



Universiteit
Leiden
The Netherlands

'The Eurasian Question' : the colonial position and postcolonial options of colonial mixed ancestry groups from British India, Dutch East Indies and French Indochina compared

Rosen Jacobson, L.

Citation

Rosen Jacobson, L. (2018, May 30). *'The Eurasian Question' : the colonial position and postcolonial options of colonial mixed ancestry groups from British India, Dutch East Indies and French Indochina compared*. *Historische Migratiestudies*. Uitgeverij Verloren BV, Hilversum. Retrieved from <https://hdl.handle.net/1887/62456>

Version: Not Applicable (or Unknown)

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/62456>

Note: To cite this publication please use the final published version (if applicable).

Cover Page



Universiteit Leiden



The handle <http://hdl.handle.net/1887/62456> holds various files of this Leiden University dissertation

Author: Rosen Jacobson, Liesbeth

Title: 'The Eurasian question' : the colonial position and postcolonial options of colonial mixed ancestry groups from British India, Dutch East Indies and French Indochina compared

Date: 2018-05-30

3 Legal position

3.1 Introduction

In the course of the nineteenth century, colonial authorities in all three colonies implemented laws regulating the legal position of their colonial populations. Commonly, a distinction was made between Europeans and non-Europeans. The Eurasian populations were sometimes included in the former category, sometimes in the latter. Legislation was built upon the laws of the mother countries. As said in chapter 1, in none of the three colonies did people of mixed ancestry become a separate legal category. This created possibilities as well as difficulties for Eurasians. They could either pass themselves off as European, depending on their skin colour, education, religion and class, or they could be discriminated against when trying to find jobs, enrol in higher education and in general face challenges to build up a life in the colony.

3.2 British India: Disapproval and legal definition of Eurasians/Anglo-Indians

Before the end of the eighteenth century, the British East India company did not make a clear distinction between the mixed population and the British people. Eurasians (later mostly referred to as Anglo-Indians) with upper class British fathers were generally socially accepted, and marriages between lower class British soldiers and indigenous women were also encouraged. Eurasians were usually well-educated, and were given work in support of English activities in colonial India.¹ Because they were not yet discriminated against, Anglo-Indians occupied the vast majority of positions in the colonial civil service and in the army. However, this situation radically changed from the 1780s onwards. For example, in 1786 Eurasian pupils from the Upper Military Orphanage in Calcutta were no longer allowed to travel to England to receive a European education, which had been common practice for the Anglo-Indian children of British officers.²

British authorities generally started to regard Eurasians with suspicion, when the size of the mixed-race population increased. By 1750, Eurasians outnumbered the British people living in India.³ In the late eighteenth century, mixed ancestry peoples in Haiti, Mexico and Peru revolted against colonial power. In British India, this led to the idea that also the Anglo-Indians could pose a threat to the colonial project.⁴ Their loyalty to the British colonial project was also questioned and they were excluded from higher posts and only allowed in clerical pay grades.⁵ In 1790, the East In-

dia Company issued a regulation that classified Anglo-Indians as natives. As natives, they were not allowed to purchase land or live further than ten miles from a company settlement without the approval of the Chief Secretary (a British colonial official).⁶ In 1791, the Company prohibited Anglo-Indians from entering the covenanted (contract-bound) services. This sharp decrease in possibilities for Anglo-Indians occurred at a time when the role of the Company was shifting from a purely mercantile and organisational to a real colonial power. The demarcation of Anglo-Indians as a distinct class was accompanied by the production of derogatory stereotypes such as the Anglo-Indian portrayed as a British lackey who wishes to disown his or her Indian heritage.⁷ These stereotypes and the disapproval of the Anglo-Indian group were reinforced after the arrival of missionaries in India in 1813, who stressed the purity of the British race.⁸ In 1833, officials of the British East India Company implemented a new charter in British India. All positions in the service of the company were now open to all people, regardless of their race or religion. For a short time, this created new opportunities for Anglo-Indians. Later, Eurasians were banned from all senior posts in the civil and military services in British India. The main reason for this was that British rulers were concerned that Eurasians would pose a risk to British security and colonial rule, if they gained military power and became politically organised as a group.⁹ The numerical growth of the Eurasian group in the second half of the eighteenth century made the British colonial elite concerned about the future of their children, since Eurasians could take away the jobs their children might have.¹⁰

The necessity for an interest organisation grew because of the distance that was created between Europeans and Eurasians by the new rules, and because of the increasing number of Eurasians in distress. Prominent men in the Eurasian community formed the first Eurasian associations in Madras and Calcutta.¹¹ In the middle of the nineteenth century, an important development in Anglo-Indian history occurred. Eurasians were preferred for jobs in the emerging Indian railway sector. In 1843, colonial administrator Lord Dalhousie suggested that the large cities of India could be best connected by means of railways. Charles Trevelyan, a respected member of the East India company, suggested that Eurasians would be the best persons to be recruited for laying the railway lines, because they were, according to Trevelyan, sturdily built, mechanically inclined, comparatively well educated, and able to get along with the indigenous people because they spoke local languages. As a result, in India, the railway network was run by British officers with Anglo-Indian and Indian subordinates. The British racial concerns led to the creation of separate railway colonies for the Anglo-Indians and British people respectively.¹² The East Indian Railway company constructed one of the earliest railway colonies at Jamalpur in 1858, and this became a model for others.¹³ In the next half century, the Indian railway network grew from nothing to 23,627 miles of track. In the late colonial period, half of the Anglo-Indian population was employed by or depended upon the railways for their livelihood. Railway colonies thus became Anglo-Indian bulwarks.¹⁴

From 1919 onwards, when the Government of India Act was implemented, the Anglo-Indians became a vaguely defined and demarcated group in British India, but not a legal category. They remained for statutory purposes natives, although they did not consider themselves as such.¹⁵ According to this Act of 1919, 'An Anglo-Indian means

any person being a British subject and resident in British India', who is '(a) Of European descent in the male line or (b) Of mixed Asiatic and non-Asiatic descent whose father, grandfather or more remote ancestor in the male line was born in the continent of Europe, Canada, Newfoundland, Australia, New Zealand, the Union of South Africa or the United States of America and who is not a European.'¹⁶ This law was refined in the Government of India Act of 1935. In that Act, article 366 says:

An Anglo-Indian means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is domiciled within the territory of India and is or was born within such territory of parents habitually resident therein and not established there for temporary purposes only.¹⁷

Since these practices change with time and place categories like 'Anglo-Indian' were elusive and specifiable only within a given historical and geographic location. Anglo-Indians struggled during the nineteenth and early twentieth century to make claims of membership of the British society. Anglo-Indians spoke English as their mother tongue and were Christian. For them, the UK was 'home' even if they had never left India.¹⁸ The first 'Anglo-Indian' law from 1919 turned out to be a watershed in the lives of Anglo-Indians because it was accompanied by other reforms including *Indi-anisation*. This meant that more jobs which were traditionally destined for them were granted to Indians. As a result, Anglo-Indians had more difficulties in finding and maintaining employment. They even experienced difficulties in the traditional 'Anglo-Indian' branches in which there were protected jobs granted to them by government after the mutiny of 1857 such as the railways, the mail, the telegraph, the customs and excise departments. Anglo-Indian women continued working as teachers, nurses and office clerks.¹⁹ The loss of jobs (or in other words their economic status) and the fear of losing English as a language, which the Anglo-Indians considered their 'mother tongue' in India was an important reason to leave India in the 1950s and 1960s. This did not mean that these motives had equal weight for all Anglo-Indians. A considerable number of them stayed because of generous constitutional safeguards, that were put into place before the country became independent.²⁰

'Not handicapped by excessive pigmentation'

Although, they had been defined as a group in 1919, Anglo-Indians were still counted in the census of 1931 as European British subjects. It was noted in the report on this census, that Anglo-Indians 'who are not handicapped by excessive pigmentation', had the tendency 'to return themselves as Europeans'. Therefore, the conclusion in the report was that 30,000 Anglo-Indians should be deducted from the total number of European British Subjects in the census, since they passed themselves off as Europeans.²¹ While keeping this in mind, the leader of the Anglo-Indian Association, Henry Gidney wrote in an article of 1934 that there were 175,000 to 200,000 Anglo-Indians living in India at that time.²² It is not surprising that many Anglo-Indians tried to pass themselves off as Europeans. The general idea among the Anglo-Indians was that the earlier generation of Anglo-Indians, going back over one hundred years, came from good stock. However, in the portrayal of the last fifty years, colonial authorities consid-

ered Anglo-Indians as the result of unions between low class Europeans and low-class Indians (including prostitutes). While the general idea was that a part of the Anglo-Indian group was of 'high quality', a large number was depicted as weak. They were seen as having no strength of personality, and as being accustomed to an identity as 'the underdog.'²³ Members of the statutory commission (the Simon Commission) asserted that the lower social layers of the Anglo-Indian community were constantly being filled by Christians of 'doubtful European stock'. According to the Simon Commission, they were often of pure Indian stock, and sought to escape their wretched social position.²⁴ In general, British colonial authorities were not sure whether Europeans domiciled in India were not actually of mixed ancestry, or, if they were even Indian Christians passing themselves off as Europeans.

In addition, there were Anglo-Indian women in the late colonial period, who were usually regarded as even more inferior than the Anglo-Indian men, who took their fate in their own hands. Examples of these confident Anglo-Indian women are Malika Jan and her daughter Gauhar Jan who developed from traditional *Tawa'if* singers into modern-day western-like celebrities. They completely distanced themselves from their Eurasian origins by changing their names, their religion and their lifestyles. By doing this kind of job and passing as Indian women, they could make a good living.²⁵

The status of the Anglo-Indian community was theoretically and legally well-defined but in practice it remained vague. The possibility for British fathers to recognise their children born outside marriage as 'British' did not exist under British Common law. Children born outside marriage could never be British. The Indian Councils Act of 1870 added to the vagueness of the definition of the Anglo-Indian group. According to this Act, Anglo-Indians were for economic purposes 'natives of India by statute'. In 1925, the secretary of state for British India added:

For the purposes of employment under government and inclusion in schemes of *Indianisation*, members of the Anglo-Indian and Domiciled European Community are statutorily Natives of India. For purposes of education and internal security, their status, in so far as it admits of definition, approximates to that of European British subjects.²⁶

Furthermore, Anglo-Indians were sometimes classified by one colonial institution as European, and by the other as native, since these institutions all had different criteria for classification as European. For example, to be included in the European category in the railway services, where many Anglo-Indians worked, one had to prove European parentage in the male and female ancestral lines.²⁷ Anglo-Indians themselves were also aware of the ambiguity of their status in everyday life. As a child, Irene Edwards recalled that:

There were benches, one marked 'Europeans only', one marked 'Indians Only'. There were also the waiting rooms marked 'Europeans Only' and 'Indians Only'. As an Anglo-Indian child I never knew which one to occupy.²⁸

3.3 Dutch East Indies: Equation with Dutch people and mixed marriages act

In the Dutch East Indies, the colonial authorities introduced new legislation regarding different population groups in the colony in 1848. This Dutch East Indies Civil Code was based on the new Dutch civil code of 1838. The principle behind Dutch citizenship in the civil code was *ius soli* (territoriality), which meant if a person was born on the country's soil, he or she automatically became a citizen of that country.²⁹ Since the colonies were seen as Dutch territory, the indigenous population of the colony had 'Dutch citizenship according to civil law'. However, the Dutch Nationality Act of 1850 said that only children of parents who were born in the Netherlands had Dutch citizenship.³⁰ Indigenous people could apply for equation with Dutch people and for Dutch citizenship if they could prove that they lived in a European sphere. A legal distinction was made between the categories 'Europeans and those who were equated with them' and 'indigenous people and those who were equated with them'. Not all 'Europeans' in the colony had Dutch nationality. They could also have for instance British or German citizenship. Most Indo-Europeans legally belonged to the European category.³¹

Women followed the nationality of their husbands, and indigenous women who married Dutch men became Dutch. The children born outside wedlock were 'European' provided they were legally recognised by their European fathers. According to the 1848 Dutch East Indies Civil Code, indigenous mothers did not have any rights over children recognised by a white man. Mothers could be dismissed without reason or payment. In a legal sense, child and mother became strangers to each other. According to law, indigenous mothers could be exchanged among Europeans. That meant that when the men left for the mother country they could 'give' their concubine to another European man. This was common practice, but not regulated by law. The concubine did not have any say or rights.³² Recognised children of Dutch fathers could not be excluded from Dutch citizenship, according to the Dutch government.³³ Until 1848, marriages between Christians and non-Christians were forbidden in the colony. This prohibition stemmed from a decree from 1617. After 1848, religiously mixed marriages were no longer forbidden but they were considered undesirable. European men who lived in concubinage with non-Christian native women could legalise their unions and legally recognise the children born from the relationship.³⁴ In 1854, a change was implemented: the category Foreign Orientals (*Vreemde Oosterlingen*) was introduced in addition to the categories 'Europeans' and 'Indigenous people'.³⁵ In legal terms, 'Eurasian' was still not a separate category. The wealthy and well-educated Indo-Europeans, who usually had Dutch citizenship, were called 'Dutch'. 'Europeans' (including Indo-Europeans who were recognised by their European fathers) were subject to 'European' law, while 'natives' were subject to *adat* (customary) law.³⁶

In 1892, a new Dutch nationality Act replaced the old confusing regulations, which I described above. Indigenous people and Foreign Orientals were now excluded from the Dutch nationality.³⁷ The 'principle of country of birth' (*ius soli*) was replaced by the 'principle of descent' (*ius sanguinis*). Also after 1892 indigenous people could apply for equation with Dutch people if they were Christians, spoke Dutch and had a European education. In other words, if they were seen as suitable for Dutch society.³⁸ When the

application was approved, it was published in the *Staatsblad* ('State's newspaper') and as a result the equated people were commonly called *Staatsblad Europeanen* ('State's paper Europeans').³⁹ People who were equated with Dutch people before 1892 kept their Dutch (European) status. After independence of the Dutch East Indies, this law would become decisive in the *toescheidingsovereenkomst* (law on the allocation of citizenship), which regulated the criteria for Dutch and Indonesian citizenship. This law played a decisive role in the 1950s, when decisions had to be made regarding the ex-Dutch people who had chosen Indonesian citizenship but later regretted their choice, the so-called *spijtoptanten*. If the Indo-Europeans could prove that they (or their parents or grandparents) were 'equated with Europeans' before 1892, their chances for admission to the Netherlands increased considerably. The law was confusing for the people to whom it applied. According to this law, Indo-Europeans who were equated with Europeans after 1892 were not legally Dutch, although they were raised and educated in the same schools and environment as the people who were equated before 1892. The indigenous people became stateless from 1892 onwards. That changed in 1910 when, the 'law on Dutch subject hood' was implemented.⁴⁰ Through this law, indigenous people became 'Dutch subjects non-Dutch people'. They continued to be excluded from public occupations and a lot of other privileges that were reserved for Dutch citizens.⁴¹ In 1898, the colonial authorities tried to regulate the legal consequences of mixed marriages in a special law, mentioned earlier, the *Mixed Marriages Act*. According to this act, European women, if married, followed the nationality of their husbands, both in the Dutch East Indies and the Netherlands.⁴² This law hardly made any difference, both legally and in practice. It was largely symbolic.

3.4 French Indochina: status of the *métis* and possibilities for naturalisation

In Indochina, Eurasians belonged to the European category provided their European fathers had officially recognised them.⁴³ Already in 1889, legislation was implemented regarding the legal status of Eurasians. In that year, the *Code de la Nationalité* gave access to French citizenship according to both the principles of *ius sanguinis* and *ius solis*. The *Code* recognised as French citizens all those children born out of wedlock to a French father and an indigenous mother. The *Code* also regulated that children born to unknown parents on French soil were French. For local colonial authorities in Indochina, this law went too far. It was adjusted in the colonies because the colonial administration could not accept the fact that all abandoned local *Métis* children could be easily assimilated into the French community.⁴⁴ The colonial administrators tended to put the *Métis* in the indigenous category for several reasons. In the first place, indigenous people earned less than French people, and secondly, there were the moral issues connected to mixedness. Many *Métis* were children born out of wedlock. Therefore, racial hierarchical issues played a major role, albeit in practice, not in theory. In all work situations, it was out of the question to let a 'coloured' person have authority over a white person.⁴⁵ In comparison to the British and Dutch colonies in South and Southeast Asia, the French continued to occupy a much higher percentage of middle- and low-level bureaucratic, entrepreneurial, and technical positions in Indochina. For

example, in 1930, Europeans still held 20 per cent of all available government administrative and clerical positions. In 1938, the colonial authorities decided to devote serious attention to training indigenous technical cadres, but six years later, European technicians still outnumbered the Vietnamese.

However, French colonial authorities found that 'European' looking children in an indigenous environment could harm white colonial prestige and destabilise colonial society. In the words of Dr. Barillon in the *Revue de Psychologie Appliquée* (1924-1926):

Because of their genetic irregularity, the *Métis* are incapable of understanding ideas such as family, country, honour, work, frugality, regularity and foresight, ideas that constitute the foundations of the normal social order. [...] Missing the superior faculties of judgment and social control, the *Métis* is the plaything of his passions and the tool of his appetites. In the midst of social crises, it is the *Métis* who gives the signal to revolt and who throws himself headlong into the worst manifestations of violence and anarchy.⁴⁶

From 1924 onwards in Indochina, unfit indigenous mothers with Eurasian children, who were abandoned by their French fathers (usually French soldiers), could lose their maternal rights, whereupon the state acquired guardianship over the child.⁴⁷ In 1940, during a conference about children French *colons* passionately advocated that every child born from a union between an indigenous mother and a French father should become *pupille d'état*. In mainland France, the phrase *pupille de la nation* only applied to a situation in which parents were unable to raise their children.⁴⁸ In 1928, a *décret* was implemented, which defined the status and possibilities of Eurasian people, who were born in Indochina and whose legal parents were unknown. This *décret* of 4 November 1928, named *statut des Métis nés de parents légalement inconnus en Indochine* (regulation of Eurasians, born of parents legally unrecognised in Indochina) set the criteria Eurasians had to meet to be eligible for French citizenship.⁴⁹ It allowed Eurasians who were not recognised by their French fathers to apply for French citizenship, as indicated in the first article of the *décret*:

All individuals, born on the territory of Indochina, from parents of whom one remained legally unknown and presumably of the French race, could obtain, conforming to the dispositions of the present decree, the recognition of the French citizenship.⁵⁰

Further criteria were that they had to prove their fluency in French, and that they followed French cultural practices. The authorities judged the applicants (including many children) by their physical features and by their behaviour. This was formally registered in a medical certificate. It meant that French citizenship was not open to all *Métis*, but that it was granted on the basis of racial criteria.⁵¹ A new *décret* implemented on 4 December 1930 made the criteria for French citizenship even less stringent. The applicant no longer needed to prove that he or she belonged to the French race. Instead the applicant only had to prove his or her non-indigenous status. This made it possible for *Métis* children of French soldiers to apply for French citizenship.⁵² Another *décret* adopted on 24 August 1933 elaborated on the way *Métis* children could acquire French citizenship. The decree pointed out that the decision to grant *Métis* children French citizenship was taken by a court at the request of the Counsel of Prosecution.⁵³ Indigenous people could apply for naturalisation as French citizens although

with great difficulty. Only a few people tried: between 1926 and 1930 there were 160 applications of indigenous people from all five parts of the Indochinese union.⁵⁴

In Cochinchina, Annam and Tonkin, such a procedure had existed since the 1880s, but in 1913 one single act was implemented for the whole *Union Indochinoise* including Laos and Cambodia. The criteria for naturalisation were fluency in French, and having served in the army or in public office for 10 years *avec mérite et dévouement* (with worth and devotion).⁵⁵ The assumption was that their mothers usually found a new French lover after their French fathers had returned to the mother country, and that their Eurasian children were not accepted by the new French companions of their mothers. If members of *Métis* protection organisations considered them 'white and French enough' they were forcibly removed from their mothers and raised in government-led orphanages as 'good' French citizens. Separate schools for *Métis* children were founded for their education.⁵⁶ The authorities declared them 'morally abandoned', according to a French law implemented in the mother country in 1889, which was applied to the colony in 1891. While that law targeted fathers, who had returned to metropolitan France, it was only used by *Métis* child protection organisations to deprive the indigenous mothers in Vietnam of their parental power.⁵⁷

'To save all who belong to our race'

The pro-natalist movement, already present in French political discourse since the end of the nineteenth century, partly caused this radical regulation. French authorities feared that a depopulation trend, *dénatalité*, would undermine France as a military power.⁵⁸ In the period 1890-1894, France registered 4,312,000 deaths versus 4,300,000 births. The number of deaths also exceeded that of births in the years 1890-1892 and in 1895.⁵⁹ Pro-natalists tried to promote the growth of the French population in the mother country. In Indochina, they tried to save abandoned Eurasian children for the French nation. During the First World War, the French population decreased further, and fears regarding depopulation were accompanied by concerns about a decreasing French imperial authority. Between 1914 and 1918, colonial troops had seen French vulnerability. In an undated *circulaire*, probably written in 1915 or 1916, concerns about French deaths on the battlefields of the First World War were expressed:

At the moment when the mother country loses every day a bit more of the blood of her children, it appears to us that our duty is, both from a patriotic as well as a social viewpoint, to double the effort to save all who belong to our race, even though it is only for a minor part.⁶⁰

These considerations led the French colonial government to introduce new policies to remove abandoned French-looking Eurasian children from potential anti-French local Vietnamese influences and resettle them in areas and orphanages where the government could control their upbringing.⁶¹ In 1916, the Resident Superior of Annam advised protection societies in his region 'to remove a child as early as possible from the milieu in which he lives and from the situation of his mother.' In his opinion, it was best to separate *Métis* children from their mothers as soon as they were four or five years old. Later, this minimum age was lowered to 2 years old.⁶²

From the beginning of their colonial project, French colonial officials were convinced that they could learn from other colonial powers how to rule a colony. In 1893, Joseph Chailley-Bert founded together with M. Léon Say and others the *Institut colonial international*. Chailley-Bert thought colonial powers could learn from each other when he saw that British and Dutch colonial officials took an interest in the opium trade in the Saigon area.⁶³ French interest in other colonies culminated in the *exposition coloniale*, in 1931 in the Bois de Vincennes in Paris.⁶⁴ Other colonial powers, including Denmark, Portugal, Belgium and the Netherlands, were represented at the exhibition. The UK, as the largest imperial power in the world, was however not represented, because of colonial rivalry between the British and the French and because they had hosted their own colonial exhibition a couple of years earlier.

Colonial exhibitions were popular. The Belgians and the British hosted colonial spectacles in Brussels in 1910, and at Wembley in 1924 and 1925. The Netherlands hosted their international colonial exhibition in 1883.⁶⁵ The Germans organised a travelling exhibition, designed to spread knowledge about their colonial project. It showed samples of the goods that the colonies could supply to Germany, as well as graphs, pictures and other visual material.⁶⁶ All countries also put people from the colonies on display. France had already had a colonial exhibition in Paris in 1900. However, the French exhibition of 1931 far exceeded all preceding ones (including the British exhibition) in terms of quality of arrangement, in architecture, and in popular appeal.⁶⁷ The Indochinese part of the exhibition was the largest. African, Asian and West-Indian colonies contributed to the event by building pavilions. The exhibition reflected the desire to showcase French Indochina in France. It was meant to legitimise France's colonial role in South-East Asia. For the French visitor, a wealth of information about the colonies and French achievements were to be found at the exhibition – at a time when the French public knew little about the colonies.⁶⁸

The exhibition focused on the French colonies in South-East Asia, with a life-size recreation of the Cambodian temple of Angkor Wat, which functioned as the exhibition's visual hub, and communicated the centrality of France among all the colonising nations.⁶⁹ A radical shift in the purpose and mission of French colonialism emerged from the exhibition. French colonialism was presented as valuable to humanity worldwide. This belief in the global significance of the French colonial project gave an ethical and durable basis to the French empire, according to the organisers.⁷⁰

The exhibition stirred up the interest in the similarities and differences between neighbouring colonising countries. This growing interest for neighbouring colonies was also shown by the section on 'Europeans in neighbouring countries', in the census of 1931 of the Dutch East Indies.⁷¹ Perceptions of the colonial exhibition of 1931 were not unanimously positive however. The French politician Leon Blum wrote in the newspaper *Populaire* that in the Bois de Vincennes in Paris the most beautiful stairs of Angkor could be seen, but in Indochina itself 'they deport, they kill and capture people.'⁷² The global tendency in the 1930s was gradually to take a more critical stance towards such a celebration of western colonialism connected to progress and the modernisation of so-called 'backward' countries. Anti-colonial movements used the opportunity to organise an anti-colonial exhibition July 1931. This anti-colonial exhibition was an initiative of the international legion, a cooperative body, against im-

perial development and in favour of independence from Western countries. In this legion, the struggle against colonialism was combined with the struggle against capitalism, since it was also part of the international communist organisation Comintern. The Comintern had supporters among the nationalists in many Asian colonies.⁷³

As said, countries looked at each other from the end of the nineteenth century onwards. One English colonial official, who had been based in India and then sent to the Dutch East Indies archipelago, made comparisons between British and Dutch colonial policy towards people of mixed descent. He made it clear that the Dutch policy was exceptional since the Eurasians enjoyed 'every privilege of citizenship' there, including the right to join the army and the public service.⁷⁴ Colonial conferences and exhibitions tried to consolidate a formal pan-European imperial moral and legal order.⁷⁵ At the colonial conference in Brussels in 1923, the French colonial official Maurice Delafosse made the – for that time – remarkable statement that boundaries between colonial peoples must not be drawn on the basis of race but on the basis of education or class.⁷⁶ Colonial authorities hardly noticed the transnational conferences organised by opponents of the colonial project. During the international colonial exhibition in the Bois de Vincennes, Indochinese students and workers demonstrated against the French Republic and its colonial ambitions. In Brussels in February 1927, Jawaharlal Nehru and Mohammed Hatta, who would later become prominent nationalists in the Dutch East Indies, were present at an anti-colonial gathering.⁷⁷

3.5 Comparison and conclusion: From *Ius soli* to *Ius sanguinis*

There were many connections between colonies, and colonial ideas and concepts were shared among colonial authorities. Western colonial authorities developed similar legal categories in which they subsumed the Eurasians including the idea that the woman followed the nationality of the husband. The only difference was the practical application of these legal classifications. In Indochina and the Dutch East Indies, Eurasians belonged to the legal European category as long as they were recognised by their European fathers, whereas in British India, they could not legally be recognised by their British fathers. Anglo-Indians were sometimes regarded as natives, sometimes as Europeans. There was no formal legal Eurasian category in any of the three colonies. Furthermore, in all three cases, European authorities increasingly worried about the potential revolutionary power of Eurasians. As a result, they developed legislation to limit their possibilities to obtain an influential (political) position. The policy towards Eurasians in the Dutch East Indies was rather lenient in comparison to British India. In general, the status of the Indo-Europeans in the Dutch East Indies was better than that of the Anglo-Indians in British India.⁷⁸ *De Indische Gids* in 1931 in an article labelled 'Indo-Europeaan in Britsch-Indië' (Indo-European in British India) stressed the weak position of Anglo-Indians in representative provincial assemblies and the general ambiguity surrounding their status.⁷⁹ The Europeanisation movement, a common development in all three Asian colonies, worsened the position of Eurasians. It started later in the Dutch East Indies and Indochina than in British India.

The 'young' colony of Indochina stood at the other end of the spectrum and authorities followed a more inclusive policy there than those of the Dutch East Indies and British India. According to an article in *De Indische Gids* from 1931, about the French *décret* of 1928, this law had many commonalities with the possibility of 'equation with Dutch people' in the Dutch East Indies. However, it was based on the idea that Indo-Europeans would prefer European citizenship above indigenous citizenship.⁸⁰ Fears about depopulation in France meant that the French wanted to raise as many abandoned Eurasian children as possible as 'good' French citizens.⁸¹ The French ideals regarding colonialism were also important. The French said they did not only conquer for the sake of material and political gains, but also saw the endeavour as a spiritual and moral conquest. They wanted to assimilate the native Indochinese people into good and loyal Frenchmen, who had patriotic love for the mother country.⁸²

The legal position was an (indirect) motive to leave or in a rare case stay. Among those likely to stay were women who lost their original European citizenship because of their mixed marriage with indigenous men. The laws which regulated the legal position of Eurasians in the colonies, formed the basis for negotiations during the Round Table Conferences before formal decolonisation was signed. How this legal position of Eurasians worked out in colonial practice is discussed in the next chapter on the socio-economic position of Eurasians in the colonial period.