rest mainly on the agents of Imperial Government, they desire to associate more closely in this high and honourable task those who, as colonists or residents, have identified their interests with the prosperity of the country." This White Paper was followed by the appointment of a commission under the chairmanship of Edward Hilton Young, M.P. The majority report of the Commission (the Chairman dissenting) recommended that the ideal to be aimed at was a common electoral


roll with a uniform franchise.

Though as the President of the East African Indian National Congress Pundit Kunzru admitted the moral gain to the community from a recognition of a common electoral roll, he did not think that the Committee's report marked any considerable advance on the position of Indian community. The Imperial Government favoured the ideal but held the view that time had not come for making a substantial change in the structure of East African Legislature. Once again Sastri was invited by the Government of India to visit East Africa and to suggest a compromise which might result in an actual understanding between the Indian and European community. Sastri reiterated demands of the Indian community and suggested that the Government of India in order to check the unseemly demonstration of racial discrimination within should, "(a) Press for enquiries as to the basis of a civilization franchise which shall be common to all races alike; (b) invoke the good office of the Colonial Office and of the Government of Kenya in securing the consent of the European community to the establishment of a common electoral roll; (c) oppose


the grant of responsible Government to Kenya or of any institution leading up to it; (d) oppose the establishment of a central council on the lines proposed by Sir Samuel Wilson; (e) demand in the case of establishment of some such body that the unofficial representative from such Province should include an adequate number of Indians; (f) advocate the continuance of official majority in the Legislative Council of Kenya; (g) demand that the representation of natives in the Kenya Legislative Council should be by natives or by Europeans and Indians in equal proportion." This was followed by the appointment at the end of 1930 of a select committee of both Houses of Parliament to examine the whole question. Sastri again presented the Indian case before the Select Committee. He took firmer line about common roll and no longer insisted on the consent of the Whites and confirmed that African interest should be paramount and that the immigrant community should have no authority over them. If, however, they were asked to share responsibility, Indians should share it equally with the Whites. The report was published in November 1931. It maintained and explained the doctrine of the paramountcy of native interest, opposed the setting up of an unofficial majority in the Kenya Legislative Council and continued the existing system of communal representation, though admitting that if


at some future date changes were made in the constitution, the desirability of introducing a common electoral roll should be re-examined without prejudice. The Secretary of State for Colonies in his despatch of 13 July 1932 accepted these recommendations. These decisions although they did not wholly satisfy Indian desires, particularly in the matter of common franchise, had in some respects allayed the misapprehensions that had arisen.

Self-Government within the Empire was the accepted political faith of the Liberals. It was the Imperial ideal which formed the coping stone of their political theory. "Do not forget", Sapru told the Imperial Conference in 1923, "that my country, India, is the one country which makes the British Empire truly Imperial. I take pride in that ... I do claim that it is my country which makes the British Empire truly Imperial. One fifth of the human race with a far more ancient civilization than your own, ... joins with you in acknowledging the suzerainty of the common throne. That allegiance with us is a real thing. Shake that allegiance and you shake the foundation of the entire fabric. Let me tell you frankly, as a subject of King George ... I fight for a place in his household and will not be content with a place in his stables."

122. Ibid., p. 46.


Thus the Liberals had never imagined India except as an integral part of the Empire. Even in their extremity it was remarkable that they spoke only of the 'attenuation of their faith in the British Empire and not of its extinction.' "Far be it from me", said Sastri, after the publication of the White Paper on Kenya, "to ignore or even to underrate the enormous benefits of 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 shed its lower and assumed high character."

So the Liberals had fought hard the case of Indians overseas through out the decade from 1921 to 1932 particularly since the year 1923 through perfectly constitutional method. As the Congress was Non-cooperating and would not participate in official missions, the Liberals had the field left to themselves alone in this regard. Though they could not make much headway, they had served India to the best of their power and the statesmanship that was in them. Here was a field in which there was complete unanimity of Indian opinion. As Sapru told the Imperial Conference in 1923: "Whatever may be our position in regard to self-government, howsoever distant we may be from that cherished dream of ours, let me tell you that, so far as this question of Indians overseas is concerned, we stand

solid and united. We have our own domestic quarrels, we have moderates and extremists, we have non-cooperators, and we have Hindus and Muhammedans. But so far as this question is concerned, let me tell you with all the sincerity that I am capable of that we stand absolutely united." Their work was appreciated even by those who differed from them in political methods. Gandhiji paying a tribute to Sastri's work in South Africa said: "His official work, great as it has been, has been out weighed by his unofficial contribution. His transparent sincerity and his passionate love for his country made him give unstintingly the whole of his matchless gift to the service of the cause, that took him to South Africa. The result is a changed atmosphere in that subcontinent and a smoother passage for his successor." The Liberals had also the sympathy and support of the Government of India in this cause. Before the Kenya White Paper was published, Reading tried to influence the decision in favour of India by writing personally to the Secretary of State on the matter. Inspite of this, when the decision went against the Indian people Reading, who was at the centre of the storm, was full of disappointment.

127. Young India, 31 January, 1929.
128. Reading to Peel, 2 May 1923, Reading Collection, op. cit., vol. 6, pp. 92-93.
129. Same to same, 2 August 1923, ibid., p. 190.
"The news of the decision regarding Kenya," Reading defined the attitude of the Government of India in clearest terms, "came to me and my Government no less than to you as a great and severe disappointment for India had made the cause of Indians in Kenya her own. As His Majesty's Government has stated, the decision conflicted on material point with the strongly expressed views of my Government, as laid before the cabinet by the Secretary of State for India ..." He was most anxious to placate the Liberals in India whose loyalty had been seriously taxed by the decision and he urged upon the Secretary of State most strenuously to fight hard the Colonial Office and Cabinet to secure some improvement upon the situation. Again Lord Irwin at the time of the publication of the Hilton Young Report was most anxious to secure Indian interest in the Report. But the fact was that the Colonial Office in England was at this time 'as averse from change in the status of Indians as the South African Boer and British and the White Settlers in Kenya'. This accounts for the constant divergence of opinion

131. Reading to Peel, 30 August 1923, Reading Collection, op. cit., vol. 6, p. 135. Also same to same, 6 September 1923, ibid., p. 198. Also same to same, 13 September 1923, ibid., p. 200.
132. Ibid., also same to same, 20 September 1923, ibid., p.203.
133. Irwin to Birkenhead, 24 May 1928, Halifax Collection, op. cit., Letters to Secretary of State for India, January to December 1928, pp. 112-13. Also same to same, 12 June 1928, ibid., pp.150-51.
between the Colonial Office and the Government of India when on the main issues the opinion of the former prevailed.

But how was the fact that the White Settlers in South Africa and Kenya, not to speak of their brethren in Canada and Australia, were able to disregard the opinion of India backed by its Government? Sapru's answer to this was the same as that of Gokhale on a similar occasion in days prior to the Montagu Reforms. "I do not think", Sapru said, "that if India were a self-governing country within the Empire, the wishes of the Government or her people could be ignored, decision which was resented even by the Government of India could be given, as it was in July last, when on the main question the opinion of the White Settlers prevailed. It therefore seems to me that while on the one hand it is our duty to emphasise our claim regarding proper, just and equal treatment outside India, our duty is even more imperative, that we should lay still greater stress upon the achievement of responsible Government in India itself."

"In fact the humiliation of our Nationals is one of the considerations", said Sastri also, "that weigh most with me in pressing for our Dominion Status". The Liberal activity during this period therefore, had centred round the twin objects

135. Sir T.B. Sapru's presidential address at the sixth session of the N. L. P. at Poona, December 1923, Bengalee, 27 December 1923.

of securing equality of status for Indians in the British Empire and promoting constitutional advance for the larger question of self-Government in India, though more in the former.