

THE INDIAN IMMIGRANT IN

PRE-INDEPENDENT CEYLON (SRI LANKA)

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Immigrants from South India came into Ceylon (Sri Lanka) as labourers first for the coffee, and later for the tea and rubber plantations, from early 19th century. Their arrival continued throughout the 19th and well into the 20th century¹. The problems, that arose in Ceylon following the entry of these South Indians, cropped up soon after the first wave of immigration. These problems continued to persist during the rest of the 19th century and in the 20th century, up to the time of the departure of the British, and remained to vex the administration even in post-independent Ceylon.

To the British administration in the island, although the South Indians provided much needed labour on the plantations, the immigrants initially posed social and economic problems,² and subsequently, especially just before the grant of independence, their most formidable political problem. To the Ceylonese indigenous inhabitants too, these immigrants posed similar problems. The Hindu Tamil immigrants were socially and culturally a distinct group and alien to the Sinhala Buddhist inhabitants of Ceylon in language and religion. Economically, as time went on, the Sinhalese felt that the immigrants with assured employment, housing and other facilities were better off than themselves, and that the British administration was doing comparatively more for them.

To the British imperial authorities in India, the immigrants posed another problem — it became, incumbent on the British authorities in India to ensure the welfare of these immigrants in Ceylon³. To the imperial authorities in England, the immigrants created yet another problem — they had to ensure that the Ceylonese interests were not jeopardised, the interests of the immigrants were not sacrificed and the British economic interests of the planters were not neglected⁴.

On the eve of independence, while these problems posed by the immigrants continued to grow, the fears of the Indian immigrants, the Indian imperial authorities, the local British administration, the rising political and nationalist

1. For an account of immigration and economic changes see edited K. M. De Silva, *University of Ceylon, History of Ceylon*, Vol. III (Peradeniya, 1973) pp 89-118, pp 428-445; K. M. De Silva, *A History of Sri Lanka* (Delhi, 1981) pp 282-296, pp 402-404.

2. For a discussion of some of these, see B. Bastiampillai, *Sir William Gregory, Governor of Ceylon, 1872-1877*, (Dehiwela, 1968) pp 18-35.

3. For evidence of this concern see K. M. De Silva, *A History of Sri Lanka*, *op. cit.* p. 410.

4. *ibid.*

Ceylonese and of the British imperial administrators also grew. In the late 1920s and in the beginning of the thirties when the British began to introduce constitutional reforms the position that was to be accorded to the immigrants in the political framework and life in Ceylon aroused protracted controversies. The Sinhalese were apprehensive that if the immigrants were allowed the right to exercise the franchise on equal terms then the large numbers of the Indian Tamils in the central regions would capture a number of seats in the legislature and deny to the local Kandyan Sinhala inhabitants their legitimate share of representation¹. The Indian Tamils, on the other hand, were afraid that they may be left voiceless if they did not secure the right to vote².

The Colonial Office had recommended the grant of universal franchise in a strikingly revolutionary gesture and Ceylonese elected representatives were to be responsible for almost every aspect of the island's administration excepting for finance, justice, the public services, defence and external affairs which were to be retained under British control. The Indians who saw such a delegation of self-government to the Ceylonese felt that the protection hitherto afforded to them by the British was being withdrawn and that they were now being left to the mercy of the Sinhalese who it was suspected and feared were not favourably disposed to them. The leaders of the Indian immigrants, their spokesmen in the Indian Legislature, the British Indian administration, and the India Office tried to curtail the authority and responsibility that were being transferred to the Ceylonese and endeavoured to obtain for the Indian immigrants a privileged and secure political position. The Indian immigrants were loath to see the disappearance of communal representation which could balance off communities and not allow one community to dominate another, and to which they had been used.

The eventual solution worked out in this context by the British Colonial Office, however, did not satisfy either party. It left both the Sinhalese and the Indians and their advocates, local Sinhalese political and nationalist figures, and the advocates and leaders of the immigrants in Ceylon and in India, the Indian government, unhappy. This sense of dissatisfaction soured all later relationships, especially in the late thirties and early forties, when further constitutional changes were introduced culminating in the grant of independence in 1948.

During the 1930's the Sinhalese political leaders were repeatedly badgering the British authorities with requests for a greater degree of self-government and for more and more responsibility in administration³. The Sinhalese nation-

1. Public Record Office (PRO), Colonial Office (CO) 54/899/14 — File 73230, Governor's confidential telegram to Secretary of State for the Colonies, 15 January 1930; also see other correspondence in this file, especially in Part III — H. R. Cowell's minute of 26 April 1930 of the interview of Messrs H. G. Wijekoon & W. A. De Silva.
2. *ibid.* See especially the representations from Indian Associations, the Indian Government, and India Office in this file.
3. For an account see K. M. De Silva, *op. cit.* pp 430-448; also see papers in PRO, CO 54/927/7 — File 55541; CO 54/929/8 — File 55602, HR Cowell's summary of the views of D. B. Jayatilaka on 5 September 1935; CO 54/930/6 — File 34253 — Confidential Dispatch, R. E. Stubbs to Secretary of State for the Colonies — on reform of constitution and the resolution in the State Council.

malists considered the constitution of 1931 as a temporary one to be soon replaced by a parliamentary form of government with a cabinet of ministers. The novel forms of a Board of Ministers and an Executive Committee that had been given in terms of the 1931 reforms, were unsatisfactory to them ; and a strengthening of the Governor's reserve powers was resented by the Sinhalese politicians.

The British Governor, and even the Colonial Office, recognized the need for further political evolution and constitutional change¹. But, unfortunately, no reform could be introduced because of differences in views, on the proposed scheme for constitutional advance, between the majority community the Sinhalese and the minorities and more importantly, in the view of the imperial authorities, the immigrant Indian Tamils. The Indian Tamils expressed their discontent with the quantum of representation they were to be given according to the proposals of the Governor of Ceylon, introduced in the State Council of Ceylon in 1939, for a new constitutional machinery. They wanted, as they had been agitating for ever since universal franchise was proposed to be given to the Ceylonese, a more liberal provision for obtaining the right to vote and a share in executive power².

They complained of the difficulties of obtaining the right to vote proving that they had been resident in the island for five years, and that they had an abiding interest, or were permanently settled in Ceylon. Actually these immigrants moved to and fro ; and they also were largely illiterate. Naturally in such circumstances to prove domicile and to claim the franchise were indeed difficult. But, on the other hand, the Sinhalese argued that a more liberal provision to grant the franchise would have meant politically empowering a group which had been installed in the lands of the Kandyan Sinhalese and who were mere birds of passage with no love for the land wherein they would vote. The proposal for a cabinet form of executive, while it was welcomed by the Sinhalese, alarmed the Indians. In the Executive Committee system even single members wielded influence in committees chaired by Ministers while in the cabinet system the Indians expected their influence to be totally eclipsed. And they anticipated that the numerically larger Sinhalese community would capture all the posts in the cabinet.

In the forties, during World War II, steps to introduce constitutional reforms did not abate. On the contrary, there was a sustained and even keener interest in seeking a solution that would satisfy the different ethnic groups in the island³, partly because of a genuine recognition of the political machine as an unsatisfactory one and partly because of the anxiety of the imperial authorities to keep the Ceylonese in 'good humour' at a critical time of war. When, however,

1. For the Colonial Office view see PRO, CO 54/929/8— File 55602, H. R. Cowell's minute on the views of the Secretary of State, 5 August 1935.
2. PRO, CO54/943/3 — File 55541— see Memo from Ceylon Indian League, 11 October 1937, and Governor's Confidential despatch to the Secretary of State for the Colonies, 13 October 1937.
3. PRO, CO54/980/12 — File 55541/5 — see Cabinet paper 9WP (G) (41) 82 of 27 August 1941 — Memorandum by Secretary of State for the Colonies on Ceylon Constitutional Reform (Secret Paper) ; see also *Secret*, 1931 Ceylon CO 54/980/11— File 55541/5.

attempts to effect constitutional change, through the Governor's efforts and with the concurrence of the local political and communal groups failed, a Royal Commission appeared to be the only instrument through which a solution could be found¹.

The appointment of a Commission with a war, on the other hand, was not an easy affair. The British imperial authorities were afraid that no sooner than a Commission was set up, political tempers in the island would rise and political anxieties, particularly on the part of the minorities, would quickly result. The Colonial Office was mainly worried about the Indian immigrant group. Their efforts on the tea and rubber estates could not be disturbed — rubber was badly needed because of the great war time demand; especially, after the debacle in East Asia, Ceylon rubber was indispensably required² by Britain and her allies. Faced with such a predicament, the appointment of a Royal Commission was to be expediently put off till the war was over³.

During these years before independence, it is clear that the efforts of the Sinhala political and nationalist leaders to wrest a transfer of power, and finally self-government itself, were getting thwarted, time and again, owing to the political differences between the majority group of the Sinhalese and the minorities. These differences, particularly those between the Indian Tamil immigrant groups and the Sinhalese, were difficult to be reconciled to the satisfaction of both parties. To the Governor, the imperial authority on the spot, and to the Colonial Office, in England, the only and ultimate solution lay in forcing down the views of the Colonial Office on both groups which was what had been done in 1931, and was done again in 1946 and 1947.

In the meantime, these political differences between the Sinhalese and the Indian immigrants exacerbated the already strained relations between them. Both groups were assailed by a sense of fear. The Sinhalese were afraid of the large numbers of Indian immigrants obtaining a disproportionately strong hold in the legislature if they were freely enfranchised. This apprehension was particularly strong among the Kandyan Sinhalese who were worried that more Indian immigrant inhabitants with votes would mean that they would be edged out of authority and influence in their own areas of the central highlands. While the Indian Tamils were afraid of being reduced to a state of dependence on Sinhalese goodwill in regard to their political and public position, the Sinhalese were also annoyed that, in endeavouring to provide safeguards for a minority group like the Indian immigrants, the British may thrust upon them a constitution which would limit their sovereignty in their own land. The

1. PRO, CO54/980/5 — File 55541 Part II — Secret — WP (43) 1129 of 27 March 1943 — Memo by Secretary of State for the Colonies to the War Cabinet on Ceylon Constitution; also see File 55541/5 — Part III; CO 54/986/14 — File 55541/16 — see 1944 file on the personnel of the Commission.
2. PRO, CO54/975/1 — 55569/5 — see Correspondence on position of tea & rubber industries; CO54/982/6 — 55569/12 — correspondence on Additional Labour for War Purposes; CO54/973/13 — 55541 — see correspondence & minutes.
3. PRO, CO54/986/10 — File 55541/5 — Secret — Ceylon — Constitutional, Cabinet Papers — see Gater's minute from Colonial Office — Note of meeting of Chiefs of Staff, 31 May 1944; & memo to War Cabinet from Secretary of State for the Colonies, WP(44) 299, 7 June, 1944.

Indians were worried about impending Sinhalese domination, which was inevitable, if a transfer of power was made along with a parliamentary form of government.

It was this sort of mutual suspicion and anxiety among these two groups that had even accounted for a breakdown of the informal discussions between the delegates of the government of Ceylon and the government of India in November 1940¹.

Furthermore, the mutual distrust between the Sinhalese and the Tamils worsened owing to other fears, which although sometimes latent, still strongly persisted. The visits of Indian political activists, like Gandhi, Nehru and others in the years before independence, had aroused the impression among the Sinhalese that Ceylon was considered to be an integral part of India and that India entertained an irredentist sentiment regards Ceylon. With the political emancipation of India drawing nigh, there were Ceylonese who betrayed an anxiety and concern to preserve Ceylon's distinctive political individuality and cultural ethos from the risk of being swamped by Indian immigrants.²

In these years misunderstandings between the Sinhalese and the Indians often arose because of this basic fear which was a canker among the Sinhalese and the Indians and drove the wedge between the two groups even deeper still. The Indian authorities ventured to ban the immigration of South Indians to Ceylon in 1939 because they had taken umbrage at a statement in Ceylon which said that there could be a restriction of immigration into the country and even aroused an alarm that there could also follow a compulsory repatriation of immigrants already resident in the island³. The stoppage of emigration caused intense excitement among the British economic interests who fearing an adverse effect on the supply of cheap and docile labour to their plantations, naturally wanted the Governor and the Colonial Office to have this embargo lifted.

The ban on Indians emigrating to Ceylon and the conflict of views between the Sinhalese and the Indian Tamils made it even more difficult for the government to hold elections at this juncture to the existing legislature⁴. The deadlock

1. PRO, CO 54/975/4 — File 55569/8 — see Governor's Telegram to Secretary of State 14 November 1940, minutes and other correspondence in this file ; CO 54/982/1—File 55569/8 — Part I Cipher Telegram from Governor to Secretary of State, 23 January 1941.
2. PRO, CO 54/930/8— File 55541/1 — see letter of Wilmot P. Wijewardene, Mataara, Ceylon, to the Spectator of 19 March 1943 — The Ceylon Political Scene 12 October 1942.
3. PRO, CO 54/961/3 — File 55541/1 — see letter to Chairman, Imperial Affairs Committee House of Commons, from President, Uva Indian Association, 30 April 1939 & also other correspondence & minutes in this file.
4. PRO, CO 54/974/8 — File 55569/2 — see letter of A. C. Mathew, Ceylon Association of London, to Secretary of State for the Colonies, 9 January 1940 ; also Note of the Deputation to the Secretary of State on 18 January 1940 & other papers and minutes in this file.
5. PRO, CO 54/573/13 — File 55541 — see Minutes of K. W. Blaxter of Colonial Office, 7 May 1940 ; also letter of Governor, Andrew Caldecott to Malcolm MacDonald, Secretary of State, 23 April, 1940.

between the Indian government and Ceylon government, arising basically over the political position of the immigrants, strongly persisted in 1940. Consequently, the tension between the Sinhalese (with the Board of Ministers behind them) and the Indian immigrant population increased. Furthermore, there also occurred increasing unrest among the Indian labourers on the tea and rubber plantations which tended to create serious obstacles to the registration of those eligible among the Indian immigrants as voters¹.

The contention in the pre-1930-period, and immediately after, and even later, of the Indian immigrants was that they should be registered as voters more freely. An Indian could get himself enfranchised in terms of the provisions of 1931 by proving Ceylonese domicile of origin, or, if he has been resident for five years or more, by proving Ceylonese domicile of choice, or if he possessed the prescribed literacy or property qualifications, or if he has been continuously resident in Ceylon for five years by declaring that he has an intention to settle down in the island permanently². Unfortunately, in these years, even these conditions had not been inadvertently adhered to in practice and consequently in the planting districts a number of unqualified Indian immigrants had been given the right to vote erroneously. This aroused the wrath of the Ceylonese political leaders whose public speeches and actions worsened already embittered and not too cordial relations between the Sinhalese and the immigrant Indians³. To correct the errors in the list of voters, the Sinhalese leaders proposed various measures in the legislature which were opposed by the Indians, both in Ceylon and in India, where the government of India espoused the immigrant's cause⁴ as usual.

It was sadly against this background of growing fear and increasing mutual distrust among the Sinhalese and the Indian immigrants that the proposals of the Royal Commission for a new political set up were forged. The Imperial Government of India protested that it was not afforded an opportunity to comment on the draft Order in Council before it was finalised⁵. The provisions for safeguarding the interests of the Indian immigrant minority in the Order

1. *ibid.* see especially minut of G. E. J. Gent, Colonial Office, 8 May 1940; PRO CO 54/977/7— see *Most Secret & Personal*, "Things Ceylonese" No. 5.— Labour Unrest by Andrew Caldecott (this is a demi-official personal note by Governor of Ceylon to the Colonial Office.).
2. PRO, CO 54/899/14 — File 73230 see Governor's Telegram to Secretary of State for the Colonies 15 January 1930, and other papers in this file on franchise; also Command Paper: 3131.
3. PRO, CO54/978/7— File 56134 — see Confidential despatch of A Caldecott, Governor, to Secretary of State, Malcolm MacDonald, 23 February 1940 & other papers in his file.
4. PRO, CO54/984/8 — File 5613 — see letter of Governor's Secretary, J. W. H. O' Regan to Mr. K. W. Blaxter of Colonial Office, 25 January 1941 with enclosures; also letter No. P — J 1639/41 from India Office to Under Secretary of State, Colonial Office, 9 May 1941; and other papers; also CO54/978/7 — File 56134 — see No. P & J 3290/40 — Secretary of State, India, to Government of India, 9 July 1940 & other Papers.
5. PRO, CO537/16 2 — File 55514 — see Political 8641/1946 — Letter from Secretary, Political Department, India Office to Colonial Office, 31 May 1946 with enclosures, especially despatch, *Important* No. 4858, Government of India to Secretary of State, India, 29 May 1946.

in Council were inadequate taking past experience into account, it complained. The Government of India wanted the Governor of Ceylon specially empowered to ensure that there would be no discrimination against the Indians by any executive acts of the Ceylon Ministers particularly in the fields of trade, commerce, public services, education, employment and franchise¹. The basic anxiety of the Indian immigrants evidently arose from a lack of confidence in the Sinhalese Ministers. The Indian Government went even further to make this thinking quite explicit. They wanted the Governor of Ceylon, before he assented to any bill or important administrative measure, which affected the Indian community adversely, to consult the Governor General of India². This was an absurd and understandably unacceptable attempt to restrict the sovereignty and the powers of the Head of another country. No wonder, the Colonial Office found this suggestion "particularly abhorrent"³. The Office, however, conceded that it should have consulted the Indian Government before the final enactment of the Order in Council, but it could not do so because of the pressure of time⁴.

The leaders of the Indian immigrant community, and the leaders of the other minority community of the Ceylon Tamils, protested against the provisions of the new constitution which affected the Indians in the island⁵. There was a fearful sense of uncertainty not only in respect of the future of the immigrants, but also in respect of future immigration itself as this matter was left to be settled after negotiation between Ceylon and the Indian Governments, after the new constitution was promulgated⁶.

The new Constitution itself had an all too brief a life ; introduced in 1946, it was replaced by another Constitution when Ceylon became independent in February 1948. In the discussions and arrangements for providing a fresh constitution for independent Sri Lanka, once more, a matter of acute controversy was the political position of the Indian immigrant in the island⁷. There was an unconcealed sense of apprehension among the political leaders of the Sinhalese and the Indian immigrants, which became quite evident when discussions over the proposed provisions of the new constitution took place. Consequently, even when working out the draft agreement precedent to self-government Ceylonese leaders were averse to commit themselves on granting any concessions to India for according reciprocal treatment to nationals in respect

1. Ibid.

2. Ibid.

3. Ibid. see Minute of F. D. Webber of Colonial Office, dated 4 June 1946, also draft of letter No. 55541/45 of 25 June 1945 in this file.

4. Ibid. see Minute of F. D. Webber, Colonial Office, 4 June 1946.

5. P.O. No. 54981/5— File 55569/16 — see Telegram No. 1713 from Officer administering the Government of Ceylon to Secretary of State for the Colonies, 27 October 1946 and other papers in this file.

6. Ibid.

7. P.O. No. 557220— File 55541/48/D — Telegram from Secretary of State for the Colonies to the Governor of Ceylon, No. 544-Secret and Personal, 16, May 1947 & other papers in this file.

of trade. Oliver Goonetilleke, the Sinhalese spokesman at the Colonial Office, quite bluntly said that Ceylon was afraid of India and if India was offered any privileges as those Ceylon would grant to Britain, Ceylon "would be swamped with Indians and in the course of a weekend."¹

A provision which empowered the Governor to prohibit the enactment of laws, whereby persons of any particular community or religion were made liable to any disability or restriction to which persons of other communities or religions were also not subjected or made liable to, was one safeguard available to the Indian immigrant minority in the new constitution of independent Ceylon. But it was a general safeguard meant for all communities, and not one specially designed for the safeguard of the Indian immigrants. Similarly, any principle which has evoked the serious opposition of any racial, religious or other minority and which in the Governor's opinion is to involve oppression or unfairness to any such minority could be disallowed. But these were general safeguards to allay the fears of all minorities and not necessarily only these of the Indian immigrants in the island.

In spite of the acrimonious representations of the leaders and advocates of the Indian Government and the India Office, which at times even irritated officials of the Colonial Office, the Office saw no need to restrict the authority and power of the Parliament of Ceylon in the interests of assuaging the fear of the Indian immigrants. With the grant of independence any fetters clamped on the powers of Parliament were bound to be futile, thought the Colonial Office. It left it to the prudence and goodwill of the Ceylonese politicians to avoid any acts of discrimination or unfairness to the Indian immigrant minority because in spite of any entrenched safeguards, the ultimate authority even to change a constitution will be with the Sinhalese in Ceylon. Hence, no safeguards, would be of any avail in independent Ceylon.

The Indian immigrant in pre-independent Ceylon was in an unenviable position — his future was left precarious and uncertain. Brought into work the plantations of the British entrepreneurs, he was a victim of political changes, whenever constitutional advance took place in Ceylon in its progress towards independence. From 1931 onwards, from a secure and protected political being of the British, he became increasingly a person whose position and status in the country depended on the policies and attitudes of the Sinhalese majority. Gradually the British left him and his future to the goodwill of this majority. Unfortunately, during the pre-independent years the recurrent acrimonious controversies which arose over the position that was to be accorded to the Indian immigrant every time a political advance to the island was mooted had soured the relationship between the Sinhalese and the Indian Tamils in Ceylon. Mutual fears and want of confidence had been aggravated as a result. This did not promise a pleasant political future to the Indian immigrant in independent Ceylon.

1. PRO, CO 537/2220 — File 55541/48/E — see Minute of F. D. Webber, Colonial Office of 11 July 1947 on meeting with Henry Moore, Governor of Ceylon, Oliver Goonetilleke, Financial Secretary, Ceylon and Colonial Office Officials & also other papers in this file.