CHAPTER III

INDIA’S APPROACH TO THE OVERSEAS INDIANS: AN OVERVIEW
The Overseas Indians are increasingly being recognised as a valuable asset for India as a bridge of understanding between India and the country of their domicile.

The above statement embodied in the annual report of the Ministry of External Affairs carries a message of compliment to the Overseas Indians that they are the vital source for the promotion of India's bilateral understanding with countries of their domicile. Interestingly, such a recognition of the importance of the Indians Overseas in the context of India's foreign policy and relations, tends to pose two pertinent questions: How far the Government of India tried to secure and protect the interests of the Indians Overseas? And to what extent was this community's role perceived in the overall context of advancing India's national interests?

The present chapter is addressed to answer these questions by undertaking a systematic perusal of the attitude of both the Indian National Congress (INC) during the colonial period, and the Government of India in the post-independence era, towards the problems of the Indians Overseas. In this wider perspective, attention will be paid to highlight the continuity and change in the Nehruvian approach towards the Overseas Indians in the post-independence period.

INDIAN NATIONAL CONGRESS AND THE OVERSEAS INDIANS

Ever since its inception, the INC made sincere and consistent attempts to alleviate the sufferings of the Indians domiciled abroad. In session after session since 1890, it passed resolutions on the entire gamut of their problems. Before analysing its strategies to remove the disabilities to which the Indians Overseas were subjected by the colonial governments, the basic demands of the Congress are highlighted below.

**Demands of the Congress**

The core demand of the Congress was that the rights and status of the British Indian subjects, wherever they settled, be placed on a footing of absolute equality with other subjects of His Majesty, in view of "their loyalty to the Crown", their contribution to the economic development of the colonies, and the undertakings given by various colonial governments to guarantee their equal rights. 2 At the same time, it exhorted the Overseas Indians to treat the interests of the original inhabitants as "superior to all other interests" 3 and continue to cooperate with them for "mutual advancement and removal of disabilities". 4 The Congress deprecated the Indians who exploited the natives in the colonies. 5

On the question of repatriation of the Indians Overseas, the Congress did not approve of the compulsory repatriation policy of the colonial governments. 6 It endorsed the Indian repatriation only in exceptional circumstances i.e., whenever they were in a state of distress and destitution 7, and not as a definite general policy. 8 The Congress also

---


3. All India Congress Committee (AICC) Resolution no.8, Bombay, May 1929, Zaidi, n.2, p.103.


8. The Congress "painfully noted" the forced return of Indians from Fiji. See INC Resolution no.21, Nagpur, 1920, *Ibid.*, p.96. It must be noted that the voluntary repatriation scheme for the South African Indians contd ...
wanted the British Indian government not to be a party to any scheme of repatriation, either voluntary or compulsory. 9

The Congress strongly upheld the Indians' right to be considered on par with the natives for citizenship on the ground that they had, by virtue of their labour on the land of their adoption, produced wealth and increased the riches of the country. Also, it maintained that a majority of them were born and bred in the country of their domicile and, as such, it was their permanent home. India existed only in their imagination. 10 However, the citizenship status of the Indian settlers was not an important issue during the colonial period owing to the then citizenship pattern in the British Empire (all were British subjects).

In sum, the Congress did not seek any special treatment for the Indians Overseas, but equality of rights and opportunities. Despite the existence of a strong socio-political bond between India and the Indian settlers, it considered them a part of the society in which they settled. As such, it upheld their right to enjoy all the privileges and to shoulder all the responsibilities of citizenship.

**INC's Strategy**

The INC adopted different pressure tactics to seek redressal of the grievances of the Overseas Indians. Until 1908, the Congress fervently prayed the Imperial government to adopt a tough attitude towards those self-governing colonies which ruthlessly dealt with the Indian interests by

Contd. F/n. 8 ...

envisaged in the Cape Town Agreement (1927) was inconsistent to the principles advocated by the Congress. See the provisions in H. Chattopadhyaya, *Indians in Africa: A Socio-Economic Study* (Calcutta, 1970), pp.212-18.

9. AICC Resolution, 1925, Zaidi, n.2, pp.100-1.

denying them their just rights as citizens of the Empire. 11 When the Imperial administration failed to pay heed to the INC's demand, it pressed the British Indian government to take up the responsibility of securing the Indian subjects their rights. 12 Following the Indian government's inaction, the Congress warned Britain that if it was unable to protect the honour and rights of the Indians settled in its Dominions and Colonies, the people of India would be compelled to "reconsider their views regarding India's partnership in the Empire". 13

As a next step, the Congress appealed directly to the statesmen and people of Britain to prevail upon the Imperial government to alleviate the misery of the Indians Overseas. 14 Thereafter, it called upon the respective colonial governments to improve their status 15 and suggested for negotiations between the proper Overseas Indians' representatives and the authorities in the colonies. 16 In the event of any misinterpretation of agreements, the Congress proposed for its reference to arbitration. 17

At home, the INC organised nation-wide hartals, public meetings and boycotts of British goods to mobilise support for the cause of the Indians Overseas. It also undertook educative propaganda at home and abroad, highlighting their disabilities in various colonies. After the establishment of a Foreign Department in 1936, the Congress developed a close link with the Indians Overseas who, in moments of crisis, looked upon

11. See the resolutions passed on the South African Indian problems, Ibid, pp. 81, 84, 88, 89, 92, 120.
12. INC Resolution no. 8, Madras, 1914, Ibid., p. 90.
16. The INC demanded the South African government to convene a Round Table Conference to settle the Indian question. INC Resolution no. 2, Cawnpur, 1925, Ibid, p. 100.
17. See Ibid.
it for advice and moral support. It, time and again, reminded the Indian settlers of the need to shed all sorts of dissensions among themselves\(^\text{18}\) and develop a harmonious relationship with the natives in the colonies\(^\text{19}\) so as to ensure success in their struggle against the colonial governments.

At the later stage, the Congress even put pressure on the British Indian government to sever its ties with the colonies which did not repeal the anti-Indian legislation.\(^\text{20}\) After exhausting all other possible means to ameliorate the status of the Indians Overseas, it, as an extreme step, sought the intervention of the international authority. In 1927, the INC called the attention of the League of Nations to the imminent danger of infringement of the Tanganyika (now Tanzania) mandate by opening highlands in that territory exclusively for the European settlement.\(^\text{21}\) In a resolution passed in 1946, the Congress wholeheartedly supported the Indian government's decision to raise the South African Indian question in the UN General Assembly. It recorded the satisfaction at the excellent work done by the Indian delegation to the United Nations, "exposing the narrow racialism of the South African government to the full of glare of world opinion".\(^\text{22}\)

**INC's Achievements**

The strenuous attempts of the INC and the Indian nationalists to ameliorate the Overseas Indians interests from brutal subjugation brought no tangible result. All that they could claim to their credit was the systematic exposition of the shameful exploitation of the Indians Overseas

---

19. The INC passed half-a-dozen resolutions stressing this point. See *ibid.*, p. 42, 111-17, 121.
by the colonial governments, besides arousing humanitarian sympathy for them at home and in Britain and a sense of outrage that "their oppression was authorised by the British ruling power and permitted under the British system of justice". 23

Finding these results limited, the Congress finally viewed the Overseas Indians' struggle for equality and India's movement for independence together. Considering the harsh and humiliating treatment of the Indians Overseas as a deliberate offence vis-à-vis the "Indians as a whole", 24 it defined India's independence movement broadly to include the radical amelioration of the former's status in the colonies along with securing India's freedom. Thus, attainment of India's independence was considered as a pre-requisite for the effective protection and improvement in the status of Indians abroad 25 and settlement of their problems on the basis of "mutual agreement with independent countries". 26

III

INDIA AND THE OVERSEAS INDIANS IN THE POST-INDEPENDENCE ERA

The dawn of India's independence in 1947 made the problems of the Indians Overseas more complex, 27 rather than bringing a settlement as


26. This approach was enunciated in the resolution passed on Indians in Burma and Malaysia. AICC Resolution, Bombay, September 1945, Zaidi, n.2, p. 118.

27. In his speech in the Constituent Assembly on 8 March 1948, Nehru conceded the fact that the subject of Overseas Indians became more contd...
deemed by the Congress. The change which India's achievement of sovereignty brought about in the entire situation affecting them is described below:

First, problems of the Overseas Indians during the colonial period had been an 'internal issue' of the British Empire. Although geographically each colony constituted a separate entity, Indians, Overseas Indian settlers and natives in colonial territories were Her Majesty's subjects, ruled, directly or indirectly, by the Imperial government in London. But the dismantling of the British Empire following the decolonisation brought about a dramatic change in the whole situation. With coming into force of the constitution and enactment of the citizenship law in India and several other newly liberated countries, the Indians Overseas ceased to be 'British subjects'. Rather, they were divided into several categories: citizens of the country of their adoption, holders of valid British passport but without local citizenship\(^{28}\) and the people of the ‘stateless category’.\(^{29}\) India considered those Overseas Indians who had not sought Indian citizenship under Article 8 of the Constitution\(^ {30}\) as the PIO, not Indian nationals, whose allegiance was only to the country of their adoption.\(^ {31}\) Every aspect of their problems (except the issue of racial discrimination) therefore, became an internal issue and the promotion of their interests

Contd F/n. 27 ...

difficult to deal with. He stated that "it was not a question of the External Affairs Department or this House turning a switch this way or that way and everything becoming all right". Jawaharlal Nehru, *India's Foreign Policy; Selected Speeches, September 1946-April 1961* (New Delhi, 1983), second reprint, p. 128.

28. For example, Indians settled in East Africa in the 1960s and the 1970s, were eligible to become British citizens.

29. For instance, Indians Overseas in Sri Lanka and Burma.

30. See the details available in the introductory chapter.

31. For details on India's stand on the stateless category of Indians Overseas see the following pages.
rested with the concerned national government. Given this fact, India had to view the Overseas Indians' problems altogether in a different context.32

Secondly, the INC was a revolutionary body of nationalists who fought for India's independence. It enunciated certain principles of foreign policy but did not conduct foreign relations with other countries. With regard to the Indians Overseas, it not only formulated certain principles but also maintained 'relations' with them. As such, the Overseas Indians were one of the most important 'foreign interests of the Congress'.33 It viewed the promotion of their interests as an integral part of India's liberation from colonial rule.

In contrast, in the sphere of conducting its foreign relations with sovereign states, India carried the most intangible burden of promoting its own 'national interests' for the eventual "good of the country"34 both in the short and long runs. Keeping this in view, Nehru declared that he was prepared to "switch over to any policy to safeguard the interests of the Overseas Indians if it would promote India's national interest".35

The point is that India did not perceive the Overseas Indians' interests within the framework of its own national interests because they, as mentioned earlier, formed a part of the Sovereign country of their adoption. Importantly, the British colonial administration or the Imperial policy could no longer be a target of India's criticism for the ill-


33. Usha Mahajani, "India and the People of Indian Origin Abroad", in M.S. Rajan, ed., India's Foreign Relations During the Nehru Era (Bombay, 1976), p.208.

34. Nehru's speech in the Constituent Assembly on 4 December 1947, Nehru, n.27, p. 28.

35. His speech in the Constituent Assembly on 8 March 1948, Nehru, n.27, p. 128.
treatment of the Indians Overseas but potential sovereign states whose interests had to be reconciled with India's own. As such, any direct adverse reaction on the part of India to the Overseas Indians' problems or cultivation of relationship with them outside the periphery of its bilateral relations with the country of their adoption would infringe on the sovereignty of the latter country. This was bound to create problems in international relations, and the issue, if blown up, would affect India's national interests.

It was against this background that India evolved its policy towards the Overseas Indians.

**Principles of India's Overseas Indian Policy**

Several policy statements made by Prime Minister Nehru in the forties and the fifties in and outside Parliament contained the basic principles to govern India's attitude vis-a-vis the Indians Overseas. At the outset, he maintained that the Overseas Indians should decide whether they would continue to "remain Indian nationals or adopt the nationality of the country of their domicile". "If they opted for the former", he stated, "all that they could claim abroad was most favoured alien treatment". Nehru said: "certainly, we do not like any country to ill-treat Indian nationals or to give them a place which is lower than that of others". "If they opted for the latter", he maintained, "they should be given all

36. The experience of China in the early fifties is a case in hand. Its Overseas Chinese policy, under which it sought to play the role of 'their guardian', led to deterioration of its relations with Malaysia, Philippines, Thailand and Indonesia which accounted for a large number of Overseas Chinese. See R.S. Elegant, The Dragon Seed: Peking and the Overseas Chinese, (New York, NY, 1959).

37. Nehru's reply to debate on Foreign Affairs in the Lok Sabha, LSD, second series, vol. 6, no. 37, 2 September 1957, col. 11447.

rights of citizenship. India's connection with them will be cultural and not political. 39

India, however, encouraged the Indian emigrants to become citizens of the country of their settlement. 40 Nehru explained its advantage being: "...if all your (Indians) interests are in that country (of settlement), it will be advantageous for you to function as citizens of that country and not as aliens living there." 41

An important element guiding India's policy towards the Indians Overseas has been the emphasis on the development of their harmonious relations with the natives. Nehru felt the need for such relationship because the promotion of the Overseas Indians' interests was rested with the political machinery dominated by the natives. Given this, any antagonistic attitude on the part of the Overseas Indians towards the natives or absence of any goodwill among the latter towards the former would result in adoption of harsh measures to restrict the former's rights and privileges. Nehru, therefore, advised the Overseas Indians:

i) to completely "associate" themselves with the indigenous people of the country of their adoption 42 and "cooperate" with, and "help", them "while maintaining their own dignity and respect". 43 Disassociation with, or being unfriendly to, the native people, according to Nehru, would "spoil the fair name of India". 44 He asked the Overseas Indians

39. LSD, n.37.


42. Ibid., Vol.7, no.31, 30 September 1954, col.3869.

43. Ibid., Vol.10, no.28, 17 December 1957, col.6011. This advice was made with reference to the Overseas Indians in all the countries except South Africa.

44. Ibid.
who were unfriendly to the natives to "come back to India". 45

ii) to give "primary consideration to the interests of the original inhabitants" of their adopted country, 46 and "not to develop any vested interests" which were against them. 47

iii) not to demand any "special rights and privileges" vis-a-vis the indigenous inhabitants. 48

iv) to extend their undivided "loyalty" to the country of their residence. 49

v) to "work" for the establishment of multi-racial democratic societies. 50

This policy, according to Nehru, was "right and practical not only in the point of view of opportunism, but also in the long or the short run". 51

Significantly, the Nehruvian principles by and large continued to govern India's policy towards the Indians Overseas even after his death. 52

Several weaknesses in the Nehruvian principles can be identified here. Contrary to the core demand of the INC, Nehru did not assert the equal rights of the Indians Overseas. It was correct on his part to suggest that the Overseas Indians should not demand special privileges and exploit the

45. Ibid.

46. Ibid. To the Indians Overseas in Africa, Nehru's advise was: "The rights of the Africans must come first just as the rights of Indians must come first in India". S. Gopal, ed., Selected Works of Jawaharlal Nehru, second series (New Delhi, 1984), vol.2, p.440.

47. LSD, n.42, col.3890.


49. Ibid

50. RSD, n.48.

51. LSD, n.43.

52. However, a slight drift on the part of the Indian government from the Nehruvian principle is evident in the case of its attitude towards the Fiji Indians. See the following pages for details.
local people of their adopted country. But, by asking them to give paramount importance to the promotion of the native interests, Nehru made the Indians Overseas subordinate to the natives. As such, he advocated an unequal relationship between the two groups.

Second, Nehru viewed the entire Overseas Indians population as a homogeneous ethnic group. Little was the influence of the heterogeneous character of their population in the formulation of Nehruvian principles. More importantly, the Indians who constituted a privileged group in the East African societies formed the basis on which Nehru enunciated the principles. As such, his advice to the Indians Overseas not to exploit the native people and develop vested interest in the country of their adoption was relevant only to those Overseas Indians who belonged to the mercantile class because of their dominant place in the economy. Nehru did not state what would be India's stand on those Indians who, comprising the poor stratum of society, as in Sri Lanka, were subjected to exploitation by the government of the country of their settlement. Was he prepared to secure them equal rights through all possible means? Or, did he consider their problems as an internal matter? Given the fact that they were not Indian nationals, how would he have intervened on their behalf? We can not find answers in the Nehruvian principles to these questions.

Third, Nehru did not define the term 'integration'. It may be assumed that the term, broadly, had a legal as well as a socio-cultural connotation. In the legal sense, what the Indian government meant was that the Overseas Indians should accept the local citizenry. As for the socio-cultural connotation, India's advice only created misunderstanding among the Overseas Indians: Did integration mean surrendering the Overseas Indians' tradition and customs to the culture of their adopted country? Or, did it mean only accepting the leadership of the country of their settlement?
Nehru himself held an inconsistent view about the question regarding the Overseas Indians' loyalty: At one point, he asked them to extend their undivided loyalty to the country of their adoption. At another, he said that they had a dual loyalty -- one to their country of settlement and the other to their country of origin. This remark caused a good deal of controversy among the Asians in East Africa:

In sum, India's policy towards the Overseas Indians lacked both clarity and precision. As such, Nehru was criticised in and outside Parliament for his failure to formulate a definite policy vis-a-vis the Indians overseas.

**PROBLEMS OF THE OVERSEAS INDIANS: INDIA'S REACTION**

How did India actually deal with the various problems of the Overseas Indians--racial discrimination, citizenship issue and problems arising out of nationalisation measures -- in countries such as South Africa, Burma, Kenya, Uganda, Fiji and Sri Lanka during the post-independence era? This question merits attention here.

**Reaction to Racial Discrimination**

India did not view the racial discrimination against the Overseas Indians as an "internal problem" of their adopted country, but a matter of 'international concern' because what involved in it was the violation of

53. *Hindustan Times* (New Delhi), 8 March 1963. He made this remark when India welcomed contributions from the Asians in East Africa to help boost its defence efforts during the time of India's dispute with China and Pakistan.

human rights. It was in tune with this spirit that the Indian government sought the United Nations' intervention in settling the South African Indian problem after moving a resolution in the UN General Assembly in 1946. 57 Significantly, the entire gamut of the South African Indian problem was sought to be viewed by India in a broader perspective, not merely involving South Africa and the people of India, but all the member states of the United Nations. 58

While seeking the United Nations' help to settle the problem, India did not close the door against negotiations with South Africa. But it insisted that any such negotiation must be under the UN auspices. India reposed faith in the United Nations and declined to accept any proposal which tended to ignore or bypass the UN resolutions because it regarded the South African Indian problem as one which concerned the General Assembly, both by reason of its successive resolutions on the matter and due to the challenge which the South African policy of apartheid presented to the respect of human rights on the continent of Africa and potentially to the future of all multi-racial countries. 59 In other words, India made it clear that it was the United Nations' responsibility to help the South African Indians to secure their legitimate rights to be on par with other

55. India's determination to fight against racialism in any part of the world was reiterated by Nehru in the context of the South African Indian problem. Refer to his speech in the Lok Sabha, LSD, part II, vol.6, 6 December 1950, col. 1260.


57. For the text of the resolution, GAOR, session 1 (1946), 1st and 6th Committee Meetings, Doc. A/C 1 and 6/1, 21 November 1946, p.1.

58. See the statement by Vijayalakshmi Pandit (the head of the Indian delegation to the UN) in Poplai, n. 32, p. 575.

citizens of the country.

At the same time, India emphasised that while pursuing a policy of moderation, it was not suggesting intervention in the affairs of another state by imposing sanctions, but was seeking an expression of world opinion. Nor was there a wish on its part to divide the members of the Commonwealth. India maintained that it was, however, necessary to have the "moral support of all concerned, particularly those maintaining close relations with South Africa, in pointing out to the Government of South Africa that it was acting in a manner intolerable in a civilised world".

South Africa did not endorse the Indian stand. First, it was not prepared to accept the United Nations' competence in dealing with the matter as indicated through the discussion in 1946. Second, it did not want to submit to the condemnation implied in the General Assembly resolution of 1946. Further, South Africa declared that it was prepared to negotiate with India only when the Indian High Commissioner, who had been recalled to Delhi, returned to South Africa and the economic sanction against it was lifted during the talks. Finally, it sought the

61. Ibid.
62. Ibid., pp.86-87. In this context, the Indian delegate felt that Britain had a moral responsibility towards the South African Indians as various contractual obligations with South Africa were undertaken through the Cape Town Agreements of 1927 and 1932 when the British Imperial Government conducted India's external relations. Ibid., 1959 (New York, 1960), p. 60.
64. Ibid.
65. Ibid. It must be noted that in 1944, British Indian government imposed economic sanction against South Africa and recalled its High Commissioner from that country in the light of the resolution passed in the Indian Central Assembly. However, diplomatic relations between India and South Africa were not formally broken until July 1954.
66. Ibid. p. 55.
assurance that the negotiations would not prejudge the position of either side and would involve no indication of blame. 67

This defiant and intransigent attitude of the South African government had destroyed all prospects of negotiations between India and South Africa and thus frustrated the strenuous UN efforts to solve the problem. The UN General Assembly therefore, during its seventeenth session in 1962, decided at the instance of India and Pakistan to consider the questions of the treatment of people of Indian origin jointly with the question of the race conflict in South Africa. In the same year, for the first time, the General Assembly passed a resolution advising the member nations to impose collective economic sanction against South Africa. 66

What did India achieve out of raising the South African Indians' issue in the United Nations? First, the world body recognised that denial of equal rights to the South African Indians constituted the violation of the fundamental principle of human rights enshrined in the Universal Declaration of Human Rights and the UN Charter. Second, it gained India a moral victory by arousing the conscience of mankind and mobilising the world public opinion in favour of the South African Indians. 69 All these, of course, did not fulfil India's basic objective of securing them equal rights in South Africa.

The story was similar in Fiji. India did not consider the Fijian crisis as an 'internal' matter of that country because the Fijian Indians' interests were considerably jeopardised by the 'racial discriminatory

67. Ibid. p. 57.
policy' of the military controlled Fijian government since 1987. Criticising the Constitution of 1990 which sought to reduce the Fiji Indians' parliamentary representation, it drew an implicit parallel between Fiji and South Africa in the matter of pursuance of the policy of racial discrimination. "The difference between the two countries", according to the Indian government, "has been that while racism is on the retreat in South Africa, in Fiji a constitution has been adopted to impose an abhorrent racist system on the people and institutionalise racial discrimination". As such, India declared: "it cannot condone in Fiji what it condemns in South Africa".

Thus, the demands of the Indian government were: the restoration of democracy, racial harmony and civilian rule on the basis of the racially-structured Constitution of 1970 and ensurance of equality of rights to the Indians in Fiji. To achieve these, India launched a diplomatic offensive aimed at building up an international climate of opposition to influence the regime in Suva against legalising discrimination against the Fiji Indians. It raised the issue in the Commonwealth Summit Conference in Vancouver (1987) and Kuala Lumpur (1989) and contested Fiji's membership in the Commonwealth on the ground that the military regime in the country was "racist". Raising the issue of "institutionalisation" of racism in Fiji in the United Nations, India alerted the world community against the

70. See *Indian Express* (New Delhi), 29 June 1990; 23 September 1988.
73. Under the established Commonwealth convention, Fiji's Commonwealth membership lapsed with its emergence as Republic on 15 October 1987, and it should re-apply for membership formally. However, the re-entry is possible only if there is a consensus decision among all the Commonwealth members.
74. *Indian Express*, 29 June 1990.
Fijian regime's bid to warp the harmonious character of a multi-racial society by imposing discriminatory measures against an ethnic group (i.e. Indians). 75

As a part of its efforts to build up pressure against the regime in Suva, India terminated its modest technical cooperation arrangements and snapped its diplomatic ties with Fiji. Subsequently, it refused to recognise the government installed by General Rabuka. The Indian government also urged Australia, Britain and New Zealand to take a joint international action against Fiji for the restoration of non-racial democratic system in the country. The Ministers of State for Foreign Affairs, Eduardo Faleiro and Natwar Singh, were deputed in May 1987 to Australia and New Zealand and Britain respectively to convince the governments there to follow the line of counter measures adopted by India--de-recognition of the Rabuka government and the imposition of economic sanction against Fiji. Outside the Commonwealth, India also expected other countries to deny the conferring of legitimacy on the Rabuka regime. 76

The Fijian government also undertook several retaliatory measures against India: First, it downgraded the diplomatic status of the Indian Embassy in Fiji to Consular status and then closed down the Indian cultural centre at Suva. 77 Later, in May 1990, the Fijian government ordered India to close its Embassy in Suva and asked the Indian Chargé d'Affaires, V.B.

75. See the former External Affairs Minister, P.V. Narasimha Rao's speech at the opening session of the UN General Assembly in 1988. The Statesman, 5 October 1988.

76. India sharply criticised the visit of the French Prime Minister, Michel Rocard in August 1989 to Fiji on the ground that it recognised the undemocratic military regime which had denied fundamental human rights to the majority population. Hindu, 30 August 1989.

77. Ibid. 1 November 1989. The Indian ambassador, T. Sreenivasan was expelled for his alleged interference in the internal affairs of Fiji. He made public comments concerning the burning by indigenous Fijian Methodists of four ethnic Indian places of worship in the city of Lautoka. Ibid., 24 May 1990. Col. Rabuka alleged that the Indian cultural centre was staffed by Indian spies. Hindustan Times, 3 January 1990.
Soni, to leave Fiji within twenty four hours. Interestingly, General Rabuka, paranoid about the growth of Indian navy, rated very high the Indian government's potential as one of Fiji's enemies, who could send an armada covertly to Fiji to defend the Fiji Indian community. All these counter-measures led to a point where the Indo-Fijian bilateral relations became frozen.

India's efforts to restore non-racial democratic system in Fiji did not yield any result. Its hope that Britain, Australia and New Zealand would put unified economic and political pressure on the regime in Suva proved false as none of them paid any heed to its request. Instead, they continued their government-to-government business with Fiji as usual. Even in the Commonwealth Summit Conferences, India did not have much influence. The Vancouver Summit did not go along with the Indian interpretation of Rabuka regime as 'racist'. Nowhere, it must be noted, did the Commonwealth resolution make any mention of racism as a factor in the Fijian crisis.

At the Vancouver and Kuala Lumpur Summits, there was no enthusiasm on the part of several members to give priority to the Fijian crisis in the formal discussions. The reason for this might have been that most of the members

---


80. The real effect of India's economic sanction against Fiji was symbolic. Because the Indian imports from Fiji in 1985 totalled Rs.9.82 lakhs and exports to the island accounted for Rs.6.4 crores. This represented just one per cent of Fiji's trade. *The Hindu*, 17 November 1987.

81. For the factors responsible for shaping the stands of Australia, New Zealand and Britain on the Fijian crisis, see Anirudha Gupta, "India, Fiji and South Pacific", *Economic and Political Weekly* (Bombay), vol. 22, no.25, 20 June 1987, pp.979-80.

82. See the text in Kessing's *Record of World Events*, vol. 33, no.12, December 1987, pp. 35606-7.

83. At the Kuala Lumpur Summit, the issue was raised by India only during the executive session. It otherwise did not come up for discussion during the summit.
felt that the problem posed by the assertion of superiority by the indigenous segment of the population was not confined to Fiji; it is a very sensitive issue in several countries in Africa and Pacific. As such, they tended to treat the Fijian crisis as an internal issue of that country.

**Reaction to Citizenship Issues**

As a complex question, the citizenship issue formed an irritant in India's bilateral relations with countries such as Sri Lanka and Britain (on the issue of citizenship to the Asians in East Africa) during the post-independence period. The issue, as discussed in Chapter II, either arose out of denial of citizenship to the Overseas Indians by their host government (example, Sri Lanka) and the British government (in the case of British passport holders of Asian origin in Kenya) or their refusal to acquire the citizenry of the country of their settlement (the Burmese Indians).

Significantly, India took a stand that all the Overseas Indians should be given a chance on equal terms with the local people to become citizens of the country of their settlement. It upheld their right in this matter on the ground that they made their country of adoption a permanent home and contributed to the development of that country. Thus, while recognising their permanent stake in the country in which they resided for a fairly long time, Prime Minister Nehru refused to agree with the contention that the Overseas Indians who were denied or whose applications were rejected for local citizenry in Sri Lanka, Burma, Kenya and Uganda were

---

84. These arguments were made in the context of stateless problem in Sri Lanka.
85. For details see chapter V.
India's responsibility. However, India was prepared to absorb all those stateless persons from Sri Lanka and Burma who qualified under its citizenship laws. In the case of the Kenyan Asians who were disqualified for the Kenyan citizenship, it offered Indian citizenship on humanitarian and compassionate grounds.

As regards the stateless people who sought to become citizens of their adopted country even after the rejection of their citizenship by the host government, India declared its intention for a bilateral diplomatic settlement. In the context of the 'Indian Tamil' problem in Sri Lanka, Nehru stated:

So far as we are concerned, strictly, legally and constitutionally, it is none of our problem. They are not our nationals. But we do not take up that particular attitude, although it is the correct attitude. For, we are interested in their welfare and we are interested in finding a solution because there is a history behind this.

It was in tune with this policy that India undertook bilateral negotiations with Sri Lanka on the 'Indian Tamil' problem. Initially, in the negotiations the Indian government took a firm stance that it would absorb as its citizens only those stateless persons who satisfied the conditions stipulated in Article 8 of the Indian Constitution. Later, for the sake of good neighbourly relations, it accommodated pressures from Sri Lanka by acquiescing to take them back after signing two bilateral agreements in 1964 and 1974.

88. See Chapter V.
91. Speech made in the Lok Sabha on 2 September 1957. Nehru, n. 27, p. 130.
92. This subject has been dealt with in Chapter V.
93. See Chapters V-VI.
Also, when the Burmese government since the sixties was reluctant to grant citizenship to the Burmese Indians, India raised the issue in several bilateral talks from time to time. As a result of Prime Minister Indira Gandhi's discussion with General Ne Win in March 1969, the Burmese government expressed its intention to confer citizenship on 60,000 foreigners (majority of whom were Indians).94 This, however, did not solve the entire stateless problem and, as such, India continued to pursue the matter with Burma diplomatically. Finally, at the time of Prime Minister Rajiv Gandhi's visit to Burma in December 1987, the Burmese government assured India that it would grant citizenship to all the descendants of the stateless people under the new citizenship laws.95

In the similar vein, India urged the Kenyan government to consider 'sympathetically' the citizenship applications of the Asians. It also appealed that they should be given resident and work permits in Kenya.96

At the same time, India had a direct responsibility towards those Indian nationals who refused to opt for the citizenry of the country of their settlement. In line with its policy, it allowed them to repatriate themselves to India at any time. Besides simplifying the procedure connected with their repatriation, the Indian government offered them assistance to repatriate their assets. Several Indian nationals from Burma, Kenya and Uganda arrived in India following the nationalisation programmes in these countries. Some of them were rehabilitated by the government under various schemes.97

97. A brief discussion on this subject is available in Chapter IX.
With regard to the Indians Overseas who held British passports in Kenya and Uganda, the Indian government took a firm stand that it was Britain's legal responsibility to safeguard their interests in the same way India's obligations towards its nationals abroad.\textsuperscript{98} It upheld their right to enter Britain for a permanent settlement on the ground that they had chosen to remain British citizens disregarding the opportunities to become Indian or Kenyan citizen. As such, India maintained that any measure to deny their entry into the United Kingdom would amount to the "denial of their fundamental rights as British citizens", and be considered as "racial discrimination against them".\textsuperscript{99} India, however, as a gesture of sympathy, declared its intention to absorb all those PIO who sought to come to their motherland for "permanent settlement".\textsuperscript{100}

When the British government sought to shrink its responsibility towards the Kenyan Asians who possessed British passports by imposing restrictions on their entry into the UK under the Commonwealth Immigration Act of 1968,\textsuperscript{101} their citizenship problem became a major bilateral issue between India and Britain. Taking a serious view of Britain's measures to curtail the legitimate rights of the British Asians in Kenya, India took a countermeasure in March 1968 as it revised the emigration regulations aimed at restricting the right of entry of British passport holders into that

\textsuperscript{98.} This was repeatedly stated by members and the External Affairs Ministers in Parliament at the time of the Kenyan crisis. \textit{LSD}, fourth series, vol.25, no.17, 12 March 1969, col.61; \textit{Ibid}, fourth series, vol.37, no.11, 4 March 1970, col.199.


\textsuperscript{100.} This stand was taken with regard to the British passport holders in Kenya and Uganda. See the following pages for details.

country. Under the notification issued on 7 March 1968 by the Home Ministry of India, the UK passport holders could come to India only after securing a prior endorsement in their passports from the Indian High Commission in Nairobi. 102

India imposed visa regulations mainly with a view to put pressure on Britain to accept its responsibility towards its own citizens. While doing so, India kept in mind its own interests as well as the long term interests of the Overseas Indians in other countries. First, it worried that the Asians might turn to India if the UK government refused their entry into Britain since it was the most obvious alternative choice for the immigrants because of emotional and cultural linkages. Such a situation arising out of a large exodus, India felt, would place it in a difficult position. Second, India might have thought that Britain’s unilateral action, by enacting the Commonwealth Immigration Act, would introduce a new set of principles in international affairs by which a sovereign nation could simply pass an Act to evade responsibilities knowingly incurred on behalf of those to whom it had granted citizenship rights. Third, India was concerned about the future of millions of Indians Overseas, especially those settled in the East African countries (most of whom were British passport holders) as, it felt, Britain’s evasion of responsibility towards the Kenyan Indians would set a precedent for the similar handling of the Indian question in other countries (example, Uganda).

The firm stand taken by India by imposing visa restrictions proved a major political weapon against the Commonwealth Immigration Act as Britain finally chose to negotiate with it on the question of the Asians’ entry into UK and India. The agreement reached in July 1968 between the two governments provided that the British passport holders of Asian origin who

102. *Times of India* (Bombay), 7 March 1968. Prior to this, the PIO holding British passports could normally come to India without any visa.
were compelled to leave Kenya would be admitted for settlement in India on
the understanding that the British High Commission in Kenya would place an
appropriate endorsement in their passport giving the holders the right of
entry into the UK. India, on its part, agreed to provide any such person, if
he/she was not otherwise disqualified from admission, with a visa for
entry into India for eventual settlement. However, the option to enter
Britain could be exercised only within three months of entry into India and
it was given only after making sure that the applicants were not successful
in their attempts to settle in India. There was of course no question
of India pushing them out of the country at any time against their wishes.

Even after the understanding reached between India and the UK, the
former made constant efforts to persuade the latter to increase the annual
quota envisaged in the Commonwealth Immigration Act. The need for this
arose in 1970 when a large number of British passport holders were denied
further renewal of residence and trade permits in Kenya. The issue figured
in the Indo-British bilateral talks held in London in January 1970. India
stressed that either the annual quota should be increased or the definition
of the word 'family' should be liberalised in order to include some near
relations of the emigrants' family. It also proposed that the unutilised
entry vouchers which were given to non-African Commonwealth citizens and
which remained unutilised every year, should be diverted to Kenya so that
more people could be accommodated and enter Britain. The British
government turned down the Indian proposal. It was neither inclined to
increase the quota nor give the unutilised entry vouchers to the Kenyan Asians. All that it intended to maintain was the immigration level of 1969
(i.e. 36,000 persons) and not the actual quota of 8500 heads of families

per year from the Commonwealth countries. While putting pressure on the British government, India, however, maintained that it would not amend the visa regulations imposed on the British passport holders, even though the Kenyan Asians persistently demanded for its total abolition.

In the case of the Ugandan Asians who held British passports, Britain, guided by its final stand on the British Asian problem in Kenya, readily acknowledged its legal and moral responsibility towards them when General Amin sought their expulsion from Uganda. Curiously enough, the diplomatic battle line, unlike the Kenyan Asian question (between the Governments of India and the UK) was markedly drawn between the British government and the Government of Uganda. India appeared scarcely in the whole scene of confrontation as the developments in Uganda, after Britain's acceptance of responsibility towards the British Asians, did not necessitate the Indian intercession on behalf of them.

India, however, fully sympathised with the plight of the Asians partly because of their ethnic origin and partly due to the violation of their human rights in Uganda. At the same time, India did not want to allow its territory to be made a 'dumping ground' for the fleeing refugees. The government, therefore, considered it necessary to take steps to prevent the entry into India in haste and panic of a large number of British passport holders from Uganda.

105. Ibid., col. 368.

106. Details about the demands of the Kenyan Asians were placed in Parliament by Dinesh Singh (Deputy Minister of External Affairs). Ibid., fourth series, vol.24, no.3, 19 February 1969, cols.163-4.


Thus, on 11 August 1972, a visa system had been introduced to regulate such entry of the British Ugandan Asians. Announcing this in the Lok Sabha, Deputy Minister of External Affairs, Surendra Pal Singh said:

The government is not oblivious of the fact that many of the affected persons have social, cultural and traditional links with India, and the visa system will make adequate provision for these requirements.\textsuperscript{109}

What prompted India to take such a step was that the Indian leadership might have thought that if it failed to act with firmness, the British government would have proceeded with evacuation operations at a slow pace in order to facilitate the Ugandan Asians directly to opt for India first. This was evident from the fact that India lifted the visa regulation soon after the British government categorically acknowledged its legal obligations towards the Asians. Afterwards, the Indian government instructed its mission in Kampala to grant entry visas to all British Asians willing to renounce their British citizenship and become permanent Indian citizens.\textsuperscript{110} It was willing to absorb all the Asians who were expelled from Uganda if they opted for Indian citizenship.

Also, India made a limited diplomatic efforts to persuade General Amin to soften his harsh attitude towards the Ugandan Asians. Prime Minister Indira Gandhi had written to several heads of African States requesting them to use their influence on General Amin with a view to mitigate the hardship faced by the Ugandan Asians. While India indicated that it would support any international action which would persuade Amin to extend the time-limit for the Asians' departure from Uganda,\textsuperscript{111} the External Affairs

\textsuperscript{109} Ibid., fifth series, vol.17, no.10, 11 August 1972, col.225.
\textsuperscript{110} African Diary (New Delhi), 23-29 September 1972, p.6157.
\textsuperscript{111} Patriot (New Delhi), 30 September, 1972.
Minister, Swaran Singh, took 'a soft stand on the issue in the United Nations'.

**Reaction to Nationalisation Measures**

India recognised the rights of every independent sovereign state to adopt policies to regulate its economy. As such, nationalisation programmes undertaken in Burma, Kenya, and Uganda were, in its view, their "internal matters", and directed against the aliens. Thus, India identified its limitation in reacting against such matters. As Nehru stated: "It is very difficult for us in an internal matter to protest when there is no discrimination, (and) when it applies to all aliens or foreigners". It, however, found justifiable reason to seek assurance from the governments that the nationalisation measures would be implemented in a humane manner, causing no undue hardship to the people against whom such measures were undertaken.

---

112. The main content of Swaran Singh's speech in the United Nations was centred around highlighting the problems facing the Asians who were expelled from Uganda and insisting the need for a spirit of compassion and understanding. He also demanded for equitable dispensation of their assets and the avoidance of any form of racial discrimination. Statement by Surendra Pal Singh in the Lok Sabha, LSD, fifth series, vol.24, no.19, 15 March 1973, col.44.

113. See A.K. Chanda's (Deputy Minister of External Affairs) reply to a question in the Lok Sabha, LSD, part I, Vol.6, no.9, 26 November 1954, col.557.


115. See Foreign Minister Swaran Singh's statement in the Lok Sabha, LSD, n.87.


The nationalisation of business and property in Burma and Uganda raised the question of compensation. In tune with its policy mentioned above, India was only concerned about the compensation to the nationalised property and business of Indian nationals and, accordingly, took up the matter with the respective governments for an amicable bilateral settlement. It, however, did not let this issue interfere in its bilateral relations with either Burma or Uganda.

With regard to Burma, India was more cautious. Nehru emphatically stated that he would take up the issue of compensation with the Burmese government "courteously and politely" without causing harm to the good neighbourly relations between the two countries. Interestingly, India's greater emphasis on cordial relations with Burma gave the latter a free hand to fix the rate of compensation, rejecting the Burmese Indians' demand for a fair rate of compensation. India accepted the Burmese government's offer of an unfair rate of compensation on the ground that its economy, which was impoverished greatly by war and civil strife, could not afford a heavy burden of expenditure on account of compensation. This liberal attitude was, however, given up by India when dealing with the question of compensation to the business establishments nationalised since

---

116. In Kenya, the question of State compensation to the nationalised alien business and property did not arise because the Kenyan government, unlike the Burmese and Ugandan governments, did not involve in confiscation of property of aliens or bring it under the State control. Rather, by cancelling the trading licences and serving quit notices to the traders, it sought the transfer of the Asian ownership of business to African ownership. The former sold, of course at highly depreciated prices, their property to the latter. See Vincent Cable, "Help for the Kenyan Asians?", World Today (London), Vol.25, no.3, March 1970, p.111. However, the Asians found difficulty in transferring assets.


120. For the amount of compensation paid see Chapter 11.

1963 as it raised the issue with the Burmese authorities from time to time demanding a fair amount of compensation.

Also when General Amin served quit notice to the aliens in Uganda, India demanded that its nationals be allowed to leave the country under conditions conforming to humane and equitable standards under international law and usage; that they should be ensured of their honour, safety and security as long as they remained in the country, and that the Ugandan government should announce immediately its regulations in respect of sale of properties, realisation of assets, transfer of assets out of the country and administration of residual assets.\(^\text{122}\) It also pursued the matter of compensation to the nationalised property with Uganda and finally, as a result of bilateral diplomatic negotiations, arrived at a settlement in October 1975.\(^\text{123}\)

Significantly, on the other hand, India held the view that the Overseas Indians’ (who possessed local citizenry of their adopted country) problems arising out of nationalisation should be resolved through dialogue between them and their government. It refrained from involving itself directly in the matter which it considered purely ‘domestic’. As such, when the question of discrimination in the implementation of the nationalisation policy in Kenya was brought to the Indian government’s notice, it asked the Kenyan Asians to take up the matter with the Kenyan government.\(^\text{124}\)

IV

CONCLUSION

The foregoing analysis on India’s policy towards, and relations with


123. For details on the amount of compensation see Chapter II.

the Overseas Indians in South Africa, Fiji, Burma, Kenya, Uganda and Sri Lanka shows its inconsistent stand on their problems at different points of time. While viewing the problems of the South African Indians and the Fiji Indians strictly in the context of racial discrimination, India was convinced that the nationalisation programmes in Burma, Kenya and Uganda had no racial overtones but directed against the aliens in general. It seems, however, that India failed to consider the fact that the Indians constituted the predominant alien population in Burma, and the Kenyan and Ugandan governments adopted Africanization policies on racial lines (instead of Keyanisation or Ugandanisation policy) under the cover of nationalisation affecting the Kenyan Asians and the Ugandan Asians who held local citizenry.

While reminding the Ugandan government of its responsibility under international law and convention towards the stateless Asians and those whose citizenship was revoked, India, under Nehru, did not accept the argument that the denial of citizenship rights to the Indian Tamils constituted an infringement of their human rights. As a matter of fact, Nehru tried to ignore the fact that the Sri Lankan government, as much as the South African government, violated the Universal Declaration of Human Rights by decitizenising a large number of Indian Tamils.

125. The reasons for this are identified in Chapter X.

126. See the preceding pages.

127. Nehru stated: "I do not think it will be quite right to bring in the question of human rights in regard to estate labour (in Sri Lanka). Their non-recognition or their non-registration as citizens of Ceylon can hardly be called an infringement of human rights. It is undesirable, it is otherwise being protested against". *LSD*, second series, vol. 55, no. 61, 5 May 1961, col. 15693.

At the same time, India viewed the Fiji Indians' problems in the context of racial discrimination. How far the comparison of the Fijian government with the apartheid regime in South Africa is justifiable? As an answer, we may state that the underlying factor that evoked India's criticism against Fiji was, as discussed earlier, the revision of the 1970 Constitution in favour of the indigenous Fijians. It considered the promulgation of the Constitution of 1990 which discriminated against the Fiji Indians in Parliamentary representation as a threat to the preservation of racial harmony. In this context, it may be stated that the Indian stand appeared to be somewhat misguided: The so-called racially structured Fijian Constitution of 1970 itself embodied provisions for racial disparity as it, as discussed in chapter II, guaranteed the paramountcy of the indigenous Fijians over the Indians. Why did not India raise its voice when it was framed under the British auspices? Why did it await Rabuka taking charge the revision of the Constitution to create greater racial disparity between the Fijians and the Indians? Thus, we may state that the Fijian regime controlled by Rabuka accentuated the process of racial discrimination against the Fiji Indians. Whatever may be the problem, it was not a carbon copy of the South African version of racism. India, however, as an Indian scholar argued, over-stressed the racial factor involved in the island's crisis and failed to take into account the complexities of the domestic and external linkages in the South Pacific region as a whole. 129

An interesting question that may be asked in the context of Nehru's advice to the Indians Overseas to identify themselves with the interests of the natives in their adopted country, is: Did he view the problems of both the Indians Overseas and the native peoples in the post-colonial societies

---

in a broader perspective, in which the former was accorded little importance? The answer may be found in the appraisal of India's stand on the South African Indian problem. As discussed earlier, the basic ground on which India sought international support as well as arbitration of the United Nations for the cause of the South African Indians was the violation of human rights by the South African government. It, however, exposed its parochial attitude or narrow sentiments when it pleaded only for the cause of the South African Indians, ignoring the problems of the native Africans who were also equally subjugated by the South African White minority government. In conformity with its foreign policy pronouncements and the Nehruvian principles with regard to the Overseas Indians, India should have raised their problems along with the Indians Overseas under a common caption, "Treatment of the non-Whites in South Africa" or "Racial Discrimination in South Africa" as was done in every UN General Assembly session beginning from 1962. That would have raised the stature of India as a voice of the voiceless and a champion for the cause of the oppressed people.

Has the Nehruvian approach been followed by the Indian government to deal with the problems of the Overseas Indians in the post-Nehruvian period? Or, has there been any shift in its approach towards the Indians Overseas since 1964? The plain answer discernible from the foregoing analysis is that there has been a continuity as well as a change in the Indian government's approach vis-a-vis the Indians Overseas during the post-Nehruvian period. Continuity was maintained by the governments of Lal Bahadur Shastri and Indira Gandhi with regard to the problems of the Burmese Indians and the Asians in Kenya and Uganda. Change occurred in the case of the problems of the Indian Tamils of Sri Lanka (during the time of Shastri's and Indira Gandhi's rule) and the Fiji Indians (under the governments since 1985). As the analysis in the preceding pages shows the
continuity of Nehruvian approach in dealing with the Burmese Indian question and the Asians' problems in Kenya and Uganda, to avoid repetition, we shall confine to pointing out the changes.

Significantly, the conclusion of the Sirimavo-Shastri Pact in 1964 to repatriate a huge volume of stateless Indians from Sri Lanka was a notable deviation on the part of the Indian government from the Nehruvian stand on the stateless question. Nehru, as will be discussed in Chapter V, recognised the Indian Tamils' permanent stake in the island and, as such, did not succumb to Colombo's pressure to repatriate en masse the stateless people from Sri Lanka. With the signing of the 1964 Agreement, the principle on which Nehru stood firm for 25 years and the principle which the INC propagated with regard to the stateless Indians Overseas had been significantly diluted.

The Indian government since 1985 has shifted enormously from the stand taken by Nehru while dealing with the Fiji Indian question. The statement made by the Minister of State for External Affairs, Natwar Singh, emphasizing India's concern over the disturbing developments in Fiji and response to the Fiji Indian problems indicated that its relations with the Overseas Indians (in Fiji) were not merely, as Nehru described, cultural, emotional and sentimental, but, to certain extent, political too. Of course, India raised the Fiji Indian problem in various international fora on the ground of racial discrimination. By highlighting the racial factor in the Fijian crisis, it tried to convince the world that it was not interfering in the internal affairs of Fiji.

130. Would Nehru have agreed for the 1964 Pact? For the answer see Chapter V.

131. He stated in the Rajya Sabha: "India believed that the loyalty of the Overseas Indians should be to the country whose citizens they are. But we are responsive to their problems and cannot remain unconcerned where their safety and welfare are at stake". The Hindu, 17 November 1987.
Another significant deviation from the Nehruvian approach was over the adoption of the strategy by the Indian government to deal with the Fiji Indian question. Nehru resolutely refused to raise the Overseas Indians' problems in the Commonwealth conferences as he felt that such an act would amount to violation of India's unwritten rules and principles of foreign policy. Moreover, he did not consider the Commonwealth summit conference as a "super state discussing the problems of the independent States". This unwritten rule however was violated by the Indian government since 1985 as it raised the Fiji Indian problem prominently in the Vancouver Summit and made a brief mention in the Kuala Lumpur Summit Conference.

132. Nehru stated in the context of the South African Indian problem: "It has not been our policy or any member State's policy to discuss in the Commonwealth conference their mutual problems. They might discuss them between themselves or in the United Nations, but not in the Commonwealth conference". LSD. second series, vol.40, no.29, 17 March 1960, col. 6378.

133. Ibid.