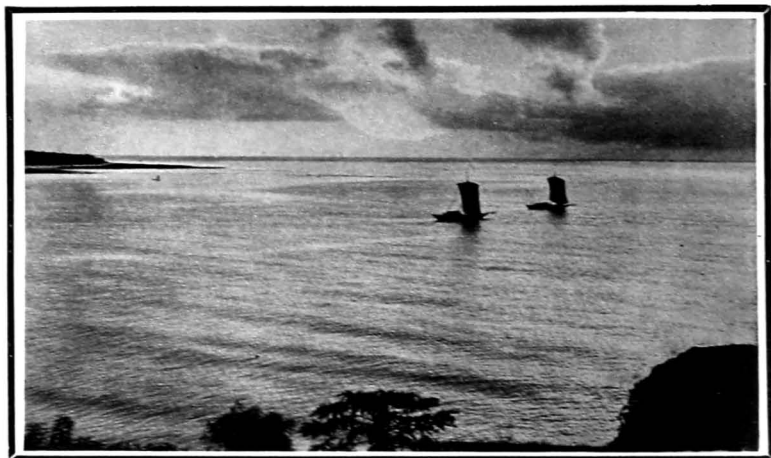


**KENYA FROM WITHIN**



"AS IN THE DAYS OF PTOLEMY"

# KENYA FROM WITHIN

A SHORT POLITICAL HISTORY

BY

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WITH EIGHT ILLUSTRATIONS FROM PHOTOGRAPHS, AND EIGHTEEN  
MAPS AND DIAGRAMS

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DEDICATED

TO ALL THOSE,

IN KENYA AND ELSEWHERE,

WHO WILL READ THESE PAGES

JOYFULLY ;

BEGGING THEM, AT THE SAME TIME,

TO REMEMBER THESE WORDS OF

LECKY, THE HISTORIAN :—

*" It still remains true that there is a large body of public opinion in England which carries into all politics a sound moral sense and which places a just and righteous policy higher than any mere party interest. It is on the power and pressure of this opinion that the high character of English Government must ultimately depend."*

## AUTHOR'S PREFACE

**T**HIS book deals with the political history, from the earliest times down to February 1927, of the tropical African Dependency which is now called the Colony and Protectorate of Kenya. The record is, of course, condensed, but an effort has been made to give, with no more detail than is necessary, an account of those political developments of which British people ought to be aware.

The writer, during his twenty-three years in the service of the British Government, kept a diary, written day by day—except for a few gaps denoting illness or misadventure. Also he systematically retained newspaper files or cuttings, and personal letters. Of these last, he has had recent access to more than a thousand, written from different localities in East Africa, by many pens and from different points of view, but providing, in the mass, a valuable background to remembered facts of Kenya's history.

It is only to be expected that this book suffers, in places, from faults inherent in accounts of heated political happenings written by one who played parts, varying from inconspicuous to prominent, in some of them, and who took a lively interest in them all. Still, the author has tried to be accurate, and he will welcome correction by any who may discover inaccuracy at any point. As regards living people who are named, he has confined his comments to *the public actions of public men*.

The diagrams and maps have been drawn by the author specially for this book, with the result that there is no single Kenya place-name mentioned in the text that is not to be found in one or more of the maps. A directory of place-names is given on page 465, followed by a glossary of the few words of African origin which appear in the book.

The photographs in the book were also taken by the author, with the exception of two ("The Másai School at Nárok"—Plate IV), which are included by the courtesy of Captain C. S. Břereton, who kindly gave the author permission, by cable, to use two prints which he had given him long before.

The reader's attention is nowhere interrupted by the practice

of giving a portion of the story in the text and the remainder in footnotes. These comprise, in this book, nothing but references, and need only be referred to by those who want authority for statements made (where official documents are concerned), or the source of additional information, in books and newspapers. A list of abbreviations used in these footnotes is given on page 12. At the end of the book there are two indexes—one of general subjects (page 469) and the other of the names of persons (page 483).

The author wishes to record his indebtedness for assistance courteously rendered by the Librarian staffs of the libraries at the Colonial Office, the India Office, the British Museum Reading Room (North Library), and the Royal Geographical Society. He is under an obligation to numbers of friends who have been good enough to read portions of his manuscript, and to comment frankly upon them. Their advice as to deletion, modification or addition of matter was almost invariably followed. In the tedious work of proof-reading, the assistance of Max Plowman, Esq., and Miss Ross, B.A., was invaluable, as also was that of the author's wife, Isabel Ross. Dr. Norman Leys, an old friend of the author's in East Africa, kindly sent him a copy of his book *Kenya* at the time of its publication in 1924, but the author deferred reading that interesting work until his own manuscript was completed.

If, in addition to the credit which is in places given, in the following pages, to the Government of Kenya, instances are also found of criticism of its acts or artifices, the reader is asked to accept the statement that nothing contained in this book is as pointed as comment which the author made at times, in speech or writing, to that same Government when he was its servant in Africa.

\* \* \* \* \*

People in Britain, reading this book, are reminded that the Government officials, whose actions and attitudes are described, are *their* servants. The British public, through their representatives in Parliament, have entire responsibility for the policies pursued in Kenya—policies which affect the happiness and welfare of millions of African men, women, and children. Opinions differ as to how happiness may be ensured to these simple folk. One view is that of a Government Commission

in Kenya in 1927—that under existing conditions in that Colony the advantage to the native lies in employment for wages outside the Native Reserves; and that, “in order to avoid unsatisfactory social results,” there should be “encouragement to whole families to leave the Reserves and to live permanently in alienated areas” belonging to Europeans—where there should be “properly safeguarded juvenile employment” (*The Times*, May 18, 1927).

It should not be beyond the wit of Britain, with centuries of colonizing effort behind her, to ensure the emergence of happy families of Africans in Kenya. It is with that end in view that Britain's servants are there. This book will give some idea of the problems with which they are faced.



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NOTE.—*The Reader's attention is directed to the fact that "The Director of Public Works," who is mentioned several times in this book (especially in Chapter XV), is the Author.*

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## ABBREVIATIONS

The following abbreviations have been used in the footnotes in this book :—

*O.G.*—*The Official Gazette*, of the East Africa Protectorate up to 1920 and thereafter of the Colony and Protectorate of Kenya.

*E.A.S.*—*The East African Standard*.

*L.E.A.*—*The Leader of East Africa*.

*Cd. or Cmd.*—Command Papers—presented to Parliament.

*PART I*  
**COLD HISTORY**

“Irony and Pity are two good counsellors.  
The one smiles and makes life amiable ;  
the other weeps and makes it sacred. The  
irony which I invoke is not cruel. It  
mocks neither love nor beauty. Its laugh  
calms anger ; and it teaches us to smile at  
bad men and fools whom otherwise we  
might be weak enough to hate.”

ANATOLE FRANCE

CHAPTER I  
ACROSS THE CENTURIES

"ἀεὶ Λιβύη φέρει τι καινόν."  
("Always Libya is bringing something new.")

ARISTOTLE, *Hist. Animalium*, 8. 28.

**T**HE traveller of to-day must be unimaginative indeed if he can make his first visit to the ancient city of Mombasa without experiencing a thrill of anticipation as he enters Africa by one of its most romantic gateways. One of the world's civilizations is driving, with vast energy and with incalculable results, through that gateway into a continent which, for all our exploration and research, is typified to us, more aptly than by any other symbol, by the Sphinx. Ours is not the first civilization, moreover, that has pushed through the gateway. The massive old Portuguese stronghold, Fort Jesus, which has looked down for more than three centuries upon the colourful town spread out below its walls, reminds us that another proud Empire has worn the laurels of high endeavour on this spot. And now it is represented, so far as all that high endeavour is concerned, by a few buildings in Africa, some derelict and some patched, by some musty archives in Lisbon and by a few words retained in one of the Bantu languages. How much of lasting impression is the next flood, our flood, of influence going to achieve? And what of previous waves of influence that swept along this coast, centuries before the Papal Bull of Partition in 1494, by which Pope Alexander VI placed this portion of the world, together with Brazil, the East Indies, and the rest of Africa South of the Canaries, at the disposal of Portugal? What did they achieve? What difference did they make to Africa?

• • • • •

It is the month of March and the day has been one of broiling heat. Let us get down to the water-front and watch the moon rise across the Indian Ocean. The swift, tropical dusk, with its benign promise of twelve hours' release from sunshine, invites the whole city out of doors. We may take the footpath along the

low cliffs at the water-edge of Mombasa Harbour. We pass through the old water-battery below the Fort ; we pass close below the walls of the European Hospital—breeze-swept whenever there is a breeze moving. The evening is still and sounds carry with a super-normal clearness. The on-shore wind, that has been rendering life tolerable in the city all day, has dropped at sunset more rapidly than it rose in the oppressive hours that followed upon sunrise. Our path winds, with true democratic consideration on the part of High Authority, through the grounds of

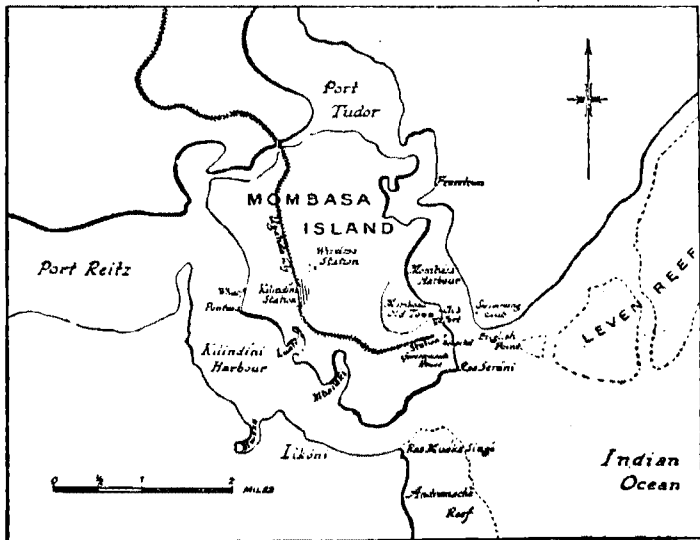


FIG. 1.—MOMBASA ISLAND AND KILINDINI HARBOUR

Government House, Mombasa, between the sea and the House, and so close to the latter that one can hear the voices of occupants on the broad verandah which runs along the seaward face of the building at first-storey level. In the stillness of evening we hear, on the one side, motors swishing along the public road which runs from the Lighthouse to the town, skirting the grounds of Government House on the landward side. They are returning to town after a refreshing spin along the sea-front, or are taking players from the golf links back to bungalow or Club. On the other side of our path, from the pool of darkness below, which is laced with an occasional flicker of phosphorescence, there rises



the quick jabber of the ebb-tide racing over the shallow coral reefs which extend from the shore-line to the deep central channel up which Vasco da Gama's flotilla sailed, on April 7th, 1498—and who knows how many earlier adventurers, Phœnician, Hindu, Arab, Persian, Egyptian, Greek, perhaps Chinese? Port Tudor, up-harbour behind us, is emptying the vast volume of tidal water that a few hours before was covering, ten feet deep, its square miles of black mangrove flats. Across the dark water we hear, at regular intervals, the unceasing swell from the Indian Ocean pounding at the edge of the reef that lies in front of English Point. And another sound comes to land—a man-made sound this time, a very slow and regular chunk of heavy oars on a wooden thwart. These mariners are, at any rate, in no hurry. Six or eight strokes to the minute. Two oarsmen—not keeping time, either. An indefinite, blacker mass is slowly coming down the dark channel. We stand and wait for it to pass. Across the water there is a light in the Swimming Club's building among the palm-trees at the bathing beach. Some of the members have come down for a dip by moonlight, no doubt. The open door of the Club-house casts an unsteady ladder of light across the water. Our dark object moves across it (so slowly!) and in doing so takes shape. Now we have it. A couple of dhows, of the build known as *batili*, slipping out to sea on the ebb. The single high and square-shaped matting sail of each hangs against the mast. They will pick up the night breeze off the land when they are outside the harbour. Meanwhile one oarsman is plying a wonderful oar on each dhow. We have seen such oars before, in the dhow-harbour below the Khoja Mosque. A long jungle-wood pole—ill-balanced, crooked and heavy, with a blade in the form of a circular disc of wood, about fifteen inches in diameter, nailed on, precariously enough, at the end—a nightmare of an oar. It is not now being used for propulsion. The tides are propelling. It is more as a matter of guidance, to keep the craft well away from the almost vertical edge of the coral reef, against which Vasco da Gama's ship was allowed to scrape—to the misery of his pilot, who was chastened with boiling oil. Our mariner's oar, beautiful only as a just-audible note of human endeavour in the blackness of night and in no other guise, serves its purpose just now. Below the lighthouse on Ras Seráni the

<sup>1</sup> *Handbook for East Africa, Uganda and Zanzibar*, 1907, p. 2. (Published at the Government Press, Mombasa.)

dhow enters the 4-knot tide-race issuing from Kilindini Harbour, and our two quaint craft stand away to sea beyond the Leven Reef—heading into the moonrise. They have taken us momentarily back to the days of Ptolemy. Just so, no doubt, dropped the old merchant-adventurers of eighteen centuries ago, and others before them—trading, trading. Perhaps the tiny flotilla which King Nechos despatched from the Red Sea in 610 B.C., and which, as Herodotus tells us, reappeared three years later through the Pillars of Hercules, glided out to sea, just so, down this very harbour. They did not have a fourth-order dioptric light with a fifteen-mile range, giving a white flash once every five seconds from Ras Seráni, in those days. That seems to be the principal difference which the circling centuries have brought into the scene.

\* \* \* \* \*

East Central Africa has been a land of romantic associations from a remote period. The ancient Hindu Vedas referred to a mysterious realm of Chandristhan,<sup>1</sup> where were the Mountains of the Moon in which the Nile had its source. The third volume of the *Asiatic Researches*, of the year 1799, contains a paper by a Lieutenant Wilford giving such news of the River Nile as could be extracted from the "Púrans" of the ancient Hindus. Referring to these old records, the explorer Speke, in his *Journal* published in 1863, says<sup>2</sup>: "It is remarkable that the Hindus have christened the source of the Nile Amára, which is the name of a country at the north-east corner of the Victoria Nyánza. This, I think, shows clearly that the ancient Hindus must have had some kind of communication with both the northern and southern ends of the Victoria Nyánza." Chandristhan, "the country of the Moon," was "so called from the native name Unya-muézi having the same meaning," the word *chand* meaning *moon* in Hindustani as *mwezi* does in several Bantu languages of Africa. Speke supposed that a high group of hills to the north of Lake Tanganyika were "the Lunæ Montes of Ptolemy or the Soma Giri of the ancient Hindus."<sup>3</sup>

In modern view, the Amára River is a considerable stream flowing through the "Má sai Reserve" of Kenya, and finally struggling through leagues of papyrus *sudd* into the Victoria

<sup>1</sup> *Asiatic Researches*, 1799, p. 311, and map, p. 295.

<sup>2</sup> Speke, *Journal*, p. 13. (Blackwood, 1863.)

<sup>3</sup> *Ibid.*, Introduction, p. xv.

Nyánza, and thus contributing to the Nile. The Public Works Department of the Colony built a light steel bridge across the upper reaches of this river, to allow of Másai cattle crossing in times of flood. A herd of elephant on one occasion also found too much water passing down to the Nile, and made use of the modern improvement. It had then to be reconstructed—as a type of greater strength, and equal to passing a herd of elephant without developing sinuosities.

The Egyptian priest Amoreis, two thousand years ago, informed Julius Cæsar that the swelling of the Nile was due to tropical rains of the Northern Torrid Zone.<sup>1</sup> Maps produced in Ptolemy's time show the Nile issuing from two large lakes in Central Africa, the more Easterly of the two being the larger. The Eastern coast of Africa was well known in Ptolemy's time, and the Philadelphia Museums (U.S.A.) have produced an annotated translation<sup>2</sup> of a pilot's guide to the Western shores of the Indian Ocean, compiled probably by an Egyptian of the first century A.D. This gives particulars of many of the little harbours along the coast which are still used by the dhow trade, as the merchant-adventurers of to-day pay their annual visit from the Persian Gulf and India, coming South on the North-East monsoon winds of November and returning between February and April before the South-West monsoon becomes too violent.

Throughout mediæval times the interior of Africa has passed as the home of the elephant, basilisk, lion and unicorn and other *feræ naturæ*, which yet left room, among their haunts, for the realms of negro potentates reigning in wealth and splendour, as well as for some scattered collections of giants, cannibals and pygmies. It was the region of which Swift tells us, where "Geographers, in Afric maps, with savage pictures filled their gaps; o'er uninhabitable downs, placed elephants for want of towns." Any marvels that the imaginations of scribes could compass might, without fear of contradiction, be accorded an African setting, provided that ice and snow were not essentials in the story. When a devout missionary of the Church Missionary Society, the Rev. John Rebmann, announced the discovery on May 11th, 1848, of a huge snow-covered mountain called Kili-manjaro, and eighteen months later the Rev. Dr. Ludwig Krapf

<sup>1</sup> Burton, *The Lake Regions of Central Africa* (1860), vol. ii, p. 206.

<sup>2</sup> *The Periplus of the Erythræan Sea*, translated from the Greek and annotated by W. H. Schoff. (Longmans, Green, 1912.)

reported the discovery on December 3rd, 1849, of a second ice-clad mountain, "the Kegnia," believed to be still higher, their reports were denounced not merely as travellers' tales, but as rather unblushing ones too. Writers in Europe proved to their own complete satisfaction that the occurrence of natural ice in tropical Africa was a physical impossibility. It was not until the young Scottish explorer, Joseph Thomson, reported that on October 28th, 1883, he had obtained, just at sunset, a view of Mount Kenya's "entrancing awe-inspiring beauty" that European scepticism as to the snow-clad mountains near the equator dwindled and died. Thomson wrote an entertaining account of his travels among the Kikúyu and Másai tribes.<sup>1</sup>

The middle of last century had seen the settlement of age-long discussions as to the source of the Nile. Having regard to ancient Hindu, Egyptian and Greek records, it is perhaps presumptuous to speak of the "discovery," in our times, of the enormous lake which we call the Victoria Nyánza. What may be said with accuracy is that the first white man to visit it and return alive was the explorer John Hanning Speke in 1858. Four years later Speke and Grant reached the source of the Nile at the North end of the lake. This achievement is commemorated now by an inscription on the rocks at the point where the lake water pours, in a smooth glissade, over the Ripon Falls upon its 3,600-mile journey through the Uganda Protectorate, the Sudan and Egypt to the distant fan of mud through which it struggles—checked, stored, regulated, used, polluted, discarded, pumped and drained, into the Mediterranean Sea.

Protestant missionaries first began work on the East Coast in 1844, when Dr. Ludwig Krapf landed at Mombasa, as a representative of the Church Missionary Society. The graves of his wife and infant child and of two other unknown Europeans lie in a little walled enclosure among the palm-trees just behind the present bathing beach at Mombasa. Merry sailormen of later years, returning from beer-drink or other diversions in native villages close by, have used Mrs. Krapf's gravestone as a target for revolver practice: it is pitted with bullet-marks.

The first Christian missionaries to cross the Victoria Nyánza to its West side and to enter the kingdom of Uganda there belonged to the Church Missionary Society. Their arrival in 1877 was closely followed by that of Roman Catholic missionaries of the

<sup>1</sup> *Through Mdsai Land.* (Samson, Low, 1885.)

Order of the White Fathers of Algeria, a resumption of Roman Catholic activity after a long gap since the days when Portuguese captains used to offer perplexed Sultans of coast towns the swift choice of acceptance by the townspeople *en masse* of the Christian faith—or bombardment. After the ill-fated attempt of Bishop Hannington of the Church Missionary Society to enter Uganda by way of the North shore of the Victoria Nyánza, a venture which resulted in his murder by natives in 1885, this Northern route became one of general adoption. Explorers, hunters and missionaries vied with each other in glowing descriptions of an extensive tract of country where the geniality of European summers prevailed perpetually, and where vast areas were occupied only by enormous herds of game. Bishop Tucker, among others, suggested that European enterprise and even colonization might be found to be possible in these East African highlands. The veil was being lifted from vast tracts of the Dark Continent, and expanding knowledge only added to the romance of the region. “*Semper Africani aliquid novi . . .*”

Previously the land had been held in the grip of the Slave Trader for uncounted generations. And we to-day, and all who make contact with the human masses of East, West and Central Africa, are still paying, and may have to continue paying for generations, some part of the price that stands debited against us for the incalculable miseries of the Slave Trade. Only the dwindling minority of thinkers who disbelieve in the transmission of acquired characteristics can be free from the obsession that there stands between us and the black folk of Africa a wall of distrust, a long pre-natal memory of innumerable devilries projecting from a background of interminable treachery. “Men do not live one hundred years, yet they harbour the griefs of a thousand,” says the Chinese proverb, quoted by Professor Gregory.<sup>1</sup> The white housewife in Africa to-day pays her part of the price in nervous strain, as she seethes with exasperation at the ingratitude of her servants. The farm-manager’s life on earth is being both shortened and embittered by gusts of fury at the unreliability, the cunning and the deceitfulness of his workers. But why should not our teeth be set on edge? Did not our fathers eat sour grapes on the coasts of Africa? We do well to remember that our Christian hymn, “How sweet the name of Jesus sounds,” was composed by an English slaver, as he was

<sup>1</sup> *The Menace of Colour*, Preface, p. 14. (Seely Service & Co., 1925.)

waiting, on the coast of Africa, for a three-masted horror to come up over the horizon, to take away, from the land of their birth, a herd of miserable African captives whom he had acquired from the interior.

The missionary has been one of the most effective agencies in the partial demolition of this wall of distrust. He, or she as the case may be, at any rate, has a record of faithful continuance in well-doing in the maintenance of an educational service, from a time when it was neither a fashionable nor profitable policy. Viewing missionary enterprise as part of our national record, the British nation may regard itself as an influence of some wholesomeness in Africa. It is true that the gift of education was made in order that the recipient might be able to read the Bible, but it also enables him now to read a labour contract. The vital point is that it is a gift made in kindness of spirit. To that extent it provides a degree of expiation for former British indulgence in the Slave Trade. As a group now engaged most earnestly in making amends, the people of Great Britain are earning, and may yet win, the kindly regard of a very powerful race as it emerges from subjugation to influence. Meanwhile, every exasperated housewife, every wearied missionary, every incensed employer, every disappointed administrator who, in her or his dealings with the African, faces a clash of views with composure and makes an honest attempt to settle it with kindness, is helping to pay off that dreadful debt with which former participation in the Slave Trade has loaded us. They are acting with forbearance towards tiresome people who are tiresome partly because they have suffered wrongs. They are helping the growth of *companionable* relations.

Even in the moral abyss of the Slave Trade there were degrees of infamy, and East Africa, as far as can be traced through historical times, has not suffered from the baser levels of human ferocity. Invested capital has had to have its cash profits in the past just as it has to-day. That is all. If that proved possible of attainment without the exercise of oppression, good and well. But if by the perversity of Fate profits could not be secured except by turning slaver, the trader turned slaver. In a modified and partially Christianized form the same problem and the same choice can be witnessed to-day. If a measure of oppression, administrative or economic, allows the reaping of steady profits which might otherwise be capricious, the measure is often adopted.

(There are several instances of this in subsequent chapters of this book.) There is, of course, always a reaction on the part of the natives. The measure, according to the degree to which it is oppressive, cannot in the long run be "good business." It may obviate a momentary total loss of more or less serious amount, but only at the price of prolonged loss of the good will of uncounted customers or fellow-traders in hundreds of square miles of productive country. The oppressor of to-day, like the slaver of yesterday, makes one scoop and at the same time destroys a profitable connection for years. The far-seeing trader, reinforcing the missionary, is one of the supports of honest Government in resisting the *conquistador* spirit.

Let us take, as an illustration of this spirit, the trading venture of Júmbe Kimaméta just before the appearance, on the scene, of the Imperial British East Africa Company. This Swahili trader and his retinue of splendid porters had penetrated 400 miles inland and were now in Kikúyu, on their way back. The expedition was going to be a fiasco. He would return to the coast almost ruined—at any rate with no profits worth mentioning. His reputation as a capable man of affairs would be at an end. He had been after ivory, of course: nothing else would pay for those hundreds of miles of head-carriage to Mombasa. And he had had no luck, positively none. Who would have thought that those swine from Kilwa (Might Paradise elude them!) should everywhere have been just in front of him, doing a roaring trade, clearing out all the collected stocks of ivory as far as Kamasfa? And now he could do nothing but return without profits—that was to say . . . unless he took slaves, of course. The idea of a return to his social circle at home, unsuccessful, was unbearable. He had been in camp (between Ngóng Mountain<sup>1</sup> and the spot where Nairóbi to-day stands) for three weeks now—a pleasant time, but unprofitable. A decision must be come to. Emissaries, going out four days' journey through Kikúyu country to the North, had found no one with ivory to dispose of. His gaze wanders across his camp, a large oval space enclosed by a *boma* or fence of cut thorn-bushes. Strapping girls from the neighbouring villages are bartering milk and vegetables with his porters. Old, old women are selling tobacco. They are no use, of course . . . but those girls—40 dollars each to an Arab dealer at the coast. A peaceful scene of barter and banter. The expression-

<sup>1</sup> V. map, facing p. 364, 36° 40' E.

less face of the caravan-leader watches it. To him it is an offer of assured profits, of an enhanced reputation in his own circle at the coast, of assured standing among his trade rivals. Bwana Sudi had had to do the same thing once before, in Kitósh. Júmbe does not like it any more on that account, but profits must be had. His face has become the face of the High Priest of all the ages ordaining Human Sacrifice in the interests of prestige, or of profits.

The porters sauntering day by day in the peaceful buzzing villages, explain how the land lies. They are going to get back to the coast as fast as they can. Bwana Júmbe has had no luck, this *safári*. But he needs stacks of food for the return journey. He will pay good prices for it, in beads, wire, plain and coloured cloths, blankets. There could be no point in taking their trade goods back to Mombasa; far better to buy food with them before leaving Kikúyu. On the day of the full-moon they will leave. The day before, they will hold a market in their *boma*. It will be the event of the year in that part of Kikúyu.

It is the day before the full-moon. Since shortly after sunrise, crowds have converged on the *boma*. Milk, maize, tobacco, goats, sugar-cane, millet, plantains, honey have been brought in quantities. The girls are there in force, the old women, old grey-woolled men, young men—the *boma* is filling. Some porters have congregated near the entrance. Badinage is going on with a tiny girl who, having sold her little calabash of milk, is anxious to get back to the village to show her old mammy her new acquisition—brass wire. The tiny lady gets through and away—the only purchase at that market which was to reach the villages of Kikúyu that day. (It would be unwise to raise suspicion by detaining that one slip of a girl.) The chattering groups still converge. The *boma* is full: packed with a joyful mass of noisy humanity, in the glorious Kikúyu sunshine. There is no point in waiting longer: there will be a long march for the honourable company before night. A musket goes off—a ripple of musket-fire. A sustained yell of terrified amazement rises in a *crescendo* of horror. Bloody massacre. All males in the pent-up crowd are being slaughtered with gun, club and knife. The group of porters at the entrance have their work cut out for them, but they meet the rush, and hold it, with swords dripping. Others dance round the outside of the thorn *boma*, clubbing any who try to break through. The stalwart Coast men, in converging



lines amid the crowd, are butchering grimly. Not for long. It is soon over. Any males who might be dangerous are dead. The bloody-handed, gabbling porters are packing as they never packed before. The sharp orders of Bwana Júmbe ring out above the querulous moan which will now persist without intermission till night and exhaustion stop it. The bartered trade goods are collected and repacked. A selection is made from the mountains of food-stuff. Women, girls and lads are roped together. The caravan starts briskly—Eastward, away from the Kikúyu country, every individual loaded to breaking-point except the small rear-guard of gun-men. (*The whip will have to be used to-morrow. Perhaps one or two disciplinary executions will be needed.*) There will be no sleep for the honourable company till the next night but one. Meanwhile, spearmen are easily kept at a distance by musket fire.

And *what* a haul! Wealth for everybody!

\* \* \* \* \*

Still, this was only one of the rare "regrettable necessities" of commerce. The portion of East Africa which is now Kenya was not harried by the professional Arab slaver as much as other parts of Africa near at hand. That may have been due to the extensive empty wastes which were kept vacant by dread of the Másai. To that extent the Másai have, on the moral plane, been something of a boon. Their depredations, at their worst, entailed nothing of the unspeakable blackness of misery that enveloped every slave-train and every raided village. The Másai were little more than cattle-lifters, and they conducted their warfare, such as it was, with an element of gentlemanliness approximating to that of the Highland clans of Scotland in earlier years. For this, or some other reason, the region that we know as Kenya contains tribes of a comparative geniality of character that is not found in many other parts of Africa. For instance, Southward from the country of the Gallas<sup>1</sup> to the Southern limit of Kenya, and across it from East to West, the tribes have not customarily indulged in the torture of prisoners of war, nor in human sacrifices. Whereas elsewhere in Africa . . . Uganda, *Dahomey!*

Later years brought, for the natives of these highlands, an era of expanding relations with white-skinned travellers from

<sup>1</sup> V. Fig. 11, p. 149.

unknown parts of the world beyond the horizon. The journeys of G. L. Fischer in June 1883, Joseph Thomson in 1883-1884, and Count Teleki and von Höhnel in 1887 were followed by the extensive and rapid travels of Professor J. W. Gregory in 1893 upon a single-handed exploration of particularly daring type. He was the first European to reach the equatorial snowfields and glaciers of Mount Kenya. This he has described in his charming book of travel, *The Great Rift Valley*, published in 1896. The first man to record an ascent to the summit of Mount Kenya was Mr. J. H. (now Sir Halford) Mackinder with two Swiss guides. This achievement provided a successful outcome to an expensive expedition financed principally by Mr. J. H. Hausburg in 1899.

\* \* \* \* \*

East Africa also delivers its message of unique happenings that marked the distant centuries long before the dawn of history. To geologists of to-day it is a still-emergent portion of what was once Gondwanaland, a plateau region connecting Africa and India and stretching across to Australia. A sunken sector of this territory has been invaded and covered by what we term the Indian Ocean, but the present state of our knowledge indicates that the greater part of East Africa has never, since the days when this planet began to have a crust that was cool enough for water to lie on, been beneath the sea. Roughly parallel to the present Western margin of the Indian Ocean and between 200 and 500 miles inland from the coast-line, East Africa is seamed by another depression, narrow and steep-sided, which, starting near the Zambezi, can be traced Northward into Abyssinia. The first explorer to recognize the nature and probable history of this remarkable feature was Professor J. W. Gregory in 1893. He called it the Great Rift Valley, and pointed out that it was a trough valley due to subsidence of the floor relative to the present lofty sides. The Red Sea is the Northward prolongation of this gigantic surface-crack, which is continued as the Jordan Valley and possibly on to the Rhine.<sup>1</sup> It is in Palestine that we have the lowest land surface on the earth, the shores of the Dead Sea, situated in this Rift, being 1,293 feet below sea-level. The subsidence has been irregular, and the floor of the Rift varies

<sup>1</sup> Gregory, *The Rift Valleys and Geology of East Africa*, p. 373. (Seely Service, 1921.)

greatly in altitude in different parts. Within the Red Sea, at 20° North lat., it attains a depth of 7,250 feet below sea-level. At Gilgil on the Uganda Railway in Kenya Colony the floor of the valley is 6,581 feet above sea-level.<sup>1</sup>

Nowhere on its course is the trough-like form of this depression better displayed than in that portion of Kenya Colony where the Uganda Railway crosses it. It is here a valley some forty miles wide and 2,000 feet deep between steep walls or escarpments, which reach a general level of 8,000 feet and more. It so happens that the approach of the Uganda Railway to the edge of this Rift is such as to give the traveller little or no warning of what he is about to see. Sir Frederick Treves, in his entertaining book of travel *Uganda for a Holiday*, describes it as "a gigantic moat," than which "no scene in the world is so novel and unexpected." Scattered on the floor of the valley are numerous volcanoes, one active, the others dormant or extinct, one flooded by the waters of Lake Naivásha, the collection ranging in size from a bold crater, eight miles in diameter, down to tiny solfataras and denuded volcanic stumps. There are numerous steam jets and some hot springs, and at least one gas-vent emitting poisonous gas. Earth movements in the valley, though slight within human record, are frequent. There are more than twenty lakes scattered along the floor of the valley. Three are seen from the train on the Uganda Railway—one of them, Lake Naivásha, extending to 80 square miles in area and to an unknown depth in the centre.

From the highest point on the floor of the Rift Valley, at Gilgil, the level declines both towards the North and South. In the latter direction we have what is practically a gigantic staircase descending from 6,000 feet to a level of 1,985 feet in a distance of 70 miles. At the foot of this staircase, which is hot arid country forming a large part of the Másai Reserve, lies Lake Magádi, the world's largest natural deposit of sesqui-carbonate of soda and unique in that the deposit collects as fast as it is removed. This wonderful feature is fed by springs of saturated soda solution, due possibly to the underground passage, through volcanic strata, of water from lakes and rivers higher up the valley. In normal or wet weather the surface of the lake is just awash with saturated liquor. In prolonged droughts it is dry and hard, and a photograph of pedestrians on it conveys the

<sup>1</sup> Kenya and Uganda Railway time-tables, July 1926, p. 74.

impression of travel over an ice-field. One's mind flies back to the record, in ancient Hindu writings, of a certain Lake Amagna in the interior, the waters of which had the peculiar property that "nothing could sink in them."<sup>1</sup> Can there have been any overseas tourists here *before the days of the camera*?

Northward from the Uganda Railway, the floor of the Great Rift Valley declines more slowly than it does to the South. The main rift is flanked in places by smaller lateral troughs, all trending downwards to the low country of the Northern deserts—"a furnace seven times heated" during the greater part of the year, the haunt of the white rhinoceros, of nomadic tribes and their herds of goats, donkeys and camels, and incidentally a buffer State of some value between the colonized areas of Kenya and the somewhat turbulent country of Abyssinia.

A good idea of the configuration of the best-known portion of Kenya Colony may be gathered at a glance from Fig. 2, which is a longitudinal section of the Uganda Railway. It will be seen that the country rises steadily from the sea-coast. Fourteen miles inland, an altitude of 500 feet is reached. Forty-two miles inland the general level of the country is 1,000 feet; at 100 miles it is 2,000 feet, and at 250 miles 4,000 feet. In the coastal belt, tropical conditions prevail. Directly outside it a poorly watered region exists, extending for upwards of a hundred miles in width from East to West, which has an annual rainfall of only 15 or 20 inches and exhibits wilderness conditions for the greater part of the year. Immediately after rains, light though they are, the "Taru Desert" in this belt is an expanse of green bushes interspersed with masses of white and purple convolvulus and other flowers. The leaves and flowers soon vanish, however, and for a period of months the deeply rooted bushes fight a battle for life with blazing sunshine and high winds. As the 2,000-foot level is reached the heat is palpably less continuous. Evenings are chill and dews frequent. Wilderness conditions disappear. Scattered mountain masses throw down some small streams. The low scrub jungle is never entirely leafless, and open patches of grassland and turf appear. Above the 4,000-foot level one enters the region of vast prairies, with mountain ranges or isolated mountains projecting above a far distant but clear-cut horizon. These prairies, rising gently as we proceed Westward for nearly a hundred miles, present a great wealth and variety of antelope

<sup>1</sup> *Asiatic Researches* (1799), vol. iii, pp. 431, 434.

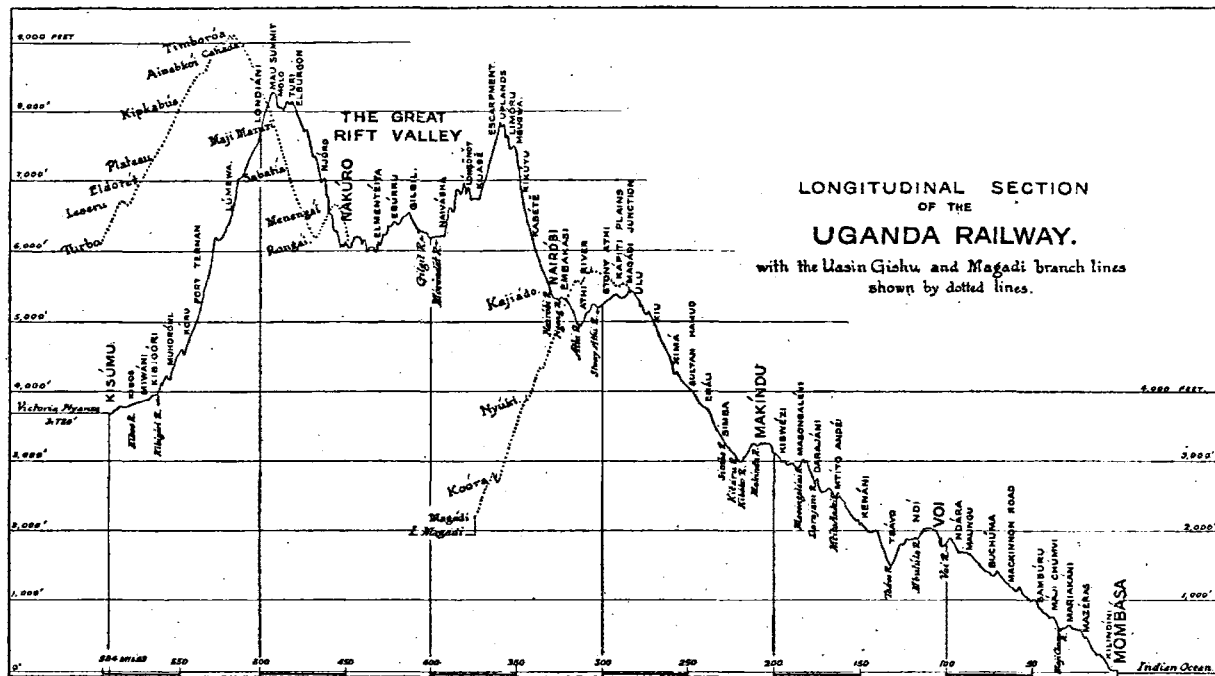


FIG. 2

(Stations on the main line are in small capitals; those on the branch lines in script lettering.)

life. They are intersected by broad and shallow drainage valleys, many of them dry for the greater part of the year. Finally these plains terminate in a long series of embayments, running into the foothills of more steeply rising country, which lies as a densely wooded mountain barrier, in a North and South direction, across the route of the Railway. These steep slopes are dissected into a constant succession of spurs and ravines, the latter traversed by streams flowing down to the far-reaching plains immediately below. This is the Kikúyu country. It leads up to an altitude of 7,700 feet and terminates abruptly, at a distance of 360 miles from the sea, as the long Kikúyu Escarpment upon the verge of the Great Rift Valley.

During the construction of the Uganda Railway, material and supplies required for work across the valley below in the years 1899-1901 were lowered to the bottom down a series of rope inclines. The finished line runs at a gradient of 1 in 50 down the face of the Escarpment, crossing eight viaducts before reaching the floor of the valley. It traverses this obliquely in a North-Westerly direction to the township of Nakúro at mile 452, after which it climbs the mightier Mau Escarpment which, at a general level of from 8,000 to 10,000 feet, forms the Western wall of the Rift Valley in this part. By a recent development, only completed in 1925, this Mau Escarpment is climbed by two railways, both State-owned, both operated by the same administration, both starting from Nakúro and arriving, in distances of 42 and 53 miles respectively, at points only 8 miles apart on the top of the Escarpment. This development is dealt with in detail in a later chapter. From the highest point of the Uganda Railway, at an altitude of 8,321 feet and at a distance of 495 miles from the sea, the country falls rapidly to a level of 4,140 feet at mile 550, where flat country is reached which stretches to the shores of the Victoria Nyánza, at an altitude of 3,726 feet and 584 miles by rail from the East coast.

This is the structure of the country along the line of the Uganda Railway. Further to the North, the general rise in the country is not so marked. The elevated prairies which the Uganda Railway reaches in 200 miles from the coast droop away to the Northward to the low hot flats across which wanders the Tana River—a not inconsiderable stream which is fed from thirteen glaciers and a heavy rainfall on Mount Kenya, and which receives contributions from an enormous fan of streams from the

Kikúyu country. For 200 miles from the sea it is navigable for canoes and shallow-draught vessels.

As regards extent, Kenya Colony and Protectorate, the portion of East Africa with which this book is going to deal, comprised at the end of 1924 an area of 245,060 square miles. During 1925 a portion, of about 36,740 square miles in area, situated on the right bank of the Juba River, was ceded to Italy, which was already in occupation of the left bank of the river. A strip, about 10 miles wide, along the coast constitutes the "Protectorate" of Kenya.<sup>1</sup> This is still the property of the Sultan of Zanzibar, and is rented from him by the Government of Kenya for £16,000 a year (£17,000 prior to the cession of a portion to Italy). In this area, it is a breach of etiquette to fly the British flag from a flagstaff rising from the soil. It is the plain red flag of Zanzibar that is so flown, and the British flag, like the national flags of foreign consuls, is flown only from buildings.

The area of the Colony and Protectorate in 1927 is thus about 208,320 square miles, or more than twice the area of Great Britain. Its Eastern boundary is the Indian Ocean. Its Northern one, an agreed Anglo-Italian boundary line running into an agreed Anglo-Abyssinian boundary line which bears roughly Westward to Lake Rudolf. Thence the boundary between Kenya Colony and the Uganda Protectorate passes up-stream along the Suam or Turkwell River from Lake Rudolf to the summit of Mount Elgon, and then by an agreed line which runs down to and along the Sío River to the Victoria Nyánza. Below this point the boundary is an agreed line across the lake to another agreed line which was the former boundary between British territory and what was German East Africa. The latter colony is now governed by Great Britain under a Mandate from the Allied and Associated Powers, and is called Tanganyika Territory.

The equator runs through Kenya Colony, actually lying across the lofty mass of Mount Kenya. Although it passes seven or eight miles North of the ice-clad summit, which reaches an elevation of 17,040 feet, it is nevertheless true that occasional snowfalls extend to that distance from the central *massif* of the mountain, when reference to "equatorial snowfields" becomes geographically accurate. The extreme limits of the Colony lie respectively at 4° 20' North latitude and 4° 40' South latitude.

The native population is supposed to be slightly in excess

<sup>1</sup> V. Fig. 8, facing p. 46.

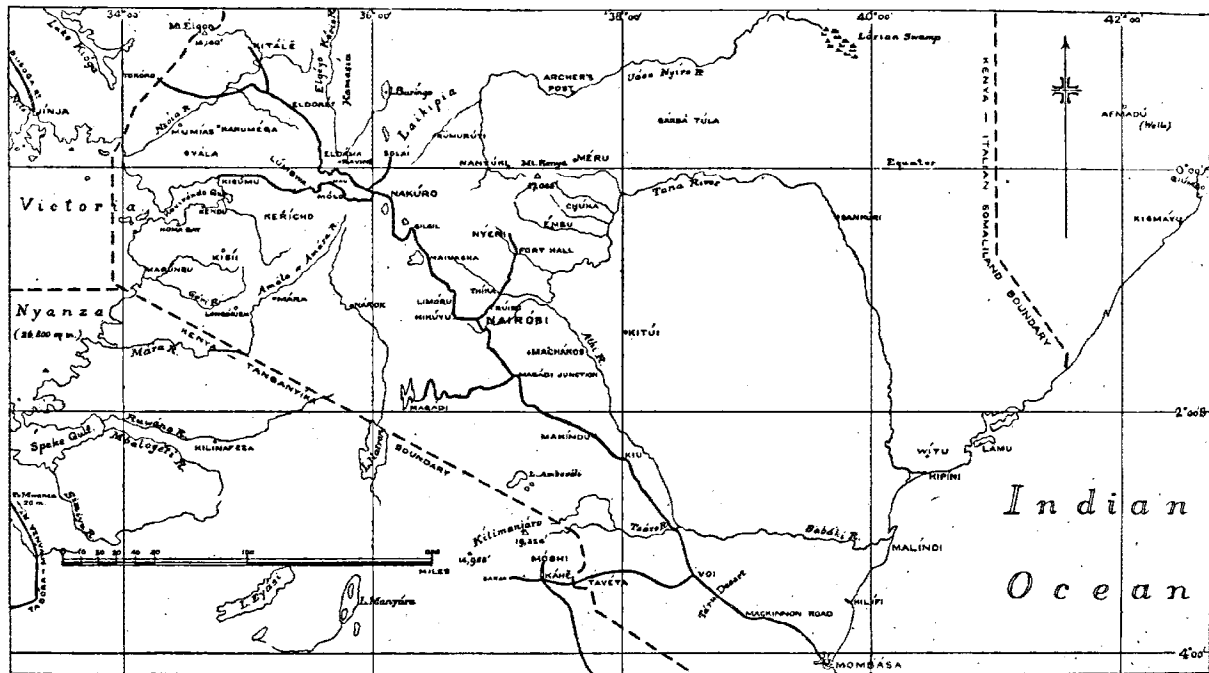


FIG. 3.—THE PORTION OF KENYA COLONY LYING BELOW THE NORTHERN DESERTS



of 2½ millions. At the official census in 1922 the total number of Europeans, men, women and children, was 9,651; of Indians 22,822, and of Arabs 10,102, while lesser groups of Goans, Seychellois and others yielded a total of 3,058. The corresponding figures given by the census of 1926 were respectively 12,505, 26,758, 10,552 and 3,841 for these four groups.<sup>1</sup>

The highlands of East Africa, to which the Uganda Railway makes the most direct ascent, are a strictly circumscribed patch of country. Including mountain, moorland, forest, regions occupied at present by dense populations of natives in more or less nebulous "Reserves" and by scattered families of Europeans on farms and ranches, the entire area does not exceed 60,000 square miles, of which nearly 10,000 square miles had passed into the hands of some 2,000 Europeans before the end of 1926. These Highlands are not, however, the most extensive tract of country in Africa, lying at an elevation of 6,000 feet and over, and apparently suitable for white colonization. That area is in Abyssinia,<sup>2</sup> where the country is well watered, the soil fertile, the grazing excellent and the climate delightful. The natives of Abyssinia are, however, far from docile. *Moreover, they have rifles; and their Government has been admitted to the League of Nations.*

<sup>1</sup> *The Times*, May 3rd, 1926.

<sup>2</sup> Gregory, *op. cit.*, p. 328.

## CHAPTER II

### THE PASSING OF THE IMPERIAL COMPANY

"He" (the African) "is a very shrewd judge of men. . . . He may, and in many instances he does, begin by crediting the European with magical power, but in the long run it is such virtues as kindness, humanity, courage, justice, truthfulness, cheerfulness, that he looks for and admires. It is a circumstance of great value to their successors that, over a vast area, the first Europeans exhibited those virtues in an eminent degree."

*The Golden Stool,*  
by Edwin W. Smith, p. 74.

NO one who is interested in the early history of British East Africa and Uganda should fail to read the admirable account of the commercial and humanitarian venture of the Imperial British East Africa Company which is contained in Mr. P. L. McDermott's book published in 1895 and entitled "British East Africa or Ibea, a history of the formation and work of the Imperial British East Africa Company, compiled with the authority of the Directors from official documents and the records of the Company."<sup>1</sup> Reference must occur occasionally in the following pages to incidents and effects of the Company's occupation, but, apart from these and the following brief outline of important events, the reader is referred to the above-mentioned work for the Company's authorized history of its undertaking.

In the year 1807 Seyyid Sultan, an Arabian ruler over the Island of Zanzibar in the Indian Ocean and the kingdom of Oman in Arabia, died, and was succeeded by his son Seyyid Said. In 1840 the latter established his court and capital at Zanzibar, leaving relatives to represent him at Muscat and in other provinces. He died at sea in 1856, and a dispute as to the succession between his sons Thuwainy and Majid was referred by them to Lord Canning, the Governor-General of India, for settlement. The award in 1861 declared the Zanzibar and Arabian possessions to be mutually independent, and confirmed Majid as ruler of Zanzibar. The State of Oman was to receive an annual tribute of about £8,000, payable at Muscat, by way of compensation for the abandonment by Thuwainy of any claims on the African dominions vested in his brother Majid, and also

<sup>1</sup> Chapman & Hall, Ltd., 1895.

for the purposes of equalizing to some extent the revenues of the two treasuries. This sum was payable by the Sultan of Zanzibar, though, on his subsequently defaulting, it was actually paid for

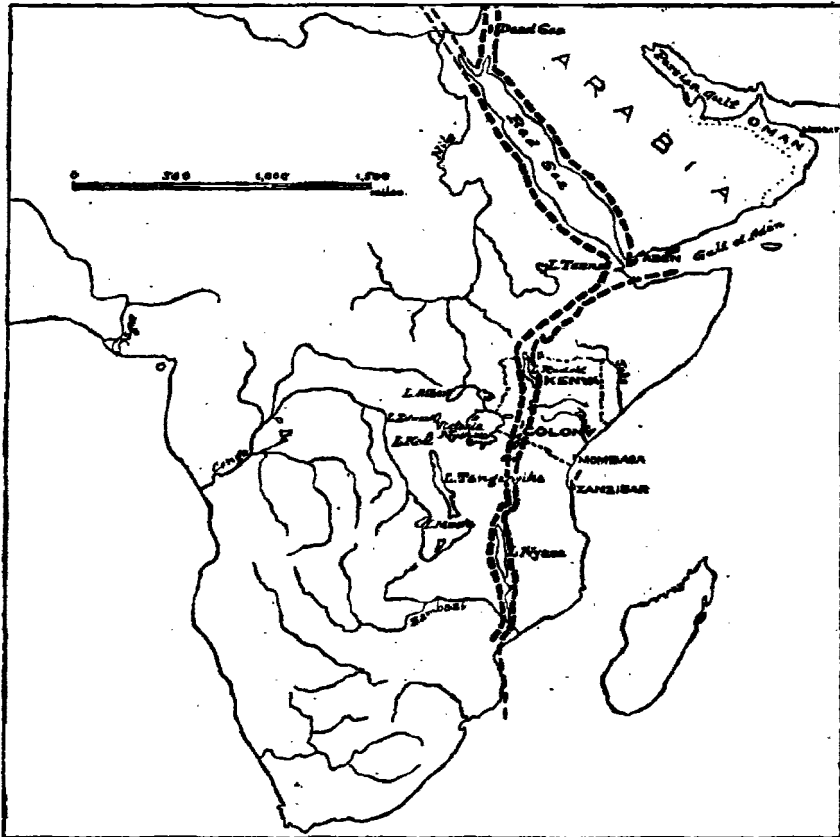


FIG. 4.—EASTERN AND CENTRAL AFRICA

Showing the position of Kenya Colony and, by the heavy broken lines, the Great Rift Valley.

(With acknowledgments to the folding plate at page 358 of Professor Gregory's *The Rift Valleys and Geology of East Africa*—Seely, Service & Co., 1921.)

a term of years by the Government of India, in the interests of peace, which was considered essential to the development of the already flourishing trade of British Indians on the coast of Africa.

Seyyid Majid was succeeded in 1870 by his brother Barghash. In 1872 the British India Steam Navigation Company opened sailings to Zanzibar from London and Bombay. In 1877 its chairman, Sir William Mackinnon, received an offer from Seyyid Barghash of a concession under lease for seventy years of the whole of the dominions of Zanzibar, including all rights of sovereignty. The Foreign Office, however, could promise no support to a company desiring to take advantage of this offer, and it was declined.

Between 1880 and 1885 German explorers and travellers made their appearance on the East Coast, and on February 17th, 1885, the Emperor gave a charter of protection to a "Society for German Colonization" for the possessions which these travellers purported to have obtained by treaty from native rulers. More than one delicate situation arose in the relations of the British and German Governments, but on November 1st, 1886, an agreement was reached as to the limits of the Sultan of Zanzibar's sovereignty and the delimitation of "spheres of influence" for Britain and Germany in East Africa. The Sultan of Zanzibar accepted the arrangement on December 4th, 1886, and the French Government signified its concurrence four days later.

On May 25th, 1887, Seyyid Barghash, the Sultan of Zanzibar, granted a concession to a "British East African Association" for a period of fifty years, delegating to the Association all the Sultan's powers in his territory on the mainland to a point as far north as Kipini at the mouth of the Tana River, including the right of levying taxes and disposing of public lands. All public, judicial or Government powers and functions were to be exercised only in the name and under the authority of the Sultan of Zanzibar. During 1887 twenty-one treaties were concluded with tribes in the interior, by which the Association obtained sovereign rights over inland areas as remote as 200 miles from the coast. On April 18th, 1888, the Imperial British East Africa Company took form with a capital of £240,000, for the purposes, among other objects, of acquiring territory from native chiefs in the British sphere of influence by treaty, by purchase or otherwise, and of exercising all the rights pertaining to sovereignty over acquired districts. All was done with the understanding that "the hearty co-operation and support of Her Majesty's Government should be accorded." A Royal Charter of Incorporation

was granted by Queen Victoria on September 3rd, 1888. Article 12 of the Charter laid down that :—

“ In the administration of Justice by the Company to the people of its territories or to any of the inhabitants thereof, careful regard shall always be had to the customs and laws of the class or tribe or nation to which the parties respectively belong, especially with regard to the holding, possession, transfer and disposition of lands and goods, and testate or intestate succession thereto. . . .”

The first British court was instituted at Mombasa in 1890.

By an agreement defined on July 2nd, 1887, the “ hinterland ” doctrine was established. This declared that, in the case of Powers having possessions on the coast, each should have the exclusive right to administer and control the regions of the interior lying behind its portion of the coast-line, and that no Power should intrude in the rear of another. A German filibustering expedition, which was officially disowned by the German Government, cleverly ran a blockade maintained on the British coast-line, landed near Witu on June 15th, 1889, and pushed into the interior upon what was nothing less than a campaign of bloodshed and robbery. It was under Dr. Karl Peters, who has written a wonderfully frank account<sup>1</sup> of his “ victories ” and achievements. The Company felt bound to secure the interests of Great Britain in the lake regions of the far interior lying behind its coast-line. It received strong expressions of public and Governmental opinion to that effect. The Company’s expedition to Uganda under Mr. (now Sir Frederick) Jackson had some astonishing experiences with the German expedition of Dr. Karl Peters, but finally, by an Anglo-German Agreement of July 1st, 1890, Uganda was definitely assigned to the British sphere of influence.

The Imperial Company had been involved in extremely heavy expenditure in consolidating British influence so far in the interior at so early a date in its career. It had incurred further heavy expenditure in the liberation of slaves at the coast, by way of compensation to their Arab masters. It cost upwards of £250 to deliver one ton of goods at the Company’s outpost in Uganda, and it became clear to the Directors that without more economical methods of transport than the prevailing one of head-porterage by caravans, the drain of maintaining effective control of an area so far in the interior would, in the long run,

<sup>1</sup> *New Light on Dark Africa.* (Ward Lock & Co., 1891.)

embarrass, if not cripple, them. It was therefore urged by the Company that Government should guarantee interest upon the capital required to build a railway into the interior. Lord Salisbury supported the proposal as an effective measure for suppressing the Slave Trade. Her Majesty's Government was now under an obligation, by the Brussels Conference of July 2nd, 1890, to take all possible steps to suppress the Slave Trade at its source. Government had for long been maintaining a Naval Squadron on the East Coast of Africa at a cost of some £100,000 annually. This certainly made slave-running a highly dangerous trade on the high seas, but, on an average, only about 250 slaves were rescued annually from captured slave dhows. Government therefore proposed to guarantee the interest on a paid-up capital of a million and a quarter pounds, being an instalment of the cost of building a railway from Mombasa to the Eastern shores of the Victoria Nyánza. The Treasury, however, hesitated to propose the necessary measure in the House of Commons, where the Liberal Opposition was now supposed to be antagonistic. A proposal was substituted that Government should, for the time being, only bear a proportion, not exceeding £20,000, of the cost of a preliminary survey for a line of railway. With such a limited instalment of Government support in a measure which was at least as much a concern of the Government as of the Company, the Court of Directors felt compelled, on July 16th, 1891, to order the withdrawal of their outposts in Uganda, as a temporary measure, and to make Dagoréti, in the Kikúyu country, some 320 miles from the coast, the extreme North-Western limit of the Company's effective occupation for the time being. The upkeep of Captain Lugard's force in Uganda was costing the Company nearly £40,000 a year. It had repelled an invasion of that country by fanatical Mahomedan tribes, and had enforced peace and mutual toleration upon rival sections of Christian converts, between which there had been open war.<sup>1</sup> The mutual hostility of Protestant and Catholic sects was embittered by the fear that the supremacy of one or the other might mean the establishment of English or French political influence respectively, with some handicap to the subsequent missionary activities of the losing side. As a matter of fact the Liberal Opposition on July 17th, 1891, objected even to the discussion of a vote for a

<sup>1</sup> *The Rise of our East African Empire*, by Sir Frederick Lugard; *The Foundation of British East Africa*, by Professor J. W. Gregory, D.Sc., F.R.S.

partial grant-in-aid towards the survey for a railway. The Company's determination to withdraw from Uganda was published, and made a sensation in Great Britain.

*The Times* pointed out that such a withdrawal would be nothing short of a national calamity. With the delimitation of "spheres of influence" which the Liberal Government of 1886 had effected in consultation with other Powers, the Company's agents had become, in the eyes of all the natives of Central Africa, the agents of England. It would mean the practical defeat of our anti-slavery policy, and would invite the persecution of missionaries labouring in Uganda, and the reconquest by Mahomedan fanatical tribes of the only African State that had shown a desire to accept Christianity. Our hopes of new African markets for our wares and of employment for our workmen depended upon holding our ground in Uganda.

Representatives and friends of the Church Missionary Society, the only Protestant mission operating in Uganda, approached the Directors of the Company with a proposal to provide £16,000, as a donation to the Company, towards the estimated cost of its establishment in Uganda for one year more. This remarkable offer, unique in the history of missionary enterprise, can now be seen to have had a profound influence upon British policy in Central Africa, and consequently upon the destinies of millions of African natives. Orders were cabled to Captain Lugard to postpone evacuation until December 31st, 1892.

British opinion had meanwhile been adequately awakened, principally by the action of *The Times* and the Church Missionary Society. In particular, Bishop Tucker of Uganda toured and lectured throughout the country, and the Government found it a matter of increasing difficulty to face Parliament with any concurrence, expressed or tacit, in the abandonment of Uganda. At last, on March 3rd, 1892, Government proposed in Parliament a vote for £20,000 for the Uganda Railway Survey. This was carried by a combined Liberal and Conservative majority, the division showing 211 for the vote and 113 against. Mr. Gladstone and Sir William Harcourt maintained strong opposition to the proposal, though it had been under the former's Government in 1885 that the idea of a railway from the coast to Victoria Nyánza had originated. Lord Granville, then Foreign Secretary, and his colleagues had then "proposed to develop that portion of Central Africa, especially by making a railway which would

run from the coast to the Victoria Nyánza," subject only to the distinct delimitation of the spheres of influence of Great Britain and Germany. This delimitation had been effected in 1886, and the same political party now had the chance of proceeding in the matter. While this debate was going on, the survey, as a matter of fact, was approaching completion, the necessary funds having been advanced by the Imperial Company. By August 7th, 1892, the survey party was at Kikúyu on its way back to the coast with its work completed.

A Liberal Government had assumed power in the autumn of 1892 and, faced with the prospect of the Company's withdrawal at the end of that year, had offered to finance the Company's establishment in Uganda for a further three months, until March 31st, 1893. On November 15th, 1892, the Permanent Under-Secretary for Foreign Affairs made a proposal to Sir William Mackinnon that the Company should consider the continued occupation of Uganda, with Government assistance, beyond the date, March 31st, 1893, then fixed for the evacuation. Nothing resulted from this, and five days later the Government decided to send an independent Commissioner of their own to Uganda and not to interfere with the evacuation by the Company. Sir Gerald Portal was selected for this mission. His expedition started from the coast on January 2nd, 1893, and reached Kampála in Uganda on March 17th, 1893.<sup>1</sup> On March 31st, 1893, the Company's flag at Kampála was hauled down and the Union Jack hoisted. On June 18th, 1893, a Protectorate was declared over Uganda. •

This Protectorate included only the country ruled over by King Mwanga of Uganda. Its area was about 22,000 square miles. The remainder of these vast territories was still left to the Company, although it was unable for the time being to maintain effective administration further inland than its station of Dagoréti.

The attitude of Government towards the Imperial Company became increasingly harsh, and after some wearisome negotiations the Company was constrained to accept £250,000 for its possessions and improvements and to surrender its Charter.<sup>2</sup> Arbitration as to the sum to be paid was bluntly refused by Government, and

<sup>1</sup> *The Mission to Uganda*, by Sir Gerald Portal. (Edward Arnold, 1894.)

<sup>2</sup> See Blue Book, Africa No. 4 (1895), for the correspondence on the subject of the settlement.



no recompense was made in respect of the Company's having acquired and held Uganda.

The Imperial British East Africa Company therefore ended its career in commercial failure, but with a proud record of achievement which entitles its founders and directors, and also the bulk of its officers in Africa, to the appreciative regard of students of history to-day. Lord Salisbury paid a tribute on more than one occasion to the Company. "It would hardly be just," he said, "to describe it as a purely commercial body, for it is notorious that the majority of, if not all, the subscribers are actuated rather by philanthropic motives than by the expectation of receiving any adequate return for their outlay. . . . Its object, I believe, has been to deal a deadly blow at the slave trade, the destruction of which has been, along with our own commercial and material progress, the animating impulse of English policy in these regions for nearly a century. . . . Through it, large sums of money have been risked and lost, and great energies and much devotion have been expended in carrying British dominion, civilization and Christianity into those countries." Certainly no other trading corporation has ever commanded the vigorous and practical support of missionary circles in Great Britain that was accorded to this Company. It set, in some respects, a higher standard in its treatment of native peoples than the British Government subsequently maintained. On the withdrawal of the Company from the Protectorate of Witu on the coast, that area was placed by the Foreign Office under the administration of the Sultan of Zanzibar. When the Company had assumed the administration of Witu in 1892, the Indian Codes of law had been applied, the status of slavery had been abolished and a time limit set for the final extermination of slavery, to terminate in May 1896. The action of the Foreign Office virtually restored the legal status of slavery and removed any prospect of complete emancipation in 1896. The Anti-Slavery Society in London recorded a protest "that a British Government, having full knowledge of the circumstances, should consent to put back into an enslaved condition a population which had already attained its freedom." This retrograde step was not officially corrected even when the Protectorate of Witu was merged in a larger "East Africa Protectorate" in 1896.

Sir Gerald Portal's Report had emphasized insistently "the all-important and overshadowing question of transport and

communications." <sup>1</sup> It urged the necessity for a railway from the coast to the Victoria Nyánza, if the country was to be administered effectively and economically. A Conservative Government had returned to power in July 1895, and Parliament authorized the construction of the Uganda Railway. It was to start at Mombasa, pass into the Uganda Protectorate at the point, some 360 miles from the coast, where rails would descend from the high Kikúyu Escarpment into the Great Rift Valley, and would then terminate on the shores of the Victoria Nyánza, that great lake of some 26,800 square miles in area, on the Western shore of which lay the Kingdom of Uganda. This railway was constructed between the years 1895 and 1902, entirely from British Government funds, to the total amount of £5,244,000, raised under the Uganda Railway Acts of 1896, 1900 and 1902. Interest and sinking fund on the capital cost of the line were paid throughout by the British taxpayer until November 15th, 1925, when payments ceased. By that time the total amount of loan, interest and sinking fund amounted to close upon £8,000,000. There has been a proposal, but never any agreement, that these sums should be recouped to the British Treasury from increased land-values accruing in a zone alongside the railway. Sir Edward Grigg, K.C.V.O., C.M.G., D.S.O., M.C., the Governor of Kenya in 1926, has suggested that the Colony may possibly refund, in 1934, a sum not exceeding £4,000,000 in part repayment of this gift.<sup>2</sup> The stage that has now been reached therefore leads naturally to a consideration of land questions in British East Africa, a topic which presents many astonishing features.

<sup>1</sup> Africa No. 2 (1894), Cd. 7303, p. 37.

<sup>2</sup> *Address to Legislative Council at Mombasa*, August 10th, 1926, pp. 9, 10. (Government Press, Nairóbi.)

### CHAPTER III

## EARLY LAND POLICY

"It has been laid down as 'a principle from which no civilized Government would think of departing, that in countries acquired by conquest or cession, private property, whether of individuals or communities, existing at the time of cession or conquest, is respected.'"

SIR FREDERICK LUGARD :  
*The Dual Mandate in Tropical Africa*, p. 288.

"The native inhabitants of a protectorate have not become the nationals of the protecting State, and that State cannot validly compel them in any particular way or deal with their property, unless the right to do so flows from one of the transferred powers."

M. T. LINDLEY :  
*The Acquisition and Government of Backward Territory in International Law*, p. 323.

THE point must be borne in mind that all early travellers in East Africa recorded the existence of immense areas of land which were totally unoccupied. Parts of these were buffer States of "no man's land" between the settlements of mutually hostile tribes. Much of the unoccupied area was inferior land where the soil, of gneissic origin, is light and sandy, where surface water is scarce and weather conditions severe. The choicest areas of agricultural land were all in the possession of natives. Mr. Francis G. Hall, one of the Imperial Company's Agents in the interior, after whom the present-day township of Fort Hall is named, described the Kikúyu country as extending for a length of about 100 miles and a breadth of 15 to 18 miles. "The country consists," he wrote, "of a number of spurs with narrow valleys through which run beautiful streams of clear water. With the exception of small patches of excellent grass, which are kept for grazing purposes, and a few small swamps, every available piece of ground is under cultivation, and the district may be described as one vast garden." Still earlier, Captain Lugard (now Sir Frederick Lugard, G.C.M.G., C.B., D.S.O.) had reported: "The cultivation in Kikúyu is prodigiously extensive, indeed the whole country may be said to be under tillage."

The fact that immense areas, entirely suitable for grazing purposes, were not made use of, is to be attributed to the reign

of terror exercised by the M<sup>ás</sup>ai. It was pre-eminently the M<sup>ás</sup>ai tribe which held vast tracts of country open for European penetration, because they kept these areas from being occupied and used. To them also may be attributed the persistence and increase of a wild fauna which makes Kenya Colony to-day the most richly stocked big-game area in the world. They did not kill and eat game themselves, and they kept meat-eating tribes, such as the Ak<sup>ám</sup>ba, off the prairies where the game abounded. They also waged unceasing war against the lion, thereby restricting the serious toll that it levied upon the antelope life of the plains. Up to the very limits of the grass-land, where the elevated prairies ran as embayments into the wooded foothills of the Escarpment, there were M<sup>ás</sup>ai villages. Inside the fringe of forest were the enormous clearings of that nation of agriculturalists, the Kik<sup>ú</sup>yu tribe. Between the two tribes, border hostilities were frequent. For Kik<sup>ú</sup>yu villages anywhere near the border-line to keep flocks of sheep and goats, or, worse still, small herds of cattle, was to ensure a M<sup>ás</sup>ai raid sooner or later. The M<sup>ú</sup>a and Luk<sup>é</sup>nya Hills, some 25 miles nearer the coast, formed another low mountain mass rising out of the M<sup>ás</sup>ai-infested prairies below. The Company's officials found the edge of this tableland manned by outposts of Kamba warriors, who maintained a watch over the leagues of grass-land below them to guard against surprise by M<sup>ás</sup>ai raiding parties. Rough stone shelters were improvised, and in each a small group of Kamba sentries remained on watch. Regular reliefs, carrying their rations for three or four days, came from the villages behind to this line of rudimentary blockhouses. It was a well-organized defensive measure, and one essential to the safe custody of the Kamba herds which grazed on the slopes of the hills or on the margin of the plains below. The territory of these sturdy defenders has now been made over by Government to European landholders, and the M<sup>ú</sup>a Hills to-day present a solid block of "white" farms.

The Kamba natives in the days before white settlement began enjoyed some degree of protection from the Company's European staff at Mach<sup>á</sup>kos station, which was an important centre both in the days of the Imperial British East Africa Company and later under Government occupation until it was eclipsed by Nair<sup>ó</sup>bi. Apart from this element of security, they possessed another safeguard against M<sup>ás</sup>ai aggression in a craft of bowmen,

whose reputation stood as high among surrounding tribes as did that of the English archer of eight centuries ago among his hostile neighbours. Frankly, raids into Ukambáni, as this territory was called, were not safe for warriors like the Másai, who depended chiefly on the spear and knobkerry. The Kikúyu bowman; although deserving of some respect in forest paths and ambushes, was not so formidable an antagonist, and it was not until Fort Smith was established among the Kikúyu cultivation that there began to be some such element of safety for the Kikúyu as was already enjoyed by the Akámbar. One of the rivers that flowed out of the deep forests into the sun-baked plains below was called by the Másai "nairóbi," the word meaning cold. It was up this valley that the Uganda Railway line was subsequently to run, and thus it has happened that it is a Másai name which the capital of the Colony now bears.

The Imperial Company was, from the first, quite alive to the value of these vacant spaces for colonization. "The Directors contemplated, from the first, the colonization of the vast unoccupied areas adjacent to the coast with British Indian families of the agricultural class." "This would serve as a relief for the surplus population of India." "The climate and soil of East Africa are admirably adapted for the requirements of the Indian agriculturalist," wrote one of the Directors in 1892, "and he will find the trade of the coast already monopolized by his fellow-countrymen and co-religionists, both Hindoos and Mahomedans, who will be ready to welcome and forward his interests." *None of the treaties which the Company had entered into with the tribes in the interior involved the latter in any loss of rights over lands in tribal occupation.* In its treatment of the natives, said Chancellor of the Exchequer Mr. Goschen during a debate in Parliament on March 4th, 1891, "the East African Company had a blameless record." The Company, said an early Government report,<sup>1</sup> "were naturally desirous of protecting the rights and interests of the native populations under their rule, and of discouraging land speculators from taking up large tracts for the purpose of floating land companies, or claiming land on the line of the railway, etc." In April 1891 Sir Francis de Winton, the Company's Administrator, issued a proclamation forbidding, outside the Zanzibar Dominions, "all dealings in land between Europeans of whatever nationality and natives." Three years later they

<sup>1</sup> Africa No. 7 (1897), Cd. 8683.

re-enacted this prohibition and applied it to the Zanzibar Dominions also.

Still, the Imperial Company recognized that there was much vacant land which might be let, and accordingly, on July 4th, 1894, a set of land regulations was published.

These allowed for "country lots," on lease not exceeding twenty-one years, but renewable, no fixed rent being specified. For grazing leases, not more than 20,000 acres could be had in one block, and the annual rent was one half anna (i.e.  $\frac{1}{2}$ d.) an acre. On agricultural land, leases of not more than 2,000 acres might be had at a rent of  $\frac{1}{2}$  anna an acre for the first five years, and then 'rising in a graduated scale.' Homesteads were of 100 acres at a rent of 4 annas an acre for the first five years, during which occupation was compulsory. Thereafter, if the farmer had spent 5 annas an acre in permanent improvements, the fee-simple would be conveyed to him.

On July 1st, 1895, the Foreign Office formally took over the country from the Imperial British East Africa Company. Sir Arthur Hardinge, as His Majesty's Agent and Consul-General, directed its administration from Zanzibar under the orders of the Secretary of State for Foreign Affairs in London. The Company's Land Regulations remained in force after the transfer of the territory, and were not formally repealed until January 1897, in which month a new set of Regulations was issued by the Foreign Office.

These empowered the Commissioner, as Sir Arthur Hardinge's position had now come to be termed, to grant to any person a certificate authorizing him to hold and occupy the land described in it for a term not exceeding twenty-one years, at the end of which the permission would be renewable. Conditions as to rent, residence, cultivation and other matters were to be inserted in the certificate, and mineral rights were expressly reserved to the Government.

Prior to this, the Earl of Kimberley, as Secretary of State for Foreign Affairs in Lord Rosebery's Government, had supplemented the Company's Regulations by ordering that no transaction in land in the chartered territory outside the districts effectively controlled by the Company should be valid unless registered before H.M. Acting Commissioner. Landgrabbing was already in progress, and Government Notices were issued on April 26th and August 31st, 1897, to the effect respectively that "certain evil disposed persons" had been acquiring land from native women at inadequate prices owing to the ignorance

of the owners as to its true value, and had also been laying claim to waste lands along the coast strip. All claimants to possession of such purchased lands were required to submit details to the Administrative Officer in charge of the district for scrutiny. As regards privately owned land required by Government for public purposes, the Land Acquisition Act 1894 of India was brought into force by a Notice dated May 27th, 1896. A Notice as to the assumption of this power to acquire private land by paying current value and compensation was published by Sir Arthur Hardinge at Mombasa on June 12th, 1897. It was similarly applied in the Uganda Protectorate on June 23rd, 1897.

The term East Africa Protectorate was formally applied to the Eastern portion of the territory over which the Imperial Company had operated in a Foreign Office Notice of August 31, 1896. This appeared in the *London Gazette* of September 1st, 1896, as follows:—

“ It is hereby notified for public information that all territories in East Africa now under the Protectorate of Her Majesty, except the Islands of Zanzibar and Pemba and the Uganda Protectorate, are for the purposes of administration included in one Protectorate, under the name of the East Africa Protectorate.

“ This Protectorate includes the territories bounded on the north by the River Juba, on the east by the Indian Ocean, on the south by the German sphere, on the west by the Uganda Protectorate, and also all adjacent islands between the mouths of the Rivers Juba and Umba.”

It must be remembered that the Uganda Protectorate at this time and onward to April 1st, 1902, included a large portion of what has since become Kenya Colony.<sup>1</sup> An “ Order ” of Lord Lansdowne’s dated March 5th, 1902, prescribed that this “ Eastern Province ” should become “ the Kisumu and Naivasha Provinces ” of the East Africa Protectorate. The present-day settled areas on the Rift Valley, the Máu Escarpment, the Uásin Gíshu Plateau, Trans-Nzóia, Lumbwa, Sotík, Lower Molo, Muhoróni, Kaimósi and Nandi were all in the Uganda Protectorate, though some of them were only imperfectly known. It is of interest therefore to trace the actual official instrument under which Government assumed the right to sell, lease and give away areas of land here.

It is contained in a Government Notice signed on April 9th,

<sup>1</sup> Fig. 6, facing p. 46.

1900, by Sir Harry Johnston, H.M. Commissioner in the Uganda Protectorate. This "Circular No. 11" of 1900 says 1:—

"In virtue of Treaties and Agreements concluded with the Kings and Chiefs of the aforesaid (Uganda) Protectorate and its adjoining Territories, H.M. Government has acquired the sole right of disposal over the waste and uncultivated lands of the said Protectorate and its adjoining Territories; that in addition it is forbidden to any persons not native of the Uganda Protectorate and its adjoining Territories to acquire land either by purchase from the natives, by deed of gift, or by occupation, without the prior consent of the principal Representative of H.M. Government administering the Uganda Protectorate. All applications for land must be addressed to the Commissioner's Office, Entebbe, Uganda."

The surveyed route of the Uganda Railway at this time ran for 110 miles through this "Eastern Province" of the Uganda Protectorate.<sup>2</sup> To make the public ownership of land secure alongside this portion of the Uganda Railway, a subsequent Notice was published by Sir Harry Johnston on May 10th, 1900, appropriating to Government ownership a one-mile zone on each side of the surveyed line. This read as follows 3:—

"In further reference to Circular No. 11 of 9th April 1900 and by order of Her Majesty's Principal Secretary of State, it is hereby notified that Her Majesty's Special Commissioner and Commander-in-Chief for the Uganda Protectorate has, in pursuance of the powers vested in him, appropriated from this date for public purposes (subject to any right of ownership which may be proved to his satisfaction) all lands between the Eastern Frontier of the Uganda Protectorate and the East Coast of Lake Victoria Nyanza which are situated within one mile on either side of the Line of the Uganda Railway, wherever finally constructed.

"All claims to ownership of land within this zone following the Railway Track must be lodged with Her Majesty's Special Commissioner within three months from the date on which this Notice is published in the Official Gazette of the East Africa and Uganda Protectorate."

Sir Harry Johnston was enthusiastic about the attractions of this Eastern portion of his Protectorate (as it was then) as a possible home for white people. In an early report to the British Government he said:—

"In the Eastern part of the Uganda Protectorate there is a tract of country almost without parallel in tropical Africa: a

<sup>1</sup> *Official Gazette of the East Africa and Uganda Protectorates*, vol. i.

<sup>2</sup> *V. Fig. 6.*

<sup>3</sup> *O.G. (E.A. & U.)*, vol. i.



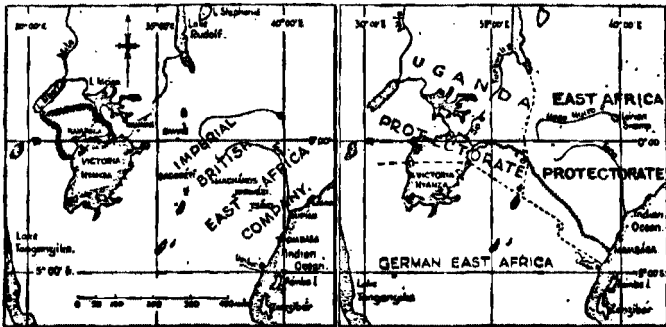


Fig. 5. The original Uganda Protectorate of June 18<sup>th</sup> 1893. (Shown with hatched margin)

Fig. 6. The extended Uganda Protectorate as it was up to April 1<sup>st</sup> 1902. (This diagram explains why the Uganda Railway was so called.)

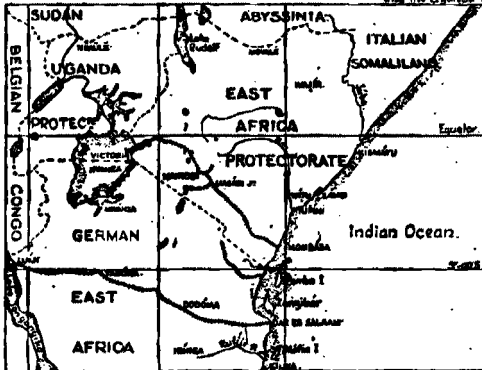


Fig. 7. East Africa as it was in 1914.

The boundary between the Uganda and East Africa Protectorates has been moved west to the Sobat and Sobat Rivers.

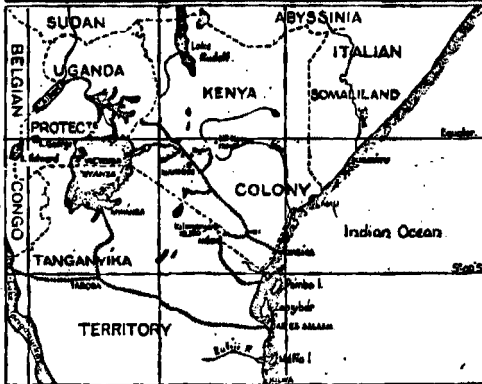


Fig. 8. East Africa in 1927

The 'E.A.P.' became 'Kenya Colony' on June 1<sup>st</sup> 1920. A strip 10 miles wide along the coast is the 'Protectorate of Kenya'.

The Kenya-Uganda boundary has again been moved westward.

36,760 square miles on the right bank of the Juba River were ceded to Italy on June 29<sup>th</sup> 1925.

German East Africa has become 'Tanganyika Territory'—administered by Great Britain under a Mandate from the Allied and Associated Powers.

FIGS. 5-8.—THE CHANGING SPHERES OF GOVERNMENT IN EAST AFRICA FROM THE DAYS OF THE IMPERIAL COMPANY TO 1927

region of perhaps 12,000 square miles, admirably well watered, with a fertile soil, cool and perfectly healthy climate, covered with noble forests, and, to a very great extent, uninhabited by any native race. This area lies at an altitude not less than 6,000 feet, and not more than 10,000 feet. It is as healthy for European settlers as the United Kingdom, British Columbia, or temperate South Africa. . . . I am able to say decidedly that here we have a territory (now that the Uganda Railway is built) admirably suited for a white man's country."

The Land Regulations of January 10th, 1897, for the East Africa Protectorate, which have been alluded to, did not have a very long vogue.

By December 29th of the same year they were superseded by a Notice which began :—

"Whereas under the Africa Order in Council, 1897, Her Majesty's Commissioner and Consul-General for the East Africa Protectorate has power to make Regulations for peace, order, and good Government : It is hereby notified that the Commissioner and Consul-General has, in pursuance of the powers aforesaid, made the following

"Regulations.

"1. The Commissioner may, if he thinks fit, grant to any person a certificate authorizing him to hold and occupy the portion of land described in the certificate for a term not exceeding ninety-nine years."

Ten other clauses followed. The land was to be held and occupied according to the terms of the certificate. In any particular case, such conditions as might be deemed necessary might be inserted. No certificate would be granted in respect of any land which was lawfully held and occupied by any person, "whether a native or not a native," who held such land under a documentary title which Her Majesty's Commissioner was prepared to recognize.

It may here be interpolated that no tribe in East Africa had any such documentary title. Years later a suggestion was made by Lord Crewe, when Secretary of State for the Colonies in Mr. Asquith's Government of 1908, that a treaty should be made with each separate tribe in the country, giving to each tribe and clan the absolute possession of such land as it might claim in the light of tradition, supported by reasonable expectation of present and future tribal needs. By that time, however, the suggestion fell on deaf ears, and Lord Crewe did not remain in the Colonial

Office long enough to press for its adoption. *Up to the year 1926 the tribes of Kenya have had no legal right to their lands.* It is true that in a despatch S. 211 dated August 20th, 1914, Sir Henry Conway Belfield, the Governor at that time, promised that the land of the Kikúyu tribe should not be further interfered with, and when two years later a Committee of three Heads of Government Departments recommended, with one dissentient, that the Kikúyu Native Reserve should be reduced by 10 per cent. in order to provide more farms for Europeans, he reported to the Secretary of State in August 1916 that "the acquisition of such lands from native areas should not be entertained." But the fact has been, up till 1926, that *encroachment might be effected by any Governor who could advance sufficiently plausible excuses for it to elicit concurrence from a Secretary of State in London.* Even in September 1924 Sir Robert Coryndon, as Governor of Kenya, was proposing to establish colonies of white farmers on picked sites inside the already seriously invaded Native "Reserves," in order to ensure the uplift of the surrounding natives.

The point must here be noted that a profound departure in method took place between the land policies of the Uganda Protectorate and the East Africa Protectorate. The Government of the former, in order to start with a clear understanding of land ownership, at any rate in the more closely administered parts of its territory, publicly insisted that all claims by non-natives to land in the Uganda Protectorate should be lodged within a period of three months, after which, it said,<sup>1</sup> "no claims can be taken into consideration in the Land Settlement." Next, by way of eliciting from the natives themselves a statement of what native interests in land existed, the Government, in ceremonial conclave, invited a clear statement of *what land they wanted.* This was then made over to them by treaty, and the remaining land of the country was available, in the hands of the local Government, for alienation or for retention as State domains. By contrast, the East African practice continued to leave decision on this all-important point to the judgment of the Commissioner<sup>2</sup> (in modern parlance, the Governor), and it will be made plain in the pages of this book that the judgment of a Governor can

<sup>1</sup> Africa No. 7 (1897).

<sup>2</sup> Clause 2 of E.A. (Lands) Order in Council, 1901, in O.G., October 1st, 1901, p. 249.

be influenced. Still, as long as these Regulations of December 1897 remained in force, they debarred any alienation of land which would be injurious to native interests. Section 7 said :—

“ A certificate will not be granted in respect of any land which at the time of the commencement of these regulations is cultivated or regularly used by any native or native tribe, but may be granted if the Commissioner, after such inquiry as he may think fit, is satisfied that such land is no longer so cultivated or regularly used, and that the grant of a certificate would not be prejudicial to native interests.”

If this provision had been retained even until 1903, the alienation of the Rift Valley and the subsequent scandal of the Māsai Move<sup>2</sup> would not have been possible. It was, however, formally repealed on September 27th, 1902, upon which date the first Crown Lands Ordinance, shortly to be described, took effect.

After Sir Arthur Hardinge had been discharging the duties of Commissioner for a year or two he began to press for the grant of “ somewhat more favourable conditions ” for *bona-fide* settlers, and suggested<sup>2</sup> “ that if on technical grounds the freehold of unoccupied lands could not be granted in a territory in which Her Majesty does not enjoy sovereign rights, a certificate such as that provided by the Regulations should be granted for a term of, say, 999 years, a premium representing 15, or at most 20 years’ purchase being substituted where the applicant desired it for the rent, which . . . should in the case of unoccupied lands be 1 pice or  $\frac{1}{4}$  anna an acre.”

This, if it had been adopted, would have meant the grant of unoccupied land for a term of 999 years upon a cash payment of twenty pice (= 5d.) an acre. It may be thought that this was a sufficiently favourable condition. The next Commissioner, Sir Charles Eliot, was, only a year or two later, to improve conditions for settlers still further by offering land for nothing in 5,000-acre blocks.

The Administration in Sir Arthur Hardinge’s time adopted clearly defined procedure in defence of native rights.

After reporting, with some arithmetical haziness, that “ in the interior a fair average price, from a native point of view, for cleared and cultivated lands would be a cow for every hundred acres, or, estimating the value of a good cow at about 50 rupees, about two rupees an acre,”

<sup>2</sup> V. Chapter VIII.

<sup>2</sup> Africa No. 7 (1897), p. 63.

it was laid down that the Administration refused to sanction such sales unless the local District Officer certified :—

- (1) that the vendor had a lawful title to sell,
- (2) that the transaction had been explained to, and was thoroughly understood by, him,
- (3) that it was in itself in conformity with the customs of the tribe within whose bounds the land was situated.

These requirements were explained in the following terms :—

“ This is all the more necessary as over large tracts of country the conception of absolute ownership of land and of the right to sell it, or exclude other cultivators, even if the land is abandoned and left uncultivated, does not yet exist, and it is only in a limited number of districts (e.g. the Kikúyu or Kenia district of Ukamba and in the Mahomedan region generally) that the Chiefs, as distinct from the community, can really alienate land situated within the territory considered as its own by the tribe.”

It may here be mentioned that the most expensive land in the country at this time was building-land in Mombasa Island. This was worth £30 an acre, or for land near the railway or in specially advantageous positions, £50 an acre. (By 1920 such lands had changed hands at prices exceeding £15,000 an acre.)

By 1902 the representations of Sir Arthur Hardinge and his successor, Sir Charles Eliot, who had assumed the Commissioner-ship of the Protectorate in 1900, had borne fruit. A Crown Lands Ordinance, 1902,<sup>1</sup> was promulgated, and thereby became the law of the land without any public discussion locally. *The prohibition of the sale of land whereby native interests would be adversely affected disappeared*, and there was substituted the milder requirement that “ in all dealings with Crown land regard shall be had to the rights and requirements of the natives.” This was coupled with a stipulation that “ in particular the Commissioner shall not sell or lease any land in the actual occupation of the natives.” These requirements, although constituting a relaxation of the standard of trusteeship previously recognized, were satisfactory to this extent, that the demand for a “ regard ” of native rights was all that need be asked for by a Government intent upon native welfare. It was almost valueless, however, as a measure of control of a local Government indifferent to, or enthusiastic about, the encroachment of Europeans upon native holdings. As “ occupation ” was not defined, but left to the interpretation of the local Government, opportunities for con-

<sup>1</sup> O.G., 1902, p. 312.

struing temporary disuse as cessation of occupation were unceasing, and the native, under the letter of the law, could be victimized every time. Temporary disuse might arise through putting land to lie fallow, or as a result of sickness, matrimonial infelicity, drought, flood, death or pestilence. Native villages might be, and were, closely surrounded by or actually included in allotments to Europeans. Section 31 of the Ordinance says :—

“ The Commissioner may grant leases of areas of land containing native villages or settlements without specifically excluding such villages or settlements, but land in the actual occupation of natives at the date of the lease shall, so long as it is actually occupied by them, be deemed to be excluded from the lease. . . . Any land within an area leased which has been in the occupation of natives shall, on ceasing to be so occupied, pass to the lessees.”

The invitation to any unscrupulous immigrant to use influence in a variety of directions to secure the “ non-occupation ” of some Naboth’s Vineyard within the boundary of his own holding is apparent enough here.

A modification of this provision lay in the fact that disputes between lessees of land and natives occupying land within or near the area leased had to be referred to the Collector of the District. In the event of either party being dissatisfied with the finding, an appeal might be made to the Sub-Commissioner of the Province, whose decision was final and binding on both parties. This provision was useful, as far as it went. Its mere inclusion must be regarded as a high testimonial to the character of the British Administration officers, whose sense of duty was clearly regarded by the British Government as an adequate defence of subject natives against the predatory desires of men of the officers’ own kith and kin. It is only because the administration of this Law was better than the Law itself that East Africa was not involved in serious native trouble during the early days of settlement.

Still, the fact remained that, under pressure from Government House in East Africa, the Home Government had relaxed the standard of trusteeship that had previously prevailed, and, as a result, a large sweep of Kikúyu territory, partially depopulated at the moment as a result of the great famine and smallpox visitation (described in the next chapter), passed out of native hands.

For ever ?

\* \* \* \* \*

It may be stated that not only the Administration officers but also the Land Officer discharged what they conceived to be their duty with a disregard of pressure from interested parties which involved some of them in animosities that pursued them relentlessly not only as long as they remained in the Service, but even after they had left it.

In spite of modifications contained in this new Land Ordinance, it was far from popular among land-hungry immigrants in East Africa. The hand of the Foreign Office was far too apparent in its pages.

The Commissioner might not sell more than 1,000 acres of Crown Land in one lot without the approval of the Secretary of State. The Commissioner might at any time enter and view the state of any land sold, and if it remained apparently unoccupied for more than twelve months, he might give six months' warning, and, if no activity resulted, might resume possession of the land for the Crown. No land might be leased for a longer term than 99 years. Holders might not assign their land, except by will, without the previous consent of the Commissioner. They were required "to use and develop the natural resources of the land leased with all reasonable speed, having regard to all the circumstances of the case." Their lands were subject to several servitudes: they had to allow roads to be made for the public service; to allow materials for road-making to be taken by the Government's Road Authority; to permit travellers to encamp for a period not exceeding 48 hours on any uncultivated part of the land which might be more than a quarter of a mile distant from a dwelling-house; to allow access by travellers to any stream or lake on the land; to erect reasonable boundary marks; to permit the erection of telegraph-poles and lines, sewers, waterpipes and electric lines in or across the land. Moreover, if any holding exceeded 100 acres in extent, Government might construct new roads, railways and canals across it without paying for the land, though compensation was to be paid for any buildings damaged. In the case of a plot of less than 100 acres, compensation had to be paid for the land also. Finally there was a stipulation that at the end of the lease all buildings on the land should revert to the Crown without compensation being paid. This would have been an indefensible provision if any tangible revenue were going to be exacted by the Crown from landholders. For the next twenty years, however, the yearly revenue that was to accrue to the Protectorate Treasury for the use of millions of acres of land has been trivial. It amounted to about three-halfpence per acre per year, averaged over grazing lands, farm lands, plantations and town plots. So, viewed in retrospect, there seems to be some justification for that provision for securing from landholders something of tangible value, especially since this is only to take place after a demand has been waived for a period of 99 years.

The conditions under which land was to be held having now

been described in sufficient detail, it remains to allude to the terms upon which it could be obtained.

A Land Notice in the *Official Gazette* of August 1st, 1902, stated that agricultural and pastoral land of average quality, suitable for home-steads, might be obtained in blocks up to 1,000 acres in size. The price for freehold was two rupees (2s. 8d.) an acre. If taken on lease for terms up to 99 years, the rent was to be Rs. 15 (£1) per 100 acres per annum. Land suitable only for zebra or ostrich farming could be had at much lower rates, according to locality, whereas land "in the immediate vicinity of townships" was only to be had at special rates, according to value. Land within one mile from the Uganda Railway, or near the coast towns or in Mombasa Island, or land believed to contain india-rubber or other valuable products, would, as a general rule, only be leased and not sold. On all lands, mineral and water rights remained in the hands of Government.

In the earliest days, when the first land grants were being made by Government, a fixed charge of thirty rupees (£2) was made to cover the cost of preparation of documents. It was always the case, moreover, that the applicant had to pay the cost of the survey of his holding. These charges were made on a very light scale which was laid down in the *Gazette* of January 15th, 1900, under "Fees and Royalties Regulations of 1899."

The rights and powers of Government were further defined at this time in an Order in Council issued on August 11th, 1902. The clauses dealing with land were the following portions of Articles 2, 7 and 12 :—

"Whereas the territories of Africa situate within the limits of this Order are under the protection of His Majesty the King and are known as the East Africa Protectorate,

"And whereas by Treaty, grant, usage, sufferance and other lawful means, His Majesty has power and jurisdiction within the said territories :

"Now, therefore, His Majesty . . . is pleased . . . to order . . . as follows :— . . . . .

" 2. In this Order—

" ' Crown lands ' means all public lands in East Africa which are subject to the control of His Majesty by virtue of any Treaty, Convention, or Agreement, or of His Majesty's Protectorate, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever ;

" 7 (1) All rights of His Majesty in or in relation to any Crown lands shall vest in and may be exercised by the Commissioner for



the time being in trust for His Majesty, or if the Secretary of State at any time with respect to all or any such lands by order under his hand so directs, in such other trustee or trustees for His Majesty as the Secretary of State may appoint.

" 7 (3) The Commissioner, or such other trustee or trustees, may make grants or leases of any Crown lands, or may permit them to be temporarily occupied, on such terms and conditions as he or they may think fit, subject to the provisions of any Ordinance.

" 12 (3) In making Ordinances, the Commissioner shall respect existing native laws and customs except so far as the same may be opposed to justice or morality."

This Land Legislation was acted upon, though it evoked a great deal of hostile comment from immigrants, and an Annual Report of the Protectorate<sup>1</sup> for the year 1903-4 stated that, up to March 31st, 1904, land had been allotted to some 130 Europeans. When Sir Donald Stewart was appointed Commissioner in 1905, in succession to Sir Charles Eliot, one of his first actions was to appoint a Land Commission to report upon land administration and legislation, and to suggest improvements where necessary. This consisted of officials of the Judicial branch, Judge Hamilton (later Sir Robert Hamilton, Kt.), and Mr. J. W. Barth (later Sir Jacob Barth, K.B.E.), two settlers, Lord Delamere and Mr. Frank Watkins (Senior), with the senior Judge of the High Court (Judge Cator) as Chairman. Early in the proceedings Judge Cator had to vacate the position as he was promoted to a judgeship of the High Court at Zanzibar. Lord Delamere then became Chairman of the Commission.

The report of this body may be regarded as the opening of the second phase of land agitation in the Protectorate. This will be described in Chapter V, together with the interesting sequel that led up to the forceful demand, which neither the Kenya nor the Home Government has yet refused categorically, that the title of all leasehold European estates may be converted to freehold, and that every landholder shall have the right to use his land for farming or, at his sole choice, for speculative subdivision for building purposes.

Summarized briefly, the story, up to the point that has been reached, is a record of action by the Foreign Office in taking possession of the whole of the land in the interior of what is now Kenya Colony. This operation, it is true, only succeeded because the natives of the country were too uneducated to know

<sup>1</sup> Cd. 2331, Africa No 15 (1904).

what was going on, but that is precisely the condition that has provided openings for so many of the exploits of the Foreign Office which have been regarded as brilliant. It next proceeded busily to create in Africa a class of landed proprietors. Anybody might belong to this class, *provided that he or she was not an African*. Differences next developed rapidly with various cliques of proprietors. Upon their becoming a trifle turbulent, the Foreign Office (which knows *all* the artifices) handed the cliques and the country and all its problems over to the Colonial Office. It was in 1905, and on April 1st, that this took place. The sequel ought to contain much of human interest.

It does.

## CHAPTER IV

### THE EARLY DAYS OF SETTLEMENT

“The establishment merely of a protectorate does not entitle the protecting Power to deal with private rights to land in the protected territory, and any such power must be based upon express grant or acquiescence on the part of the local Government.”

M. T. LINDLEY :

*The Acquisition and Government of Backward Territory in International Law*, p. 321 (1926).

“When the Whitemen first came we did not understand that we were to be deprived of any of our land, nor that they had really come to stay. A small piece of land here and there was sold to a few of the first pioneers and to one or two Missions voluntarily by its owners in the time of the I.B.E.A. Company. When the British Government took over the administration of the country we still were unaware that our possession of our land would be questioned or challenged.

“Then from about the year 1902 increasing numbers of Whitemen arrived, and portions of our land began to be given out to them for farms, until large areas in Kyambu, Limoru, Kikuyu, Mbagathi, about Nairobi, and at Ruiru and beyond, had been disposed of in this way. These lands were not bought from their Kikuyu owners, and any compensation they received (for land actually under cultivation *only*, and at an extremely small rate per acre) was quite inadequate. The Natives on them had either to become squatters (on what had been their own land) or else move off. Many of them to-day are squatters on up-country European estates and many have become wanderers, moving from one estate to another.”

EXTRACT FROM A MEMORANDUM PRESENTED TO THE  
PARLIAMENTARY COMMISSION IN NOVEMBER 1924  
BY THE KIKUYU (NATIVE) ASSOCIATION.

“**F**ORT Smith” to-day is a settler’s farm. It lies some five miles to the West of Nairóbi and close to a Church of England Mission station. Nowadays, young English girls ride, entirely unattended, on bicycles along the surrounding roads which have supplemented, but not displaced, the steep native tracks of the district. Even as late as 1904 travellers on these tracks might have found themselves suddenly marching into a herd of elephant. The traveller of to-day will have to go some 120 miles from Nairóbi to the North-East of Mount Kenya for any chance of such an experience. (This he can do by motor, in a few hours’ run from Nairóbi.)

In 1897 Fort Smith was a fort. The sole European residents were three young officers of the Protectorate Service and the East Africa Rifles. Outside their *boma* or fort, complete with its moat, rampart and bastions, stood a landmark called “the

thousand-yard tree." It was a station instruction that no one was to go beyond it without an escort of rifles. The tribesmen had been turbulent. The Company's famous outpost of Dagoréti, only a few miles away and by this time abandoned, had been invested by hostile Kikúyu natives. It stood a short siege until the supplies of the garrison gave out, and was then evacuated by night. The garrison was guided in safety across the hostile territory by a Kikúyu-Másai half-caste named Kinyanjúí. His help was recognized by Government at a later date, when he was appointed paramount chief of the Kikúyu tribe in that locality, which office he still holds (in 1927). Although native unrest on this occasion simmered down quickly, the district remained for some years unsafe for unknown Europeans travelling alone. Even in the most troubled times, certain Europeans, well known to and trusted by the natives, were able to wander at will, unattended, among the native villages. At that time in Kikúyu, as later among the Nandi, the natives discriminated between individual Europeans, and did not class them all as a single group of aggressors. In a less degree this same discrimination between trusted and untrusted immigrants prevails to-day, guided by unexpected standards and quaint intuitions. In complete ignorance of the scale of values by which white men were judged, it was a wise precaution which limited the unattended wanderings of staff and visitors at Fort Smith to the "thousand-yard tree" outside the *boma*.

Two hundred miles or more down-country, "railhead" was creeping forward across desert and through scrub jungle. To the scattered residents up-country, "rails" were a source of unending anecdote and of visions of a transformed country. To the Uganda Railway engineers the advance of railhead meant ultimate escape from drought, dust and tropical heat, and entry into the interior highlands, teeming with game and possessing a climate of which men, returning from survey parties working far in advance of rails, brought glowing accounts. The swarming earthwork gangs with their thousands of Indian coolies, the platelayers, the bridge-builders, the commissariat staff charged with the feeding of this industrial army in its advance through a wilderness devoid of supplies and in many parts devoid of water, the medical and sanitary control, the traffic and loco. staffs, all worked as one team, pushing railhead Westward into the interior with glorious disregard of all the problems of statecraft which

were soon to emerge as a direct result of their labours. The wild life and the insect life of Africa exacted their toll, but the morning stars sang together to the scattered groups of white strangers in the land who romped at every dawn into a fresh day's work, implanting the means of rapid transit upon a tiny ribbon of African soil where man had, since the dawn of time, only walked before. For those who were privileged to have a share in carrying out that project, the traverse of the glorious highlands of East Africa provided an experience of incomparable charm, as railhead forged across the breezy prairies and nosed its way up and across mountain ranges to its halting-place beside that vast expanse of Nile water, the Victoria Nyánza, the largest of the lakes of Africa. The Railway engineers were in a new world. For the Administration officers through whose domain the Railway crept, it was a *changed* world. The Railway immediately brought them a challenge. Once again an isolated group of gentlemen-adventurers from Britain were to face the old conflict of principle and expediency—were to balance the promptings of self-interest against the upholding of high traditions. It is always easy to appreciate the requirements and support the claims of those, especially if they are one's own countrymen, who are socially and politically influential, well organized and clamorous. Only those who are clear-minded and resolute can consistently maintain the cause of strangers who are inarticulate, unorganized and devoid of both political power and aspirations.

Even before the Railway had reached the point where Nairobi, the capital, now stands, a few families of settlers had entered the highlands and were looking round for a locality in which they could acquire and farm land. These parties, after travelling the short distance up the then completed line to railhead, went on by daily marches into the interior, and one family—the McQueens—walked into Uganda and back before it settled in the Kikúyu country: a notable exploit for individuals encumbered with babies and supported by neither missionary organization nor commercial Company. Earlier still, a very few sportsmen had penetrated into the interior, and they returned to Europe with stories of an abundance and variety of big game unequalled anywhere else in the world. Some of these hunters made prolonged visits up-country, and were able to send down tons of elephant ivory, in the first case to the coast and later to wayside railway stations, where the ivory was usually sold to Indian

traders. One afternoon in 1898 the District Officer in charge of the inland station of Machakos was informed by his wife that there had just arrived upon the verandah a singularly dishevelled traveller who announced himself as Lord Delamere. After tea with this Mr. and Mrs. Ainsworth, Lord Delamere excused himself from returning for dinner on the grounds of the disrepair and scantiness of his outfit. He had not known when he first called that "there were any ladies in the station." He had come South through Jubaland and Tanaland by camel and porter caravans, and was now proceeding to meet the railway construction parties as they approached the site of Nairóbi, and so go on to Mombasa. His camp exhibited all the evidences of a dashing and adventurous journey through wild country, and next morning he moved away Southward with his companion, Dr. Atkinson. Latter-day sportsmen travel with more luxury, but not often with a keener spirit of adventure. Their visits "out of the blue" to remote Government stations have long ago ceased to be the rarity that they were in 1898, as also has the presence of "ladies in the station."

Early travellers saw something of what is termed inter-tribal warfare, and accounts of it perhaps received undue prominence in their writings. It is easy to exaggerate the extent and severity of tribal warfare. These affrays were nothing much more than a series of border quarrels, conducted for the purpose of, or in retaliation for, thefts of produce or stock. Within the tribal borders the bulk of the native population lived at peace. No majestic *impis* moved across the country. Heavy fighting on a tribal scale rarely took place. The Másai did make forays in some strength, but, except when sections of this tribe were fighting each other, their operations were nothing more than cattle raids, skilfully planned to take unsuspecting stock-holders of other tribes by surprise. In a short time these activities were suppressed. The story of the swift pacification of a medley of hostile tribes, continuing from the point where Sir Frederick Lugard's narrative<sup>1</sup> ends, still awaits its competent chronicler. Many a little episode of prompt retaliation for "Government orders" disregarded: many a tense evening spent in tiny Government posts and outposts round which doubled sentries crouched, cursing the setting of the moon or the overclouding of stars, as they competently discriminated between the whirr of semi-audible noises that constitute the "silence" of their tropical night:

<sup>1</sup> *The Rise of Our East African Empire.* (Blackwood, 1893.)

many an exploit of superhuman self-assurance by youngsters doing their job in conditions to which no predecessor's experience extended and where no manual of instructions could guide—these and the little dotted cemeteries of one or two graves, dating from occasions when inspiration gave out just when luck was at its blackest, or recording defeat in a long-drawn struggle by some mother's son against disease and isolation, go to make up the skeleton of a story that ended in one district after another before settlers entered it. In 1899 the picturesque spit of land between the Thika and Chánia rivers, upon which the Blue Posts Hotel now stands, was the scene of a pitched battle with Kikúyu tribesmen. The Government camp was rushed and a Government veterinary officer was killed. The Railway surveyors in working through the Kikúyu country were occasionally molested, and rifle and theodolite were equally necessary articles of equipment in the field. As late as May 1902 a small column consisting of 50 Police and 500 Másai irregulars left Naivásha station on a short and effective expedition against disaffected Kikúyu. In 1903 Muhoróni at mile 547 on the Railway was the base of operations against the Nándi tribe in the settlement of a "rising" which need never have occurred if more restraint had been shown by emissaries of Government at one critical stage of preliminary misunderstandings. Baríngo *boma*, the country's Northernmost inland station, was invested by Suk natives for five days. Many a dashing little relief expedition moved about the map in those days. Up to 1905 the country to the North of Mount Kenya and the Tana River remained a "closed district," with the result that the early waves of settlement passed it by, so that it still remains the least penetrated area of choice land in native occupation.

There were not wanting among the pioneer arrivals in this new country some admixture of men whose independence and self-reliance bordered on lawlessness. Dick's exploit in the Rift Valley, which is related in Chapter VIII, of waging war, single-handed, against the Másai tribe for one crowded day, whose sunset he did not live to see, may well take rank, for sheer bravado and desperation, with anything that is recorded of Sir Richard Grenville or many another buccaneer of romance. The choir-stalls in the Cathedral at Mombasa are consecrated to the memory of this *berserk* filibuster and Chief Accountant of the old Imperial Company—Andrew Dick. A prompt arrest and

trial of three exuberant European travellers in 1903 on a charge of dacoity resulted in an acquittal of the accused, but may have been of effect in bringing home to the over-adventurous spirits among the newcomers the fact that scattered, but at times effective, machinery of Government had been established, even in remote corners of the Protectorate. On the other hand, many of the incoming settlers were absurdly timid. The local paper in 1903, commenting on a Government proposal to build a £3,000 school for European children in Nairóbi, expressed the hope that it would be provided with a strong high wall all round it, to protect the children while at play from attack by Másai or Wakikúyu. Even as late as 1905 a body of settlers from Nairóbi and its neighbourhood sent a memorial to the Secretary of State for the Colonies, presenting a highly coloured version of the dangers with which they imagined themselves to be surrounded, and imploring protection, by the erection of forts or otherwise; while more or less earnest suggestions for the disarming of all the native tribes, in the interests of the safety of European immigrants, and without any regard for the safety of the natives in a country infested by dangerous animals, were advanced, at intervals, from the earliest times of settlement. Government was thus faced with the solution of troubles arising from the extreme members both of the adventurous and the timid groups among the newcomers. Both these difficult sections were treated with much toleration and suavity.

Reverting to the year 1902, the situation in the Protectorate was that the Uganda Railway had been opened for public traffic completely across it from East to West. The first locomotive had run through to the shores of the Victoria Nyánza on December 20th, 1901. The majority of the European residents not connected with Government were missionaries. Others, to the number of a few dozen, were farming, trading or travelling as sportsmen or prospectors. The volume of traffic on the Railway was trifling. The published traffic returns for the years 1901 and 1902 show that only about 12,000 tons of general merchandise were carried in the year, and that one through train a week provided for all public business.

The Railway authorities issued a profusely illustrated hand-book upon the attractions of their already famous line,<sup>1</sup> and

<sup>1</sup> *The Uganda Railway, British East Africa and the Great Lake.* (Waterlow & Sons.)



arranged with Messrs. Thos. Cook & Sons for the issue of through tickets from Europe to the source of the Nile. The number of visitors steadily increased—some sightseers, some sportsmen and some bent upon acquiring land. A large proportion of these last quite naturally selected the country round Nairóbi as the site of their applications. Land in the immediate vicinity of the capital was likely to rise in value. The climate for the greater part of the year seemed to be as delightful as that of the Highlands of Scotland in August. The country to the West and North of the town was well watered and had quite recently been, for the most part, under native occupation. The soil was magnificent, and there were two rainy seasons in every normal year—at about March and November. The former native occupants were for the most part dead. As the Railway engineers had good reason to know, the majority of the native population had perished during the years 1898 and 1899 by a famine, unparalleled within native memory, due to the failure of three rainy seasons in succession—a drought of nearly eighteen months' duration. It was contended by survivors that three out of every four of the Kikúyu residents in an extensive stretch of country had died, either from famine or from pestilence, chiefly smallpox, following upon it. Thin bush, such as always springs up in a season or two when land is left to lie fallow, was all that remained for the European settler to remove in order to provide himself with a *shamba* (plantation) of immediate utility. The official defence for giving this land away to settlers is contained in an annual report by the Commissioner of the Protectorate, Sir Charles Eliot: ". . . But in the last famine large plantations were abandoned, and subsequently the owners, instead of attempting to repair the damage done to their lands, went to other districts." It is quite true that there were family concentrations, transfers and removals. It was impossible for one quarter of the previous population to maintain the entire tribal holding under cultivation.

The allotment of farms in this region continued at an accelerated pace in 1903. For the most part these farms were of one square mile in area. The fact that the local Government had taken no steps to facilitate the examination, selection and allotment of land to new arrivals from overseas gave rise to much bitter comment among them, and early in 1903 there were complaints in the local Press that "upwards of twenty-five white men" were unable to get land. It was rumoured that Lord Delamere was

to be appointed a Government Land Agent to solve the problems of settlement, but Sir Charles Eliot reported to the Foreign Office in June of that year that the former had abandoned his idea of entering the Government Service, and that he applied for a free grant of 156 square miles of leasehold land instead. The terms upon which this was applied for were that it should be leasehold land paying rent for a term of ninety-nine years at the annual rate of one halfpenny an acre, with the proviso that if the recipient conducted development and improvement upon it to the average extent of one shilling an acre, he should be allowed to purchase the freehold at a price of eightpence an acre. The Foreign Office disallowed the proposal as to purchase of freehold, but sanctioned the grant of 100,000 acres on lease, expressing agreement with Sir Charles Eliot, the Commissioner, that it was "very desirable to encourage persons of position and capital to settle or take an interest in East Africa, though it was thought that His Majesty's Government should be very careful how they alienated large tracts to persons who were not specially fitted or able to develop them. . . ." One English farmer received a freehold estate of some 2,000 acres close to Nairóbi, which he worked as a lucrative dairy farm for ten or a dozen years and then sold for more than £20,000 as a building estate. One of the senior engineers of the Railway Service, Mr. R. Barton Wright, accepted a transfer to the position of Land and Survey Officer, a position which rapidly became one of the most thankless and onerous in the Protectorate Service. As Sir Charles Eliot explained later to the Foreign Office, no financial provision was made for meeting any of the requirements resulting from the arrival of settlers until each contingency in turn actually arose. There was no preparation in advance, even when the local Government sent one of its senior officers, the Chief of Customs, to South Africa for the purpose, *inter alia*, of advertising the Protectorate as a field for European settlement. The facilities which existed for travel by rail across 300 miles of attractive highland country enabled large numbers of land prospectors to operate simultaneously over a widespread area, and thereby increased the difficulties of a small survey staff. "The Land Laws here are about the most liberal in the world," said the local paper in June 1903. Government officials also applied for plots in and around Nairóbi. Land outside the townships could be bought freehold for 2s. 8d. an acre.

A land boom began. The selling price of small residential

plots, of a few acres in size, near Nairóbi, bounced up £200 in a fortnight. Applications poured in from Europe, Australia, South Africa, New Zealand and America by every mail and also by cable. Every steamer brought its quota of intending settlers. The growing crowd soon overran the limits of Nairóbi's accommodation and a canvas village, locally called Tentfontein, sprang up near the Land Office in the valley of the River Nairóbi. The Land Office was besieged daily by applicants pressing for the allotment and survey of farms, many of them having come back hot-foot from exploratory marches in districts remote from the Railway, quoting place-names which existed on no maps and of which the small and violently overworked Land Office staff had never heard. Before the end of 1903 the Land Office was 400,000 acres in arrears with its surveys, though locally engaged surveyors as well as its own staff were at work. More exasperating than mere delays in survey, the Land Office staff were frequently unable to say definitely whether areas were or were not to be regarded as under native occupation. They found it impossible on the one hand to grant or to refuse applications, and on the other hand to elicit from Government any definite orders as to which lands were to be reserved from alienation and retained for native use or for Forest Reserves, and which were to be definitely and without question thrown open for European occupation. They were in some instances offered bribes to expedite business, on which occasions heated scenes occurred in the Land Office, and negotiations terminated abruptly. It was a common aggravation of the position that discontented applicants at the Land Office were allowed to transfer their pressure to the office of the Commissioner, where promises were often made which conflicted strangely with the powers which were supposed to be exercised at the Land Office. (More than one Commissioner of the Protectorate has courted local popularity by overriding the decisions of his senior officers, given by them in strict accordance with instructions received from him.) Out in the districts, a number of sporadic disputes were in progress between Administration officers and surveyors, the latter, under pressure from clamorous applicants, seeking authority to survey as farms many areas of apparently unoccupied land which the former asserted to be under native ownership, to have been under recent cultivation and to be merely lying fallow prior to early re-cultivation. The Administration officers were ordinarily

overruled by higher authority, and a broad wedge of European occupation was driven across the lands of the Kikúyu. The scattered and spiritless survivors of the great famine of 1898-99 and their numerous descendants to-day regard much of this settlement as an encroachment on lands under well-established native ownership. The whole story of this period is one of precipitate Government action, followed up by no clear definition of policy, no considered scheme of action, no provision of facilities for public servants who strove honourably, and in very invidious circumstances, to deal with a situation which would have taxed an organization far larger than anything of which they had control. It is the old story of the conscientious official placed in an impossible position and left to face the music—a story which is probably repeated, with variations, in the history of every one of our Colonial Dependencies.

The collective discussion of the settlers' aspirations and troubles was put on an organized basis. An "Association" of European colonists in the highlands was formed, three of the members being clergymen. A meeting of five members took place at Mr. Wood's Hotel on August 1st, 1903. There were internal dissensions and an early split, rival branches meeting at Nairóbi and Kikúyu, while complaints crept into the papers of "the continual pulling to pieces of past resolutions and the framing of fresh ones"—a practice which has flourished in Kenya long subsequent to 1903.

Sir Clement Hill, the Superintendent of African Protectorates at the Foreign Office, had made an extended tour in the Protectorate at the end of 1900. Mr. Joseph Chamberlain, when Secretary of State for the Colonies, made a brief tour in the Protectorate at the end of 1902. His visit raised many hopes, as there was already considerable agitation in the country for transfer from Foreign Office rule to that of the Colonial Office. However, the first definite result from the visit was an offer by the Home Government of some thousands of square miles of country lying to the North of the Railway as a national home for the Jewish race. The Zionist Congress sitting in 1903 at Basel was divided in its opinion upon the offer, but decided by 295 votes to 177 to send a committee of investigators to the Protectorate. In the long run the offer was not accepted.

The proposal had received general support in England, even from the *Morning Post*, but it evoked a volume of strongly hostile opinion in the Protectorate. The Planters' and Farmers' Associa-

tion, of which Lord Delamere had by this time become President, with his former exploring companion Dr. Atkinson and the Rev. Dr. Scott as Vice-Presidents, submitted an adverse resolution to the local Government, and Lord Delamere, who had applied for land in the same area, cabled home :—

“ Feeling here very strong against introduction alien Jews. Railway frontage fit for British colonization 260 miles. Foreign Office proposes give 200 miles best to undesirable aliens. Is it for this that the expensive railway was built and large sums spent on country? Flood of people that class sure to lead to trouble with half-tamed natives jealous of their rights. Means extra staff to control them. Is British taxpayer, proprietor East Africa, content that beautiful and valuable country be handed to aliens? Have we no colonists of our own race? Country being settled slowly surely by desirable British colonial settlers. Englishmen here appeal public opinion, especially those who know this country, against this arbitrary proceeding and consequent swamping bright future of country.”

He also wrote and published a pamphlet on the subject.<sup>1</sup> It was while this agitation was in progress that a visit, in a private capacity, was paid to the Protectorate by Lord Milner, then on his way home from South Africa.

Life in the Protectorate in these days was, at any rate, not dull. It can easily be understood that those land applicants who were in the country lived, for the most part, in a mood of exasperation. Officials were found to defend native rights to much of the most eligible land, and even to uphold “ Forest Reserves.” The very existence of land laws was obnoxious to some of these applicants for land grants. There was evidence enough of divided counsels in the Government ranks. The Land Office appeared to be overwhelmed, as it nearly was, and while indecision appeared to prevail in the highest Government quarters, there were confident reports coming out from England of the grant of enormous areas to syndicates there, or to an alien nation.

In the conditions of strain and dissatisfaction which generally prevailed, there arose the first threat of rebellion under arms against the local Government, which was to be revived with such effect in later days.<sup>2</sup> What directly led up to it was trouble in connection with the land of the M̄asai tribe. Early in 1904, the Commissioner reported that “ 200 per cent. of the M̄asai grazing

<sup>1</sup> *The Grant of Land to the Zionist Congress and Land Settlement in British East Africa.* (Harrison & Sons, London, 1903.)

<sup>2</sup> F. Chapter XXI.

grounds had been applied for." The Foreign Office, which had granted an area of 500 square miles to a powerful syndicate in London, insisted resolutely upon his not encroaching further upon the lands of the M<sup>ás</sup>ai to the extent of making further grants of about 30,000 acres of land in use by them to individual applicants in the Protectorate. It was at this time that some of the more forceful of the settlers talked openly of "taking down their rifles and settling the matter" (of native occupation of desirable lands) "out of hand." This impressed Sir Charles Eliot sufficiently to lead him to report to the Foreign Office on April 5th, 1904, that he foresaw "a formidable danger that if the M<sup>ás</sup>ai were kept in the best land close to the Railway, and if Europeans, who could make better use of the land and the Railway, settled all round them, the position would not be tolerated and would soon result in a sort of Jameson raid." It is to be noted that talk of this nature had evidently risen to prominence in the month of March, a month notorious in the annals of the Protectorate—as will duly appear. He had two alternatives for meeting this situation. The first was to accustom the M<sup>ás</sup>ai by slow degrees to the presence of European landholders in their vicinity. If the M<sup>ás</sup>ai did not quarrel with a few Europeans the latter might then be given "greater facilities." The second was to remove the natives altogether and leave their lands to the Europeans. The idea that the natives should remain unmolested on their lands would not appear to have been regarded as a sufficiently practicable course to merit separate mention as a third alternative.

Interesting Government despatches, by mail and cable, were passing at this time. A selection of them was subsequently published by Government as a White Paper.<sup>\*</sup> Sir Charles Eliot's complaint against the Secretary of State, of taking serious action over his head without intimation to him, was, it appeared, echoed by his own senior officers, who preferred the same complaint as to his attitude towards them. He had cabled a threat of resignation unless he were allowed liberty of action in the matter of certain land grants, and the Secretary of State held him to it, with the result that he left the Protectorate in 1904.

After a short interregnum, he was succeeded by Sir Donald Stewart, K.C.M.G., C.B. Within a fortnight of his reaching Nairóbi, he rescinded the sanction which had previously prevailed for officials to acquire land in the Protectorate. Those who had

<sup>\*</sup> Africa No. 8, 1904, Cd. 2099.

secured allotments, and had also completed some measure of development or improvement, were allowed to retain them. Others were instructed to surrender their land. All applications which were under consideration at the time were disallowed.

The story, so far, has been one of the occupation by some Europeans of the property of African natives, and this with the assistance of Government, and the settlement of other Europeans upon vacant land to which Government gave them not only safe access but also secure titles. The Government created a caste of landed proprietors—a privileged class. Its members can certainly not be blamed for accepting the chances of wealth which a British Government placed before them. Later chapters will describe the subsequent behaviour of different sections of this small but expanding community. There will be much in the record to rouse indignation among British people who have not been subjected to the temptations inseparable from membership of a privileged class, allowed to enrich itself by the labours of uneducated coloured people. Let them remember, as they read, that the people who are being described are, for the most part, just such people as themselves and their friends. Difference of experience does so profoundly govern difference of outlook. On the other side, the privileged class in Kenya would do well to remember that it is the British people, and not themselves, who are in charge of the country in which they live and of the Africans among whom they dwell. If the British people have good reason to believe that African natives who are in their charge are being imposed upon, it is probable that wrongs will be righted. Attempts from any quarter to obstruct the process may provide some temporary excitement, but are unlikely to have any permanent success.

Before this book appears in print it is probable that an agitation will have been launched for transferring the control and guardianship of two and a half million Africans in Kenya from an Office of State in London, answerable to Parliament, to a group of about 8,000 adult Europeans in the Colony, every one of whom stands to the African in the relation of employer to employed. The history of the relations of these two groups during the last quarter of a century may be of use in enabling the British public to come to an informed decision as to the wisdom of surrendering, or, on the other hand, of retaining legislative and administrative control of the mixture of national groups which have made homes, of varying degrees of permanence, in the Colony.

## CHAPTER V

### LIGHTENING THE LAND LAWS

"But if the foreign estate owner does not limit his enterprise to these cultures" (exotic species which require skilled cultivation or technical preparation for the market, such as Arabian coffee, tobacco, sisal, tea and flax), "and includes products which are successfully grown by the natives, such as cotton, maize, cocoa, groundnuts, etc., it is inevitable that—unless artificially protected—he cannot compete with the native grower, who has no 'overhead charges' to meet and can work in his own time, in his own way, for his own profit, and with the assistance of his family. Their interests become antagonistic, and if the planter has a powerful share in the legislation and policy of the government, strict impartiality, despite the best of intentions, becomes difficult."

SIR FREDERICK LUGARD :

"The White Man's Task in Africa," pp. 62,  
63 of *Foreign Affairs (U.S.A.)* for October  
1926. (Italics are the present writer's.)

THE advance parties of Uganda Railway survey staff, who camped and worked on the site where Nairóbi now stands, years before rails reached it, remember seeing valuable forests of croton trees, on the low hills which encircle the present town, blazing by acres at a time. On one of the hills, which is now covered with bungalows and villas, there was a M<sup>a</sup>sai *manyatta* (village), the herds from which grazed over land upon which the capital of Kenya, with its 50 or 60 miles of roads, now stands. Land in and near the present capital was literally given away in the early days. Most of it has since changed hands at prices varying erratically from year to year, but rising, in extreme cases, for town plots in favourable positions, to a rate of over £60,000 an acre. In suburban districts values have risen to £300 an acre, and in country districts to prices varying from £2 to £40 an acre. That fact provides the key to one of the secrets of Kenya's troubled history, and is an explanation of much that would otherwise be obscure in the annals of the races that have figured there. *The portion of East Africa which is now termed Kenya Colony has been one of the places where it has been possible to "get rich quick."* Let that fact be kept in mind.

The report of the 1905 Land Committee, of which Lord Delamere was Chairman, dealt with the question of speculation thus :—

"Should capital flow freely into the country, and there come speculation in its train, it must be remembered that speculation is, after all,



only a sign of activity, and that it is of greater benefit to the country to secure active life and freedom in business affairs than to shrink from taking the necessary steps to that end for fear that over-speculation will be indulged in."<sup>1</sup>

Lord Elgin, replying to this on March 23rd, 1906, said :—

" . . . while I am as anxious as the Committee can be to encourage the settlement and development of the Protectorate by persons either of large or small capital, I consider the evils of unrestricted speculation in land much more serious than the Committee appear to regard them as being."<sup>2</sup> The local paper at this time advocated freedom of transfer, and that no monetary qualification should be required from applicants.<sup>3</sup>

Lord Elgin appointed Colonel J. A. L. Montgomery, C.S.I., in 1906 to be a Commissioner of Lands for the Protectorate, and he sent in his first report upon land matters in November 1906.<sup>4</sup>

He considered that half a square mile should be sufficient for a homestead ; that any of the existing large estates that might revert to Government should be broken up before being re-granted. As the rents for grazing lands were so low, he advocated that leases should be for 21 years only, with a right of renewal for the balance of 99 years at a higher rent. He recommended that land should be let to Indians only East of Kiu or West of Fort Ternan, and then on 99 years' lease at a rental of 2d. an acre a year—which was higher than that to be paid by Europeans for the best class of plantation land. He resisted the demand of landholders for the right of free transfer, on the grounds that the right to transfer lands was liberally given by Government to landholders who had done bona-fide occupation and development of their lands, and the time required for obtaining it had been reduced in most cases to a few days. It was still the case that Government retained the power to resume occupation of the so-called freehold homesteads if they were deserted and allowed to lapse out of cultivation. He now recommended that this right should be waived

He recorded that, although all land was acknowledged to be the property of the Crown as ruler, the natives in some parts undoubtedly had their own systems of ownership, and that buying and selling of land went on among them.<sup>5</sup>

Lord Elgin replied on April 23rd, 1907,<sup>6</sup> that the right of free transfer was only too likely to lead to amassing large areas in single hands and to speculation, with the evil results that had been experienced in Australia and New Zealand.

<sup>1</sup> House of Lords Papers, No. 158, of 1907.

<sup>2</sup> *E.A.S.*, April 28th, 1906.

<sup>3</sup> *Ibid.*, p. 53.

<sup>4</sup> *Ibid.*, p. 37.

<sup>5</sup> Cd. 4117 (1908).

<sup>6</sup> *Ibid.*, p. 57.

He urged that care should be taken to prevent applications by the same person in different names. In view of the trivial rent which Government charged for land, he felt justified in maintaining the position that, upon the expiry of any lease of over 30 years' duration, the buildings upon the land leased should revert to Government. (Colonel Montgomery had recommended that they should be taken over at a valuation.) He maintained the period of 21 years for grazing leases, with renewal for a like period at the rate prevailing at the end of the first period. This was tantamount to a revisable rent every 21 years. He met one of the complaints of local landholders by waiving the demand that one-tenth of the land leased should be cultivated in each of the first three years. (This would have involved the cultivation of 30 per cent. of the alienated land within three years after allotment, whereas at date 1926,<sup>1</sup> thirty years after occupation began, less than 9 per cent. of the alienated land is cultivated.) He substituted a cash value of improvements instead of an area of cultivated land as the indication of effective occupation. The existence of buildings, works, fencing, water supplies, or the ownership of flocks and herds to a certain value, might be taken as evidence of adequate development.<sup>2</sup> He added a warning that an appearance of development might be plausibly effected by a temporary loan of livestock to an estate under examination. (There is little doubt that in the following years flocks of sheep were, at times, driven at night from estate to estate as the examining Farm-Ranger moved about a district.)

He added that proposals concerning native reserves must be submitted to him in each case, that an Advisory Land Board consisting of three officials and two or three settlers might be constituted to assist the Commissioner of Lands, and that the draft of an amendment to the Crown Lands Ordinance, 1902, might be submitted to him for consideration.

The Advisory Land Board was formed without delay,<sup>3</sup> but with a larger number of settler members than the Secretary of State had intended.<sup>4</sup> It first met on September 6th, 1907, and immediately got to work on restriction of the holding of land by Asiatics.<sup>5</sup> There was at this time a slump in land sales and business generally, which was attributed to the vague disquiet caused by the hint of native unrest arising from the Grogan flogging incident, which is referred to in Chapter X. Lord Delamere voiced an appeal, which had first appeared in an editorial in a local paper in 1906, that officials should be allowed to buy land,<sup>6</sup> and he advocated the confiscation by Government of unoccupied

<sup>1</sup> Agricultural Census of date June 30th, 1926.

<sup>2</sup> Cd. 4117 (1908), p. 56.

<sup>3</sup> O.G., August 15th, 1907.

<sup>4</sup> Cd. 4117 (1908), p. 30.

<sup>5</sup> V. p. 309, and E.A.S., September 21st, 1907, p. 11.

<sup>6</sup> E.A.S., April 28th, 1906, and v. p. 129.

farms. He was derisive of the Secretary of State's requirements for a revised Land Law for the Protectorate, and said that no landlord would agree to any of the provisions suggested. A deputation was received by Mr. Winston Churchill, Under Secretary of State for the Colonies, who was on a visit to the country, but it found him rigidly opposed to provisions which might permit large accumulations of land in the hands of a single person. He strongly urged, however, that a scheme of rapid allotment should be adopted, farms being beaconed, sold and occupied—survey being then carried out later, at such time as the Government might find it convenient.

Correspondence between the Protectorate and the Colonial Office continued after Mr. Winston Churchill's return to London.

The Secretary of State agreed to 99-year leases, after having previously suggested that there should only be 21-year leases, renewable for another 21 years. He now suggested that rents should be revisable in the 33rd and 66th year of the lease on the basis of 5 per cent. of the unimproved value of the land at those periods, with a proviso that rents should not in any case exceed 9d. an acre after the 33rd year, nor 2s. 3d. after the 66th. At the end of 99 years the Government was to resume possession upon paying for improvements. If estates were left deserted by the owner for more than 9 months, they should be reappropriated by Government. A landholder was to be on probation for five years, during which he would be required to carry out improvement to the value of forty times his annual rent.

The proposed higher rent for Asiatic holdings was not adopted, and with regard to the subject of land for Indians, Lord Elgin asserted that *it was not consonant with the views of His Majesty's Government to impose legal restrictions upon any particular section of the community in regard to the acquisition of land.*<sup>1</sup> It was suggested that provision might be made in towns for certain plots not to be used as places of residence for any Asiatic or native.<sup>2</sup>

The Colonial Office was still resolute that the amassing of large areas of land in private hands should be discouraged,<sup>3</sup> and

a surtax was suggested in the case of landholders whose annual rents amounted to more than the prescribed maxima for new grants. Thus parties paying an annual rent of from £12 to £24 should pay a surtax of one penny for every shilling of rent:—

from £24 to £36,	a surtax of 1½d. for every 1s. of rent.
„ £36 to £48,	„ 1½d. „ „
„ £48 to £60,	„ 1½d. „ „

<sup>1</sup> Cd. 4117 (1908).

<sup>2</sup> O.G. 1908, p. 552.

<sup>3</sup> Cd. 4117 (1908).

On holdings of over 50,000 acres the surtax should be increased by four times the above, and the holding of over 100,000 acres should be illegal under penalty of a fine of £25 a day.

This penalty was only to be imposed upon subsequent accumulations of land, not upon those already in possession of this maximum area of holding, among whom were the East African Syndicate with 320,000 acres and Lord Delamere with over 100,000. No surtax was ever adopted.

A Land Bill,<sup>1</sup> framed after further correspondence upon these proposals, was introduced in the Legislative Council on October 5th, 1908. Opposition to it was fervent, but it was remitted to a Select Committee at the second reading on December 17th, 1908. It was referred to the Land Board for comment, and that body rejected it "holus-bolus."<sup>2</sup> The Central Committee of Federated Associations, a shadowy body which was a forerunner of the "Convention" whose history is described in Chapter X, made strong objection to the principle of revision of rent, as they considered "that it would prevent settlement by destroying confidence." If it could not be averted, they suggested that the maxima should be 4d. after 33 years instead of 9d., and 8d. after 66 instead of 2s. 3d.<sup>3</sup>

Consideration of the Land Bill was resumed in the Legislative Council in March 1909.

The wish that Lord Delamere should take part in the discussions was one of the reasons that prompted Sir James Hayes Sadler to terminate the Baron's suspension, following upon a disorderly incident at Government House in the previous March.<sup>4</sup> Colonel Montgomery moved that Lord Delamere should be added to the Special Committee of Council to consider the Bill, and this was done.<sup>5</sup> The Bill had also been before the Land Board, and that body pressed for "perpetual quit-rent title," that is, a tenure under which the land could be held, if the rent were duly paid, in perpetuity.<sup>6</sup> Government adhered to the view that "means must be found for securing to the Government, i.e. to the community, a share in the increased value of the land."<sup>7</sup> The report of the Committee of Council was presented in March 1909.<sup>8</sup> By a majority it recommended that quit-rent tenure should not be adopted, as that would "tie the hands of the Government by giving up the right to share in the future increased value of the land."

<sup>1</sup> O.G. 1908, p. 544.

<sup>2</sup> E.A.S., February 20th, 1909, p. 8.

<sup>3</sup> *Ibid.*, February 27th, 1909.

<sup>4</sup> V. Chapter XV, and O.G. March 1st, 1909, pp. 80, 81.

<sup>5</sup> E.A.S., March 6th, 1909, p. 11. <sup>6</sup> *Ibid.*, March 6th, 1909, pp. 16, 17.

<sup>7</sup> *Ibid.*, February 27th, 1909, p. 11. <sup>8</sup> *Ibid.*, April 3rd, 1909, p. 12.

The Colonial Office had also been insistent that there should be included in the Bill a section, No. 36, providing against "illegal amassing" of land in single hands. It had pressed for the adoption of the procedure laid down in the New Zealand Act No. 37 of 1892. This imposed a penalty of £100 to £500 for dummying, as a criminal offence. Under a regime which allows only one holding to be allotted to each applicant, it is possible for a person of pronounced land-hunger to arrange that other individuals shall buy plots of land in a position where he wants to have more, and then, after such time-limit as may be prescribed by law for tenure and occupation by the purchaser, these "dummies" shall sell their estates to him. In some cases the funds necessary are provided by the "dummer" to his dummies. The dummy may become, to all intents and purposes, a manager for the future proprietor, starting developments according to instructions received from him. A variety of arrangements can be made as to partial assistance, and recouperment for the time and development put in by the dummy. None of these operations sees the light of day in the files of the land authority, and it may be here mentioned, in passing, that a Government White Paper, issued in April 1926 (Cd. 2629), in so far as it purported to prove *from the files of the Land Office in Nairobi* that Lord Delamere had never indulged in dummying, was a production which would appear to indicate some simplicity on the part of the producers. The Committee of Council, reporting in March 1909, concluded, with perhaps inadequate allowance for the heights to which land-hunger can rise, that if a time-limit of eighteen months were prescribed during which resale may not be effected, the risk of dummying would be obviated.<sup>1</sup> It was not desirable to make it a punishable offence. Under this ruling many estates changed hands shortly after the eighteen-month period of inability to sell had expired.

This draft Bill did not prove acceptable to the Colonial Office, and was not carried further in Council. If extensions of lease and other favours were denied to the land-hungry for a further term of years, there was the compensation for some of them that "dummying" remained without any legal check. The years from 1908 to 1913 were not, however, devoid of concessions. It was allowed that Crown lands on lease might be mortgaged without the previous consent of the Governor.<sup>2</sup> Government advertised

<sup>1</sup> *E.A.S.*, April 3rd, 1909.

<sup>2</sup> *Ibid.*, March 20th, 1909, p. 12.

that land would be allotted on the Uásin Gíshu Plateau, grants being made in the order of priority of applications.<sup>1</sup> Land in the Coast Belt was opened for application.<sup>2</sup> There was a leasing of Crown lands in the Mua Hills, from which the original Akám̄ba natives had been removed by Government.<sup>3</sup> The M̄asai were removed from Laikípia, and it was thrown open for white settlement.<sup>4</sup> The Land Board, all this time, had sittings at intervals, and its settler members continued to press for relaxation of control by Government over landholders and their property. An exception must be cited in the case of Mr. A. G. Anderson, who was appointed to the Land Board in his private capacity and not as the Editor of the *East African Standard*, which was the post he held in Nairóbi. He spoke strongly in favour of the State's receiving a return from the increased values which public enterprise gave to private holdings.<sup>5</sup> What happened to him is described in Chapter XV.<sup>6</sup> With much foresight an agitation was started for prohibiting any resale of land in the highlands by Europeans to natives.

Governor Sir Percy Girouard conducted a vigorous correspondence with the Colonial Office in support of some of the wishes of the landowning class in the Protectorate, and finally, at an Agricultural Show held at Nakúro on December 27th, 1912, he was able to announce that sanction had been obtained from Secretary of State Mr. Harcourt for the introduction of a Land Bill on the following lines :—

Land was no longer to be allotted according to priority of application, but was to be sold by auction.<sup>7</sup> Three months' notice would be given of an intended auction. It was, however, still to be allowed to the Governor to allot without auction "if exceptional circumstances rendered it desirable that certain land should be held by a particular person." Free transfer and mortgage were to be allowed. Leases were to be for 99 years, with reassessment of rent at the rate of 1 per cent. of the unimproved value of the land at the 33rd year and 2 per cent. at the 66th year. For the first 33 years rents were in no case to exceed 10 cents of a rupee (1½d.) per acre per annum. The sizes of allotments would ordinarily be 1,500 acres for plantations and 5,000 acres for farms, with maxima respectively of 2,500 acres and 7,500 acres. Bidders would have to attend at auctions in person unless the Governor permitted otherwise. Personal occupation by the grantee would be required

<sup>1</sup> O.G., January 7th, 1908.

<sup>2</sup> E.A.S., January 15th, 1910

<sup>3</sup> E.A.S., September 24th, 1910.

<sup>7</sup> L.E.A., January 4th, 1913, p. 7.

<sup>4</sup> *Ibid.*, April 15th, 1908.

<sup>5</sup> V. Chapter VIII.

<sup>6</sup> V. p. 262.

while development conditions were being carried out, as also an obligation to effect specified improvements within a certain time and thereafter to maintain them. The most popular clauses were kept to the last. These were that power would be retained to interfere with the right of free transfer in cases where "the Land Officer considered a transfer undesirable—such as proposals to transfer land in the Highlands to persons who should desirably reside and own land in other parts of the country" (loud applause) "and that Mr. Harcourt had also seen fit to agree to the removal from the Ordinance of that part which made provision to prevent the accumulation of land in the hands of one individual."

In due course a Bill was prepared, introduced in Legislative Council on December 18th, 1913, and remitted to a Committee for recommendations (if any) as to alteration. In view of the way in which the Government of the Protectorate had used its powers to dispossess natives of their land, either by wholesale evictions or by the slower encroachment of surveyed farms, the question was raised in the House of Commons by a Liberal Member, Mr. T. E. Harvey, as to whether the Native Reserves could not be excluded from the category of "Crown Lands" and be recognized as Native Lands. The Committee of Council dealt with this as follows in paragraph 13 of their report, which was presented to Council on August 4th, 1914 :—

"The extension of this definition so as to include native reserves having been criticized in England, the Committee wish to record emphatically their opinion that the definition as drafted should stand. It must be remembered that many if not most of the native tribes have no individual or even tribal tenure of land as tenure is generally understood in England, and it is of the utmost importance that the land in reserves or occupied by native tribes should be definitely vested by statute in the Crown, thereby giving the Crown power to afford the natives protection in their possession of such land. At present dealings in such land by individual members of the tribe, who by native custom have no right so to deal, and other unauthorized persons is not uncommon, and it is most desirable that the Crown should have the right and power to stop such practices. If such lands are vested in the Crown it will be possible for the Crown to regulate their occupation in the interests of the natives, and finally to evolve a system of tenure for the natives thereon giving them real and definite right to the land."

*It may be restated that up to the year 1926 no native tribe in the country was given any legal and definite right to any land.*

The Committee also recommended that, short of giving land away in perpetuity for a "quit-rent," leases should be for a period of 999 years

This was allowed both by the local and Home Governments, and the Crown Lands Ordinance 1915<sup>1</sup> took effect on May 18th, 1915. The rent was to be 10 cents an acre until 1945 and was then to be revised, as also at every 30 years subsequently. It may here be pointed out that when the currency stabilization took place in 1920, as is described in Chapter XII, and the florin was substituted for the rupee, this sum of 10 cents automatically rose from  $\frac{1}{10}$ th of 1s. 4d. to  $\frac{1}{10}$ th of 2s., say from 1½d. to 2½d. Leases for 999 years were to be sold by auction, bidding starting from an "upset price" fixed by Government. Ten per cent. of the purchase money was to be paid at the sale, and the remainder in nine equal yearly instalments. Purchasers had to pay the cost of survey of their lands also.

Development had also to be carried out by the purchasers. During the first three years, on farms of over 300 acres, permanent improvements had to be carried out to the extent of Rs. 10 per acre for the first 300 acres, together with permanent or non-permanent improvements to the value of Rs. 2 (i.e. 2s. 8d.) for every acre after the first 300. Thus the building of a £300 house before the end of three years was sufficient development for a 1,050-acre farm (1.6 square mile). Permanent improvements were defined as buildings, fences, trees, hedges, long-lived crops, walls, wells, water-furrows, roads, bridges, drainage or clearing of land, cattle or sheep dips, reservoirs, bores, and half a dozen other utilities. Non-permanent improvements were confined to livestock, agricultural implements and plant, and dairy appliances. The value of improvements was to be assessed by Government Farm-Rangers, and the young men who were appointed to these posts gave great satisfaction to landholders by the generous value at which they assessed improvements.

Holders of land under the 1902 Ordinance were permitted to receive a new title under the 1915 one, if they chose to apply for it. They relinquished the fixed rental for the whole of a period of 99 years, but they got an extension of lease of 900 years.

The 1915 Ordinance established the right of the Governor to veto transfers of land from holders of one race to would-be holders of another race. This was in order to be able to disallow the sale of land in the Highlands, by Europeans who might wish to do so, to Indians or Africans. In the days of Lord Elgin it had been "not consonant<sup>2</sup> with the views of His Majesty's Government" to impose legal restrictions upon any section of His Majesty's subjects in respect of the holding of land, but Secretary of State Mr. Harcourt had been able to get round that.

Pressure upon Government was maintained for a further

<sup>1</sup> No. 12 of 1915, v. O.G., 1915, p. 373.

<sup>2</sup> V. p. 72.



modification of the laws, and on August 6th, 1920, Governor Sir Edward Northey appointed a Land Tenure Commission, consisting of four officials, eight prominent European landholders and two Indian lawyers, one of whom resigned within ten days.

The report of this Committee was finally completed in 1922—in the month of March. It was not devoid of some of the features that may reasonably be expected in productions from Kenya Colony in the month of March. It urged that at five years after the lease of any land it should be convertible to freehold, if development conditions had been complied with. Payment should be made at the rate of twenty times the rent then being paid. This purchase price (up to the year 1945) would be a sum of between 1s. 3d. and 4s. an acre. The change, it was pointed out, would be an advantage to Government, as there would be *no rents to collect and no development conditions to govern, and the staff of the Land Office might therefore be reduced.* They recognized that a loss would be sustained by non-receipt of increased rents in 1945 and subsequent years, but they thought that the loss would be more than made up by increased production and the influx of capital which freehold tenure would attract. If, however, the Government was unable to meet the loss, a property tax could be imposed. They urged, if freehold were not granted, that the provision for the periodical revision of rents should be discarded, as “no real advantage is gained by a sliding scale of rents.” On the principle that “revenue derived from the land should be returned to the land,” they hoped that, in addition to reducing the Colony’s debt for loans received, some of the money accruing from the freeholding of land should be used to found and finance a Land Bank, allowing of State loans to settlers. They felt sure that the scheme for periodical revision of rents was “unsound, and will in fact not be brought into practice.” Although saying that “the question of allowing, as a right, conversion from agricultural to township title is a somewhat thorny subject in a young but growing country,” they concluded that the time had now come when the conversion of such titles should be allowed as a right.

As regards the Governor’s power of veto, they suggested that it should be dropped, and that the limits of segregated areas for different races should be referred to in the law. This would have been the full discrimination by statute which Lord Elgin had formerly pronounced against so emphatically.

Native Reserves should be limited to the area of existing "beneficial occupation," plus enough land for the needs of the next generation. This land should then be made to suffice "for many generations" by the process of Governmental instruction of the natives in better methods of agriculture. They urged the creation of a Native Land Trust, and, although they did not specify its composition, they thought that it should have power to grant land in a Native Reserve to non-natives, without reference to the Secretary of State, provided this would be to the benefit of the natives. Considerable difference of opinion might clearly arise as to anticipated benefit to the natives, according as the views of Europeans or Africans were listened to, but no assistance was vouchsafed by the Committee as to how this difficulty was to be met. Forest Reserves were to be retained and Game Reserves, with considerable alteration, were to be retained for a term of seven years, when fresh decision as to their retention would be taken. In a burst of real land-hunger they added: "In our opinion, the time has now come when every scrap of land to which the agricultural development of the country could be extended should be earmarked and made available for future alienation." As two of the official members, Commissioner of Lands Mr. Martin and Director of Agriculture Mr. Holm, concurred in the whole of these proposals, it is not surprising to find a suggestion appearing that a Land Board should be formed, consisting of those two officials and one settler, to relieve the Governor and the Executive Council of many duties connected with the land of the Colony. The signing of Crown grants might, they thought, be done by the Commissioner of Lands. This Land Board should be the executive authority for dealing with all matters appertaining to development.

A third official member of the Commission had withdrawn from its sittings and gone home on leave. The fourth was Colonel O. F. Watkins, C.B.E., D.S.O., Deputy Commissioner for Native Affairs. Far from agreeing that the time had now come for every scrap of available land to be marked for alienation, he observed that the time had come to call a halt, in order to see whether the labour supply of the country was going to be adequate for present requirements. He pointed out that with the proposed powers of the Commissioner of Lands there would be inadequate protection for native rights. He was opposed to giving that official power to make Crown grants. He urged the

retention of the principle of revision of rents at the periods fixed by law ; he disagreed with conversion to freehold. The principle of beneficial occupation or surrender, which had been suggested for native lands, should, he considered, also apply to non-native lands. He thought that an effort should be made to frame legislation enforcing development of alienated holdings to accord with the original intention of the grants and giving Government power to confiscate undeveloped properties. On the whole, it is not surprising that the heavy settler majority on the Commission abstained from suggesting that there should be any representative of the Native Affairs Department on their proposed new executive Land Board—even although they would no doubt admit that the 2½ million natives had rights to land which were of as much concern to them as were the better established rights of the 1,715 white landowners at that time in the Colony.

Action has not been taken by the Colonial Office upon these resolutions, from which so much was hoped. The 1915 Ordinance still governs land matters. Sir Edward Northey was retired a few months after the Report had been framed,<sup>1</sup> and Sir Robert Coryndon, his successor, held other views on some of the points at issue. They had been formulated for submission to the Secretary of State when Sir Robert Coryndon suddenly died. The matter was then left in abeyance again until his successor, Sir Edward Grigg, should be in a position to deal with the subject. That, as far as public information goes, is how the matter of land law in Kenya stands at the time this book goes to press.

Several schemes of land settlement have been launched in the country at intervals, both by Government and by private individuals or groups. Sir Henry Belfield, who was Governor of the Protectorate when the War started, convened a body, mainly of settler composition, which was termed the War Council. It had nothing to do with the conduct of operations against the adjoining Protectorate of German East Africa. That was left to professional soldiers. Its duties were to advise the Governor upon various matters which arose from time to time as the result of the altered conditions resulting from the War. This body viewed with concern the possible effect upon the native mind of African troops being used in action both against and alongside white troops. As it seemed likely that the respect of the Africans for the white man would be lessened, they urged that at the end

<sup>1</sup> *V. p.* 358.

of the War a scheme of Soldier Settlement in the Protectorate should be launched. The reason quoted was not, of course, the only one. Thousands of young men on the British side in Europe would probably not settle down to their former callings, but would prefer such a life as settlement in the Protectorate offered. After much elaboration a scheme for settling men and women who had taken an active part in any capacity in the War was approved in the year 1919.<sup>1</sup>

It provided for 257 small farms of 160 acres, for applicants who had not the means to buy and develop large holdings. These were to be free. In addition there were 1,053 farms to be had on purchase, on very easy terms, the whole covering about 2½ million acres. Selection boards were set up in London and Nairobi "to examine the military record and financial qualifications of applicants." Two thousand two hundred applications were dealt with.<sup>2</sup>

The successful applicants were decided by lottery. Some of the grantees, drawing farms in parts of the Protectorate where they had no desire to live, never appeared to claim them. Some sold their farms at prices running into thousands of pounds, without ever going near them. Some of them drew prizes, others blanks. One humorist advertised his farm for sale as a stone-quarry. Many of the farms were defective in water supply and in other ways, and there was a considerable volume of complaint in the Protectorate. The Government in 1920 decided to meet some of the disappointed ones by allowing them an exchange of land elsewhere. There was little or no land that was considered to be worth having outside the limits of the alienated farms and the Native Reserves, so, as the former could not be encroached upon, the latter were. Although the boundaries of the Reserve for the Nandi tribe had been closely inquired into and settled, years previously, by senior Administration officers on the ground, it was now decided to use about 100 square miles of Nandi country for farms. Much of the tribe's best grazing land was appropriated. Natives were ordered off and were paid five rupees (6s. 8d.) for each of the huts in the villages which were abandoned. It was a drastic clearance. It cost the Government £2,485,3 which indicates the scale which this forced evacuation of native dwellings reached. This process of allotment of native land to newcomers was still in progress

<sup>1</sup> *Annual Report, 1919-20.*

<sup>2</sup> *Annual Financial Statement, pp. 86, 87, 119*

<sup>2</sup> *Ibid., p. 25.*

when a new Chief Native Commissioner was appointed. This was Mr. G. V. Maxwell, and, early in his tenure of office, about half the area of pirated land was restored to the tribe. The remainder had passed into European possession for 999 years.

While all this had been going on, Administration officers had been making heated representations to the Government as to the impropriety of assisting 1,500 additional landowners to descend upon the country, without making it clear to them that there was no likelihood of the necessary native labour being forthcoming. A belated circular was issued, and genuine efforts were made to have it brought to the notice of all applicants for land under this scheme. Still, complaints among the newcomers were loud and insistent, and it became easy to persuade a sympathetic Government that the payment of the purchase price, although it was to be spread over thirty years, should be waived altogether and a free gift made of the farms. The necessary amending Ordinance No. 29 of 1922 was passed on December 30th, 1922.<sup>1</sup> The modest applicants who had put up with a small "free" farm of 160 acres under the published terms of the scheme must, in some cases, have had hard work to control a spirit of envy when they found that the holders of farms up to 5,000 acres in size were also being given them free. They had not been sufficiently experienced in the arts of land-wangling as practised in Kenya, and inexperience has to be paid for by most of us—sometimes in regrets and sometimes in cash.

A reply to a question in the House of Commons on July 27th, 1925,<sup>2</sup> reveals the fact that of the 1,246 farms dealt with in this scheme not more than 545 were then occupied by the original grantees. It is officially considered to have been a success.<sup>3</sup>

More tragic than the Soldier Settlement Scheme was a project for putting disabled officers on to the land in the district of the Lumbwa tribe. These officers, many of them with young wives, arrived in the country full of hope. Their district grew flax admirably, and this had risen in value from £130 a ton to over £600 a ton. Much vigorous work was done, but, in spite of generous assistance from patriotic funds in England and from the Government in Kenya, the scheme ended in complete failure, in part due to an early drop in the price of flax. Not the least faulty of the decisions taken with regard to a settlement for

<sup>1</sup> O.G., 1922, p. 790.

<sup>2</sup> Commons Debates, July 27th, 1925.

<sup>3</sup> Cd. 2387 (1925), p. 171.

ex-officers, wounded and nerve-shocked, was the initial one of selecting a site for it in the highlands of Kenya—of all places in the Empire—an area notoriously “nervy” and unsuitable for the neurasthenic. Each participant in “Beadoc” (the British East Africa Disabled Officers’ Colony) had been required to put £600 into the joint finances of the venture, and the whole of this was lost. By 1923, practically every Beadoc farm was deserted by its original grantee. The Parliamentary Commission<sup>1</sup> heard about it next year, on their visit to the Colony. They reported on it thus<sup>2</sup> :—

“ Since the war, various schemes have been inaugurated to attract ex-soldier colonists by grants of land in defined areas in holdings varying from 160 to 5,000 acres. In one instance, namely the British East Africa Disabled Officers’ Colony, a fairly large tract of land was put at the disposal of men who had been partially disabled, and these men received financial assistance from the Imperial Government in the form of training grants in addition to a free grant of land.”

There the reference ends, without a word about the collapse—a sidelight upon the accuracy, or the fullness, of the information which was supplied to the Parliamentary Commission when in Kenya in 1924. Hope was raised in 1925 that such of the old adventurers as could be found were to be reimbursed, by Government, the contribution of £600 that each had put into the venture, and something in this direction has been done from the proceeds of resale of the land, some of which has been taken up for large tea estates.

The experiences of this little group may some day be written, and it will be a pitiful story of the inadequacy of high spirits in commerce, in face of inexperience and a falling market. There are tracts in Lumbwa which must surely have acquired new spiritual qualities, for ages to lie latent in the place and there to act as a prompting towards gallantry to those who are susceptible to their influence—an influence left by a little company, now scattered and dwindling, of men and women whose hopes and fortunes gradually withered there, but to whom those early days of hope and activity are a wistful memory from which all the subsequent difficulties of temperament, climate and miscalculation that led up to the final failure cannot extract *all* the sweetness. It is something to have been engaged in a happy adventure—*whatever the outcome.*

<sup>1</sup> V. p. 437.

" *I too will something make  
And joy in the making ;  
Altho' to-morrow it seem  
Like the empty words of a dream  
Remembered on waking.*"<sup>1</sup>

" Well tried ! " is all that is left for us to say about Beadoc.

The Beadoc and some of the Soldier Settler men and women are far from being the only ones who have tried and failed in the country. The property list of one single estate agency in January 1925 comprised estates, large and small, at prices totalling more than £900,000, for immediate sale. There are scores of individuals and families in the Colony only waiting for a buyer in order to leave it. For the most part these are men and families operating on a small scale. Others are speculators. " For God's sake come along with rails and let us sell out ! " said a group of *landholders* (not resident on their lands) to one of the engineers of the Uásin Gishu Railway<sup>2</sup> when its construction was just starting from Nakúro in 1921. There is a world of pathos in the appeal for a purchaser of

" 150 acres, part ploughed, two-roomed stone house."

One has not the same sympathy for the party who advertises in *The Times* 3 :—

" KENYA COLONY.—A Syndicate has for immediate disposal a 14,000-acre Property in the healthiest part of the Highlands of Kenya, served by railway and by main road between Eldoret and Soy. Recently surveyed."

Others, more fortunate or wealthy, have glowing offers to make 4 :—

" KENYA COFFEE AND TEA—EXCEPTIONAL OPPORTUNITY for gentleman to settle son for life with family distinguished naval officer and/or acquire partnership in large Coffee plantation and instruction from experienced planter, returning Kenya shortly ; going concern, no hardships, large profits indicated, no income tax, wonderful climate, elevation 6,000 ft. ; comfortable home. £7,500 necessary ; highest references given and required."

Whether one who closes with this offer will be settled for life or not depends upon a host of considerations far outside the control of the advertiser.

<sup>1</sup> Robert Bridges, in No. 104 of *Poems of To-day*, first series. (Sidgwick & Jackson.)

<sup>2</sup> V. Chapter XIV.

<sup>3</sup> *The Times*, January 26th, 1926.

<sup>4</sup> *Ibid.* February 4th, 1926.

For the most part, those who are in possession of estates leave no stone unturned to increase the importation of buyers. In 1921 the settlers' Convention secured the Governor as Patron of a Land Settlement Committee for introducing more European settlers to the country. Sir Edward Northey's successor likewise accepted the position of Patron to this body. In spite of a heavy post-war slump which involved the suspension of numerous public services and the retrenchment of over 240 Government officials, a grant of £1,000 was asked for in Legislative Council for the use of this Committee. The Director of Education, Mr. J. R. Orr, O.B.E., questioned the propriety of such a grant, but he was sharply checked by the Governor. The other officials took the hint, and the vote was passed—the Indian members alone dissenting. The point is made clear, in a future chapter on taxation in Kenya, that the annual revenue consists overwhelmingly of direct and indirect contributions from African natives. They were, of course, not asked whether they wished to help the Convention in this matter.

Shoals of anecdotes are quoted in the Colony, some of them no doubt exaggerated, of lucky scoops by sellers of Highland estates, running up to £70,000 for partially developed holdings, and many cases, some of them certainly accurate, of pieces of untouched land being sold for sums exceeding £10,000. The only officially published details of land sales, by non-officials, concern the free grant of 100,000 acres of leasehold land (paying  $\frac{1}{2}$ d. per acre per annum) made to Lord Delamere.<sup>1</sup> The Government White Paper, previously alluded to in this chapter, states that up to 1926 he had sold 82,787 acres for £212,043. It is pointed out that he had spent £60,000 in the country, but this included land purchases in other parts of the Protectorate, the total of which is not given.

Much confusion has existed as to how much land the natives have for their own use and how much has been alienated to Europeans. The Phelps Stokes Commission, touring the Colony in 1923 in order to study and report upon African education, says: "In no British Colony in Africa has it been so difficult to formulate a trustworthy statement relating to the number of native people, the areas in which they live. . . ."<sup>2</sup> The Commissioner of Lands, speaking in Legislative Council, in answer to a question of which notice had been given, said on October 23rd,

<sup>1</sup> Cd. 2629, April 1926.

<sup>2</sup> *Education in East Africa*, p. 141.



1922<sup>1</sup>: "The total area of agricultural holdings in the possession of Europeans is 7,280,000 acres" (i.e. 11,375 square miles) "and in the possession of Indians 14,128 acres" (i.e. 22 square miles). What he meant by these figures may probably never be known, but they were certainly too high by about 4,000 square miles. Bearing in mind, therefore, that official figures may have to be interpreted with some ingenuity, we have declarations that in 1920 the total area alienated amounted to 6,695 square miles.<sup>2</sup> In the twelve months ending June 30th, 1923, when more than £1,000,000 had been spent on the Uásin Gíshu Railway, 80 additional white men<sup>3</sup> went on the land, the alienated area reaching 8,593 square miles by December. On December 31st, 1924, it was given at 9,286 square miles.<sup>4</sup> In 1925 various owners surrendered 174 square miles to Government, but the latter made grants totalling 495 square miles, and yet the total area is said to have declined to 8,977 square miles.<sup>5</sup> It has never been suggested that allotments to Indians exceed 32 square miles of this total.

After the War, a number of treaty obligations ceased to apply, and others had been disregarded. The British Government, advised by Lord Milner, formally annexed the country and declared it a Colony on July 23rd, 1920. There was excepted the narrow coast strip, ten miles deep, which is leased from the Sultan of Zanzibar for £16,000 a year, paid by the Kenya Government. This was renamed the Kenya Protectorate, and the remainder of what had been the East Africa Protectorate was named Kenya Colony.

It is certain that no detriment to African natives was either intended or foreseen from this step. But the annexation had the effect of finally extinguishing native rights in land which had previously existed, not only in native eyes, but before our Courts. Next to the Másai and Kamba tribes, which have been cleared off their old lands, no tribe in Kenya has had its old territory more seriously invaded than has the Kikúyu tribe. Their system of land tenure, based upon the family *gethaka* (allotment) as a unit of property, was a well-defined one, and Kikúyu natives have taken action in the Courts in disputes as to the ownership of pieces of land in the Reserve, and have obtained judgments from the High Court.<sup>6</sup> Another case of disputed ownership came

<sup>1</sup> *Proc. Leg. Co.*, October 23rd, 1922.

<sup>2</sup> *Annual Report*, 1919-20.

<sup>3</sup> *E.A.S.*, December 29th, 1923.

<sup>4</sup> *Annual Report*, 1924, p. 15.

<sup>5</sup> *Ibid.*, 1925.

<sup>6</sup> Civil cases 132 and 576 of 1920.

up in 1921, and Chief Justice Sir Jacob Barth, K.B.E., gave a judgment,<sup>1</sup> dismissing the case, in which the following passage occurs :—

“ In my view the effect of the Crown Lands Ordinance 1915 and the Kenya (Annexation) Order in Council 1920 by which no native rights are reserved, and the Kenya Colony Order in Council 1921, as I have already stated, is clearly *inter alia* to vest land reserved for the use of the native tribe in the Crown. If that be so, then all native rights in such reserved land, whatever they be under the Gethaka system, disappeared, and the natives in occupation of such Crown Lands become tenants at will of the Crown on the land actually occupied.”

Action is being taken to rectify this grievance and to restore to the native tribes complete security for their lands. The final steps are said to be imminent as this book goes to press ; no particulars have, however, been published in this country which might establish public confidence as to the adequacy of the provision made by the Kenya Government. Meanwhile, Lord Delamere and his followers appear to be resolute that the Reserves as now delimited shall never be enlarged, for, as a plank in their platform at the general elections in January 1927, they renewed the demand for “ the alienation of the balance of available Crown land.”<sup>2</sup> Land-hunger seems to be a disease which early reaches a chronic stage, and is then incurable. To the first proposals of Government, exception was taken by some natives on the score of the proposed boundaries not including as much land as they had a right to, and equally by one or two settler organizations on the score of their being too wide. There was strong agitation in the Colony that these rights should be restored to the natives *only by local enactment in the Legislative Council*. Among defenders of native rights in the Colony it was urged that, as the rights had been expunged by Order in Council signed at Buckingham Palace, they should be restored by a like instrument—especially since the decisions of Legislative Council are always *open to review and reversal at any time after six months from the time of their being taken*.

It may appear to the average British reader that the old and crushing obligation, which lies upon us as a nation, to reduce the debt which is due from us to Black Africa, for our former participation in the Slave Trade, is being evaded, and not faced, in that portion of Africa which is Kenya ; that the debt is not being

<sup>1</sup> Civil case 626 of 1922.

<sup>2</sup> *The Times*, December 29th, 1926.

paid off, but increased. There are other activities of ours to be taken into account also, as well as our jugglery with land. There are those who will regard it as lamentable that disclosures of the record of some of our compatriots in East Africa should be made in a form available for access by readers of other nations. The point will here be made, which it is necessary to repeat at other stages in the record, that it is only the actions of a section of our nationals that have added to our debt to Africa. Of others it may be said that they have averted conditions which would have been worse than those that prevail. Others again have been so inert, or so busy, or geographically so isolated, that they have not, as a matter of actual fact, exercised adequate control of a designing minority whose record, if closely examined, they would certainly reprobate. They have allowed the extraordinary alertness of those who have been seeking their own financial advantage, in disregard of that of the natives, to go unchecked. This is the group, if it now at length bestirs itself, which can most rapidly take effective political action to remedy injustices which the natives of Kenya are still suffering. If it delays, it must not complain if the British public takes action over its head. The crowning injustice has been our treatment of the natives with regard to their land. After a general review of other aspects of the Colony's history, there will be advanced, in Chapter XXIV,<sup>1</sup> the line of policy, simple and easily applicable, which would do more to make amends for what we have done to the Africans with regard to their land than anything else that is within the bounds of practical politics.

<sup>1</sup> V. p. 449

## CHAPTER VI

### LABOUR TROUBLES

" A good sound system of compulsory labour would do more to raise the nigger in five years than all the millions that have been sunk in missionary efforts for the last fifty. . . . Then let the native be compelled to work so many months in the year at a fixed and reasonable rate and call it compulsory education, as we call our weekly bonnet parades church. Under such a title, surely the most delicate British conscience may be at rest."

E. S. (later MAJOR) GROGAN :  
*From the Cape to Cairo, 1900, p. 360.*

" The point that I tried to make was, and still is, that since these (*detrimental*) forces, fraught with danger, are present in our midst, the Government is bound not to add to them by 'encouraging' men to come out of the reserves. I did not ask that it should discourage them : but merely that it should leave the Africans free to come out or not, as they please. The Government is more bound to consider remedies than to increase the disease. If it is someone's duty to increase labour, it is certainly not the Government's duty. The ruler is morally bound to remain as umpire of the conflicting claims of capital and labour.

" But I am quite sure I serve the Empire better at the present moment by calling attention to the Lord Christ's teaching and to the case for Africans as against Europeans. Almost all your readers can state the case for making Africans labour for them, at a pre-war wage, paying post-war tax and post-war prices, with their cents reduced<sup>1</sup> to a post-war half value. There are few, indeed, who will stand with me. So that Mr. Henden Frost must be still kinder and forgive me if I offer no advice as to how to fill with labourers the many plantations recently opened."

A letter from the RT. REV. FRANK WESTON, D.D.,  
Bishop of Zanzibar, to the Editor of the *East African Standard* (April 15th, 1921).

**I**N the twelve months ending June 30th, 1924, an official report states that 1,715 European occupiers of farm lands in Kenya employed 87,000 native labourers, on an average, month by month throughout the year. In September 1924 the Governor of the Colony was on tour in the Native Reserves, expressing to the chiefs his displeasure that labour was not more plentiful.

At this distance of time, we regard it as a quaint display of ineffectiveness by the European employers of the year 1907 that they should have been unable to attract sufficient labourers to meet their trifling demands, and that they should have been talking, in those simple days, of a "Desperate Labour Question." The solution then was thought to be a Pass Law. The employers

<sup>1</sup> V. Chapter XII.

nowadays have the movements and industrial history of native labourers recorded on a card index (of over half a million entries) with an accuracy that the employers in 1907 never dared to think of or hope for. Yet still the Labour Question worries Government official, farmer, planter and contractor in Kenya—or most of them.

Our descendants of ten or fifteen years hence will no doubt regard us also as quaint and obtuse. But there is this much to be said for us, as for the earlier employers—we do not enjoy the illumination which will be shed upon the problem, in our successors' times, by organized, literate African "Labour." It will be alert. There is no doubt of that. It will be our fault, and that of our immediate successors, if it is combative also, instead of being well disposed.

The *Annual Report* for the Protectorate for the year 1903-4,<sup>1</sup> at a time when "land had been allotted to some 130 Europeans," announces the beginning of labour troubles :—

"There is considerable local feeling abroad throughout the areas where native labour is inadequate, to the effect that the Administration should apply pressure in some form or other to the natives to increase the supply. Measures of this character are, as a rule, not to be advocated, as experience in other countries has proved that a system of forced labour is never a success and is apt to alienate the confidence of the natives."

The possibility of trouble assuming a grave form was also advanced<sup>2</sup> :—

"Nairobi being the centre of the settled area, it is considered that a sufficient garrison should be maintained there to provide for a flying column of sufficient strength to crush the initial stages of any native rising, and at the same time to maintain an adequate garrison for the town itself."

This passage was a reflection of the settlers' fears of a "Native Menace," which they later admitted in a written memorial to the Secretary of State for the Colonies, as elsewhere related.<sup>3</sup>

The Administration officers of Government anywhere in the vicinity of white settlement were, in these early days, simply overwhelmed with work, and could not maintain any adequate check over a minority of the early settlers, composed of colonials of degenerate type, who promptly began to spoil the labour

<sup>1</sup> Cd. 2331 (1905), p. 21.

<sup>2</sup> *Ibid.*, p. 22.

<sup>3</sup> V. pp. 168, 258.

market for themselves and their better-behaved neighbours. Apart from one or two notorious characters, liable to gusts of uncontrolled temper, the remainder of this group indulged in severe punishments and in unjust refusal of pay to labourers. "Five minutes after I start working with these Kikúyus, I'm raving like a Dutchman," explained one employer. "I sjamboked the nigger till my arm ached," said another, explaining how he dealt with one of his troubles. The employer class was not yet sufficiently large for a better public opinion to control the undesirables in the group. Short of inflicting "grievous hurt," or indulging in "dacoity," in either of which cases Government was likely to prosecute, they had a clear field to injure the reputation of the white employer class, and they did so. There were well-known cases of employers who, engaging labourers for a month's work, became increasingly severe with them as the end of the month approached. A few days before pay-day, some display of ferocity or injustice resulted in the whole, or a large portion, of a gang of labourers absconding quietly at night from employment which had become intolerable. Alternatively an impossible task of work might be set, and the natives discharged for not completing it. The employer, in extreme cases, secured the labour of upwards of 200 men for 25 days without payment of anything to any of them.<sup>1</sup> They faded into the Reserves, and established the tradition that work for Europeans was liable to be unprofitable—to the labourers.

A common practice among European employers was to withhold a portion of the labourer's earned wages when pay-day arrived.<sup>2</sup> The native had the choice of continuing to work for the whole of another month or of surrendering part of his earned wages to his employer and going home without it.

At this very early stage agitation began for the importation of African labour from outside the Protectorate. Governor Mr. Sharpe (now Sir Alfred Sharpe, K.C.M.G.), of Nyasaland, was approached, and a letter from him was published stating the terms as to treatment and payment which would be insisted upon if Nyasaland "boys" were employed in the Protectorate. The Colonists' Association discussed these terms, and agreed that no industries in the country had proved sufficiently lucrative to warrant the use of such highly paid labour.<sup>3</sup>

<sup>1</sup> V. Labour Commission's Report, Witness No. 86.

<sup>2</sup> *Ibid.*, Witnesses Nos. 41 and 240.

<sup>3</sup> E.A.S., March 13th, 1909.

During the regime of Sir James Hayes Sadler a Labour Inquiry Board was instituted, and its findings were published, in the month of March 1908, over the signatures of Mr. C. C. Bowring (now Sir Charles Bowring, K.C.M.G., K.B.E., Governor of Nyasaland), Mr. G. P. Stevens, a Nairóbi lawyer, and Mr. T. A. Wood (now Mr. Wood, C.M.G., M.B.E.), a Nairóbi hardware merchant and auctioneer. They asked that the Governor should arrange for the Administration officers to remove the impression that appeared to exist that the Government did not wish the natives to work, and that he should order Heads of Departments "to co-operate with the settlers in keeping down the rate of wages." They asked the Governor to adopt the policy of granting a native a refund of part of his tax if he presented a certificate from a European or other authorized person to the effect that he had worked for at least one calendar month, but they suggested that the natives' tax should be raised in order that this might not involve any loss of revenue. They trusted that village headmen would be required to explain to their natives "the beneficial effects of working for a wage." Finally they were of opinion

"that the land set aside for Native Reserves should be limited to the present requirements of the natives ; the committee being of opinion that the existence of unnecessarily extensive reserves is directly antagonistic to an adequate labour supply."

The labour conditions which developed in the Protectorate during these early days are reflected in the evidence which was given before a Labour Commission between September 1912 and April 1913. This Commission sat under the chairmanship of a Judge of the High Court, and was admirably conducted. Reports of the evidence of witnesses were sent to them for correction, and were then published *in extenso*. The result is that any unbiassed reader, who can find time and patience to read through the 241 pages of evidence, will secure a picture of a minority of individuals, chiefly Government officials, missionaries and Africans, exposing a system of crude exploitation which a preponderating white group upheld.

Of the 284 witnesses whose evidence is reproduced, 205 were English-speaking. The remainder comprised 1 Goan, 14 Indians and 64 African natives. Sixty-eight witnesses urged that native taxation should be increased as a means of improving the labour

supply. Seventy-six urged that a remission of a portion of the natives' tax should be made to him upon proof that he had worked for a stated period as a wage-earner. Forty-nine recommended that the Native Reserves should be reduced in area as the surest means of crowding natives out on to the wage market.

"If the policy was to be continued," said Witness No. 91, "that every native was to be landholder of a sufficient area on which to establish himself, then the question of obtaining a satisfactory labour supply would never be settled. In no country in the world would there be the same state of affairs as here. . . . He considered the soundest policy would be to curtail the Reserves, and though it might take a few years before the effect on the labour supply was apparent, the results would be permanent."

This set the note which dozens of subsequent witnesses echoed. Witness No. 17 observed :—

"There was no other section of the community that was given land free, and he did not see why the natives should be treated differently."

Witness No. 4 advanced the proposal that a stiff tax should be levied on the land each native used in the Reserve. Rs. 12 per plot would not be too high.

"If a sufficiently high ground-rent were charged, it would probably have the effect of inducing more natives to come out and work."

"Forced labour was not to be thought of," added this witness. Already the native in his Reserve was beginning to have a bad time. Forty of the 64 native witnesses complained of pressure by chiefs, headmen and elders to leave the villages and work for wages elsewhere. Among the officials there were already some who were finding it popular to exert pressure upon the natives under their charge to work on farms and plantations. The assistance of Administration officers was cordially acknowledged by 18 witnesses. That voluntary labour was interfered with, mainly in order that chiefs and headmen might have labourers at hand to supply to labour recruiters, was suggested by 29 witnesses, while 21 quoted malpractices by labour recruiters, principally bribery of chiefs to supply labour.

Not the least illuminating parts of the report are passages in which aggrieved employers merely made complaints, apart



from suggesting remedies. Witness No. 41 explained the necessity of withholding part of a labourer's wage when it was due.

"Some natives had run away, leaving money due to them."

Witness No. 240

"was certain that labour would leave if the full wages were paid monthly instead of a part being retained. . . . He did not understand why so few natives who had worked for him ever returned."

Desertion of labourers was a common complaint.

"This is my busiest season," wrote Witness No. 185, "and my work is entirely upset, and it is hardly surprising if I am in a red-hot state bordering on a desire to murder everyone with a black skin who comes within sight."

In the opinion of Witness No. 177 it was a mistake to encourage natives to cultivate economic products within the Reserves, and for Government to provide them with seed, because it discouraged them from coming out and working for Europeans. Witness No. 154 recommended that labour should be forced by Government.

"Instead of the native having the choice as to what kind of work he wished to be employed on, the Government recruiters should decide it."

Witness No. 60 thought that cases between white men and natives should be tried by a bench of three Justices of the Peace, chosen by the Settlers' Associations. Witness No. 107 urged also that Justices of the Peace should deal with desertion. Witness No. 13 urged that every chief in his district should be ordered to send 200 men to the district office each month for distribution amongst the settlers.

"This would not lead to any trouble, nor did he consider it as forced labour."

Government should explain to the natives the benefits that they would receive from working, and that it was the wish of Government that they should work, said Witness No. 24. Suppose a native refused to turn out to work after being advised to do so in the manner suggested, this settler stated that

"if he were a District Commissioner he would order him to receive 25 lashes for insulting the Government and for being insolent. He

would take the attitude that he knew better than they did what was for their benefit."

"It was wrong that District Commissioners should ask natives who were brought before them whether they wished to go out and work," said Witness No. 6. "The native would naturally always say 'No.'"

Fifty-nine witnesses urged the adoption of some method of personal identification of natives. This was considered essential to any hope of success in dealing with desertion of labourers. Twenty-seven witnesses wanted a Pass Law on the South African model.

Amid the clamour of these exploiters, the Government officials and the missionaries for the most part showed up well, and stated their convictions as to where the true welfare of the native lay. Witness No. 137, the late Ven. W. Chadwick, spoke of the break-up of native family life through the absence of the men, of improper food given to labourers, of the adequate *reasons* for desertion which sometimes existed. He denounced increased taxation and the reduction of the Reserves. Witness No. 227, Mr. A. R. Barlow, demolished the shallow observation of so large a number of the exploiters that the male native in his village was an idle wastrel. (This hoary and indecent libel has played so large a part in securing toleration in Britain of improper pressure upon Africans in Kenya—even putting in an appearance at a conference of East African Governors—that a studied refutation should receive careful perusal. So there is given, as an appendix,<sup>1</sup> an extract from an article by this Mr. A. R. Barlow, which appeared in a magazine published by the Church of Scotland Mission at Kikúyu.) Witness No. 78, Mr. W. G. Northon, of the United Methodist Mission, urged employers to treat their labourers better and to learn their language, while the Rev. C. F. Johnston, of Machakos (Witness No. 11), said that to his mind the white people in many instances were hindering the up-bringing of the native. He held that the cutting down of the Reserves would be very unwise. A District Commissioner, Mr. O. F. Watkins, in the North Kaviróndo Reserve, in the course of an arresting memorandum, said:—

"If we proceed to a comparison of conditions in labour and native areas, it can, I think, be established that in his own area the native is in the main better fed, better housed, is not driven to choose between celibacy and syphilis, has no need of warm clothing, and without working

in all weathers under an overseer can make sufficient for his simple needs. There is, therefore, no attraction to draw him to the labour areas."

Native evidence supplemented this by pointing out (No. 147) that it was possible to earn Rs. 30 a month by selling bananas at 25 cents ( $\frac{1}{4}$  rupee) a bunch, that 36 lb. of hides (No. 146) fetched Rs. 8 or 9, that goats would fetch (No. 258) from Rs. 5 to 10, that women in the Reserve (No. 126) cultivated enough for native needs, but not to sell, though when men helped there was a surplus, that 3 lb. of simsim (No. 158) brought in a rupee.

An important chief, Wambugu (No. 221), also disposed of the figment as to complete idleness of native men in the Reserves :—

" In the *shambas* all helped. The men cut the grass and dug up the soil, the women and men weeded, the women planted and harvested and the men did the grain-store construction. Men plant yams. Each section had its own work."

Natives spoke of oppression on the plantations. Witness No. 263 spoke of men being harnessed to the plough and beaten. Nos. 253 and 269 spoke of labourers being driven away, unpaid, after 25 days' work. District Commissioner the late Hon. Kenneth Dundas (No. 51) was particularly outspoken. An Assistant District Commissioner, Mr. J. M. Pearson, spoke of both the pay and food of labourers being stopped when they were off work through sickness. An important chief, Maláma, spoke of labourers, on return to their villages, being thin and syphilitic. An Indian witness (No. 85) cited a case of 45 Akámba natives, of whom 5 died, being turned off starving by a European employer. Some of the European witnesses were almost penniless adventurers, living by their wits and at the expense of the natives. Many of them were without enough capital to develop even a fraction of their holdings. The personalities of some would have been repellent to hired workmen of any class or race. Some came from localities which on account of exposure, cold or prevalent diseases could only be unattractive to Africans. So evidence is heard of the possession of 2,000 acres of which 20 had been brought under cultivation in five years, of 9,000 acres of which 25 were cultivated, of 12,000 acres of which 300 had been ploughed, of 3,900 acres upon which the owner employed 9 natives, and could not for the time being take on

any more, of 350,000 acres on which 250 natives were employed, and so on, in tragic reiteration.

Several non-official Europeans, to their credit, put in a word for amelioration of the labourers' conditions. Mr. R. J. Cunningham (No. 23) spoke of improper food supplies, and advocated that conditions promised to the natives should be carried out. The late Mr. G. K. Watts (No. 16) said that the suggestion to reduce the Reserves was a most unjust one. Mr. K. H. Rodwell (No. 89) pointed out that if sheep were entrained on the Uganda Railway as natives were, it would be regarded as "cruelty." Mr. A. S. Flemmer (No. 117) said that in some cases bad housing and general discomfort were responsible for labour shortage. No one who has not lived as a member of a small racial group, striving to enrich itself at the expense of a population of unorganized primitive labourers, is in a position to appreciate the degree of courage which is required to put forward a word for the oppressed. The average employer of decent attitude contents himself with striving after humane conditions for the natives in his own charge, without attracting too much publicity—much less venturing to criticize improprieties rampant all around him.

The evidence given before this Commission of Inquiry has been quoted in some detail. The printed record is probably unique in modern British Colonial history. The unshakable urbanity of His Honour the Chairman would appear to have elicited confidences from witnesses, in spite of the public nature of the occasion, which some of them may perhaps look back upon with regret. The record should suffice, for years to come, to silence chatter about "trusting the man on the spot" where the welfare of subject races is concerned. Intimate knowledge of the man on the spot may, or may not, justify trust in him. A man's record is the first requirement to guide overseas criticism towards trust (or mistrust), and not the mere fact that he is "on the spot," nor even the added qualification that he has become wealthy. The printed evidence throws a strong light upon the conditions under which young British officials in the Administration branch of the Service were working, and had been working for upwards of ten years. It says something for the general rigidity of the Colonial Civil Service during this period that such outspoken criticism of what was, as every reader of the Report can see, a thoroughgoing attempt at spoliation and subjection

should have been possible, not only on the part of some officials, missionaries and a minority of settlers, but even on the part of natives. Administration in many quarters of "the Protectorate" was still functioning according to the highest British traditions.

The Commission consisted of His Honour Judge Barth (now His Honour Sir Jacob Barth, K.B.E.) as Chairman, 2 officials, 3 settlers, 2 missionaries, but no Indian, Arab or African members. The Report to some extent reflects the composition of the compiling body. It may be noted as evidence of the complete disregard which even thoughtful men may bestow upon a vast population when it is politically unorganized, that these gentlemen state that they received "unanimous" support from witnesses for the institution of a system of personal identification of natives. From 64 native witnesses there was, of course, no word of approval of any such course. From more than 120 of the English-speaking witnesses no word in support of it was heard, while in some other cases there was actual denunciation of the proposal.

Upon the all-important subject of native lands, the Commissioners compromised upon the views put before them. They did not recommend the reduction of the Reserves, nor the provision of ample land for the expected increase in the native tribes. They advised "the demarcation of undemarcated reserves with a view to reserving sufficient land for the present population."

It must be made perfectly clear that any such concerted display of negrophobe malevolence as is exhibited in some of the evidence before this Commission would be impossible in the Kenya Colony of 1927. The ruthlessness of some of the members of this early group of settlers is almost unbelievable at the present day. One of them supervised his labourers from a chair at the door of his hut by firing a rifle in the direction of any whom he thought to be slacking. The bullet kicked up the soil near the delinquent one and reminded him that master's eye was upon him. The inevitable mischance soon took place, of course. A labourer was seriously wounded, being shot through the arm, the bullet entering his chest. The white employer was tried, and sentenced to a fine of Rs. 500 and six months' simple imprisonment without hard labour.<sup>2</sup> It would

<sup>2</sup> *E.A.S.*, August 19th, 1905.

be thought that an exploit of this sort would deprive the performer of every vestige of public support. On the contrary, there was an outburst of criticism because the prisoner, after sentence, was sent in to headquarters under an escort of *native* police. The Government was accused of not maintaining white prestige. (There were no European constables in the country at the time.)

The practice took root in the Protectorate as early as 1905 of giving each labourer a monthly "labour ticket" on which was ruled or printed a panel of 30 rectangular spaces. One of these was initialled or marked by the farmer or his overseer at the end of every day's work, and at the end of the month the labourer presented his card and received his month's pay. In Government circles, payment was made each calendar month, and a card was regarded as "full" if attendance at work was marked in 25 or 26 of the 30 spaces (the blanks representing the number of Sundays in the month). Many have been the complaints by settler bodies of this laxity on the part of Government in not exacting labour for 30 full days, as is done on the farms. There has also been constant agitation for keeping the native's remuneration *low*. For at least a generation there was a steady demand, often outspoken but always operative, that the native should be *impoverished*, under heavy taxation by Government coupled with depressed wages for workers. This at times took ingenious forms, as when the Colonists' Association, with Lord Delamere in the chair, urged that Government should only buy European-grown maize, and not native-grown, for issue as a food-ration to Departmental labourers.\* Whether the native could or could not earn more money than a low standard rate of wages, it was regarded as an anti-social act for any employer to pay him more. The imposition of piece-work or task-work has always been a favourite method of employing natives, and if it transpired that natives finished their allotted task early in the day, or earned more than six or seven rupees in a month, it has been the usual and not the exceptional thing for the employer to increase the daily task or reduce the rate of pay for the same task as before.

The steady upward creep of native taxation is described in Chapter IX. This was allowed to operate, without any great aggravation of pressure upon the general native population, through-

\* E.A.S., March 13th, 1909;

out the regimes of Sir James Hayes Sadler and Sir Percy Girouard. In the boom years that followed close upon the War, the haste to get rich, which consumed so many of the employer class, led to concerted attempts to tighten up the employer's hold upon his labourers and to increase his profits from their work. There was the concerted reduction of native wages by one-third in 1921 (*v.* Chapter XIII), the identification of labourers by finger-prints (*v.* Chapter XI), the unsuccessful attempt to halve the value of the cental coinage of the country (*v.* Chapter XII), and the increase of import duties upon many imported articles of native consumption (*v.* Chapter IX). In addition to these, unceasing pressure upon the Government of the Protectorate began to tell, and Government Circulars began to appear in which discrimination against the native was at last frank and undisguised. In 1920 a Circular was issued to all Provincial and District Commissioners to the effect that it was the wish of Government that natives should be encouraged to produce export commodities on alienated lands under European supervision, although their own food supplies, and produce required in the country, might be grown on native lands. A proposal that experiment should be made in the importation of woolled rams for crossing with native sheep was disallowed on the ground that the export of wool must be left to white ranchers without native competition. The planting of coffee bushes by the natives was discouraged by the imposition of an annual licence,<sup>1</sup> costing fifteen rupees, upon every grower of coffee, whether from one bush or from thousands. The ostensible reason for this action was that under inexpert supervision disease might break out in small coffee patches owned by natives and spread to neighbouring plantations upon which much capital had been invested. This contention lost some force from the fact that some of the European estates had had coffee-leaf disease in them for years previously, and it cannot be maintained that the other considerations of limiting native competition and dissuading the native from adopting a wealth-yielding pursuit did not also apply.

If only Governors in Kenya had acted upon the wholesome advice which the Soothsayer gave to Julius Cæsar—"Beware the Ides of March!"—the Colony would have been saved much expense and some ignominy. It was reserved for a Judicial Inquiry in the year 1925 to place on record that this period,

<sup>1</sup> *O.G.*, 1918, pp. 1, 178

just before the Big Rains break, is "notoriously touchy,"<sup>1</sup> but that fact had been within the knowledge of observers for years previously. "As mad as a March hare" is a description which may well carry keener illumination to residents in Kenya than to others in temperate regions. A measure of seasonal inactivity prevails on the farms. Owners are waiting for the rains—always a tense occupation, and one leading to anxiety if their onset is delayed. The sun rises in a sky of brass, and the winds throughout the hours of daylight are high and hot, and, in the towns, loaded with dust. One's skin gets dry and rough. Tempers are short. Numbers of peculiar decisions have been taken in Kenya in or about the month of March. Yielding to representations in March 1917, the Governor appointed an "Economic Commission" consisting of two officials and three settlers to inquire and report on a commercial and industrial policy to be adopted after the War. He then left the country and retired from the Colonial Service on pension. Mr. Bowring, acting as Governor in his absence, appointed three more settlers. The Commissioners devoted a whole chapter to General Native Policy. Their objection to Native Reserves was pronounced. These ought no longer to be regarded as sacrosanct. "Interpenetration" by Europeans should be permitted. A restriction of the Reserves "should be again considered," areas released from native occupation becoming "available for white settlement." The theory that "provision should be made by the State for every son of a family to become a landholder would be regarded as absurd in Europe." They saw no reason for "imposing it" on East Africa, the natives of which could "only stagnate under a regime of universal peasant proprietorship." The policy of encouraging the natives to emigrate from the Reserves and become labour tenants on European farms should be carried into effect "far more thoroughly and unequivocally than hitherto." They believed that

"the policy of closing the Reserves to the influence of modern civilization, thereby making them the strongholds of backward savage ignorance, should be reversed."

In order that there should be no misconception as to how modern civilization was being kept out of the Reserves, they proceeded :

<sup>1</sup> *E.A.S.*, May 16th, 1925, p. 28D.



"This policy has recently taken shape in the publicly made official statement of the Chief Native Commissioner that 'he did not see why a native should turn out to work for Europeans if he wanted to develop his own land.'"

If the land in the Reserves was to produce its highest yield, that could only be done if natives learned improved methods by working for Europeans; "therefore those who wish to see the Reserves most productive should advise the natives to go out to work." Needless to say, the Report contained no advocacy of using agricultural instructors in the Reserves. Industrial training for the African, including apprenticeship of natives to farmers and planters, was advocated, and "a wide policy of native education in the more comprehensive sense of the word" was stated to be even more necessary. This gleam of interest in the advancement of the natives was used as a prelude to a tirade against the Indian community in the country, the nature and fate of which are detailed in Chapter XIX. The Treasurer of the Protectorate added a minority vote disagreeing with the suggested encroachment upon Native Reserves. One non-official, Mr. Clarke of Mombasa, did not sign the Report at all.

Except in the case of a few individuals, of whom some were missionaries, the native population was regarded simply and solely as a labour-force for the planters and farmers, who on December 31st, 1917, numbered 1,011. This is illustrated in the official *Annual Report* of the Protectorate for 1917-18, in which Chapter VIII, on Native Administration, consists of nine lines; while Chapter IV, on the Government's services to the agricultural and stock-raising sections of the settlers, runs to nine pages. In this year there were military operations, costing £33,262, against the Somáli, Másai, Elgéyo and Turkána tribes, but as reference to the reasons for, and results of, these campaigns could not be included in nine lines of space, it was omitted. In 1918-19, "Native Administration" ran to nine and a half lines, while European agriculture received five and a half pages. In 1919-20 "Provincial Administration," as it was now called, declined to eight lines, of which two were: "The influx of new settlers brought an increased demand for native labour which was well met." The inauguration of the Registration System (r. Chapter XI) was also chronicled. In 1920-21 the chapter on Agriculture for the first time had a separate section C on Native Agriculture, and Native Adminis-

tration was accorded one whole page. As showing how essential local knowledge is to the understanding even of Governors' Annual Reports, mention may be made of a statement in 1914-15 under "Native Administration" that

"in the Thika district there were at the end of year 5,000 acres under sisal, 2,000 acres under coffee and 300 acres under catch crops."

Anyone outside the Protectorate, reading this statement in this context, might well imagine that fortunate natives were growing valuable crops for export, but the development referred to was entirely on European estates.

In the years 1919 to 1921 the subjugation of the natives of East Africa was probably more complete than it ever will be again. It has mystified many people that the early portion of this regime synchronized with the establishment of a post of Chief Native Commissioner, to which Mr. John Ainsworth was appointed. He had long been one of the most abused of the Government officials on account of his pro-native leanings. Yet he, the local Government, and local clergy and missionaries gravitated together to a closer approximation than will, it may be hoped, ever be reached again, to the position which the more reactionary German colonists had held before the War: "Colonization consists in the utilization of the soil, its products and its men, for the economic profit of the colonizing nation" (Hassert), and "Colonizing Africa is making the negro work" (Fischer)—quoted by Sir Frederick Lugard.\*

On October 23rd, 1919, there was issued over the signature of John Ainsworth a Circular which still ranks as the high-water mark of exploitation by a British Government in our times. It was widely supposed in the Protectorate that it was compiled by Mr. Ainsworth in less trenchant terms, put up to the Governor, amended by him and thus published. It ran as follows:—

#### LABOUR CIRCULAR No. 1.

*Nairobi, 23rd October, 1919.*

#### NATIVE LABOUR REQUIRED FOR NON-NATIVE FARMS AND OTHER PRIVATE UNDERTAKINGS.

There appears to be still considerable shortage of labour in certain areas due to reluctance of the tribesmen to come out into the labour field; as it is the wish of Government that they should do so, His Excel-

\* *The Dual Mandate in Tropical Africa*, p. 391.

lency desires once again to bring the matter to the notice of Provincial and District Commissioners, and at the same time to state that he sincerely hopes that by an insistent advocacy of the Government's wishes in this connection an increasing supply of labour will result.

2. His Excellency trusts that those Officers who are in charge of what is termed labour supplying districts are doing what they can to induce an augmentation of the supply of labour for the various farms and plantations in the Protectorate, and he feels assured that all officers will agree with him that the larger and more continuous the flow of labour is from the Reserves the more satisfactory will be the relations as between the native people and the Settlers and between the latter and the Government.

3. The necessity for an increased supply of labour cannot be brought too frequently before the various native authorities, nor can they be too often reminded that it is in their own interests to see that their young men become wage-earners and do not remain idle for the greater part of the year. They should be informed that the Government is now taking steps to keep all native labourers while out of their Reserves under supervision, and the conditions of camps, etc., regularly inspected.

4. In continuation of previous communications on this very important subject, His Excellency desires to reiterate certain of his wishes and to add further instructions as follows :—

- (1) All Government officials in charge of native areas must exercise every possible lawful influence to induce able-bodied male natives to go into the labour field. Where farms are situated in the vicinity of a native area, women and children should be encouraged to go out for such labour as they can perform.
- (2) Native Chiefs and Elders must at all times render all possible lawful assistance on the foregoing lines. They should be repeatedly reminded that it is part of their duty to advise and encourage all unemployed young men in the areas under their jurisdiction to go out and work on plantations. They should be encouraged to visit plantations where their people are employed.
- (3) District Commissioners will keep a record of the names of those Chiefs and Headmen who are helpful and of those who are not helpful, and will make reports to me from time to time for the information of His Excellency. The nature of these reports will be communicated to the Chiefs. In cases where there is evidence that any Government Headman is impervious to His Excellency's wishes, the fact should be reported to me for His Excellency's information together with any recommendations you may desire to make.
- (4) District Commissioners will, as often as occasion requires, hold public meetings at convenient centres to be attended by the native authorities. At these meetings, labour requirements, places at which labour is offered, nature of work and rates of pay must be explained. District Commissioners will invite employers or their agents to attend such meetings.

- (5) Employers or their agents requiring native labour will be invited and encouraged to enter freely any Native Reserve and there get in touch with the Chiefs, Headmen and Natives.
- (6) Requirements of native labour for Government Departments should be met as far as possible from the more remote areas which do not at present supply an appreciable number of men for labour on plantations.

5. His Excellency instructs me to state that constant endeavours will be made by this Government to obtain labour from the adjacent Conquered Territory in order that the supply of native labour in this country may be augmented. The Native Authorities might be informed of this, and it be pointed out to them that should any considerable number of natives be so introduced into this country it will probably mean less money going into our native districts.

6. It is hoped that the Resident Natives Ordinance, 1918, and the Native Registration Ordinance, 1915,<sup>1</sup> will soon become operative. The provisions of these Ordinances should help to ameliorate the position.

7. Should the labour difficulties continue it may be necessary to bring in other and special measures to meet the case ; it is hoped, however, that insistence on the foregoing lines will have appreciable effect.

This was followed by the publication of a joint memorandum by the Bishops of the Church of England in East Africa and Uganda, and by the senior representative of the Church of Scotland in East Africa. The writers accepted, with regret, the use of pressure to obtain labourers for Government work and for private employers, but traversed some of the intentions appearing in the Government's programme. Although a high degree of courage was needed to make any stand against the campaign for the economic subjugation of the native at that time, the writers can probably derive little satisfaction, at this date, from looking back at such a declaration as

" We do not believe that there is the least intention, on either side, of exploiting natives for private ends."

This would have been a remarkable declaration even if the writers had not just previously quoted a circular issued by the District Commissioner of Kyambú, near Nairóbi, on October 17th, 1919 :—

" As I understand that a considerable amount of additional labour will shortly be required to get in the coffee crop, and as I intend to arrange for a temporary supply of child labour from the Reserves, I

<sup>1</sup> V. Chapter XI.

shall be glad if any coffee grower who may like to employ these children will write his name hereon, stating the number required, the time for which they may be most needed."

They summarized their views as follows :—

" We believe that ideally all labour should be voluntary. We recognize that, at present, this is impossible, and that some form of pressure must be exerted if an adequate supply of labour necessary for the development of the country is to be secured.

" We are convinced that the present proposals for securing labour, which stop short of definite enactment, but put large undefined powers in the hands of native chiefs, will lead to very unsatisfactory results, and that these powers will inevitably be abused.

" We are strongly of opinion that—

1. Compulsory labour, so long as it is clearly necessary, should be *definitely legalized*. Such a legal obligation would, from the native point of view, be more satisfactory than indirect pressure brought to bear through native chiefs.
2. It should be *confined to able-bodied men*. No Government pressure should be brought to bear on women and children. When they work on plantations it should be of their own accord.
3. All compulsory work should be done *under proper conditions*, guaranteed by the Government, and secured by regular inspection and visitation.
4. The labour obligation of each man should be *clearly defined*, and the man be free on the completion of his time to follow his own business.
5. Such work should be exacted uniformly, from each tribe, and each individual man in the tribe.
6. Each man should be free to choose his own employer, none being forced to any particular plantation against his will.
7. Reasonable exemptions should be allowed; of all those in permanent employment or engaged in work of national importance.
8. The compulsory labour should be *directed primarily to State work*, leaving the voluntary labour for work on private estates.

" The Missions welcome His Excellency's general policy, as expressed in his recent memorandum, and recognize, in his labour proposals, the earnest effort to meet by all possible constitutional means a great and pressing need. We believe, however, that it places far too great a power in the hands of native chiefs and headmen, and we therefore desire to see it modified on the lines above suggested."

The only repudiation of the Government's policy that was published locally was made by the Right Rev. Frank Weston, D.D., Bishop of Zanzibar. In the early years of the War, when General Smuts assumed command of operations in German East Africa, the Bishop had written an open letter to him, and now com-

plained that the British Government, which had used his letter (having "cut out a few inconvenient passages") as war-time propaganda, under the title *The Black Slaves of Prussia*, was now sanctioning conditions scarcely any better than German policy had been. Unlike the other Bishops, he was rigid :—

"I wish to make it clear that some of us who are missionaries will not agree to any such policy. We regard forced labour, apart from war, as in itself immoral; and we hold that forcing Africans to work in the interests of European civilization is a betrayal of the weaker to the financial interests of the stronger race."

In England these developments attracted much attention. They were assailed in a debate in the House of Lords on July 14th, 1920, and a promise was made on behalf of the Government that General Northey should send out to his officials in Kenya a supplementary Circular. This Circular was signed in Kenya on that same day. It laid down that women and children should be allowed to return to their homes every night, that care had to be taken that the chiefs did not use favouritism or oppression in sending labourers away to work for wages, and that they did not attempt to bring "pressure to bear upon men whose labour is needed for the cultivation of their own land in the Reserves." It was still stated, however, that it was the duty of the native authorities to "advise and encourage all unemployed young men under their jurisdiction to seek work on plantations." There was still no suggestion as to giving such men the option of growing produce in the Reserves for export, much less of encouraging it.

It must be concluded that this amending Circular was issued under compulsion of higher authority in London, for Acting Governor Mr. Bowring, addressing the Convention, had stated that

"Government had not the slightest intention to weaken the Circular in any particular whatever; the only consideration was how it could be strengthened. (Applause.)"

This had reference to a resolution—

"That this Convention views with cordial approval Labour Circular No. 1 of the 23rd October, 1919, in so far as it definitely establishes the

<sup>1</sup> *The Serfs of Great Britain, being a sequel to The Black Slaves of Prussia*, p. 12. (London: W. Knott.)

principle that the labour requirements of private individuals are the legitimate and proper concern of the Native Administration and earnestly hopes that no attempt will be made to relieve either District Officers of the duty of 'exercising every possible lawful influence' or the chiefs and elders of the duty of 'rendering all possible lawful assistance' in the endeavour to meet such requirements."

The reported speeches of delegates at this Convention, which the Acting Governor and Acting Chief Native Commissioner attended, make ugly reading. Mr. Bowring, in addressing his Legislative Council, waxed indignant at the representations that had been made at home concerning the prevalence of forced labour in the Protectorate, and defended the Circular hotly.

"The primary object of the measure, he said, is thus not, as has been alleged in certain quarters, to force the natives to work but to see that the work is done. . . . The Labour Circular has been grossly misrepresented by those who allege that it prescribes a system of forced labour. It is merely the publication in a new form of the instructions which have been issued from time to time to District Commissioners for years past, by successive Governors. Express care has been taken to make it clear that only legal methods can be employed in inducing natives to seek for work."

This assertion about the attitude of previous Governors would have been damaging, if true. Nothing equal in severity to Labour Circular No. 1 had previously been issued by any Governor. British Government in East Africa had reached the nadir of its recession from established British standards.

Against clear warning from more than one of the senior Administration officers as to what was likely to happen, native taxation was pushed up to 16s. a head. This, coupled with the Registration Ordinance (*v.* Chapter XI) and compulsion of women and girls to work on plantations, resulted in the abortive rising under Harry Thuku, described in Chapter XIII. The natives' tax was then promptly reduced from 16s. to 12s., and from 1922 to 1927 Government exaction from the native community, over and above this tax, has taken the inconspicuous form of high "inward" railway freights and increased import duties, running up to 20 per cent. and 30 per cent. *ad valorem*, and in one case as high as 90 per cent. The native community is not yet well enough educated to realize how it is being got at by this indirect taxation, so unrest is averted. But even as late as

March 9th, 1925, *The Times* correspondent in Nairóbi explained that

“ A popular theory is that the native taxation should be increased, the argument being that the more money the native is forced to earn for the State, the longer he will have to work,”

and the local Government must therefore be credited with some slight degree of rigidity in resisting this agitation.

In 1922 an Amendment of the Native Authority Ordinance of 1912 was passed. The male native had been (and in 1927 still is) liable to do six days' unpaid labour every quarter upon roads or other works of value to the tribe, though, under an Administration Order of May 1923, natives returning from labour contracts for a period of residence in the Reserve may be exempted, at the option of their District Commissioner, if “ steadily engaged in a trade or in business or agriculture on their own account.” Several other classes are also exempt—native clergy, teachers, hospital dressers and others. In addition, this Ordinance rendered every male native liable to be called up for 60 days' paid labour upon works of public urgency. Nothing was said as to such employment being only under Government Officers, and in actual practice press-gang labourers under this Ordinance have been handed over for the enrichment of sub-contractors working on State projects. A proviso was inserted that no native who had worked for three months during one year should be liable for this compulsory labour in the succeeding year. The local Government scarcely dared to specify that this must be wage-labour for an employer, though there is no doubt that that was the interpretation which it was intended to apply. However, on October 27th, 1920, Lord Milner in the House of Lords stated that it was the view of the British Government that three months' labour by a native on his own land should suffice to free him from compulsory labour on State projects. This created consternation in the Colony, and rendered the Ordinance largely useless as a stimulus to the supply of wage-earners. It was even the case that some compelled labourers in 1925 contested the legality of their allotment to work on railway construction, won their case in Court and were released.

The obligation to do six days' unpaid work in every quarter, even although this is on public improvements of utility to the natives and close to their villages, is a practice that is open to



objection. Abuse of these powers may so easily become a hardship. While honourable officers see that such labour is exacted from male natives only, and is employed only for the statutory six days per quarter, others do not resist the temptation to prolong the work of entire villages for much longer terms. They are able to make a show of great development in their districts, and High Authority, inspecting upon its infrequent visits, is usually supine in ascertaining whether the terms of the Ordinance have been strictly observed. The chances are that irregular action elicits commendation for vigorous administration rather than rebuke. On the whole, it is undoubtedly preferable that all forced labour should be paid for in cash to the labourers themselves, District Officers being given the necessary grants from State revenues.

Mr. Winston Churchill became Secretary of State for the Colonies in 1921, and, reversing the policy of his predecessor without any compunction, he sent out a Circular in a Government White Paper, Cd. 1509 of 1921, which is still supposed to control Government policy in Kenya. It prescribes that officials shall take no part at all in recruiting labour for private employment. Practices that had been indulged in and fostered for years are not, however, easily changed, especially in the case of Africans, who are not impressed with the importance of Government Circulars, even in the rare cases when they know of their existence. So two illustrations may be given of practices in the years 1922 and 1925 which closely reproduce the regime that had flourished with the full knowledge of Government in the years 1919 to 1921.

An official and his wife, on *safari* by car, roll into a small Government station in the late afternoon. The Assistant District Commissioner is away in the Reserve. During a leisurely tea as their tents are being lifted out of the car and pitched, they notice a string of young women and girls passing up the hill upon which the station bungalow stands. Each girl carries a *kibuyu*, or gourd, of capacity varying from a pint to half a gallon. They are carrying water up to a tank at the officer's house. The spring is a long way down the hill, and the waste of labour in carrying a pint of water at each trip is prodigious. The swift tropical dusk at length settles down and work is discontinued—but the girls do not return from their last trip up to the bungalow. The visitors go up to inquire, and find the girls sitting in a

huddled group near the servants' quarters behind the bungalow, and looking scared. Inquiring from one of the "station hands" who is in charge while the *Bwana* is away, they are told that the girls are to sleep in one of the outhouses, as the work is to be resumed in the morning, the tank being not yet full. Without comment or any disconcerting inquiries, the visitors wander off and make for the doctor's bungalow—the only other European habitation in the station. Ascertaining from him that he knows nothing about the alleged order for the detention of the girls, the visitors decide to take the law into their own hands and dismiss them home for the night. On getting back to the bungalow, it is found that the girls have been locked in one of the outhouses in charge of a cowed old man who had come with them from their village. The door being opened, the girls, in their daytime lack of costume, without blankets or food for the night, are found crouching before a tiny fire. It is the same huddled group—only more scared now. They are undoubtedly afraid as to what may happen to them before morning. One thing may be taken as quite certain—that the trembling old man in charge of the party would have similarly opened the door to any of the station staff, porters or *askaris*, who might have told him to do so. The girls are ordered out and told to hurry home. After a moment of apparent incredulity, they tear off down hill into the darkness to a *diminuendo* of joyful cries. (Danger averted for *that one night*.)

It is satisfactory to be able to relate that, when shown the photograph of this water-party (appearing as Plate II) and told of this incident, the Chief Native Commissioner was incredulous. Was it possible, after the Circulars he had sent out, that these hoary malpractices were still going on? Where and when was the photograph taken? . . .

Shortly afterwards, a further definite prohibition of the detention of girls away from their homes was published for general information in the *Official Gazette*.<sup>1</sup> The particular example that has been quoted took place at a Government station. Multitudes of girls similarly experienced forcible detention in these dismal years on plantations and in labour camps, and few were as fortunate as the "water-fatigue" at this bush station on the evening when the touring official, with his wife, rolled in by car. The Circular,<sup>2</sup> already quoted, issued from Kyambú as to an issue of children to the farms is ominous

<sup>1</sup> Government Notice No. 93, *O.G.*, 1923, p. 294.

<sup>2</sup> *V.* p. 105.

enough in this connection. The complaints of Kikúyu natives at the Dagoréti meeting described in Chapter XII are definite on the point.<sup>1</sup>

The fact that old sins die hard is illustrated in a *Times* report<sup>2</sup> that, as late as October 1926, the Kenya Government

“believed that the attitude of hostility or neutrality on the part of Administrative officers hindered the flow of labour. Therefore they were now definitely instructed to *do their utmost* to promote the flow of labour *from the Reserves*, a matter which was of immense importance to the industries of the country.” (Italics are the present writer’s.)

(By “industries,” the speaker of course meant non-native industries.) Next day the Governor appeared to contradict this assertion. In a public speech he said<sup>3</sup> :—

“I begin by stating the truism that the Government neither can nor will produce labour from the Reserves by compulsion of any sort, and it is therefore idle to call upon the Government to guarantee a supply of labour sufficient to meet all demands, present and future, of private enterprise.”

Interested parties on either side may comfort themselves with whichever of these sayings they like best. What matters is—how they are carried out. This lies, to a great extent, with junior Administration officers, who, though often mystified, remain, for the most part, unmoved by the wobbling of the local Government and, in any case, do *not* “do their utmost” to harry natives on to the wage market. (Being a junior Administration officer in Kenya, provided that one is not a worm, is a desperate adventure.)

In the month of March 1925 the local Colonial Secretary, Mr. Denham, was acting as Governor on account of the death of Sir Robert Coryndon. He was unwise enough to make a speech to the Convention with inadequate previous study of his subject. He apparently forgot all about Mr. Churchill’s despatch in Cd. 1509 of 1921, and informed the delighted delegates that “Government expects every Administrative officer to give all possible encouragement to the labour within their district to work on the lands which have been opened up by the settlers.”<sup>4</sup> Next day witnessed an outbreak of slander of Government

<sup>1</sup> *V.* p. 225.

<sup>2</sup> *The Times*, October 27th, 1926.

<sup>3</sup> October 25th, 1926.

<sup>4</sup> *E.A.S.*, March 14th, 1925.



PLATE II.—COMPELLED LABOUR OF GIRLS IN 1922, DETAINED FROM THEIR HOMES WITHOUT FOOD OR BLANKETS

officials by delegates, unparalleled even in any previous month of March. This is referred to in Chapter X.<sup>1</sup> Carried away by zeal for purifying the Service, a group of seven farmers, headed by the chairman of the Convention, decided to deliver a *quietus* to one official at any rate. The official in question, Mr. S. V. Cooke, B.A., an Assistant District Commissioner, met his assailants half-way, and demanded a Judicial Inquiry into his actions. This was sanctioned by Government, and conducted by the Chief Justice of the Colony, assisted by the Chief Native Commissioner and a settler member of the Executive Council, Mr. MacLellan Wilson. The settlers' charges were held to be either frivolous or not proved, and Mr. Cooke emerged from the inquiry carrying the honours. His disclosures,<sup>2</sup> however, revealed one of the methods by which employers, if so minded, could sometimes move an official to act oppressively towards native labourers who had incurred their masters' displeasure. Mr. C. K. Archer, President of the Ruiru Farmers' Association and Chairman of the Convention, had employed a youth of about 15 years of age for some months, and the latter had then left work and returned to help his father. This action on the boy's part was quite in order. He was under no obligation, legal or other, to do anything further for this employer. Mr. Archer, however, wrote to the official at the local Government station and denounced the boy as a slacker, going so far indeed as to suggest that the boy would be a suitable capture for some unpaid compulsory work in the Reserve. Mr. Oldfield, the official at the station, promptly complied with the behest of the important politician. The boy was called in to the Government station and detained there. (Complying with a similar written suggestion from another settler, Mr. Oldfield had made another boy, who was complained of, work as a porter for 35 days for no pay. Due to the efforts of Mr. Cooke, this boy was afterwards paid in full. Episodes of this sort lend strength to the contention that all compulsory unpaid work in the Reserves should be discontinued.) At this point Mr. Oldfield proceeded on leave, and Mr. Cooke took charge at the station. He found the boy among the prisoners there, although not convicted, tried or even charged. Mr. Archer received one or two letters of a type to

<sup>1</sup> V. p. 174.

<sup>2</sup> E.A.S., May 2nd, 1925, pp. 28c, 28D, 29, 30, 31, 32, 34; May 16th, 1925, pp. 28c, 28D

which he had never been accustomed since he rose to eminence in the Convention. As he would not proceed with any charge against the boy (for the sufficient reason that he had no legal grievance), Mr. Cooke released the boy from custody and sent him home. He also fastened upon an assertion of Mr. Archer that Mr. Cooke had been transferred from another district upon secret pressure by settlers for his removal. On this point, the Commission reported that the movement of officers "because of grievances alleged by planters, without full investigation, could only lead to a most unwholesome condition. . . : Mr. Cooke's request for an investigation of the facts was reasonable." The Kenya Government failed to take the opening, thus provided by its Chief Justice, for a further Commission of Inquiry. The Commission of Inquiry allowed itself to mention that Mr. Cooke's correspondence might at times have been more "tactful," but otherwise his action on every point was supported.

The inquiry being over, Mr. Cooke proceeded on leave. Upon their returning to duty, Mr. Oldfield was posted to Kabarnet, one of the most charming high-level stations in the Colony. Mr. Cooke was sent to Wajir in the Northern Frontier District, a desert region, low and unhealthy. Young Administration officers in the Service no doubt took notice.

It is, of course, the case that when compulsory labour is called up for urgent public requirements, it is chosen *solely from the Reserves*. As soon as the incidence of this labour levy, supposedly for the general good, is extended to the labour camps on the alienated estates, there will be a sudden cessation of demand for the repeated application of Government's "press-gang" powers under the Native Authority Amendment Ordinance.

The day may come, of course, when the settlers of Kenya as a body will deal with those among their number whose actions bring discredit upon the employer class and give rise to easy but unjustifiable denunciation of the white planter as a vindictive tyrant. *The fact remains that at present they do not do so.* When in 1920 a European employer flogged a native at intervals during three days so that he died on the third evening, at the same time ordering and supervising the thrashing of a native woman (who happened to be pregnant, and so had a miscarriage next morning), also torturing two other natives by screwing up their fingers in a vice, subscription lists on his account were opened in several districts. It was left to one settler (the late Commander Barry, R.N.)

to write to the paper denouncing such degeneracy. Another native who, under orders, had also flogged the dead man, committed suicide by shooting himself. Settlers as a body could make it worth while for a depraved white savage, and those who support him, to leave the country. Government might deport such, as undesirables. The political leaders might devote some of their powers of victimization to men guilty of such exploits—exploits that ought to be impossible in any British community. The missionaries and clergy might make their voices heard, *in the Colony*. None of these things usually occur. The dread of local unpopularity seems to outweigh personal zeal for the support of a mere tradition. It is forgotten that high traditions are only maintained at the price of unceasing vigilance and of much personal discomfort to individuals at times.

Undoubtedly much alleviation of severe conditions for natives has been effected by clergy and missionaries, by the process of confidential interviews with Governors, or by reporting to Mission headquarter offices in Great Britain, which in turn make representations to the Colonial Office. When remedy is not obtained by this routine, it is generally left to the Archbishop of Canterbury to focus public attention upon malpractices by exposure in the House of Lords. He is not as popular in Kenya as he might be. Unless clergy and the British missionaries in Kenya jointly *and openly* support high standards, they will continue to enjoy the present unenviable distinction of living in a very mixed community where nobody is afraid of them. Foreign missionaries, American, French and others, are perhaps in a position where reticence is justifiable up to a later stage of delinquency than is the case for British people of religious professions. Government has had, in the official ranks, cases of complete moral breakdown, and it is to the credit of the local Government that officials have, on occasions, been recalled from up-country stations by the first down train and put out of the country by the first boat—never to return. Settlers cannot do this to a fellow-settler, however depraved; but they can ostracize him completely, black-list him at the local saloon, and leave the natives free to picket his farm and to refuse to enrich him. The tropics would do the rest, quickly.

A generation hence, African natives will no doubt still be working for European employers in Kenya. They will be better educated and more efficient; their rate of wages, in cash, will

perhaps be ten times what it is to-day—and profits will still be made. Labour-saving machinery will be employed to an extent at present unthought of. The employers will be *men and women for whom Africans are willing to work*, and the output of work per man will be astonishing, compared with present standards. State capture of deserters, and all the legislative chicanery rendering this possible, will be a thing of the past. So will attempted repression of native tribes by armed “burgher forces.” All rights of industrial organization will have been freely conceded to African workers. Peacefully and amiably the Africans will have sent worthless and reactionary whites about their business—by the gentle process of doing nothing for them. Before being thus smashed, the worst types of employer will have used the last elements of pressure that they can command, both in the political and social spheres, to get permission to introduce labour from other primitive and more servile races elsewhere in the East. Already, in 1926, the Governor licensed two importations of labour from Portuguese East Africa, but there was an immediate demand in Parliament<sup>\*</sup> for the Secretary of State’s justification of this step. *He had received no information about it.* It appears that the sanction was not acted upon (up to the time this book goes to press). The British House of Commons, if it is wise, will have resolutely voted down every request for racial intermixtures by labour importations into East Africa in the interest of unadaptable Europeans who only want cheap and subjugated “hands,” and who are indifferent to the social difficulties with which their action would saddle the Colony, long after they had made their profits and skipped with them. The demand of selfish whites for cheap coloured labour has given rise to some of the major problems of statecraft to-day, the world over. It lies with the British Parliament to see that Kenya Colony, in particular, is saddled with no such difficulties, at any rate until Africans are exercising preponderating influence in the Legislature of the Colony. After that, the question may be left to Africans to deal with.

As for the whites in Kenya in these years of grace, if they like to be represented by obscurantists who regard direct taxation as the worst of all evils (except, of course, for natives), who use their last endeavours to maintain “indirect” forms of taxation

<sup>\*</sup> Commons Debates: February 22nd, March 15th, 29th, April 13th, June 9th, 14th, 1926.



under which ignorant and unorganized Africans can be hoodwinked to any extent, who complacently garnish the Statute Book of the Colony with measures for the press-gang and for deserter-capture, who unblushingly press for the theft of land that has been under continuous native occupation for countless years before they ever saw Africa, who regard Employers' Liability in its Western sense as only a less evil than industrial organization for workers, that is their own affair. It is for them to decide whether they hope to figure among the survivals or among the smashed. They will not avert the smash merely by running a night school on their farms: rather that will expedite it. They can only do it by entering the political arena, risking unpopularity among many of the socially influential, and seeing that those who are responsible for the present condition of the Colony's Statute Book go down and out, as far as the political life of the Colony is concerned, and that their theories go with them.

Notable among these theories is the one that the European employer class must get responsible government of the Colony into its own hands, by clamouring for a majority in the Legislative Council until some weary Secretary of State grants the demand. Confident in their progress towards this haven of rest (or is it a mirage?), the inspired politicians of Kenya, untroubled by any dream that the worm will ever turn, either in Great Britain or in the Native Reserves, are already counting the profits of their venture. In February 1926 one of the elected Legislative Councillors, the Hon. Captain Coney, was reported as saying:—

*“The position of the labour market was really serious. ‘You will never solve the labour problem until you have control of the country—when you have that you will immediately solve the problem.’ The policy of the Government should be that every male native of the Colony must work. Could the meeting define to him how that policy could be enforced? Did the meeting suggest for a moment that Government could force labour? He thought that all the Government could say was this: ‘You must work—either in the reserves or on the farms, but work you must.’ If that policy were to be applied, they would have the politicians at home determined to ‘do us in.’ There was no solution except to get control of the Colony in our own hands.”* <sup>1</sup> (Italics are the present writer's.)

It is not surprising that elementary forms of Trade Unionism are developing among the tribes which supply the greater part

<sup>1</sup> E.A.S., February 16th, 1926.

of the labour force working for Europeans. Africans are, moreover, beginning to take an interest in the Colony's Statute Book and in the annual Budget. In Government and missionary circles principally, but also in trader and settler circles to some extent (not to mention other groups overseas and the natives of Uganda), there are those who will coach them in modern methods of self-protection. The late Bishop Weston of Zanzibar may have been speaking with the voice of prophecy when he said, in 1921, with reference to Kenya :—

“ The grandchildren of our present settlers may inherit some property ; they will not, under the present proposals, find labour with which to develop it.”

## CHAPTER VII

### THE DISEDUCATED

#### DEFINITION OF "A LIBERAL EDUCATION."

"Liberal education ought to be given under conditions favourable to the health of the students. Their bodies should be developed and trained by a system of vigorous exercises. Their eyes should be trained to see; their ears to hear with quick and sure discrimination. Their sense of beauty should be developed, and they should be taught to express it by music and by movement and through line and colour. Their hands should be trained to skilful use. Their will should be kindled by an ideal, and hardened by discipline enjoining self-control. They should learn to express themselves accurately and simply in their mother tongue. Through mathematics they should learn the relations of forms and of numbers. Through history and literature they should learn something of the records of the past; what the human race (and not least their own countrymen) have achieved; and how the great poets and sages have interpreted the experience of life. Their education should further demand from them some study of nature, and set them in the way of realizing to the full both the amount and the quality of evidence which a valid induction requires. Besides this, it should open windows in their minds so that they may see wide perspectives of history and of human thought. But it should also, by the enforcement of accuracy and steady work, teach them by what toil and patience men have to make their way along the road to truth.

"Above all, the education should endeavour to give them, by such measures and influences as it is free to use, a sure hold upon the principles of right and wrong, and should teach them to apply those principles in their conduct. And then its chief work is to enlighten and practise the conscience, both the moral conscience and the intellectual conscience. Through the activities of corporate life in school or college, it should give the pupils experience in bearing responsibility, in organization, and in working with others for public ends, whether in leadership or in submission to the common will."

CALCUTTA UNIVERSITY COMMISSION REPORT, 1919  
(Vol. iv, chap. xxxi, par. 107).

**I**N Kenya there are to be found people who are uneducated, people who are educated and people who may be described as diseducated. In the last-mentioned category are included those in whom the attributes developed by previous education, which may have approximated more or less closely to a "liberal education," have wilted and declined under adverse, though superficially attractive, conditions of climate and environment. Climate is perhaps the principal factor in the process of diseducation, at any rate among immigrant peoples. Even the shallowest of European observers pretends to be able to recognize this process in the case of trained natives, especially "Mission-trained niggers," who have gone back to their villages

and abandoned the cotton wear of "civilization" for the blankets or skins of time-honoured native adoption. Under closer examination, the effect is seen, clearly enough, among certain of the Coast Arabs, among whom, strangely mingled with individuals of alert powers and great force of character, one does meet with extremes of listlessness and sloth. It is seen also among some Indians who have been for years in the country. They have been almost absorbed into an African limitation of life and thought. One may speak to them in Hindustani, even in intelligible Hindustani, and they reply in Kiswahili—the *lingua franca* of the trader in Eastern Equatorial Africa. As the Europeans would say: they have become Swahili-ized. Among the Europeans also the process may be recognized, in all its stages down to the level of the "white Swahili," who adopts native garb and lives in a dwelling little better than a native's, with one or more native wives. The man, or woman, who "goes *shenzi*" need not concern us here. The decline usually has a history of whisky behind it. It is merely the price that some family in England is paying for our Empire overseas. The family at home and the victim in Africa receive a large measure of sympathy—almost necessarily silent. In due time the end comes—sometimes the outcome of prolonged disease, at other times accelerated by placing the barrel of a shot-gun in the mouth and touching off the trigger with the toe. Everyone is relieved when the end comes—however it comes. These people are not maintaining racial standards. They are better out of the way. They are usually accorded European burial, but not always. Happily there are very few of them.

It is the more numerous class, whose decline has been so slight that they would indignantly deny its having begun, that is more of a concern to the statesman and sociologist. Often Europeans who are marvels of vigour and acquisitiveness exhibit an advanced degree of mental inertia. It must be admitted, on their account, that the daily operation of exacting work from wage-paid labourers does involve a severe output of nervous energy. The end of the day's labours, with the swift descent of the tropical night, which occurs regularly and monotonously between 6 and 6.30 p.m. all the year round, finds them in no mood for intellectual effort. Whisky-and-soda, a hot bath, with dinner next—perhaps in pyjamas, kimono or dressing-gown, and mosquito-boots—followed by a pipe and some desultory con-

versation, with or without selections on a gramophone, constitute the routine prelude for an early collapse into slumber—preparatory to the restart at 6 o'clock or earlier next morning. In hundreds of homes nothing is read except the local newspaper, with Reuter's scappy version of the world movements going on outside the all-sufficient scrap of territory which ends up, clearly enough under the tropical starlight, in a hard black line where nearby mountains or far-stretching prairie meet the intense black dome of sky, verging to indigo and slate as the far horizon is reached. Making one's money in the tropics, other-wise than by speculation, is hard work. Let no one suppose that it is not. It is so hard, that the process is all too commonly associated with a low level in culture. This result is recognized in the tropics, but the process is seldom guarded against. For the large majority in Kenya, the experiences of the moment are regarded as preparatory to a retirement from Africa with acquired wealth, and to a less strenuous eventide of life, spent in enjoyment of the more cultured distractions to which the possession of money opens the door in other lands. Meanwhile, every day's exertions increase, step by step, the ultimate selling value of the property, and if there are other parts of the tropical world where one can get rich equally quickly, there must surely be very few in which one can do it amid such an attractive setting. With ever-present regard for the ultimate day of selling-out, the average landholder maintains, on the surface, a vehement stream of eulogy for the climate and all his surroundings. The climate is pictured as ideal; the surroundings as both delightful and improving. The suggestion that any malign influence is at work beneath the brilliant surface is openly scouted, however fully it may be admitted in family consultations of husband and wife. "Why is it," asked a former Governor's wife, after an extensive tour with her husband in the farming districts, "that wherever we go *I find the children screaming?*" The Tropical Sanitarian is prone to suggest that it is not customary for Nature to extend favours without exacting her price; that in her most alluring aspects there may sometimes lurk cynical influences, operating, perhaps, not in the first generation; operating, perhaps, only on the psychic plane. "What shall it profit a man if . . ."

For English children the country is a forcing-house. Girls of ten and eleven may be found who are as developed physically as girls of sixteen or seventeen are in Britain—miniature

women, in fact. Numbers of growing lads have attained a height of six feet, though both their parents are only of moderate height. It remains to be seen what the rising generation's longevity record will be. There is plenty of confident assertion forthcoming that European adolescents are not free from mental lethargy nor endowed with average powers of concentration. Girls and boys alike expect high wages immediately upon leaving school, quite irrespective of whether they have fitted themselves for the reliable discharge of even minor responsibilities. Numbers of girls get married soon after leaving school, often while still in their teens, and to husbands who are anything from twenty to thirty years their seniors. It is scarcely open to doubt that an accurate count of divorces and judicial and agreed separations between married couples would yield a figure per 1,000 of the adult white population sensationally higher than similar figures in Britain. Beyond this, tropical irritability in many families lends an aspect of truth to the schoolboy's "howler": "Acrimony, sometimes called holy, is another name for marriage." Some debate still lingers as to whether Kenya is a "white man's country" or not. The evidence that is accumulating points to the conclusion that it is not, at any rate, a white woman's country.

To the visitor, or the new arrival on the land in Kenya, the circumscribed range within which conversation flourishes on the average farm is not without its attractions. It is all "local colour." These people are keen. Their lives and labours, and those of their neighbours, are put before the newcomer and each other with a wealth of detail. It is the opening of a new book to the pilgrim—a life with much novelty in it, and with a tinge of romance now and then. It is still possible to "have adventures" in Kenya, and occasions may arise when a man suddenly and unexpectedly finds himself carrying his life in his hands—as also does many a woman. Stirring experiences in health and unexampled miseries in sickness fall to the lot of some of these pioneers. Death comes to some in strange guise. The little scattered cemeteries tell of many of those bizarre misadventures which have been associated, all through our long history, with the spread of Empire. But in time the novelty wears off; the "local colour" begins to pall. The newcomer of advanced or normal outlook recognizes that he is experiencing a pervasive vitiation of faculties, a beclouding of his intellectual

range. Fortunate, then, is the man or girl who is able to maintain touch with one or more of the scattered homes where a wide range of interests is maintained, and where acquisitiveness does not flourish to the exclusion of ethical ideals or of intellectual or artistic pursuits. Equally sad is the disappointment of those who, expecting such an atmosphere, fail to find it. One such arrival in one of the oldest centres of white colonization, who soon tired of unending conversation about the weather, its behaviour and prospects, maize, pigs and the misdeeds of the local Government, met, at last, a neighbour who professed an interest in reading and in books. Had he read *Westward Ho!*? inquired the newcomer, at one turn in the conversation. "Let me see, let me see!" said the old resident: "*Westward Ho!*"

"By Kingsley," interjected the newcomer.

"Ah, yes—Kingsley!" replied the local votary—"No, to tell you the truth, I haven't; but I've been out from home now for three years, and it may have appeared since I came out." The newcomer sorrowfully allowed the conversation to glide back to maize and pigs. More often the story is one of disregard of such opportunities as exist. A visitor of some social eminence entered the thatched sitting-room of a settler couple whose brains were still alert. "Ah, books!" he said, going over to an array of well-filled shelves. He glanced along them. There was much of topical and of permanent interest there: Anatole France, George Bernard Shaw, H. G. Wells, George Adam Smith, politics, the Great War, some poetry, biography, history, economics—all were represented. The moving finger went from shelf to shelf, and along them. It reached the end. The worried Knight was drawing a blank. "Have you nothing of Ethel M. Dell's?" he asked his hostess.

With restricted outlook there is commonly found abnormal alertness in contradicting statements which traverse accepted views or beliefs. Both statement and denial, unsupported by either data or reflection, are commonplaces of local conversation. A number of travellers were passing over the Rift Valley in a first-class carriage on the Uganda Railway. Among them was one of the early explorers, of international reputation, revisiting old haunts after an absence of more than a quarter of a century. Some turn of the conversation revealed the possibility that he had been in those parts in earlier days, and he was questioned on the point. He explained that he had last been there in 1894.

"No! you couldn't have," came the prompt correction. "*The railway wasn't built then.*"

How are widened sympathies and an extended, or at any rate an uncontracted, outlook to be maintained under such conditions as have been described? Assuredly, only by effort, and sustained effort, at that. Unless residents cultivate a studious habit and suppress the pervading disinclination to serious reading, unless they carry their studies of world movements considerably beyond Reuter's scraps of "news" in the local paper, they must be content to acknowledge themselves as receding from the position of men and women of any balance of judgment in the onward sweep of mankind's achievements, and as lacking any appreciation of the broadening horizon, both in the West and the East. They descend from the position of alert women and men of affairs to an outlook which is often intensely parochial. It is, perhaps, this very contraction of interests that gives rise to the typical colonial failing of self-sufficiency. In his narrowed little world the colonist is a person who does things, who makes a visible impression. He, or she, sees broad acres of virgin country, or of untidy and irregular little native *shambas* (allotments) that may have passed into his ownership, assume the aspect of a well-ordered estate. Geometrical accuracy of lay-out succeeds to capricious outline, so often pregnant with long family histories. The land has been passed to him as a clean or nearly clean slate, and he has drawn a picture upon it: a picture which affords him pleasure, apart from the fact that it has a cash value and will some day be sold for cash. He knows, better than anyone else, exactly how the result has been achieved, and it does not cross the mind of one man or woman in a thousand that the process has been other than commendable and right from start to finish. With acquisitiveness as his principal stimulus, lighted with the pride of possession, honoured locally and enriched in proportion to the forcefulness and financial success of his methods, ignorant of psychology, disregardful of history and intensely disdainful of the political emergence of organized labour in any land, but particularly in the one of his adoption, the two inflictions in life which he finds simply unendurable are criticism of, and any interference with, his methods. It is a sidelight upon the mental wilt which such a life exposes one to, that his customary outburst of remonstrance against criticism takes the form of savage denunciation of anyone who, "ignorant



of local conditions," ventures to criticize local methods or suggest alteration of conditions, especially with regard to the employment of local labour. A more strained misinterpretation of facts than this local claim to full knowledge of what is wise and proper could hardly be put forward. Overseas critics, while treating it, in the main, with firm disregard, must, however, have the charity to bear in mind that it emanates from people of widely different experiences and modes of life from their own; from people who are just what they themselves would have been if the positions had been reversed. The type of life lived, and pursuit followed, in new lands such as Kenya, lead to a strange evaporation of humility and the easy substitution of self-sufficiency and arrogance in its place. In Kenya to-day, as was the case among the *conquistadores* in former centuries beyond the Spanish Main, this failing is often associated with profound consideration and benevolence for dependents—so long as they remain questioning dependents. But, with the slightest hint of possible emergence from a dependent state, all the old fires blaze up. . . .

In the towns in Kenya, and particularly in the cosmopolitan old city of Mombasa, the lapse from standards of culture and the distortion of personal judgments may well be, and, in fact, are, less marked than on the farms. A certain level of social performance is maintained which, in actual point of fact, the bulk of the workers on the land elect to ignore. Remedial influences, social and intellectual, operate in the towns to an extent which is generally impossible on isolated estates in the country. The social regime is, moreover, a remarkably wholesome and not an extravagant one. It is common enough for small social gatherings to pass long evenings in conversation, sometimes at a high level of interchange. Extravagant expenditure and social *élan*, which are *de rigueur* in so many of our overseas possessions, are exemplified only in a narrow circle of "social climbers," and then feebly enough. Gambling on any princely scale is confined to a very small circle—chiefly composed, as is so often the case, of those who cannot afford it. The social performances of Nairóbi would be regarded as singularly "flat" at Shanghai. It is just as well that this strictly moderate social code should be maintained, for the cost of living is high. Land speculation, unchecked for a generation, is mainly responsible for this, particularly in Nairóbi. If the premises of dentist, tailor, architect or provision merchant are on land that has cost

£40,000 an acre, some proportion of the interest on that capital expenditure is paid by each member of the public who has transactions with firms so situated. This sets a level of charges towards which prices in other parts of the town inevitably tend, though with less justification. Thus, one pays, for example, fantastic prices for house-rent. For the average man and woman, the cost of living is higher at Nairóbi, taken all the year round, than at Simla. For those who strive to establish themselves as the leaders of society, Simla admittedly affords more scope for prodigality.

For the most part, the town populations suffer little or not at all from the political furies that tear the vitals of the farmers. Exponents of the alleged views of small settler communities in the high-level districts, particularly when they forgather together in conventions, can scarcely be recognized as the mild and genial individuals which, for the most part, they are in their homes. "Herd instincts" seem to escape so easily from rational control at these reunions of the isolated. The towns for the most part escape these lapses into irrationality. During the climax of the anti-Indian agitation, when even ecclesiastics waxed fervent, as is described in a later chapter, Nairóbi Club continued playing cricket with Asiatic elevens, apparently oblivious of heated opinions in the backwoods that they were doing anything subversive of "white domination." The sporting spirit and a true sense of values are marvellously interrelated. As long as the former flourishes in any mixed community, there is more than hope for the emergence of the political stability which is essential to human happiness and to prosperity.

Prolonged acquaintance with the groups that comprise the European population of Kenya will inevitably lead to the conclusion that the grace of humility flourishes better in the official world than among the settlers. This is not because the officials are an inferior breed. They are the same breed. Some settlers have become officials. Many officials have become settlers. A high level of education, with or without specialized training (according to the post to be filled), is demanded from officials. Only the possession of £50 is demanded from settlers. The chief reason is to be found in the treatment that is accorded to the two groups. The officials are subjected, incessantly, to a most salutary flood of criticism and disparagement—all except a very few of them who unswervingly follow the behests of the

Political Machine; and they are usually discarded without ceremony as soon as done with. When the settler community is criticized, its more restive members behave quaintly—even nice gentlemen among them. Mr. Wood, C.M.G., M.B.E., annoyed at some reference to the settlers made in the House of Commons by an M.P. who had formerly been Chief Justice of the Colony, urged in the Legislative Council in Nairóbi that retired officials should receive with their next instalment of pension a cautionary circular as to their observations on the Colony. On the advice of Lord Delamere, who was of the opinion that any such step would be “a great iniquity,” the aggrieved member withdrew his request. In most of our little Dependencies there is a local Press, frequently not in European hands, which indulges regularly in the pastime of lampooning the Government. In Kenya, this exhilarating exercise is not confined to “coloured” exponents, and although, in accordance with well-established Government custom, an official may not answer attacks made upon him in his public capacity, attack is none the less exultingly indulged in. The net result is all to the good. It is possible for officials in tiny Dependencies to attain, in the absence of some corrective in regular doses, to an attitude of almost incredible pomposity. The success of Great Britain as a colonizing Power hinges upon the fact, if we are to believe one eminent American visitor to East Africa, that her young men and women, when launched upon their own resources in circumstances where they are released entirely from the control of home influences and of public opinion, *degenerate less quickly* than do those of other nations. The eminent American may, of course, have been trying to be polite. He was only a visitor, and he had some leeway to make up, because, only a short time previously, he had launched a merciless castigation of the drinking habits of the white community—and this was fifteen years before America “went dry.” Whether he was right or wrong in his dictum, the fact remains that attainment, at an early age, to positions of responsibility does, in some instances, seem to impair the development of the humbler virtues. Even in Nairóbi, in earlier days, there resided a young couple, in the official world, who, by the irreverent, were called “Mr. and Mrs. God.” Lord Delamere’s Reform Party, to its credit, has striven, not altogether without success in most cases, to temper any exuberance of self-satisfaction on the part of the paid servants of the British

Government in the Colony. It is hoped that in the course of time, and with extended practice at the nets, even Kenya's amateurs may be able, in turn, to stand up to swift bowling. At present they are palpably nervous and leg-shy.

The average Briton, who has so often been abashed by the indignant question of an infuriated colonist, as to what on earth he knows of the requirements or the mentality of the native labourer in the tropics, will begin to acquire the elements of an apt rejoinder when he asks himself what on earth he knows of the requirements or mentality of his charwoman, of the waitress who serves his hurried midday meal or of the bus-conductor who escorts him home every evening. At least he is in a better position to acquire knowledge of this sort in that circle than is, in his own distant sphere, the planter. The home-dweller, and those who work for him, speak the same mother tongue—however quaint may be some of its local intonations. They are not only of the same race, but of one nation. They may be of the same religion. Their homes are perhaps not so widely separated as not to be open to mutual inspection—at any rate from the outside. Each knows something as to how the other lives. The planter lives in a social world abysmally distant from that of his native labourers. Often their homes in the Colony are hundreds of miles apart. Often they can speak no language in common. Their outlook on life is fundamentally different. Their skins are of different colour. The planter's overriding concern in their relations is one of self-interest. If in England mutual understanding between different classes scarcely exists, what becomes of the average planter's claim to an understanding of his black labourers? Not in one case in a hundred is his command of their language equal to the formulation of a question upon some abstract aspect of mentality—much less of comprehending the real import of an answer.

The fact is that, far from being the sole and final authority upon the requisite and proper treatment of the coloured subjects of the Crown in distant lands, the local employer of coloured labourers for his own profit is peculiarly disqualified, by limitations imposed by his environment and by the inevitable bias which self-interest imports into his judgments, from acquiring a balanced view of the highest interests of his native neighbours and it is wise statecraft which imposes and maintains a prohibition to any material degree of control by him over their

ONE OF THE  
LOCAL-BORN  
A Galla goat-herd  
In the background, the ever-  
lasting bush of the Galla  
country



ONE OF THE  
LOCAL-BORN  
A European baby at  
Mombasa  
In the background, the ever-  
lasting line of breakers from  
the Indian Ocean on the  
Leven Reef

(Neither of these philosophers knew that he was being photographed)

destinies. In the case of Kenya this control is better, and more fairly, effected from the Homeland—both to-day and until the Africans can meet the European landholders and employers politically on equal terms—by the British Parliament and by Parliament's local servants, the Colonial Civil Service.

It was a far-seeing manœuvre on the part of the Political Machine in Kenya to press on behalf of the poor down-trodden Civil Servant (its friend for once !) that he should not be denied the privilege of buying, holding and speculating in land. The grant of this right must have been accorded, by High Authority, in an unwary moment. Its effect has not been other than demoralizing. That an overseas Governor and his staff should be able to acquire estates upon which labourers over whom they ruled, as the representatives of their King, had to labour for fixed wages, while the striker and the picket were, by the law of the land, treated as criminals or rebels, would no doubt have been held to be perfectly normal and in order, *in the sixteenth century, beyond the Spanish Main*. It is a trifle out-of-date in 1927, in the British Empire. At least, quite a number of people think so. One is left wondering whether they are right—or wrong.

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In subsequent chapters, especially those dealing with the Indian Question, examples will be found of the effects of dis-education among some of the Europeans in Kenya. Authorities in Britain who are responsible for the control of affairs in the Colony will do well to remember that self-sufficiency there in the management of private affairs leads readily to a belief in the possession of innate capacity for managing the affairs of others. It must surely be some unexplored climatic influence which makes a few of the less stable of the settler community in Kenya imagine that they are called upon now to guide racial movements that will be making history on the world's stage years after they are dead—and that they are equal to the task. Yet it will be seen that they speak and write with great assurance in this vein. They meet; they discuss; they resolve. It cannot be denied that they produce a very great effect—upon each other.

## CHAPTER VIII

### THE MARVELLING MÁSAI

"But everyone is of one opinion in agreeing that when once the Government has given its word to the natives in fixing a reserve that the reserve so fixed should be absolutely inviolable. It therefore becomes of all the more importance that the greatest care and forethought should be taken to prevent any subsequent interference with an area which has once been fixed by the Government as a reserve."

From the Report of the Land Committee, May 1905.

(Signed by) LORD DELAMERE (Chairman).

FRANK WATKINS.

J. W. BARTH.

R. W. HAMILTON.

**B**RILLIANT sunshine, a cool, bracing wind (everlastingly from the South-East) and a swift, lilting run of notes: tempo, *allegro di bravura*, melody (to our ears) little or none, rhythm well-marked and, for the rest, an inconsequential sequence which the sheep, at any rate, know well enough. A Másai youth is whistling to his flock of sheep in the Great Rift Valley, sauntering in front of them, halting frequently—when he stands upon one leg, the free foot pressed against the inside of the other thigh just above the knee, a comforting position for a free foot which would otherwise be on *hot ground*. The sheep cover upwards of half an acre, in a compact mass, strung out more or less in a crescent shape, with the main bunch in the middle. Occasionally our herd-boy moves to one or other of the wings and corrects animals that are straying unduly. His gait, as he strides, is an example of what human carriage can be at its best. He is having their portion of the valley floor cropped systematically. Later, if the dry weather continues, he and his entire *manyátta* (village) and the cattle and sheep will move out of the valley, up the steep slopes on to cooler and moister grazing grounds on the plateau beyond the long level skyline of the valley-side to the East. On this morning it is a matter of some surprise to him to see a tiny group of strangers in the distance. They pause frequently and then walk rapidly. Two are white men: there are several Swahilis also and two or three men with cloths on their heads—a type which the Swahilis call *Hindee* (a new type to our Másai herd). This troupe is behaving strangely. One white man takes a heavy affair that a

Swahili porter had been carrying upon his shoulder and opens it out so that it exhibits three wooden legs, upon which he makes it stand up. He appears to be looking through a tube stuck on the top of it—at one of the Hindees who has moved some considerable distance ahead, and who holds a long, painted stick in an upright position. The white man in intervals of looking through the tube waves first one arm and then the other, and the Hindee makes sudden movements accordingly. A Swahili runs to an intermediate spot and flattens out a bunch of tall, rough grass with a wooden-handled bush-knife. At first he appears to have attacked the wrong bush, for the white man yells orders to him in bellowing tones. He obviously gets angry and talks explosively to himself in a loud and savage voice when he is not roaring to the distant Swahili. Another glance through the tube, and his wrath (the swift, volcanic temper of the surveyor in the tropics) dies down as suddenly as it arose. From the distant position of the Hindee there comes the sharp click of a wooden mallet driving a peg into the sun-baked ground. The white man writes something in a book and looks through the tube again. The Swahili embraces the three-legged affair, closes it up, leans it carefully against his shoulder and marches ahead with it. And so, during the course of the long, hot day, the little troupe moves off into the distance, pausing, travelling, pausing, travelling. As our Másaí *laióni* returns whistling to the *manyatta* towards sunset with the flock moving rapidly homewards, he meets the troupe returning to their camp. As they pass him there is a sudden halt. A white man steps a few paces in front of the rest, goes down on one knee and holds another affair up to his shoulder. There is a loud crack and a distant antelope falls down kicking—dead. Two or three porters race up to it and eventually follow the rest down the valley, carrying the cut-up carcass. Our youth had heard of guns before, but it was the first time he had actually seen one used. Next day a larger procession comes past, carrying loads which he knows to be folded-up tents—others boxes, tins, oil-lamps (a great idea), cooking pots, tools and things. (The Survey Party is shifting camp.) Marvellous people, but quite harmless and genial. They paid decently and amply for milk, a sheep, and one or two things they wanted. One of them had given him a few *kibërítí* in a box (a gorgeous invention for making fire without trouble or exertion). In fact, he and the



others felt quite well disposed towards these particular travellers. Perhaps if they had realized all that was portended for the tribe and their herds and flocks by this preliminary reconnaissance for the Uganda Railway . . .

While quite content to live at peace with passing visitors who might happen to be natural gentlemen, our Másai, as residents in the valley from time immemorial, were quick to correct ill-behaviour if it were exhibited by visitors. For instance, that enormous caravan that came into the valley (in November 1895) knew nothing of good manners—so why should they live? Because they were such a huge mob, about 1,400 strong, and also had some guns, they clearly thought that they could help themselves to what they wanted. Camped for the night near the Kedóng Valley, they had even helped themselves to one or two Másai girls. (*Swift feet from village to village. No sleep that night. Concentrations of "morán" (warriors) before dawn.*) In the morning they actually appeared to imagine that they could take these girls on with them. The Másai marvelled greatly at the forwardness of these Swahili porters. They also took shield, spear and knobkerry and wiped them out. It was a great day. The attack began on the slopes of the saddle between Kijábě Hill and the dormant volcano Lóngönöt. Time after time a rush of spearmen got in among the miserable pack of unarmed Kikúyu carriers, of whom more than 450 dropped to the long spears as the doomed caravan struggled along its last march of seven miles. The final round-up took place on the bare patch of ground which the railway traveller of to-day sees almost directly below his carriage window, as he gets his first look down into the Rift Valley. The Kikúyu porters broke and scattered to the hills, and some hundreds of them escaped. Of the 102 armed Swahilis 98 ended their *safári* days that morning. Some of them, of course, fought like trapped leopards, but the bulk of them went to (their) Paradise squealing—in bunches. *No Másai girls left the valley.* Something attempted, something done. Normal tribal occupations were resumed. The hyenas, jackals and marabou storks were hard put to it to clear up the mess along that bloody trail. However, they left nothing much but skulls eventually—clean skulls.

A few days later, the quaintest punitive expedition in British history was clambering at sunrise down the steep valley-wall, in places almost precipitous, into the Rift Valley. A rifle in one

hand, water-bottle on one hip, a heavy bag of cartridges banging on the other as he jolted down the rocky path. Yes, a one-man expedition! Mr. Andrew Dick, one-time Chief Accountant of the Imperial British East Africa Company but now trader, had gone *berserk*. He would teach the Másaí tribe not to blot out any more trading caravans. He soon stepped out of the cool shadow of the Westward-facing escarpment—to spend the rest of his life in hot Rift Valley sunshine. At some distance behind him followed three perplexed Frenchmen, travellers who happened to be in camp on the top of the escarpment just then and who were unwillingly co-operating under a threat of Dick's that he would denounce them for cowardice across the length and breadth of Europe if they did not join him in correcting the Másaí. The whistling of a herd-boy ceased, to the crack of Dick's Remington, and his herd was driven off towards the following Frenchmen. There was then a further advance. One or two Másaí who approached to ask what was going on dropped at long range. (*Swift feet round the villages.*) By the time one or two small mobs of cattle had been collected, there were spears in the landscape, and the Remington barked frequently. In the hot hours of the early afternoon Dick was acting as rearguard to a slowly retiring column of livestock driven by the Frenchmen. He had upwards of forty Másaí corpses to his credit. Gliding figures accompanied the column, in the bush on the flanks. Dick's last bag was a painted warrior who had such a fine spear and lion-skin head-dress that Dick went across to collect these as spoils of war. The dead man was lying at the edge of a depression, which proved to be full of Másaí, who rose, at close quarters. The rifle may then have jammed or the ammunition may have given out. The Frenchmen saw Dick hurrying to rejoin them, wheeling round occasionally and checking pursuers by pointing at them a rifle which no longer barked. One *morán* grasped the situation and raced at Dick in spite of the pointed rifle. There was a dance of figures in the final episode of spear *versus* clubbed rifle—and the spear won. A bullet from one of the Frenchmen dropped the victorious *morán* next instant across the body of his dead rival. The Frenchmen got away with the stock. The warriors scattered slowly to the humming villages, marvelling at the hardihood of that white man lying there on his back in Kedóng Valley starlight—and at the satanic accuracy of his rifle.

The Másai medicine-man Lenána was on a visit to Fort Smith when news of this affray was brought in to Mr. T. T. Gilkison, the Government Collector there. A preliminary inquiry was held by Mr. John Ainsworth, and a final one by Mr. Jackson on his arrival from Uganda to take charge of Naivásha Province. It was then held that the Másai in both instances had acted under such provocation that no punishment should be inflicted for the deaths of the Swahilis or the white man. The raided cattle which the Frenchmen had brought up out of the valley were confiscated and were given to the families of the murdered Kikúyu porters. Lenána was allowed to return to his village.

The Másai marvelled hugely. These people were *just* and calm in council, even though an odd individual, like *Bwana Dick*, might break out now and then and be the very devil. The Government was a concern with which gentlemen could afford to have relations. Now they knew where they were. (That belief clung to the Másai for years.)

Then came the Uganda Railway—astonishing days. The Másai marvelled again—and behaved in exemplary fashion, giving Government no trouble whatever. Then came settlers. The Másai went on tending their herds in blissful ignorance of the fact that their grazing grounds in the Rift Valley were applied for twice over. Then came individuals, who were clearly Government men, but who asked questions as to *how much land* they wanted round lakes Naivásha, Elmentéita, and Nakúro in the Rift Valley and the rivers flowing into them. The Másai marvelled at the stupidity of these questions and answered them with much mental confusion, which increased when their chiefs were interviewed and asked whether they would all vacate the Rift Valley. Proposals, increasingly insistent, were made that they should go North to Laikípiá. They were promised that if they did, they should remain there for ever, entirely undisturbed. It was only the land near the railway that the settlers wanted. The Másai might remain also on the Southern portion of the Rift Valley (where there was practically no water) and they should have perpetual right of travel along a stock-track half a mile wide over the escarpment and Northward as far as their new lands on Laikípiá. Finally, under heavy pressure, they surrendered, much against their will, to the wishes of the Government. A treaty was signed on August 10th and 15th, 1904, and

the tribesmen vacated the Rift Valley and moved away to the North, marvelling. The official record says that "some pressure had to be put on the Másaí of the Rift Valley to induce them to leave their grazing grounds for the Northern Reserve." A portion of one clan, the Purko Másaí, refused to go North and disappeared Southward into what was at the time an unexplored region. The whole episode was an eviction and nothing else. It was carried out not only because white men wanted land near the railway but because intending stock-raisers acted on a principle that was subsequently stated (in an unofficial publication) in these words: "A European requiring a stock farm cannot go wrong in acquiring land formerly occupied by Másaí, who are experts in choosing grazing grounds." Everybody knew that, from 1900 onwards.

This treaty of 1904 was negotiated by Commissioner Sir Donald Stewart. In his correspondence with the Secretary of State he expressed the belief that after Másaí stock had grazed and improved the rough land on Laikipía, to which they were going, settlers would be certain to cast envious eyes upon it as they had already done on the Rift Valley, and he had therefore inserted a phrase in the Agreement of August 1904 that would obviate further trouble. It was that "the settlement now arrived at shall be enduring so long as the Másaí as a race shall exist, and that Europeans or other settlers shall not be allowed to take up land in the Settlements." Sir Donald Stewart, however, died in 1905. The Másaí as a race still exist, but the Agreement only endured for 6 years 261 days, and settlers then got land in Laikipía. Q.E.F.

By the year 1908 suggestions were being made as to evicting the Másaí once again and driving them to the Southern borders of the Protectorate. The land there, "as a whole, was unsuitable for European settlement." The official history<sup>1</sup> of the tribe states that "the suggestion to move the Másaí was undoubtedly made in the interests of European settlers." The land allotted by the agreement of 1904 had soon proved inadequate, and the boundaries had been extended.<sup>2</sup> There had been friction with European stock-raisers on or near their boundary. The promise of Government to allow travel along a stock-track from South to

<sup>1</sup> *An Administrative and Political History of the Másaí Reserve*, by Mr. G. R. Sandford, M.A., October 1918 (printed by Waterlow & Sons Ltd., 1919).

<sup>2</sup> Cd. 5584 (1911), p. 20.

North had not been honoured on account of the risk of disease to the stock of Europeans on estates abutting upon the projected route. Lenána, the head Láibon or medicine-man of the tribe, living a few miles outside Nairóbi, thus found himself increasingly losing touch with the Northern Másai, and was reported to be not averse, therefore, to a concentration of Másai in the South. It is impossible to describe precisely the various ways in which influence was brought to bear upon the Másai, on the Government and on individual officers for the abrogation of the treaty of 1904. It would be tedious to follow the long series of manœuvres which led up to the required result. Much detail is available in the official "History," which, while remarkably frank, still leaves a number of openings for reading between the lines. The Colonial Office attempted to insist upon full and complete native concurrence being forthcoming before sanction for the evacuation was granted, and from first to last it proved thoroughly *difficile*. Nevertheless, by February 24th, 1910, it was decided that the Másai move should take place.<sup>1</sup> Lëgálíshu, the most forceful of the chiefs in the North, maintained opposition to the last. "If you wish us to go, we will go," he said, "but we do not wish to."

There had been unceasing objection to any movement of Másai stock on the half-mile-wide stock-route reserved to the tribe by treaty, but when the opening of Laikípia for settlement was involved, and not merely the good faith of the British Government, "the majority of settlers were public-spirited enough to consent to the Másai passing over their farms, and four separate routes were arranged."<sup>2</sup>

Among the episodes of this strange piece of colonial history figure a precipitate start of the move in April 1910, its stoppage by the cabled orders of the Secretary of State on April 20th, a further conference by Government with Southern and Northern Másai chiefs on May 30th, 1910, an examination of the proposed Southern Reserve by Másai nominated by Lëgálíshu, an adverse report by them as a result of their tour, a meeting of the Northern Másai on August 27th, 1910, at which they informed Government that they would leave Laikípia under compulsion but not otherwise, a visit of the Governor to London at the end of 1910 and a statement, on his return, that the Másai were not to be evicted from Laikípia against their wishes (this was in

<sup>1</sup> Cd. 5584, p. 19

<sup>2</sup> Cd. 5584, p. 19.

reply to an inquiry at a public lunch at Nakúro on March 9th, 1911, as to what the prospects were of Laikípía being opened up for white settlement), the death of Lenána on March 7th, 1911, the convenient report of a dying wish of his that the Northern Másai should move South, propaganda by Government with this "dying wish," a meeting in Nairóbi with Másai representatives on April 3rd, 1911, at which a request was made by the Northern Másai that they might be allowed to move South, report of this happy turn of events to the Secretary of State, approval of the move by him by cable on May 29th, 1911, resumption of the move in June 1911, utter confusion in a few weeks' time, as three routes converged upon one locality and the grazing there sufficed only for the first arrivals, loss of £200,000 worth of stock (Másai version—denied by Government), a show of some truculence on the part of Másai *morán*, a request from Lëgálíshu to be allowed to return North, the grant of temporary permission for the Másai to remain on European farms near Nakúro and the railway, a stalemate on the land and a bewildered Government in Nairóbi. Mr. John Ainsworth was then called down from Kisúmu, where he was Provincial Commissioner administering the Kaviróndo tribes, to take the direction of affairs into his hands. He consented to do this on condition that he received no orders at all. This point was conceded, perhaps joyfully. He ordered the Másai round Nakúro and Elementéita to return to Laikípía (where their villages had now been burnt). The Director of Agriculture next reported that the Southern Reserve was fully stocked, as the Másai livestock proved to be more than double what Government had estimated it to be, and a hurried examination was therefore made of country lying to the West of it. One hundred and fifty square miles of country were there found to be practically uninhabited, former occupants having died of smallpox and their stock of rinderpest. It contained good grazing and was well watered. The Colonial Office now wired that the eventual move must be suspended until this new area had been examined by representatives of the Northern Másai and until their "full and free assent to the resumption of the move had been obtained." (Most tiresome.) Two delegations of Másai elders having been conducted round this new area, a conference with Government was held at Naivásha on February 10th, 1912. Lëgálíshu and Másikóndi then stated that they did not wish to move South

as the grazing in the proposed area was inadequate. The Governor meanwhile had gone home on leave, and on May 8th, 1912, Secretary of State Mr. Harcourt decided that the M<sup>ás</sup>ai should be directed to move South. This was communicated to the M<sup>ás</sup>ai on May 21st, 1912, and certain M<sup>ás</sup>ai chiefs promptly applied for an injunction in the High Court, restraining the Government from evicting the tribe in defiance of the treaty of 1904. A temporary injunction was granted pending the full hearing of the case. (Sensation.) The news was cabled to London, and the Governor, who was on leave there, resigned. The decision of the Courts was given in December 1913. It was that the Courts could take no cognizance of the case. The M<sup>ás</sup>ai were a foreign nation and not British subjects, although under the protection of the British Crown. The Courts had no jurisdiction to enforce engagements between sovereign parties founded on treaties. The allegation that the Government had acted in an unfair or arbitrary manner towards the M<sup>ás</sup>ai was one that could not be considered by the Court. The M<sup>ás</sup>ai marvelled a good deal at these findings.

Meanwhile the move had been carried on under Acting Governor Mr. Bowring. L<sup>é</sup>gálíshu and M<sup>ás</sup>íkóndí had gone quietly to the Southern Reserve and had taken no open part in this litigation, as they had been threatened with loss of the subsidies which they received from the protecting Government and also retaliation under arms if they did not move as directed. The allotment to settlers of land on Laikípiá proceeded at once. The Secretary of State stipulated that no settlers who were to receive compensation in the form of land upon any grounds connected with the move of the M<sup>ás</sup>ai should receive such compensation in Laikípiá. This did not suit land-hungry gentlemen in the Protectorate at all, and under pressure from Nairóbi the Secretary of State retracted. Laikípiá passed into white ownership. The official history omits to mention the names of the settlers to whom the allotment of Laikípiá farms was made. By April 9th, 1913, the move was officially declared to be completed.

"The M<sup>ás</sup>ai did not, on the whole, settle down contentedly in their new surroundings," says the official History, "and showed a disposition to make the worst of everything." The administration of these perplexed and sullen tribesmen was one of the most difficult posts in the Public Service. It was

entrusted on August 1st, 1912, to Mr. R. W. Hemsted, and he remained in charge of the tribe until 1923. The raiding propensities of the warriors were a source of continual trouble, but were gradually checked. The Reserve was divided into "locations," which were really clan divisions, each under the charge of a chief or headman. The tax of three rupees per adult male which the Másaí had been paying annually since August 31st, 1903, in view of the protection afforded to them by Government and the Courts, was increased to fifteen rupees (£1). The Másaí marvelled quietly at this, but paid up.

Although any stockman might know that these native herds would deteriorate by in-breeding if no fresh blood were introduced, steps were taken while the Másaí case was still *sub judice* to prevent Somáli and native traders from introducing trade stock into the Reserve. The argument was that Másaí competition for native cattle in the market "kept the price of cattle to such a figure that it was unremunerative for European farmers to purchase them." Orders were issued prohibiting the introduction of cattle or sheep into the Reserve. Lord Delamere, who was consulted by Mr. Bowring before these orders were issued,<sup>1</sup> urged that a native carrying a certificate that he had bought livestock with wages earned from a European employer should be allowed to introduce such stock into the Reserve. Otherwise white ranchers would be unable to engage Másaí herd-boys. This concession was therefore made in the case of Másaí returning to the Reserve after wage-earning outside.<sup>2</sup> The officer in charge did not get the general prohibition removed until March 1916. Even then the Governor suggested that only higher-grade cattle,<sup>3</sup> as bred by Europeans, should be bought and introduced by the Másaí—entirely regardless of their higher susceptibility to disease than certain strains of native stock.

Upon the arrival of Sir Henry Conway Belfield as Governor, Mr. Hemsted pressed for improvement of the water supplies by dams, pipe-lines and troughs, the opening of trading centres, administration of the people through the chiefs and elders and, in substitution for the military activities of the warrior caste, the adoption of compulsory education in subjects and crafts of value to the tribe. Improvement of water supplies was effected on a small scale, being largely paid for by a direct contribution of over 10,000 rupees<sup>4</sup> by one of the Másaí clans, and a

<sup>1</sup> *History*, p. 90.   <sup>2</sup> *Op. cit.*, p. 91.   <sup>3</sup> *Op. cit.*, p. 95.   <sup>4</sup> *Op. cit.*, p. 81.



veterinary laboratory was built in the Reserve, but no research staff was ever posted to it.

During the War, male natives of nearly all tribes were conscripted to act as carriers of supplies for the troops engaged in the operations against German East Africa. These were proceeding in districts where mechanical transport was impossible on account of the absence of roads, and animal transport on account of the presence of fly whose bite was rapidly fatal to horses, mules, oxen and camels. The M<sup>ás</sup>ai remained, as always, resolute in their refusal to act as porters, so Government first invited and then ordered them, on August 28th, 1918, to supply *morán* for the fighting ranks. Being foreigners, they marvelled slightly at this talk of conscription, but otherwise took no notice of it. An armed force was therefore launched into their Reserve to persuade them to become allies and not merely friendly neutrals. The M<sup>ás</sup>ai were scarcely in a mood to treat this active piece of persuasion with unconcern. They had lost over a million sheep <sup>1</sup> and 100,000 cattle by death since March 1917. They had 200,000 head of stock sick with pleuro-pneumonia.<sup>2</sup> Moreover, more than 30,000 head of their cattle and 300,000 sheep <sup>3</sup> had been commandeered for food-supply to the military. All these had been paid for, but at a price of eight rupees a head below fair market value <sup>4</sup> for the cattle, while sheep were only paid for at four shillings each. "The M<sup>ás</sup>ai did not appreciate the manner in which they were obtained," <sup>5</sup> says the cautious History with regard to one round-up of 40,000 head of sheep. They had tried to hide their flocks from the supplies officers, for which they had been heavily fined. When the patrol descended upon them, there was slight bloodshed <sup>6</sup> (on the M<sup>ás</sup>ai side), some *morán*, cattle and two women being shot—the women, of course, by accident. The first M<sup>ás</sup>ai recruit was said to have cost £4,000. Some of the clans broke out and indulged in widespread pillaging and destruction of traders' and Government property. The damage done was assessed by a board of three Europeans at Rs. 360,000 (£24,000), but this probably represented the seizure of an opportunity for "spoiling the Egyptians." One of the items of claim was Rs. 10,000 (£666 13s. 4d.) for a partially completed manuscript of a novel, destroyed in the sack of a trading post. It is probable

<sup>1</sup> *Op. cit.*, p. 59.

<sup>2</sup> *Op. cit.*, p. 61.

<sup>3</sup> *Op. cit.*, p. 128.

<sup>4</sup> *Op. cit.*, pp. 87, 128.

<sup>5</sup> *Op. cit.*, p. 127.

<sup>6</sup> *Op. cit.*, p. 77.

that most London publishers would have demurred, with the Másaí, to paying that figure for the literary effort in question. The attempt to conscript the Másaí, after all the other tribes had been conscripted, was at first strongly reprobated by Lord Delamere, who offered his services to deal with the heads of the *morán*. Officer-in-charge Mr. Hemsted being out of the country at the time, and Mr. Bowring being the Acting Governor, the step was taken of ordering all the Government officers to cease work and of substituting Lord Delamere. The Másaí looked on, tongue in cheek—marvelling withal. In about a month, during which he held some conferences with the Másaí, Lord Delamere reported on October 18th, 1918, that the *morán* surrendered unconditionally, that the men required for the King's African Rifles would be supplied, and that no further serious trouble need be expected, but that the "matter must be conducted reasonably." The Másaí probably enjoyed this interlude—as the Oriental habitually does enjoy beguiling the sympathetic tourist with agreeable conversation. The Civil officers were permitted to resume their duties. Mr. Hemsted, returning from leave, was faced with a worse outbreak than usual of *morán* mischief. About a thousand spears took the field in January 1919 for raids across the border. The official History in a footnote, in small type, records that "the Purko Másaí failed to produce any recruits, and the rank and file of the Muran continued a policy of passive resistance, avoiding all intercourse with Government officers" (i.e. in the Reserve). "Later, they perpetrated a number of raids in the occupied territory of German East Africa. No part of the compensation money was paid." Happily, with the Armistice of November 11th, 1918, any necessity to compel the Másaí to volunteer to fight the Germans ceased to operate. It must be admitted, on behalf of Acting Governor Mr. Bowring, that he had at no time had direct contact with the administration of native races, his early training and experience being that of an auditor and treasurer.

In face of this suspension of Government administration and the removal of officers known to them, the Másaí elders proved to be powerless during this outbreak. Mr. Hemsted continued steadily to enhance the standing of the councils of elders and to work for the disruption of the *morán* system, with the result that when, three years later, another outbreak by a

group of *morán* was attempted, the rising lasted for eight days only (December 3rd to 11th) and the elders did all the arrests before the end of January. This is the obviously sane way of policing such an area and people, instead of launching against them a military column, on the principle of using a coal barge to chase trout.

As the power of the elders and the councils increased, it became possible to put an end to some of the worst features of the *morán* system. The long white spear, which had for uncounted generations been an object of terror throughout tens of thousands of square miles in Africa, was disallowed as an item of Másai equipment. It was the peculiar attribute of the long spear that Másai tradition required that it should be blooded when first received by the young warrior. Any human blood sufficed—the non-Másai herd-boy, however tiny, the old Kikúyu woman, however decrepit, bending under the pedlar's load of tobacco. The spears of the Reserve were cut down wholesale, to half-length, and by 1923 the requirement of blooding became a fragment of past history.

Education was pushed forward. The unused veterinary laboratory which had been knocked about in the rising of 1918 was repaired, and opened as a boarding school for boys. The boarders all kept gardens. They grew 20 acres of wheat, and were taught ploughing, dairying, transport work, wagon repairs, smithing, basket work, ghee manufacture, hygiene, Swedish drill, reading, writing, a little history and geography—and football, of course. Sanction was obtained to utilize some 2,000 head of horned stock, that had been paid into the hands of Government as a tribal fine for some murders by *morán*, as an experimental herd for a demonstration of breeding-up by selection and veterinary treatment. A veterinary officer was posted to the Reserve. The herd was double-inoculated for pleuro-pneumonia and rinderpest. (The Másai utterly refuse to have their own cattle inoculated.) It was passed through a cattle-dip regularly, as the experiment was being conducted in an area where East Coast fever was endemic. If it were demonstrated to the Másai that cattle could be reared in East Coast fever areas by steady attention to dipping, the stock capacity of their Reserve would be almost doubled. Másai assistants were, of course, employed and taught Western stock-lore. The experiment had continued for more than a year, when the veterinary officer

was removed, and not replaced. Efforts were made to employ a skilled but unqualified settler to look after the herd, but no appointment was made. Sickness broke out in the herd and losses occurred. The survivors were hurriedly sold by auction, chiefly to Somáli traders, and the demonstration ended. The Mási did not marvel. They had ceased to marvel at anything the Government did.

From 1922 onwards there was much outspoken concern among some of Kenya's politicians that the Colonial Office had intervened and disallowed the collection of some of the stupendous fines which had been inflicted upon sections of the tribe for various offences. There was clamour for a Commission of Inquiry into Recent Mási Unrest. In 1923 Government promised that this should be held as soon as Lord Delamere (then in England) should be available, as he was an indispensable member of any such Commission. In due time the Commission met, under the local Colonial Secretary, Mr. Denham, as Chairman. There were no terms of reference: no defined programme. The presence of the officer who had been in charge of the tribe for eleven years was not considered necessary, either in the rôle of a Commissioner or a witness. Interest waned. The Commission ceased sitting, having hatched nothing. No report was presented. No questions were asked as to its findings. All quite unusual—even for Kenya.

Months later, questions began to be asked in the House of Commons as to what the findings of this Committee had been. Notification of these questions to Kenya apparently had some result. A report was suddenly presented to the Legislative Council, signed by the Chairman "on behalf of" the rest of the members. Two of the non-official members repudiated this on the spot, as they had had nothing to do with its preparation and it did not express their views. This was a unique episode, even in the history of Commissions and Committees in Kenya. No further notice was taken of this report in any quarter.

The Mási remain a problem. They are stock-raisers by birth, training and inclination. We are perfectly certain that we know the trade better than they do. We can breed bullocks of heavier beef content and cows of a greater milk yield. The average Mási beast looks scraggy beside prize specimens of European stock. The explanation of the problem (and likewise

the administrative puzzle) turns upon the fact that the aims of the two groups are different. We are traders, out for cash, and we aim to produce the article that fetches most on the world's markets, because we love money. The M<sup>ás</sup>ai breeds not for weight or milk-yield, but from a different standard altogether—a standard concerned with colour and markings, because he loves cows. Incidentally, the tribal diet, apart from meat, is principally milk,<sup>1</sup> and, to some slight extent, fresh cattle-blood, drawn off without killing the animal. How is a perplexed Government to proceed with a people of skill and capacity devoted solely to the indefinite multiplication of cows?

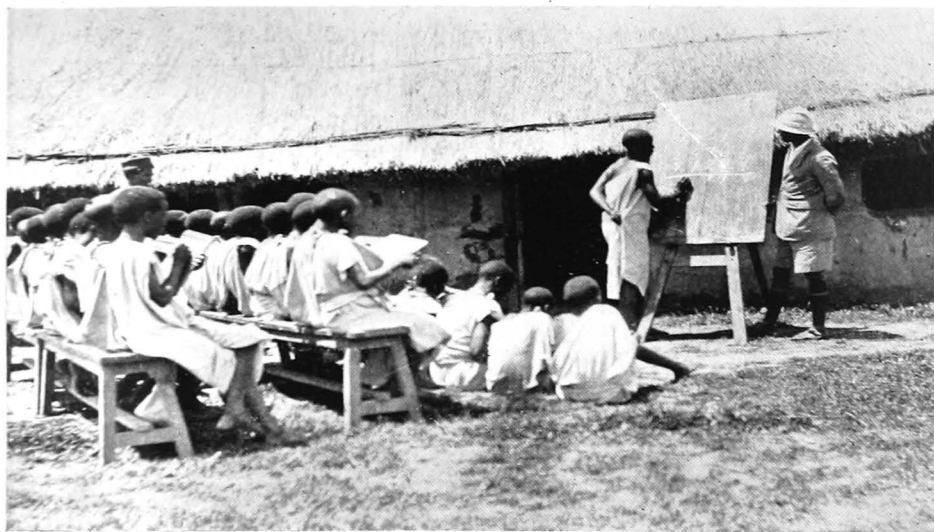
The problem can, of course, be modified in one generation and perhaps altered radically in a few generations. The M<sup>ás</sup>ai race will probably persist for many years, so modification of their attitude will be a wise step. It is the opinion of all who have made a sympathetic study of this tribe that the only solution of difficulties lies in *education*. If conducted on wise lines, there will emerge, from the suspicious tribe of to-day, an expending nation which, while remaining expert stock-raisers, will appreciate the value of other forms of wealth besides the lovely cow, and the M<sup>ás</sup>ai will accordingly become an increasingly valuable trade asset to the Colony. They will, in all probability, not be denied the right to use their wealth in the purchase of land, and M<sup>ás</sup>ai herds may yet, in years to come, graze on the old pastures across which Dick conducted his last historic fight.

At present little boys (though, for the time being, without their sisters unfortunately) sit on forms before mysteries on a blackboard, or do "physical jerks" in the burning sunshine that is killing their fathers' livestock<sup>2</sup> for want of grants by Government to carry out simple operations in water supply. It is a far cry to that contented and wealthy nation of the years to come, but the blackboard, the printed page, the laboratory and the workshop will carry them there. It is only a question of time—and honesty.

Finally, it may be mentioned that when the British Government saw fit to annex the whole country, with the exception of the narrow strip of coast land belonging to the Sultan of Zanzibar, the M<sup>ás</sup>ai did at last, on July 23rd, 1920, cease to be an independent foreign nation and became British subjects. There were no celebrations in the M<sup>ás</sup>ai Reserve.

<sup>1</sup> *Op. cit.*, p. 87.

<sup>2</sup> *Op. cit.*, pp 63, 87.



"Mysteries on a Blackboard"



"Physical Jerks"

*(By the courtesy of Captain C. S. Brereton, Headmaster, Government School, Nairoki, Múasai Reserve)*

THE MÁSAI SCHOOL AT NÁROK

## CHAPTER IX

### “SHIFTING THE BURDEN SLIGHTLY”

“They” (the European settlers in East Africa) “were willing to take up the White Man’s Burden so far as the native races were concerned, but they would beg that some discretion be left them to shift the burden slightly according to the exigencies that they had in British East Africa.”

LORD DELAMERE, speaking at a banquet to Mr. Winston Churchill in Nairobi in November 1907.

FOR the year 1924 the yield of direct taxation from natives in Kenya was £561,828.<sup>1</sup> European poll tax yielded less than £9,000. The White Man’s Burden is to-day being borne manfully—but by black men. It is intended in this chapter to narrate the epic of taxation in Kenya.

In 1901, Lord Lansdowne sanctioned the levying of a tax not exceeding 2 rupees (2s. 8d.) upon every native dwelling.<sup>2</sup> At first, the tax was one rupee. It was not until the year 1903 that it was raised to two rupees. For a long time it was left open to the native to pay his tax in cash or in kind. At some Government stations a sheep was accepted in lieu of two rupees. In the neighbouring Protectorate of Uganda at that time consignments of rope-fibre and palm-fibre for huts were accepted, being subsequently converted into cash at Government sales by auction, but in the East Africa Protectorate no farm produce was accepted in lieu of cash or livestock. The yield in these early days shows that less than 5 per cent. of the native population of the Protectorate paid any tax at all.

The Administration officers, dotted about the country, had a wider range of duties in these early times than falls to the lot of their successors to-day, when other officers of specialized training relieve them of many duties which, in earlier days, they had to carry out themselves, as well as they could. The modern system no doubt makes for a higher standard of performance, but in the process we lose sight of the joyous individual who was his own engineer, forester, agriculturalist, magistrate, police inspector, prison authority, commander-in-chief of (tiny) armed forces, postmaster, accountant, medical man and, at

<sup>1</sup> Chief Native Commissioner’s Report, 1924. <sup>2</sup> O.G., Nov. 1st, 1901, p. 281.

times, surgeon. However, in spite of this glorious rôle, these manufacturers of history were designated "Collectors." Their junior assistants were called Assistant Collectors, and they resented the abbreviation "Ass. Collectors" which was sometimes used for them by the impious. Of all their numerous duties the most important one was that of Tax Gatherer, and many a worthy young Briton has used his discretion to temper the oppressiveness of Government demands upon dismayed individuals among "his people" when rigid exaction of a full tale of tribute would, he knew, enhance High Authority's regard for him as "a hardworking and efficient officer."

The same settler from South Africa who was most prominent, as described later, in fomenting antagonism against the Indians in the Protectorate, also took a lead in urging increased taxation for the native. Speaking in January 1907, he formulated the policy which was before long to be adopted by Government. "The coloured races must labour," he said, and we must see that "every legitimate means is used to induce them to do so." His proposal was the imposition of a poll tax, the revenue from which might, he suggested, be used to pay for a strong European police force. A deputation of the Colonists' Association to Mr. Winston Churchill on the occasion of his visit in 1907 urged the imposition of a poll tax on the natives only. Lord Delamere in December 1907 advocated a one-rupee tax on every palm-tree from which natives drew off the sweet sap from which *tembo*, a native intoxicating drink, was made. He also advocated a special income tax for the M<sup>a</sup>sai tribe. It would be a very easy tax to enforce. It was quite right, he said, that the police should be used in the collection of hut-tax;<sup>1</sup> it was necessary to overawe the natives, as it would take them a long time to learn what they owed to the Government for benefits received. By the end of 1907 the local newspaper was pressing for increased taxation of natives. The only taxation which affected non-natives was a 10 per cent. duty on most imported goods, though agricultural implements, seeds and plants, and livestock for breeding purposes were admitted free. On spirits a duty of 2 rupees (2s. 8d.) a gallon was charged. (By May 1920 this was to be raised to 30 shillings a gallon.) The point may here be made that the East Coast of Africa has, in the matter of the liquor trade, a record which puts the West Coast to shame. By the

<sup>1</sup> E.A.S., December 14th, 1907.



law of the land, it is a heavily punishable offence to sell or supply to a native African any imported alcoholic drink. This even extends to the gift of wine for Sacrament, for the guidance of those ecclesiastics who still use alcoholic beverages in one of the most solemn rites of their religion.

The income tax on the Másai was not adopted by Government, but the rate of their hut tax was eventually fixed at a higher figure, namely 20 shillings, than that of any other tribe in the Protectorate.

In 1901 the only regions in which tax was collected were parts of the Provinces of Séyidié, Tánaland and Ukámba (see

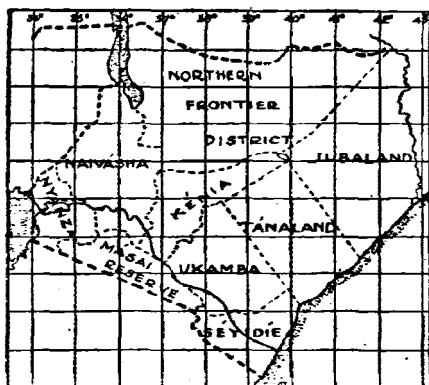


FIG. 9.

FIG. 9.—THE PROVINCES OF THE EAST AFRICA PROTECTORATE AS THEY WERE, SUBSTANTIALLY, UP TO 1920.

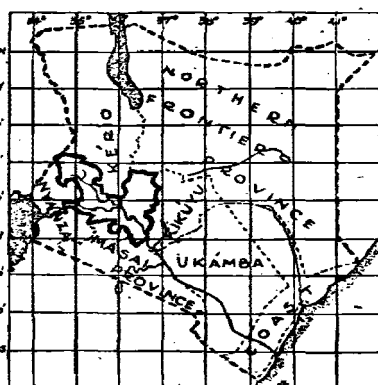


FIG. 10.

FIG. 10.—THE PROVINCES OF KENYA COLONY.

(The area within the heavy boundary-line is termed "The Extra-Provincial Districts," and is mainly under European settlement.)

Fig. 9). In 1902 collection was extended to the Nyánza Province; in 1903 to Jubaland, Naivásha and Kénia Provinces. In 1910 it was extended to the Northern Frontier District, and so became general over the Protectorate.

Year by year the collection of tax grew more thorough. By Proclamations in the years 1906-7<sup>1</sup> the tax was raised to three rupees with retrospective effect from April 1st, 1906, in Ukámba and Kénia Provinces. As this levy became onerous, the natives, first the Akámba and then others, countered it by crowding into fewer huts. (Native huts require partial or complete rebuilding about every three years.) Government countered this in turn

<sup>1</sup> O.G., May 15th, 1906; August 15th, 1907.

on February 24th, 1909, by a Proclamation that if, in the Machákos District, more adults than of one family lived in one hut, each such additional adult should pay the amount of the tax. Successive Proclamations<sup>1</sup> extended this rule to Ukámba Province and other districts. The Hut Tax Ordinance of 1903 allowed the Governor to remit taxation in necessitous cases, and numerous Proclamations appeared in the *Gazette* in early years, especially in the regime of Sir Henry Belfield, reducing the tax in specified areas or remitting it altogether. There was introduced in Legislative Council in 1909 a Native Hut and Poll Tax Ordinance,<sup>2</sup> which exacted tax not only from the owners (men or women) of every hut, but also from every adult male who did not own a hut. The amount of tax was fixed at three rupees (i.e. 4s.). It was still legally payable in cash or in kind, though the practice became general of exacting cash or labour. It was laid down that the native might offer one month's labour in the Province where he ordinarily resided, in lieu of the three-rupee tax. (Twelve days' labour, and in one case eight days' labour, was accepted in lieu of tax in the German African Colonies.) It was also still permissible for the tax to be remitted from considerations of age, infirmity or poverty. The poll tax was at once levied over the greater part of the country.<sup>3</sup> In 1911 an amending ordinance was passed prescribing the penalty of imprisonment up to three months for non-payment of the tax, together with a three-rupee charge for costs. Each native paying his tax was supposed to be given a tiny numbered slip of paper as a receipt, and under rules issued by Acting Governor Mr. Bowring in 1912<sup>4</sup> any Collector or European police officer above the rank of assistant inspector could at any time demand the production of this receipt by any male native, and non-production was declared to be *prima facie* evidence that the tax had not been paid. Under this ruling many natives were mulcted in payment of taxes twice over.

The arts of exacting revenue from the natives by indirect methods were not, at the same time, lost sight of. Lord Delamere, in March 1911, proposed that increased freight rates on the (State) railway should be levied on *Americáni* (the unbleached white calico worn by natives) and blankets.<sup>5</sup> He did not think

<sup>1</sup> O.G., March 15th, May 1st, Aug. 1st, 1909.   <sup>2</sup> O.G., March 15th, 1910.

<sup>3</sup> O.G., June 15th, 1910.

<sup>4</sup> O.G., July 15th, 1912.

<sup>5</sup> E.A.S., March 25th, 1911.

they would care much about this “provided they did not think that someone was ‘doing them.’” “Tax the native to make him work,” said the local paper in dealing with these proposals, “but not simply for revenue purposes.” During a period of twenty years there were repeated complaints that Government could not impose heavier duties than 10 per cent. *ad valorem*

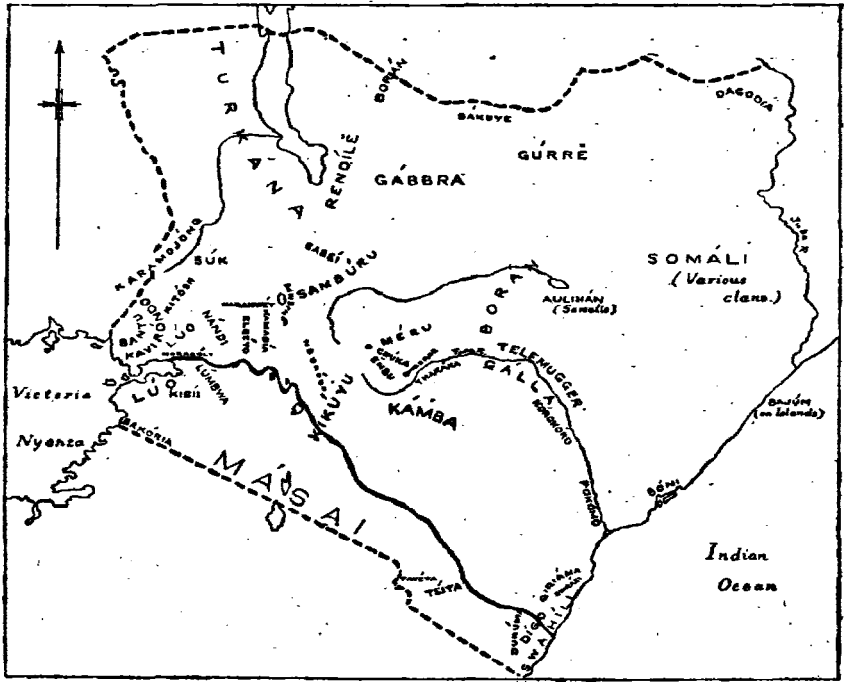


FIG. 11.—LOCALITIES OF NATIVE TRIBES IN KENYA.

(In the Northern part, the tribes are nomadic, and positions are only approximate.)

on imports into the country. Government's hands were tied in this matter by the Berlin Act, which only ceased to apply after the War. What happened then will be described shortly.

In the year 1912 a tax of £1 on adult males who were not natives was imposed under a Non-Native Poll Tax Ordinance.<sup>1</sup> This applied to Europeans, Indians and Arabs, and a few other small groups. In the first year it yielded £9,927, in the second

<sup>1</sup> O.G., November 1st, 1912.

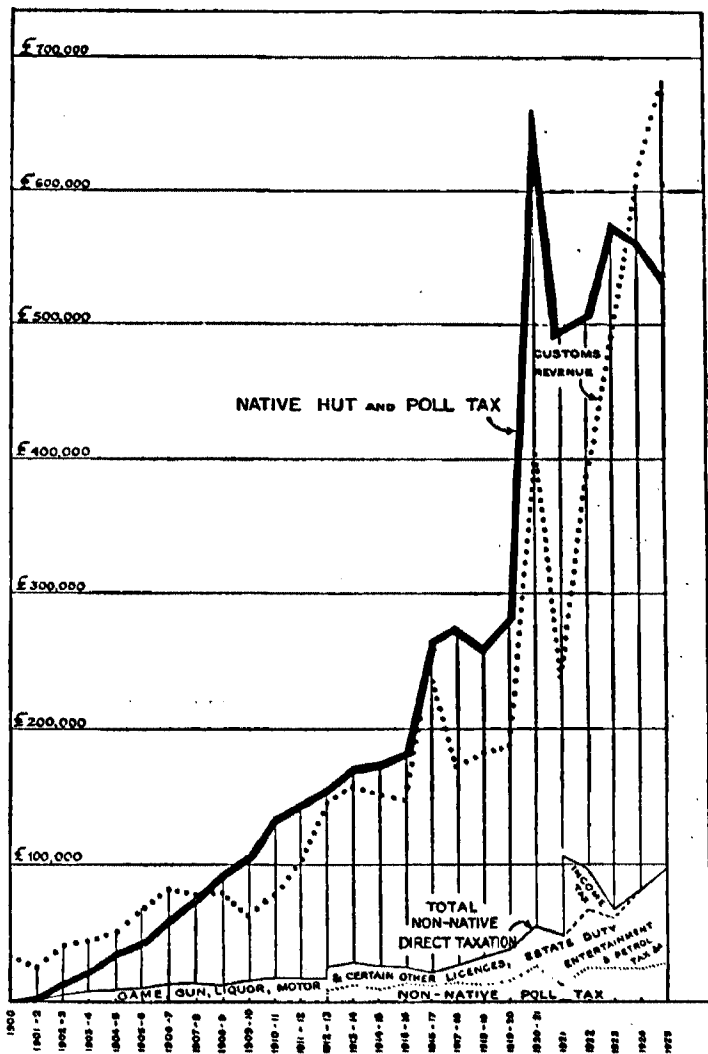


FIG. 12.—NATIVE AND NON-NATIVE DIRECT TAXATION FOR A QUARTER OF A CENTURY IN KENYA. ALSO THE TOTAL CUSTOMS REVENUE FROM IMPORT DUTIES (AND EXPORT DUTIES UP TO 1922).

FIG. 12.

Although Income Tax was only levied for one year (1921) and then withdrawn, arrears, due for 1921, were collected in 1922 (£30,373), 1923 (£5,287), and 1924 (£280).

Due to the fact that Europeans nowadays pay upwards of £100,000 a year as duty on intoxicants, the non-native contribution to Customs Revenue may, since 1921, be a trifle higher than the native contribution; but over the whole period of twenty-five years an overwhelming proportion of the Customs Revenue was derived from native sources.

The total yield of native hut and poll tax represented above is £5,839,236. The total yield of the only non-native taxes of general application is £231,942 from poll tax and £94,654 from income tax.

*(In the curve of non-native taxation, liquor, game and other licences, etc., have been included in order to give the non-native community the benefit of every doubt as to their share of direct taxation. Actually, certain of these items represent payments to the State for very valuable privileges; and some authorities would exclude them from the category of direct taxation. Thus, the Parliamentary Commission in 1925 said: "The only direct tax on non-natives is a uniform poll tax of 30s."—Cd. 2387, p. 175.)*

year £11,231; by 1918 the yield had only risen to £12,197. In the same period the yield of native taxation had been increased by 74 per cent.

Annually, from 1895 to 1913, the British taxpayer had been subsidizing the Protectorate by a cash grant-in-aid of varying amount, the largest contribution being £313,600 in 1903 and the smallest £23,500 in 1913, after which date this annual gift was discontinued. The total of these grants was £2,727,908. In addition to this, Parliament voted annually a gift of £319,112 in the British vote for Colonial Services, in payment of interest and sinking fund on the loan for the construction of the Uganda Railway. These payments were continued until November 15th, 1925, when the final one, closing the account, was made. The sum-total of these latter payments was £7,909,300, another gift by Great Britain to the community in Kenya.

As from April 1st, 1916,<sup>1</sup> the native tax over a large part of the Protectorate was raised from three to five rupees (i.e. 4s. to 6s. 8d.) and the increase in the yield of native taxation shot up by £43,000—a steeper rise than in any previous year, as is indicated in the diagram appearing as Fig. 12. This move was authorized by a Native Hut and Poll Tax Amendment Ordinance (No. 40 of 1915), which took effect on December 18th, 1915.<sup>2</sup> By 1918 the five-rupee tax had been extended to the farthest outlying tribes, such as the Kamasía, Suk and Turkána. Suggestions were still made at times, by various settler bodies, and in the newspapers repeatedly, that the time was ripe for a further increase of native tax.

The years following the War were dark ones for the natives of the East Africa Protectorate. There was a heavy death rate from famine in 1918, in spite of the importation of 17,000 tons of food-stuff by Government and its distribution to starving people. Influenza swept the country in the wake of famine and killed 155,000 natives.<sup>3</sup> Carrier corps casualties in the war were officially stated to be 23,869, but for a considerable portion of the campaign against German East Africa no trustworthy records of native deaths were kept, and disregard of native welfare in some of the areas of operations was infamous. There was much sardonic comment, some of it angry, at the Government's

<sup>1</sup> O.G., February 23rd, March 8th, April 5th, November 29th, 1916.

<sup>2</sup> *Ibid.*, December 22nd, 1915.

<sup>3</sup> Chief Native Commissioner on Native Labour Statistics, in *L.E.A.*, January 21st, 1920.

conservative and precise estimate of 23,869 as the African death-roll in our war. Native lands were pirated to allow of a spacious project for the settlement of European ex-soldiers and sailors. Proposals had been made in 1918 that Kikuyu natives within ten miles on either side of the Uganda Railway should be evicted, and this, although disallowed by Sir Henry Belfield, caused much native disquiet. Settler pressure for an increase of native taxation continued. The necessary amending ordinance<sup>1</sup> was passed, glibly enough, through Legislative Council in May 1920. Government proposed that the hut tax should not exceed Rs. 7.50 (= 15s.), but Lord Delamere moved an amendment prescribing that the tax should be a sum not exceeding Rs. 10 (= £1). He was supported by all the elected members, and Government adopted that figure. For the year 1920-21 hut and poll taxes were alike fixed at Rs. 8<sup>2</sup> throughout the greater part of the Protectorate, though in certain districts it was left at Rs. 7, 6 or 5. At this time Government decided to make the financial year coincide with the calendar year. Hitherto the financial year had begun on April 1st and ended on March 31st. There was, therefore, a broken period of nine months (April to December inclusive, 1921) to be budgeted for before the first full calendar year in 1922. This period was treated, for purposes of revenue, as a full financial year<sup>3</sup> and the full tale of tribute was exacted from the perplexed natives. Not only that, but the Governor ordered that the tax of Rs. 8 should be declared throughout the country—less being collected in certain areas “if found necessary and unavoidable.” This exaction, together with forced labour of women and girls, the registration system by finger-prints, and other grievances, led to the widespread agitation (*v.* Chapter XIII) directed by Harry Thuku in 1921-22. The Administration officers charged with the unenviable duty of imposing these oppressive measures on the natives became restive under the orders of Government. To the accompaniment of a rain of remonstrance from District Officers against these features of its policy, Government suppressed Harry Thuku’s movement, with bloodshed in the streets of Nairóbi. This climax was reached in 1922—in the month of March, as might be expected. Even the Settlers’ Convention then agreed that “the present Native Hut and Poll Tax is excessive and

<sup>1</sup> No. 17 of 1920.

<sup>2</sup> Treasurer’s Annual Report for 1920-21.

<sup>3</sup> Draft Estimates for 1921, p. 12.

more than can be reasonably borne by the natives." Next month, native taxation was reduced from 16s. to 12s., which figure has not since been exceeded, except for the M̄asai.

It had been estimated by Government that native taxation in the nine months of 1921 would yield £656,972, and in the twelve months of 1922 £656,070.<sup>1</sup> The actual yields were £494,928 and £506,414 respectively, and the remonstrances of the Administration officers at the severity of the proposed taxation were shown to be justified.

So far little reference, except as to the gentle creep of non-native poll tax, has been made to the taxation of Europeans. They and the Indians went on paying their share of Customs duty on imported articles that they purchased. This had been 5 per cent. *ad valorem* up to 1904 and thereafter 10 per cent.<sup>2</sup> The native, of course, paid this same duty upon imported articles which he purchased—chiefly cotton goods, cigarettes, certain provisions, beads and wire. Still, for the year 1920–21 the estimated revenue from all imports, for Europeans, Indians and natives, was put at £362,250 as compared with an estimated revenue from direct native taxation of £656,070, so there could be no doubt as to who was paying the piper at that time. The non-native poll tax for the same period was estimated at £21,000.

The Colonial Office took action in 1920, and demanded that, if the Kenya Government wished to proceed with the elevation of the native tax, it must impose new taxation specifically upon the Europeans and Indians to an extent calculated to yield as large a contribution from them as the *new* exaction (£158,600)<sup>3</sup> from the natives. This produced an immediate realization in the Colony that the natives were being overtaxed. An Income Tax Ordinance was introduced in Legislative Council in 1919. It had a chilly reception, but was passed. On being sent home, it was returned by the Secretary of State for some minor alterations, and was finally passed on November 29, 1920. An amendment imposing a higher scale of tax was passed on February 2nd, 1921.

The first incidence of this income tax was due to fall in respect of incomes received during the twelve months April 1920 to March 1921. This collection on the original low scale had not been made before the end of 1920 on account of the return

<sup>1</sup> Treasurer's Annual Report, p. 18.

<sup>2</sup> O.G., 1904, p. 108A.

<sup>3</sup> Treasurer's Annual Budget Statement, April 15th, 1920, p. 14



of the Bill by the Secretary of State for amendment, the late date of its final approval (November 29th, 1920) and delay in printing and distributing the necessary forms. The Government proposed to proceed with the collection of the 1920-21 income tax in March 1921, to postpone the collection of the 1921 (nine months') tax till November 1921, and then to adopt a uniform procedure of collecting tax in February or March of 1922 and of subsequent years. It was admittedly to be the case that those Europeans who were in receipt of incomes would have to pay two taxes within a period of 21 months, though the rate of tax was much less than was being paid at the same time on incomes in Great Britain. Still, natives were having to do the same, and it was on this account that Government was under obligation to tax the Europeans and Indians.

Lord Delamere was not on the Council at this time. He had resigned in 1920 on the ground that the Secretary of State, representing Imperial Parliament, had a more real and complete control of Government in the Colony than the elected members had. A public meeting was staged in Nairóbi, however, to protest against having to pay this tax. It was held to be highly improper that Europeans should have to pay "two taxes in one year" (it was the month of March), though the fact that natives were paying twice in 21 months was ignored. At the meeting of Legislative Council next day the Hon. Mr. Wood moved the suspension of Standing Orders<sup>1</sup> to allow of a motion that the tax for the year 1920-21 should not be collected, and that the revised scale of tax that had just been imposed in the amending ordinance of the previous month should be rescinded. The promoters of this venture were fortunate in that the Treasurer of the Colony was away on leave, his place being taken by one of his juniors, whose views in Council frequently accorded with the wishes of the "Reform Party." Colonel Notley, acting as Colonial Secretary, derisively alluded to the Reform Party's *flair* for passing legislation and then urging, a few days later, that it was a matter of public urgency to repeal it. An elected member was allowed, without reprimand from the Governor, General Northey, to say that he knew the Europeans would refuse to pay the tax.

In framing the Budget for 1920-21,<sup>2</sup> revenue to the amount

<sup>1</sup> *Proc. Leg. Co.*, March 20th, 1921.

<sup>2</sup> Treasurer's Budget Statement, May 1920, p. 1.

of £50,000 from income tax had been taken into account, but to everybody's astonishment the Acting Treasurer early in the debate stated that it was his personal belief that the country would be able to get on without that revenue. After settlers had spoken for Mr. Wood's motion, and officials, with the exception of the Acting Treasurer and one other friend of the Reform Party, had spoken against it, a division was taken. Nine officials voted for the retention of the tax, seven settlers and two officials voted for the motion. A tie! Council waited for a moment in silence for the Governor's casting vote. He gave it in favour of Mr. Wood's motion, and thereby released the non-native community from the payment of a year's tax. There was no Indian member on the Council at this time. No parallel action was taken in the direction of relieving the natives of the increased tax that they were paying. The Secretary of State did nothing to support the non-pliable among the officials in the stand they made in support of his stipulation for equal additional taxation on whites and Africans. (All the official supporters of the tax would have had to pay it themselves from their salaries—in sums varying from about £70 to £120.)

Finding that the business of the country went on in spite of his resignation from the Council, Lord Delamere indulged in second thoughts, and an opening occurred for an unopposed return for him in his old constituency. On October 24th, 1921, he moved a resolution in Council: "That the Income Tax Ordinance of 1920 be repealed."<sup>1</sup> Attempting to argue that the tax had only been imposed as a temporary post-war measure, he was corrected by the Governor, who said that "definite instructions were received from Lord Milner that, if native taxation were increased, some such tax as income tax should be imposed on the non-natives." To Lord Delamere's proposal that enhanced import duties should be substituted, he observed that "increased import duties could not be taken to affect Europeans and Asiatics only." An open vote was allowed. The Treasurer of the Colony was now back from leave, so the "Reform Party" received no official assistance this time, the motion being defeated by 15 votes to 7.

Clearly there was nothing for it but to stampe the Government.

A "European Taxpayers' Protection League" was at once

<sup>1</sup> *Proc. Leg. Co., 1921 Session, p. 76.*

formed in Nairóbi, and subscriptions were invited for obtaining eminent legal opinion in England as to whether it was constitutional or not to impose direct taxation upon Europeans as long as the elected members did not control the Legislature. The League would also assist members locally if they were put in court by the Commissioner of Income Tax.

The methods advocated by the new League were: refusal to pay the tax, refusal to fill in any returns or forms, and concerted action by all Europeans, “shoulder to shoulder, to put every obstacle possible in the way of the Government.” The League made an appeal to the Settlers’ Convention, and, as they felt moved to do this in the month of March (1922),<sup>1</sup> there was the customary display of March oratory: “the traditions of our fathers,” Magna Charta, Charles Darwin, the first law of nature and “official bleating,” all being made to do duty in an attack on “the most dangerous and pernicious form of taxation” imposed by “an unsympathetic and rapacious oligarchy.” Gentlemen loudly proclaimed their intention of going to jail rather than pay. Lord Delamere thought it would be better even if everyone refused to send in returns. “You might think that is unconstitutional,” said he, “but I believe the tax itself is unconstitutional.” (Applause.) Major Grogan called attention to the enormous cost to the community of preparing the income tax returns, and the meeting unanimously called for an immediate repeal of the tax. Next month Lord Delamere was appointed a member of the Executive Council of the Colony.<sup>2</sup>

The Government duly made representations to the Secretary of State that the tax was unpopular, adding other less forceful reasons for withdrawing it. The Treasurer of the Colony had died, and his place had been taken by the Postmaster-General. The Secretary of State sanctioned the repeal, provided that new Customs duties, calculated to produce equivalent revenue and of a type to fall principally on non-native purchasers, were substituted. A Bill for the repeal of the Income Tax Ordinance was introduced in Legislative Council on May 25th, 1922, and passed the same day, with the Director of Public Works as the sole dissident. (His tax for the year would have been about £110.) Revised Customs schedules were passed through Council the same day, members vying with each other in absurd credulity as to the probable yield of proposed new duties, which (they

<sup>1</sup> L.E.A., April 1st, 1922.

<sup>2</sup> O.G., April 26th, 1922, p. 290.

were assured) would be equal to the revenue which would have accrued from income tax. The Director of Public Works traversed this transparent fiction, and, together with one Indian member, voted against the Bill at second reading, and by himself at third reading. He warned the Government that it would have the same sort of experience as a man who, mounting a flight of stairs in the dark, reaches the top and then tries to go up the next step—which is not there.

The upshot was that a new Treasurer, Mr. R. C. Grannum, C.M.G., assumed duty a few months later, and in his Budget statement to Council on October 23rd, 1922, disclosed the fact that Customs revenue had failed to come up to the estimate by a sum of £115,717, and the year's total revenue was expected to fall short of the estimate by £381,800. Nothing mattered, however. Income tax had gone. *The East African Standard* felt like Christian in *The Pilgrim's Progress* when his load of sin fell off on his reaching the wall that was called Salvation.<sup>1</sup> The abolition was "the finest advertisement the country could have." "Nothing could help the Land Settlement Committee" (of the Convention) "more effectively in its work." Much of the required revenue had been diverted to the natives, as for example a 90 per cent. duty on cigarettes, of which native consumption was probably at least three-quarters of the total. Tea, sugar and other articles of native use had been given 30 per cent. duty instead of the 10 per cent. duty which had prevailed for so long. Shopkeepers, of course, profited. "The burden had been shifted slightly"—and the land ramp assisted. (Two birds with one stone. Excellent business.) The Governor recommended Mr. Helmuth Eric Schwartz, the hero of the "shoulder to shoulder" speech in the Convention, for appointment as a member of the Executive Council of the Colony, and this was duly approved by the Secretary of State.<sup>2</sup>

By 1922 the post-war depression was severely felt in Kenya. A "Geddes Committee" had been sitting in England in order to make recommendations for reduction of Government expenditure. The Government of Kenya was inspired to do likewise (in the month of March), and it appointed a body called an Economic and Financial Committee.<sup>3</sup> Lord Delamere and Major Grogan were selected for it; Mr. Shams ud Deen, one of the Indian

<sup>1</sup> *E.A.S.*, May 26th, 1922.

<sup>2</sup> *O.G.*, August 30th, 1922, p. 534

<sup>3</sup> *Proc. Leg. Co.*, March 27th, 1922.

members of Council and some additional personnel, which was varied from time to time, from the European trading community. Sir Charles Bowring proved to be a complaisant chairman, assisted by one Administration officer, who was on the verge of retirement at the time. They were to “inquire into and report on—

- “ (a) The means whereby production and exports may be fostered and increased ;
- “ (b) The means whereby the cost to the community of imports may be decreased ;
- “ (c) The present amount and incidence of taxation, and
- “ To make such recommendations for the regulation of Government expenditure and departmental activities as may in their opinion be necessary in order to give effect to the conclusions arrived at by them on the subjects mentioned above.”

They were practically given a free hand to do what they liked with the Government Service. Those of their recommendations which the Governor was not empowered to adopt, he recommended to the Secretary of State for adoption, with only a few exceptions. Government officials to the number of over 240 were dispensed with, native hospitals or dispensaries were closed in nine areas as a result of reduction of staff, the Native Affairs Department was threatened with extinction as being a danger to the country, the Chief Native Commissioner was recommended for removal, and the Revenue Section of the Treasury for abolition. It can be imagined with what joy the politicians found themselves suddenly invested, by an unconventional Governor, with powers of decision upon professional and technical issues which it had been the previous practice to leave to trained and qualified men. It was for them the chance of a lifetime to press, from a privileged position unexpectedly obtained, for many of the measures and policies for which they had long agitated. The harlequinade proceeded to the accompaniment of pæans of praise in the local paper, in which Major Grogan had bought a controlling interest. It extolled “the statesmanship” of Sir Edward Northey, and his “identification with the aspirations and will of the public.” He deserved “at least the credit of initiative, and of adventure into principles and methods of Colonial Government that had never before been tried”—an apt

description of the almost complete surrender of Governmental powers into the hands of a group of prominent representatives of local interests, over which Sir Charles Bowring appeared unable or afraid to exercise any influence. For the most part any variation of the Committee's recommendations was tabooed by the Government on the ground that it was of no use to appoint a Committee and then not make use of its findings. The Chief Native Commissioner, the Military who were to be "amalgamated" with the police, and the Public Works Department, which had had some experience of handling groups such as this, alone had any marked success in countering the unbalanced recommendations of the Committee. A prominent Mombasa merchant, Mr. Sim, resigned from it after a short experience of its workings. The Indian member, Mr. Shams ud Deen, who attended for part of the time, was prominent in traversing many of the projects of the Europeans. The latter aimed at reducing the next year's Budget to the figure of £1,400,000, but disregard of some of the more senseless of their proposals left the Budget, fortunately for the country, at a figure of £1,784,662. They denounced income tax and land taxes, urged that maize should be carried on the Railway for less than the cost of haulage (this was done), and pressed for the establishment of a European Defence Force.<sup>1</sup>

This wielding of the "Geddes Axe" had the effect, so welcome to the Committee, of averting direct taxation on Europeans. A heavy scale of import duties, which exacted a further contribution from the natives, was accepted as a lesser evil, and the burden of taxation remained in the position to which it had been "shifted."

It has not been mentioned that in 1919, when the Secretary of State insisted that income tax should be imposed on Europeans, a Bill for a Land Transfer Tax was introduced in Legislative Council. This would appear to indicate a reformed attitude on the part of the Europeans on the Council—if the sequel were not known.<sup>2</sup> The Financial Report for 1920-21, signed by Treasurer Mr. Kempe, explains that "unfortunately an attempt was made in the Legislative Council to amend the Bill and alter the tax to one on undeveloped land only, with the result that its character was so far changed that His Majesty was unable to give his assent." Moreover the Bill, in passing through Council,

<sup>1</sup> *E.A.S.*, August 5th, 1922.

<sup>2</sup> Annual Financial Statement, p. 6.

lost “ its revenue-producing character,”<sup>1</sup> appeared to discriminate in favour of the older settlers as against the newer, and involved assessment, for tax, by local boards—to all of which the Secretary of State took exception. The Colonial Office was resolute that the Income Tax Ordinance should be passed as an independent measure, and this had been done on November 29th, 1920. On December 3rd, 1920, the Commissioner of Lands moved in Legislative Council for the appointment of a committee to resume consideration of proposals to tax unearned increment in land. The Governor announced that he was under orders to convene such a committee, but, nevertheless, some officials voted with the settlers against the proposal, and the motion was only carried by 13 votes to 12. The Committee was then appointed, with the Commissioner of Lands as chairman and four settlers and two officials as its personnel. It was added to on January 20th, 1921, and the whole question of land taxation in the Colony was remitted to it.

This was an ominous development from the point of view of the landed proprietors. The Director of Public Works, who had been active in pressing for taxation, at land sales, of unearned increment in the value of properties changing hands, was one of the officials, and the other was Mr. A. Holm, the Director of Agriculture, who was known as a supporter of some such policy. However, the resources of the ingenious were not at an end. *The Committee never met.* The Director of Public Works sent reminders at intervals as to having the Committee convened. After interesting experiences which ended with his compulsory retirement, as described in Chapter XV, he did hear an unofficial rumour that a meeting of the Committee was to be called, on the last Saturday of his stay in Nairóbi, for the purpose of dissolving itself. He sent in a letter to the chairman lodging an objection to any such course, and urging that, at a time of such financial setback as had been held to justify the creation of a “ Geddes Committee,” the right of individuals to draw *unearned* profits from land was indefensible. When the Director of Public Works had been three days at sea, homeward bound, the Commissioner of Lands stated in the Legislative Council that “ some time ago ” (23 months, to be accurate) “ a committee had been appointed to consider certain matters in connection with land taxation. Of the original committee there were very few left, and at a meeting held

<sup>1</sup> *Proc. Leg. Co.*, January 20th, 1921, p. 42

a short time ago" (presumably that morning or during the previous two days) "the Committee had decided that times had so changed since the original appointment of the Committee that they would send in no report and make no recommendations. If it was thought desirable to proceed with the matter, the suggestion was that another committee should be appointed. The Colonial Secretary" (Sir Charles Bowring) "moved that the appointed Committee be dissolved and no further action taken. The Commissioner of Lands seconded and the motion was agreed to."<sup>1</sup>

After controversy maintained for fifteen years, the Kenya Government in 1918 confirmed the grant of 50 acres of land abutting on Kilindini Harbour to Major Grogan, the timber concessionaire. He here built a little timber wharf, equipped with overhead transporter gear. Heavy pressure on Government for the purchase of this, and for the discontinuance of harbour work on Government land (for which a contract for over £1,000,000 had been let to an English firm), miscarried in 1922. Agitation for the State purchase of the timber wharf continued. A humorous local paper, not under Reform Party influence, advised the Major to adopt Coué methods, and repeat to himself 2,000 times every morning in his bath: "I *will* sell it to the Government, I *will* sell it to the Government. . . ." In the end he did sell it to the Government. This was settled during the regime of Acting Governor Mr. Denham in 1925. The price was £350,000. This included the wharf (which had been valued at £37,000), the 50 acres of land of which Government had made him a grant in 1918, and some adjacent properties, freehold and leasehold, to a total of 146 acres. Earthwork to the value of perhaps £20,000 had been done on the water-front. Government was not, however, to enjoy the use of the wharf which it had bought. This had previously been leased to a wharfage company, and this lease continued to operate to the exclusion of Government, the new owner. Moreover, within six months of purchase, the wharf began to show signs of collapse. It was found that the *Teredo navalis* in the harbour water had been boring with fatal effect into the soft *Podocarpus* timber—as the Government's technical advisers had said, in 1922, would certainly happen. There were panegyrics in the Legislative Council as to the debt under which the Colony lay to the Major<sup>2</sup> ("to whose foresight in this and in other

<sup>1</sup> *E.A.S.*, November 4th, 1922.

<sup>2</sup> *Ibid.*, August 22nd, 1925.



matters the Colony owed a very great debt of gratitude”)— notably from Captain Coney, a fellow-member with the Major on the “ Geddes Committee.” An Indian member, Mr. Pandya, queried the necessity of buying the property at all, and pointed out that the value of the estate, as a piece of harbour work, depended entirely upon the railway connection provided to it by the State. Lord Delamere did not think “ that the way in which the matter had been got through was a credit to anybody.” The General Manager of the Railway considered that it had been “ a tremendous mistake ” to have alienated property on the harbour front to anyone. The local Government, however, regarded itself as “ fulfilling an Imperial necessity, an act of Empire building.” The price was £100,000 *more* than had been paid by the Home Government to the Imperial British East Africa Company for their developments and interest in the whole of East Africa and Uganda. It was, in fact, considered high even in Kenya, but some comfort was no doubt found in the reflection that the burden of cost would fall chiefly on the natives.

When, in the future, deals of this class and magnitude *involve Europeans* in the certainty of increased direct taxation for interest and sinking fund on the necessary loan, if they then slip through Legislative Council at all, they will do so with difficulty and not with plaudits.

An interesting example of that Parliamentary artifice, “ the oblique answer,” may be given as bearing upon the success that had attended the amiable policy of “ shifting the burden slightly ” in Kenya. In reply to a question in the House of Commons on June 12th, 1923, by Sir Robert Hamilton, M.P., formerly Chief Justice of Kenya, as to the estimate for 1923 of the amount of revenue expected from direct and indirect taxation respectively from the British, Indian and African populations, the Under-Secretary of State for the Colonies gave figures relating *not to the year of the inquiry*, but to the previous year. The estimated yields of taxation and Customs duties from the three races in Kenya were stated to be as follows :—

	European.	Indian.	African.
Taxation .. ..	£162,775	£46,790	£501,615
Customs duties .. ..	222,300	96,900	218,900
Total .. ..	£385,075	£143,690	£720,515

What was not stated in the House was that the year selected as the basis of this reply was the last year in which income tax was budgeted for; that, although the tax was budgeted for, it was not collected—for the sufficient reason that sanction had been given by the Colonial Office for this tax (estimated to yield £141,442)<sup>1</sup> to be waived; that the receipts from European direct taxation would therefore decline in the current year to £20,000 or less; that the resulting deficit was to be made up by increased import duties spread over all three races in the Colony, and that avoidance of the payment of taxation by Europeans was “one of the exigencies that they had”—in Kenya. If this is not the explanation of these highly ingenious figures, then various items of *non-tax revenue* must have been imported into the computation, perhaps dipping, testing and survey fees, and even land rent. (Some of Kenya's amateur statisticians even include, as part of their *taxation*, the amount that is paid as railway fares—because the railway system is a State one.)

These “official figures” have been quoted persistently in later years in Kenya to prove that the Europeans there, man, woman and child, pay taxation to an average amount of £42 a head. This figure is arrived at by dividing the alleged European total of £385,075 by the number of the European population, taken as about 9,200. Clearly this conclusion needs re-examination.

Governor Sir Edward Grigg, speaking at a St. Andrew's Night banquet at Nairóbi on November 30th, 1926, computed the *contribution to revenue* (he did not call it taxation) of the races in the Colony in 1924 as follows:—

Africans .. .. .	£999,840 or 7s. 3d. a head.
Europeans .. .. .	£444,789 or £35 10s. a head.
Indians .. .. .	£165,813 or £6 4s. a head.
Goans .. .. .	£53,423 or £20 17s. a head.
Other races .. .. .	£35,000 or £2 18s. a head. <sup>2</sup>

Here again the figure of £35 10s. admittedly includes much that is non-tax revenue, and some that is payment for services rendered or value received—probably much of the Post Office, Forest, Veterinary and Land revenue. The explanation of all adroit attempts to prove that the Europeans in Kenya pay a reasonable

<sup>1</sup> Treasurer's Report for 1922, p. 19.

<sup>2</sup> F.A.S., December 4, 1926, p. 16C.

share of taxation (in view of the benefits they receive and the wealth that they make) is that they do not. At a variety of points they are subsidized from State funds procured from Africans.

At the end of 1926 Sir Edward Grigg<sup>1</sup> insisted that Europeans should pay additional taxation in 1927, to the extent of meeting fully the cost of the education of the European children—previously met in part from general revenue. A committee of Council was set up to advise upon the form that increased taxation of Europeans should take. It suggested a higher tax on spirits and sparkling wines, and a tax on the employers of native domestic servants above the number of two. With a sigh of relief, no doubt, the spectre of any direct tax on wealth, incomes or land was again locked in the cupboard.

The Kenya Government, with a flicker of resolution uncommon in recent years, rejected the Domestic Servants' Tax, and added another thirty shillings to the European poll-tax.<sup>2</sup> All adult male Europeans—from the wealthiest landed proprietor to the wage-earning assistant behind the counter—now pay one and the same direct annual poll tax of £3.

The Parliamentary Commission said, with reference to Kenya: “Just as in Northern Rhodesia and Nyasaland, and throughout the greater part of the Colonial Empire, where non-native enterprise exists, some form of income tax should be adopted.”<sup>3</sup> The Kenya Government finds, however, that less courage is needed, and less unpopularity has to be faced, in taxing other groups and leaving non-native enterprise alone. Sir Edward Grigg has proposed to make his officers work for four-year terms of duty instead of two and a half years as hitherto, thereby hoping to save £92,000 a year in the cost of passages and acting allowances.<sup>4</sup> This has not met with the approval of the medical authorities or of the Secretary of State, at the time this book goes to press.

For a generation the policy of the political machine in Kenya has been to keep direct taxation away from Europeans and European-owned land, so that the class of British subject who is quite willing that anyone may pay taxes for the upkeep of the State, so long as *he* does not, may be attracted to take himself

<sup>1</sup> *E.A.S.*, November 8th, 1926.

<sup>2</sup> *E.A.S.*, Supplement, December 25th, 1926.

<sup>3</sup> *Cd.* 2387, p. 175.

<sup>4</sup> Reprint of Governor's address to Legislative Council, August 10th, 1926.

and his wealth to Kenya, there to buy land from those who have it to sell (at a price). Throughout that period, and up to 1926, the Government in Kenya has clung to the methods of the weakest class of native village headman in West Africa, who, when entrusted with the collection of tax (Sir Frederick Lugard tells us), "will fail to exact it from those who refuse to pay, and will seize an excess amount from those who are unable to resist." <sup>1</sup>

<sup>1</sup> *The Dual Mandate in Tropical Africa*, p. 250.

## CHAPTER X

### THE CAREER OF THE CONVENTION

"Massed opinion always finds the L.C.M. of intelligence."

MAX PLOWMAN.

"... A second important point to which Lord Delamere drew attention is the native in the case. He pointed out that for many years the development of the native had been a genuine and continuous concern of the British settler."

Extract from a leading article on "KENYA AND THE EMPIRE," in the *London Morning Post* of April 27th, 1923, recounting an interview with Lord Delamere.

FROM the earliest days the Government of the East Africa Protectorate displayed commendable willingness to listen to advice from local European residents. Critics of a sardonic turn of mind might perhaps interject that it had no option in the matter, the advice having been tendered in such strident tones as to compel attention. As early as March 1903 officials and non-officials in Mombasa were invited to a public conference to discuss police methods and their future control. The first of many local associations was the Indian Association that was founded in Mombasa in 1900. A Planters' and Farmers' Association was founded in Nairóbi before the European non-officials there numbered a hundred. A petition was sent from Mombasa residents in 1902 through Sir Charles Eliot to the Foreign Office begging for the appointment of an Advisory Council. Although Sir Charles Eliot supported the request, it was not granted, on the grounds that "H.M. Commissioner was always ready to listen to inhabitants of standing." By the year 1905 the Farmers' and Planters' Association had become the Colonists' Association, and the latter formulated rules for the establishment of branch associations. To its annual general meeting at Nairóbi in January 1906 "all settlers were invited."

During 1905 the membership increased by 107 to something over 200. Lord Delamere was the President.

Representative settlers interviewed the Commissioner, Sir Donald Stewart, who had succeeded Sir Charles Eliot on August 1st, 1904, and stated their case for the introduction of representative government in the Protectorate. He listened to the

speeches and then answered: "Not while I'm here, gentlemen." The interview ended and the deputation filed out.

In 1905 the Colonists' Association despatched a lengthy petition to the Secretary of State in London. They had numerous complaints—on barriers to the progress of the Protectorate, the use of African police, the expense of the Government staff, the mining laws, lack of hospital accommodation, the use of Indian currency and the existence of "closed districts," to which traders were not yet admitted. But beyond all these disadvantages there was one real danger—the Native Menace. The "kaffirs," as most of the colonists from South Africa called the natives, were a danger. "By degrees their fear of the white man was wearing off." They were likely to become "insolent." The Government was doing nothing to "maintain white prestige." The natives were something in the nature of "a smouldering fire," *alias* "a human volcano," which might rise "in uncontrollable eruption" and "destroy them" (the petitioners). A safeguard might be devised in the form of "forts" and a "Burgher force." In the meantime the situation appeared, to the petitioners, to be somewhat critical.

It would be difficult to overstate the amusement which this production afforded to the entire Government staff, the missionaries and the scattered settlers who, far removed from Nairobi and its six saloons, were getting to work with the development of their farms. The Government omitted to adopt any protective measures, and all the petitioners survived. Lord Delamere resigned the Presidency of the Association in January 1906.

Sir Donald Stewart had died suddenly on October 1st, 1905. Mr. Jackson's period as Acting Commissioner ended with the arrival of Sir James Hayes Sadler on December 13th, 1905. These changes in the post of Commissioner of the Protectorate involved some delay in dealing with the whole of the issues raised in the colonists' petition. Sir James Sadler pressed for the creation of a Legislative Council, and Lord Elgin, in replying to the petition, announced that he had decided to sanction this change in the Constitution. This concession in July 1906, going beyond what had been asked for in the petition, gave great satisfaction to the Colonists' Association, which under the presidency of a Mr. Frank Watkins (Senr.) had a satisfactory and uneventful year. The annual report for the year proclaimed the belief: "In unity and rectitude lies our strength," and the outgoing

President's address included the observation: "In time it will be found that without the white colonists this country would stagnate and possibly degenerate into a black man's country." A liaison group, to safeguard the interests of settlers and merchants in British East Africa, was formed in London in 1906 as the B.E.A. Association.

At Buckingham Palace on October 27th, 1906, an Order in Council was issued defining the new constitution of the Protectorate. The designation of the post of Commissioner was changed to that of Governor, and Executive and Legislative Councils were constituted. The first Legislative Council met on August 17th, 1907, after the Governor's return from leave in England. Three non-official Europeans had been invited by the Governor to accept nomination to it. These were Mr. J. H. Wilson, a member of a commercial firm at Mombasa, and Lord Delamere and Mr. J. C. Baillie, landholders in the highlands. The last mentioned having died in South Africa ten days prior to the meeting of Council, another landholder, Mr. A. A. Baillie, was nominated in his place on October 18th, 1907.

The Colonists' Association had a more eventful year in 1907. An "urgent whip" was sent round for a general meeting on January 23rd, 1907, and at this Mr. E. S. Grogan was elected President by 95 votes as against 14 given for a Nairobi solicitor. He was in negotiation with Government as to the precise terms of a Forest Concession of some 300 square miles in extent, and was reported as a Director of Estate Companies registered in October 1906 and January 1907 at the coast and in the highlands respectively. In 1907 he was a nominated member of Nairobi Municipal Committee and a Visiting Justice at Nairobi Jail. His motto was "Politics not personalities."

Attention has already been called to the fact that many excited actions by European immigrants have taken place in the "notoriously touchy" months of February, March or early in April. Psychologists might suggest that what is specially wanted for Europeans in Kenya in the trying months is an emotional outlet, such as dancing, theatricals and musical festivals, while for school-children an avoidance of examinations and a lightening of school routine should be arranged. In the absence of some active measure of relief, preferably such as may stimulate the artistic sensibilities, it will probably continue to be the case that some slight contributory cause of worry may precipitate

unbalanced mass-action on the part of European immigrants. In March 1907 a rumour was spread round Nairóbi that three rickshaw boys had behaved insolently to two European ladies. They had run unsteadily, lifting the shafts of the rickshaw too high and alarming the occupants. Of course the rumour became graver than that before it had gone far. On the morning of March 14th the boys were taken by Mr. Grogan, with a large crowd of Europeans at his heels, to the Court House at Nairóbi, and there flogged severely, in spite of the protests of the magistrate. Mr. Grogan flogged one, a Mr. Gray the second and a Mr. Bowker the third. When released the boys were taken to the Native Hospital. Their lacerated backs were photographed and prints were sent to Members of Parliament in London.

The three Europeans were tried by another magistrate and sentenced to a month's imprisonment. Although this was given a form that was far from severe, for they were detained in a private house, allowed to receive callers and to accept delicacies, they were nevertheless probably the most astonished Europeans in Africa on the first night of their detention.

Some three months later Messrs. Grogan and Gray appealed. The judge reversed the decision of the magistrate in the Court below, but disallowed a fresh trial, as the accused had already suffered the term of imprisonment to which they were sentenced. Government in turn appealed in the Court at Zanzibar against the High Court's acquittal of Messrs. Grogan and Gray, but in September the appeal was withdrawn.

Between these events the Colonists' Association, to which the natives remained a "genuine and continuous concern," appointed a Committee consisting of Messrs. Grogan, Gray and one other member to formulate a defence scheme for the European community; at the same time it decided to organize all local branches as a political federation. Mr. Grogan resigned the presidency in April 1907, but was re-elected two months later. There was some dissension in the Association as to his share in the flogging incident. Shopkeepers complained bitterly that the scare as to native aggressiveness was stopping immigration and spoiling trade. Acting Commissioner Mr. Jackson published a Government Notice reassuring the public and "informing them that there is not the slightest ground for any such supposition" as a state of unrest among the native population. Lord Delamere replaced Mr. Grogan as President in October. The



Land Office about this time granted the Association a plot of land in Nairóbi for its headquarters.

A separate Planters' Association was formed in August 1907, and upon Mr. Winston Churchill visiting the Protectorate as Under-Secretary for the Colonies on October 28th, 1907, it laid a separate memorial before him instead of combining with the Colonists' Association. Both referred to the subject of native labour among "other minor points" in their memorials. Deputations were arranged in order to lay before Mr. Churchill the colonists' views on land tenure, white immigration, mining laws, an agricultural bank and the general administration of law. The Coast Planters also sent a separate delegation.

The Colonists' Association at this time pressed for the number of non-official members of the Legislative Council to be increased from three to five, and to be elected by the adult male whites of the Protectorate. Although Lord Delamere was at this time looking forward to "complete self-government," the most that Mr. Winston Churchill was prepared to support was mentioned in a speech of his after a banquet at Mombasa. "We must all admit," he said, "that it will be a long time before responsible government can be granted; but it is no doubt desirable to consider whether additional members should be nominated, and as a future goal the introduction of elective non-official representation."

Ideas of combined action progressed slowly at first. In 1909 the Colonists' Association, the Pastoralists' Association and the Malindi Coast Planters' Association decided to form a Central Committee of Federated Associations. A split took place in the Colonists' Association because it was becoming too "political."<sup>1</sup> Mr. Grogan's scheme of April 1907 for a political federation of all the European associations in the country had not been taken up. He appealed again, on August 3rd, 1910, for an association, not of individuals, but of associations. Lord Delamere had just previously placed his resignation, on some pretext or other, before the Colonists' Association (on July 25th, 1910), and withdrawn it four days later. On August 4th he again resigned, demanding the adoption of a Convention of Associations.<sup>2</sup> This being conceded, he withdrew this resignation also. No count has been kept of the number of times that Lord Delamere has resigned from various bodies in East Africa. In a circle that was

<sup>1</sup> *E.A.S.*, July 30th, 1910.

<sup>2</sup> *Ibid.*, September 10th, 1910.

formerly wide, but which is now narrowing, the threat has often sufficed to effect compliance with his wishes. Eight associations and two chambers of commerce were invited to meet for the first Convention on October 3rd, 1910. The proposal was then formally put and adopted, and an inaugural dinner was held next month, with Governor Sir Percy Girouard as an invited guest.<sup>1</sup> One Association, the Limóru Farmers, formally revoked its previous non-political character.<sup>2</sup> The others merely slid into the new activities in which the promoters of this new venture chose to utilize their services.

Although news of Sir Henry Belfield's appointment as Governor had been most churlishly received by some of the luminaries of the Convention, for they had promptly cabled an expression of disapproval to the Colonial Office,<sup>3</sup> he early accorded it valuable support by requiring any of the local associations, which might wish to approach him upon any topic, to do so through the Convention. This gave it a certain standing as the channel of approach for the farming interests to the Government. The Governor was invited to attend and open sessions of the Convention in person. These ceremonial openings became occasions for delivery by the Governor of a general survey of the political and economic questions of the day. Heads of Departments received a general invitation to attend, and some of those who dreaded doing anything which might involve them in the displeasure of this political group spent whole mornings or days, at several sessions a year, listening to debates which seldom reached a high level. The psychology of the delegates was always a matter of interest, but study of that phenomenon was hardly the work for which Heads of Departments were paid their official salaries. When invited to speak to the delegates, there were some who indulged in detailed interpretations, and even criticism, of Government policy. Subjection of officials to public cross-examination upon the actions or proposed measures of Government, with reporters taking down a record for publication, was about as flagrant a breach as could be imagined of Colonial Regulation No. 45, which lays it down that

"No public officer, whether on duty or on leave of absence, is to allow himself to be interviewed on questions of public policy. . . ."

<sup>1</sup> *E.A.S.*, November 12th, 1910.

<sup>2</sup> *Ibid.*, October 1st, 1910.

<sup>3</sup> *Ibid.*, February 15th, 1913.

But Government took no notice of such displays, and officials who sought either limelight or popularity with this political group were left with an open field to secure it. The delegates, of course, were able to discriminate with ease between senior officials who regarded their invitations with awe and those who failed to recognize them as having a higher claim upon their time than did the work of busy public offices, involved with some issues that were quite outside the scope of a farmers' debating society.

When General Northey assumed the Governorship in 1919 he said, in his first address to his Legislative Council :—

“The Convention of Associations seems to be your most representative body, and I shall hope to be invited to attend its future meetings, with any Heads of Departments or others desired, to advise and discuss, hear and put forward reasonable views.”

It will be observed that this was an inapt remark to make to a legislative body of which more than half the members were officials. The Convention was in no way representative of the official world, nor of the vast African population for which some of the official members stood as representatives. It shows to what an extent the mind even of a keen observer, when new to the Colony, could be obsessed by the importance of one noisy political group.

Fortified by this unsolicited testimonial, the Convention, at its next sitting in July 1919, proceeded to deal with some of the officials who had so far shown themselves to be beyond its influence. A resolution was carried and sent to the Governor :—

“That this Convention strongly condemns the attitude of several leading officials in departing from precedent and declining to attend the Convention to help in its deliberations on those subjects particularly connected with their Departments. If the attitude adopted has been forced on such officials by the Executive Council, then this Convention wishes to record its condemnation of that body, and that, if the invitation has been directly declined by such officials without acting under instructions, that orders be issued that invitations from the Convention in future are not to be refused.”

Even in these first few months in the country General Northey had learned a good deal about the delegates' capabilities. So he replied : “This depends. If Government officials attend, the Convention must moderate its language in regard to Government ; nor can leading officials discuss policy of Government.” As

this was the last written order to be passed on this subject, and as the Convention had taken no steps to ensure moderation of language, at any rate up to the year 1927, officials still enjoy sanction to leave the delegates to enlighten each other.

The point cannot be too clearly made that the settlers who devote their time to the support of the Convention are a minority even of the farmers and planters, and therefore a small minority of the non-official white population. For example, in February 1926, out of more than 400 farmers in Trans-Nzoia, only 133 belonged to the local Association.<sup>1</sup> The fact is noteworthy that none of *the women* of the Colony take part in the Convention, and none of the professional men, except, sometimes, one or two land-agents or lawyers in Nairóbi.

One line of action which has been tried by the Convention is a public display of injured feelings, accompanied by menaces in a local paper. An example of this may be quoted from a date as recent as March 1925. (It will be noted that the month was March.) Delegates, led by Lord Delamere, had been talking with more than usual spaciousness about the necessity of combing out the Civil Service and removing some of the Administration officers who were thought to be unhelpful in the all-important work, from some delegates' point of view, of "encouraging" natives to leave the Reserves and work on their farms. Governors have held office in the Colonial Service who would have known how to deal with the delegates for zeal of this type, but the Convention was on safe ground for the moment. So, its courage mounting, it went on to pass a motion of censure, moved by a gallant colonel, upon Mr. G. V. Maxwell, the Chief Native Commissioner,<sup>2</sup> for not having neglected work in his office and spent the day listening to descriptions of his officers (Assistant District Commissioners) as "anti-white," "nearly Bolshevist," "a menace to civilization," "saturated with democratic and socialistic ideas," "a menace to the prestige of the white man," "little autocrats," "a lot of schoolboys" and in other encouraging terms. Although one delegate, a Major Southon, did suggest that some of these strictures were a trifle harsh, the Convention passed the resolution, expressing "its regret that the Chief Native Commissioner did not see fit to attend or send a representative, although he knew that the subjects of labour and native affairs were to be the principal subjects of discussion." This

<sup>1</sup> *E.A.S.*, February 16th, 1926.

<sup>2</sup> *Ibid.*, March 14th, 1925, p. 14F.

followed upon a leading article in a local paper of the previous day's date which dealt, more in sorrow than in anger, with the Commissioner's backsliding, and contained the hint that

"the Chief Native Commissioner and his staff may profitably reflect that affronts of this nature to a representative body which has won the respect of successive Governors, and that was a potent influence in the country before that Department was created, *and is not without considerable influence now on the fortunes of Government departments and officials, are not to be offered with impunity.*"<sup>1</sup> (Italics are the present writer's.)

When next the month of March approached the Convention returned to the attack. Delegates declared that Mr. Maxwell's tenure of office was "a distinct menace to the future prosperity of the country," and that he "had shown contempt for their efforts." In this latter deduction they may have been correct. A resolution, which was seconded by Lord Delamere, although he was a brother-member of this official on the Executive Council of the Colony, was carried,<sup>2</sup> urging the elected members on the Legislative Council to take every lawful step to secure the removal of the Chief Native Commissioner from his post. In view of this attack Mr. Amery assured the House of Commons that he would accord this official every support.<sup>3</sup>

In the absence of party politics it is natural enough that pent-up energies of oratory and zeal for public service should seek some such outlet as is provided by criticism of the Government of the country. Ample "space" is, of course, at command in the local newspapers controlled by members of this political group, and the officious or voluble experience no difficulty in seeing themselves in print. The inevitable tendency is for any such group of volunteer debaters to degenerate into a mutual-admiration society. Such small groups are to be found in most small Dependencies, and they seem unable to avoid extravagances of conduct, whether the personnel is white or coloured. The same tendency is observable among Legislative Councillors, although they speak, for the most part, with more responsibility. The position of leader among such small and earnest cliques exposes the individual to the risk of making exhibitions which do not evoke the same reverence among detached observers as among devoted followers. Critics of Lord Delamere, who has in

<sup>1</sup> *Kenya Observer*, March 11th, 1925.

<sup>2</sup> *The Times*, February 25th, 1926.

<sup>3</sup> Commons Debates, March 2nd, 1926.

innumerable contexts been proclaimed the leader of the political group among the white settlers, regard with not unfriendly amusement the bizarre displays which he makes at times in the Legislative Council. In the debates in Council upon the 1922 Budget he spoke more than 250 times, while the members of his "Reform Party" sat with rapt faces smiling upon their leader's performance—he has been known to rise and speak 60 times in one afternoon. No one who has not had to face the ordeal of floundering for twenty years in a sea of adulation, a Triton among minnows, should let himself conclude that notions as to his own self-importance might not be grievously distorted by the experience. The delegates, when all is said and done, number something between 20 and 50. The number of farmers is now about 1,700. The little associations scattered about the country have only a small minority of the local residents attending their meetings, though interchange of views upon local problems is frequently useful. It is when the question comes up of sending in a delegate to waste days in Nairóbi that a withdrawal from public service (*sic*) becomes marked. Meetings of the Convention have been frequently arranged to synchronize with Race Week in Nairóbi, of which there have sometimes been four in the year, in the hope of catching delegates from among the more leisured estate-owners who are able to leave their farms for a jollification in the capital. In March 1925 Lord Delamere was complaining that there was no representative from Nairóbi.

The straits to which the Executive of the Convention has at times been reduced in its eagerness to empanel representatives of all the settled districts can be indicated luridly enough by an account of an episode, in the up-country district of Lúmbwa, which gave rise to a notorious trial. It will here be called the "X-Y case." On April 2nd, 1918, Mr. X was called out of bed at about 10 p.m. by one of his boys, who reported that a thief had been caught breaking into the flour-mill. Mr. X employed an assistant, Mr. Y—a native of a friendly Continental nation. He had been with him for fifteen months. "It was his duty to supervise labour generally"—so X explained at the trial later. On this particular night he was not in his quarters, having gone to the railway station, so X turned out and sent one of his boys to bring a *kiboko* (a tapering whip of rhinoceros or hippopotamus hide). Another of the boys explained meanwhile to X that the thief was asking X not to beat him much as he had already been

beaten down at the mill. "I paid no attention to this at the time, as it was a dark night," explained X in Court. He gave him "about fifteen lashes," but he did not count the precise number. Another native employee, Ogóla, explained in Court that the thief's hands were tied together at this time. X struck the thief many times. They all then went down to the river. When the thief got up Ogóla saw that his private parts were hurt and bleeding. X told him to duck the thief in the river. When he was pulled out he was struck six time with the *kibóko*. This alternate ducking and thrashing was repeated three times. Mr. Y then came back from the station with a lamp, and X went back to bed. Y had the thief carried to his own bedroom, as he was now too weak to walk. He was spread-eagled under Y's bed. One leg was tied with a chain to the bed-leg, the other limbs with straps. The thief did not struggle while he was being tied under the bed. He said, "Bring water." Y's cook, Aména, gave him some in an iron mug, but he could not drink it. This witness did not see anything round the thief's neck. Aména slept in the next room to Y's. There was no door between the rooms. Later he heard sounds of Y carrying a person. He knew the body was dead, because it was soft when he saw it carried out by Y. In the morning Y said: "That fool has run away."\*

A few days later Y, carrying some firewood, handed a tin of oil to the first witness Ogóla. X was near the store and could have seen Y giving him the oil. They went across the river and found the body of the thief in a small hole. Ogóla noticed that there was a rope or a piece of cloth round the neck of the body. Y covered the body with firewood and told him to pour oil over it. He did so, and Y then lit the fire.

A Lúmbwa native named Kipsóngó said in evidence that he remembered seeing smoke one day near the river, and, on going to investigate the unusual occurrence, found a partly burnt body of a native whom he did not recognize. He went and reported the matter to the police. Indian Sub-Assistant Surgeon Wilayat Shah of Kericho was taken to the spot to examine the body on behalf of the police. This was six or eight days after the thief's death. The body was 5 ft. 6 ins. in length. It was that of a thin man. There was an iron chain on the left leg and an iron wire on the right forearm. There were marks of tying on the

\* L.E.A., September 7th, 1918.

right forearm and leg. There was a twisted and knotted rag at the neck, but it was burnt on the left side. (Medical details omitted.) The cause of death had been *strangulation*.

The two accused were represented respectively by two of the leading firms of European lawyers in the country. The native witnesses were subjected to severe cross-examination. "The impression of the first witness," says the report of the trial, "was not shaken by a three hours' cross-examination." The jury of nine Europeans was locked up at night in a special house.

The charge against Y was that "he did cause the death of one Mantúga by strangulation and thereby committed the offence of murder." X was charged under Section 326 of the Criminal Code with causing hurt, and also with giving false evidence to the police to screen an offender.

The case lasted four days—September 4th to 7th, 1918. Both defendants pleaded "not guilty" to all charges. Neither of them gave evidence on oath. Judge Maxwell, in summing up, stated that the case against Y was the graver of the two. The jury might find him guilty of murder or of manslaughter or of causing "grievous hurt."

The jury found Y guilty of causing "simple hurt." He was bound over to keep the peace for twelve months. X was found guilty of causing "simple hurt" and was fined Rs. 1,000 (£66 13s. 4d.).

In the same issue of the local paper which reported the trial, there appeared the news that an Indian trader had been fined Rs. 1,500 (£100) for smuggling ten bottles of vinegar at the coast; <sup>1</sup> also that five Indians who were implicated in a fracas in Mombasa bazaar, during which another Indian had been killed, had been hanged at Mombasa.

*The East African Standard* on Tuesday, September 10th, 1918, had a strong leading article on the case. It said:—

"The salient fact in the whole of the sordid affair is that a native—admittedly a thief, but one entitled to justice nevertheless—was brutally done to death last April. As a direct result two men were arrested, but, despite the grave charges preferred against them by the Crown, they are to-day free men at the cost of Rs. 1,000 in cash. This position, which is an extraordinary one, to put it mildly, has been achieved after a patient hearing of all the details of the case lasting four whole days. . . . We

<sup>1</sup> *E.A.S.*, September 7th, 1918.



confess that in our opinion of the case there has been a grave miscarriage of justice. . . . It is absolutely essential in a country such as this that the majesty of the law should be maintained, and there must be no suspicion of the existence of one penalty for crimes of this nature for the white man and another for the black. If the white man expects the black man to respect the law, he must respect it himself. . . . The people of this country cannot afford to condone brutality; it must be deprecated with all the power at their disposal. We must hold the scales of justice evenly, and offenders against the law of humanity must suffer like punishment, whether black or white. It would be subversive to administrative control to risk the native believing that the white man could evade the penalties of the criminal law by the mere payment of rupees. . . . The trial in our opinion constitutes one of the most unfortunate episodes in the history of this country."

That is what the paper said about the case. Most people will agree with every word of it. What the Magistrate who had tried the case in the Lower Court had said in committing these two white men for trial was that in the whole course of his legal experience he had never heard of a graver case of brutality. For this remark he received a sharp rebuke from the Governor. He was subsequently transferred to the West Coast.

What happened to Mr. X was that, after a short absence from the country, he returned, was admitted by the Immigration Authorities and was appointed by the Governor to be a member of the local District Committee—a mark of Government confidence which only ranks next below the honour of being appointed a Justice of the Peace. One Magistrate in the country imperilled his chances of promotion for ever by writing a strong but respectful remonstrance to the Governor as soon as he heard of this appointment. What the Governor replied to this Magistrate (if anything) is not known. Perhaps the Magistrate's letter never reached him, but was intercepted by one of his underlings. One must be very wary in criticizing the Governor's action in this episode, and must refrain from passing any judgment. One does not know under what pressure he was acting. The Executive of the Convention also accepted Mr. X as a representative from Lumbwa. Some of the delegates attending Convention were indignant to find Mr. X there, and ignored him and his remarks, but that did not lead the Executive to reconsider their action in making use of him to swell the assembly by one.

Europeans in Kenya must be content to have tragedies like this one (or worse) crop up at intervals—so long as whisky infests the Colony as it does to-day. But already there are some

who feel that local conditions make it undesirable that *the State* should retail liquor—as it does at bars and refreshment-rooms along the State railways. (There was one at Lúmbwa.) Every small white community amid an overwhelming African population eventually finds that it has to “go dry,” as a matter of self-preservation—when the native masses become sophisticated.

The everlasting note of mutual admiration began to have its effect in due time, and the Convention’s corporate self-esteem grew steadily. Resolutions began to appear with some such preamble as: “That this Convention, representing the entire white population of the Colony . . .” and similar phrases, equally vain. In August 1920 they actually invited the Prince of Wales to visit the Colony.<sup>1</sup> Any educated group which took itself less seriously would have had the *savoir faire* to make suggestion to the Governor of the Colony that he should invite the Prince. Final responsibility for the success of a State function of this sort rests with the Governor, on whom a large part of the expense also falls. The Convention disregarded this detail.

In the year 1919 there were probably many thousands of small debating societies and study circles, with a membership of thirty or more, scattered about the British Empire. But there was only one that thought it ought to have direct representation at the Imperial Conference of that year. Needless to say, that one was the Nairóbi Convention.<sup>2</sup> It actually supplied the necessary cash to pay for that view to be cabled to the Government in London.

The Convention’s “genuine and continuous concern” for the native is exemplified further in the attempted cental coinage manipulation (Chapter XII), in the concerted reduction of native wages (Chapter XIII), in its advocacy of the “30-day month” and its enthusiasm for the finger-print system for the capture of deserters (Chapter XI). The zeal with which it worked up an insurrectionary movement in 1922–23 is described in Chapter XXI. The worst mistake it then made was to forget the existence of the British Navy (Chapter XXII).

The subservience which Governors and Acting Governors in Kenya have shown in their dealings with this body gives rise to serious thought. It is easy for critics whose lot is cast in a stable white society 6,000 miles away to be hasty in conclusions

<sup>1</sup> L.E.A., September 10th, 1921.

V. p. 324.

as to unworthy pliability on the part of servants of the Crown in Kenya. They would be doing the graceful thing by following the advice of Spinoza: "Neither condemn nor ridicule, but try to understand." In a small community where everyone knows everyone else, powers of vituperation, if used remorselessly and without regard to the limits which decency or good taste might impose, have a disturbing effect on any individual who is not blessed with a thick skin or a rare supply of self-complacency. Even Governors, when present as invited guests, have been insulted by members of this body. Some who have been delegates are "home failures," and many are giving their earnest attention to new callings in life for which they have had no previous training whatever. While few are as simple as the gentleman of whom it is told that he appeared to regard stock-raising as properly to be conducted on monogamous principles—for he bought 50 rams and 50 ewes with which to start his farm—it is inherent in the conditions under which the delegates are trying to secure wealth that all of them are learners, and the aptitude for learning notoriously fails many people as middle-age is approached. In a new country where conditions are novel to so many it is easy for assertiveness to take the place of knowledge based on observed facts. Constant pillory in the public Press, in which only one side of every burning question receives full display, is an experience from which the sensitive shrink, either on their own account or for the sakes of those dependent upon them in home or in business. Those who want a quiet life, as it is ordinarily understood, can have it—on terms. Officials who do not mind whether they have a quiet life or the reverse are a trial not only to opponents (which does not matter), but often to confrères and oftener to superiors (which *does* matter). So they get no encouragement and little support from either. None can be sure that he is beyond the need of support in all the turns of Fate that may arise, so those who are gifted with a modicum of prudence avoid involving themselves in trouble. In Kenya this means, generally speaking, that the self-interest of the vociferous must not be traversed. The commercial utility of invective is thus apparent, and the partial persistence to this day of the Convention's influence is a proof of the efficacy of strong language in Kenya's world of politics.

In dealing with some of the problems of the pioneer and the farmer (though the question of native labour must be excepted),

the Convention's treatment has at times been lucid and helpful. The unattractive feature of its record is that, whenever it has been led to believe that officials in the public service were thwarting its aims, it has promptly descended to abuse, or attempted to employ "considerable influence on the fortunes of Government officials."

It is to be hoped that the day may come when the Convention, if it continues to exist, will invariably be able to act with restraint—though that is a difficult matter for most Kenya politicians, seeing that the Ides of March recur annually. At present delegates are setting the country an unwise example, for if other watchful race-groups are led to think that they can best secure their ends by threats and vilification, the public life of the Colony will not be sweetened. Historically the Convention is the political child of the Mr. E. S. Grogan of 1910. In modern parlance it is the Colony's "Big Noise." When a Governor comes upon the scene (as may be the case now) who is open to argument but impervious to noise, the *raison d'être* of the Convention, as it has hitherto been conducted, will be at an end.

## CHAPTER XI

### FINGER-PRINTS

"All political power which is set over men ought to be in some way or other exercised for their benefit."—EDMUND BURKE.

IT will have been gathered that even before the Imperial Government took charge of the country the *Pax Britannica* had begun to descend upon some of the quarrelsome, or at any rate suspicious, tribes. The credit for this lies with the old Imperial Company. The mere extirpation of the slave-trader from the land, infrequent though his raids had been in the greater part of what is now Kenya Colony, allowed of an urbanity of relations between native tribes that had not been possible before. The masterful merciless Arab trader with his armed retinue, even indeed the report of the approach of such a one, was sufficient to spread a cloud of mutual distrust among neighbouring clans or villages. The acceptance by this malign visitor of the hospitality of one village or chief inevitably meant the deliberate picking of a quarrel with some adjacent village or chief. Hostilities flared up, usually with some prelude of treachery. The guns of the visitors meant the enslavement of scores or hundreds of the group which was attacked. Sometimes the trader was driven to slave-raiding by the sheer pressure of prosperity. A chief had been met with who had collected an unexpectedly rich stock of ivory. This had been taken over by the trader by lawful barter, or by the swifter process of massacring the owner and his dependents. So our fortunate trader found himself in the position of having much more ivory than he could carry to the coast. No reward would tempt local natives to travel to the coast as paid carriers. The only solution was to raid a village and capture slaves. The happy promoters of this trading venture then plied the lash for two or three months. The slaves carried the ivory. At the coast the slaves were sold to Arabs or Swahilis, the ivory to Indian traders, who shipped it to the East by the ever-moving stream of dhows. In the dim recesses of vast forests in the interior, lean black men, gliding like shadows, continued to dog the steps of the elephant herds, slaying

when they needed food, occasionally getting slain themselves. The wit of the little man was matched against that of the big animal, and the honours were tolerably even. Pits, covered at ground-level by miracles of camouflage, were employed, and also the poisoned harpoon, launched from the overhanging tree. Meat was the principal yield to the profession. Ivory was a by-product, but it could be bartered for salt, iron tools and other things at the villages out in the open. And so the process went on—hunger, poison, ivory, hardware, trade-goods, slaves, profits.

With the arrival of the British administrator the regime of the slaver came to a sudden end. Still, old hostilities and suspicions among the tribes died slowly, and there was always a chance of commotion if the residents of one district travelled into that of another group or tribe. The elimination of this chance of disturbance, the spread of complete *peace*, was one of the ends towards which the activities of an amazing group of gentleman-adventurers from Britain were ever directed. It was an essential preliminary to *trade*. They were successful. They and their successors have continued to be successful. Football teams now travel hundreds of miles by train and steamer to play the teams of other tribes. In 1922 a Kikúyu firebrand, as will be related,<sup>1</sup> was addressing enthusiastic meetings, 5,000 strong, in Kaviróndo—where some few years earlier he would have been swiftly clubbed. Our Administration officers are welding tribes into a *nation*—which is some day to be a free nation. They are doing it to-day, every day. Let that basic fact never be forgotten. It is at once an inspiration and a warning to us in national work, which, though not carried on without disappointments, is of incalculable influence upon the future history of Africa and therefore upon that of mankind. It is a warning to us that we forget not to pursue our aim with kindness. The offer of freedom, made in a spirit of kindness, is a reagent of unfailing potency in the establishment of the finest relations. Happy the nation that has it in its power to make such an offer! Givers and recipients are transfigured. Skin-colour ceases to matter. Friendship displaces both rule and tutelage. Can any shock of Fate shatter a friendship so builded?

It is trite to record that the early relations of the white administrator with the wise savage usually exhibit both masterful

<sup>1</sup> Chapter XIII.

and paternal aspects. The rise of the latter as the dominant attitude is the first sign of progress towards the far-distant transfiguration. The early administrator insists upon *peace*. He appears upon the scene and announces that peace has been established, merely because he has arrived. It is a challenging assertion, but he launches such swift thunderbolts of retribution upon disturbers of the peace that, as the lesser of two evils, they put up with peace. As some slight and very inadequate compensation, peace brings with it the right of travel, which is found, in the fullness of time, to be joyous. But the dispenser of thunderbolts is watching these early essays along the path to freedom narrowly. He wants to know where the wise savage wants to travel to ; why he wants to go there and when he may be expected back. His word, which is law, lays down the routine that permission must be obtained. A strange piece of white material, previously unknown to the tribe, stiff and crackly, indicates to all beholders that the possessor of it has secured permission to travel outside of his own district. It is carried in a split wand or twig, the end tied up with a shred of fibrous bark. Let no one interfere with the travels of him to whom the *Bwana* has given a " pass " ! Anyone who does so is likely to be discomfited.

At the appointed time the traveller returns and surrenders his pass, now limp and soiled. He narrates his experiences. He has travelled for ten days without molestation. (*The dispenser of thunderbolts smiles at this—just the ghost of a smile.*) The traveller's confidence mounts. He is questioned as to his route. What water is there along it ? How much cultivation ? How many villages ? He is invested with some of the importance which everywhere attaches to those who have travelled, among those who have not. He had taken away with him a parcel of tobacco leaves, and he has brought back a skin bag containing a sticky mass which may be referred to as honey. (*Inter-tribal trade has begun.*)

In due course Higher Authority considers that the practice should be regularized and defined. It is habitually insistent on forms and ceremonies which the dispensers of thunderbolts regard with loathing. The " Native Passes Regulations, 1900 " duly appear. The desire for travel exerts such a healthy growth that it appears feasible at length to make a small charge for the " pass." By " Rules under " these regulations it is ordained that a fee of one rupee must be paid for a pass authorizing a native

to "cross the land frontier of the Protectorate into German territory."

Due to Government's vigorous advertisement in South Africa of the Protectorate as a field for European settlement, and to this coinciding with a period of unsettlement there upon the termination of the Boer War, numbers of South Africans decided to try their luck in the new country. They were enthusiastic about various "Pass Systems" that prevailed down South. These were, they reported, no expense to the Government there. In fact, the charges which the natives had to pay were so varied and numerous that the resulting revenue not only made the pass system self-supporting but also sufficed to pay a *real* Police Force—not an apology for one, like the Protectorate's. The Land Commission of 1905, under the chairmanship of Lord Delamere, advocated a Pass System for the natives. The demand was constantly appearing in the local papers from 1906 onwards. A Master and Servants Ordinance came into force on May 1st, 1906, but made no provision for passes or other certificate of identity for the labourers.

In 1908 the Labour Inquiry Board, which has been referred to in Chapter VI, had recommended that a poll tax should be imposed on every adult male African instead of the hut tax then levied. This Board consisted of one official, who had had no direct experience in the administration of natives, and two settlers, and in support of the proposed new tax it urged that the receipt given for the tax should be in such a form as would allow identification of its holder, and that, when equipped with this combined tax-receipt and identity-ticket, he should be allowed to travel over the country at will.

Lord Delamere in 1909 supported the imposition of the poll tax on the natives for the reason that Government, in order to be able to distinguish between natives who had paid their tax in any one year and those who had not yet paid, would be forced to establish some measure of registration which would allow of the identification of individual taxpayers. The poll tax was in due course imposed in 1910 in addition to the existing hut tax, but the receipt given was not of a type that served to identify the native.<sup>1</sup>

The Native Passes Regulations of 1900 gradually became a dead letter. The increasing indulgence in travel killed them.

<sup>1</sup> *E.A.S.*, April 10th, 1909, p. 11.



By 1913, from the one district of Fort Hall, 10,000 natives were leaving every month, for longer or shorter periods. The District Commissioner and his Assistants would have had their entire time taken up in interviewing would-be travellers and signing passes if they had attempted to enforce the regulations.

When the Labour Commission sat from September 1912 to July 1913, the agitation for a Pass Law was strong. Out of 205 non-native witnesses, 78 pressed for either an Identification Law or a Pass System, or both. A Pass Law was opposed, however, by the Chief Native Commissioner, the Director of Public Works and other official witnesses, as also was the recently imposed poll tax on natives, and the Commission, while reporting unanimously in favour of an Identification Law on the lines of that of Southern Rhodesia, recommended that a Pass Law should not be adopted as it would probably prove a deterrent to labour-supply.

Towards the end of the War a scheme for the settlement of ex-Service European men and women was mooted, and received the consideration of the Governor's War Council. It had appeared to the Governor at the outbreak of the War that, since the vast majority of the European settlers, and the Civil Servants who were not retained at their posts under Government orders, had gone to the front in German East Africa or elsewhere, it was appropriate that some of the settlers who had not gone should be invited to assist Government with their advice—a mixture of a tribunal and of one of those "Business Governments" which were tried in various countries during the War with results more or less bizarre. The East Africa Protectorate had been the first British Possession to adopt compulsory military service as the law of the land. The major exploits of this Council in the domain of business were to father the Soldier Settlement Scheme, which turned out to be so largely a fiasco,<sup>1</sup> and, in a Napoleonic moment, to order from England by cable 1,000,000 hoes for sale to the natives of the country. When sounder judgment supervened, efforts were made by cable to cancel the order. Cargoes of barrels containing hoes by the gross were already arriving in the country, and the business gesture of the War Council was seen to have been too affable. The proportion of the order which it proved impossible to stop amounted to about half a million. This stock continued to glut Government stores for years, and

it came to be regarded as an unkindly act to say "Hoe" or even "Ho!" to an ex-War Councillor. However, as some compensation for their damaged business reputations, they were able to denounce Government Departments for holding stores to too high a total value. That gave them pleasure, and memories in Kenya are short.

The War Council's cogitation upon this prospective influx of soldier settlers led it to press also for the enforcement of the Native Registration Ordinance that had been put forward in 1915. The Land Settlement Commission which reported on November 21st, 1918, recommended the immediate application of the ordinance. At the first meeting of the Convention of Associations after the appointment of General Northey as Governor in 1919, the following resolution was passed :

"That in view of the appalling insecurity of native labour which seriously interferes with industrial expansion, the administration be urged to formulate a definite policy and to apply the Native Registration Ordinance 1915 forthwith."

Views had changed somewhat in the meantime, and it was thought well, by Government, to draft a new Bill. This was put before the Legislative Council on May 3rd, 1920, and it passed third reading on July 5th, 1920.<sup>1</sup> It repealed the Native Registration Ordinance of 1915 with its amendments of 1915 and 1918.

It laid down that every male African native apparently above the age of 16 years should be registered, and should carry a registration paper or certificate which would be issued to him by registration officers appointed by Government. He was to produce this on demand of a police officer or other authorized person. Failure to do so would render him liable to a fine not exceeding £15, with or without a month's imprisonment. The same punishment was prescribed for seven other offences by registered natives.

Any person who should employ an unregistered native within certain prescribed areas would be liable to a fine not exceeding £50, with or without six months' simple or rigorous imprisonment. The same punishment was prescribed for eight other offences by non-natives.

Notwithstanding anything in the Law of Evidence the certificate of a prescribed officer that the thumb-print of a native was identical with

<sup>1</sup> *Proc. Leg. Co., Second Session, 1920, p. 7.*

one filed in a Central Finger-Print Bureau would in future serve to identify the native. Any employer of labour or his agent on his farm or premises might demand from any native the production of his certificate at any time. Failure or refusal to do so was a criminal offence for which the Police might arrest without a summons and for which, upon conviction, the native would be liable to a fine not exceeding £3, with or without a month's simple or rigorous imprisonment.

A notification of any desertion of a native by the Chief Registrar of Natives to any Magistrate or Police Officer was to be treated as a complaint made by the employer. All employers had to keep labour registers and submit returns.

The Governor-in-Council might apply the system in any given area to male natives of less than 16 years of age; he might make rules waiving the carrying of certificates by natives, or for fixing fees and charges, for prescribing the form and contents of ledgers and certificates, and other matters.

The system was launched in August 1920. Scores of thousands of natives were ordered into the offices of District Commissioners to have their ten finger-prints taken and tribal particulars recorded. Administration officers toured the remote villages and did the work there. Tin containers were stamped out by the hundred thousand.

From 1921 onwards, the police began to be busy. For the first three months only 358 cases were dealt with, but thereafter the work "increased by leaps and bounds." The Police Annual Report that published this news contained also a warning:—

"There seems little doubt that unless employers can be induced to render regularly their monthly returns of labour employed or dismissed, the working of this law will fail to achieve the desired results."

There were at this time many employers who realized clearly that this system was designed to operate to the advantage of the worst employers—from whose service they did not disapprove of natives escaping. They were not anxious to help the scheme, and were running the risk of fine and imprisonment in order to see whether it would lapse into disuse as so many other provisions of law in the Colony had done from time to time. The Government this time was resolute, however. Administration officers were launched upon a deserter-hunt which they, as a class, detested. At the end of 1920 registered natives numbered 194,750. During 1921 the number of registrations rose to 389,632; reported deserters numbered 2,790, of which number 2,364 were traced. By May 1922 the number of registered

effectives had reached 435,584. A local paper observed that the system was

“functioning in a manner even beyond the most optimistic expectations.” It was true that “the Department appeared to cost a great deal of money, and in some quarters the Department was considered to be non-revenue producing, but when one considered the amount of good done to the country generally and the revenue derived from fines for non-observance of the provisions of the Ordinance, one could not help thinking that the balance might well be the other way.”

Except that provision was impossible, on financial grounds, for photographing these 435,584 natives, the system employed was substantially that in use by the Criminal Investigation Departments of the Police Forces of European cities in the identification of criminals who fall into their hands. This system is thoroughly scientific; it is effective. Yet there were still some Europeans in the Colony who considered it unjustifiable to impose such a system upon the entire adult male group of a people under British protection.

In the earlier months of 1922 the number of desertions (for one month) fell to three per 10,000 of registered natives. Later in the year the local paper was able to observe: “Since the system was inaugurated, the menace of desertion on the part of contracted labour has departed almost.” The cost of the system was to some slight extent recouped from the fines, of which the great majority were collected from natives. Apart from this, the entire cost was met from State funds, which, again, were mainly derived from native sources.

The interference with native life was prodigious. There were numerous offenders beyond those who were deserters. Natives who lost or destroyed their certificates, perhaps after desertion, or who were in wrongful possession of another's certificate, perhaps unwittingly, were tripped up by means of their finger-prints and punished to the number of 2,479; the total number of offenders and criminals under this ordinance standing at 8,377 (involving tens of thousands of detentions and interrogations) by the end of February 1922. This date is especially mentioned because official statistics were handed over to the newspapers, correct up to February 28th, 1922. With the irony which the march of events has so often imported into East African affairs, it happened that upon the day on which these particulars appeared in print, Government surgeons were

busy in the Native Hospital at Nairóbi, dealing with the victims of rifle and revolver fire by armed police into a packed crowd of native men and women,<sup>1</sup> because this had included supporters of a native agitator who had enjoyed a meteoric career, amply financed by native funds, denouncing the measure to enormous audiences over a wide sweep of native territory.

The report containing the official statistics in question reviewed the operation of the ordinance and gave a list of "a few of the benefits to be derived by all parties from the registration of natives." The readers were left to guess what the many other benefits might be. Here are the few :—

- " Stability of labour. This will be more thoroughly appreciated by farmers with pre-registration experience.
- " Detection and identification of criminals.
- " Identification of deceased natives. In the case of contracted labourers especially, this enables the Labour Department to pay the defunct's estate promptly to the next of kin.
- " Proof of employment by a native and record of salary earned.
- " Effective check over payment of native tax (when registration is complete).
- " Prevention of miscarriages of justice through mistaken identity.
- " Feasibility of allowing bail to natives on their own cognizances.
- " Labour and other statistics."

The ordinance had been received with remarkable submissiveness by the natives, but it gave rise to deep discontent. The year 1921 saw the establishment of a Young Kikúyu Association, and a more militant East African Association, claiming to speak for all the native races in East Africa, and distinctly anti-European in some of its views. In Kaviróndo there were one or two exhibitions of intentional affront to Government officers, and on December 23rd, 1921, a long document relating Kaviróndo grievances was sent to the Government.

In August 1922 the Governor, Sir Edward Northey, visited North and South Kaviróndo and addressed large meetings of natives. The censored report of the Governor's remarks on Registration runs as follows :—

" It was difficult to understand their objection to registration, which was introduced only for their own good. All that was required was identification of natives outside their reserve and an honest man could have nothing to fear from carrying his certificate about. They must all

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<sup>1</sup> V. Chapter XIII.

agree with him that identification of bad characters was desirable. A native is protected by his certificate from a bad employer.

"More Europeans had been punished, in proportion, for breaking registration regulations than natives.

"He could only repeat what the C.N.C. had said, that Europeans themselves had to carry *kipandis* when they left their own countries. He himself could not go through a foreign country without a *kipandi*.

"Registration was not an indignity and was only intended to help them. There was no difference between a *kipandi* and a passport."

He also announced that mass meetings must be stopped, as they were bad and dangerous. The wishes of the younger and educated men should be brought to the notice of the District Officers and they would then be laid before him. A clear invitation for the discussion of grievances was extended, and the Governor's various speeches undeniably had a wholesome effect. He told the natives that they could work with their cattle or in their gardens, and that Government would increasingly help them with education and with veterinary and medical aid.

The one policy which the local Government pursued in the year 1922 more wholeheartedly than any other one was retrenchment. Post-war depression was at its worst. The "Geddes Committee," consisting chiefly of settlers, was wielding the axe lustily. Government expenditure was to be cut down by hundreds of thousands of pounds. The Registration system was in real danger of being abolished, on the score of economy. Local Associations in various parts of the Colony passed resolutions demanding that, whatever else had to be disallowed, the system should not be tampered with. The Convention supported this view, and it accordingly remained in force.

After more than six years' operation, it is still rigorously applied. Modification is scarcely possible. No permissive feature can be imported into it. It is impossible, for instance, without reducing the whole scheme to futility, to announce, at any certain date, that natives subsequently reaching the age of 16 need not be registered, while keeping the system applied to half a million of the population previously registered. It is impossible to make the submission of returns by employers optional. Unless they all send them in, the Central Bureau has not the full information with which to trace native movements. There are many employers who would gladly see the system discarded. They were not inconvenienced by desertions even before it came in. They have always been able to get labour,

even when some of their neighbours were able to get none. Their labourers are well housed and well fed. The ration of food-stuff prescribed by Government is exceeded, and the master sometimes gives them shot antelope or zebra meat. The labourers increase in weight while they are on the farm. They have school facilities outside their working hours. Wages are promptly paid and irritating fines and stoppages of pay are unknown. Games are indulged in and cultivated. On many such estates the labour of compiling and submitting monthly returns would gladly be discarded, with its concomitant risk of interrogation or reprimand from Central Bureau in Nairóbi, of police visits, deserter-hunts in the native quarters and the possibility of having to appear in Court for inadvertence in failing to comply with some provision of the ordinance. But no. All employers must stand or fall together, it is said. This means that unless good employers support this infliction and countenance the expenditure of public money which is involved, the worst employers will be faced with ruin. That is precisely the case. They would. When the system collapses, they will be helpless. They will have to sell their estates, if they can, and disappear—or amend their ways. And so the system is maintained in full rigour by the Government. By October 1924 the number of registered natives had reached 519,056. By a Proclamation of the Governor in March 1923 the system was extended, in the Nakúro district, to boys apparently of or above the age of 12.<sup>1</sup>

The tribulations of the natives were genuine. A Másai visiting Nairóbi, as he had probably done scores of times before, was fined Rs. 10 for being without his paper, although it was made clear that he would have had to travel on foot about 56 additional miles to procure it. Maximum sentences were frequently inflicted without much regard to any justification that the native may have had for deserting. The Supreme Court in May 1922 reduced one particular sentence for desertion to one month's rigorous imprisonment, but unfortunately the accused had already been imprisoned for two months.

Those who are so short-sighted as to rest satisfied with the temporary advantages which the system accords to one restricted class, in disregard of its ultimate influence upon the wider relations of white and black, are a danger to their own class and to the Colony. The system can only persist with the tolerance of

<sup>1</sup> O.G., March 21st, 1923, p. 277.

the natives themselves. That is the point of which the Kenya Government should never lose sight. Wherever the native may be, outside the Reserve, at work or at play, travelling or resting, he is liable to arrest by the police and prosecution on a criminal charge if he has not this certificate on his person. If a gang of labourers choose to mutilate or destroy their certificates, they can be imprisoned. If 1,000 natives in concert destroy them, they can be fined. If 10,000 or 100,000 decide to discard the certificates, the system will be at an end. That was the possibility that was beginning to emerge in 1922, when Government subdued native objection by what all Africans regard as a display of ferocity.<sup>1</sup> Who can rest assured, however, that the seed then planted in heated minds is not germinating slowly there to-day? And if the product comes to the surface in due course—what then? There will be a clash of wills that may shake the authority of Government itself. There may be a violent reaction against white employers, good, bad and indifferent—an industrial crisis accompanied by unrest and some inconvenience for the native, but by complete disaster for the employer class. This risk is being carried at present, by Government, settler, investor and trader. The wisdom of doing so is at least open to question.

The intention of the system is that the native shall not escape if he has "made his mark" on a contract—which he cannot read. In taking this step the native is not a free agent. The main weight of Government taxation falls upon him. The Government is inexorable in its demand for cash. Europeans may combine as a Taxpayers' Protection League to defy the law. Politicians, provided their skins are white, may preach the organized non-payment of taxes—without rebuke and without punishment. If a politician in a black skin did identically the same thing, his village and district would know him no more. Europeans in Kenya devote a substantial proportion of their time to recreation, games and sport. Regardless of native festivals or ceremonial occasions, settler associations press the Government so to arrange the collection of tax from the natives that the demand shall synchronize with the period of most urgent demand for labour on the plantations. The demand falls upon the native, and can only be avoided in one way, which will be alluded to shortly.

What happens next may be described and cannot be denied.

<sup>1</sup> V. Chapter XIII and p. 445.



The tax collection begins and is vigorous. Disregarding the revenue from the Másaï tribe, which is about £16,000, the remainder of the Native Hut and Poll Tax represents about 900,000 individual taxes. It was always the case up till 1922, since when conditions have improved (*v. p.* 313), that the natives procured only a fraction of the cash with which to pay these taxes by the sale of their produce. The bulk of it was obtained by labourers, 200,000 or fewer, working for wages paid by Government, settler or merchant. Organized growth, under expert instruction, of either common or valuable crops by the natives would make them rich enough, in a season or two, to meet the Government's annual demand for cash, especially if skilful marketing were organized on their behalf. Scores of thousands of natives have no cash in hand, no prospect of surplus produce of cash-value equivalent to the tax, and no prospect of expert aid in the complex operation of marketing for export. Some might be able to slip into the employment of a European or Indian wagepayer close at hand, who would engage them on a month-to-month basis. The majority had no such luck. They tendered themselves to firms of labour recruiters, whose agents toured the villages. They were marched in droves to the nearest Magistrate. Men of this class are the paid servants of Government, but pressure is unceasing that Justices of the Peace, nominated from among the resident settlers, should have their powers enlarged to the extent of being authorized to deal with labour matters. It was carefully explained by the Government Magistrate to the native that a certain *Bwana*, perhaps hundreds of miles away, required labour for six months. Was he quite willing to go?

If he offered to go for one or two months, he was generally told that the *Bwana* did not want any labourers on those terms. If he declined to go and returned to his village, he would probably be victimized by the headman or chief, with whom—although these are paid servants of the local Government—the agents of the labour recruiters cultivated the friendliest relations, often at some expense to the firm. This was almost the only class of paid official in the Colony for which the professional labour-recruiter did display any friendship. In addition to other tribulations, the native would still have to face the tax-collector.

Unless he is rejected upon a medical inspection as unfit to labour—and employer-opinion in the Colony is divided as to the

comparative advantages of rigorous and perfunctory examination—he makes his thumb-impression on a form of engagement which he cannot read, and thereby “contracts” to work for a term of months—usually three to six. Outside Government employ, the latter means six working months of thirty working days each—a period of 180 working days, in which Sundays, periods of illness, casual leave and holidays (if any) are not counted and in which a half-holiday is unknown. Often it is seven or eight months before he can get home again. He may have the luck to find himself in the hands of one of the better employers whose methods have been alluded to above. He may find himself in the hands of an employer temperamentally unfitted to have either man or beast working for him—the former even less than the latter. In the first case, escape is not thought of. In the latter case, it is barely possible. The “system” is too inhumanly effective.

All the terrors of law and police are at the heels of the native if he bolts. He will, as a rule, cheerfully face an unknown evil to escape a known one. He can only escape recapture by disappearing out of the Colony—or into the forests. These vast domains served, for years, as sanctuary to increasing numbers of lawless natives. They were an anxiety to Forest officials, a perplexity to Native Affairs officials; but they were as secure as it was possible to be anywhere in the Colony from a pursuing Government acting, automatically and relentlessly, on behalf of some European or Indian employer who with a stroke or two of the pen had filled up the appropriate form.

In October 1922 the Government introduced a short Bill removing desertion from the list of crimes (like burglary, house-breaking, etc.) that are *cognizable to the Police*. Lord Delamere and his Reform Party protested so strongly against any change that Government let the matter drop. Government, however, effected this change in 1925. It is now no longer sufficient to report a deserter's number to the Police; the employer has to take out a summons and charge the native with desertion. Few employers dare to do this, because labour supply is generally inadequate, and the step would make them unpopular in labour circles.

With an ignorance of native psychology which is usually abysmal, the European employer listens to a request for release from this cast-steel “contract” by a shifty-eyed labourer who, even to the undiscerning gaze of the Westerner, is obviously

The Chief Registrar of Natives,  
NAIROBI. N.A.D Form No. 54/

**COMPLAINT OF DESERTION OF REGISTERED NATIVE.**

Native's Certificate No. .... Name .....

The above native deserted from my employ .....

He was engaged on ..... on ..... (date)  
 (date) ..... days verbal contract  
 ..... months written contract

at .....  
 (place) ..... (Contract No.)

I wish to prosecute him for this offence and hereby agree to appear to produce evidence if and when called upon .....  
 (Contract No.)

Address ..... Signature of Employer.  
 Date .....

---

The Chief Registrar of Natives,  
NAIROBI. N.A.D Form No. 54/

**COMPLAINT OF DESERTION OF REGISTERED NATIVE.**

Native's Certificate No. .... Name .....

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The Chief Registrar of Natives,  
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**COMPLAINT OF DESERTION OF REGISTERED NATIVE.**

Native's Certificate No. .... Name .....

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 ..... months written contract

at .....  
 (place) ..... (Contract No.)

I wish to prosecute him for this offence and hereby agree to appear to produce evidence if and when called upon .....  
 (Contract No.)

Address ..... Signature of Employer.  
 Date .....

PLATE V.—THE REGISTRATION SYSTEM AT WORK IN 1922

These sheets of tear-off forms were supplied free by Government. On an employer's filing in particulars, the Government traced and arrested the native deserter and subjected him to a State prosecution, at which the employer, if required to appear, could claim witness expenses.

telling lies. Some idiotic pretext is adduced to cover the request. Perhaps the time-honoured "aged relative seriously ill" is made to do duty. At the entire option of the employer, the request is granted or refused. Not one settler in a dozen would dream of letting *Thahu* interfere with profits. Probably not one in a hundred could sit down and write a list of 25 different types of *Thahu* that may suddenly blight the peace of mind of his pagan wage-earner, even dooming him, in certain cases, to early and mysterious death unless he can secure ceremonial "purification" by prescribed rite and payment. Irresponsibly or inadvertently the pagan may do something, or see something done, which renders him, in the Levitical sense, "unclean." He has suffered "defilement." If it happens that he eats food cooked in a cracked pot, if certain birds (e.g. a francolin or kite) settle on sheep or goats that he is herding, if a native bedstead, of jungle-wood sticks, breaks under him, if he acquires any incomprehensible disease, if he is cursed by anyone, if he is bitten by a dog, if, when he is herding cattle, a cow should twist its tail round the low branch of a certain bush—by any one of these, and scores of other mischances, ceremonial uncleanness is acquired.<sup>1</sup> These primitive beliefs may be studied by ethnologists who can contrive to develop an interest in them, but they are not allowed to interfere with modern industry, conducted for profit. Yet there are occasions when neither the refusal of the employer nor the terrors of the law can prevent a native from absconding to discharge an obligation laid upon him by "superstition." Ordinances framed in a Legislative Council which never hears, from year's end to year's end, of any relation between anthropological research and the wording of Bills, can, of course, make no provision for such contingencies. There may or may not be something inherently wholesome in this inescapable demand of native custom upon the time and attention of the native. That is immaterial. It is only part of his dawning civilization and not part of our resplendent one. So our demand upon his time and attention has to receive prior response. As Major Grogan, the timber concessionaire, has pointedly put it:—

"It is our Western Civilization that we are imposing, in principle, on the African native and adapting, in particular, to his or our needs.

<sup>1</sup> W. S. and K. Routledge: *With a Prehistoric People*, pp. 257, 258 (Arnold, 1910). C. W. Hobley: *Bantu Beliefs and Magic*, pp. 103-145 (Witherby, 1922).

“ I am not prepared here to argue that our Western Civilization is superior to the fundamentally distinct Civilization of the East. The issue is that, for good or ill, we are imposing *ours*.”

And again :—

“ Short of compulsion, direct or indirect, the main mass of Africa’s inhabitants ” (Note the statesmanlike breadth of view) “ will never take part in the development of their country. We can never develop their country without their co-operation, because where negroes are, white men will not do manual work. And the negroes will not disappear, as have savages of other lands.”

While admitting the inconsiderateness of “ the savage negro ” in not disappearing in bulk, the student of history is left wondering whether the Registration System of Kenya is one of the direct or the indirect forms of compulsion.

## CHAPTER XII

### THE COLLAPSE OF THE GREAT SHILLING SWINDLE

"Occasions are, indeed, not infrequent when the interests of commerce apparently clash with those of good government. The word 'apparently' is used with intent; for though some few individuals may acquire a temporary benefit by sacrificing moral principle on the altar of pecuniary gain, it may confidently be stated that, in respect to the wider and more lasting benefits of trade, no real antagonism exists between commercial self-interest and public morality."

LORD CROMER

on "The Government of Subject Races," in the  
*Edinburgh Review*, No. 423, January 1908, p. 5.

ONE of the steps taken by the Imperial British East Africa Company in the early days of its regime was to design and mint a coinage of its own. This consisted of a rupee, half-rupee, quarter-rupee and two-anna piece in silver, and a copper pice or farthing. The rupees and subdivisions of the rupee that were in use in India were legal tender in East Africa also. The converse was not the case. The Company's coinage was legal tender only in the territory it administered. The copper pice, or quarter-anna or farthing, was the smallest coin minted by the Company; 64 pice, equal to 16 annas (pence), were the equivalent of the rupee. Five or six varieties of pice were in circulation on the African coast.

In the early days of Government control (Order in Council, May 19th, 1898) the silver rupee of India was made the standard coin of the East Africa Protectorate. Throughout the period of the Company's regime, and for the first twenty years of British Government in the country, the rupee stood substantially at the value of 1s. 4d. Government officials, to whom salaries of a stated number of pounds were due, were paid in fifteen times that number of rupees. A settler bringing British money into the country with him could, throughout this period, get fifteen times the number of rupees from bank or money-changer for the pounds he tendered. A settler requiring from the bank an advance of £100 would get it in the form of 1,500 rupees.

This retention of Indian coinage as the currency of the country gave rise to sporadic outbursts of objection, chiefly on sentimental grounds. Immigrants from South Africa, in particular,

were apt to complain of the enforced change from British to Indian currency with which they were faced on landing in the country.

At an early date Government took steps to eliminate the copper coins called pice. The divisions of the rupee that were substituted for the pice were a cental coinage consisting of 10-cent, 5-cent and 1-cent pieces. Six cents were regarded as equivalent to one anna, and therefore, as the Right Hon. Mr. Winston Churchill pointed out on his visit to the Protectorate in September 1907, it followed that 96 cents were equivalent to a rupee of 16 annas, while by an E.A. and U. (Currency) Order in Council of 1905,<sup>1</sup> which gave effect to this change of currency, the rupee comprised 100 cents. Employers paying their labourers, and Indian or other pedlars giving change, were, with some show of legitimacy, able to save four cents in the rupee at the expense of unsophisticated natives. This was, however, a minor infliction compared with what was to follow. The native's mind for many years continued to reckon in *pice*, and he went through the mental arithmetic of seeing that he received three of the new cents for every two of the pice which he would have received in the older currency.

The introduction of the new cents, which were made largely of aluminium, was accompanied by a quaint and unexpected disaster. Shortly after introduction into the country they disintegrated into powder. The native who buried his little store of coins in a bag in the floor of his hut found on extracting it after a term of a few weeks that the bag contained only a coarse granular collection of spelter—a grey metallic-looking powder. Large stocks in the strong room of the Treasury at Mombasa shared the same fate. With the least possible delay, a new cent was struck in a nickel bronze. It is extremely doubtful whether the bulk of native holders were ever reimbursed in the new coinage for their lost holdings in the original cents.

These cental coins, in view of the primitive class of native among which they were to circulate, had a hole through the middle by which they could be carried on a string by owners who wore no clothes and who therefore might be expected to have no pockets. By such simple savages a string of coins was frequently worn round the neck or hanging from a string or thong round the waist.

<sup>1</sup> O.G., 1907, p. 78.



PLATE VI



PLATE VI.

1. The Indian rupee.
- 2, 3. The half and quarter rupee of the East Africa and Uganda Protectorates, up to 1920.
4. The coin (same size as 2) minted in England for use as a shilling when the rupee in Kenya was stabilized at two shillings. It bears the words "FIFTY CENTS—ONE SHILLING." It was never used in Kenya.
5. The ill-fated one cent of 1907, in aluminium. Shortly after arrival in Africa it degenerated to powder.
6. The half-cent coin, the existence of which was so resolutely forgotten when Kenya wanted a smaller coin than the cent in 1920.
7. The East African florin. Seven and a half million of these were sent to Kenya, but never used.
8. (In nickel-bronze) 10 cents of a rupee (or florin) up to 1920. A coin from a similar die, but marked "EAST AFRICA" instead of "EAST AFRICA & UGANDA PROTECTORATES," and in copper-bronze instead of nickel-bronze, is now 10 cents of a shilling.
9. The East African shilling of 1920 and later years.
10. The 5-cent piece—in nickel-bronze 5 cents of a florin; in copper-bronze ("EAST AFRICA, 1920") 5 cents of a shilling.
11. "Fifty Cents—Half Shilling" (= 6d.).
12. The cent of a florin (nickel-bronze).
13. The cent of a shilling (copper-bronze).
14. The quarter shilling (25 cents).

The copper pice were in due course demonetized and called in. The cent enjoyed an untroubled vogue for a dozen years or more. It will be gathered that since the rupee was valued at 1s. 4d., 15 rupees, or 1,500 cents, were equivalent to a pound.

The use of the silver rupee for the payment of large sums was inconvenient. An issue of Protectorate currency notes, of the values of 5, 10, 20, 50, 100 and 500 rupees, was therefore decided upon and was put into circulation on April 2nd, 1906.

In the adjoining Uganda Protectorate a very much smaller currency token had been in use for generations. This was the 1/1,000th part of the rupee, and it took the form of a *cowrie shell*. Commodities were cheaper in Uganda and supplies were often required, and bought by natives for a smaller sum than one cent. So a half-cent coin was minted and circulated, and the cowrie shell was "demonetized." The half-cent coin was not popular, however, and its existence was conveniently forgotten during the currency scandal of 1921 in Kenya, which is now to be described.

After the War, for reasons entirely unconnected with any of the activities of the Protectorate, the rupee began to rise in value. When the Colonial Office published in 1919 its project for a Soldier Settlement Scheme in East Africa, it took care to point out that the value of the rupee had risen to 1s. 9d. The soldier settler would receive in East Africa, for each pound he took out there, only about 11½ rupees instead of 15 as formerly. The native labourer still required the 4 or 5 rupees that he had previously received as his month's wage. A European still paid at a barber's shop the same rupee for getting his hair cut. The poll tax payable to Government by a male European was still 15 of these (now more expensive) rupees. It was clearly a case where the Colonial Office acted wisely in uttering a note of warning.

The rupee continued to rise in value, and the settlers took alarm. Most of them had incurred liabilities in the form of advances from the banks, mortgages on their properties or loans on the security of their farms from commercial houses, Indian or European. Many of them had to meet these liabilities by obtaining money from home. By the early months of 1920 a draft from London for £100 only produced 1,000 rupees in

Kenya instead of 1,500 as formerly. The rupee continued to soar even above 2s. It reached 2s. 4d., then 2s. 6d. Panic seized the landholders. Meetings of farmers signed memorials and sent petitions to Government urging, in some cases, merely that the rupee should be stabilized; in other cases, with more precision, that it should be stabilized at 2s. Referring to this period in a speech in Legislative Council at a later date, General Northey stated that "there had been an almost unanimous demand from the people of the country for the fixation of the standard current coin that they were using."<sup>1</sup> Bank managers found increasing difficulty in dealing with embarrassed and desperate clients.

Government took swift action and made representations to the Colonial Office, reporting the expressed wish of numerous communities for stabilization. General Northey was, as it happened, able to follow his recommendations home and to support them in person in England. This was because he was called home to confer with the Secretary of State upon a variety of topics. He strongly supported stabilization, but at the value of 16d. Just at the time of these negotiations the rupee had reached the record value of 2s. 10d. The advisers of the Secretary of State held that it was impossible to stabilize a 34d. rupee at the value of 16d.<sup>2</sup> It was therefore stabilized at 2s.

General Northey was not only Governor and Commander-in-Chief of the Colony and Protectorate of Kenya, but was also High Commissioner of Zanzibar. The Treasurer of this important island was at home in England on leave, and was strongly pressed to concur in the adoption of a stabilized rupee in that Dependency, but he exhibited an attitude of such uncompromising denunciation towards any suggestion of stabilization that he was left in peace with a fluctuating rupee, and the commercial community in that fortunate island were spared the feverish and ruinous "security" which afflicted the adjacent mainland.

From here on to the end of this chapter it must be remembered that stabilization was clamoured for by settlers in nearly all parts of the Colony, though few if any of them were finance experts in any degree competent to advise such a step.

On May 7th, 1920, at a meeting in Nairobi of the Convention

<sup>1</sup> *Proc. Leg. Co., Third Session, 1920, p. 77.*

<sup>2</sup> *Commons Debates, April 26th, 1920.*

of Associations, the B.E.A. Farmers' Association of Nakúro brought forward a resolution :—

“ That this Convention begs to thank H.E. Sir Edward Northey for his efforts in stabilizing the rupee at 2s., and, if there is no further hope of the rupee being converted at 1s. 4d., will abide by this decision to convert at 2s., but wish to strenuously oppose the introduction of the florin as a token coin. This meeting hopes that the shilling or 50-cent piece will be the highest token coin.”<sup>1</sup>

The chairman pointed out that His Excellency had striven to reduce the rupee to 1s. 4d., so that the wording of the resolution was not strictly applicable to the case. They could, however, thank His Excellency for his strenuous efforts in having achieved a settlement.

*On the 16th of June, 1920, the rupee fell below 2s.* No doubt the Treasurer of Zanzibar smiled—to himself.

At first the decline in the value of the rupee was not rapid. Up to September 22nd, 1920, it remained as high as 1s. 10d., but by February 21st, 1921, it had fallen to 1s. 5d. The Kenya Government had made the importation of Indian rupees or Indian rupee notes into the Colony illegal,<sup>2</sup> but smuggling proceeded briskly, both by Indians and Europeans. The bankers advised Government to withdraw the 1-rupee note from legal tender. This was done. Suddenly and without warning a notice in the *Official Gazette* of the Colony announced that the rupee-note had ceased, since the previous day, to be legal tender.<sup>3</sup> Some millions of these had been brought into the Colony to allow of the payment of wages long overdue to African personnel returning from the war area in what had been German East Africa. All notes so held were suddenly declared to be valueless in Kenya. Within seven days prior to this notice, Government officers had been paying native staff in these 1-rupee notes. In some cases payments were occurring on the day preceding “ demonetization ” of the notes. The Secretariat and the Government Printing Press had, however, kept this particular secret well. The blow fell on February 8th, 1921.<sup>4</sup> Numbers of the officials felt indignant at what they regarded as a piece of sharp practice at the expense of Government employees

<sup>1</sup> E.A.S., May 8th, 1920.

<sup>2</sup> Proclamation, July 17th, 1920 under the East Africa and Uganda Currency (No. 2) Ordinance, 1920.

<sup>3</sup> Proclamation, Feb. 7th, 1921.

<sup>4</sup> *Special O.G.*, Feb. 8th, 1921.

under their control. In some cases representations of theirs were effective, and silver rupees were substituted for the now useless rupee notes. The majority of native holders were, however, victimized. Earned wealth in their hands, in the form of this paper money, was suddenly declared to be valueless in the Colony.

The need for new coinage was now pressing. The Colonial Office, at the instance of the Currency Commissioners, had had a florin coin minted. It was of the same size as the rupee and was marked "ONE FLORIN." (See No. 7 on Plate VI.) The Treasury in Kenya had received 7,561,000 of them, but it put none into circulation, as the Convention wanted the shilling as the highest coin in local use. Stocks of these florin coins, for general use in East Africa, had also been sent, by February 1921, to the Uganda Protectorate and to Tanganyika Territory, and some had been put into circulation there. In the normal course of trade these were quite likely, by changing hands, to come into Kenya Colony. Some 4,000 of them were known to have done so. Prompt action was necessary if the Convention's demand for the suppression of the florin and the adoption of the 1s. or 50-cent piece as the highest token coin was to be granted.

Some of the more nimble-witted among the European "producers" were, however, already turning over in their minds the possibility of having a shilling which should not be a 50-cent piece. The authorities in England, unaware that any attempt of this sort was to be made, had proceeded to design and mint a coin bearing the words "FIFTY CENTS—ONE SHILLING" (No. 4, Plate VI), of the same size as the existing 50-cent piece (No. 2, Plate VI), its equal in value. No information ever leaked out as to how many of these were minted. As will shortly be seen, they were not wanted and were never put into circulation.

During January 1921 the elected European members of Council asked for an interview with General Northey. It may be thought that the unwisdom of listening to advice on finance matters from exponents so entirely unqualified as were these politicians should, after the experience of "stabilization," have been apparent. The meeting was nevertheless held on January 19th, 1921, and a daring exploit was decided upon. In spite of the fact that the rupee had been stabilized at a value, in East Africa, of 2s., they unanimously urged the Governor to effect a sudden alteration back to the old value of 1s. 4d.

which had now become the current value of the Indian rupee once again. The members present promised the Governor that, whatever he did to gain that end, "they would back him up to the very end."<sup>1</sup> It is true that this would mean breaking the pledge which the Secretary of State had given that the value of the rupee was to be fixed in East Africa at 2s. This had been published in the *Official Gazette* of the Colony on March 31st, 1920, and for more than nine months the business of the Colony and Protectorate had been conducted on the basis of a 2s. rupee. It would therefore be necessary to act suddenly, without public notice (especially to the banks), and without entertaining any claims, from them or others, for compensation or redemption. A Government motion would have to be adopted in Council in one day having as one of its effects the reduction of every 2s. worth of coin in the country to a value of 16d. A coin or collection of coins which in the morning might be locally worth 2s. was by evening of the same day to be made equal to 1s. 4d.—by Government edict. The Treasurer of the Colony was absent on leave in England and a junior was acting in his place. The Governor agreed to introduce such a motion, and a special session of Legislative Council was called for February 10th, 1921.

Public interest was intense. Rumours were busy and information leaked (as has so often been the case in Kenya), and the bankers took alarm. The Post Offices ceased money-order business with India. The largest hall in the town, and not the Council Chamber at Government House, was used for this special session. The attendance of the public was greater than at any previous sitting of the Council.

It was a Council of quaint composition that met to decide this issue. Some of the official members were entirely in the dark as to what had been going on behind the scenes. Others had been persuaded by the elected members that it would be for the good of "the country" (meaning, principally, themselves and other landholders) that this violence to the Colony's credit should be carried through with a high hand. If the elected members came out strongly in support of the Government motion, it was anticipated that most of the officials would vote for the motion and it would be carried by an ample majority.

The Acting Treasurer moved the Government motion, which

<sup>1</sup> *Proc. Leg. Co., Third Session, 1920, p. 89.*

had been secretly agreed upon with the elected members, for the refixing of the rupee at the value of 1s. 4d. Some of the official members (ignorant of what had been going on) spoke strongly against treating the Secretary of State's engagement as "a scrap of paper." Remarks in this sense were applauded by the audience, and the Governor threatened to clear the hall if silence was not maintained.

The fateful division arrived. *All the elected members except one (the late Hon. Berkeley Cole) went back on their promise to the Governor and voted against the motion!*

General Northey must have been a perplexed President of Council that morning. As his Acting Colonial Secretary put it, subsequently speaking in Council: "After having previously advised, almost exhorted, His Excellency to take the action which was taken in open Council, they (the elected Europeans) almost to a man went back on their previous advice."<sup>1</sup> One, at least, of them, Mr. Phelps, had the grace to admit the charge: "He wished to say publicly that His Excellency was supported in all he did by the elected members. The elected members must therefore take the blame for having changed their minds." General Northey himself put the matter beyond doubt by recalling that "the strongest representations had been made to him unani- mously by elected Members of Council, for whom Mr. Hoey acted as spokesman. These gentlemen, who were elected repre- sentatives of the people, pleaded that it was essential in the interests of the country to revert to a 16d. standard and that they wished to leave it to him to take the necessary action."<sup>2</sup>

What line the Governor would have taken in approaching the Secretary of State for his sanction to the reduction of the local value of the rupee, if the elected members had been as good as their word and had passed the project in Council, can only be surmised. During the preceding nine months the banks had made advances and commitments amounting to hundreds of thousands of florins. If this scheme had gone through, they would, for each florin lent or advanced in that period, only have been able to recover 1s. 4d. They would have suffered a loss of 8d. in the florin. At any rate, the danger to them had now passed. A group more numerous but less influential than the bankers consisted of the natives of the Colony. In the tortuous programme of the elected legislators,

<sup>1</sup> *Proc. Leg. Co., Third Session, 1920, p. 91.*

<sup>2</sup> *Ibid., p. 89.*

it was to be their turn next to "assist the Producers." Africans were not classed as producers in Kenya in 1920.

The new scheme, in the fewest possible words, was that both florin and rupee should disappear, the shilling be introduced and all existing cental coins be degraded, by edict, to half their value.

It is now necessary to trace this intrigue through, step by step, to its upshot.

No one who read the local papers at that time was unaware that another scheme was on foot—for the introduction of the shilling in place of the rupee. The first unofficial member to speak, after the Acting Treasurer had moved the Government resolution, made this quite clear. He moved an amendment: "That this Honourable Council resolve that the pledge given by the Secretary of State for the Colonies, gazetted on March 31st, 1920, stand good, and that a Committee be appointed to devise ways and means of introducing sterling currency at the earliest possible date and the making of the shilling coin, or one of similar denomination, the standard coin of the country." The second unofficial speaker was more precise: "What they demanded was a standard coin of lower value than the rupee or florin. That coin was the shilling." The third unofficial speaker was more precise still. He wanted the words introduced: "that pounds, shillings and cents be adopted as currency."

The Government's motion having been put and lost, as already described, the elected members conferred upon the wording of an alternative resolution. It took a form supporting, in the first case, the Secretary of State's action in stabilizing the rupee at 2s., but moving for the appointment of a Committee to consist of 6 farmers, 2 bankers, 2 European merchants, 2 Indians, 1 chartered accountant, 4 officials and H.M. Trades Commissioner, "to devise ways and means of introducing such currency on a sterling basis, at the earliest date, as will make the shilling, or a coin of similar low denomination, the standard coin." The Director of Public Works attacked the proposal for cents of the value of one-hundredth part of a shilling, as there was already in circulation a half-cent (of a florin) coin of that precise value, and the move now proposed seemed to be designed to reduce the value of native wages. However, the Committee of Bankers and others which was to report on the new currency was tied, by resolution of Council, to the shilling as the standard coin.



The Committee got to work at once under the chairmanship of the Acting Treasurer. It had no communication with the Governments of Uganda or Tanganyika Territory, although one coinage was to circulate in all three countries.

The Committee recommended<sup>1</sup> that existing rupee coins should be called in and replaced by florin notes. More than 11,000,000 of these were available. A new shilling was to be minted, and as soon as it became available the existing half-rupee coins were to be called in and replaced by shillings. These shillings were required to be "of a permanent light colour." They were, moreover, to be midway in size between the half-rupee and the rupee. This was justified on the ground that the half rupee had now declined in India to its earlier value of 8d. (In Kenya the half-rupee was still worth a shilling, but nevertheless the new shilling had to be *larger in size*.) Florin notes might then also be called in, one florin note being redeemed by 2s. As regards the existing 10-cent, 5-cent and 1-cent coins, of which, altogether, 109,000,000 were in circulation in Kenya and Uganda, these might be retained in use. They were largely in the hands of natives. *They might be degraded, by edict of Government, from cents of a florin to half that value as "cents of a shilling."* Their total value was £154,000. It would become £77,000. With a minimum of disturbance (to everybody except the natives) the country would then have pounds, shillings and cents. One of the elected members had said at the original secret meeting of "the Producers" with the Governor: "There is only one solution to the whole thing, and that is to go in for pounds, shillings and cents. It will save the country." It is interesting to record that two of the European members of the Currency Committee had demurred to the "cents of a shilling" proposal. They were the Attorney-General of the Colony (Mr. Lyall Grant), and also a settler near Nakúro who had formerly been a bank manager in the Colony (Mr. Toogood).

At an earlier stage it had been recommended to General Northey that he should be advised in matters of currency by an Advisory Currency Board comprising the three leading bankers in the capital. This Board was stated by him to have recommended his sending a cablegram to the Secretary of State on

<sup>1</sup> *Report of the Currency Committee* (Government Press, Nairóbi, price 60 cents of a florin) placed on the table of Council, February 25th, 1921.

February 26th, 1921, in which this proposed deal was referred to as follows<sup>1</sup> :—

“ Regarding 1-cent, 5-cent and 10-cent pieces, banks raise no objection to conversion of existing coins to cents of a shilling when new shillings are introduced, without notice or compensation, and Chief Native Commissioner considers that conditions are such that natives would suffer no wrong by adopting this course.”

It would be interesting to know whether the bank managers jointly sent representations to their respective head offices in London to the effect that the Governor was not invariably accurate in his statements. It must be explained that the proposals for new coinage included a recommendation that “ banks and others ” who happened to be holding 10-cent, 5-cent and 1-cent pieces “ in quantities ” should have them redeemed at full value. It was only natives and others, holding the same coins in small quantities, who would find them decline to half their original value.

The Producers were insistent that the new *florin coin*, of which Government had 7½ million in stock, should not be used. The Committee, it is true, had referred to “ the loss that will be entailed by scrapping the bulk of the new coins and notes which have been or are being manufactured,” but they did not ascertain, or indicate, what that loss would amount to. The Governor’s cablegram to the Secretary of State stated that it was desired to divorce the native mind from the florin or rupee coin by a period between the withdrawal of the rupee and the appearance of the new shilling, which would be worth 100 of the (degraded) cents “ in order to facilitate a legitimate reduction of wages when shillings are available and falling prices justify a general reduction in wages. Producers are very anxious that for reasons stated florin coins similar in size and appearance to rupee should not be issued to illiterate natives, but it might be left to local discretion to issue florin coins if found unavoidable.”

The Report was finally dealt with in Legislative Council on March 8th, 1921. It was exasperating that the new large-sized bright shillings were not available. “ They could only hope to get the shilling quickly and get rid of the rupee,” said the Hon. Mr. T. A. Wood, M.B.E. “ If the native was dissatisfied

<sup>1</sup> *Proc. Leg. Co., Third Session, 1920, p. 98.*

with the shilling, they could say, ' There are one hundred cents instead ; take them.' "

The proposal for " pounds, shillings and cents " was supported by twelve votes and opposed by six, while two members did not vote, one of them General Northey. The cental coins were to be degraded to half-value, if the concurrence of the Secretary of State could be obtained.

It is to be noted that it was again the month of March.

For a few days the numerous hostile critics of this arduous campaign on the part of " the Producers " amused themselves (smiling inwardly) by pondering upon the precise terms, and also the severity, of the rebuke that the Governor was likely to get from the Colonial Office for having advanced or supported such a proposal.

Within ten days the Secretary of State's reply came by cable. There was no rebuke. The move was approved. (The critics stopped smiling ; it was the other side's turn now.)

At this stage, missionaries and others began to take notice. At the end of July a protest was sent to Government by the Alliance of Protestant Missionary Societies in Kenya. Sir Robt. Coryndon, of Uganda, was in England, but the Acting Governor attacked the proposal strongly. The project got into the home papers. An article in *The New Statesman*<sup>1</sup> suggested that " surely there cannot be a more contemptible episode than this in all the history of the rule of subject races by white men." Questions were asked in Parliament.

Lord Delamere, in Legislative Council, moved on September 2nd, 1921, that the proposed reduction in value of the cental coins should be reconsidered by a Special Committee of Council " in view of the loss of credit to the Colony if the change is effected by simply writing down the value of the coins named to half, as proposed at present." <sup>2</sup> He offered to withdraw his motion if the Government would guarantee that " every opportunity would be given to the natives to bring their cents in and get them changed in a fair manner." The Government could not give this assurance, but after some discussion Lord Delamere came to the conclusion that " the Government was endeavouring to prevent the injustice taking place," so he withdrew his motion.

<sup>1</sup> May 14th, 1921, p. 151.

<sup>2</sup> *Proc. Leg. Co. (1921 Session)*, pp. 34-36.

On October 17th, 1921, a unique public meeting was held, at the invitation of Government, at Kampála, in the adjoining Uganda Protectorate. Every section of the community, clerical and lay, was represented—Europeans, natives, Indians, the local Chamber of Commerce, the Planters' Association, the Ginners' Association, the two Indian Associations, missions Anglican and Roman. Bishop Willis presided. A resolution was unanimously passed :—

“ This meeting, representative of the Commercial, Planting and Missionary Communities of Uganda—European, Indian and native—views with alarm the possibility of the depreciation of the cent to half its present value without the opportunity of redemption.

“ It regards such depreciation as morally indefensible. Especially does it regard the reduction of the value of coinage without redemption as a grave injustice to the native population, following as it does upon the repudiation of the Indian 1-rupee note, and as calculated to seriously compromise the reputation of the British Government for honour and just dealing.

“ It insists in the name of British justice that this wrong shall not be done.”

*On October 20th, 1921, the Uganda Government was able to send to the Uganda Herald for publication a telegram from the Colonial Office, saying : “ Public assurance may be given that the 1, 5 and 10-cent pieces will remain at florin value until redeemed by new coin when available.”* The Kenya papers copied it next day.

The attempted swindle had collapsed. The Colonial Office had got at the facts, just in time. The official intimation, when made in Kenya Colony at the beginning of November 1921, was more explicit still :—

“ It is notified for information that when the shilling is made the standard coin of the Colony and Protectorate, the present subsidiary coinage, namely the 1-cent, 5-cent, 10-cent and 25-cent pieces, will remain cents of a florin until redeemed by new coins, so soon as they can be made available, at the rate of two cents of a shilling to one of a florin. The present 50-cent piece will be redeemed by the shilling, which it is hoped will be available for issue early in 1922.”

## COLLAPSE OF THE GREAT SHILLING SWINDLE 213

"The Producers" were furious. In a leading article<sup>1</sup> entitled "A Coming Ramp," the *East African Standard* took the local Government in hand somewhat sternly, though with the

"hope that the Administration is not wholly under the control of those who in London suspect the native as the victim of every suggestion for the country's good originating in the country's makers."

Getting down to business, it said:—

"We desire to suggest to the Government that their proposed action was a breach of faith to the settler and a wanton imposition of extravagance on the country. Throughout the country settlers have told their labour that on the introduction of the shilling *the cent would remain the cent, but on the basis of 100 to the shilling.* The change could have been effected simply by the redemption of existing stocks of cents with florins within a specified time and their reissue immediately on the expiration of the period on the basis of the shilling. That is what the natives expect: that is what the country needs, and that is what the Government must do."

The proposal is perhaps rather more concise than clear, for no illumination is supplied as to how native trade was going to go on during the period while the 109,000,000 coins were being paid in, nor where the 218,000,000 coins were to come from which were to be reissued immediately on the expiration of the period. However, illumination on another phase of the affair was not withheld, and it was made clear that if the degradation of the cental coins had been allowed, employers, in so far as they paid any of their labourers in cents, 5-cent or 10-cent pieces, would have been getting labour at half its previous wage. "The cent is the coin of the Reserves," said this leader. "*The cent must remain the cent,* and not be substituted by a strange and unfamiliar coin *if the effort to reduce the cost of production is to meet with any success at all. . . .* Frankly we are compelled to the view that there underlies the Government's elaborate proposals a scheme for the overthrow of *all our efforts to reduce costs of production. . . .* We suggest that the scheme is being engineered from London, and that the whole principle of bringing life and expense here to a reasonable level is in grave danger of becoming a costly farce, and that there is an imminent probability of the shackles of high costs of production being permanently fixed on the long-suffering settler of the Colony." (Italics are the present writer's.)

<sup>1</sup> *E.A.S.*, November 8th, 1921.

After this account of manipulative dexterities, it will be found refreshing to read again Lord Cromer's observation at the head of this chapter. It must be admitted that the sacrifice of moral principle on the altar of pecuniary gain is still possible in society, and all the more so in societies where a disinterested public opinion is not strong. Even in such communities, there is everything to be gained by patient inquiry into the authorship of faulty expedients and by relentless exposure of malpractice before the bar of public opinion.

So after the episodes that have been related in this chapter had occurred, the Convention of Associations set itself to clear up responsibility for the unhappy proposal for the degradation of the cental coins without compensation. The result of their labours was given to the world in their secretary's letter of December 23rd, 1921. "In this connection," runs the letter,

"my Executives would like to point out that the proposal to mark down the existing cent pieces to cents of a shilling did not emanate from this country. . . . The first mention of any proposal to mark down the existing cents came from the Rt. Hon. the Secretary of State for the Colonies" (*that was a poser for the Colonial Office!*) "in his telegram dated 19th March, 1921, published in the *E.A. Standard* of 22nd idem, paragraph 5, which reads as follows: 'When Order in Council is passed, existing 1-cent, 5-cent and 10-cent pieces will be marked down to cents of a shilling, existing 25-cent and 50-cent and shilling pieces respectively.' This is further borne out by the fact that the last paragraph of the Order in Council, dated August 15th, 1921, and published in the *Gazette* of December 16th, Government Notice No. 461, still retained the same provision."

As the Colonial Office had received appeals from Kenya on February 26th, 1921,<sup>1</sup> for sanction to degrade the cental coinage, it took no notice of the accusation that the Secretary of State had first proposed that exploit on March 19th, 1921. So far as is publicly known, the Secretary of State never even had the Convention reprimanded for its unfounded accusation that it was he who had originated the (attempted) swindle.

The Mombasa Chamber of Commerce has since then exhibited a rooted objection to be represented in, or connected with, the Convention of Associations. The latter body is referred to in Mombasa as "the Highland Joss." The strongest pressure had been put upon the said Chamber of Commerce by the Executive of the Convention, and by elected members of the

<sup>1</sup> *V.* p. 210.

Legislative Council from time to time. The Mombasa Chamber of Commerce remains unmoved. The Executive of the Convention wonders why.

East Africa has got a shilling of larger size and smaller proportionate silver content, a bigger and baser shilling, than any other portion of the British Empire. Perhaps that is one reason why.

Little more remains to be added. New 10-cent and 5-cent pieces were minted from similar dies to those which had hitherto been used; but a copper-bronze alloy was used for these new coins, giving a copper-coloured coin, instead of the previous nickel-bronze alloy, yielding a light-coloured coin. A new die was cut for the 1-cent (of a shilling), which was similarly minted in copper-bronze. Some 15,000,000 of these "copper" coins were supplied to begin with, and the first of them were put into circulation on June 2nd, 1922. Gradually the "nickel" coins are being withdrawn from circulation. By the end of 1924 some 86,000,000 of the "cents of a shilling" had been despatched to Kenya and Uganda.<sup>1</sup> The new 1-cent coin is the same size as the old  $\frac{1}{2}$ -cent (of a florin) coin. The natives of the Colony still have to use two coins from the same die both marked "10 cents," but they have got to remember that it is only the brown one that really is 10 cents. The pale one is actually 20 cents now, although it is marked "10 cents." Similarly with the two 5-cent pieces. They have millions of the nickel "1-cent" pieces still in use, but they must remember that these are now really 2-cent pieces. This anomaly will be rectified in time, as the nickel coins are gradually recovered and called in.

To begin with, the native was mystified. An African correspondent, writing to the Government native paper *Habari* in 1922, said<sup>2</sup> :—

"Our people do not like the new shilling cents, and refuse them because of the difficulty in reckoning. Many people think they are a new kind of rupee, and ignorant persons are swindled, and it happens that cattle are sold for as little as 12s. We Christians must not do such things, which are quite wrong."

No apprehension need be harboured, however, that the confused currency of Kenya to-day involves the native in loss or

<sup>1</sup> Commons Debates, July 7th, 1924, col. 1770.      <sup>2</sup> *Habari*, vol. i, No. 4.

prejudice. Among coins which degenerate to powder, paper money that is worth nothing, coins that are worth double their face value and coins that are worth what they say they are, he nowadays moves forward undisturbed in his trading operations both with fellow-native and immigrant.

With the remark that all these exploits have loaded the accounts of the Currency Commissioners with a considerable item on the debit side, this somewhat involved chapter on currency may end with an incident upon the sidewalk of a street in London. A Kenya planter, recently returned from the East, steps from a taxi, pays the driver and walks away. He has only gone a few yards when the driver also descends and overtakes him. "Beg pardon, sir," says the driver, "but is this all right?" He holds out on his hand the coins that the planter had tendered—a florin and some smaller silver. But is it a florin? No. It is a Kenya shilling. The planter had got some of his Kenya money mixed up with his English. (An awkward situation! There had just been some stiff sentences in the London courts upon bright gentlemen who had tried to "diddle the cabby.") However, this driver accepts the florin in replacement quite in good part, on this occasion. "Very sorry, old man!" says the planter. "That's an African shilling. As a matter of fact, it was designed with the express intention of deceiving the natives—but not the natives of England."

(All well. They separate.)





PLATE VII  
THE KENYA SHILLING . THE BRITISH FLORIN  
(They are the same size to within 1 millimetre)

## CHAPTER XIII

### THREE HOURS A PENNY—AND HARRY THUKU

“But we may govern in such a manner as to give the demagogue no fulcrum with which to move his credulous and ill-informed countrymen and co-religionists. The leading principle of a government of this nature should be that low taxation is the most potent instrument with which to conjure discontent. This is the policy which will tend more than any other to the stability of Imperial rule.”

LORD CROMER  
on “The Government of Subject Races,”  
*Edinburgh Review*, No. 423, January 1908.

**H**ISTORY and folklore are alike replete with instances of the advantage which lies with the archer who has two strings to his bow.

While the campaign described in the last chapter was proceeding for the sudden reduction of the 10-cent, 5-cent and 1-cent pieces, in which the natives might be paid, to half their current value, by a piece of legerdemain which they could not understand, another campaign was launched for the reduction of their wages. If the first miscarried, the second might succeed. These new proposals were for a uniform reduction of all wages of all native Africans by  $33\frac{1}{3}$  per cent., to take effect on June 1st, 1921, or as soon thereafter as contracts terminated under which natives were entitled to receive the current rate.

The Thika Farmers' Association would appear to be able to claim the honour of having launched this proposal. It invited delegates from other Associations to meet at Thika to discuss the proposal. The Kyambú farmers refused to co-operate and the first proposals, for an altered rate of pay on April 1st, were not widely supported. Spokesmen of the Convention assisted the movement for a renewed effort to cut wages on June 1st, 1921. The papers reported that at a meeting of settlers held in the Ruiru Hotel on May 13th, 1921, “Mr. Archer, in a very able speech, then explained the necessity for the reduction of native wages, and finally proposed, seconded by Mr. Harper, the following resolution:—

“From June 1st next to reduce the wages paid to every class of native labour in your employ by one-third the rate

paid to individuals of that class on January 1st, 1921, any increase of pay made during the interval to be taken to be the rate paid on January 1st. Wages paid under contracts which will not have terminated by June 1st cannot, of course, be reduced until such contracts come to an end."

The movement spread across the Highlands rapidly. Local Associations in all parts held meetings to discuss the proposal, and those settlers attending were invited there and then to sign a declaration promising to reduce the wages of their labourers by one-third. An average starting wage for unskilled labour was 10s. a month, and the new rate was fixed, conventionally, at the figure of 7s. Some districts even tried to impose a rate of 6s. In most districts there were settlers to be found who would have nothing to do with the movement. One or two critical letters were even admitted to the correspondence columns of the papers. Employers of this hostile view were, however, in a small minority. Others easily persuaded themselves that a step which met their immediate cash needs so admirably would be to the ultimate benefit of the country at large, and even of the natives. Some of those who felt qualms as to the equity of reducing the pay of old and trusted servants who had worked for them for years managed to accomplish the deal with a concomitant display of attachment which did, in point of fact, avert or postpone a rupture with them. Some reduced the monthly cash payment but gave additional food, clothing or other indulgence instead, thus securing a measure of peace both with their domestic staffs and with their resolute neighbours, organized to despoil. Anyone who stood apart from the movement was a marked man or woman in his or her district and liable to experience the resentment of surrounding employers. It was easier, as usual, to go with the swim.

The fact is that at this time the post-war slump was being severely felt. Many settlers were doing next to nothing on their land and were living on Spartan lines. For the time being, it mattered little to them if their labour supply were reduced.

The movement was not a mere concerted act of piracy at the expense of the natives. It was based upon a line of argument which anyone could adopt who first took the precaution of closing his eyes to the evidence around him. The argument was

that the value of local money had gone up by 50 per cent. The native would, therefore, be overpaid if his wages were not cut by one-third. This view may first of all be examined briefly.

As a result of the almost unanimous wish of the Europeans, the rupee had been stabilized. Against the advice of bankers and a few well-informed individuals, it had been stabilized as the florin at a time when the rupee stood at 2s. 10d. in value. The landed settlers were entirely suited—so long as the current value of the rupee stood above 2s. But it had rapidly declined to its old value of 1s. 4d., and settlers, turning their drafts and remittances from England into local coinage, instead of receiving fifteen of the rupee coins (No. 1, Plate VI), as was formerly the case, now received only ten of the florin coins (No. 7, Plate VI) or florin notes, for every £1.

The change made no perceptible difference to the native. Government still exacted, as his poll tax, eight of the coins (No. 7), as it had previously exacted eight of the coins (No. 1). A blanket which had previously cost him two rupees now cost him two of the florin coins or notes. The sheep which he bought from the European or Somáli trader for eight of the rupee coins now cost him eight of the florin notes. All over the country, in Government, farming and commercial circles, the natives' wages consisted of the same number of florin notes as he had previously received rupee coins. The identical 10-cent, 5-cent and 1-cent pieces remained in use as the same subdivisions of the new florin that they had previously been of the rupee. Throughout 1921 the native made no distinction between the florin and the rupee. Indeed, the Secretary of the Convention, writing to Government on December 22nd, 1921, with a momentary lapse of memory as to the Convention's exploit of wage reduction in June, said: "The present florin . . . is to the native mind still the same as the rupee and is in fact still so called." No delegate to the Convention was unaware of this fact. The European in his local dealings had the same experience. The poll tax which he had to pay to the local Government had previously been 15 rupees. It was now 15 florins. Government (except in Zanzibar) had taken the action it did under ill-advised pressure from local politicians who were amateurs, indeed, at finance. The politicians could not now go back on the procedure established by Government; but they could go back on the native. They would reduce his pay by a third;

pay him  $3\frac{1}{2}$  florins instead of 5 for a month's work of 30 days of 9 hours each—get  $38\frac{1}{2}$  hours' work out of him for a shilling instead of 27 hours, 3 hours a penny instead of  $2\frac{1}{4}$  hours.

A local newspaper described this reduced wage as "not only the surest means of inviting the co-operation of the native in endurance of the present stress, but also the fulfilment of our stewardship as his protectors and educators, and the permanent alliance of his interests and ours."

Government Departments also employed thousands of labourers, in the Forest, Agricultural, Veterinary, Medical, Police and Public Works Departments, and also on the Uganda Railway. Unless these Departments could be brought into line, the success of the scheme, throughout the country, would be jeopardized. General Northey was approached, and he gave an assurance that Government Departments should not pay their African hands more than the current rate of pay prevailing in the locality where they operated. This was no new ruling. It had been the practice since the days of Sir James Hayes Sadler.

Fortified with this promise, which was now invested with a new significance, the Convention of Associations approached the Heads of Departments and asked for their co-operation in the reduction of native wages for the good of "the country." Most of the Departments had an obvious reply which averted further political interference with their personnel. There was no "ruling rate of pay," outside the Departments concerned, for hospital orderlies, forest guards and other Government employes. Heads of Departments were at liberty to disregard the invitation, so far as workers in such positions were concerned. Some of them did so, but some of them made a reduction. The Railway and the Public Works Departments employed large numbers of unskilled labourers; lack of compliance by them would be serious.

The Convention's letter to the Director of Public Works elicited a reply which clearly indicated non-compliance with the movement. The General Manager of the Railway was in England on leave. The raid on native wages had been timed for June 1st, 1921, but propaganda had not started early enough and the movement was far from a widespread one for some weeks after that date. It is true that some letters had promptly appeared in the papers to say that the writers had announced the reduction to their labourers, who quite saw the justice of the step and

agreed to remain at work, but Administration officers, settlers and settlers' wives had good reason to know of many cases where the threatened reduction of pay had resulted in the disappearance of servants and workers. The collection of tax by Government was, however, in progress, and many natives had perforce to remain in employment to earn the amount of their tax at the reduced rate. Whether the jubilant employers in such cases received 5 florins' worth or  $3\frac{1}{2}$  florins' worth of work in the month of June 1921 may perhaps be open to question. The African is a master of the art of "ca' canny" if he thinks he is being victimized.

A session of the Convention of Associations was opened by General Northey on June 27th, 1921. The Convention in due course reviewed the progress of the wage-reduction movement, and on June 30th, 1921, telephoned to the offices of the Chief Engineer of the Railway and the Director of Public Works, asking them to attend and discuss the situation. The Chief Engineer was out of town, but one of his engineers attended. The Director of Public Works replied that he would be willing to meet them at 4.30, after his office was closed. The Railway Engineer was invited on to the platform first. It was an unenviable situation. Before him were 30 or 40 delegates claiming to represent a body of more than 1,000 "Producers" (i.e. employers of wage-earning Africans) who had persuaded themselves that they were faced with ruin. They were resolute and impatient men: in deadly earnest as to exacting the same work for less pay from a working class that was unrepresented, unorganized and voiceless. They enjoyed a shadowy measure of support from the Government. Nothing stood between them and their desires but one or two paid servants of that same Government—and some truculent members of their own class whom they might ostracize as the penalty for non-compliance.

The Railway Engineer, who was a brilliant worker but without any previous experience of the concerted political glare of Kenya's statesmen, made the point that railway work was in a class by itself; the settlers would be among the first to complain of a defective service on the line which might result from any increase in labour difficulties. The Railway had always paid its hands by the calendar month. He could hold out no hope of a change to a "month" consisting of 30 working days. Still, he would reduce the rate of pay by one florin a month.

The Director of Public Works then had his turn,<sup>1</sup> which lasted for 70 minutes. He stuck to his point that nothing had happened to reduce the natives' cost of living, taxation or shop prices so as to justify a one-third cut of pay. He ordinarily paid unskilled labour 10s. per calendar month for a 45-hour week—8 hours a day for 5 days: no work on Saturday afternoons or Sundays (except in urgent cases, when "overtime" was paid). This rate was from 18 to 20½ hours for 1s., according to the month, as compared with the 38½ hours which the Convention sought to impose. He gave it as his opinion that the action of the Convention would do more to produce concerted political action by the workers than would otherwise have taken place in ten years. If only employers were combining to promote the efficient employment of labourers and the avoidance of wasteful methods in dealing with labour, he would give them every assistance he could.

It did not suit the Convention at all to be lectured. He received a fusillade of questions—most of them polite. Would he adopt the 30-day ticket instead of the calendar month? (No.) Would he then exact work on Sundays and abandon the Saturday half-holiday? (No.) Would he adopt a nine-hour day? (No.) Would he, at any rate, meet the producers to this extent—that all labour for the P.W.D. should be obtained by Government orders to chiefs under the Native Authorities Amendment Ordinance, leaving the "free market" to be drawn on by the settlers? (No. Forced labour was not worth employing, and in any case he had an objection to it.) The meeting began to be a little bit uncharitable. The chairman said that it was clear that the Director was not in sympathy with their movement, and they unanimously resolved that:—

"This Convention regards the letter of the Director of Public Works dated June 28th, 1921, on the deflation of native wages and the bringing of working conditions into line with local practice, as directly and unjustifiably contrary to the spirit of the readjustment which has been carried out throughout the Colony, and considers that his present practice causes waste of public funds, and also requests him to bring native wages rate and working conditions of the native employees of his department into line with the least possible delay, and further begs to emphasize that the deflation of native wages be applied equally to unskilled, semi-skilled and skilled native labour."

<sup>1</sup> *L.E.A.*, July 9th, 1921. *E.A.S.*, July 4th, 1921.

The position of Administration officers was also an unenviable one. Local settlers, brandishing the Governor's promise as to equal rates of pay in Government employ and their own, sought their assistance in securing quiet acceptance of the new regime by the natives. The officers were in just such a position as the Acting Chief Native Commissioner had been in during the currency exploit described in the last chapter. They and he knew that the Government desired to play into the hands of the forceful Europeans. If they supported the natives under their charge in any measure of opposition, they might damage their own prospects in the Service, they might experience transfer to obscure stations, but they would certainly involve their natives in nothing but added misery without any compensating advantage. (It was only on the rarest occasions that transfer of an official did not involve him in expense, anything up to £40, as well as in damage to some of his belongings.) It was undeniable that conformity with Government's clear intentions was the path of least detriment to the natives. It was their job to collect the taxes, and the natives had to get wages in order to pay the tax. In one direction lay hopes of comparative peace; in the other the certainty of anarchy.

They toured their districts and assisted in the wage reduction. Their co-operation was trumpeted in the papers; this served as an object-lesson to waverers. In one district it was reported, under a headline "The Ceremony of Reducing Native Wages", that "at 10.30 a.m. a meeting was called, when Major —, secretary of the Association, with the kind assistance of the Resident Commissioner, interviewed a number of headmen and fully explained the object and reasons of the new scale of pay."

The Director of Public Works, on the other hand, informed his engineers that they were at liberty to go on paying their labourers, on his responsibility, at the rates of pay which were current before the stampede began. Written inquiries made on his instructions by his officers to firms of labour recruiters, for the purpose of obtaining information, elicited replies that no labour was obtainable at seven shillings a month. He kept Government informed on this point.

While a few settlers were writing to the papers proclaiming success in retaining their labour at the reduced pay of seven shillings a month, District officers and others knew of numerous bands of labourers leaving estates and returning to the Reserves



rather than accept the new conditions. These natives might be ordered out again later on by their chiefs, but there were ways of dealing even with that contingency. Swarms of them had worked for a few days for nothing—that is to say, for wages that they would never claim. They had their 30-day labour cards “marked up” for those few days’ work, and were going to pose, before their chiefs and headmen, as engaged labourers who had been granted indefinite leave by their masters. Evasion of work might prove to be possible for a long time. They only felt that at the moment they were being treated unfairly. They knew nothing of bank rates or market prices in London. Wherever they turned, they found “combination” against them. Missionaries never interfered in industrial crises. It was time to combine.

On June 11th, 1921, a Nairóbi paper published a letter written by a Kikúyu native in Government employ at the Treasury in Nairóbi. His name was Harry Thuku.

“A meeting of the (proposed) Young Kikúyu Association was held at Pangani village” (on the outskirts of Nairóbi) “on Tuesday, when the subject was the native wages reduction.

“It was proposed and carried out unanimously that the rules of the Association should be drawn and forwarded to the Government for confirmation and sanction of the (proposed) Association.

“It was also suggested and carried that, in order to show the native grievances to the Government in the matter of wages reduction schemed by the farmers of the Colony, this Association, though still on proposal, is in the position of writing to the Hon. Chief Native Commissioner asking him to lay the matter before H.E. the Governor.”

One missionary, Mr. A. R. Barlow, was at work, giving the perplexed natives of Kikúyu some invaluable assistance. He was one of the best Kikúyu scholars in the mission-field, and in that respect far ahead of anyone in the Government Service. All that he was doing was to translate their complaints into English and type the record for transmission to the Government. He was particularly careful to avoid giving any advice in the framing of charges by the natives, to ask no leading questions, to suggest no turn of phrase. He was merely a reporter taking down native speeches.

The memorandum was sent to the Acting Chief Native Commissioner. A meeting was arranged at the little Government station of Dagoréti. This, though bearing the name of the historic outpost of the Imperial British East Africa Company, is some miles distant from the site of the latter. A meeting, of greater importance than most of the participants can have recognized at the time, took place there on June 24th, 1921. Senior Government officials were there from Nairóbi, District Officers, missionaries, Kikúyu chiefs and attendants, natives in red paint, mission boys and members of the Young Kikúyu Association in imported clothing—the old order and the new, in the native world; the Government insistent upon respect for the recognized (and salaried) chiefs and headmen; younger men, acting *in combination*, thrusting themselves in between the paid chiefs and the Government and claiming the attention which organization always elicits. A portent.

The young men acted and spoke with a composure and self-confidence that grated upon the paid chiefs. These young men were partially educated. They had attended mission schools (the only ones in existence) for the sake of getting some education. Under the glib classification of the average white immigrant, they were "mission boys." To the missionaries many of them were known "failures," who had responded little or not at all to mission influence, but had only snatched the coveted boon of education, which the missions offered free, and had then decamped with it. To the missionaries (as a body) they were an object of suspicion tinged with resentment. To the Government they were a probable source of embarrassment. To the paid chiefs they were anathema. Nobody wanted them or wanted to meet them. And here they were, forcing a hearing. They were supported by some of the headmen. Behind the sullen demeanour that the Kikúyu so readily adopts when he has a grievance, imaginary or real, these natives were boiling hot.

They complained of forced labour of girls and young women. Their District Commissioner (so they reported—and he was present) ordered fathers and elders to send their girls out to work on European plantations. If objection was made, it was treated with detention at the Government station, a fine of goats—and the girls were taken. In the previous month 60 girls had been taken to a European estate (named). They were still there. A list was produced of the names of girls who had

been violated while so out at work on farms and were pregnant, with the names of their native seducers in some cases. (The native employees at the Government station were apparently somewhat more licentious than Claverhouse's Dragoons had been among another far-distant and sullen people.) Headmen who did not produce the requisite groups of girls were subjected to public indignities—made to carry loads, for instance. The registration system was proving, in practice, intolerable. They were prosecuted for a variety of offences under it. They were fined for cutting firewood. The old men had to work on private roads—not the Government roads, the upkeep of which was accepted as a duty. Their wages were going to be reduced. Their hut tax was too high. Paths which they had used from time immemorial were now being closed to them. Legislation affecting them was introduced without their knowing anything about it until they were imprisoned or fined for non-compliance. There was no Government education for their children. "When we went to do war work" (as porters in the Carrier Corps) "we were told by His Excellency the Governor that we should be rewarded," they said. "But is our reward to have our tax raised and to have registration papers given us and for our ownership of our land to be called into question; to be told to-day that we are to receive title deeds and to-morrow for it to appear that we are not to receive them?"

Harry Thuku was present. He asked pointedly if Government would abstain from reducing the pay of labourers in its employ. Why could they not be given as secure a title to their land as all Europeans demanded and got for theirs?

Here was the genesis of a revolution. Subjects putting questions to a Government: questions which ought for ever to have remained unframeable. Government *slightly* resenting the challenge: unwilling to concede remedies *too* rapidly. Assurances of early consideration and of ultimate improvement. Just a tinge of excuse by the Government: even of counter-charge. One headman had been made to carry a load like a porter because he had failed to produce a porter to do the work. Five headmen had been kept at the Government station because they had boycotted a certain European estate and refused to supply any labour to it. They were therefore "detained pending the settlement of the matter." These headmen replied that rather than suffer these indignities, they would prefer to resign

their paid positions. To the request of the young men that Government should bring no pressure to bear to make them work for reduced wages, the Acting Chief Native Commissioner replied that Government would not do so, but added, under further questioning, that Government would pay its employees the local rate of wages prevailing in the different districts.

The meeting drew to an end at length—none too soon for the Government officials. They returned to Nairóbi by car. The natives moved off in chattering groups to their villages. The missionaries climbed up to their mountain station. A thoroughly unsatisfactory meeting—from the native point of view.

Harry Thuku was an operator on the telephone switchboard in the Treasury at Nairóbi. He had already been guilty of indiscretion in that in his correspondence upon the affairs of the Young Kikúyu Association he quoted "Post Office Box 65" as his address—the official Post Office Box of the Colonial Treasury. That was only ignorance—but it looked like "cheek." He was required to discontinue his political activity or surrender his post in the Treasury. The Director of Public Works heard of this, called on the Treasurer and urged him to transfer Harry Thuku to the Public Works Department. Inside the Public Service the boy could be advised and guided; outside it he would drift into mischief. However, the boy was dismissed.

After that developments were rapid. Scores and then hundreds of Africans in regular employment paid a shilling a month to "the cause." Harry Thuku and some of his lieutenants addressed meetings; they made promises; they had leaflets printed and sold; they hired motor-cars and toured the Reserves. Audiences increased in size—three thousand, five thousand.

Thuku went North towards Fort Hall, and his speeches became more violent. A distinct anti-European note began to appear. They had helped the Europeans in their war and this is what the Fort Hall natives had got as a reward—increased taxation up to 8 rupees, an all-round cut in wages, and registration, under which some had been fined 10 rupees when caught without the *kipánda* (registration certificate in its tin container), even when working on their own garden plots in the Reserve. They had to supply food without payment to "tribal retainers" and other hangers-on at Government stations; their cattle and sheep were compulsorily seized to help the trade of

the Fort Hall butcher, who paid them 15 or 20 rupees—a sum much below the price of cattle in the open market. On paying a tax of 8 rupees with a 10-rupee note, change was refused, and change was hard to get.

He brandished telegrams which he said he had received from the King of England. The natives firmly believed that the King would right their wrongs if only he knew of them. Harry Thuku was laying their grievances before the King—by cablegram, they were told. That was all that was necessary to ensure immediate redress. Cablegrams were indeed sent to the Colonial Office and to Members of Parliament. Harry Thuku's anti-Government bias grew. At one meeting of about 5,000 natives he suggested that they should hire three motor-lorries, throw in their registration certificates, tin containers and all, run them up to Government House, Nairóbi, and dump them on the drive there. His attitude towards Missions became supercilious. He went by train to Kisúmu and had immense meetings of Kaviróndo natives. A polyglot *nation* was beginning to emerge from among certain of the highland and lake tribes—and it was a hostile nation. The Government swooped. Harry Thuku and his brother were arrested. This was on March 15th, 1922—the *Ides of March!*

At the outset of his campaign it might have been possible for influential Europeans of tact, and with a knowledge of the native language, to get into friendly and helpful relations with him. No one tried it at that time, except the Chief Native Commissioner, Mr. Maxwell, and one C.M.S. missionary, the Rev. H. D. Hooper, M.A. Thuku's attitude even then was off-hand. He was inclined to despise the authorities in the Colony. The native grievances were, in their own eyes, so real that it was only necessary to make them known in England to have prompt rectification effected over the heads of the local Government and other more malign factors in the Colony. The three outstanding grievances were the heavy rate of taxation, the *kipánda*, and the one-third cut of wages. Harping upon these, he carried audiences with him all over the country. For advice he turned to no settler friends, no missionary friends, no Government friends. He had none. He had Indian friends. He may have received some help from them in the framing and despatching of cablegrams. They also had their grievances against settler, Government, Church and mission, as will appear

in later chapters. Both Indian and African groups were so openly in protest against existing conditions that collaboration was natural—almost inevitable. There is, however, no reason to suppose that he received any assistance from Indian funds. The Indian political exchequer was depleted at the time. Harry Thuku's "party fund," on the other hand, was supported lavishly by Africans.

His arrest was quietly effected. An Indian N.C.O. of police inquired at the house of a well-known supporter, named Abdullah Tairára, as to where Harry Thuku was to be found. Tairára conducted him to his leader's house, and Harry Thuku went quietly to the Police Lines, where he was detained. His brother calling, by motor, to make some inquiry at a Government station, on a topic which had been complained of at the Dagoréti meeting, was arrested there and not allowed to leave. His car might return to Nairóbi without him.

Supporters followed Harry Thuku's escort into the Police Lines, a range of old one-storey tin buildings on Government Road, Nairóbi. They inquired as to the intentions of the police with their leader. They were told that he was to be detained until the Governor, who had that day left by train for the coast, should decide what was to be done. A crowd of one or two thousand natives collected for a short time. Some hundreds stayed outside the Police Lines all night.

Next morning, before sleepy Europeans had had their morning cup of tea brought to their bedsides, mischief was afoot in the town. It was to all intents and purposes a strike—aggravated by vigorous picketing. Raw labourers for the most part went to work as usual, but house-boys, garden-boys, office-boys, ayahs (i.e. children's nurses), skilled and semi-skilled African labour were "called off" by groups of boys who visited nearly all the bungalows, offices and works. This was actual lawlessness—a breach of the law of the Colony. The crowd in front of the Police Lines had grown to thousands. A guard of native police who had been on duty all night were retained under arms, and reinforcements of the King's African Rifles were asked for. These marched down from the Military Lines on the Hill, but took up position at distances of some hundreds of yards from the crowd. A large part of the crowd was there merely to see what was going to happen. One or two individuals making speeches, which it was thought might be inflammatory, were

arrested by European police officers and taken inside the Lines for detention. At the suggestion of the Acting Commissioner of Police a deputation of six leading natives went to see Sir Charles Bowring, the Colonial Secretary of Kenya, at his office. They were assured that Harry Thuku would be fully heard by the Governor before any decision would be taken as to what was to be done with him. He was in no danger ; he was only being detained.

Sir Charles urged the deputation to return to the Lines and to try to get the crowd to disperse. The leader, Harry Thuku's right-hand man, Abdullah Tairára, promised that they would try.

Rumours flickered round the town on the telephones that morning. The police were going to invite all Europeans from offices and shops to come along with a stout stick each and clear the natives away from the Lines—a regular Donnybrook Fair. Or they were going to charge through the crowd with a car from the Lines and get Harry Thuku away—to the Central Jail or to a waiting train which would instantly leave for Mombasa. Or Harry Thuku wasn't in the Lines at all. He had been railed down the previous night—and others equally unfounded.

Abdullah Tairára returned to the Secretariat to report to Sir Charles Bowring. He there found the Director of Public Works, one of his old employers under whom he had worked at one time for about six years, and who now acted as his interpreter. The Director had motored from his office to the Lines to view the conditions there. A line of armed police with fixed bayonets were standing outside the low wall of corrugated iron sheets. Inside the Lines other police were standing upon some hastily contrived platform so as to be able to look over the wall. The crowd was inactive, curious as to what was happening and for the most part silent. A number of gaudily dressed native women, mostly town prostitutes, were the noisiest element there. It is regrettable that nobody had the brilliant inspiration to turn a hose on to them. Any slight element of comic relief was all that was necessary to relax the trifling degree of tension that prevailed in the crowd. Government had mishandled the situation, and comic relief, however efficacious it might have been, was far from the thoughts of all the official actors in the drama. Almost everything that had been done had been unwise. The Governor should not have permitted the arrest just at the time he was leaving for the coast. (There was nothing furtive

about the movements of Harry Thuku; on the contrary, he toured the country with prearranged publicity, assured of ovations everywhere.) The arrest might have been postponed till General Northey was back in town. If there was any danger that any of the Governor's subordinates might seize the occasion of his absence to snatch public applause by "taking a strong line," he might have left instructions that nothing was to be done till his return to Nairóbi. The Government was without the advice of its Commissioner of Police, who was in England on leave. After arrest, effected so placidly, Harry Thuku might have been lodged in the impregnable Central Jail only two miles away. He might have been put into a waiting train and removed to Mombasa or some unknown destination. Orders might have been issued for the municipal native beer-houses to be closed that day. The crowd might have been saved the panicky demonstration of that line of fixed bayonets below the wall, supported by additional rifles projecting over it. A wall, a silent wall, even if it be only a tin wall, provides a chill rather than a goad to frenzy so long as it remains undecorated by a string of "defenders." The same number of police held under arms inside the Lines would have constituted an equal protection of Harry Thuku without evoking the gibes and insults of excitable prostitutes or native mob-orators. If the flimsy tin wall had been torn down, armed forces inside would have had full justification for firing into the crowd. K.A.R. troops might, at any time during the morning, have been marched into the Lines under the gaze of the assembled thousands of unarmed demonstrators. The K.A.R., at any rate, are respected by the native population as an efficient group. The futile ceremony of "reading the Riot Act" and ordering the crowd to disperse might have been waived, with added dignity to Government's record in the matter.

The Director of Public Works had motored to the Secretariat and asked to see Sir Charles Bowring. It had appeared to him that if complete passivity on the part of the police forces were ordered, and if they abstained from reprisals, under exasperation by the few women in the crowd, the bulk of it, as the lunch-hour approached, would cease to be interested in the situation and would disperse. They were interrupted by telephone calls from the Police Lines and lastly by the return of the deputation. Abdullah Tairára reported that he exercised personal authority



only among those Akikúyu who were Mahomedans. He had moved through the crowd, ordered these all out, and they had withdrawn. The rest of the crowd would not disperse. He and the rest of the deputation could not make them disperse. . . . A shot, down in the town! A volley, followed by a ragged burst of rifle-fire which lasted perhaps for 20 seconds, tailing off, during a bugle-call, into a few popping shots. The noise of a shouting crowd, police whistles—and then abrupt silence. All in Sir Charles's room had sprung to the windows. There was nothing to be seen towards the Police Lines, a mile away across Nairóbi's public park. The telephone was silent. The Director left instantly for the Town Hall, where his wife was that morning sitting as a member of a Government Commission upon the amendment of the Colony's Divorce Laws. They made for the Police Lines. A Survey Department man was standing at the roadside just where the motor stopped. "Was that ball cartridge or blank?" the Director asked him. "Ball cartridge, all right," replied the other, with a wave of his hand. The ground, which 20 minutes before had been packed with people, was empty, except for a few corpses of native men and women, and parties picking up the wounded. These were carried into the Government Native Hospital close at hand. The police in a column of four abreast had been marched away. The native demonstration was over.<sup>1</sup>

The King's African Rifles were now brought in. Patrols moved about the town and through the native villages to the North of Nairóbi river for the rest of the day. Wounded natives reached Fort Hall by road two days later, spreading rumours of a Government massacre of native townspeople in Nairóbi.

There was a magisterial inquiry.<sup>2</sup> It transpired that no one had given the order to fire. The police had, however, been on duty there for 19 hours, and, in the circumstances, it was held that they had acted with restraint under provocation. Police officers averred that they were just on the point of ordering their men to fire when a shot went off, precipitating a general fusillade all round the Lines. A European Captain of Police, in trying to arrest a demonstrator who was making himself obnoxious, had tripped and fallen, or had been thrown. Then there had been a shower of stones. One *askari* nervously pressed his trigger and the firing became general, supplemented by the

<sup>1</sup> *E.A.S. and L.E.A.*, March 17th, 18th, 1922.      <sup>2</sup> *Cd.* 1691 (1922).

revolvers of police officers and non-coms. The crowd instantly ran and the officer in charge whistled the "cease-fire."

The English Chaplain of Nairóbi, the Rev. W. J. Wright, had been in the crowd most of the morning. The bulk of the natives were well-disposed, he said. It had reminded him of a Sunday-school treat. He had had prayer meetings with some of the Christian boys. The outbreak of firing by the police and of stone-throwing by a portion of the crowd had been simultaneous. He was convinced that the women were the cause of the immediate agitation. (As a matter of fact he had had an awkward minute during the fusillade, standing erect, bullets whistling past him, while gaudy ladies of debatable rectitude hung on to him at every available corner, screaming in panic. A padre, in such a sudden burst of vengefulness on the part of Government, might, they thought, be surrounded by an oasis of safety.)

The Coroner, in his finding, said :—

"On the evidence just recited I am convinced that this crowd was hostile, dangerous and determined, and I have no hesitation whatever in finding that the *askaris* were justified in firing, and had they not done so the Police Lines would in all probability have been rushed and entered and the prisoner set free, when a situation of grave peril might have arisen."

In a lengthy finding he exonerated the police for firing without orders.

Those shot dead, or who died of wounds in Nairóbi, numbered at least 25. Government medical officers and private practitioners worked late at the Native Hospital. The police proceeded to make wholesale arrests of participants and ringleaders. The trial of these continued for upwards of a month. Varying sentences were inflicted, up to a year's rigorous imprisonment.

Meanwhile the concerted one-third cut of pay, which had had such pronounced effect in rousing the indignation that led up to the "riots" in Nairóbi, was languishing. The "second string" was getting frayed. Much enlightenment has, from time to time, been shed upon Kenya affairs by the deliverances of the papers' "own special correspondents" in various parts of the Colony. These gentlemen and ladies keep the newspaper office in Nairóbi supplied with local titbits of news. Sometimes, under pressure of work in the Nairóbi office, these were passed to the compositors untouched, or with

inadequate "editing." The writers were often of independent mind, and they did not live and work under the shadow of the political machine, as resident staff in Nairóbi did. So, within three months of the organized reduction, the correspondent at Eldorét was supplying reports which were far from gratifying to the Native Wages Reduction enthusiasts of the Convention.

"There are many complaints," he said, "that the reduction was causing a dearth of labour which was causing great hardship, many mills and *shambas* (i.e. farms) being at a standstill."

Another correspondent, at a later date, reviewed the effect of the measure among Kaviróndo workers:—

"For the first time, Fort Ternan, Kóru, Lúmbwa and Muhoróni are hard up for labour.

"This is not due to the railway work, as that is unpopular, but to the reduction of wages. The Kaviróndo has really never come out since the reduction and with a record crop is not likely to."

The General Manager of the Uganda Railway stated in Legislative Council that upon his return from leave he had restored the one-florin cut that had been made in his absence in the pay of unskilled workers on the railway.

It must be recorded that Kenya's Political Machine lost no opportunity of disclaiming responsibility for this native upheaval. All its members had behaved justly throughout. They were going to continue to treat the native justly and they passed a resolution congratulating the Government on having handled the rising in the right way. Still the natives, strange creatures though they were, could not have gone to such lengths of organization and truculence for nothing.

Vigorous attempts were made by the Convention to throw blame upon Indian "agitators" for the whole incident. It transpired that Harry Thuku and other Africans had had tea on one occasion with Mr. Desai and other Indians. The papers went nearly frantic with joy over this discovery. As a matter of fact, there was nothing startling about it. To anyone who knew the African movement from the inside, there was nothing even ominous about it. As to the great world lying outside Africa, from which it was known that rulings and decisions came which ordered the course of the local Government, these Africans sought advice, and it is something to the discredit of Government, missionary and settler groups that they sought it from the

Indians. There are no reliable grounds for hinting that these politically emergent Africans ever received Indian advice as to adopting courses that were other than constitutional. In Legislative Council the Hon. Mr. Shams ud Deen asked :—

“ Will the Government state if any steps have been taken to investigate if there is any truth in the allegations and insinuations made in the Press as well as in this Honourable House, to the effect that the so-called riot or unlawful assembly by the natives outside the Police Lines on March 16th, 1922, has been engineered by Indians who were also alleged to have spread discontent and sedition among the natives inside and outside the Native Reserves ?

“ Should the answer to the above question be in the affirmative will the Government announce the result and should the answer be in the negative will the Government appoint an independent and representative Commission of Inquiry to investigate thoroughly if there is or ever has been any disaffection among the natives of the Colony, the cause of such discontent and disaffection and the extent to which Indians have been instrumental in fostering any such discontent among the natives ; also if there is any truth in the allegation that the native congregation outside the Police Lines was engineered by Indians ; also if the activities of Harry Thuku constituted any danger to the Colony.”

But the only reply he got was :—

“ With regard to your first question on the subject of the native riot, the reply to this is that Government has no announcement to make in the matter.”

The fact must be borne in mind that the document which led to the Dagaréti meeting at the outset of this unrest was by far the most damaging indictment of Government and settler that appeared from first to last, and it was taken down, at native dictation, by a missionary. All credit to him for doing so. It shows what the native was capable of, without Indian collaboration. It pleases those who like to picture these capable African natives as untutored savages, 2,000 years behind us in development and mentality, needing to be treated, like children, with “ firmness and justice,” to underrate the extraordinary capacity, shown in Harry Thuku’s movement, for an alert offensive against oppression. It pleases most of those in this group also, to stigmatize the Indians as inciters to rebellion. When it comes to a charge of rebellion, those who level it are under much graver suspicion than the Indians—as is explained in a later chapter. Still, somebody must have been at fault before such a distressing incident could have occurred. So it must have been

the Government! That was the conclusion that the Convention came to.

It is scarcely the case in 1927, as it was in 1921, that missionaries never interfere in industrial crises. The bulk of them, it is true, know little of economics and less of the industrial history of their own or any land—but there are exceptions. Prominent among these is the Ven. Archdeacon Owen, of North Kaviróndo. He saw the likelihood that native organization might be driven into subterranean and seditious channels by the Government's handling of the Thuku movement, and he strove, successfully, to keep political action among the Kaviróndo in the open. The result is a Kaviróndo Taxpayers' Association, of which he is president. It displays a lively interest in the volume of taxation accruing to Government from the tribe, and in the allotment of public funds to work and development in its area. Child welfare, education, improved housing, rat-destruction, simple hygiene and tree-planting are among the activities with which it concerns itself. It created a favourable impression upon Dr. Jesse Jones and the members of the Phelps Stokes Commission<sup>1</sup> when they visited Kenya in 1924 to study African education in the Colony. Administration officers of alert mind and modern outlook support the movement. It is beginning to influence native circles far outside Kaviróndo, and labourers in distant areas of European settlement have asked to be allowed to affiliate to it, and have paid affiliation fees with their applications. This is development in the direction of trade unionism—hopeful, for one thing, because it is under sympathetic guidance in its early days. The employers of Kenya are lucky that this is so, because its coming is, in any case, inevitable.

The Kenya Government (apart from some of its officials in the native areas) has done little that is of value to assist the natives to a knowledge of the laws of the Colony. A monthly publication, *Habári* ("News"), edited by a committee of officials and published by Government from 1922 to 1925 for native circulation, has contained several articles dealing with the requirements of various Ordinances, and the punishments to which natives may render themselves liable—and also one somewhat specious appeal for the quiet acceptance of the Registration System. But nothing in this paper has the

<sup>1</sup> *V. Education in East Africa*, p. 124.

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authority of pronouncements in the *Official Gazette*, and while all the laws that are passed in the Legislative Council are printed in the *Gazette*, they appear only in English. Most native chiefs now employ at least one educated African clerk, and parallel publication in the *Official Gazette* of the laws in English and Kiswahili would meet present requirements by giving all natives the chance of applying to those of their number who are educated for the actual letter of the laws which affect the African population. Several settler Associations complained of the action of Government in giving the natives the current news of the world in *Habari*, and it ceased to appear after 1925. Its publication is, however, being resumed in 1927, with the Principal of the Jeanes School for Native Teachers as editor.

The Government in Kenya will make a grave mistake if, in ignorance or disregard of world-wide industrial movements, it seeks to limit organized native representation to action taken through the medium of the native District Councils, which it has established<sup>1</sup> in some of the Reserves. The industrial aspirations of a widely distributed labouring class, recruited from many tribes, cannot adequately be voiced through a multitude of little councils, functioning in restricted geographical areas, and consisting largely of chiefs and headmen drawing Government salaries—useful and valuable as these may be for many purposes of tribal administration. The tribe is one well-known unit. The class of wage-labourers is another. A Government which does not allow organization to develop in both can lay no claim to enlightenment. The wage-payers in Kenya are admirably organized.

It is noteworthy that the wage-paid land-workers, as a class, in this part of Africa are apparently more alert to the advantages of combination than are those in a similar calling in England, and that this attitude is gaining ground. Meanwhile, Harry Thuku, untried in any court of law,<sup>2</sup> remains in exile. He has spent the years since 1922 under police surveillance at Kismáyu, Lamu, Meru, and in the Northern Frontier Province.

<sup>1</sup> Native Authority Amendment Ordinance, No. 14 of 1924.

<sup>2</sup> Commons Debates, June 26th, 1922, col. 1690.

## CHAPTER XIV

### THE STORY OF THE UÁSIN GÍSHU

"Unskilful or unwise finance is our greatest danger, but here again the remedy lies ready to hand if we are wise enough to avail ourselves of it. It consists in adapting our fiscal methods to the requirements of our subject races, and still more in the steadfast rejection of any proposals which, by rendering high taxation inevitable, will infringe the cardinal principle on which a sound Imperial policy should be based."

LORD CROMER  
on "The Government of Subject Races,"  
*Edinburgh Review* No. 423, January 1908.

# WHY?

That is the question which continually recurs to one's mind as detail after detail of the history of the Uásin Gíshu Railway project emerges. This chapter elaborates the question. For reasons which will become obvious, it does not supply the answer.

It will be remembered that since its earliest days the Protectorate had possessed one main line, the Uganda Railway, running across it from East to West. After rising to a height of 7,900 feet in a distance of 372 miles from its seaward terminus at Kilindíni on the East coast, the line traverses the Great Rift Valley, dropping nearly 2,000 feet, crossing the floor of the valley obliquely to Nakúro, which lies at an altitude of 6,071 feet,<sup>1</sup> and then surmounting the Mau Escarpment, which is the Western wall of the Rift Valley, by a climb to an elevation of 8,322 feet in a distance of 42 miles from Nakúro. From Mau Summit, the highest point on the line, there is a rapid descent to the basin of the great lake, the Victoria Nyánza.

Lying to the North of Mau Summit is an extensive tableland known as the Uásin Gíshu Plateau. Except for a few wandering families of Másai, the greater part of this Plateau was uninhabited. On the North and East sides were the small tribes of the Marakwét and Elgéyo. On the extreme West was the Nándi tribe. Government, before 1907, decided upon the suitability of this vacant plateau for allotments for European occupation. It

<sup>1</sup> Pronounced *Wah-sin Gee-shoo* with hard g, as in *get*.

<sup>2</sup> Kenya and Uganda Railway, Fare and Rate Table, 1926.

was three or four years after the first rush of settlers took place before allotments in any number began on this Plateau. Government preparations were more advanced here than had been the case in the early days of settlement further down country. Farms were both demarcated on the ground and shown on maps. One farm, No. 64 in the allotment, was reserved for a Government station, which subsequently became known as Eldorét. At the time of the arrival of the early settlers, about 1907, the construction of an earth road from Londiáni station at mile 497 on the Uganda Railway was begun, though with inadequate funds, as usual. Alternative access to the Plateau existed via the Government station at Eldáma Ravine by the Sclater Road, which had been cut in the early days of the first reconnaissance for the Uganda Railway, and which, for considerable stretches, was still usable.

The first settlers to occupy this area in any number were mainly Dutch from South Africa. Some of them had come with their wagons overland from South Africa, though the majority came by sea to Kilindíni and thence to Nakúro or Londiáni by rail. On detraining at Londiáni there were narrow belts of forest and bamboo to be traversed and then these immigrants found themselves on the Plateau proper, in country of a type to which they were well accustomed. Travel in any direction was here possible, with their wagons, without any effort at road construction as understood in Europe. Rivers were small and shallow, and could be crossed by drifts. In dry weather, and between rivers, the country was ideal for wagon-travel. In wet weather, difficulties of the road were surmounted by a simple measure of co-operation. Wagons, each with its team of eighteen trained oxen, would travel in a convoy of three or more. If in a soft spot a wagon cannot be moved by eighteen oxen, thirty-six can be attached. If two teams fail to move it, three full teams, numbering fifty-four oxen, may be brought into action, when, to the accompaniment of prodigious shouting and thrashing, the wagon ordinarily moves, in whole or in part. If it is broken, or if it remains immovable, it is left, loaded or unloaded according to the weather prospects, until the country dries out sufficiently to justify another attempt, but only a combination of road difficulties in the severest weather is likely to defeat a wagon convoy of experienced Dutch colonial teamsters. They are not easily stopped.

English settlers joined the Dutch on the Plateau. For the



little community that grew up, the transport-rider, as the teamster is locally called, was the sole agency for carrying produce to the railway, and goods and supplies from it. At the best, however, he cannot hope to meet regularly the requirements of the producers or consumers of perishable produce. From the unwieldy size of his vehicle and its team, its slow rate of progress and its liability to temporary prohibition by quarantine regulations designed to limit the spread of cattle disease, he must fail in the long run to meet the whole transport requirement of any region coming under close settlement and enjoying even a moderate degree of prosperity. The need for rapid transit asserts itself at an early stage and all minds turn to the possibility of a railway.

In the case of these settlers on the Uásin Gíshu Plateau, requests, more or less influentially supported, were made to Government for a branch line from the Uganda Railway, within a few years after the beginning of settlement, and by the year 1914 Government had an expensive survey in progress for a line which would diverge from the Uganda Railway at Nakúro, climb the mighty Mau Escarpment a second time, traverse the Plateau obliquely towards the North West and then descend through the fringe of the territory of the Nándi tribe into that of the Kaviróndo tribe, terminating at Mumías, the centre of an immense population of progressive native agriculturalists. That the new branch line should start from Nakúro was naturally a very popular prospect for residents and property-holders there, but among the occupied farms in the vicinity no little degree of consternation prevailed when realization dawned as to the route which the survey parties appeared to be following. A group of enterprising settlers situated in the valley of the Molo River to the North-West of the town had brought a large acreage of land under cultivation, from which they were annually transporting to the Uganda Railway at Nakúro some thousands of tons of maize for sale down-country or for export. It was disconcerting to find the line of survey heading off across the top of their valley and so close to the Uganda Railway as to provide little or no improvement in their facilities for the export of their produce. Instead, it appeared to be traversing farms, for the most part unoccupied, which formed part of the allotment of 156 square miles<sup>1</sup> which had been given to Lord Delamere in 1903. Although there was much angry comment, no public discussion took place before the

<sup>1</sup> Cd. 2629, p. 14.

completion of work by the surveyors. These were not engineer officers of the Protectorate's own Service, but outside engineers specially engaged for the purpose of this survey. They presented their report in 1915.

It was at once obvious to all that the line as surveyed did not provide the easiest or cheapest route for serving the settlers on the Plateau. After crossing the allotment given to Lord Delamere it traversed two large blocks of forest comprised in a Concession granted to Mr. Grogan. It traversed them moreover in a manner almost ideal for the economical working of the forest areas. Transport of felled timber to the line would be, from the greater part of the concessional area, down-hill. The line crossed enormous ravines low down in their course, entailing excessively heavy earthwork and an inordinate amount of bridging. To climb the Mau Escarpment again would be a sufficiently serious undertaking in any case, but to climb it by the route suggested would cost more than £20,000 a mile. The project did not evoke any pronounced degree of interest in the country. It was widely regarded as impossible of adoption and Government discarded the proposals, while the entire impossibility of securing funds for any capital works of magnitude during war-time served as an additional reason for dropping the project. Moreover, the bulk of the settlers who would be affected, either favourably or unfavourably, by the adoption of the proposed alignment were by this time at the front, serving for the most part in the campaign against German East Africa along the Southern border of the Protectorate.

In the year following the Armistice, the project for a branch railway to the Uásin Gíshu Plateau again received the attention of the local Government, which detached four Heads of Departments to tour the proposed alignment and submit an "Economic Survey," assessing, as far as might be possible, the character and volume of the traffic which the line might be expected to have to carry, and reporting on the revenue and expenditure prospects of the line. They were the Director of Agriculture, the Commissioner of Lands, the General Manager of the Uganda Railway and the Conservator of Forests. The last-named was prevented by ill-health from accompanying the Commission throughout.

The resulting report<sup>2</sup> was candid and not very favourable to

<sup>2</sup> Placed on table of Legislative Council, July 10th, 1920.

the Railway project. Interviews with settlers on the Plateau had elicited forecasts of the development of their estates for a dozen years ahead which probably did not err on the side of under-estimation. Witnesses before the Committee might be expected to make out as good a case for the construction of a railway to their farms as the elasticity of their consciences might permit. To settlers from other parts of the country who were able to see this report, these forecasts provided an occasion for mirth. Nevertheless, the Committee were constrained to point out that if these products were carried over the new branch line at the rates prevailing on the main line, the new line would have to be worked at a loss for a long term of years. At three years after the completion of construction they assessed this annual loss at £61,300; at ten years after construction, £25,000. Presumably annual losses would be made up from the general revenue of the Colony, the greater part of which was derived from the direct and indirect taxation of the natives. Interest on the loan would be paid from the same source.

Fortified with this report, the Government of General Northey in 1920 resumed pressure upon the Colonial Office for sanction to proceed with construction. Settlers were now back from the conquered territory, in what had been German East Africa, and the disquiet with which the alignment followed by the Survey parties in 1914 had been regarded found expression. As a result, on July 10th, 1920, a resolution was passed unanimously in the Legislative Council, advocating that the desired branch line should start from Mau Summit, the highest point on the existing (Uganda) Railway, and not from Nakúro on the floor of the Rift Valley, 42 miles away and 2,000 feet below. The latter course would clearly involve the climbing of the gigantic Mau Escarpment a second time, notwithstanding that the existing Uganda Railway already went over it. The peculiar feature would result that there would be a couple of railways running side by side at a distance of only eight or ten miles apart, and traversing a belt of country which, of all the terrain which the new branch line would have to traverse, would involve the heaviest and most expensive class of work, due to the mountainous nature of the country and the dense forests and deep ravines on the slopes of Mau. If there was any stretch of 40 miles anywhere in the country where the existing Uganda Railway should not be duplicated by another one at eight or ten miles distance, it was this one. The

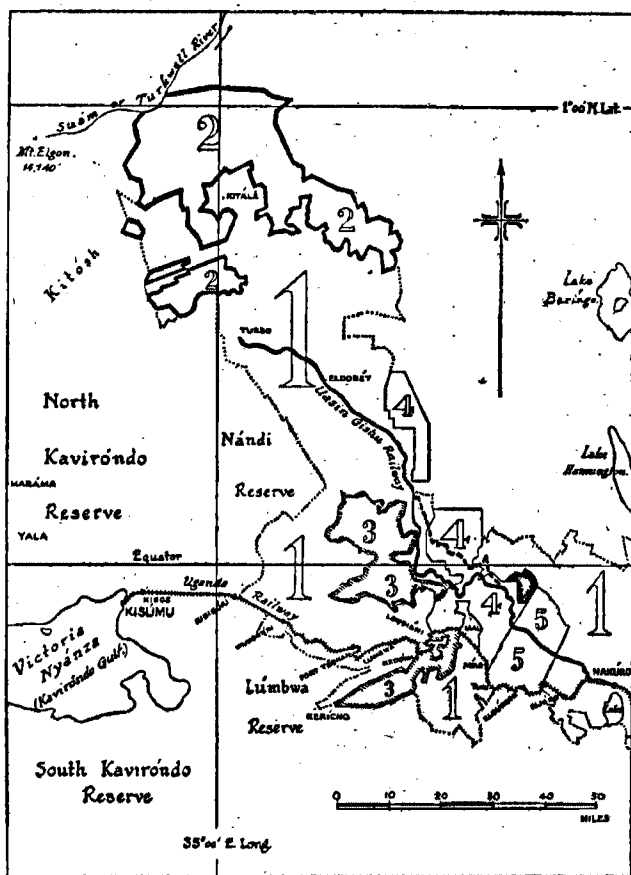


FIG. 13.—THE UÁSIN GÍSHU RAILWAY.

The heavy line from Nakúro to Turbo is the Uásin Gíshu Railway, 146 miles long.

The thin dotted line surrounding the area marked 1 is the boundary of surveyed European farms.

The portion of this marked 2, enclosed in a heavy border, is the group of more than 250 "Soldier-Settler" farms in Trans-Nzóia.

3. Government Forests.

4. The Grogan (originally Lingham and Grogan) Forest Concession: a free grant of about 300 square miles.

5. The free grant of 156 square miles of leasehold land to Lord Delamere. The black patch adjacent to 5 is a tiny Reserve of the Uásin Gíshu Mási.

The heavy broken line across the middle block of the Grogan Concession is the useless survey done in 1914-15.

Legislative Councillors no doubt thought that they had definitely squashed an improper suggestion.

But they had not. Although there were numerous surveyors and railway engineers in the Government Service in Kenya, the step was taken of employing an English firm to do a fresh survey for a branch line of railway to the Uásin Gíshu Plateau. A senior engineer of the Public Works Department was detached from normal duties and set to supervise, on behalf of the Kenya Government, the work of the survey parties. Why the work was given to this English firm is not publicly known; nor are the views of the Public Works engineer upon the work which he found going on. The firm was to be paid all its expenses, plus 5 per cent. in addition. Hence the necessity for having Government scrutiny of their work.

Supervision by this method was, however, soon discontinued, and before the end of 1920 instructions were sent from the Colonial Office that decision upon the route to be adopted should be postponed as an engineer was to be sent out from England to go into the question.

This engineer landed in the Colony in November 1920. He proved to be one of the engineers who had been employed on the previous survey of 1914-15.

His report was in the hands of Government by April 1921. The Mau route and the Nakúro route had both been re-surveyed. Up to the point where they converged, the former was nearly 11 miles long and the latter more than 53 miles long. From this point, common to both the possible routes, the new branch line would pass on to the Plateau, terminating near a flax estate, some 145 miles from Nakúro. The line would pass through European farms or concessions for its entire length, and would not reach the fertile Native Reserves of North Kaviróndo nor the promising area of Soldier Settlement known as the Trans-Nzóia. In the latter there were some two or three hundred European settlers, most of them in acute financial difficulties, who were without any hope of marketing low-grade agricultural produce at a profit as long as they had scores of miles of indifferent earth roads to negotiate before they could place their output on rails. Even if rails had run right into their settlement, they would have been more than 500 miles by rail away from the sea. If their transit operations were to begin with expensive and undependable road haulage, any successful outcome for their farming operations was indeed problematical.

Government had much competent advice at its disposal. There was a staff in the Survey Department which had actually done a reconnaissance for a line from Mau Summit to the Plateau some years before. There were the General Manager and the Chief Engineer of the Uganda Railway, and also the Director of Public Works, who had built a branch railway starting from Nairóbi in 1912, at a cost of £2,051 a mile—a figure far below that of any other railway construction in the country. There also happened to be in the Colony at the time a Colonel Hammond, sent out from England to advise upon the reorganization of all the State railways in Kenya, Uganda and Tanganyika Territory. Engineers in the Public Works Department had done railway work in many parts of the world. Finally the Colonial Office had the advice of its own Consulting Railway Engineers in London. The precise advice that was received from any of these quarters has never been divulged.

This report, produced at great expense, was not made public. Its author was sent home to London with it, and for the short period of his absence another Survey engineer was engaged from India to take charge of Government interests. Some such appointment was necessary inasmuch as the surveyors of the English firm were still at work, proceeding with detailed survey and general improvement of the work already done. The outgoing engineer and his temporary substitute from India did not meet. They missed one another by a margin of four days at the coast.

The temporary substitute had been engaged in problems of railway survey as far back as in 1895. He had, indeed, been engaged for a short time on the Uganda Railway survey in its early days. He visited the scene of these new operations and scrutinized the plans that had been prepared, and at once submitted his own recommendation to Government that the short Mau route should be followed. General Northey had by this time also gone home to London, to confer with Secretary of State Lord Milner upon the Indian problem in the Colony. It happened that the officer upon whom devolved the responsibility of acting as Governor was the Commissioner of Police, Lieut.-Colonel W. K. Notley, D.S.O. He was thus faced with a conflict of opinion between experts. If for any reason the short Mau route was not to be adopted, the views of this later expert still debarred the selection of Nakúro as the starting-point. The

principal advantage claimed for the Nakúro route was that a gradient of 1 in 66 had been obtained from there, as against 1 in 50 on the existing Uganda Railway. The new expert alleged that a still easier grade of 1 in 100 could be obtained by diverging from the existing Uganda Railway, not at Nakúro on the floor of the Rift Valley, but from a point up the slopes above the existing station of Njóro. The surveyors of the English firm raised objection to any alteration of plans, although expressing the opinion that the substitute's view might quite possibly be right. The substitute wired to the original engineer in London asking whether he concurred in a thorough examination of the new, shorter and possibly flatter alignment. Acting Governor Notley expressed his entire willingness to have the fullest examination of doubtful points made before construction was begun. General Northey returned to the Colony after an absence which had been prolonged for several months on account of Lord Milner's visit to Egypt. Shortly afterwards the original engineer also returned with his own project practically sanctioned. The substitute was instructed to pay the cost of the cablegram which he had sent to London. His dismissal was sanctioned by General Northey. He received a month's salary in lieu of notice. He left by the first steamer from Kilindini. He had lodged his opinions and professional view with Government, and he did not feel called upon to proceed any further officially in the matter. He wrote, however, to two of the local papers and they both inserted his letter.<sup>1</sup> He pointed out that £600,000 was going to be wasted by starting the new line from Nakúro instead of Mau Summit, and this sum could be utilized with greater general benefit by building a cheap light railway into the group of actively worked farms lying to the North-West of Nakúro and, with the balance, extending the Plateau branch, starting near Mau Summit, as far as possible into the Soldier Settlement area of Trans-Nzôia. Lord Delamere had advocated much the same course in August 1920.<sup>2</sup>

No comments on these letters appeared in the papers. A racy little sheet, published weekly in Nairóbi, devoted a page to a philosophic dissertation on the topic: "What is Waste?" (See Plate VIII.) That was all.

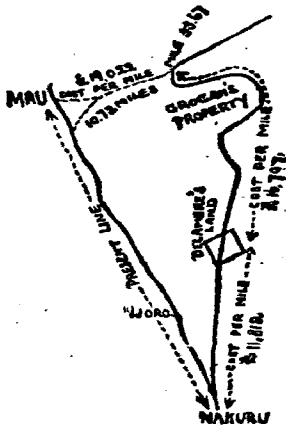
Never before in the history of the country had a project of

<sup>1</sup> *L.E.A.*, December 10th, 1921.

<sup>2</sup> *E.A.S.*, August 7th, 1920, p. 6.

# A Problem in Railway Construction

**WHAT** is waste? People have different ideas. Look at the following rough diagram. How does it appear to you? Observe the contour of the two railway lines—the old and the new. See how they run (like the three blind mice) practically parallel with one another for all intents and purposes, for a distance of over fifty miles. Starting at an acute angle from Nakuru the two lines branch off, until, at the points indicated, they are only 10.72 miles apart! And that after a distance of over fifty miles! Striking an average it will be found that five miles is the distance separating the two lines of rails all this long way!



**WE** therefore repeat "What is waste?" Does it consist of building an expensive line of railway costing Shgs. 236,240 per mile, for some 30 miles and Shgs. 335,940 for 20 miles as against a small line of a mileage of 10-72 miles costing Shgs. 36,540 per mile? Consult the sketch, study this for yourself. And, if such is waste, why such waste? Is there a reason? If so, what is that reason?

**LET** us look carefully at the sketch again. It will be noticed that, at mile 30 on the new projected line, Lord Delamere has a property bisected by the Railway. It will be further noticed that in the crook of the line near mile 53-07 Major Grogan is a big land owner. These facts duly observed what then?

**IT** may be remembered by the intelligent local student of politics, that when the question of the Uasin Gishu railway survey first came up for consideration, the Legislative Council almost unanimously favoured the Mau Summit route. This was practically decided upon. Yet, in London, for some reason best known to the Powers that be there, (Major Grogan was in London at that time coincidentally) a reversal of this policy took place and the Nakuru route was decided upon. Why? Expense? Surely not. For, even with the greater mileage cost on the shorter route, the result works out nearly half a million of money cheaper—Shgs. 15,961,820, as against Shgs. 4,078,450. Why? Are these insuperable engineering difficulties in the way of constructing that ten miles of line from Mau summit to the point where the projected railway will reach mile 53.67? Not so far as can be ascertained. Therefore, why the desire to construct fifty odd miles of apparently useless line?

**WE** leave it at that. Were the times not so hard we would offer Shgs. 100 a week for life of a Rolls Royce, for the best solution. As it is, our readers are welcome to send in their views for consideration and, perhaps, publication.

## Further Amalgamations.

In view of the craze for amalgamation that seems to have overtaken the whole of the business community these days, butchers, grocers and the rest of them, we suggest a few further notification of private business interests on the following lines—

- Mr. Hockley of Nakuru and Resident Commissioner Champion.
- Alexander Davis and R. F. Meyer.
- R. Chamberlain and Lord Delamere.
- C. Kenneth Archer and M. A. Desai.
- Sidney Couper and D. Newmark.
- Councillor Ashworth and H.E. the Governor.
- A. Morrison and Sir Owen Thomas.
- Mr. McGregor Ross and Mr. T. A. Wood.
- Major Grogan and the Government.
- Charlie Udall and anyone of his consumers.
- Any bank manager and the possessor of his biggest overdraft.

PLATE VIII.—WHAT IS WASTE?  
(A Kenya view of the Uasin Gishu Railway)



such importance as this been wrapped in such mystery. There was, it is true, a member on the Legislative Council representing the Trans-Nzóia—the area which might be reached by rails if the available money were spent in a line starting from Mau Summit, but which certainly would not be reached, for the sum of money available, if the line started from the bottom of the Valley. He asked in Council that a map showing the proposed railway should be placed on the table of Council. This was promised, but the promise was not kept—and the member did not repeat his request. He never asked for the production of the survey report of the previous April upon which action was being taken. The member for the Southern part of the Plateau was Major Grogan, whose timber concessions would be traversed if the line started from Nakúro. He also displayed no interest in Council as to the production of papers. The member for the Rift Valley, from which the line was to start, was Lord Delamere. His constituents would not have reaped any advantage from this expensive new project if the branch line had started from Mau Summit. When Mr. Winston Churchill succeeded Lord Milner as Secretary of State for the Colonies, he was asked in the House of Commons<sup>1</sup> if the original survey report and subsequent papers might be produced for the information of the House, but the reply was that the cost of printing would not be justified. When Mr. J. H. Thomas succeeded Mr. Winston Churchill as Secretary of State there was a vigorous debate<sup>2</sup> upon the subject of further railway construction in Kenya. It was stated that the Public Works Department had offered to build the short piece of line from Mau Summit for £80,000 before the Kenya Government's decision to build the longer one from Nakúro at a cost of over three-quarters of a million had been taken. Mr. Thomas refused to be drawn about what he described as "the scandalous original railways," and at a later stage he refused to produce papers dealing with the Uásin Gíshu Railway.<sup>3</sup> Whatever the survey report of April 1921 did or did not contain, and whatever went on in connection with that report in the official world of Kenya, have been resolutely hidden, and the records of it now repose in peace in the archives of Nairóbi and Downing Street.

At a critical stage, Government lost the advice of its Treasurer, Mr. Kempe, who died at the age of 36. The Post-

<sup>1</sup> Commons Debates, August 2nd, 1922, col. 1451.

<sup>2</sup> *Ibid.*, Feb. 25th, March 3rd, 1924. <sup>3</sup> *Ibid.*, Feb. 25th, 1924, col. 62.

master-General took his place temporarily and advised Government in the later stages of its consideration of this issue. The sole question in dispute was whether the Colony should go to the enormous expense of building a 1 in 66 line Westward from Nakúro as well as the existing 1 in 50 line, at any rate before the existing line was so swamped by traffic that a relief line became necessary.

No tenders were invited for the execution of this project, expected to cost upwards of £2,000,000. It was given to the firm that had been doing the survey. The Legislative Council was kept in complete ignorance of everything that was going on. A public statement had been made by an ex-official, who had the very best reason for knowing the precise facts, that a sum of over half a million pounds was going to be wasted if the Nakúro project was adopted by Government. It seemed to be considered that this should not interest the Legislative Council. Government was urged to have a full debate on the proposals, introducing, as a temporary member for the occasion, the author of the survey report of April 1921. This was refused.

The work began—from Nakúro. This was accompanied by panegyrics in the local papers in Nairóbi upon the work of the contractors. It would appear that some criticism must have been levelled at the estimates upon which the contractors were working (at cost price, plus 5 per cent. for profits, plus an additional sum for office expenses), because at an early date the Governor announced that a revised estimate had been prepared by the Survey Engineer from home, who was now in charge of construction, indicating a saving upon the original one of £700,000. As work went on, it transpired that savings were being effected by unusual methods. Embankments, even high ones across ravines 70 and 90 feet deep, were made without culverts through the bottom of them. When wet weather set in they acted as dams across the ravines and began to slide. Earth cuttings were left with almost vertical sides, which began caving in as soon as rains started. The slopes of the cuttings had then, of course, to be flattened back, in some cases more than once. Forty-two miles of cuttings were so treated. Sub-contractors were treated harshly in the matter of their payments. One of them refused to submit to exactions that were made from his dues in the interests of reducing the expenditure on the line. He took his complaint to Court and won it. H.H. Judge Maxwell referred in sarcastic terms to some of the adminis-

trative methods prevailing on the work. Attempts were made to burrow through the bottom of some of the embankments, but a couple of natives were buried by a subsidence of soil and were killed. The relatives of the dead men were compensated, in the sum of £7 10s. per corpse. Many of the embankments had, of course, to be opened up to the bottom in order to have culverts built in, after which the material was returned. All these necessities involved heavy encroachments upon the "saving" of £700,000 that had been promised. The estimate was, in fact, certainly revised five times and perhaps oftener. It was originally £2,302,615. The promised "saving" brought this down to £1,520,529, but this was raised on successive occasions during the work to £1,661,774, £1,690,931, £1,782,131, £1,902,131.<sup>1</sup> If this had happened upon any project in charge of the Uganda Railway or the Public Works Department there would have been a rare stream of fury and satire from the local newspapers. In this case, however, they maintained complete calm. They retained it even when a long embankment, about 20 feet high, was built in the wrong place through faulty setting-out. It had to be dug down and the material removed to the correct alignment about 80 yards away. Soil from some of the cuttings was not used for embankments immediately adjacent, but was discarded close by, fresh soil being dug in another place for the embankment. The contractors were paid for all the work that they were ordered to do, plus their percentages for profit and office expenses in addition. Long before the line was finished, even the Convention of Associations adopted a resolution urging that a Commission of Inquiry, with the widest terms of reference, should be appointed by Government to go into "the whole question of the building of the Uásin Gíshu Railway." This was refused. Work went forward steadily if not merrily. The treatment of the African workers was at first a matter of great concern to Government, a death-rate of 83 per 1,000 per annum being reached in the month of May 1922.<sup>2</sup> "In 1922 the Duke of Devonshire found occasion, in consequence of the exceptional mortality on certain sections of construction, to direct that a very searching inquiry should be made into the conditions under which the labourers lived."<sup>3</sup> An Administration officer was posted to

<sup>1</sup> *E.A.S.*, December 20th, 1924, p. 29.

<sup>2</sup> Native Affairs Department Report for 1923.

<sup>3</sup> Commons Debates, December 15th, 1924.

special supervision of labour conditions in the railway camps, and these rapidly improved, the death-rate falling to a figure varying from 12 to 30 per 1,000.

As late as December 1924 Sir Robert Coryndon was again asked in Legislative Council if he would have an inquiry into this Railway episode, but the official reply was: "It is not the intention of Government to hold an inquiry into the terms of the Uásin Gíshu Branch Railway Construction contract or into the manner in which public funds have been expended under that contract."<sup>1</sup> The final cost of the work is stated to be approximately £2,350,000, or over £16,550 a mile.<sup>2</sup>

After the work had been well started, the elected members of Legislative Council brought forward a motion enjoining Government to see to it that *all future railway construction* in the Colony should be conducted on sound lines, applicable to a pioneer country faced with financial difficulties. It was declared to be of first importance that the principle of allocating funds for railway construction should be "to secure the maximum mileage of new construction compatible with the provision of adequate rolling-stock and equipment, and necessary improvement to the general railway system."<sup>3</sup> It is unfortunate that this advice was not before Government a year earlier, as the sum of money that had been allotted to the duplication of the railway up the Mau Escarpment would have sufficed, if devoted to the production of "maximum mileage of new construction," to have served the settled area of Trans-Nzòia and also to have gone into the densely populated North Kaviróndo Reserve.

Taking the long route from Nakúro to mile 53, costing over £700,000, as against the short route from Mau Summit costing £80,000, the Colony, paying, as it does, £7 6s. per cent. on the necessary loan,<sup>4</sup> has annually to find a sum, for interest and sinking fund, of £51,000 as against £5,840, just for this portion of the line. The advantage which the Colony as a whole reaps for this annual impost is that on trains passing for these first 42 miles up the line to the Plateau, two or three additional trucks can be taken because of the slightly flatter grade. But goods traffic passing up the line is expected to be small in proportion to the huge exports of produce coming down the line, and against this

<sup>1</sup> *E.A.S.*, December 20th, 1924, p. 29.

<sup>2</sup> *Colonial Reports*, No. 1321 (1926), p. 23.

<sup>3</sup> *Proc. Leg. Co.*, March 27th, 1922.

<sup>4</sup> *Financial Report and Statement*, 1925, p. 34.

slight advantage there are now two converging lines of railway to be staffed and maintained instead of one, the Trans-Nzóia has had to wait two years longer for the arrival of its first locomotive than would otherwise have been the case, and natives around Mumias are still waiting. Moreover, if it was really of such material importance to obtain a grade of 1 in 66 instead of 1 in

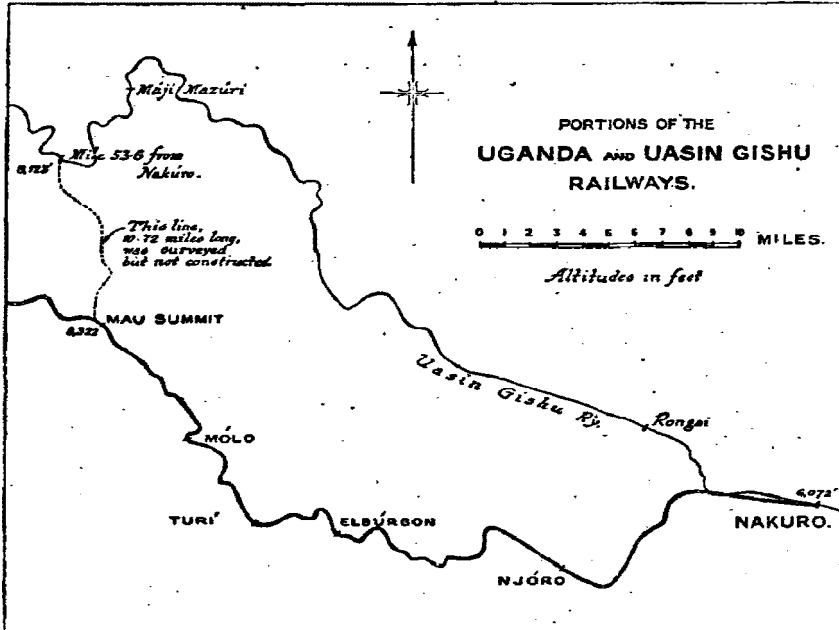


FIG. 14.—PORTIONS OF THE UGANDA AND UÁSIN GÍSHU RAILWAYS.

The portion of the Uásin Gíshu Railway from Nakúro to mile 53 over three-quarters of a million pounds. A line starting from near Mau Summit to the same point would have cost less than £80,000.

50, there is no doubt that this could have been done by altering the existing Uganda Railway between Nakúro and Mau Summit, by diversions, at a less expense than building a new line 53 miles long a few miles away. (The total rise in the 42 miles from Nakúro to Mau is 2,251 feet, or almost exactly 1 per cent.) That Government should not have had competent scrutiny made of this possibility is another of the unexplained aspects of this remarkable achievement.

The project was widely regarded in the Colony as "a ramp," responsibility for which could be brought home to nobody in particular on account of the atmosphere of secrecy which enveloped the undertaking from start to finish. As an attempt to elicit the facts of the case, an elected member asked in Council why the long route from Nakúro had been adopted. The official explanation<sup>1</sup> was: "The present alignment was selected because it provides a better grade on a line which will eventually serve Uganda, and the country beyond is estimated to carry more traffic, to cost less to work, has better supplies of wood fuel and obviates the disadvantage of working a short branch line from Nakúro to Molo River." If this is a correct *résumé* of the representations upon which Government acted, it is all the more remarkable that the public in the Colony has been so rigidly excluded from access to them—particularly if the estimates of cost, traffic and working will stand examination.

If it is the case (as believed in the Colony) that Government has anything to hide in connection with this episode, there can be no question that it is being effectively hidden.

Long before the railway reached Eldorét, it became clear that more traffic than the farms and timber concession that it passed through could supply would be needed if there was to be any chance of meeting the annual cost of working, together with an annual payment of over £150,000 as interest and sinking fund on the cost of the whole line, 145 miles long. Major Grogan had promised that,<sup>2</sup> if the alignment from Nakúro through his concession were adopted, he could supply 20,000 tons of timber annually for carriage on the line. The Parliamentary Commission dealing (very inadequately) with this project, records that the amount that Major Grogan actually put on rails was only 9,465 tons in 1922 and 1,000 tons in 1923.<sup>3</sup> The only hope seemed to be to get the line extended into native territory to the West. In that direction it would soon pass into the Uganda Protectorate, from which vast harvests of cotton were hoped for. Never before had the Kenya Government been so enthusiastic about spending money in Uganda. A further loan was asked for. Parliament authorized one of £3,500,000, on which the British taxpayer pays the interest for the first five years.<sup>4</sup> It is being used for extending the Thika Railway to Nárromóru, for branch

<sup>1</sup> *Proc. Leg. Co.*, October 23rd, 1922.

<sup>2</sup> Cd. 2387 (1925), p. 163.

<sup>3</sup> Cd. 2387 (1925), p. 160.

<sup>4</sup> Commons Debates, February 25th, 1924.

lines to two areas of white settlement in Kenya (Trans-Nzóia and Solái) and for the extensions into Uganda, the latter through very unhealthy country. The branch down the Molo Valley to Solái was to meet the requirements of those settlers whose interests had been disregarded in the route adopted for the Uásin Gíshu Railway.

After 1929, a sum of over £950,000 a year will have to be found for interest and sinking fund on Railway and Kenya Colony

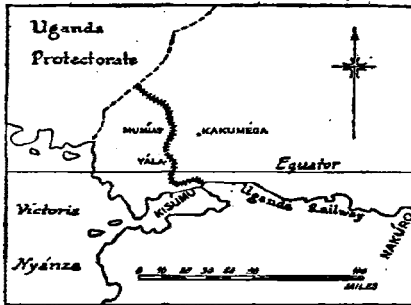


FIG. 15.



FIG. 16.

## TWO ROUTES TO THE UGANDA COTTON-FIELDS.

That shown by the heavy line in Fig. 15 would have been 90 miles long, have cost less than half a million pounds, and would have run through Native Reserves the whole way.

That shown in Fig. 16 has cost over 2½ million pounds and is 225 miles long, without counting the branch lines to Kitálë (45 miles) and Solái (27 miles). It runs through European properties for 151 miles and through a somewhat unproductive portion of a Native Reserve for 74 miles.

The distance from the Uganda border to the sea would be 674 miles by the route of Fig. 15, and is 671 miles by the route of Fig. 16. But in the latter case all Uganda produce has to be hauled over a summit level of 9,130 feet as compared with one of 8,322 feet (at Mau Summit) if the route of Fig. 15 were in use.

loans.<sup>1</sup> The handful of white men in Kenya and Uganda will pay only a fraction of this. The bulk will be paid by African natives in Kenya and Uganda. It cannot be pretended that the natives who thus pay for facilities to white planters and farmers, and for the automatic enhancement of the selling price of European farms, derive any comparable benefit themselves. The rates at which goods are carried will probably have to be raised. The natives, in increased cost of those imports which are rail-borne

<sup>1</sup> Reprint of Governor's Address to Legislative Council, August 10th, 1926, p. 20.

for their consumption, will pay their part of the impost in increased cost of living. The passenger takings on the Uganda Railway are always greater from third-class passengers than from first and second put together. The native, as far as Kenya Railways are concerned, pays the piper—but others call the tune.

It is frequently asserted that the natives of Kenya derive immense benefit from the mere presence in their midst of a large settler population of Europeans whose activities cannot fail to have an educative effect. Undeniably, some element of advantage does exist, but the natives have to pay heavily for it in cash. For instance, in the matter of this rail connection with the cotton-fields of Uganda, if there had been no European settlers West of Nakúro, connection would have been made by some such route as that shown in Fig. 15, instead of by the present-day one shown in Fig. 16—by 90 miles of new construction (up to the Uganda border) instead of by 225 miles. Interest and sinking fund would have been payable on less than half a million pounds, instead of upon more than two and three-quarter million pounds. Native lands would have been developed, instead of being denuded of workers in order that non-natives may secure profits. More African babies would probably have been born—and healthier ones, consequent upon less extensive break-up of native family life.

Some relief from this heavy financial charge upon the natives' wealth would be provided by levying a Betterment Tax upon the districts principally served by these existing branch railways, the tax being collected at the same time and by the same means as the rent; also by a tax upon the unearned portion of the increase in price of alienated properties at sales. The Reform Party would, however, not hear of any such proposal, and the Convention would become grossly abusive (*cf.* p. 157), so no Kenya Government and no Secretary of State has ever ventured to talk seriously upon the topic. Moreover, many of the senior officials in Kenya have been, and are, land-holders. The interests of the natives would probably be found to be better served, should schemes for still further branch lines be considered, if the Chief Native Commissioner of Kenya and the officer with corresponding duties in Uganda were added to the Railway Council. The influence of protagonists of native interests would then operate in the discussion of new projects *ab initio*, instead of being deferred, as is at present the case, *ad finem* or to the Greek Kalends.



What is stigmatized as ingratitude may frequently be nothing more or less than temperamental incapacity to recognize the existence and the reality of benefits that are being enjoyed. Thus Lord Delamere, speaking at Nakúro (of all places !) towards the end of 1922, is reported to have said :—

. . . “ And do natives really like Crown Colony Government so much ? What was the chief cause of the unrest among the native peoples of Kenya the other day ? Undoubtedly over-taxation. And what was that over-taxation imposed for ? For no other purpose than to meet increased Government salaries. *We settlers never got any of it.*” (Applause.)

## CHAPTER XV

### THE MISCARRIAGE OF THE PUBLIC WORKS POGROM

"Unquestionably much harm has been done at times by Governments failing to yield, or yielding too late, to a clear and unmistakable expression of public opinion. Nothing, in fact, can be more foolish or hurtful than that officials should unreasonably oppose a stiff barrier of bureaucratic obstruction to the views of the outside public. If they do so, they are liable to be swept away. But occasions do occur, which in these democratic days are becoming more rather than less frequent, when the best service a Government official can render to his country is to place himself in opposition to the public view. Indeed, if he feels certain he is right, it is his bounden duty to do so, especially in respect to questions as to which public opinion in England is ill-informed."

LORD CROMER,  
*Modern Egypt*, p. 438.

THIS outline of Kenya history would not be complete without some allusion to the type of treatment meted out to disagreeable individuals in the ranks of the British Government's servants in the Colony. The amiable principle adopted by the Political Machine was to seek by cajolery and "a good Press" to elicit favours, or, at any rate, benevolent neutrality, and, if neither was forthcoming, to turn and rend. If the first method proved satisfactory, life was tame and uneventful. Only when the second was adopted did the disagreeable official and the political vampires really get any fun out of life. The average senior official found it not worth his while to be disagreeable. Some of them discarded all *joie de vivre* and became obese. Some hoisted the signal: "Engage the enemy," drove about Kenya's troubled waters on one sublime corsair-hunt and, striving in every encounter to give as good as they got, finally went under with both broadsides banging and the flag still flapping.

But they all went under. They knew that was to be the end, before they started corsair-hunting. The excitement lay in the joyful element of doubt as to how long that crisis of Fate could be averted when the last culverin would flash and the hot weapons hiss as the tilted deck slid into the sea of Retrenchment. Up till that moment Kenya provided a life worth living.

And the Happy Spirits that were released from the eddying water might thereafter chuckle for All Eternity. (That was worth remembering.)

*Anyone*, from the Governor downwards, who was disagreeable to the amateur statesmen of Kenya's tiny political world, stood marked for destruction. It has already been mentioned that the first Governor, Sir James Hayes Sadler, was visited at Government House one afternoon in 1908 by a disorderly crowd led by Lord Delamere. "Resign! Resign!" yelled the demonstrators through the windows. The Governor came out on to the drive and refused to give them an engagement as to Government assistance to private employers in the matter of their labour supply — for which they were clamouring. They contented themselves with shouting abuse and then returned to the town. *It was the month of March.*

An episode of this gravity, in which the dignity of the King's representative was outraged, was not allowed to pass without punishment. The Governor next day suspended Lord Delamere and Mr. A. A. Baillie from the Legislative Council.<sup>2</sup> Subsequently, at the urgent request of Sir James Sadler, the Secretary of State, Lord Crewe, in a despatch of January 28th, 1909, waived his prohibition and sanctioned the re-nomination of Lord Delamere and Mr. Baillie to the Council.<sup>3</sup>

A senior official has wittily remarked that the whole history of Governorships in Kenya has been that Governors have either been shelved by the Secretary of State for pandering to the politicians or sacked by the settlers for supporting the Secretary of State.

There was probably no official remaining in the British Government's Colonial Service in Kenya for any considerable period who was so unvarying in his readiness to attack the pet projects of the Political Machine as was the Director of Public Works. If a cold recital of his fate leads to a clear realization on the part of any budding corsair-hunters, who may be in, or may enter, the Kenya Service, of what they are likely to meet with on their merry cruises, this chapter will not have been included in this volume in vain.

Immediately after his appointment the first opportunity for a raid occurred. The embryo Political Machine, comprising most of those among the scanty settlers who were either idle or voluble — as distinct from those who had gone on to their farms and were working hard there — compiled an excited manifesto for transmission to the Secretary of State.<sup>4</sup> It devoted much space to

<sup>1</sup> V. Cd. 4122 (1908).    <sup>2</sup> *Ibid.*, p. 26.    <sup>3</sup> O.G., March 1st, 1909.

<sup>4</sup> House of Lords Papers, No. 158 of 1907, p. 34.

“the Native Menace” and implored elaborate and expensive protection (in the form of “forts,” a conscript mounted Burgher force, and Imperial troops) from the simple agricultural peasants and scattered herdsmen of the native tribes.

The Director was outspoken in his derision of this scare and its authors. He had worked on the construction of the Uganda Railway during the previous five years. There had been times when every white man, along stretches of the line running to scores of miles in length, might have been speared any night, if the natives had set out to do it. In the placid days that had arrived, the fears of this noisy section of the settler community afforded vast amusement and an unexampled field for satire. It was obvious that native hostility, if such a phenomenon did take place in the settled districts, would be nothing but retaliation for mishandling by the nervous newcomers—this chiefly taking the form of fleecing workers of part of the pay due to them, and other reprehensible treatment. The “working” section of the small settler group knew this as well as, perhaps better than, most people. They were busy, however. It was “not their business” to stifle the vapourings of others. They presumed, no doubt, that the wind-bag element would find its proper level in time, without their paying any attention to its panics. This attitude, unfortunately, has been exhibited all too frequently during Kenya’s short history. A minority of settlers, excitable and voluble, has seldom been adequately checked by the larger but unorganized group which retains its composure while it is, and partly because it is, intent upon hard work. This book will indeed have been written largely in vain if a perusal of the whole of it fails to leave upon the mind of an unbiased reader the picture of a large and vigorous group of normal British settlers of sane outlook and wholesome influence, but subjected to spasmodic disturbances by a noisy minority whose antics involve the Colony as a whole in many undeserved strictures. Governors fail or succeed in furthering Britain’s mission in Kenya according as they accept the noisy political group at its own valuation or at a heavy discount.

The Director of Public Works, in the guise of a private citizen, next attacked certain early proposals for Liquor Legislation in the country. East Africa being well away from the temperate zone and also East of Suez, developed, from early days, a lordly thirst. The *Consular Report* for the year 1899

said: "The most marked increase which has taken place is in the importation of firearms and spirituous liquors, both indications of a larger number of Europeans entering the territory." The imports of liquor had risen from £15,082 in value to £20,737.

When the first Legislative Council was convened in August 1907, by Sir James Hayes Sadler, the first Bill to be introduced was one to abolish the legal status of slavery throughout the Protectorate, and the second, a Bill to regulate the sale of intoxicating liquors. The latter was referred to a special committee, consisting of two officials, Messrs. C. C. Bowring and R. M. Combe (now Sir Charles and Sir Ralph respectively), and two unofficial members, Lord Delamere and Mr. J. H. Wilson. This body recommended a transformation of the Bill to one which would create a vested interest in licences, instead of making them terminable annually, and which even urged the reduction of prescribed penalties for the sale of liquor to natives, together with longer hours of opening for public-houses, namely 18 hours a day on Sundays and week-days. The Director, in a letter to Sir James, made a slashing attack upon these proposals. Bishop Tucker of Uganda, passing through to the coast on his last journey home from Uganda, stayed with the Director in Nairóbi and was fully instructed in the situation that had arisen. Some weeks later the Archbishop of Canterbury launched a powerful attack in the House of Lords upon the proposed amendments. His Grace said that they constituted a definite temptation "to commit the worst of all acts which could be committed by us in our dealings with the East African races—the facilitating of the sale of drink to the natives."<sup>1</sup> They were heard of no more, and the Bill was finally passed in a form which debarred the growth of any vested interest in licences. East Africa has since then repeatedly seen the extinction and refusal of licences by the Licensing Justices without a word being raised as to compensation. Much later, in October 1918, the Director, as a private citizen again, published in one of the local papers<sup>2</sup> a couple of articles reviewing the drinking habits of the immigrant races in the country, as reflected in the Customs returns over a period of eight years. He illustrated this by a diagram on the lines of Fig. 17, and pointed out that if the community was

<sup>1</sup> Lords Debates, June 22nd, 1908, col. 1261.

<sup>2</sup> *L.E.A.*, September 27th, October 3rd, 1918.

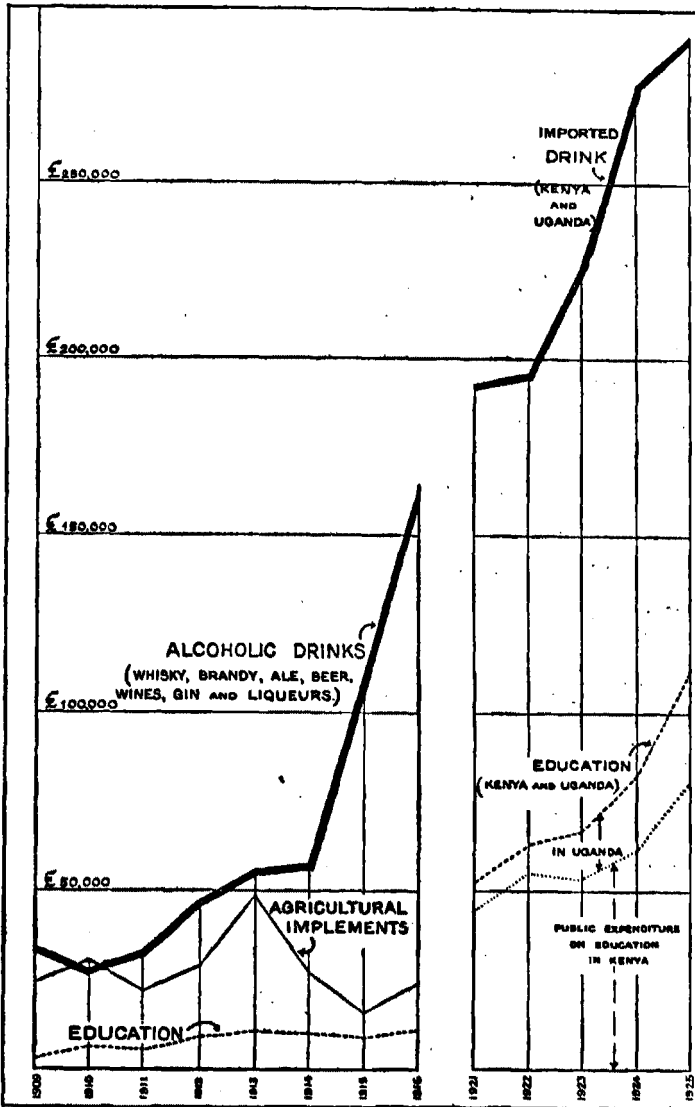


FIG. 17.—EAST AFRICA'S DRINK BILL.

FIG. 17.

The left-hand portion of this diagram is substantially the one published by the author in a Nairóbi newspaper, *The Leader of East Africa*, of October 3rd, 1918.

The right-hand portion shows that in recent years the country spends a relatively larger sum on education, as compared with its drink bill, than was the case ten years ago. The right-hand diagram does not, however, show the total drink bill; it is only the value of liquor imported (or released from bond) *plus* customs duties paid. It does not include other trade costs, trade profits, nor the cost of road or railway freight—all large items. (The railway returns, since 1922, have been published in less detail than formerly, and particulars of liquor freighted on rail and steamer are not given.) The total annual drink bill of Kenya Colony is now more than a quarter of a million pounds. At the end of 1922 there were 42 licensed premises in Nairóbi. "In any other town of the same size 3 or 4 would be sufficient."—*Police Comment (L.E.A., December 16th, 1922, p. 8)*.

Uganda's share may be taken, in recent years, as one-eighth, and Kenya's as seven-eighths of the totals shown in the right-hand portion of Fig. 17.

prepared only to halve its drink bill it could, with the savings, pay interest and sinking fund on a loan sufficient to pay for the building of the much-needed deep-sea wharf at Kilindini. This was asking for trouble with one section of the white population.

It must here be pointed out that the position of a public official who makes himself obnoxious to powerful interests in his community differs in one important point from that of an ordinary citizen. He does not, to the same extent, face the risk of physical assault and injury. The official, even when he does not wear the King's uniform, experiences a certain measure of protection from his position and calling. For one thing, it is considered debatable behaviour, even apart from legal risks, to beat one's servant, if his skin is white. In the second place, there are other ways of getting at a public servant, if a little ingenuity is used. So the official who embarks upon a corsair-hunt may not flatter himself that he is necessarily equipped with the degree of physical courage that would be required if he were a non-official.

For example, Mr. A. G. Anderson, the editor of one of the local papers, some years ago made himself repeatedly objectionable to the landed interest. He openly advocated<sup>1</sup> a policy of securing for the community, in due course, some material proportion of the increased value which was even then accruing to European estates in the highlands, apart from and beyond anything that was due to the work of the land-holders. He may have made himself obnoxious in other ways too. A group of aggrieved citizens therefore visited his premises late at night. He and his wife were in bed, as also was a friend who was staying with them. The front door was broken in and the raiders stormed up the staircase. Editor, wife and friend met them at the stair-head in their night attire and gave battle. The friend deftly capsized the leading assailant, who weighed about 15 stone, down the full flight of stairs, damaging his thigh—and victory hung in the balance. But the big battalions told in the end, and the editor was dragged out into the street. Then, with fragments of a pyjama suit hanging upon him here and there, he was hauled along Government Road towards the Nairóbi river for a ducking. Before they reached the river, his numerous assailants, cooling down somewhat in the night air, concluded that honour was satisfied, and he was released, to make his way home as well as his injuries would allow.

<sup>1</sup> *E.A.S.*, June 10th, 1911, p. 15.



The leading assailant had really been injured. It was lamentable that a fine horseman should be damaged by an assistant editor. The Governor, however, lent him Government House at Mombasa to stay in for a few weeks, and he accordingly went down from the capital to the seaside for a change. No proceedings were taken in Court.

The assault upon the Rev. C. F. Andrews as he travelled on the Uganda Railway is alluded to elsewhere.

It may perhaps be the case that the average resident has developed some degree of circumspection as to incursions into the political arena upon independent lines.

In his private capacity again, the Director obtained permission from Mr. Andrew Carnegie to put proposals before the townspeople of Nairóbi for the gift of a Carnegie Free Library to the town. The Governor had a town's meeting convened, at which the chair was taken by a member of an English titled family. None but Europeans were present, and strong exception was taken to the provision of any public facilities for reading by educated Africans—even although they should only have access to a limited collection of suitable books in a part of the Library reserved for their use and entered by another door than that which the Europeans would use. The advancement of the African was not, at this time, "a sacred trust." The opposition was so heated that the Governor declined to proceed with the consideration of Mr. Carnegie's offer.

In 1916 the Director was ordered by the Governor to accept nomination to a position on the Nairóbi Township Committee. He was the only opponent of that body's scheme for a Pass Law for natives in the town, and yet, at the eleventh hour, this was disallowed by the local Government (Lord Delamere had also criticized the proposal). The Director was reprimanded by the Governor for suggesting that white women should have the municipal vote on the same terms as men—which they promptly obtained.

After having been several times a temporary member of the Legislative Council for special purposes and short periods, he was formally nominated to it in 1916, and his enormities piled up at compound interest. He attacked proposals for a conscript defence force and even for a territorial force of Europeans. He was from first to last the one and only opponent of the Registration of Natives. He unceasingly advocated the taxation of

unearned increment at land-sales. He was the only member to vote for the retention of the Income Tax on Europeans and Indians, and to maintain opposition, in public, to the attempted degradation of the cental coins of the country to half their previous value. In 1917 he was one of a committee of three senior officers appointed by the Governor to consider the possibility of land grants to soldier settlers. He again opposed a suggestion for a 10 per cent. reduction of Native Reserves, and to a proposal for using State funds, to the figure of £450,000, to buy back, from European holders, undeveloped land of theirs at from £2 to £6 an acre, he contributed the counter-suggestion that unimproved holdings should be taxed 1s. an acre or more, in which case absentee and other holders would proceed to subdivide and sublet. He was on the Select Committee which quietly buried the Bill of 1918 for the segregation of races.<sup>1</sup> He and the Principal Medical Officer were in a minority of two on a Council of 23 in urging the deletion of segregation clauses from the Public Health Bill of 1921.<sup>2</sup> This small minority had the satisfaction, a few weeks later, of seeing their view supported by the Home Government and imposed upon the Council, under orders. He was a steady opponent of high tariffs—particularly such as might bear hardly upon the native population.

If his attitude towards Government measures was independent, towards the elected members of "the Reform Party" and many of their proposals it was aggressive. He disregarded the demand by the Political Machine for a 33½ per cent. reduction of native wages in 1921, and maintained his attitude even in face of a half-hearted Government suggestion that he should conform.

In the early days of Sir James Hayes Sadler he had put up successful resistance to a proposal that the railway station of Nairóbi and its future public buildings should be located two miles farther up the railway line on the property of an Estate Company, two of the directors of which were prominent politicians in the Protectorate. A year or two later, he, with others, successfully opposed a scheme for the compulsory removal of the Indian bazaar in Nairóbi from its situation on Crown land to one of the town estates belonging to the family of one of these politicians just referred to. During negotiations that dragged on from 1905 to 1918, he contested the necessity, the equity or the sense of granting an area of 50 acres abutting upon Kilindini

<sup>1</sup> V. Chapter XIX, p. 321.

<sup>2</sup> V. pp. 330, 331.

harbour to interests represented by the timber concessionaire, Major Grogan, and—if the narrative may look forward for one moment—up to his last month in the Colony he gave the strongest possible resistance to proposals that Government's harbour activity at the port of Kilindini should be conducted upon the privately owned fifty acres in question instead of upon Crown land in a better position close by.

This official's record perhaps justified apprehension, in the year 1920, that the project for building a branch railway to the Uásin Gáshu Plateau from Nakúro would not be adopted without a struggle, unless he were discredited or removed first. He was known to support the alternative proposal of starting that line from Mau Summit. The local papers, it is true, at all times provided safe avenues of attack. From the time that their control was taken over in 1918 by the local politicians, the Director and his Department received unceasing flagellation, of which they took no notice whatever. Anonymous scribes wrote columns of invective, and on only one occasion in fifteen years did an editor refer to the Director to inquire whether there was any truth in an allegation that had been received about the Department's work, before printing the allegation. Speaking in general terms, it may be said that the Director did not enjoy a "good Press." The Reform Party was represented upon the Boards of Directors of both the local newspapers published in Nairóbi. When the Department performed work with distinction—as, for example, the building of a branch line of railway 32 miles long at a cost, unheard of before or since, of £2,051 a mile—copies of a report, printed and illustrated, on the scope and completion of the work were acknowledged with thanks by the local editors, but not written up, so far as their columns were concerned. The carping note was unceasingly sounded; and yet, year by year, the Protectorate's road system expanded and improved, and its public works increased in value and extent. Earnest and hardworking settlers, in all the farming districts, with one conspicuous exception, co-operated with the Department's engineers in measures of road improvement, leaving others to keep the campaign of slander going. The man remained unperturbed, while politicians and pressmen, in groupings that varied with the shifting needs of self-interest, raged furiously together.

"There is probably hardly a modern fad or novel untried shibboleth to which our voluble director of Public Works does not subscribe;

from pacifism to the self-determination of ignorant and masterless, primitive races now under the tutelage of the white man. Well, for our sins, we have inflicted on us in England our Ramsay MacDonald ; but why we should officially maintain a sort of blurred copy out here in the shape of Mr. McGregor Ross, the whole country" (meaning the Machine Bosses) "is always exasperatedly asking in sections. One day the Protectorate will unitedly put the question to itself, and to some effect, whether it is good enough to have a public servant with views and principles more suited for a mothers' meeting in a rural Welsh Methodist Bethel than for practical men belonging to a dominion" (*sic*) "of the outer empire in the making."

(The composition and punctuation of the passage in inverted commas are the unknown scribe's.) This cry from the heart arose in a Nairóbi paper in 1918. At this time Mr. Ramsay MacDonald was known to the Colony not only as a consistent pacifist, but also as the Parliamentarian who, in July 1911, had been most prominent in condemning the Mási Move. The occasion for the outburst was the Director's denunciation of the "useful and universally needed Ordinance" for the Registration of Natives. His hostility to this was all the more annoying inasmuch as he was, on behalf of Government, one of the largest employers of native labour in the country—his opposition therefore carrying some weight.

In later years, material was to be had in the Director's record which justified the use of the label "pro-Indian." It was bad enough that he had been "pro-native" for a dozen years before there was any fashionable vogue for that pose. This pro-Indian attitude was unendurable. To make things worse, his vote as a minority of one, against a Government motion for the segregation of Indians in Nairóbi was later supported by the Imperial Government against the solid vote of the rest of the Legislative Council.

It is inevitable that any Public Works Department, if badly starved for funds, must cause much discontent by inability to meet the demands of scattered residents, and property-holders, for improvements. Some of the Director's political opponents conceived the undeniably brilliant idea that, by raking up and organising discontent wherever it might be found, it would be possible to deliver a mass attack under which the Director would be overwhelmed—and then perhaps removed.

Accordingly an opportunity was taken by the Reform Party, when the Director was in England on leave in 1919-20, to press, in the Legislative Council, for the appointment of a Commission

of Inquiry into the organization and work of the Public Works Department. Sir Charles Bowring was acting as Governor at the time, during the absence on leave of General Northey, and he disallowed the launching of any inquiry during the absence of the Director. Upon the latter's return towards the end of 1920, the proposal was revived. The Director himself was entirely in favour of an inquiry, but he urged that the Commission should be presided over by an independent engineer to be engaged from home, and preferably one with Colonial experience. He further urged that the inquiry should be of the widest possible scope, and suggested terms of reference which were adopted verbatim by Government. They were :—

“To inquire into and report upon the execution of Public Works in the Colony, and to make recommendations as to the scope of the activities of the Public Works Department and as to improvement in its methods and efficiency.”

The employment, as Chairman, of an independent engineer from overseas was not allowed. That would not have suited local interests at all.

It has been described in a previous chapter how an engineer from overseas had been specially imported to report upon the best route to adopt for a branch railway to the Uásin Gíshu Plateau. This temporary officer was in the Colony, and it was proposed to make him Chairman of the Commission of Inquiry. The Director was unaware of the trend or contents of the report that this officer was compiling upon that railway project, and supposing that a temporary officer might be less facile in the hands of local influences than so many residents were certain to be, he welcomed the proposal as probably the next best thing to having an independent investigator from home.

The Commission was instituted by a notice in the *Official Gazette* on December 14th, 1920, stating its terms of reference and personnel. The latter was as follows :—

The Chairman, already alluded to.

The Agent in Kenya of the firm of contractors engaged upon the Uásin Gíshu Railway survey and construction.

A coffee-planter, formerly an Executive Engineer in the P.W.D. of India, who had applied for, and was subsequently appointed to, a senior position under the Chairman on the Uásin Gíshu Railway.

The accountant employed upon the accounts of the Uásin Gíshu Railway survey. His position in the Service was that of Chief Accountant of the Uganda Railway, but he also acted as examiner of accounts for the work for which the Chairman had been brought into the Colony.

Lastly, one Commissioner was appointed who had no connection with the Uásin Gíshu Railway. He was a Member of Legislative Council and a director of one of the local newspapers, which were to play so important a part in the proceedings.

Two months later a couple of Indian members were added.

It got to work early in 1921. Evidence was taken in public at 15 sittings in seven towns during eight weeks. A lengthy questionnaire was addressed to the Director, necessitating a reply which ran to more than a hundred foolscap pages. The Press was admitted to all sittings, but was not allowed to see the Director's written evidence. During 1920 Major Grogan, on behalf of Messrs. Equator Sawmills, Ltd., the company operating in the extensive Timber Concession which the Uásin Gíshu Railway was to traverse, had acquired what was subsequently stated in Court to be a controlling interest<sup>1</sup> in the local paper of largest circulation. Both papers let themselves go. They produced, from the start, columns of aspersion upon the Department which could scarcely fail to influence future witnesses. It was clear what the verdict of the Commission must be, they said. The example of the Public Works in thus being put upon its trial should be a salutary lesson to the other Departments of the Service. It was a case of "trial by newspaper." The young engineer in charge of the Commission, totally inexperienced in duties of this nature, failed to maintain any control of events. Public hearings ended at length, leaving the Press with exhausted vocabularies, and the Reform Party in a condition of breathless anticipation. The Commission held five sittings to consider its report. This was signed on April 28th, 1921, and presented to General Northey. He sent typewritten copies to the Director and to the newspaper editors on the same day, May 9th, 1921.

Never in the country's history had the Press received such delicious "copy" from an indulgent Governor. The report was

<sup>1</sup> *Kenya Observer*, January 6th, 1925, p. 15.

little more than a torrent of aspersion, except where it concurred in the Director's policy for free instead of forced African labour and for the training of Africans in skilled trades. The wildest hopes of the Department's critics were exceeded. Both papers burst into an unexampled wealth of headlines and an orgy of jubilation which verged upon incoherence. Incompetence, waste, inefficiency at last stood exposed—all the failings that a public body can be guilty of, with the single exception of corruption. The Chairman was a popular hero, for the time being. The Commissioners had done their duty nobly. The Governor's public spirit, in supplying this copy to the Press so promptly, was loudly praised. The Department was clearly past praying for. (The pogrom was in full swing !)

It is true that the report was rambling and contradictory, but by selecting appropriate passages and disregarding others, the death-knell of the Director could be clearly distinguished. The report laid down that a Public Works Department was a necessity. In the public interest, the cost of maintaining a department of skilled professional technical officers must be incurred. But there was no one in the Department possessed of the necessary knowledge to discharge competently the responsibility of directing the important organization, so vital to a growing Colony. The necessity of placing the Department's administration in other and more experienced hands was imperative.

That was good enough—for all practical purposes.

The only person who appeared unconcerned was the Director. On the evening of the day when the storm which the Governor had released in the Press rose to its height, he took the chair at a church social in Nairóbi, and recited limericks to an amused audience. In addition to a large non-European personnel, there were 91 Europeans in the Department, and 90 of them were perplexed—some as to what had happened, some as to what was likely to happen.

Not one of them foresaw, however, that in a year's time the same engineer who produced this report would send in another one to a public body appointed by the same Government, recommending that the Public Works Department might be abolished, and that the control of the civil engineering requirements of the Colony might be left in the hands of a young gentleman of no engineering experience. Still less did they foresee that in two years' time the Convention of Associations would be passing a

resolution<sup>1</sup> praying for a Commission of Inquiry into the waste and disorganization alleged to prevail in the operations which the same engineer had been in charge of from start to finish. But it was so. "Always something new out of Africa."

But this is forestalling the orderly narration of events.

For six months the Department had to sit under this cloud of obloquy. Its scattered engineers, in touch with local Associations and settler bodies in various parts of the Colony, had, for the most part, a wretched time. "What had they got to say now?" was the jibe. "Were they not the Public Waste Department?" It was a trial of composure to belong to the Department in those days. One of the senior officials at the Head Office in Nairobi said that he tried to travel between his bungalow and the office by unfrequented roads. He did not wish to be seen. Friends of the Director in the official and farming communities approached him with the diffidence that the ordinary man exhibits on first meeting a friend who has suffered a bereavement. Was he not the bereaved relative of a reputation which was now dead, cremated and turned to ashes? *He assured them that they were witnessing the "record" fiasco in Kenya's history.*

The next Legislative Council met on August 29th, 1921. General Northey was at home. The report of the Commission, presented to Government, was placed on the table of Council. Up till this time it had not been available to the public except in the form of the newspaper reprints, which were not complete. The Acting Governor, Colonel Notley, stated in his speech to Council<sup>2</sup> that an opportunity for discussing the report would be provided when the debate on the Department's estimates in the forthcoming budget was reached. Lord Delamere gave notice, on September 2nd,<sup>3</sup> that the matter would be raised on the vote for the Department's estimates. These were reached on October 27th, 1921, by which time General Northey had returned from leave.

The Director was displaying no contrition. Only three days before his estimates were reached he was urging Government in open Council to put a few of the more eminent tax-resisters in jail<sup>4</sup>—this having reference to the concerted action among certain Europeans to render the Income Tax Ordinance

<sup>1</sup> *E.A.S.*, September 15th, 1923, p. 21.

<sup>2</sup> *Proc. Leg. Co.*, 1921 Session, p. 2.    <sup>3</sup> *Ibid.*, p. 39.    <sup>4</sup> *Ibid.*, p. 76.



ineffective by refusing to fill up forms. His cup of iniquity was full.

For the discussion of the P.W.D. Estimates, there was an unusually large attendance of listeners in the public space at the back of the Chamber. A member of the Reform Party asked if the report might now be discussed. It might. He moved the reduction of the Director's salary by £200, and echoed some of the tedious old aspersions. The member of the Reform Party who had originally moved for the appointment of a Commission rose and asked whether the Director proposed to resign, as a result of the Commission's disclosures. "That was what the whole country"—meaning himself and about half a dozen other followers and disciples of Lord Delamere, as leader of the Reform Party—"was waiting to know." This was indeed driving the attack home. General Northey intervened: the Director need not answer that question unless he wished to. The Director thanked His Excellency and said he would like to do so: he had no intention of resigning as a result of anything contained in the Commission's report. He resumed his seat. One after another the Reform Party men let off their jibes. The Director answered one or two questions that were asked, and listened with interest to the one-sided debate. The interest of the other listeners was flagging. It was proving difficult to keep up the hymn of hate at brain-fever pitch.

The Director then rose, and speaking from a few notes on a single sheet of paper in his hand, he submitted the report to a merciless rejoinder, speaking rapidly for more than an hour.<sup>1</sup> The speech was punctuated with applause and laughter—especially from the spectators—and at the end of it there was not much left of the Commission's report. This was, and has since remained, a discredited and disregarded production.

The member who had moved the reduction of salary asked if he might withdraw his motion. The Governor would not allow him to do so unless Council granted permission by vote. A vote was taken and permission was obtained. The member rose again and formally withdrew his motion. The remainder of the Department's estimates went through with unusual placidity. Sir Edward Northey publicly congratulated the Director on his able defence of the officers and of the work and methods of the Department.

<sup>1</sup> *L.E.A.*, October 29th, 1921.

Next day Council did not sit, but the Director got little work done at his office. There was a constant succession of visitors and telephone calls to congratulate him on having overthrown the Commission. More non-officials congratulated him, as a matter of fact, than had appeared before the Commission to attack him. This alone indicated that the community at large was well aware that the whole episode, from first to last, had been nothing but a political manœuvre of a type dear to the heart of the Reform Party (though some, at least, of the Commissioners had not recognized that they were being involved in anything of the sort). It had not only been clumsy; worse still, it had been unsuccessful.

The Governor's despatch home on the subject of this Commission was published.<sup>1</sup> No single recommendation of the Commission's which ran counter to those of the Director was adopted. One of the local papers even came out with a headline (in very small capitals): "MR. ROSS'S TRIUMPH."<sup>2</sup> An attack of unprecedented violence upon a group of the Colony's public servants had failed. The Director was in a stronger position than he had been before it was launched. The Commissioners received formal thanks from Government for their services, and also their travelling expenses. Their report was "filed."

This upshot of what had at one time appeared so hopeful a move for dealing with a troublesome official failed to meet with approval from the Convention of Associations. It unanimously passed the following resolution:—

"That this Convention places on record its extreme dissatisfaction at the attitude adopted by the D.P.W. both in and out of the Legislative Council in connection with the findings of the P.W.D. Commission report and takes the view that his conduct throughout has not been in keeping with the recognized traditions of the Civil Service, and further, that this Convention records its opinion that the community generally is in accord with the Commissioners' finding as to the inefficiency, extravagance and disorganization of the P.W.D. under the present Director."

It next proceeded to reprimand the local Government for its share in what the mover of the resolution called "the method of using the steam-roller to whitewash the D.P.W." He contented himself with describing the method as "unconstitutional" with-

<sup>1</sup> *L.E.A.*, January 5th and 6th, 1922.

<sup>2</sup> *E.A.S.*, January 5th, 1922.

out pointing out at the same time that this was a novel way of applying whitewash. The rebuke ran thus :—

“ That this Convention

“ (1) dissents from the conclusions of H.E.’s despatch on the findings of the P.W.D. Commission which, by setting up ill-founded assumptions, seeks to shield departmental inefficiency;

“ (2) protests against the misuse of the controlled vote of the official majority in the Législative Council in a matter of domestic economy, thereby flouting the findings of an expert commission and screening departmental inefficiency and extravagance; and

“ (3) requests that H.E. will give to the reply of the Secretary of State to his despatch the same publicity as he gave to the despatch itself.”

This also was carried unanimously. (It was again the month of March.)

The newspaper of which one of the aggrieved Commissioners had been a director tried another suggestion :—

“ Evidently Mr. McGregor Ross is out of gear with the rest of the community, and it would be better for himself and everybody if he obtained his due long ” (*sic*) “ service promotion to another sphere, where his undoubted talents and vivacious personality may receive the tonic of real responsibility. He ought to go to New Zealand or serve under General Smuts. Some place where there are less ‘ swanks ’ and more scope for rule.”

A little weekly magazine, *The Critic*, which was published in Nairóbi at this time and which maintained a cleverly written stream of sardonic comment upon local affairs, presented the Director with an elaborate 5-lb. cake, made by the leading confectioner in Nairóbi, for “ pluckily sticking to his job.” He replied suitably. An element of farcical comedy was creeping into the affray.

The next development was that General Northey, as has been explained in another chapter, to all intents and purposes surrendered Governmental powers into the hands of an Economic and Financial Committee of which the most prominent members were Lord Delamere and Major Grogan, the principal talkers of the Reform Party. Sir Charles Bowring was Chairman, but he now received extravagant public eulogies from Major Grogan instead of such castigation as he had received from the same quarter at the time of General Northey’s arrival in the Colony.<sup>1</sup>

<sup>1</sup> V. p. 318.

This appeared to indicate that he was no longer exasperating the Major.

This Committee adopted no half-measures with the unsubjugated Public Works Department. They proposed to abolish it. Sir Charles Bowring moved the requisite resolution to that effect. They were supported by a 28-page memorandum supplied by the engineer who had been Chairman of the late lamented Commission. Presumably, if the whole Department were abolished, the Director would at last disappear. They approached the Commissioner of Lands, a young officer who had been appointed by General Northey in October 1919 to the charge of the Land Department, and inquired whether he felt competent to direct such engineering operations as the Colony might require after the doomed Department had ceased to exist. Having had no engineering experience, he assented readily, and the Committee made recommendations to Government accordingly. The newspapers obtained and published the news that the P.W.D. was going to be taken over by the Land Office. The Director was not told anything about his impending fate while his annihilation was being arranged for. General Northey was good enough to let him have copies of these hostile resolutions as soon as he received them, and that was the first the Director had seen of them.

A proposal of this gravity had to be dealt with by the Executive Council of the Colony, to which both Sir Charles Bowring and Lord Delamere belonged. The Governor invited the Director to appear before the Council and make his observations upon the resolutions in question. He did. The proceedings of Executive Council are secret and may not be divulged. Nothing further was heard, however, of the abolition of the Public Works Department. It continued to function, and is doing so to this day. General Northey's sporting proclivities asserted themselves again, as they had very handsomely done on previous occasions. He assured the Director that he would take Public Works affairs out of the hands of the Economic and Financial Committee and decide, in consultation only with the Acting Treasurer of the Colony and the Director, upon reduction of expenditure upon the Department and its work for the ensuing year.

The Economic and Financial Committee had to make some reference to their *débâcle*. It appeared in the following form in an interim report which was published on August 12th, 1922 :—

" P.W.D.

" The Committee originally recommended the abolition of the Public Works Department as an independent organization, suggesting that funds for works should be distributed among local bodies, who would be responsible for seeing that they were spent to the best advantage. Their proposals received careful consideration by the Government, who decided to retain a Public Works Department in a greatly reduced form."<sup>1</sup>

By a despatch of June 29th, 1922, General Northey was brusquely recalled by Secretary of State Mr. Churchill. The Economic and Financial Committee made a last lunge, representing that the Colony could no longer support the position of a Director of Public Works at a salary of £1,200 a year. It must in future be reduced to £900. The Governor explained to the Director that he was supporting this recommendation by cable to the Secretary of State, and that if it were accepted it would involve the Director's retirement, as he would not in any case expect the Director to continue in his post at any reduction of salary. To this the Director assented. The Secretary of State accepted the Governor's recommendation. The Service regulations made the retirement of any official, after 20 years' service, compulsory at the wish of the Government, or permissive at that of the official. The Director, who had done 22 years' service, went on leave and was retired on pension in April 1923 at the age of 46. He left with the happy realization that the harassed officers, engineers and others, who had loyally worked under his orders for a generation would have a more placid time, under the tender mercies of political harpies, than would be the case if he remained as their superior officer.

A few months after he had gone, the Honorary Secretary of the wealthy Royal East African Automobile Association, who had been dragged, for what his assistance was worth, into supporting the Economic and Financial Committee's forlorn hope for the obliteration of the Department, publicly averred that " Kenya Colony, for such a young country, has had one of the finest road systems in the Dominions."<sup>2</sup> Such comment would have been impossible, or dangerous, a few months earlier. Only a year later a visiting Commission from the Phelps Stokes Foundation in New York took occasion to remark, after extensive travels in the interests of Native Education in South and West Africa,

<sup>1</sup> *E.A.S.*, August 19th, 1922, p. 5.

<sup>2</sup> *E.A.S.*, April 28th, 1923, p. 24.

Northern Rhodesia, Nyasaland, Tanganyika and Uganda, that in Kenya Colony<sup>1</sup> "the extent of roadways is almost amazing in comparison with other colonies in tropical Africa. At the end of 1922 there were 3,000 miles of roads suited in dry weather for use by motors. Kikuyu Province is reported to have over 600 miles of good road; Nyánza Province is said to have 1,000 miles for wheel transport. Other sections of the Highlands are equally well supplied with roads."

The Political Machine had gamely maintained, against many and severe reverses over a long term of years, a vendetta against the Director. The bulk of the settlers who were too actively employed on their farms to waste time on politics, or to whom it was too low a business to allow of their touching it, watched the affray with the human interest of small boys enjoying a dog-fight at a street-corner. The Director asked for no quarter and no assistance, though he received some of the latter, as was inevitable in a community so largely grounded, from schooldays upwards, in the tenets of fair play. But no group in Kenya, least of all the political group, has ever bestirred itself to eliminate the obnoxious non-official, be he dacoit, rake, crook or murderer, with anything approaching the pertinacity with which public servants, condemned by the Political Machine as able or likely to thwart its ends, are hunted round the country and, finally, out of the Service. The large majority of settlers, well-disposed but inarticulate, have only themselves to blame if they are involved in sweeping and unfair condemnation by critics overseas, who, in the absence of disclaimer, accept the statement of a noisy minority among them that it speaks for the entire community. The community is judged accordingly. There is nothing much wrong with the bulk of the settler community of Kenya, as will be discovered when they are discovered. At present they are eclipsed by a group which can be relied upon to talk anyone's credit down—if talking will do it.

<sup>1</sup> Phelps Stokes Commission's Report, "Education in East Africa," p. 113.

## CHAPTER XVI

### THE FATED OR FÊTED OFFICIAL

“ God gives us the gift of laughter to save us from all going mad.”

THE lot of the official in what is now Kenya Colony provides an entertaining field for psychological study. When the Imperial Government first took over the vast territory of the Imperial British East Africa Company, it engaged, as salaried servants of the Crown, a large number of the Company's officers. The last of these left the Service on retirement in 1923. All appointments carrying a salary of more than £100 a year are subject to the approval of the Secretary of State in London. Many officials were transferred to the “ East Africa Protectorate ” in its earlier days from other Dependencies under the control of the Colonial Office. Especially in the higher posts in technical branches of the Service, transfer from other Possessions of the Crown still takes place. In the large Administration branch of the Service the higher posts are ordinarily filled by the promotion of officers of prolonged service in the country. Their knowledge of local tribes dialects, and products is a valuable asset in successful rule over native peoples who, under the impact of economic forces and alien incursions from overseas, have experienced a more varied succession of shocks than has fallen to the lot of most nations in our time. In a country of the size of France, where thirty years ago border enmities between tribes were unceasing, we now find natives of mixed tribes, to the average number of between 80,000 and 120,000 every month throughout the year, working for wages—many of them at distances running to hundreds of miles from their homes. The credit for a state of affairs under which this is possible lies almost exclusively with the Administration officers, who, under the orders of the Secretary of State for the Colonies, are the servants of the British Parliament in its dealings with these distant Africans.

It is only because native property is safe, aggression repressed, and justice administered in the Native Reserves that native men and youths are willing to travel afield on the adventure of wage-

earning in distant regions. It is only because of almost super-human patience on the part of District officers in the unravelling of grievance, claim and counter-claim, the punishment of evil-doing, and the grant of restitution to the wronged, that peace has persisted in the land. Many wrongs still wait to be righted, but many more would have descended upon bewildered Africans were it not for burning comment contained in long-forgotten despatches, which, having served their turn in emergency, now dwell in honourable retirement in the bulging files of archive-room, Secretariat, and district office. The patience and sympathy with which the edicts of distant High Authority, often inexperienced, uncomprehending or misled, have been laid upon the natives—to each District officer “his” natives—have been among the minor glories of statecraft in our day and generation. If there is still hope that the Dark Nation of to-morrow may be a friendly one, the chief credit for such an outcome in East Africa lies with British Administration officers.

With the rise of the Settlers' Convention to influence in the land, the position of the Government official has been vastly interesting. The late Honourable Alfred Lyttelton, writing in *The Times* of May 1913 upon the problems of this Protectorate, said: “Colonial history has proved that in this early stage of Colonial life elections lead to the selection under such circumstances not of the fittest, for the ablest and most experienced of the settlers—the men who are fit for the task of representation—are so engrossed in the absorbing work of conquering the industrial strongholds of a new country that they have not time to undertake it.” The actions of the officials have been subject to review, and occasionally to rebuke, at the instance of local politicians. Government House in Nairóbi has been much more amenable to the demands of such men than to the views of more distant and less importunate men working on their estates. Various methods are employed to influence the action of officials. Examples of vituperation have been quoted in the last chapter. One vocal section of the non-officials has maintained, throughout the years, a demand for severity in the punishment of natives. A comparatively innocuous form of pressure to secure this end has been to pass laudatory resolutions, or insert laudatory comment in the local papers, upon harsh judgment upon natives. An instance of this is the sentence passed by a junior Magistrate upon three natives—“raw *washenzi* (savages)



from the reserve" is what the paper called them—who having engaged to work for an employer near Nairóbi for 5 rupees (that was 6s. 8d. at the time) a month, left, after half a day's work, to get higher pay from a neighbouring employer. The report of the case does not say whether the engagement was a verbal or a written one, but they were offered the choice of one month's imprisonment with a thrashing, or return to the first employer. The report continues:—

"They then raised the point of Sunday labour, but were promptly told that whatever their employer told them to do they must do it.

"The decision of the Assistant District Commissioner who tried the case is an excellent example to other labour officers in this country, and a few more decisions such as the above should go far towards solving the labour difficulties."

Another comment provides appreciation of forced labour. In October 1920, the following appeared:—

"Then, again, labour is very scarce out in the Uásin Gíshu, as there are not nearly enough boys to go round, even though about 2,000 of the Malakisi (or Elgeyo) have been turned out by the Government to pull flax. The idea is an excellent one, and if we could only have a couple of thousand Nándi to give us a hand too all would be well."

This broad hint to the District Commissioner in charge of the Nándi tribe was, however, of no effect.

Directive newspaper comment became much more pointed after the oldest local newspaper was taken over, early in 1918, from the previous individual managers, by a limited company with a directorate of local politicians, of which Lord Delamere was temporarily chairman.

Another line of effort consisted of obscure local influence upon a Governor to invade the right of the Courts to award such punishments as, upon evidence duly produced, might then seem just. In the interests of the sheep-ranchers, one Governor actually issued a printed circular instructing all Magistrates, upon any subsequent conviction of a native for sheep-stealing, to award a punishment of not less than five years' imprisonment. Correspondence passed between the Chief Justice of the Colony and Government House, with the result that a few days later a second printed circular was sent round to say that the first one was cancelled.

Direct complaints to the Governor by parties aggrieved by

judgments delivered by District Officers in their magisterial position have been frequent. Some Governors have met such complaints with the reply that it did not lie with the Executive of Government to interfere with the sentences of the Courts: aggrieved parties had certain rights of appeal that were defined by statute. Others among the Governors and Acting Governors have not always acted in so unpopular a way. A District Commissioner in one of the more newly settled areas proceeded to give sharp sentences for injustice and cruelty to natives on the part of one or two employers whose methods were almost universally reprobated by their fellow-settlers in the locality. The zealous officer was promptly transferred elsewhere, as unsuitable for work in a "white" area. No public objection to this disciplinary action was heard from any quarter. In another district the head native gang-man of a large estate visited native villages to try to engage workmen. Being unable to obtain any, he took about a dozen women (the docility of certain native tribes is almost beyond belief), and promised to release them if their men-folk came forward to engage for work. An Assistant District Commissioner, who was appealed to by the natives, heard the case against the head gang-man, and sentenced him to brief imprisonment for "unlawful restraint" of the women. By orders from Nairóbi, this zealous officer was also promptly transferred to a distant station. He had been on the point of assuming the duties of a District Commissioner during the absence on leave of one such officer in the locality. As *Acting* District Commissioner for a period of six months or so, he would have received "acting allowance"—an increase of pay amounting to about £50 during that period. He lost any chance of that upon transfer to his new and distant station. A Medical Officer who was thought either to have assisted the Mási tribe with advice as to their seeking remedy in the Courts of the Protectorate for their eviction from Laikipia, or to have informed Members of Parliament in London of the eviction, or both, was transferred with great suddenness to another African Dependency. Only one other official was ever ejected from the Protectorate so precipitately, but in this case the offence was on the moral as distinct from the political plane.

The news of such episodes as these shoots, of course, through the Service like fire-damp in the swift ventilation of mine-galleries. A mine becomes technically "unsafe" when there is too much

fire-damp about. A Service can become unsafe for officials of a certain cast of mind. It can in certain circumstances become as unsafe to display naked zeal in official duty as naked lights in a "fiery" mine. There is only this to be said, that the risk is a more localized one in the former case than in the latter. The official only blows himself up. The miner may blow the mine up.

A more wholesome method of signifying disapproval of an official has been that of point-blank denunciation. At the first meeting of the Convention after the arrival of General Northey a resolution was passed :—

"That this Convention registers its total disapproval of the appointment of Mr. Ainsworth as Chief Native Commissioner in face of the expression of its considered opinion that only a man with outside experience should hold the position."<sup>1</sup>

To this General Northey replied :—

"I shall form my own opinion on Government servants. Mr. Ainsworth has a unique experience of native affairs."

It may be mentioned that upon Mr. Ainsworth's retirement in 1920 a successor "with outside experience" was appointed. This was Mr. G. V. Maxwell, who, among other qualifications, had had particular experience of native land questions in some of our Pacific possessions. On this occasion there was an equal uproar in Nairóbi because a local man was *not* selected for the vacancy.

When hostility reaches this stage of concerted personal attack the official may consider himself doomed. Unless the joys of pugnacity lead him to hang on to his post, and unless he has the skill, at the same time, to play his cards well, he is fated to go. His end may be retirement or transfer, but go he will. The attacks upon Chief Native Commissioner Mr. Maxwell and his staff in March 1925 and March 1926 have been described.<sup>2</sup> A campaign of this sort, especially if accompanied by threats as to the use of back-stairs influence to the detriment of the official's prospects or those of his Department, is always worth trying on. It may catch a resolute official out at a time when he is in impaired health, or so overworked as to be unable, for the moment, to face manufactured storms. There is, of course, a risk that attack may only stiffen an official's independence, and make him more

<sup>1</sup> *E.A.S.*, February 1st, 1919, p. 22.

<sup>2</sup> *V.* pp. 174-175.

intractable than before. It must be admitted, however, that while some officials have thriven on Press menaces, Kenya has known one or two who, under castigation, have proved as pliable as any Convention delegate could wish. Under local pressure a regulation was imposed upon the Service in 1919 that twenty years should be regarded as a full term of service for an official. In addition to the right of the Secretary of State to terminate any appointment at any time if he saw fit, officials were to understand that after twenty years' service in the country they were liable to be retired. Under these provisions a number of experienced officers were bowed out during the next five years.

Junior officials in the Service have been liable to suffer for the vagaries of their Departmental chiefs. If the latter curried favour with the critical agencies in the local Press and elsewhere in the Colony, the juniors might enjoy placid careers so long as they did not thwart the requirements of powerful local influences outside the Service. This misfortune might, however, at some juncture or other be unavoidable. According to the zeal with which the chief of a Department was cultivating local favour outside the Service, the position of the junior official became correspondingly insecure. At one time, when there was an outcry in the country and the Press for heavy retrenchment in Government expenditure, one Head of Department was promptly to the fore with the suggestion that 37 members of his staff should be dispensed with. The fact that some officials quietly fell in with a campaign, organized outside the Service, for a cut of one-third in the wages of all Africans, skilled and unskilled, has been mentioned. Their black employees were victimized at the instigation of outside influences with which it was uncomfortable for the European official to be at variance. On the other hand, a senior official who was not prompt to trounce his juniors, and order their goings upon demand, or who supported them against public attacks, was liable to involve himself and them in critical examination of their every action, and in acid comment whenever possible—in the local Press, even in Legislative Council, and, of course, in after-dinner speeches at public banquets.

The exuberance of Colonial hospitality is proverbial, and bitter relations have many times flared up on account of a hurried official's unwillingness to stay for a meal at farmhouse or

planter's bungalow on his route. The dreadful isolation of life on some farms makes the arrival of a stranger the occasion of a heaven-sent release from boredom. On the other hand, families are to be found in Kenya who for months together never sit down to a meal *en famille*, without visitors present. It is largely a matter of locality. It is a source of astonishment to the observant traveller in the Colony to find to what an extent the missionary's wife, especially in the highlands, is an overburdened entertainer. In addition to cares of family and household, and to a share in the work of the station, she is hostess to a surprising string of visitors—officials on tour, fellow-missionaries on journeys to remoter stations or on short leave from unhealthy stations elsewhere in the Colony, tourists from overseas, the victims of broken-down motors, sudden cases of sickness or accident, and occasionally, as uninvited guest, a degenerate white who takes meals for as long as he can and is critical of the scarcity of intoxicants. One meets a wider range of types in a new and booming Colony than is the case for the average home resident in Great Britain, where repair organizations exist for both mechanical and moral breakdowns, and where tourists support the hotels which cater for them. Both hotels and homes have been known in Kenya which were a danger to life. "We never trouble about flies here," says the hostess at her tea-party, passing, with the *insouciance* of a Borgia handing the poisoned chalice, a plate of cakes from which the disturbed flies rise with a buzz. (Three weeks later a bread-winner in the family is dead—of dysentery). If in a little wayside hostelry it is possible to see occupants moving in the *next bedroom but one* through cracks (shall we call them?) in the plank walls, it is perhaps well to avoid any investigation into the kitchen arrangements. They are more primitive than the walls. At the other end of the scale are the homes of some settlers and merchants, where the *ménage* is luxurious, and where meals are served with the comfortable elegance of the Savoy.

Between these extremes, the household regime of the Government official for the most part figures. He is a man of known salary. He draws no entertaining allowance. He may be posted in a station where settlers and travellers, dropping in just at mealtimes or at nightfall, necessitate the provision of meals to the number of many hundreds per annum. He may go to sun-stricken wildernesses, from which he returns in two or three

years with a dislike of his fellow-men which is shown by nervousness in European company. Some officials develop a *flair* for the rule of scattered aboriginals in desert places ; others for the social whirl which prevails in some of the choicer residential districts of settlement. The transfer of an official of the latter category to a station in the obscurity of " the blue " is a dreadful punishment. Rapid degeneracy and even suicide have marked such official edicts in the past. But the disparity between the " bush station " and the " headquarters station " is dwindling nowadays. The motor-car has effected that. American cars, miracles of design, career about, and sometimes even break down, in the most unlikely places. Petrol and the desolation of loneliness are evaporating together. Visitors at the most remote stations increase in numbers year by year, and, outside the radius of hotels, official hospitality is taken for granted. Cases have occurred where the opening of a motor-road past a bush station has been tantamount to a reduction of pay of nearly £100 a year to the official stationed there—in the cost of meals and drinks to visitors.

In the settled areas, the official with a large private income has an advantage over his brother officer who has only his pay to live on and entertain with. It is an experience of repeated social agony for an Assistant District Commissioner on £500 a year to follow a predecessor who was wont to state that he could only make both ends meet by using the whole of his private income, running into four figures a year. It is not altogether remarkable that some of the officials develop a protective armour of eccentricity. The only alternative is to be brutally outspoken, and this involves such inhospitality, at times, that the average official shrinks from it as he would from any other social lapse. Still, the District Commissioner who had cited a settler to appear before him in Court at 2.30 on a certain day, on a charge of misdemeanour towards natives, was not so taken aback by his appearing on the bungalow verandah at 12.30 with the announcement that he had come for lunch, that his social instinct overwhelmed him. Forty-nine officials out of fifty would have given " the accused " a first class lunch, but this man was the fiftieth. He invited the visitor to take a seat on his verandah till 2.30, and disappeared into the bungalow. At 2.30 he heard the case at his office, and administered a heavy fine. His disobliging behaviour to non-officials was the subject of acid comment some

time later by elected members in the Legislative Council. In 1923 an infuriated settler, goaded to the verge of distraction in a dispute with an Administration officer, threatened to report the unhappy man—to *Lord Delamere*. Undeserving officers on the other hand have sometimes received public eulogies which may have had their promptings in lavish hospitality and an accommodating spirit. "In other Services, besides that of Naples," as Mr. G. M. Trevelyan has said in one of his books, "professional efficiency has not always been the road to promotion." The leading article in one of the local papers, the Reform Party being represented on its directorate, admitted, after an interesting division in Legislative Council, that the editorial mind was struck with

"the patriotic support rendered the popular party by the . . . (a head of Department), the . . . , the . . . and other officials who all sought to help the well-reasoned experiment and refrained to place obstacles in its road."

That (and a quiet life) are all that the pliable official is entitled to expect for his pliability. But in some Government circles, where the first requirement upon an official is that he should be *tame*, the enjoyment of a quiet life is regarded as evidence of the possession of wisdom amounting almost to statecraft—and therefore as qualifying the quiet one for promotion in the Service.

The officials in Kenya are nowadays the class of Europeans who are the poor. The infliction of the artful gentlemen of fortune who in the past did undeniably prey upon them with varying success, has practically disappeared. Even the bitterest critic of "officialdom" in Kenya has never complained, with regard to the vast majority of the officials, that they ever pillage their neighbours. The complaints, which are few in any case, are all the other way—of aloofness and exaggerated independence. The subsidized or "bought" official, and the cash varieties of "graft" which are the disgrace of some Colonial dependencies, have never appeared. Freedom of any community from scandal of that nature is to be attributed primarily to the uprightness of the Courts of the land. Venality of magistrates is, everywhere, an opening of floodgates to a torrent of corruption in public life. The magistrates of Kenya, if we disregard a few exceptions in judgments between white employer and black labourer, have

throughout its history justified their selection by the Crown Agents for the Colonies in Westminster or their appointment by the Colonial Office—whichever may have been the precise route for their assumption of office. It is only the sacred right of “trial by jury” in cases of inter-racial trouble that has imported any moral stain upon the record of the Courts. There are several obvious remedies for that.

Ever since the Political Machine assumed a measure of influence in the local Press, suggestions have been thrown out at intervals that the time was approaching when it would be well to discontinue the selection of Government staff from England. There being about 1,200 planters and farmers on the land, and some of these having families, it was represented that the Universities of Great Britain need no longer be resorted to. One example of several may be selected, from a leading article in the *East African Standard* on (American) Independence Day, 1922 :—

“The United—or separate—Colonies of Eastern Africa are not likely to reach such a crisis in their affairs and their relations with the Mother country that a declaration of secession is made natural and inevitable. . . .

“The time is rapidly approaching when Kenya must exert herself to possess her own Civil Service, on terms dictated by herself, and recruited wholly from persons of her own selection from among those who call this land their home. . . .

“The day is not far distant, we believe, when, to the greater financial and other advantages of this country, the settlers of Kenya and their families will be able to assume full control and occupation of every post—save perhaps the Governor—in the Civil Service.”

The advocates of this step in Africa (if any really exist to-day), and the deciding authorities in the Colonial Office will do well to remember that Kenya Colony in some few years' time will possess a distinct proportion of adult men and women who in the most impressionable years of their youth were *totally uneducated*. All honour to the few scattered men and women teachers, some of them now dead, who over a long term of years strove to pass on the torch of learning to white children growing up in the country. Remuneration, Government support, premises and equipment were all inadequate for dealing with the scholars they taught, and outside that class, in the years covered by Fig. 17 (left) in the previous chapter, there were



hundreds of white children in the Protectorate for whom there was *no floor-space on which to be educated*, even within wooden walls and under corrugated iron roofs. The schools were not numerous or large enough to take in the children who were in the country. As for the education that they might alternatively have received at home, the life of a young married couple, pioneering on virgin land in a new country, allows little time for the education of the young. In some immigrant families from South Africa both parents were illiterate.

The grant of increased magisterial powers to local settlers as Justices of the Peace is another line of effort along which local political influence acts from time to time upon the Government in Kenya. There is nothing in local history or environment to lead one to suppose that the duties of a Magistrate and the self-interest of an employer would clash less severely there than they have done elsewhere, on occasions when the combination of both rôles in the person of one individual has been attempted. The movement is a present-day echo of one of the earliest agitations of the Colonists' Association in 1905. In its petition to the Secretary of State, that body urged the introduction in the settled areas of Burgher Law. This would involve "a considerable gain to the exchequer, as in such parts of the Colony as the burgher system was in force no Government officials would be required."

Many a junior official has had orders at some time during the past twenty years to do something of which he disapproved. Intemperate rejoinder, of the type to which juniors are liable, has sometimes secured release from repugnant edicts. At other times, such orders have been received in silence, and disregarded—in the hope that some change of influence operating upon higher authority would render compliance unnecessary. Some juniors have jolted through the Service, for a longer or shorter period, as a law unto themselves, defiant of any orders which they elected to regard as discreditable. The dislodging of such a man from an official position calls for tact and inventiveness on the part of his superiors. He may be so opinionated as to commit suicide, if unwisely dealt with. Africa and official hostility together may be too much for a man, when either by itself would be supportable. Even senior officers have their troubles at times. Government policy may awake an angry attitude in an overworked official possessed of some rigidity of

view. To seniors and juniors alike one ruling applies. *They may carry out orders, or resign their appointments, forfeiting any pension that they may have earned.* But to all of them also one valuable right is extended. They may address the Secretary of State. Complaint or criticism must, however, pass through the hands of their superior officers, and receive the Government's comment before going forward to the Colonial Office. Complaints of junior officers are usually concerned with their own alleged misfortunes or ill-treatment. These receive attention in a spirit of detachment which is scarcely possible in the Colony, and many astonishing cases of removal of grievance are on record.

Heads of Departments and senior Administration Officers, especially in a Dependency with such a history as Kenya's, have on occasions joined issue with the local Government on a question of policy. One Governor in Kenya had an ingenious way of dealing with officials who played their last card. The serious step had been taken, and the despatch, typed in triplicate and "couched in respectful language" according to Government requirement, had been sent in. The official is called into the Governor's office. He is asked to take a chair. The momentous production is on the desk. The Governor takes a final glance through it, turning over the pages, which are (always) more numerous than they need be. "I have received your interesting despatch, Mr. So-and-so," he says at length. "I will give you twenty-four hours in which to withdraw it. *Good morning.*" In more than one case this artifice, when employed upon a Head of Department in Nairobi, succeeded sweetly. Still, the official is quite at liberty to insist that his despatch shall go forward to the Secretary of State. This is, usually, official suicide, as distinguished from the more carnal variety. It is obvious that the Colonial Office must support its senior representative on the spot. Opportunity is usually taken to relieve him of the discomfort of working with a member of staff whose incompatibility of temperament is so marked as to have led to the last appeal that an official can, constitutionally, make. As far as the official correspondence goes, the intolerant official, usually, scores nothing but his own removal. After a discreet interval, and upon some pretext quite remote from the topic of his despatch, he is transferred elsewhere. He calls at the Governor's office to take leave of His Excellency. All is urbanity. The Governor, perhaps, expresses regret at losing his services. At any rate, he

certainly wishes him the best of luck in his new sphere. They shake hands, and the junior passes out of the well-known sanctum for the last time. It is all done in admirable taste.

A new page of official adventures opens before the junior as the door closes behind him. And he has more than half a suspicion that in addition to the curt reply which he has received from Downing Street, through the local Secretariat, the smiling (?) Governor behind the baize door may have received a despatch, marked "SECRET," or a manuscript letter, which may (all in good time and without any intemperate haste) effect some modification in the policy which has been the subject of disagreement, or which may, at any rate, limit or prevent further essays along the same path.

It really is a satisfaction, when all is said and done, to have gentlemen to deal with.

## CHAPTER XVII

### HOW TO REDUCE THE COST OF IMPORTS

“ The trade of the tropics consists of the export of raw materials in exchange for manufactured goods and customs duties offer the simplest and cheapest form of taxation. Though a necessary adjunct they retard the development of trade, and fall very unequally on the population.”

SIR FREDERICK LUGARD :  
*The Dual Mandate in Tropical Africa*, p. 236.

EUROPEANS in Kenya do not contribute to the revenues of the State in accordance with their wealth. In the main, they contribute according to their expenditure on imported food, drinks and clothing. Some of the Europeans are a thousand times more wealthy than others, but as they cannot eat a thousand times as much food, drink a thousand times as much drink, or wear clothing a thousand times the value of that worn by their poorer brethren, it follows that contributions that are exacted by the State bear much more lightly upon the wealthy than upon the poor. The same remarks apply within the Indian community, and to other non-native groups.

The poorer Europeans have votes, but they do not use them to ensure that the richer Europeans (and some of them are very wealthy) shall pay as high a proportion of their wealth or income as they themselves have to pay. In Great Britain, the rich pay taxation at a much stiffer rate, by super-tax, than do those of moderate means. In Kenya, they pay at a scandalously low rate. Those Europeans in Kenya who are wealthy are probably the most under-taxed group of whites in any part of the British Empire.

All non-official Legislative Councillors in Kenya should be paid a salary of at least £500 a year, from public funds. This should apply to elected Europeans, elected or nominated Indians and Arabs, and the nominated European missionary—as long as one is retained on the Council. “ Payment of Members ” is an urgently needed reform. It would allow some of the “ small men ” to appear in Council. It is stupid and injurious for any community to depend mainly upon its wealthy members for the formulation of its laws.

\* \* \* \* \*

In opening a session of the Legislative Council on March 24th, 1922, General Northey, in the course of his Presidential Address, said :—

“ There is an important notice in the Order of the Day to be proposed by the Honourable Colonial Secretary which, if passed, will enable me to have the advice and assistance of a small Committee, composed mostly of Unofficial Members of Council, on matters of vital importance to the Colony.”

On the same day Major Grogan, the timber concessionaire, was sworn in as an elected member for “ Plateau South,” which comprises the Uásin Gíshu Plateau with the exception of Trans-Nzóia. He had only consented to take a seat on the Legislative Council if an unopposed return were arranged for him.

The motion to appoint the small Committee was carried on March 27th, 1922. The resulting body is what came to be known as the Bowring or “ Geddes ” Committee. Some of its proceedings have been alluded to in previous chapters. One, however, remains to be described. Among its terms of reference was one :—

“ To inquire into and report on : The means whereby the cost to the community of Imports may be decreased.”

The Committee got to work promptly and, by April 26th, it had sent in a recommendation that the Government be asked to *increase* the import duty on wheat from 15 per cent. to 50 per cent., and on wheat flour from 15 per cent. to 100 per cent. A local paper came out with the bold headline :

“ EFFECT WILL BE TO PUT UP PRICE OF FOREIGN LOAF, BUT SAVE FOR KENYA £140,000 PER ANNUM.”

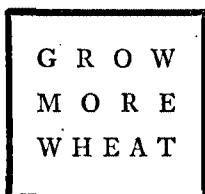
The one word in this pronouncement that calls for definition is the place-name “ Kenya.” Adequate research reveals the fact that what the headline really conveyed by the words “ saving for Kenya ” was that those landholders, represented principally in Lord Delamere’s constituency, who were trying to grow wheat, would, if all Europeans and Indians in the Colony were compelled to eat their product, divert orders for wheat to the annual value of £140,000 to themselves—in place of overseas firms getting custom to that extent. Shipping lines, operating to Kenya, would enjoy (?) reduced cargoes.

This was followed by a recommendation for a 50 per cent. duty on imported timber.

Upon the latter proposal coming up in Legislative Council on the morning of May 25th, 1922, it was strongly supported by Lord Delamere and passed, with the Director of Public Works as the sole dissident in a Council of 25. In the afternoon of the same day a Bill to give effect to the heavy duties on wheat and wheat flour was strongly supported by Major Grogan and passed, the only dissentients being the Director of Public Works, and the two nominated Indian members.

Secretary of State Mr. Churchill disallowed the wheat and flour duties when the Bill reached him from Kenya, and ordered a reduction of import duty to 30 per cent. on both. The Council met again on June 6th, 1922, and this was effected by the Government majority.

The business of flour-milling, with which powerful political interests were financially connected, may have been helped by appeals in the local Press, in the form of heavily "boxed" panels reading



Major Grogan's action in acquiring for one of his companies, Messrs. Equator Sawmills, Ltd., a leading interest in the *East African Standard*<sup>1</sup> may have stiffened the editorial campaign for teaching the colonists at large to be grateful for the chance of subsidising a few of the farmers.

(These manipulations are, of course, precisely what go on in every country which enjoys restrictive tariffs. The only difference is that on Kenya's tiny stage they can be followed quite easily from both stalls and gallery. In other theatres where the stage is much larger and the lighting more artistic, it is only those in the front rows of the stalls who are able to follow all that goes on. The entertainment that is staged is innocuous enough to pass any censor in any country. It is an amusing farcical comedy called "Legitimate Business," and it has had a long and successful run.)

<sup>1</sup> *Kenya Observer*, January 6th, 1925, p. 15.

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During the Governorship of the late Sir Robert Coryndon, the duty on timber was reduced from 50 to 30 per cent. The duties on flour and wheat were left unaltered at 30 per cent. But if Mr. Winston Churchill had not intervened in May 1922, the bread-eaters of Kenya would have been paying an additional price for bread which was computed to be "only 12 cents of a shilling per loaf." As the loaf referred to is a 1 lb. loaf, this is equivalent to a rise of about 6d. per 4 lb. loaf, bringing its price up from 1s. 10d. to 2s. 4d., as compared with 8d. or 9d. in England. In 1927, four 1 lb. loaves still cost about 2s. in Nairóbi.

Perhaps it was idolatrous regard for a Press magnate, rather than critical appreciation of benefits derived by the community at large, that led a Nairóbi editor to insert in his paper a contribution which included the hymn of thanksgiving :—<sup>1</sup>

" God moves in a most mysterious way  
His wonders to perform,  
He plants His footsteps on the sea  
And sends our Grogan along."

<sup>1</sup> *L.E.A.*, July 1st, 1922.

*PART II*

THE INDIAN QUESTION



## CHAPTER XVIII

### SOWING THE WIND

"I hate like sin all bad workmanship, but especially bad workmanship in affairs of State, which can produce nothing but mischief for thousands and millions."—GOETHE.

IN tracing the series of events which, especially between the years 1915 and 1923, produced the violent differences of opinion which came to be described as "The Indian Question" in Kenya, it has to be recognized that the British public were at no time given information as to the underlying causes of the turmoil. It remained, in the view of most of those British observers who gave it any thought at all, an unexplained and perhaps slightly exaggerated grievance of some of our compatriots overseas, a grievance which was ventilated with a vehemence verging upon the irrational, but for which some justification probably existed if one only knew the facts as to enforced residence of Europeans, especially women and children, at high altitudes in the Tropics, in proximity to large numbers of British Indians mostly of low caste. Worthy men and women who could not be stirred to any exuberance of racial bias, and whose consciences troubled them as to the inequity, or political unwisdom, or both, of an endorsement of the claims of their fellow-countrymen in "An Outpost of Empire," gladly adopted the conclusion that the root of the trouble lay in the low caste of the particular Indians who had visited Kenya. It was hoped that this would be equally clear to the socially advanced Indians of the classes who in India sit on Councils, play polo, shoot big-game, and conduct large industrial enterprises, and that the safeguarding of white men, and particularly white women and children, from dangers or even disabilities was scarcely a political development to which enlightened Indian opinion would raise any objection, even although no definite expressions of approval might be evoked. It was also a reassuring reflection that no ecclesiastics nor missionaries on the spot in Africa had said or done anything to temper the storm of complaint, while numbers had lent their aid to fan it.

This general view of the situation was based upon misconception, and the facts which are contained in this and subsequent chapters were not available to any large or influential circle in Great Britain. Otherwise the British Cabinet's celebrated white paper, Cd. 1922 of July 1923, might have exhibited a different tone and different conclusions in dealing with the position of Indians in Kenya.

It has already been pointed out that Indian traders were established on the East African coast for generations before the first European traders came there. The first organized trading effort in which British influence was paramount was that of the Imperial British East Africa Company, whose record has been briefly alluded to. One of the purposes underlying the grant by Queen Victoria of the Company's charter was "that the possession of the coast-line . . . which includes the port of Mombasa, would be advantageous to the commercial and other interests of Our subjects in the Indian Ocean, who may otherwise become compelled to reside and trade under the government or protection of alien Powers." The Indian trader was everywhere the first to take advantage of the extension of Administrative influence on the mainland in order to begin the direct sale of trade goods to natives as one Administration station after another was opened, even to the far remote localities down the Nile valley. It is definitely the case in East Africa that "trade followed the flag." Only an insignificant proportion of the trade goods introduced were of Indian origin. The large bulk were goods of British origin, re-exported from India to Africa, with a proportion of American exports, also brought via Great Britain and India. The enterprise and resource of the trader who follows the expanding fringe of Empire, and sometimes even overruns it, who pushes the sale of trade goods and opens up new markets, have always in this country been regarded as commendable qualities, of great utility to workers and employers at home. It has been reserved for a section of the European community in Kenya to point out for general information, between the years 1917 and 1923 principally, how base and malign an undertaking this may really be, when conducted by non-Europeans. Even some missionaries have pretended to be able to recognize this, though they are not usually among the most commercially minded of men and women. This discovery will be further alluded to in its proper chronological setting.

When the project for the construction of a railway to Uganda first came under serious consideration in British Government circles, representations were made as to the advisability of putting out the work to contract. Definite offers were, indeed, made to construct the line for £2,240,000 provided that a gradient as steep as 1 in 40 might be used, and a tight degree of curvature. Another offer was that a Company would both build and run the line, provided Government guaranteed a net yearly income of £75,000 for 30 years. Annual sums thus contributed by the British Government would not be repaid until receipts from the running of the railway exceeded all working expenses—over which, it is to be noted, there would be no Government control. If there were any net profit, one half of it would be paid to Government as a refund of the said advances, which were to be made without any charge for interest. The Company would, moreover, expect to receive a grant of some 500 or 600 square miles of land along the railway, with full mining rights.

It is interesting to speculate what the recent history and present-day circumstances of Kenya might have been if either of these methods had been adopted for the construction of the Uganda Railway. No contractor would have been allowed by the Government of India to get labourers from India on his own account. The average native population of working age was supposed to be only between two and three to the square mile, and it is probable that either Italian or Chinese labour would have been imported. An "Indian question" in Kenya would probably not have developed so soon as actually happened, but the country might by now have had "poor white" or "Oriental" difficulties of far graver type to contend with.

The Government of Lord Salisbury decided that the line should be built by Government agency on the Indian model, under the direction of a "Uganda Railway Committee" sitting at the Foreign Office. Construction was carried on chiefly by means of Indian coolies. The maximum number of African labourers on the work at any one time never exceeded 2,600. The average number of Indian labourers employed throughout the financial year 1896-7 was 3,398, rising rapidly to 20,484 in 1900-1, and falling again to 12,275 in 1902-3. The total average cost of this labour was 30 rupees (= £2) per head per month, including importation and repatriation charges, wages, rations and medical expenses. Throughout the negotiations

the Government of India insisted that every emigrant to East Africa should be repatriated to his village in India if he so desired at the termination of his three years' engagement, but equally that he should be at complete liberty to remain in Africa, and forfeit his claim to a return passage if he saw fit to do so. Permanent-way gangers, station-masters and clerical staff were also obtained from India. A few of these, and a small proportion of the labourers, have remained in the country. Some of them have continued in Government posts to the present time. Others have seized upon trade openings of one type or another and become small shopkeepers, merchants in native produce, carters and teamsters, small contractors, quarry-masters, dealers in lime, sand, stone and domestic firewood, barbers, saddlers, boot-makers, nurserymen, tailors and, in rare cases only, landowners and farmers. Although some local residents surrendered the sober control of their intellects to the extent of trying to believe that most, if not all, of the Indian political activity in the country was inspired and directed from Moscow, the general bulk of the European population undeniably made, and still makes, ungrudging use of the assistance afforded by this working population of law-abiding British subjects. In a higher plane of society moved a considerable professional circle—barristers, solicitors, schoolmasters, draughtsmen, law clerks and others, and some enterprising and respectable commercial houses conducted trade on a large scale associated, in some cases, with banking and money-lending activity.

By the time that there were 100 European settlers in the country, the Indian population had reached the figure of 6,000 or 7,000, although the Railway construction was completed, and nearly all the Railway coolies had exercised their option to be repatriated to their villages in India. When Government began actively to push European immigration, early arrivals entered the country with their eyes open to the fact that practically the entire internal trade was in Indian hands. Although the new settlers were outnumbered by 60 or 70 to 1, a section of them promptly began to agitate for the grant of special privileges on a racial basis. In March 1903 an estate of nearly 140 acres in extent, lying entirely within the town of Nairóbi, and being the property of a bankrupt European, came up for auction. The European auctioneer finally sold the property to an Indian firm for Rs. 6,500 (£433 6s. 8d.). The

next issue of the local paper reported that "some of the European planters who would not buy the property have petitioned H.M.'s Commissioner against an Indian being allowed to possess this property, which lies in the heart of Nairóbi." Government, of course, took no action in such a direction. It was reserved for a later Governor, in 1916, after being subjected to a long-continued course of political pressure, to disallow a transaction in Nairóbi, on closely parallel lines, upon racial considerations solely.

The Indian community in the Protectorate even in these early days was an alert and assertive group. Sir Charles Eliot's written and spoken allusions to the European settlement, which he foreshadowed as the natural course of development in the interior, made them suspicious and awoke their resentment, and when he resigned, the British Indian community sent a cablegram to Lord Lansdowne at the Foreign Office expressing their universal satisfaction at his departure. The Commission which Sir Donald Stewart appointed in 1905 to report on modification of the Land Laws did not comprise an Indian member, though it heard Indian witnesses. The chairmanship of this Commission had devolved upon Lord Delamere, who had written from Nairóbi on May 20th, 1903, to *The Times* advocating the use of 45,000 square miles of the highlands for white settlement, so that Indian opinion in 1905-6 was naturally apprehensive as to the trend of this Report.

The precise position of the land question at this time was that a letter from Government on February 28th, 1902, to the Secretary of the Indian Association, and signed by Mr. Jackson, the Deputy Commissioner of the Protectorate (now Sir Frederick Jackson, K.C.M.G., C.B.), had said: "You are in error in supposing that the Government has any intention of drawing a distinction between Europeans and Indians as far as rights of mining, settling and acquiring land are concerned." The Indians were, however, lacking in political experience and acumen, in not hailing this as "a pledge," and forcing a series of reminders about it upon the British and local Governments, and upon public attention on every possible occasion, including public dinners. Subsequently a Government Notice issued by Mr. Jackson as Acting Commissioner on August 28th, 1902, had invited Indian agriculturalists to come to the Protectorate, and as late as March 1905 an Indian's application for land in the

highlands near Kikúyu had not been refused by the Government, but had been referred to the Land Officer for attention and report.

For four and a half years the situation remained, theoretically, at this stage of Government neutrality as defined in Mr. Jackson's letter of February 28th, 1902, but even in the experience of early Indian applicants, the interpretation of this "pledge" was not satisfactory, and on November 8th, 1905, they requested His Highness the Aga Khan to use his influence to secure healthy upland farms for Indian settlements. The Aga Khan's first visit to the coast had been in 1899, and on this second visit in 1905 he went inland to Uganda and back. At a reception given to him in Mombasa, on his return from Uganda, he replied that he did not think any useful purpose would be served by his approaching Government. (The question of principle, it will be noted, did not arise at that time.) Moreover, the Aga Khan advised his petitioners not to press for land in the highlands. With regard to land for the residences of Indian agriculturalists he said: "We must, however, be very careful to choose that part of the country only which would be most suitable for them. I do not think the country between, say, Machákos and the Mau Escarpment is suited to Indians, and I think it would be a pity if Indians tried for land there, since it is not a country where Indians can show what they can do." The whole of his advice turned upon the utilization of land for *residence and work*, and not upon its ownership as a trade asset, or for speculation.

It was about this time that the white Colonists' memorial to Secretary of State Mr. Lyttleton was approaching its final form. Its references to the Native Scare have been dealt with in an earlier chapter. It is noteworthy that there was no explicit or implied statement as to any menace arising from the Asiatic immigrants. The declared barriers to progress consisted of absence of markets, the prevalence of high railway and shipping rates, and non-inclusion in the South African Customs Union. Indian statutes and Indian coinage were objectionable, but the Indian traders who were scattered over a wide area of native territory without recognizing themselves to be exposed to any of the dangers from the Africans which the Colonists feared, were not singled out for any word of criticism—much less of hostility.

Public aspersion of the Indian population as a whole, which

was to rise to such heights of extravagance by the year 1922, began with a very small group of South African colonials in Nairóbi. A journalist, Mr. Ernest Low, and a land agent, Mr. Fichat, were prominent in it. The latter convened a meeting to agitate for municipal self-government in Nairóbi, and took the opportunity to indulge in abusive comments on the Indians. On the other hand, the Commissioner, Colonel James Hayes Sadler, who had had 25 years' service in India, took occasion, in January 1906, to meet 70 Indian merchants at Mombasa at an afternoon social function at the house of one of the officials. He addressed them in Gujerati, and did much, then and later, to maintain cordial relations. One of the leading Indian merchants, Mr. A. M. Jeevanjee, presented a statue of Queen Victoria to the town of Nairóbi, and it was unveiled by H.R.H. the Duke of Connaught on March 24th, 1906, during his visit to the Protectorate with the Duchess and Princess Patricia. Meanwhile certain of the South African elements in the Colonists' Association were steadily working up animus against the local Indians. This came to a head in May 1906, when at a general meeting of the Colonists' Association a violent anti-Indian amendment on the Indian question, moved by Mr. Ernest Low, was carried with only six dissentients. It was sent to the local Government, and elicited a rebuke from the Commissioner, who commented on its violent and insulting tone. Following upon this, a well-advertised and more largely attended meeting of the Colonists' Association was held on July 4th, 1906, for the express purpose of considering the "amendment on the Indian question" that had been carried at the small and cleverly packed meeting in May. It was then decided that the Association was not in favour of the said amendment.

At an early stage in the development of this attack, the local Indians retaliated by convening a mass meeting, on April 1st, 1906, at which a sum of 20,000 rupees was subscribed in half an hour in support of steps for the presentation of their grievances, particularly in the matter of obtaining land grants in the highlands, to the local, the Indian and the British Governments. "INDIAN SETTLERS SHOW THEIR HAND" ran the heavy headlines in the local European paper. Later in the year, the first deputation, the forerunner of so many in the years to follow, visited London to state the Indian point of view.

On April 4th, 1906, Government published the long-awaited

Report of the Land Commission, under the chairmanship of Lord Delamere, which had been appointed by the previous Commissioner, Sir Donald Stewart, to inquire into and advise upon the land problems of the Protectorate. It provided ample justification for Indian fears as to pressure by the Colonists for disregard of the Government's pledge. This detail of the Report is noteworthy because it constitutes the first formal advocacy for the abandonment of the Government's policy as defined in Mr. Jackson's letter of February 28th, 1902, and for the substitution of a policy of exclusively European settlement in the highlands. It is therefore interesting to note the phraseology in which it was advanced. The possible spread of Indian occupation was clearly a contingency which might follow upon the right of free transfer of land, which the Colonists were claiming for themselves, and for which the Commission was pressing. Its report said :—

“ It has been raised as an objection that transfer should be made easy, that a great deal of land will, in a very short time, pass into the hands of Indians. There is, of course, no objection to the general proposition that Indians should hold land in the Protectorate, but considering that only a comparatively small area of the Protectorate is suitable for European settlement and colonization, it is desirable that land within the area should be reserved for the support and maintenance of a white population.”

This presentation of the case has the attraction of being direct and outspoken, and of being devoid of any claims that the impelling motive was one of consideration for the welfare of the African natives. It is also quite indefinite (perhaps, considering the composition of the Commission, purposely so) upon the question of *ownership* of land, though it undeniably implies white *occupation*.

The recommendations of this Commission covered a wide range. They were dealt with in due course by the local Government, and were then referred, with a covering despatch, to the Colonial Office. The then Secretary of State, Lord Elgin, saw fit to make a formal departure from the existing policy, and in a despatch of July 17th, 1906,<sup>1</sup> expressed his approval of the practice that “ the land outside municipal limits roughly lying between Kiu and Fort Ternan should be granted only to European settlers.” Kiu is a station on the Uganda Railway at mile 270. Fort Ternan is another at mile 539. Their respective altitudes

<sup>1</sup> Quoted in Cd. 1311 (1921).



are 4,860 feet and 5,106 feet. The country lying between them, along the 269 miles of railway that intervene, lies at a general elevation of between 5,000 and 9,000 feet. Along the remainder of the Uganda Railway, at both ends of this highland section, the general level of the country at no place reaches 5,000 feet. (See Fig. 2, page 28.)

It is possible enough that this partial measure of discrimination may have been the work of the Secretary of State solely, and not of the British Cabinet of the day. It is even possible that it may have been the work of an unimaginative permanent official at the Colonial Office, without Lord Elgin's knowing anything about it until long after the despatch had gone. The former explanation, at any rate, if not the latter, is almost certainly applicable if Lord Milner was accurate in declaring, at a later date, when he was Secretary of State for the Colonies, that "in East Africa, as in other countries under the administration of the Colonial Office, it has been the avowed principle, and it is the definite intention, of the British authorities to mete out even-handed justice between the different races inhabiting those territories." There was clearly some disparity of opportunity for the European and the Indian trader in these early days, when the former could deal in the best-selling commodity in the country, namely, farms in the highlands, and the latter could not. Highland estates, alienated in these early days, have changed hands again and again at gross profits running into millions of pounds, and from this line of business the Indian trader and financier have been debarred, by the action of Government. Professor J. W. Simpson, C.M.G. (now Sir Wm. Simpson), was a strong advocate of racial segregation, especially for the towns, but he stipulated that the division of townships "into separate zones and reservations would not prevent any European, Asiatic or African owning land or buildings in any zone except the neutral" (i.e. vacant) "zone, provided they conform to the provisions of the" (Public Health) "Ordinance relating to these zones."

Here then was the first occasion on which the Home Government, by not being as resolute in urging the claims of fair dealing as local influences were in urging the claims of prejudice, took a false step, the rectification of which their successors have still to deal with. It cannot be too persistently borne in mind that the Indian at this time, and for a generation later, was in the

Protectorate as a trader and not as a farmer. If Government at that time had held the balance level, two developments at least would have resulted which would have reduced the difficulties of the local Government to-day. In the first case, Indian financial interests would have had scope, and one potent cause of political bitterness would have been eliminated. In the second case, it would have been much easier to introduce legislation controlling speculation in land, and ensuring the collection for the public revenue of a proportion of the profits enjoyed by speculators.

The Indians would have been sufficiently law-abiding to conform to legislative control of speculation in land, whereupon the local Government would have found it easier to enforce compliance with the law by the Europeans also. The fact has been illustrated in preceding chapters that the restriction of valuable privileges to the most politically advanced section of a community can only produce the log-roller and the exploiter, who will ruthlessly divert the course of legislation, as far as they are able, to the strengthening of their positions and the enlargement of their opportunities. In Kenya Colony the privileged group have gone further, and prepared to resist, by force of arms, any unwelcome modification of their position. It is almost unthinkable, if there had been evolved, under strict neutrality on the part of the Colonial Office, a mixed community of European and Indian landholders in the highlands, that it would have been possible for local politicians, however designing and mendacious, to have organized a composite force for the subversion of Government, merely because unwelcome legislation might be attempted under instructions from the Home Government. Even if such a possibility may, as an intellectual exercise, be conceded, it would still be the case that any such insurrectionary movement would have exhibited certain wholesome features of co-operation, and of suppression of racial bias, in which the revolutionary movement in 1922-23, which is shortly to be described, was entirely lacking.

Very little appreciation of the gravity of this false step became apparent at the time, but two years later, Lord Elgin, in a despatch of March 19th, 1908, while reiterating that Government might, "as a matter of administrative convenience," continue to make grants of land in the highlands to Europeans only, abstained from any statement or implication which might limit subsequent

transfer of estates, if otherwise legal, merely upon considerations of race in the contracting parties; on the contrary, he declared that it was not consonant with the views of His Majesty's Government to impose legal restrictions on any particular section of the community in regard to the acquisition of land. This pledge was observed for as long a period as seven years—only being discarded when assent was given to the Crown Lands Bill of 1915, under the regime of Sir Henry Conway Belfield.

Much use has been made of one portion of the "Elgin pledge." The other portion has been largely forgotten, both in 1915 and subsequently.

Reverting to the situation in the Protectorate in 1906, it was still the case at that time that the local Government was trying to attract Indian agriculturalists. The Protector of Immigrants was sent to India to discuss possibilities with the Viceroy's Council, and to bring back with him 50 *ryot* families to settle on the land. The Mombasa Chamber of Commerce asked the Commissioner to encourage Indian immigration in the interests of commerce. In November of that year the first census of Nairóbi town took place. Numbers of Indians appeared to object, on religious or other grounds, to this attempted "numbering of the people," and left the town and district during the count. Nevertheless, the figures were 559 Europeans, 63 Eurasians, 489 Goans, 3,030 Asiatics and 7,371 Africans. Even the more advanced Indians were, however, far from causing trouble by extreme claims for rights. Mr. Jeevanjee, writing to *The Times of India* in November 1906, upon the intentions of the Indian deputation then in England, explained that "the objects of the deputation are not to obtain equal rights with the Colonials in British Colonies in Africa, but only to secure a fair treatment of the Indian subjects of the King-Emperor." Disregard of appeals on the ground that the applicants were so modest and diffident as to be unlikely to prove troublesome led, in this case, as in so many other instances throughout our Empire's history, to the emergence of critical situations, and the ultimate grant of privileges going far beyond what the applicants would probably have sought for in their lifetime, if they had been met in the first instance with consideration and courtesy.

As late as April 1907, misgivings appear to have prevailed in the Colonial Office as to the wisdom or feasibility of a policy of excluding Indians from the highlands, and Mr. Winston

Churchill, replying as Under-Secretary of State for the Colonies, to a question in the House as to whether it was the intention of the Administration to bring Indian settlers to the districts which were suitable for European colonization, said: "I am not by any means in a position to say that British Indian subjects will be altogether excluded from these districts." At the beginning of the year he had published terms upon which Indian immigrants were invited to East Africa.

In the summer of that year came Mr. Churchill's visit to the Protectorate, which has already been referred to. A deputation from the Colonists' Association, headed by Lord Delamere, interviewed him on the subject of European immigration. To an Indian deputation he said: "The Government will keep their promises towards you. . . . At the same time it is desirable that the area of white settlement be mainly confined to white population." At Mombasa he congratulated the community upon the good relations existing between all classes and races there. For the country at large he thought it would be necessary "in the future to depend upon the co-operation of the industrious native of India," and he regarded, as possible a mutually beneficial ordinance covering the employment of Indian agricultural labourers. On his return to England he was reported as speaking at a banquet at the National Liberal Club upon the opening for India that existed in East Africa. In his account<sup>1</sup> of his East African travels he summarized the situation in these words:—

"The Indian was here long before the first British Official. He may point to as many generations of useful industry on the coast and inland as the white settlers, especially the most recently arrived contingents from South Africa (the loudest against him of all) can count years of residence. Is it possible for any Government, with a scrap of respect for honest dealing between man and man, to embark on a policy of deliberately squeezing out that native of India from regions in which he has established himself under every security of public faith?"

Shortly before his visit, the first Legislative Council had been convened. There was dissatisfaction in Indian circles that at least one Indian representative was not nominated by Government along with the three non-official European nominees. As an outcome of the Report of the Land Commission of 1905 a Lands Board had been constituted to act in an advisory capacity

<sup>1</sup> *My African Journey*, p. 49. (Hodder & Stoughton, 1908.)

to a newly appointed Commissioner of Lands, Colonel J. A. L. Montgomery, C.S.I. On this body also there was no Indian representative. It first met in September 1907, and at once got to work on the question of Indian landholders. The official report of the first meeting, on September 6th, 1907, states: "It was agreed to as a general fact that the intrusion of the Indian agriculturalist meant the expulsion of the European element." No reason was given for this conclusion, and the report continued:—

"An opinion was expressed that Indian indentured labour might be employed, but the general feeling was this labour should be repatriated on the completion of the term of indenture, this country being retained for Europeans and Natives."

As it was officially stated about this time that the immigrant communities in the Protectorate numbered 1,419 whites and "15,842 coloured (chiefly Indian)," it is clear that there would have to be some activity in the policy, deprecated by Mr. Winston Churchill, of "deliberately squeezing out the native of India." The settler members on the Land Board had no misgivings as to how the problem should be approached. One of them moved and another seconded:

"That Indian immigration be discouraged as much as possible for the purposes of settlement and that no Government land be allotted to them."

They also recommended that all future farm leases should insist on occupation by a white man, so that even if an Indian did possess a farm, he would be under the necessity of employing a white manager or resident. The official members did not go so far, but they agreed upon an amendment

"that the definition of 'Highlands' be extended, that Indian close settlement in limited areas should be allowed in the lowlands but that Indian settlement should not be encouraged by Government."

Increased asperity was introduced into the racial relations at this time by outbreaks, varying in tone from petulant to aspersive, by Mr. Grogan, the important forest concessionaire in the highlands, by Lord Delamere, Lord Hindlip, Lord Cardross, and one of the original South African immigrants, Mr. Flemmer. These, if in the form of speeches, were reported, and, if in the form of newspaper letters or articles, were reproduced in the local press. A "B.E.A. Association" was formed in London to

support white development in the Protectorate and attempts were made at liaison relations with the Colonists' Association in Nairóbi. At the beginning of 1908 an anti-Indian resolution was carried unanimously at the annual general meeting of the Colonists' Association, of which Lord Delamere had become President and Mr. T. A. Wood, a Nairóbi auctioneer and hardware merchant, Deputy President.

The local Indians were all this time at no pains to make themselves agreeable to those who were developing this attack, especially the ones from South Africa. The Nairóbi Indian Association sent a cablegram to the Secretary of State in London in support of the grievances of the Indians in the Transvaal, and another to Mr. Gandhi in Johannesburg supporting his action in challenging the legality of the Registration Act there. They had this action reported in the local press. Hostility was clearly increasing. The upshot was to be a trial of strength. The advanced wings of both sides began to discard any wish for the retention or establishment of friendly relations. The Europeans, with greater political experience behind them, were the first to take active steps to secure increased privileges, and were much more alert in questioning the grant of any indulgence, social, economic or political, to others. They had all the advantage in economic opportunity, social influence and education, and, consequent upon all these, in the support of Government and therefore of most of its officials. The Indians led in numbers and, at this time, in aggregate wealth, and although Lord Delamere in 1907 held that "no country could become a good working proposition until it had on its councils the people who live in the country, and are monetarily interested in it," it is clear that this must have been said with certain mental reservations, and that he did not include Indians (or Africans) in his definition of "people." The question as to who are "the people" has been one of much haziness in Kenya, at any rate down to the appearance of the celebrated "White Paper" of the British Cabinet of July 1923.

But possibly Lord Delamere spoke better than he knew. *Has* the country been a good working proposition so far? Some distinction may perhaps be made between "a good working proposition," whatever that may mean, for the phrase is vague enough, and what John Bright in another connection described as "a gigantic storehouse of outdoor relief for the aristocracy."

The official census of 1911 showed that, apart from officials and missionaries, the number of non-official European and Colonial males in the country was 890. Indian male adults numbered 6,283. The total European and Indian populations were respectively 3,167 and 11,886, counting men, women and children in both cases.

The Colonists' Association had begun, at an early date, to exhibit some of the propensities of a Political Machine. It was decided, early in 1907, that too much individuality on the part of its personnel was not desirable, and that only motions approved by the General Committee—the Machine Bosses in embryo—could appear on the agenda for general meetings. Thus at the cost of certain abstentions from the increasingly political activities that were indulged in, a high degree of unanimity was exhibited, and the Machine became powerful, if not altogether representative.

The steadily maintained pressure for the alteration of the Land Laws to the advantage of the non-African landholders has been described in Chapter V, in which the Bill of 1913 has been alluded to. This was referred to a Special Committee of the Legislative Council for examination and report. This Committee consisted of five officials and one European non-official, but owing to the absence of some members from the country, it finally reported on July 22nd, 1914, over the signatures of the Attorney-General, the Solicitor-General and the Director of Agriculture.

That the Indian community was still poorly organized for political purposes is clear from the fact that no Indian witnesses were heard by the Committee, either at its sittings in Nairóbi or Mombasa. On the other hand, the Convention of Associations had submitted a detailed criticism of the clauses of the Bill, and it appointed a sub-committee, consisting of their secretary, two landholders and a clergyman, to interview the Special Committee of Council, and to press their claims before it. Governor Sir Percy Girouard had already weakened upon the point of supporting Lord Elgin's pledge of 1908, and had permitted the introduction of a clause allowing of a veto by the Governor in transfers of land between parties of different races. After all, there is no finality in politics, and organization and pressure were beginning to tell. The Convention went farther, and hoped for legalized prohibition of Indian ownership of land in the

highlands. The Select Committee did not support them, but it suggested that a provision be made prohibiting Europeans from placing non-Europeans on their farms as managers without the consent of the Governor in Council, "in order to prevent what otherwise might become a practice detrimental to the general interest of the farmers in the highlands."

On the subject of free transfer of land the Special Committee recommended that

"no restriction be placed on free transfers and dealings in land except where the parties concerned are of different communities, when the power of veto should be retained. By different communities the Committee mean Europeans, Asiatics and natives. This limited veto should extend to all lands sold as well as those leased, on the footing that the interests of the community must be considered before those of the individual."

It is a sidelight upon the political inexperience and the passivity of the Indian community in the Protectorate up to this time that a Committee of senior officials should use the phrase "the interest of the community" as meaning the interests of less than nine hundred European farmers among a population which included 15,000 Indians and nearly 3,000,000 Africans. Organization was producing results and creating "atmosphere."

Legislative Council received the Special Committee's report, and passed the Bill on May 10th, 1915, with the "veto clause" in it. It was referred home to the Colonial Office, and Secretary of State Mr. L. Harcourt signified in the usual phraseology that "His Majesty's power of disallowance would not be exercised" in regard to the Bill. The Crown Lands Ordinance 1915 was thus added to the Statute Book of the Protectorate, and the firmest pledge which Indians in East Africa had enjoyed, vanished. While these despatches were passing from and to Nairóbi, crowded transports, with lights out, were ploughing across the Indian Ocean with Indian troops bound for the Western Front in France and Flanders.

The field in East Africa was now clear for further action. The exercise of the Governor's veto was legal. It only remained to bring pressure to bear on successive Governors to ensure that the exercise of the veto should become automatic and inevitable. Otherwise it was felt locally that wealthy Indians might be found who would elect to buy highland estates from embarrassed or bankrupt Europeans, which would be hateful; or, on the other



hand, wealthy natives, such as the M<sup>á</sup>sai, might be found similarly buying back blocks of land which the Government had deprived them of—which would be absurd. It is true that denunciation of the policy of Native Reserves, and advocacy of interpenetration of native territory by blocks of white farms, were commonplaces among the political Europeans of the day, but the resulting uplift and education of the natives were only to be expected to occur when Europeans were penetrating and occupying native territory. Resumption of European lands by natives, even if such lands were paid for at current market rates, had to be rendered, if not illegal, then at any rate impossible. Uplift and education for the native were, apparently, not equally certain and desirable under the latter process.

It will be interesting to see how many years will elapse before it becomes neither illegal nor impossible for a wealthy native tribe, clan, or individual to carry through the ordinary commercial transaction of purchasing, at market price from a European holder, land in any part of Kenya Colony—whether such land at the time of its alienation by Government to Europeans was in actual point of fact derelict and unused or, to the native mind, under clearly established native ownership. Bearing in mind the fact that at the beginning of 1926, out of some 9,000 square miles of land alienated to Europeans less than 9 per cent. is cultivated, and that the native, under the partial release from pressure that he has enjoyed since 1922, is rapidly increasing the value of his *native-grown exportable produce* (1923, £271,680; 1924, £480,360; 1925, £564,665),<sup>1</sup> and this in spite of the fact that he is not allowed to grow the most lucrative crop (Arabian coffee, of which £823,901-worth was exported by between 600 and 700 European growers in 1925), one may suppose that a change in the practice of Government will become inevitable in the course of a short term of years. British occupation of the lands of a congeries of warring East African tribes is having the effect, as it should have, of evolving an East African *nation*. The growth of a national spirit, far from being disappointingly slow, is, to the well-informed observer, disconcertingly rapid. If anyone thinks that the East African native in his own country is permanently going to remain content with any denial, expressed or implied, of the right to use his earned wealth in the purchase of land, he, or she, does not know the East African. He has

<sup>1</sup> Colonial Reports, No. 1321, 1926.

been taught, by the action of the settlers' Convention of Associations more largely than by any other single influence, the value of organization in coercing Governments, in avoiding taxation, in victimizing industrial dependents, and in securing political ends. The European settlers are industrially dependent on the natives. The reverse is not the case to anything like the same extent. Friendly regard for European landholders as a class—just that, *and nothing else*—may obviate concerted action for years, perhaps indefinitely. From this consideration emerges the fact that Great Britain, in her administration of these native territories under her charge, must, in the interests of our compatriots there, extinguish resolutely the sparks of native discontent that have been kindled by the little colonial boys, playing with legislative matches—sparks that might otherwise give rise to a conflagration which would consume the last hope of the emergence of that Dark but Friendly Nation which it is the goal of statecraft to establish. The little colonial boys are too engrossed with their matches to be able to visualize what the results of the conflagration might be. The sunny security of life in Kenya to-day would take its place among the dreams of things wistfully sweet—but alike mythical and incredible: a Golden Age destroyed so thoughtlessly and so foolishly as to be able to yield no pleasure in retrospect, but only a heart-ache: a priceless possession, bartered for a few squalid political ambitions tainted by economic greed.

The racial discriminations that were being imposed at the instance of the European Political Machine at this time were admittedly directed against the British Indian. In actual fact many of them applied equally against the African. In essence they were pro-European and nothing else. Insecurity of land tenure for Africans had its counterpart in difficulties of acquisition and severe restriction of area in the case of Indian holdings. A situation was being developed which could not fail to lead to some community of interests, fostered by experience of parallel grievances, between Africans and Indians. To both, the European was a despoiler, and it was useless to seek hope or consolation from any disaccord between the actions of Government and the demands of the Political Machine, because there was usually little and often none. The restriction of area that has been mentioned as applying in the case of Indian landholders was pronounced. Whereas free grants of enormous size

had been made to Europeans, running up to 100,000 acres in the case of Lord Delamere and 320,000 acres in the case of a syndicate of Europeans, it was the practice of Government to limit allotments to Indians to 100 acres in any one grant, and as late as the year 1921 this was declared to be the case.

It is to be understood, also, that although Indians might not buy or acquire land in the highlands, there was no parallel provision which interfered with the acquisition by Europeans of land in the lowlands. The actual, and the intended, result of the enactment of the Land Ordinance of 1915, was that land sales or transfers might not take place, without the Governor's express sanction, between a landholder of one race and a would-be landholder of another race. This was effected for the protection of the highlands as a "white area," but it was not long before it was used otherwise. There had been certain German properties in East Africa, in town and country, and during the War these were disposed of by a Custodian of Enemy Property. A Nairóbi resident bought one estate of 35 square miles in extent, together with some machinery on it, for £113 6s. 8d., or just over a penny an acre. Four months later he wished to sell a portion of this estate, less than half, to a couple of British Indians for £5,500, or 11s. an acre. The Governor refused to sanction the transfer, so the sale could not take place. The estate was near Voi, far outside the defined area of the highlands. The Indians employed one of the foremost firms of European lawyers to press that Government sanction should be accorded to them to purchase the land, but without avail. The Indians did not get the land, and the European did not get his £5,300 profit for one-half of his estate.

Representation on local bodies had, by the year 1917, reached the stage that in Nairóbi there was a Township Committee, appointed by the Governor, and consisting of 9 officials, 6 non-official Europeans, 2 Indians, and 1 Goan. During 1917 this body advanced proposals that an election should be held to yield a selection of names for the consideration of the Governor, who would then probably select those at the top of separate European and non-European polls as his nominees to the Committee. The Governor at that time, Sir Henry Belfield, not only granted the request, but stated that he would be willing to confer his nomination upon those whom the townspeople should elect. The first election, by European men and women

voters, took place on December 18th, 1917. The male Indians, on a communal register, voted for the two Indian members a day or two later. In their arrangements for the election they received inadequate assistance from the Committee. As a result of inexperience, the election was mismanaged, and the Governor declined to be guided by the result, but nominated two Indian members.

In less than a year the non-official members, European, Indian, and Goan, of this Committee struck in a body (a pleasing instance of racial co-operation) on account of the Government's refusal to sanction Native Pass Regulations for Nairóbi. After a brief impasse the Government withdrew all the official members except one, and constituted a new Committee comprising an official chairman, 12 elected Europeans, 2 nominated Indians, and 1 nominated Goan. The privilege of franchise was retained for the Europeans and withdrawn from the Indians.

This was an example of action by Government not only in the limitation, but actually in the removal, of electoral privileges previously enjoyed.

Municipal taxes, strictly speaking, were non-existent at this time, but there were various fees and licences to be paid, and also charges for conservancy, street lighting and other services rendered. The Indians claimed that they paid 66 per cent. of these, and there was much indignation at their being allotted only two nominated members on the Municipal Council, as it was now termed, as compared with the twelve elected European members. The Indians declined to serve on the Municipal Council on these terms.

Early in 1919 a Memorial to the Viceroy of India was drawn up, and a delegation of four Indians—merchants and professional men—went to Delhi to present it. The Memorial, which appeared in full in a local European paper, dealt with inadequacy of representation, legislation prejudicial to the British Indian population, racial discrimination in landholding, in the learned professions, in State expenditure on education and sanitation, and in railway travel on State railways in the Protectorate, and with segregation of races carried to such a pitch that Indians had not been allowed to bid at Government auction sales of enemy alien properties in the commercial area of Nairóbi, where Indians had been established for a generation. In contrast with the conditions described, the Memorialists quoted, from Article 17 of the Royal Charter

granted in the serene old days of Queen Victoria to the Imperial British East Africa Company, the stipulation: ". . . there shall be no differential treatment of the subjects of any Power as to trade or settlement." The Memorial<sup>1</sup> was clearly one which the Government of India would neither wish, nor be able, to disregard.

Mr. Jackson's declaration of neutrality of February 28th, 1902, had become *quite* out of date.

Thus at the opening of the post-war period, the Protectorate undeniably possessed an Indian Question, in addition to all its other complexities of administration. The need of the moment was an Administrator of experience and rigidity, whose principles could be deflected by neither the storms nor sunshine of local influences.

The Colonial Office, under pressure from the Colonists, who wanted a Military Governor, selected Major-General Sir Edward Northey, K.C.M.G., C.B. (now G.C.M.G.), and he reached Nairóbi on February 1st, 1919. After some experience in the Ypres salient, he had been employed in East Africa with numerous other Generals, up to the declaration of the Armistice, in a fruitless attempt to round up the German Commandant, General von Lettow. (The latter finally, after the signing of the Armistice, sought out an Administration officer discharging Civil duties in the territory which had been German East Africa, and surrendered to him. Various enveloping British columns grounded arms.) General Northey had had no experience in Colonial civil administration—nor of Political Machines.

<sup>1</sup> E.A.S., May 3rd, 1919.

## CHAPTER XIX

### THE ECONOMIC COMMISSION, PUBLIC HEALTH AND "THE IRREDUCIBLE MINIMUM"

"No Englishman is too low to have scruples: no Englishman is high enough to be free from their tyranny. But every Englishman is born with a certain miraculous power that makes him master of the world. When he wants a thing, he never tells himself that he wants it. He waits patiently until there comes into his mind, no one knows how, a burning conviction that it is his moral and religious duty to conquer those who have got the thing he wants. Then he becomes irresistible. Like the aristocrat, he does what pleases him and grabs what he covets: like the shopkeeper, he pursues his purpose with the industry and steadfastness that come from strong religious conviction and deep sense of moral responsibility. He is never at a loss for an effective moral attitude."

The "NAPOLEON" of George Bernard Shaw's  
*The Man of Destiny.*

GENERAL NORTHEY reached Nairóbi on February 1st, 1919. He was at once invited to attend a public dinner on the 12th, to be arranged by the Convention of Associations, in his honour. The managing committee decided that the speech of the evening should be delivered by Major Grogan, the timber concessionaire. But on the afternoon of the appointed day a tipsy European took possession of the kitchen where the dinner was being prepared, ejected the staff and held it against all comers—until reinforcements were sent for, and he was, in turn, ejected. The *chef's* work was sadly upset, and some of the tables in the evening got little more than soup, whisky and aerated waters. But they all got the speech. When it had lasted for more than an hour, some of the diners began to time it. It went on for 122 minutes, to the evident enjoyment of the speaker.

General Northey was left in no doubt as to his position. If he did what the Political Machine required of him, they (the machine bosses) would be his friends. If he failed to do so, they would fight him. It was not General Northey who squirmed in his seat, but the members of the managing committee. Col. John Ainsworth, C.M.G., the Chief Native Commissioner, was sitting near the new Governor at the hospitable board. In glowing periods he was recommended for early supersession. The Colonial Secretary, Mr. Bowring, received some extravagant

disparagement. The Indian community was largely wiped off the map. The Indian question had been raised solely by the Indians themselves. South Africa had slammed the front-door against the Indian. It fell to the people of the Protectorate to guard Africa's back-door. The speaker sat down—to some bucolic applause:

General Northey delivered the correct *riposte* to this ungainly assault.<sup>1</sup>

“Major Grogan,” he said, “had indulged in extremely straight speaking. He will not mind if I do the same, so far as his—I think I may say—very violent attacks on previous Governors and on the Government of this country and on the Government at Home are concerned. As to how much of that was in good taste or otherwise, I leave to you to decide, and I am not going to make any attempt to answer them.”

The episode was subsequently referred to by Lord Emmott, in the House of Lords, as follows:—

“The principal speech was made by Major Grogan, who expressed his views in an oration extending over two hours. It was nominally a speech of welcome, but the only welcome that he offered to Sir Edward Northey was a welcome because Sir Edward had had no Colonial experience. The rest of his speech was a violent and insolent tirade. I am making no unfair paraphrase of it if I say that the burden of such parts of it as I have been able to find reported in newspapers sent over from East Africa was that they were entitled—they, the people who were entertaining Sir Edward Northey—to know whether Sir Edward was going to be merely a telephone exchange for Downing Street, or whether the Governor was going to govern—that is, I presume, govern according to Major Grogan's ideas—or be governed by the Secretariat in Downing Street, and whether he was going to impose discipline on Colonel Ainsworth and his pro-native tendencies or not.”<sup>2</sup>

It was an unmerited piece of ill-luck for General Northey that within 50 days of his assuming his complex and novel duties there should have been presented to him the final report of the Economic Commission that had been at work in the Protectorate since 1917. This has been referred to in an earlier chapter, in which the attitude of the Commissioners upon the native question has been described. On the Indian question their views were still more unguarded. It is well to remember that the Commission consisted of Lord Delamere and Mr. T. A. Wood, Major Grogan and his brother-in-law Mr. W. C. Hunter, Mr. E. P. Cobb, a large landholder in the high-

<sup>1</sup> *E.A.S.* and *L.E.A.*, Feb. 14th, 1919.    <sup>2</sup> *Lords Debates*, July 14th, 1920.

lands and at the coast, Mr. P. H. Clarke, a prominent merchant from Mombasa, and two officials, Mr. Major, the Chief of Customs, and Mr. Kempe, the Treasurer. The two officials are now both dead. It is to be recorded on behalf of the late Mr. Kempe that he made repeated efforts to obtain release by Government from the Commission. It was locally termed the Comic Commission. Mr. Clarke largely absented himself from its sittings after a short experience of the form in which the pre-conceived views of the more prolix members were crystallizing out, and he did not sign the report. The formulation of pre-conceived views is particularly noticeable on the topic of the Indian question. The Commissioners were well qualified to write at length upon this subject as there was no Indian member sitting, nor was a single Indian witness heard. As a result, they secured the distinction of producing a report which, alone among all the Government publications of the Colony or Protectorate, has enjoyed the distinction of being formally and emphatically repudiated in the Houses of Lords and Commons on behalf of the British Government.

After discussing, in Chapter VII of Part I of their report, the proper treatment of the natives, in a manner described on pages 101-102, they ended up with a couple of pages upon the antagonistic influences of Asiatic and European "philosophy" (*sic*). They were commissioned by Government "to inquire and report," but this was clearly a subject upon which it would be safer and more congenial, to report without inquiry. Lord Milner subsequently described their performance as

"purely deplorable"—"going quite outside the terms of reference, abusing the Indians, talking about their moral depravity, calling them carriers of disease and inciters to crime and vice; and pronouncing against all Indian immigration into any part of Africa."<sup>1</sup>

In their zeal for the welfare of the Empire, the Commissioners wrote better than they knew. This report was directly responsible for enlisting the active attention of the Government of India to the attitude of the "philosophers" of East Africa towards its nationals lawfully residing, trading and travelling there.

It is to be admitted that there was a certain amount of method in the madness of the Economic Commissioners. Vigorous action was necessary if the bulk of the European population was to be roused to any useful height of racial bigotry. This

<sup>1</sup> Lords Debates, July 14th, 1920, col. 161.



was brought home to them, while the Commission was still sitting, by the treatment accorded to the Government's Public Health Bill of November 1918.<sup>1</sup> Mr. Bowring had been acting as Governor for the whole of that year, and this measure, entitled "An Ordinance to make provision for Securing and Maintaining Health," was a short one of eleven sections with no other object than to empower Government to give effect to segregation of races, that is to say, to reserve areas in any municipality, township, or district for exclusive use as European residential, European commercial, European and Asiatic mixed commercial and Asiatic residential areas; also for locations both for Africans and for working-class Asiatics, and for open spaces. The Bill was referred to a Select Committee consisting of five officials and four non-official members, none of them medical men, and was heard of no more. It was generally appreciated that Government had attempted to secure a frankly political end by adopting a moral attitude on the subject of public health and well-being. The Bill died a natural death upon the expiration of the Session of Council in which it had been introduced.

Racial bias was a trifle flabby and required tonic treatment. This the Commissioners essayed to provide.

On July 19th, 1918, there had been another disconcerting occurrence in Nairóbi. Mr. Suleman Virjee and Mr. Abdul Rasul Alidina Visram, two of the leading Indian merchants in the country, had invited a very large number of townspeople, European and Indian, to the marriage ceremony of the former's daughter Monghibai to the latter's son. A triumphal arch was erected, with the sanction of the Nairóbi Township Committee, outside the bride's home, where a packed audience witnessed the ceremony from 9.40 to 10.20 p.m. Mr. Abdul Rasul announced the gift by himself of a high school for boys at Mombasa, at which their education could be carried up to the matriculation standard of Indian universities. (This cost him over £50,000.) Most of the guests then adjourned to one of the principal hotels, where dancing was kept up to a late hour and where much wine was drunk at the hospitable Indian's expense.

Then again a widely issued invitation to European townspeople was made by the Ismailia Council to an evening function

<sup>1</sup> *Proc. Leg. Co.*, Nov. 5th, 1918.

at the Khoja Jamat Khana in Government Road, Nairóbi, to celebrate the birthday of H.H. the Aga Khan on August 2nd of the same year.

All this must have been very painful to the Little Englanders of Nairóbi, whose actions from now onwards serve to exemplify the truth of the assertion that excessive Nationalism always leads to oppression.

While the Economic Commission was producing its report, seventeen representatives of the Convention of Associations wrote in December 1918 to the local papers<sup>1</sup> a letter which, beginning in the first person singular and ending in the first person plural, forwarded a set of resolutions which had been sent to all branch Associations for an expression of their opinion. As five of these seventeen representatives were the five non-official members of the Economic Commission, it is not surprising to find that many of the phrases in the draft resolutions were borrowed from the report which was under compilation by the latter. (The Commissioners no doubt felt that it would have been a pity not to use such fine material more than once.) A footnote to the series of resolutions was supplied by the Nairóbi Political Association which at least three of the said five Commissioners assisted with their services. It was a suggestion to introduce reference to the *Christian* character of our civilization. Thus as members of a Government Commission, members of the Executive of the Convention or delegates to it, and supporters of the Nairóbi Political Association, these workers did their best at every turn to expound their view of the Christian ethic in that dark land.

The Convention met in January 1919. Four Christian missionaries had been influenced to support its racial fulmination, which was passed unanimously in the following form :—

“ This Convention wishes to point out to the Government that during the discussion of the petition *re* Indians, as also those affecting the native peoples of this country, they had the assistance of four Missionaries, one being Roman Catholic and three being from the Missionary Conference which was sitting in Nairóbi at the same time as the Convention.

“ That whereas our nation has assumed responsibility for the future of the indigenous East African peoples and of the countries they inhabit,

<sup>1</sup> *L.E.A.*, Dec. 21st, 1918, p. 15.

“ And whereas our National ideals of enlightenment and progress are crystallized in our Christian Western Civilization and it is our duty to make sure that the best contained therein, is readily available for the needs of awakening Africa,

“ And whereas the maintenance of this country depends entirely on the prestige and force of character of the white man,

“ And whereas certain Indians have entered this country as traders, clerks and artisans,

“ And whereas these people follow in all things a civilization which is Eastern and in many respects repugnant to ours,

“ And whereas their social status brings them more frequently into contact with the African and thus subjects him to intimate personal influence, antagonistic to the ideals of the West,

“ And whereas the African has shown that he possesses latent qualities which under Western guidance hold promise of material development, and an aptitude for filling various needs of industry, more particularly those which involve the use of mechanical appliances,

“ And whereas Indian competition denies him all incentive to ambition and opportunities of advancement,

“ And whereas the Indian community in this country are agitating for adult suffrage and by this means seek to gain control over the destinies of the country,

“ And whereas the Imperial Conference at a meeting held on July 20th, 1918, considered the matter of reciprocal migration between India and other component parts of the Empire, and passed four resolutions of which the principal is as follows :—

‘ It is an inherent function of the Governments of the several communities of the British Commonwealth including India that each should enjoy complete control over the composition of its own population by means of restriction on immigration from any other communities ’

“ And thereby recorded as the final judgment of the British Commonwealth that the principle of self-determination shall govern immigration and the composition of populations,

“ We, the Convention of Associations, representing the White Community of the country, pray His Excellency the Governor to approach the Right Honourable the Secretary of State for the Colonies, so that the functions thus solemnly pronounced to be inherent in the Government of this British community may be exercised by declaring forthwith that the right of self-determination rests with the European Government of this country acting for the Europeans and in trust for the native peoples and should ask the Secretary of State to rule that the position should not be prejudiced by giving any system of franchise to Asiatics nor by allowing them to acquire land except in townships on short leases, nor by the employment of Asiatics in Government work and that steps should be taken at once to restrict Asiatic immigration in order

that this stronghold of European Colonization in Central Africa may stand beside her sister Colonies in their Asiatic Policy.

"And further we beg His Excellency the Governor to make known to the Imperial Conference, through the Right Honourable the Secretary of State for the Colonies, our earnest petition that to the conquered territory, formerly called German East Africa, the same policy towards the Asiatic be applied: for the indigenous peoples of this country and of the conquered territory are of the same types, even to the extent of tribes having been severed and economic relations, centuries old, having been interrupted by the late artificial frontier. We can conceive, short of the retrocession of the territory to Germany, of no transaction more immoral and more certain to recoil on our heads, than the betrayal to the Asiatic of a section of the African peoples whose destinies have fallen into our hands and who at present are unable to protect themselves. We submit that to buy off Indian or other agitation at the expense of the natives of Africa would be a policy neither wise nor honourable.

"In view of the far-reaching issues, involving the whole future of East and Central Africa, which are at stake, we, the Convention of Associations, representing the white community of East Africa, pray His Excellency the Governor to make immediate application to the Right Honourable the Secretary of State for the Colonies, for the appointment of a Representative, chosen by the British Colonists of this country, on the Imperial Conference.

"It was proposed, seconded and carried, that this Convention very strongly urges that it has acquired the right to representation on the Imperial Conference,

"And in the event of this being conceded that Lord Delamere should be nominated by Government to the post."

The sense of humour in the Colony was not so withered that this did not give rise to exquisite amusement locally.

From this time onward, the moral and religious yearnings of the Political Machine received ever-increasing prominence, ending up in a blaze of ecstasy which carried bishops, archdeacons, missionaries and even Scotsmen off their feet—not all of them, but some of them—and for a longer or shorter time.

It may here be noted that the adjoining Uganda Protectorate, unblest with a Political Machine for the manufacture of hate, altogether failed to achieve the High Imperial outlook of the Comic Commissioners. A Government Commission of somewhat similar scope had been established there; but the authorities, unlike Mr. Bowring in Nairobi, had with greater fairness arranged for Indian representation also on its personnel. The Commissioners there rejected the principle of

segregation in business areas as impracticable, and in contrast to the moral heroics of East Africa their report said :—

“ The country owes much to the Indian trader, and we consider that a broad policy of toleration should be adopted towards him. He has shown energy and enterprise, and has assisted in the opening up of the more remote districts. He is also of value as an agriculturalist, and his activities in this direction might well be encouraged.”<sup>1</sup>

There were, on this Commission, officials, traders and planters, no less British in origin and outlook, no less closely in contact with Indian competition, and no less concerned for the welfare of the African than any of the Kenya ones. They lived in climatic conditions at least equally tropical and severe, but uncomplicated by the laboriously distilled “ atmosphere ” of Nairóbi. That, and the attitude of the Government behind them, account for the difference in the two pronouncements.

General Northey's regime as Governor opened in a glow of popularity. The after-dinner oration of Major Grogan, to which Lady Northey, also an invited visitor, listened from a balcony overlooking the banquetting hall, was locally recognized to be a post-prandial lapse from the courtesy due from an organization acting in the rôle of host towards a distinguished guest and his wife ; and numbers of the more responsible settlers and merchants communicated with Government House to express their regret at what had occurred. Both in his speech at the banquet in question and in his first address to the Legislative Council, General Northey foreshadowed the grant by the Colonial Office of the right to elect the non-official members of the Legislative Council, a concession which the settlers had been pressing for since 1909.

An Electoral Representation Bill was immediately introduced and read a first time on February 24th, 1919. Council resumed its sittings on April 7th, and the second reading was proceeded with. The Government's Bill restricted the franchise to adult males of pure European descent. On April 8th, Mr. Alexander Morrison, a non-official member from Mombasa, moved an amendment as follows :—

“ Every British subject, not of European origin and descent, who is not disqualified under subsections 2 to 10 of section 9, who is a graduate of any recognized University or who has passed or has reached a standard

<sup>1</sup> Uganda Development Commission's Report (1920), p. 12, par. 43.

of education entitling him to be excused the preliminary examination for any recognized learned profession or the Matriculation examination to any recognized University, shall be entitled to a vote.

"The Governor in Council shall from time to time make rules defining 'recognized University' and 'learned profession' and providing for the manner of proof of qualifications under this section."

The Director of Public Works and Colonel Ainsworth, the Chief Native Commissioner, spoke in support of the amendment. Lord Delamere, Mr. Bowring and others hotly opposed it. After a fifty minutes' debate a division was taken. Mr. Morrison and his two supporters voted for the amendment but the remaining thirteen members voted against it.<sup>1</sup>

The Council next proceeded to the clause which placed European women in the same category as imbeciles, enemy aliens and undischarged bankrupts, as ineligible to vote. An amendment was moved by Mr. Coverdale, another non-official member, to omit the subsection which debarred women from the franchise, and thus to admit women voters on precisely the same terms as men. Lord Delamere and Mr. Bowring also led the attack on this encroachment upon the privileges of male whites, but this time organization told against the forces of exclusiveness.

In 1917 Mrs. McGregor Ross had been instrumental in founding an East Africa Women's League, of which she became the first President. This took place at a public meeting in Nairóbi on March 14th, 1917. The declared objects of the League were to obtain political privileges for white women identical, in scope and date of effect, with any that might be extended to white men, and furthermore to take action upon any subject affecting the welfare of women and children in the Colony. The League organized public meetings, and presented to Council the largest petition, signed by both men and women, that had ever been got up in the country, urging the grant of the franchise to Europeans without any sex discrimination. Their supporters had put forward a resolution in the Convention of Associations, which had been carried by a large majority; all the members of the Council were individually written to, and, the night before this debate, the League had arranged a public debate, at which General Northey and a party from Government House were present as listeners, and at which a

<sup>1</sup> *L.E.A.*, April 12th, 1919, p. 25.

resolution in favour of adult suffrage on equal terms for men and women had been carried.

After a prolonged debate on April 8th, 1919, a division was taken on Mr. Coverdale's amendment, resulting in eight votes for the amendment and eight against it, four settlers and four officials voting on each side. General Northey then gave his vote in favour of the amendment and women were enfranchised. This was the first example in any British Dependency of men and women receiving the franchise on identical terms at the same time.

Next day Mr. (now Sir Charles) Bowring moved an amendment that women should at any rate not be eligible to sit as Members of the Council. On this point also he was defeated.

The Bill passed third reading and was assented to by the Secretary of State for the Colonies. It was passed without the knowledge of the Government of India.

It had been one of the provisions sanctioned by the Secretary of State at the instance of Sir James Hayes Sadler, before he relinquished the Commissionership of the Protectorate in 1909, that one Indian member should be nominated to the Legislative Council. Mr. A. M. Jeevanjee accepted nomination, but he soon concluded that the presence of one solitary Indian member, in a Council otherwise European and largely hostile, served no useful purpose. He withdrew and was not replaced, and the Memorialists to the Viceroy of India in 1919 were able to say that legislation was effected by a Council consisting of twelve officials and eight non-officials, all European, and that no Indian member had been nominated. This was, however, rectified in 1920, and thenceforward until the end of January 1921 there was an Indian Member on the Legislative Council. This was Mr. V. V. Phadke, a barrister practising in Nairóbi.

By 1920 the population of Nairóbi comprised 2,235 Europeans, 6,689 Asiatics and 13,200 Africans.

Soon after his arrival, General Northey had been asked to accord an interview to the Nairóbi Indian Association. This he did on March 24th, 1919, and he then told them that "the principle had been accepted at home that this country was primarily for European development, and whereas the interests of the Indian would not be lost sight of, in all respects the European must predominate." In a confirmatory letter of June 6th, 1919, the Indian Association was informed that "His

Excellency believes that, though Indian interests should not be lost sight of, European interests must be paramount throughout the Protectorate."

Even although fortified by a Government attitude so strongly favourable to European interests, the elected European members of Council lost no opportunity to improve their position. During the debate on the Government's Income Tax Bill on July 10th, 1920, Lord Delamere moved an amendment that all book-keeping in the commercial accounts of traders should be carried on in English. He insisted that East Africa was an English colony, which it was not, at the time. To be accurate it was a Protectorate in which 15 per cent. of the trading element were Europeans of various nationalities, 20 per cent. Arabs, and over 60 per cent. Indian. His amendment was carried, although General Northey voted against it. The provision was, however, later deleted from the Bill under the insistence of the Secretary of State for the Colonies. It would have involved the closing down of practically the whole of the extensive out-station and roadside trade which Indians carried on with the natives.

In October 1919, a prolonged visit was paid to the East Africa and Uganda Protectorates by the Rev. C. F. Andrews. He proceeded to Zanzibar, Portuguese East Africa, Rhodesia and South Africa, his journey terminating in March 1920. He had previously been invited by the Planters' Association of the Federated Malay States to visit that territory as their guest and to advise on Indian colonization in that country. He had also paid visits to Ceylon, South Africa and Fiji for the express purpose of inquiring into the living conditions and economic position of overseas Indians there. A preliminary report of his findings, declared to be incomplete and tentative, was published in Nairóbi in 1920, and dealt with the political situation, particularly in East Africa.

General Northey paid a short visit to London in 1920, returning to East Africa in July. He conferred with the Secretary of State for the Colonies upon the Indian question among others, and in a despatch of May 21st, 1920, Lord Milner laid down the policy which he wished to see adopted with regard to the Indians in the Protectorate. After General Northey's return to Nairóbi in July, this despatch was published for general information as Government Notice No. 281 in the *Official Gazette* of August 18th, 1920.



Briefly, the policy was that there was to be segregation of races in towns, that "grants of agricultural land in the upland area of the Colony should not be made to Indians," although suitable areas would be selected in the lowlands in which Indians would be permitted to acquire agricultural land, and that the Indian community should have two elected representatives on the Legislative Council. There was no reference to any legislative interference with immigration. "What is of vital importance," Lord Milner had said in the House of Lords on July 14th, 1920, "is that the view of every section of the community should be adequately voiced in the Assembly." The Indians did not feel that two representatives could adequately voice the views of a community of some 22,000 Indians if it required eleven members to voice the views of some 8,000 Europeans. They held a mass meeting of protest at Nairobi on August 22nd, 1920, and declined to make use of the inadequate electoral concession offered to them. The one nominated Indian member continued to sit.

The next session of Legislative Council did not take place until November 29th, 1920. General Northey on that occasion took the oath as Governor and Commander-in-Chief of the Colony of Kenya. In his opening address to Council, he reported that he had had interviews with representatives of the Indian community. He found that the decisions were most unpopular among Indians in Kenya, and they had evinced an uncompromising attitude in respect of them. Although the policy of segregation in townships implied no kind of discrimination against the Indians, and had to be regarded as the right principle not only from the sanitary point of view, but also on grounds of social convenience, he had found that the Indian community refused to discuss its application.

Meanwhile, the Government of India, with the approval of the Colonial Office, had sent Sir Benjamin Robertson to East Africa in 1920 to discuss Indian questions with the authorities there. On the results of his inquiries, it addressed to London a despatch of October 21st, 1920, which was printed as a White Paper<sup>1</sup> and presented to Parliament. It vigorously supported the contentions of the Indians in Kenya.

There had been for some years in the hands of Government in East Africa a draft of a Public Health Bill, of comprehensive

<sup>1</sup> Cmd. 1311 (1921).

scope, upon which an eminent sanitarian, Professor Simpson, had advised in 1913. This was revised and expanded, and was introduced in Legislative Council on November 29th, 1920, by the Acting Principal Medical Officer, Dr. J. L. Gilks. It was referred to a Select Committee, consisting of three elected members, three officials and the one nominated Indian member, Mr. Phadke. This Committee, in repeated sittings, went through the Bill, clause by clause, and on reaching Part XV, which provided for segregation of races, unanimously recommended its deletion from the Bill. As in the case of the still-born Bill of November 1918, it was held that the suggested provision was purely political and was not a sanitary requirement. As the Principal Medical Officer explained later, he was quite prepared to engage that townships occupied by mixed communities could be kept sanitary by the exercise of the other powers accorded to him in the Bill.

The Select Committee signed its report on January 18th, 1921, and dispersed. The elected members on it then had to face the wrath of Lord Delamere. The Committee's report came up for debate in Council two days later. When the segregation clauses were reached, Lord Delamere violently traversed the recommendation for their deletion. Mr. Wood said "ditto" to him, and admitted having made a mistake in signing the report. Sir Northrup McMillan, K.B.E., also reconsidered his decision, and the Committee's recommendation was negatived by twenty votes to two, the minority consisting of the Acting Principal Medical Officer and the Director of Public Works. The one Indian member was unavoidably absent from this debate. Segregation having thus been carried by a large majority, he resigned his seat on the Council as a protest. His letter of resignation was published on January 27th, 1921.

There was now no Indian representative either on the Legislative Council or on the Nairóbi Township Committee.

The Government next took a forward step of a vigorous and unexpected character. At a Special Session of Council which had been convened for February 10th, 1921, for the purpose of launching, by private prearrangement with the elected members, a motion for the sudden deflation of the rupee from 2s. to 1s. 4d.—the miscarriage of which attempt has been described in Chapter XII—General Northey introduced, without notice and under a Certificate of Emergency, a motion providing for the

establishment of racial reserves in the commercial area of Nairóbi. It is not known whether this motion was also produced by prearrangement with any or all of the elected members, but it ran directly counter to the view personally expressed in Council by General Northey only seventeen days previously—that segregation in commercial areas was impracticable. The Director of Public Works reminded the Council of this and was called to order by the Governor for doing so. The element of pressure which the Government imported into the debate, supported by the Certificate of Emergency, even had the effect of dislodging the Acting Principal Medical Officer from his previous attitude. As a member of the Executive Council, his vote and that of others had perhaps been “commanded.” The motion was passed, with the Director of Public Works as sole dissident.\*

It can no doubt be realized that a minority vote such as this was unwelcome to the Government. There is all the difference in the world between a Governor’s being able to report that a decision on a burning controversial question had received the unanimous support of his Legislature and, on the other hand, a support which was not unanimous. Herein lies the redoubtable strength of small minorities. They import an entirely different complexion into decisions upon findings with which they disagree, from what is involved in a decision *nem. con.*, and still more a unanimous decision in favour of such findings.

The Secretary of State found himself unable to sanction the Public Health Bill in the form in which it had been passed by the almost unanimous vote of the Legislative Council. The customary formula of assent, that “His Majesty’s power of disallowance would not be exercised,” was withheld, and the Bill was sent back to the Governor for the segregation clauses to be deleted. The elected Members indulged in some sulky heroics, but the official majority on the Council passed the Bill, under orders, and the Public Health Ordinance came into operation on September 6th, 1921, *without the segregation clauses*. At this time General Northey was in London, as will shortly be explained, and Council was sitting under the Presidency of Colonel Notley, D.S.O., as Acting Governor.

While this had been going on, the Convention of Associations had accepted a proposal by the Indian Association for a

\* *Proc. Leg. Co. (Third Session), 1920, p. 87.*

Round-Table Conference of delegates from the Convention and Indians to try to arrive at agreement on the points of difference between the communities. It was duly held at the beginning of May 1921 at Government House, General Northey presiding. Sittings continued for several days. The Europeans were represented by five delegates from the Convention and one elected Member of Council, Mr. T. A. Wood, M.B.E. Six Indians were also present, and three senior Government officials—the Attorney-General, the Acting Colonial Secretary and the Acting Chief Native Commissioner. The Governor's Private Secretary acted as Secretary, and the Press were admitted.

This must be regarded as a genuine attempt by General Northey to achieve a cool discussion of the outstanding points of dispute. It is also highly creditable to the fair-mindedness of the more moderate wing of the political machine—all the more so since participation by the Convention was strongly objected to by some of its extreme members. It is the more deplorable that Government did not publish an official record of proceedings, and that neither before nor after it did Government at any time arrange for a full-dress debate on the Indian question in the Legislative Council.

From accounts in the local newspapers, it appears that General Northey explained that it was his business as Governor to try to keep an impartial attitude. After a somewhat militant opening for the Indians by Mr. A. M. Desai, who stated that the Indians would never accept racial segregation imposed by legislation, the Governor brought up the question of franchise. He had discussed it at home with Lord Milner and also with a committee of the Labour Party. The latter had assured him that they would be quite satisfied if the elective principle were conceded. The former had granted the right to elect two Indian members, and the Indians had not exercised it. He had told the Labour Party Committee that he knew that if the Indians were given two seats, they would end by wanting one-third of the Council.

Mr. Jeevanjee admitted that they wanted the same number of members as there were elected Europeans. He had written, in England, to Lord Milner to that effect. He admitted that at a recent presidential address of his to the local Indian Congress he had suggested that there should be an education and property qualification. They were insistent on a common franchise. The Indian members withdrew for consultation and then reported that they would accept English as the language qualification, though this would automatically disfranchise 60 per cent. of the local Indian community, and that they were willing to make any concession to obtain a common franchise.

The Governor suggested Indian representation to the extent of five

members. The Europeans could not agree to this. They did not, they explained, approach the issue from the racial standpoint, but from that of the just representation of separate interests on the Council. The principal interest was the agricultural interest, and therefore the European producers should have a majority of representatives. The other sections of the community, European and Indian, were merely parasites. The Indians, as they themselves admitted, were largely a commercial community, and as it would not be just that they should have greater representation than the European commercial community, they were therefore entitled, at the most, to three members. If their claim to one-third of the Council were granted, it would mean that the commercial and other parasitical interests would control the producing interest, which would be improper. Moreover, in Kenya the primary duty was to protect the interests of the natives, and if they gave common franchise to Indians it would also have to be given to natives, and that would not be right, although there were many natives who already could take an intelligent interest in public matters. However, if a common franchise were forced upon them, they would accept it as applying to the three commercial constituencies only (one at Mombasa and two at Nairóbi), but it would have to be on the basis that both a European and an Indian member were returned from each constituency. There might be as many candidates as might be desired, but the first European on the list and the first Indian on the list after a vote on a common register would be elected, otherwise the European commercial community might be swamped. The franchise would, of course, include an educational test and ability to read English. Their feeling was, however, that any common franchise would be a mistake.

To this the Indians replied that if they also were not an agricultural community, it was only because they had not been allowed to get land. If Indians had been allowed to possess large agricultural holdings, Kenya would have attained a better position commercially than was the case. They had no intention of putting any obstacles in the way of natives having their representatives on the Council. If what they had heard was the most that the Europeans were willing to concede, further discussion would be fruitless.

The Governor then directed discussion to the question of land. The Indians stated their objection to any discrimination in law against their ownership of land. European settlers were certainly entitled to refuse sale or transfer of their holdings in the highlands to Indians if they wished, but there should be no legal restriction on those who were willing to sell. As regards the lowlands, where it was asserted that Indian occupation was permissible, 80 per cent. of such area was wilderness, and hopeless for cultivation. The Europeans replied that this question was not regarded by them as one of colour. It was a difference of civilizations. That of India would not have as good an effect on the natives as would Western civilization. The suitability of Indians as colonists had yet not been proved. The natives did not regard the Indian with that respect which was essential if Indian settlements were to be created among the natives. As regards war services, the Con-

vention delegates maintained that it was the duty of Indian soldiers to respond to the call of the Empire without hope of reward, as India still owed a debt for the protection given by Britain. The argument that Indians required expansion was one of the most dangerous that the Indians had advanced. They must remember that in the greater part of India a European was not allowed to acquire land. If it was fair to restrict Europeans there, it was fair to restrict Indians here. Many Europeans had made homes in the country on the strength of Lord Elgin's pledge that the highlands would be reserved for Europeans, and they would be seriously let down if that pledge were altered.

The Indians replied that this would not be the last that the Europeans would hear of it. The treatment of Indians in Kenya was one of the reasons for trouble in India. The Europeans must remember that India was the native country of the Indians, as England was theirs. In East Africa both Europeans and Indians were interlopers. As subjects of the same Government in a new country largely undeveloped, neither had exclusive rights to any land that was available.

The next subject was segregation of races.

Considered resolutions of the Convention of Associations were read out, upon this topic, as follows :—

(1) That it is essential that suitable land be set aside for residential areas for Asiatics in every township immediately, and that residence in the Bazar or commercial area be prohibited.

(2) That it is reasonable that in addition to the ordinary Asiatic area, suitable land, capable of providing gardens, should be set aside in any township, either presently existing or to be established, for purely residential purposes of higher class Asiatics, provided that there is a proved need for such accommodation which cannot be fulfilled by the existing Asiatic area.

(3) That the Eastern and Western civilizations are so opposed that in the interests of both communities it is desirable that Asiatics and Europeans should have separate residential areas.

(4) That there be no discrimination of commercial areas, provided that residence in such areas be entirely prohibited.

There was also read a resolution by the Nairóbi Chamber of Commerce disapproving, as that of Mombasa had previously done, any segregation in commercial areas, and advancing, as the only essential, conformity by all races to strict rules of sanitation and hygiene.

The Indians replied that the trouble was that all the best residential areas were already earmarked as European areas only. If Indians had been given favourable sites in the first case, the question of residential segregation would not have arisen. As things stood, an Indian might live in any European area as a servant, but he could not do so as a citizen. This raised the question of status. They welcomed the willingness to abandon segregation in commercial areas, and they maintained their objection to legal restriction on ownership or occupation anywhere. Would the Government without imposing legal restriction upon the acquisition of land by Indians anywhere in townships develop attractive Indian quarters and see how that worked over a term of years ?

The Europeans would not agree. It was not a question of race ; it was purely a question of social interest. There was the danger of fashion. They quoted Malabar Hill, Bombay, which was formerly a European residential area. Now wealthy Indians had acquired plots there, prices had gone up, and Europeans had had to leave. If transfer of township property were permitted, there would be the danger of speculation. They were in favour of Indians being allowed to own suburban plots, but there should be Government control to stop speculation.

(This was a stipulation upon which the Europeans were able to speak with knowledge, because plots had been sold and resold in Nairôbi at prices advancing, in one generation, from a few shillings an acre in some cases to a pound a square foot.)

The Conference closed without agreement being reached on any point.

The relations of the Indian community with General Northey did not improve during the first half of 1921. However careful he may have been during the debates on the Public Health Bill to make his opinion clear that racial discrimination in towns did not imply any slur on the Indian population, it must be admitted that he lost an opening for a conciliatory intervention in Council when he allowed the Government official who had been Chairman of the Economic Commission of 1917 to read, in Council, the two most aspersive paragraphs in that report, beginning respectively : "Physically, the Indian is not a wholesome influence, because of his incurable repugnance to sanitation and hygiene," and "The moral depravity of the Indian is equally damaging to the African." Even if he did not check the speaker as soon as these quotations were started, he might have effected much in the smoothing of relations if he had there and then stated that Colonel Amery in the House of Commons and Lord Milner in the House of Lords had both expressed their disapproval of such a diatribe. It was further felt that he had heckled Indian speakers at the Round-Table Conference to an unnecessary extent, in view of his rôle there as an impartial Chairman.

Moreover, the Indians began to appreciate the possibility of support to their cause from influential quarters in England. A Standing Joint Committee of the two Houses of Parliament had been appointed in March 1921, and in its third report it dealt with the position of Indians in Kenya. Meetings on this subject had been held on ten occasions during May and June,

and on July 6th, 1921, the Committee considered its draft report. Lord Chelmsford moved :—

“ That this Committee is of opinion that there is no justification for assigning to Indians in Kenya a status in any way inferior to any other class of His Majesty’s subjects.”

This was passed by ten votes to seven, the majority comprising Lords Chelmsford, Clwyd, Islington and Meston, Sir Thomas Bennett, Sir John Rees, Colonel Wedgwood, and Messrs. Nicholson, Ormsby-Gore and Spoor. The minority comprised Earls Buxton and Middleton, Lord Harris, Sir Henry Craik, Sir W. Joynson-Hicks, Major-General Sir Charles Townshend and Major Glyn. Like the Government of India in its despatch No. 33 of October 21st, 1920, to which reference has also been made, the Committee recognized that the predominant requirement was the recognition of our duty to the Native African races, and they also urged the appointment of a Royal Commission to consider those matters, with the Indian question included as one of the terms of reference.

The report gave rise to a newspaper discussion in the columns of *The Times* and enjoyed wide comment in other papers. One letter is of interest as showing the degree of political education which prevailed among the luminaries of the Kenya Political Machine. Major Grogan, like a yokel crossing rapiers with a master of fence, essayed to correct Professor Berriedale Keith, of Edinburgh University, thus :—

“ In a letter published in your issue of August 3rd, Professor A. Berriedale Keith, of Edinburgh University, ventures his opinion on this difficult problem. As the base of his conclusion he opines, ‘ No sane person contemplates the grant even of representative Government to the Colony.’ Representative government was granted to the Colony last year by Lord Milner. Surely the educational facilities of Edinburgh University are sufficient to protect its professors from such self-stultification.

“ I am, etc.,

“ EWART S. GROGAN,

“ Representative Member of the Legislative Council,  
Kenya Colony.”

Both Mr. A. M. Jeevenjee and an Indian lawyer from Nairóbi, Mr. Varma, corrected this misapprehension of the Major’s,

† *The Times*, August 3rd, 1921.



and Professor Berriedale Keith added the finishing touch thus<sup>1</sup> :—

“As the public may be excused an ignorance scarcely creditable to a Colonial legislator, it may be well to explain that representative government in the terminology of Colonial constitutional law denotes a form of government in which the executive government is carried on under the control of the Secretary of State for the Colonies, but legislation is enacted by a body in which the executive does not by nomination or otherwise command a majority. Such a form of government in the Colonies has often proved the prelude to the adoption of responsible government. Needless to say that such a form of government is wholly out of place in a case where the white settlers form an insignificant proportion of the total population and the Crown has definite obligations in respect of the safeguarding of the native population, and Lord Milner's grant of this form of government to Kenya Colony has no existence outside the imagination of your correspondent.”

The moderate wing of the Convention had made their attempt and had failed to achieve anything. In an increasing measure the extreme wing henceforward took charge of the direction of affairs.

On May 24th, 1921, Lord Delamere launched “the Reform Party” upon its political existence,<sup>2</sup> pledged, under No. 6 of its declared objects, to “a policy of stern opposition to the present claims of the Indians.”

By June 1921 it was known that General Northey was to proceed to London in order to confer with Mr. Winston Churchill, who had become Secretary of State for the Colonies in succession to Lord Milner. The Political Machine decided to supply him with a clear mandate, as far as it was concerned. Its Executive provisionally adopted an “irreducible minimum” of “five points,” which was circulated to branch Associations for assimilation prior to a Convention to be held at the end of June.<sup>3</sup> It is not to be wondered at that such delegates as attended the Convention displayed a high degree of unanimity on the five points. No one took the trouble to search for, or propose, any safeguards, or agreed compromises, in the danger that threatened. All they saw, or wanted to see, was the danger, and nothing but the danger. The local Indians wanted adult franchise, subject only to an education test involving knowledge of English, and they wanted the same number of elected

<sup>1</sup> *The Times*, August 9th, 1921.

<sup>2</sup> *E.A.S.*, May 27th, 1921.

<sup>3</sup> *Ibid.*, June 28th, 1921.

members as the Europeans had. It is true that this would have been accompanied by a majority of Government officials exceeding the combined groups of European and Indian elected members, but the heated imagination of those who pulled the political strings saw visions of hordes of "failed B.A.'s" coming across from India to Kenya for no other purpose than to swell the Asiatic electorate, of Hindu District Commissioners and Musalman Heads of Departments, an Indianized Service—possibly an Indian Governor. They would be tried by Indian Judges. The Machine proceeded to work up a panic. It also arranged, in conjunction with the Chamber of Commerce, to give the Governor another banquet before his departure.

The papers displayed an orgy of headlines: "Defending our Homes," "No Betrayal of Kenya," "Kenya's Ultimatum," "A Solemn Warning," "The Country Awake," "The Preservation of a Trust," "The Long Reach of Bolshevism," and much more, equally balanced. The Convention met on June 27th, 1921. General Northey attended the opening session. The Chairman gave him a cordial welcome and wished him "*Bon voyage*" as he was on his way home "to fight the battle of the settlers at the Colonial Office." (The Governor did not correct this version of his prospective duties.) He hoped that His Excellency and others would regard the Convention as a distillery—from which flowed a crystal-clear stream of clarified public opinion. The Governor gave a half-hour's address, and in touching on the Indian question he appealed to the Europeans, as he had previously done to the Indians, for the retention of constitutional methods. Indians in Nairobi and Europeans in Nakúro had both threatened to cease payment of taxes if certain steps were not taken. Another European Association had threatened to resist by force if necessary. This was a threat to Government. It made the Governor's position very difficult. The views of the Europeans could not possibly have been represented more strongly to the Colonial Office than they had been by himself. He begged them not to be, any more than he was, down-hearted.

The distillery then proceeded to distil, and the white distillate was poured out at white heat. In about 20 minutes one orator had reached a pained outburst about the settlers' "childlike faith in a misguided Government." General Northey rose in his seat on the platform. "The debate, gentlemen," he said, "has

reached a point when it is necessary that I should say 'Good-morning.' " He stepped down off the platform. The delegates and visitors rose to their feet in silence. "I did not come here," added the Governor on his way to the door, "to be called the Head of a misguided Government." His car purred away from the door. The delegates resumed their seats. "Carry on!" said the Chairman in his most robust tones. The distilled stream flowed on once more. By the next day but one it had reached a crystallized form in the shape of the Convention's "Irreducible Minimum." General Northey paid the Convention the compliment of a second attendance to hear the upshot of their communings, and explained that he had not left them two days before because he had lost his temper, but because the Government was being attacked. If such action were repeated by them he would do so again, and he had ordered his Heads of Departments to act likewise. He gave it as his opinion that if they were right in anticipating further Indian immigration, and if such would retard the development of the natives, their arguments would go a very long way. (Applause.)<sup>1</sup>

The "Irreducible Minimum" of Five Points, which was, of course, carried unanimously, appeared in this form:—

"That this Convention is of the definite opinion that the only wise policy for this country is one embracing the following points:—

1. Strictly controlled immigration at present with a view to ultimate prohibition.
2. Two nominated and not elected representatives to the Legislative Council.
3. Segregation in residential areas and in commercial areas where practicable.
4. No further alienation of land to Indians in the upland areas.
5. Full recognition of existing Asiatic rights in property and security of tenure."

It is to be explained that the unanimous and definite opinion of the delegates upon the only wise policy for the country referred in point 1 not to the prohibition of immigration, but, although the framers did not say so, to prohibition of the immigration of Indians. Their second point did not mean, as the wording implies, reversion to a nominated Council comprising only two non-officials, but to the restriction of Indian representation to that extent.

<sup>1</sup> E.A.S., July 1st, 1921.

The farewell banquet was a great success. General Northey received no word of asperity this time. He was acclaimed as the special champion of the settlers, and he was not reported as denying the accuracy of the tribute.

Next day, July 4th, 1921, he left for London. No Indians put in an appearance in the considerable crowd that collected at the station to see him depart.

The Political Machine then settled down to protect the country for the native—and for Christianity.

## CHAPTER XX

### *FUROR AFRICANUS ORIENTALIS*

"It is dangerous when either an individual or a nation allow their imagination to predominate over their reason."

LORD CROMER: *Egypt.*

**T**HAT reputable and responsible British men and women should behave with such excitability as is described in this chapter will occasion little surprise among Tropical Sanitarians, at any rate. It is a story of "nervous instability," a partial dislocation of the machinery of nervous control, and it is nothing new. Glare, elevated temperature, high altitude and comparative isolation, especially if reinforced by a calculated appeal to the baser side of human nature, have produced parallel exhibitions among white people elsewhere and previously. Wholesale, or repeated, displays of this sort of collapse automatically remove the countries where they occur from the category of "white man's country." A white population may in time, and in the course of some generations, accommodate itself to novel conditions to the extent of no longer being liable to such attacks, but in all probability this will only be achieved at the cost of ceasing, in some measure, to be "white." White people or white nations with obligations to discharge in countries where prevailing conditions are so unnatural to white stock as are those of tropical Africa need to maintain close scrutiny of the behaviour of their representatives and dependents residing and working there, and to be both philosophical and relentless in commanding approved courses of action and in overriding local obstruction. Every industrial organization served by isolated managers and staffs in the tropics knows that. Many of the large banks could provide a stream of anecdotes on this topic. Periodic release from conditions of unnatural strain is essential if normal behaviour and undeflected outlook are to be maintained. It is still a matter for study whether unexplained spiritual forces may not operate to inhibit, and provide release from, deleterious influences which otherwise appear to be inevitable in action. To the average man and woman of to-day

release is only to be got by travel—in short, by running away for recuperation.

By the middle of 1921 some of the constructive statesmen of Kenya were suggesting that the settlers "should reach down their rifles," proceed to Mombasa, and see that not another Indian landed at the ports of Mombasa and Kilindini. Protestations of valour and determination resounded from every saloon bar in the Colony. Not one white man in a dozen was without firearms of some sort, while not one Indian in a dozen possessed any. That fact alone ought to have led to some degree of moderation in the transports of heroism which swept over the community. There was nothing in prospect which was at all analogous to the Sinn Fein war in Ireland. At the most it was going to be a St. Bartholomew's Eve, with the wily ones of Hind in the place of the Huguenots. It was easy to evoke ebullitions of chivalry in such a cause, and the shallowest of orators found himself in demand by the guiding spirits of the Convention. It was not nearly so easy to exact cash, even from the noisiest, but vigorous appeals were made:—

#### THE INDIAN QUESTION—

##### AN APPEAL FOR FUNDS.

The cunning of the Oriental has been lavishly displayed in building up a network of intrigue throughout the Empire, and no attempt at cajolery, coercion or vilification has been spared which will succeed in spreading and strengthening the tentacles of this evil menace; and now, on the eve of victory, flushed with the hope of success, they boldly proclaim their Rights and

Demands.

But it is still the Eleventh Hour.

Citizens of Kenya rally round your District Organizations !

You will be needed !!

To enable counter-propaganda to be undertaken swiftly and effectively funds are necessary. The Convention of Associations has issued an appeal for subscriptions of 10s. (ten shillings) or more from all White Colonists to enable immediate action to be taken to combat this danger.

The earlier funds are forthcoming, the sooner can active propaganda be commenced.

Hand your subscription to the Committee Members of your District Association, who will pass them on to the special Vigilance Committee of the Convention of Associations appointed for the purpose of counter-propaganda.

Rally Round !

Be Prepared !

"VIGILANT."

At the Convention meeting at the beginning of July 1921 one astute delegate had suggested that they should enforce the point that if an influx of Indians were allowed, there was an imminent danger that Indian interests in the Colony would become so great that Europeans and Africans would be swamped. "The natives would be robbed of all opportunities for self-determination and their birthright would be passed to a nation to which they were adverse." This argument, he thought, would be the strongest with a large section of the voters at home, who would be solid if they thought the rights of the natives would be tampered with.

Mr. Archer expounded considerations of religion. Christianity, the religion of the Western civilizations, was the foundation of religious education among the natives. If the Indian obtained what he was seeking, they would before long find a mixed European and Asiatic administration, and, as a necessary consequence, the gradual squeezing out of the European officials. Would the Government officials please take note of that? Was it not reasonable to assume that the Indian would then try to impose the tenets of his own religion on the natives to the exclusion of Christianity? Was the native, after being advanced up to the high ideals actuating Western policy, and having been taught the principles of justice and truth, the advantage of hygiene and clean living (and, incidentally, the art of working for three hours for a penny, though Mr. Archer overlooked that additional boon), to be handed over to the control of a people whose religion, aspect of thought and general outlook on life was (*sic*) entirely of a different nature. What could they say to the boy who complained to them: "You have taught me to be a Christian, with all that your great religion implies, and now I am to be governed by a race who profess other and alien creeds. What am I to believe?" It would be a betrayal to which no settler in the country could be a party. He believed the Christian missionary societies, not only at Home but throughout the world, would raise a protest, and he advocated that their opinions should be taken.

A Mr. Cobb moved a resolution, which was carried with loud and prolonged applause, to the effect that the Convention claimed for the Legislative Council the right, proclaimed by the Imperial Conference of 1917 on behalf of self-governing Dominions, to enjoy complete control over the composition of

the population of the Colony by means of restriction, up to the ultimate point of exclusion of immigration from Asia.

He went on to remind the Convention that they were fighting for their homes. Were they going to lose their homes lightly? People in a desperate plight might do desperate things. If it came to choosing between being deported by Government or being squeezed out by Indians, he preferred the former.

In the manner of the drowning man who is supposed to clutch at a straw if a straw happens to be near him when he is drowning, the Convention gravely passed the following resolution, unanimously —

“ Having regard to the recent change from Indian to British currency, this Convention requests an assurance from the Secretary of State for the Colonies that other questions of political, social, legal and economic moment will be dealt with in such a manner as will conform with the policy indicated thereby.”

Lord Delamere reassured the desperate delegates by observing that it would have been idiotic to change the currency from Indian to English if the country were going to be an Indian Colony.

They then adjourned for lunch.

The Convention proceeded to arrange for the appointment of representatives in London to put their views before the Standing Joint Committee of the Houses of Parliament and also the Colonial Premiers; for a petition (respectful) to the King; for a delegation to South Africa to interview General Smuts and some newspaper editors; for a delegation to London to state their case to the authorities and certain editors there; for a series of district meetings all over the Colony; for an appeal to local missionaries for their assistance in shielding the fair flower of the Christian faith from any hot withering airs from Hindustan; for an extended lecture tour by a special representative who would describe just what depths of sedition and disloyalty he had found in India; for the further issue of propagandist leaflets expounding the general undesirability of Indians, and for the establishment of a Central Vigilance Committee to organize the steps that were to be taken in the last resort. Had not Sir Edward Carson brought the British Cabinet to heel over Irish affairs? It would be even easier for resolute men, defending their homes, to do so in Kenya. Speakers hinted at the possible



consequences of an adverse ruling by the Home authorities. "The only way out would be for the Home authorities to be faced with a more serious situation from the Europeans than from the Indians."<sup>1</sup> ("Hear, hear." Loud applause.)

Mr. Archer, having lighted the religious zeal of his followers, next proceeded at district meetings to make the Colony shudder by a discovery of his that the Indian agitation was directly related to Moscow. He "believed he knew" of two or three agitators who were purposely imported into Kenya to start the movement. This had its origin in Moscow, and he believed that the trouble that was going on in the country went deeper than many people thought. The disruption of the British Empire was aimed at.

Some of these district meetings were fortunate enough to hear addresses by local settlers who had previously been, for a longer or shorter time, in India. Thus at a meeting at Limóru, a former resident in India admitted that "certainly there were a number of decent Indians in India, but in this Colony they were too awful for words." On receipt of such expert testimony, what could a meeting do except place on record its entire agreement with "the irreducible minimum" adopted by the Convention that month, and an affirmation in favour of whole-heartedly supporting the Vigilance Committee then formed?<sup>2</sup>

At the Eldorét meeting it was pointed out that the settlers had the elimination of the Indian from Kenya in their own hands. A local saloon-keeper explained that he could get his stock of wines and spirits from Indian merchants at a saving, monthly, of between 200 and 500 florins, but he stuck to his guns and only dealt with European suppliers. They should all boycott the Indian in the true sense of the word; buy nothing from them and not let them erect roadside shops on any European estate for the purpose of trade with the native.

Delegates of the Convention toured the country, addressing meetings. The papers received columns of hysterical material. The old warrior of 1905, Mr. Frank Watkins, re-submitted a letter that he had written 11 years previously, and asked:—

"Are we to be parties to a move which must ultimately have the effect of injuring the cause of the followers of our Lord and Saviour and furthering that of the Prophet of Arabia?"

<sup>1</sup> *E.A.S.*, July 28th, 1921.

<sup>2</sup> *Ibid.*, p. 5.

The Convention's petition to the King, for which signatures were urgently implored, sought to bring the same point clearly before the notice of His Majesty. The paragraph in which this was done ran as follows, the second word "they" referring to His Majesty's loyal petitioners :—

"And they are fully convinced that Your Majesty, as Defender of the Faith, no empty title, must view with peculiar concern the possibility that the flower of Christian Faith, so recently planted in Eastern Africa, may be choked by the quick growth of other Eastern religions, with their strange customs, and that the work done in the past by Christian pioneers and missionaries may be lost."<sup>1</sup>

It will be observed that the loyal petitioners had the impartiality to admit, by the use of the word "other," that Christianity was also an Eastern religion. The fate of this interesting petition was never divulged in the Press.

The deputation to South Africa left at the end of August 1921. Its leader was the Mr. Cobb already referred to, and the other members were Captain Anderson, a son of the first editor of the *East African Standard*, and Mr. Montagu, a settler. To a Press reporter, who interviewed him before embarkation, Mr. Cobb made things clear.

"Western civilization, no matter what error it had made, stood for Christianity, openness and above-board dealings. . . . What was there to put against this on the other side of the ledger? The corrupt, cheating, hidden ways of the semi-civilization of the East. There was nothing good that even its best friend could say about it. Instead of striving after the open and frank, as the Western civilization did, this civilization of the East did everything to hide, to envelop in mystery; to darken.

"Herein lay the danger—the menace.

"Herein were Mombasa and the whole of Central and South Africa concerned."

The reporter took his leave "after half an hour of a most interesting and enlightening chat."<sup>2</sup>

The Union of South Africa was not unduly impressed by this deputation and its chat.

Continued appeals for funds were necessary. This is the form they were now taking :—

"Have you counted the cost?"<sup>3</sup>

"Those florins you might have spared in the Great Cause, will they one day be heaped upon your head as coals of fire?"

<sup>1</sup> *L.E.A.*, August 27th, 1921.

<sup>2</sup> *Ibid.*, p. 10.

<sup>3</sup> *Ibid.*, p. 10.

"To-day is the time to subscribe. To-morrow may, so far as you are concerned, be too late.

"Which is your choice—European or Indian Government for Kenya Colony?

"Have you really and honestly counted the cost?

"If not, commence summing up now. The cost to you may be ten florins or domination by the Asian.

"It is up to you and those you know to contribute.

"IT IS A CASE OF YOUR PURSE OR YOUR PRESTIGE.

"DO IT NOW."

Meanwhile the assistance which the women might render to the cause had not been overlooked. There existed a frankly political body, the East Africa Women's League, which had taken the decisive part, already described, in obtaining universal adult suffrage for Europeans. It was a matter of some concern to the anti-Indian patriots that Mrs. McGregor Ross, who had been the founder of the League, was still its President, while some of the other office-bearers were not of the emotional and over-credulous type which provided the bulk of the Patriots' disciples. Nevertheless, it was urged and conceded that the League should hold a public meeting for the discussion of the Indian question. Both the President and Honorary Secretary were to be away from Nairóbi for a fortnight during August 1921, and it was arranged that the meeting should be held after their return. During their absence, however, a meeting was arranged at two days' notice and without any intimation, by letter, telegram or telephone, to them. It was presided over by a Mrs. Rudolph Franz Meyer, a Nairóbi lady of non-British extraction, and it adopted no half-measures. Petitions were despatched to Queen Mary by cablegram, and to Princess Arthur of Connaught at Pretoria and Mrs. Smuts by letter. The latter was sent to the Convention's deputation then touring in South Africa for them to make use of at Pretoria. Either it miscarried in the post or possibly it was regarded by the gentlemen delegates as not exhibiting just that composition, grammar, clarity and style that would be likely to command the greatest confidence in the mind of a recipient. At any rate, there is no reason to suppose that it ever reached Mrs. Smuts. The fate of the appeal to Princess Arthur of Connaught was not divulged, though a number of entreaties appeared in a local paper for still further subscriptions from the faithful towards the cost of the cable-

gram which had been sent to Queen Mary and which read as follows :—

“ We, the women of Kenya, humbly implore your assistance to protect us and our children from the terrible Asiatic menace that threatens to overwhelm us.

“ (*Signed*) THE WOMEN OF KENYA.”

Nothing more was heard of this S.O.S. The authorities of the East Africa Women's League made it quite clear in all necessary quarters that this and the other outpourings of woe presented the views of a meeting of excited ladies in Nairóbi and not those of the League, and that the letters to Pretoria had not been even formally authorized at or by the public meeting, such as it was.

The fiery cross having been carried through the length and breadth of the country by delegates and supporters of the Convention, a pyrotechnic display of oratory was staged, as a suitable finale, in the Theatre Royal, Nairóbi, on August 2nd, 1921, Mr. Kenneth Archer, the President of the Convention, took the chair. Lord Delamere moved the first resolution, labouring the point of native trusteeship as the peculiar rôle of the European settler in the country. As a dreadful warning, he pictured the arrival of Indian troops under Indian officers to enforce a policy in Africa. He made earnest but clumsy use of the Indians' alleged seditious activities during the Harry Thuku “riots,” which have been dealt with in Chapter XIII. A Legislative Councillor explained succinctly that any settlement must be one with which they could agree, or else it would not be one. An Australian called upon the first law of Nature as justification for European excitement on the issue. Further flights of fancy were provided by a gallant Brigadier-General. He repeated the figures (entirely unproved), which the Convention, with the joyous credulity of little children in the fairy tales of babyhood, could never hear repeated too often—that “about a dozen” of the combatant Indians enlisted from Kenya had been executed by firing-party, or hangman, for treachery. The time for plain speaking had arrived. Who were the receivers of stolen property? Who were the sellers of intoxicating liquor to natives? Engineered by subtle and underhand propaganda, fostered by disloyalty and Bolshevism, exploited by self-seeking and renegade people of our own race, the policy of handing over their (the

Europeans) fair adopted country with its attendant native millions to an Oriental race, itself not yet wholly emancipated from barbarism, was in progress of being thrust upon them. But he would leave the natives' interests for a bishop and canon of the Church of England to deal with : the sanitary point of view for a local doctor to deal with. But he had to relate a little incident that he had witnessed during his ten years' service in India, at Muttra on the banks of the Jumna. A rotting Hindu who had died of plague was lying half in the water and half out, and was being devoured by a pariah dog ; a few yards farther downstream a high-class Brahmin was washing his teeth. Need he say more to show how impossible was the commingling of the Western and Eastern ideas of civilization ? It was impossible for the two races to live together on an equal basis.

The Bishop of Mombasa, who had been a missionary in India from 1892 to 1918, listened to all this, on the platform, without admonition or demur, and spoke strongly on the next resolution, which ran :—

“ That it would not be for the good of the native, spiritually, morally, intellectually, physically or materially, if the Government of Kenya Colony were controlled by Indians.”

He was, however, outshone by one of his canons, who fulminated to some useful effect, only to be outshone in turn by the local doctor, in his remarks upon the sanitary aspect of the case. The meeting was a huge success.

Many British residents in the country, in Missions, in the Public Service, in commerce and on the land thought that the Church was keeping strange company, and more have done so since.

Appeals for cash continued to appear :—

“ Do Not Delay.

“ Which is More Precious to you—

“ Your Purse or Your Prestige ?

“ This is the Question :

“ European or Indian ?

“ You can Answer with Funds.

“ The great demand of the moment is for funds with which to carry on the propaganda, and such are already forthcoming, but too much money cannot be subscribed in the good cause.

“ Even the smallest sums will be willingly received, as every little helps in the crisis of the moment.”

By the end of August 1921 an official pronouncement was made in Kenya that no decision whatever had been arrived at by the Secretary of State in regard to Indian policy, nor would any decision be taken until after the return of General Northey to the Colony and subsequent discussion there.

The Political Machine had for long been agitating for the establishment of a Defence Force in the Colony. This would involve the provision of service rifles to all adult male Europeans—which would be very useful in the event of its being necessary, at a later date, to rebel. However, when General Northey's Government produced in Legislative Council, in August 1921, a Bill for raising a conscript defence force of all European males between the ages of 16 and 60, it was unceremoniously thrown out.<sup>1</sup> Lord Delamere led the opposition, on the ground that an arbitrary Government which was not elected by "the people of the country" ought not to have powers to conscript at a time when it might be adopting a change in the Constitution which would be repugnant to the conscripts themselves. Others opposed it from frankly pacifist reasons and on the ground of economy. (A revival of this demand in 1926 is alluded to in Chapter XXIV.<sup>2</sup>)

Later in the year a Bill for a Territorial Force (of Europeans only) was introduced and passed—on December 8th, 1921—the Director of Public Works being the only dissident. This also ensured the availability of service weapons for all the Europeans who joined the force, and would involve the provision of a considerable stock of arms and ammunition, though not quite on such a wholesale scale as would have been the case if all males from 16 to 60 years of age had been involved.

In September 1921 a local paper had announced that "C. F. Andrews, Priest in the Church of England, Fellow of a Cambridge College, close friend of Rabindranath Tagore and tireless protagonist of Indian 'Causes,' was leaving Bombay for Kenya at the invitation of the local Indian Congress." "He is not a Montague or a Sastri or a sweeper," they concluded. "We refrain from defining him, but he is coming and will count." He duly arrived and received Indian hospitality. He gave the Indians the sternest warnings against exaggerated claims or any provocative tactics, and after meetings at Nairóbi and Mombasa, he was in a position to assure the Government that the Indian

<sup>1</sup> *Proc. Leg. Co. (1921 Session)*, pp. 15-17.

<sup>2</sup> *V.* p. 446.

community explicitly denied the *bona fides* of the reports of which the European orators made so much—that they sought any share, much less control, in the administrative charge of native areas or native tribes. This contingency might be excluded from any settlement, in wording as precise and categorical as Government could compose.

No European association, least of all the Convention, would meet him or hear him, however. General Northey did succeed in bringing him and Lord Delamere face to face in his own office, but the latter took refuge in silence and refused to discuss the local situation or to converse with Mr. Andrews. The only opportunity the latter had of meeting with Europeans was provided by Mrs. McGregor Ross, who invited upwards of sixty European women and men of all shades of opinion to a couple of drawing-room parties in order to hear the account which Mr. Andrews was able to give of the point of view of the Indians—which bore no resemblance to the heated imaginings of the Convention's orators—and to question or enlighten him thereafter to their hearts' content. All the Legislative Councillors were invited, and five attended. Between fifty and sixty Europeans thus heard, and questioned or lectured Mr. Andrews. The Convention, in order to run no risks, formally passed a resolution banning him from any audience with themselves, and automatically thereby from counsel with any of the local political associations.

The Rev. C. F. Andrews did not get away from the Colony without being the victim of physical assault. One brawny European fellow-passenger assaulted him at successive stations on a journey on the Uganda Railway when he was going up the line, and only the miscarriage of a telegram interfered with a concerted assault upon him by a troupe of patriots on his return journey. Mr. Winston Churchill, in a published despatch,<sup>1</sup> expressed his reprobation of the attack, and added that it would have been a source of satisfaction to himself, as no doubt to all responsible residents in the Colony, if Mr. Andrews's request to General Northey for the disregard of the incident had not interfered with the proper punishment of the offender.

Throughout this visit of his to Kenya his activities were consistently directed towards conciliation and moderation. He severely discounted, then in Nairóbi and Mombasa, as next year

<sup>1</sup> Commons Debates, June 14th, 1922, col. 363-4.

in Indian circles in London, any suggestion of forceful or retaliatory measures, whatever provocation the Europeans might indulge in.

General Northey returned to Nairóbi on October 2nd, 1921, and enjoyed a great reception at the station, no Indians attending. On October 5th many a resident in Nairóbi and elsewhere received a letter from Government House saying that His Excellency wished to see him at 10 a.m. on the 7th. Each, upon keeping this appointment, found himself to be one of a group of 47 recipients of the same invitation. No women were invited or admitted. General Northey had similarly invited a number of representative Indians to meet him the previous day. In strict secrecy, and behind closed doors, certain conclusions of the Home Government were announced and imposed—and accepted. They were, of course, common property in the town a day or two later.

On October 10th, 1921, General Northey opened Legislative Council. There was a large attendance of the public to hear the upshot of negotiations in London, but nothing more definite was said than that it would not be expected that a question of such importance, and in the consideration of which the feelings of communities were so deeply stirred, could be settled out of hand or in a hurry. The country wanted peace from political strife, a truce from the passing and cabling home of hasty resolutions. He had nothing further to say than that no hasty decision would be taken, and that nothing would be done until after further discussion locally.<sup>1</sup>

This did not throw much light upon the "Montagu-Churchill negotiations," which were known to have been going on in London between the India Office and the Colonial Office, but on a subsequent morning, October 18th, 1921, eleven days after the "secret" meeting at Government House, before business began in Council and without any further discussion locally, General Northey announced<sup>2</sup> that he had arranged to appoint one Indian to the Executive Council and four to the Legislative Council as a temporary measure, pending the settlement of the main questions of policy. He understood from the Indian Association that at the moment they did not wish to avail themselves of the offer, but preferred to accept such nominations after the main questions had been settled.

<sup>1</sup> *Proc. Leg. Co. (1921 Session)*, p. 42

<sup>2</sup> *Ibid.*, p. 66.



The "Irreducible Minimum" had been reduced—on orders from Secretary of State Mr. Churchill.

The Convention had for some time been busy in raising funds for sending a deputation to London. This was to consist of Lord Delamere and a Colonel Griffiths—a recent settler in the highlands. Appeals were made for a sum of £1,500 for the expense of this delegation. In this connection General Northey provided another unexpected experience for some of his senior officers. He invited the official members of Legislative Council to wait behind, on the completion of the afternoon session of Council on November 22nd, 1921, and confer with representatives of the Convention upon the scope and authority of the coming delegation. Governor Northey left the Council Chamber and the Convention men filed in. They had prepared a lengthy memorandum on the situation as they viewed it, and official members were allowed a hasty perusal of the document. An effort was made by one official member to elicit a vote of support for and confidence in the delegation. Several official members did not vote, and two of them, the Director of Public Works and the Acting General Manager of the Railway, recorded an adverse vote, the former making the point that the delegates represented nobody but the Convention: certainly not the officials, nor the missionaries as a body, nor the women of the Colony. Any hope that they would be able to start on their travels with a "We are unanimous" verdict of the Legislature behind their representations was thus dissipated.

The deputation left Nairóbi on December 8th, 1921. They failed to see General Smuts in South Africa and went on to London. In the course of the next month an "East Africa and Uganda Dinner" was arranged in London, with Secretary of State Mr. Winston Churchill as the guest of the evening. In his after-dinner speech he said:—

"We do not contemplate any settlement or system which will prevent Kenya becoming a characteristically and distinctly British Colony, looking forward in the full fruition of time to responsible self-government."

This has since been quoted very extensively, especially in the interviews and writings of the later deputation which descended upon London in the summer of 1923. On all occasions great care was taken to stop the quotation at the point

\* *The Times*, Jan. 28th, 1922, p. 12.

given above, and not to repeat the remainder of Mr. Churchill's forecast :—

“ We shall apply broadly and comprehensively, so far as is practical, Mr. Rhodes's principle of equal rights for all civilized men. That means that natives and Indians alike, who reach and conform to well-marked European standards, shall not be denied the fullest exercise and enjoyment of civic and political rights.”

That was an awkward addendum, from the delegation's point of view. It might even be held to cover the right of purchasing land. . . .

About the same time the Indian Congress decided to declare its willingness to accept the positions on the Councils which the Governor's declaration of October 18th, 1921, had thrown open to them. After brief consultation with General Northey, four Indian members were appointed to the Legislative Council. Two took the oath on March 27th and two on June 6th, 1922. One Indian, Mr. V. V. Phadke, who had formerly been on the Executive Council, was reappointed to it.

Early in 1922 the Convention launched its educational course upon the trend of events in India. The professor of latter-day Indian politics and sociology was a Major MacDonald, a settler near Nakúro, who with his wife had paid a visit to India extending over three months. Some degree of uncertainty persisted in the public mind as to the terms and conditions under which he prosecuted his studies. At some meetings he described himself as a man with no money and said that he spoke only as the mouthpiece of others. At others he explained that, having gone across from Nakúro to India, entirely on personal business, he had found conditions to be such that he could not refrain from reporting them to the Convention. Again, it was explained that, travelling as he did, he “ had had exceptional opportunities of conversing with public men of varying status in India.” Who all the public men were, or what their status, did not transpire.

From newspaper reports it would appear that he found conditions in India far from happy. In the streets with one's wife, the report goes, one was jostled and bumped and separated by the lowest of the low. He was struck, as soon as he landed at Bombay, by the extraordinary percentage of Indians on whose

<sup>1</sup> E.A.S. and L.E.A., May 12th, 1922.

faces was writ nothing more or less than hate. He saw it, from the lowest to the highest; in some cases well concealed, in others very ill concealed. In the Museum in Calcutta his wife was spat upon by an Indian chewing betel-nut and covered with it. In January 1922 the life of no white man, woman or child in India was safe outside the fortified areas of Calcutta or Bombay. He had been told by several civil servants that they did not think they had any hope of receiving their pensions. In regard to the Army, no officer, from General downwards, now saw any fun in staying in the country where, in any disturbance, if they fired into the crowd they must go, and if they fired over their heads, the crowd got them. Further, there had been many desertions from several regiments, which had had to be removed from disaffected districts. Two thousand six hundred European Officers were to be turned out of the Indian Army in July 1922. He also disclosed a discovery of his, that owing to the withdrawal of white troops from India during the Great War, the Indian Army *had to be sent out of India, and so was sent to France.* (Sensation.) He had also inquired of District Police Superintendents what their position was, and was informed that the voting of the money for the police was now in the hands of Indians, and they had so reduced the pay of the Indian policeman and native constable that these were below the level of the lowest sweeper. He had had lunch with the only two Europeans who in the House of Assembly at Delhi said anything in favour of Kenya Europeans during a debate on Mr. Churchill's speech at the East African Dinner, but he sadly admitted that "anything he was able to tell them carried no weight." He had received a letter from a business man in Calcutta, who said he felt convinced that India held nothing for his son and little more for himself, so he desired to get a partnership in Kenya. Further, he had had conversations with persons who took part in the provincial government and the central administration at Delhi, and one of those individuals had told him that it was well known in Bengal that the lives of every white man, woman and child were in danger at that moment. He had met a dealer in Ford spares (who was unable to sell a single one) who had two Ford cars of his own, which he kept standing ready with two machine-guns mounted on them, in order that he might have one last half-hour, when the time came, against the odds of 1,500 to 1, before he joined his wife and children. He had been to the

house of a friend from the India Office, where he was asked on what grounds he, a man with obviously no money, refused the vote to a man like Jeevanjee, who had perhaps a million. He had only one answer: "As the son of my father." (Applause.) He had told this friend from the India Office that there was nothing that they in Kenya were not prepared to do, nothing they were not prepared to sacrifice, to ensure that the Indians did not gain their ends.

He paid an exalted tribute to the Machine Bosses, whom he alluded to as "the selected leaders of the European Community." They were working day and night, and he asked the people to support them—blindly, if necessary. He had also to ask them to put their hands in their pockets and supply more cash.

Mr. C. Kenneth Archer, the Chairman of the Convention, dilated further on the need for funds—as far as possible by regular monthly contributions. A good deal had been done, but the people of the country must pay for the organization. Home people in particular (i.e. in England) required a great deal of education. In the future it might be necessary to employ professional propagandists. They had submitted articles to important newspapers. Some of these had appeared, but most of them, unfortunately, had not been published—from lack of funds. These funds would not be devoted to a land settlement campaign which was going on under the ægis of the Convention. This, on the face of it, was not political, but he asked his hearers to support it separately.

Lord Delamere took the chair at this function, although he was at the time a nominated member of General Northey's Executive Council. He announced that as the result of the appeals that evening a cash contribution of ten guineas had been made, and promises of a total sum of £159 10s. annually.

On the motion of Major Grogan, who referred "in a racy way" to an interview that he had had with Mr. Srinivasa Sastri, a hearty vote of thanks was accorded to Major MacDonald.

This was the opening meeting at Nairóbi on May 10th, 1922. Thereafter the gallant Major spread the light at district meetings at Kyambú, Dagoréti, Limóru, Nakúro, Ravine, Naivásha and Eldorét. At the last-mentioned meeting the Resident Commissioner—the Government official in administrative charge of the district—took the chair. Everywhere the anecdote of that stout chip of the old block, who proposed to drive the two Ford

cars singlehanded into the 1,500 to 1 hostile crowd, operating, at the same time, two machine-guns, brought down the house.

An Indian member of the Legislative Council asked whether it had come to the notice of the Government that one Major MacDonald had been delivering highly inflammatory speeches at Nairóbi and elsewhere of a character

“calculated to create and promote feelings of enmity and hatred between different classes of His Majesty’s subjects in the Colony and other parts of the Empire,” and if so, “had the Government taken any steps to stop the activities of the gallant Major, especially as a lengthy programme had already been published according to which he was going to deliver similar speeches throughout the country.”

In a written reply the Government said :—

“ . . . that speeches delivered by Major MacDonald have come under the notice of Government, but that it is not considered that these speeches call for action on the part of Government ; that in the event of Major MacDonald or any other person attempting to promote feelings of enmity or hatred between different classes of His Majesty’s subjects, you may rest assured that the necessary action will be taken.”

The Bishop of Mombasa took notice of the Major’s campaign, but only to the extent of writing to the papers to deny a statement that the Church Missionary Society in India had withdrawn the name of Christ from prayer-books and school-books, so as not to hurt native Indian susceptibilities.

In September 1922 the outcome of the negotiations between the Colonial Office and the India Office reached the Government in Nairóbi by cablegram in the form of what is now called the Wood-Winterton agreement. It appears to have been laid before the Executive Council on Saturday, September 9th, and the gist of it leaked into the local papers by Monday morning, September 11th. At this time the Public Service was more demoralized and intrigue was more rampant in the community—especially at Nairóbi—than ever before. The colonists, of course, knew everything that transpired in the Indian Congresses, and the Indians had full reports of the secret sessions of the Convention.<sup>1</sup> Both had minute information on steps taken by Government. Confidential cablegrams were discussed in the town. The *cabinet noir* was in full commission, and the private correspondence of individuals was “found open and

<sup>1</sup> E.g. : *East African Chronicle*, March 18th, 1922.

officially sealed" in the post. Government, in its turn, obtained particulars of the designs and preparations of both parties, and the virtuous indignation of the Under-Secretary of State for the Colonies, upon being questioned in the House of Commons in September 1922 as to preparations by the Colonists for armed resistance, which he described as a gratuitously offensive suggestion, can have been only a parliamentary gesture.

The proposals from London, which were popularly supposed to be before the local Government for consideration at this time, comprised a common electoral register accompanied by some measure of restriction on the immigration of Indians and a reaffirmation of the policy of the "white highlands." At no time was the topic brought out into the open for discussion in public, although General Northey was urged to have a full-dress debate in the Legislative Council. A masquerade of confidence, sufficient to close the lips of the honourable, accompanied by an orgy of leakage, misinterpretation and innuendo, provided the fullest scope for the baser elements in all parties to pervert judgment and obscure the issue.

On August 15th, 1922, the news was published that General Northey had been abruptly recalled by orders from Home at the end of June. It had been common knowledge in a considerable circle of Europeans and Indians for some time. The letter of recall was published in the local papers as follows:—

*"To His Excellency the Governor, Major-General Sir E. Northey, K.C.M.G., C.B.*

"SIR,

"I have the honour to inform you that I have for some time been giving my close attention to the future arrangements for the Governorships of the East African Dependencies, and particularly to that of Kenya, where the existing difficulties, from which no early release can be expected, make the question one of marked importance.

"2. When the post was offered to you by Viscount Milner in the summer of 1918 the war was not yet over, and there was a very general, and indeed natural, desire for the appointment of a military officer as Governor. The successful conduct of your three years' command in the South-Western area of the operations in military German East Africa, together with the organizing ability which you showed in the several phases of the campaign, marked you out for selection for the vacant Governorship; and the manner in which you applied yourself to the work of post-war settlement as well as to still more difficult problems, both economic and political, of the present time, have more than justified Lord Milner's recommendation to His Majesty.

" 3. But after mature consideration I have formed the conclusion that the circumstances which required the services of a military Governor no longer obtain, and that the restoration to peace conditions in the Colony has reached a definite stage at which the altered requirements should be reflected in the appointment of a Governor well versed in purely civil administration. I therefore feel it my duty to advise the King to appoint to the Governorship of Kenya a man who possesses the administrative experience that will enable him to take up the task which you have begun and to bring to it the benefit of the knowledge that he has acquired in the development of new countries.

" 4. In other circumstances I should have hesitated to propose the termination of your tenure of office before the ordinary time, but not only are you still an officer on the active list of the Army, but I have little doubt that your arduous and continuous service in tropical Africa for over seven years will dispose you to relinquish with little reluctance a post which must entail heavy demands on the endurance of the man who holds it.

" 5. I propose that the appointment of your successor should date from the 1st of October next, and you will no doubt determine the time of your departure from Kenya so that the vacation leave due to you will have expired by that date.

" 6. It will be a convenience to me if you will reply to this despatch by telegram.

" I have the honour to be, sir,

" Your most obedient humble servant,

" (Signed) WINSTON S. CHURCHILL.

" DOWNING STREET,

" June 29th, 1922."

The Reform Party and the Convention Executive had been busy in August in cabling strong expressions of their dismay at the persistent rumours of General Northey's retirement. They combined to give him a farewell dinner on August 22nd, and he left Nairóbi on August 28th, 1922. Three days later Sir Robert Coryndon, K.C.M.G., who had for some years been Governor of Uganda, landed from that Protectorate at Kisúmu to assume duty as Governor of Kenya. He arrived at Nairóbi next day.

Meanwhile, the Vigilance Committee of the Convention was putting in a lot of staff work, on the quiet. This deserves a whole chapter to itself.

## CHAPTER XXI

### THE *COUP D'ÉTAT* THAT WAS NOT NEEDED

"It is unwise to make the ultimate medicine of the Constitution its daily bread."

BURKE  
On the French Revolution.

**A**FTER a week or two spent in Nairóbi, Sir Robert Coryndon visited the coast in the latter half of September 1922, and shortly after his return to Nairóbi he was invited to open a session of the Convention. It was a good way of breaking any new Governor in. Either he was not invited to a public dinner, or else he declined an invitation, for no dinner took place.

On October 23rd, 1922, he opened a prolonged session of his Legislative Council, but as he had addressed the Convention, only a week previously, for upwards of an hour; he had no opening remarks or Presidential Address to make to his Council. He reintroduced the practice of opening Council with prayer, which had been in abeyance since the days of Sir James Hayes Sadler.

General Northey, it will be remembered, had had the misfortune, immediately after his appointment, of having the local situation embroiled by the publication of the report of the Economic Commission. It must have added to the initial difficulties of Sir Robert Coryndon that, soon after his assumption of duty, it became necessary to consider steps for the election of a new Legislative Council, as the three years' term of the existing Council was drawing to an end. The register of voters had to be revised and brought up to date, and public attention came to be focused on the fact that Europeans—even illiterate Europeans—were on the register and that Indians were on no register.

Much water had flowed under the bridges since Mr. Alexander Morrison's amendment, suggesting that certain selected Indians of approved University standing should have the vote, had been contemptuously thrown out on April 8th, 1919. Nothing as simple as that would meet with quiet acceptance now.



"The Reform Party," with some simplicity, appeared to think that by much talking they would be able to guide the local Government into proceeding with the new register and the new elections, as if no Indians existed. It was, therefore, something of a rebuff when the Colonial Office cabled on January 25th, 1923:—

"Owing to the delay in the settlement of the whole Indian problem and particularly that of Indian representation, the Secretary of State has been compelled to choose between the dissolution of the new Council after election and the prolongation of the life of the present Council. In adopting the latter course, the Secretary of State has been influenced by the fact that it has been intended, ever since Mr. Churchill's original attempt to reach a settlement acceptable to both parties, that the new constitution should be framed in time to be put into operation at the general election now due." <sup>1</sup>

It seemed that the Colonial Office might actually be considering the grant of some measure of representation to Indians, instead of denying it to them, as Sir Charles Bowring and Lord Delamere and their followings had done three and a half years before. It was time to raise the banner of revolt—in a tentative sort of way.

Section 14 of the Legislative Council Ordinance of 1919 laid down that elections should be held at regular intervals of three years. The first election had been held on February 21st, 1920. It was, therefore, necessary to pass a short amending ordinance before February 21st, 1923. His Majesty, by Sign Manual on February 5th, had amended the Royal Instructions to the extent of giving the Council power to pass this Bill. It was introduced by the Government on February 9th.

Lord Delamere then raised the banner. This was simply "direct action" on the part of the Secretary of State.<sup>2</sup> "I think," he said, "this Bill gives to the people of this country an example in direct action which they may follow." (Sensation.) "It was a wanton and provocative action." He doubted whether such an act had ever been done before in colonial history by a Secretary of State. It appeared that the Constitution of Kenya was going to be altered regardless of the wishes of the electors. He regarded it as illegal, although it was carried out under the written law. He submitted that there was something much deeper and more important—the unwritten Constitution of the

<sup>1</sup> *E.A.S.*, Feb. 3rd, 1923, p. 17.

<sup>2</sup> *Ibid.*, Feb. 10th, 1923, p. 21.

British Empire, on which every Englishman stood and always would stand. He instanced the Turf Club in Kenya and the Jockey Club at home as bodies with very extensive powers, but dependent on the good will of those who supported them. Only in accordance with the customs, habits and precedents of the Turf would the decisions of stewards be final. In the same way the Constitution of England did not give any of His Majesty's advisers the right to take away the Constitution already given to a people. It was *force majeure*.

After this fragment of history, Mr. T. A. Wood, C.M.G., M.B.E., was allowed, without reprimand from the chair, to express his sympathy with His Excellency and the official members, who, in his view, had to break their oaths of upholding His Majesty, by supporting such a measure.

The Indian members spoke in support of the Bill, Mr. Shams ud Deen making the point that the difficulty of the elected European members turned on the fact that Kenya was a Crown Colony, and they wanted to assume the rights of a self-governing Dominion.

Sir Charles Bowring explained that he would have preferred to have the elections on February 20th, and hinted that the time might come when the official members would have to consider their consciences in their voting.

The Bill passed first and second readings, but at that stage the Governor promised to make representations to the Secretary of State as to the opposition that the Bill had met with. If the passing of the Bill were then insisted upon, the Council would have to meet again; if not, the Bill would die a natural death on the expiration of the session of Council on February 20th.

Council, of course, had to be reassembled. The Bill passed its third reading, by the Government majority, supported by the Indians.<sup>1</sup>

The life of the sitting Council was extended for a year. It promised to be a frothy year.

The local Associations represented on the Convention had already begun blowing upon the embers of revolt; so had the local papers, which shot off articles on Hampden, Pym, the "Boston tea-party" of 1776, Livingstone, Marcus Antonius, Oliver Cromwell, the Black Prince, Thermopylæ, the Monroe Doctrine, and other characters and episodes of history—with

<sup>1</sup> *E.A.S.*, Feb. 24, 1923, p. 8.

flattering parallels introduced, such as might tend to dispel any feelings of diffidence or self-abnegation on the part of the colonists. What would John Hampden have had to say to the Kenya settlers ?

“ Would he not have said : ‘ You stand, Gentlemen, for God as well as King. Equal rights with a heathen nation is an impossibility. To propose it is an attack on religion. You owe it also to the tribes of Africa to give them the best which is in your power to give. To give them anything less than a Christian civilization and a Christian example would be wrong.’ ”<sup>1</sup>

The Dagoréti Association<sup>2</sup> carried a resolution denouncing the action of the Secretary of State as

“ direct interference with the constitution of the country, which should be opposed in every manner possible.”

A meeting at Naivásha<sup>3</sup> resolved :—

“ That in the event of the Government of this Colony acceding to the political claims made by the Indian community, the white community will take such action as they may consider proper and necessary to prevent any legislation with that object from taking effect.”

The Thika District Association<sup>4</sup> pledged themselves to resist any measure which might be forced upon them which was at variance with the Convention resolutions, “ by all means in their power,” as also did meetings at Nyeri, Sotík and Fort Ténan.

The Molo Settlers' Association<sup>5</sup> resolved :—

“ . . . Should any such attempt be made we, realizing that we have exhausted every constitutional method to prevent such a catastrophe, hereby pledge ourselves to support the Central Committee in any action which it considers expedient to prevent any such action as foreshadowed being carried into effect.”

A meeting at Muhoróni,<sup>6</sup> presided over by a Lieutenant-Colonel, provided a resolution of darker hue :—

“ Should any such attempt be made, we, realizing that we have exhausted every constitutional method to prevent such a catastrophe, hereby pledge ourselves . . . in order to prevent any such action as foreshadowed being carried into effect.”

The hiatus was designed to strike terror into the hearts of any local Indian shopkeepers.

The Lúmbwa meeting, having failed to notice that the

<sup>1</sup> *E.A.S.*, Jan. 27th, 1923, p. 15.

<sup>2</sup> *Ibid.*, Feb. 10th, 1923, p. 8.

<sup>4</sup> *Ibid.*, p. 32.

<sup>5</sup> *Ibid.*, p. 14.

<sup>3</sup> *Ibid.*, p. 7.

<sup>6</sup> *Ibid.*, Feb. 3rd, 1923, p. 10.

Convention's "Irreducible Minimum" had already been reduced, pledged itself, in the event of such an attempt,<sup>1</sup>

"to frustrate such legislation and, if necessary, to . . . to prevent its being carried into effect."

It also resolved

"that no settlement of 'the Indian Question' which will be mutually agreeable to both parties can possibly be arrived at."

That put things in a clear light.

The Kaimósi Association,<sup>2</sup> consisting of about seven members, passed its resolution in this form :—

"We support the Convention's Irreducible Minimum and, in the event of the failure of constitutional means, we will resist the imposition of other terms by every means in our power ;"

but it secured for itself, at the same time, a certain distinction by an addendum to this effect :—

"We also pledge ourselves to refrain from, and to do our utmost to prevent others doing, any irresponsible act of violence towards the Indian community."

In the condition of strained mentality prevailing in Kenya's small political world at that time, it needed a certain amount of moral courage to reach even that level.

A meeting at Eldorét<sup>3</sup> said :—

"We solemnly pledge ourselves without reservation to resist by every means in our power . . . the enactment or operation of any legislation in conflict with the minimum demand laid down by the Convention in June 1921."

Eldorét had been talking about making the country into a second Ireland, on and off, since August 1921.

At Kitale,<sup>4</sup> a meeting resolved :—

"We hereby express our well-considered and unalterable determination to resist the granting of the undeserved and unjustifiable right claimed by the Asiatics in the Colony by every means in our power, and, if forced to, will . . . as loyal subjects in maintaining the integrity of the Empire."

The Nanyúki<sup>5</sup> meeting's pronouncement included :—

"And this public meeting is determined, by all means in their power, to insist on the promises made by the Home Government being

<sup>1</sup> *E.A.S.*, Feb. 3rd, 1923, p. 10.

<sup>2</sup> *Ibid.*, p. 10.

<sup>3</sup> *Ibid.*, Jan. 27th, 1923, p. 15.

<sup>4</sup> *Ibid.*, p. 18.

<sup>5</sup> *Ibid.*, pp. 15, 25.

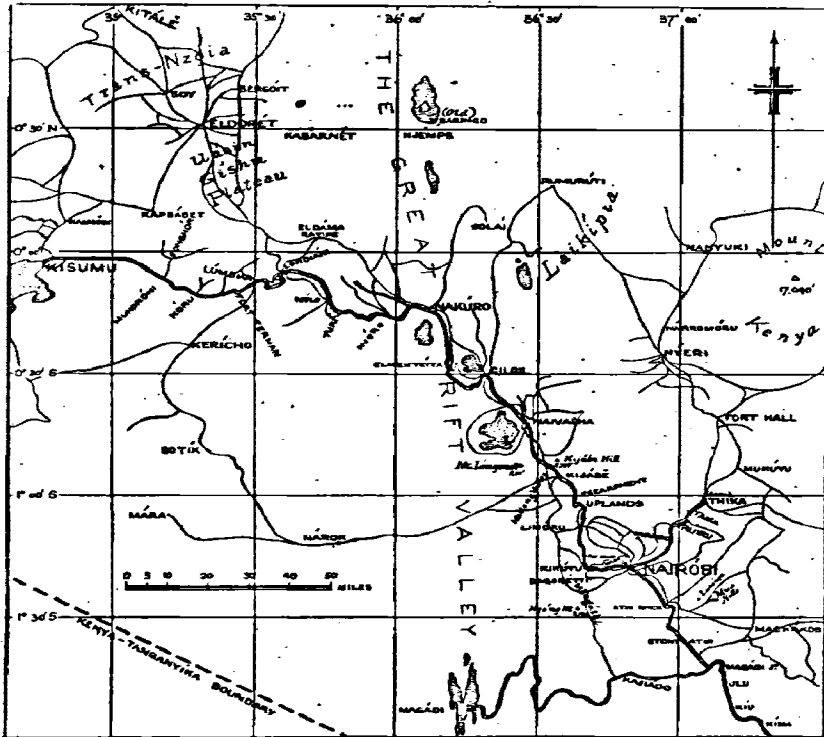


FIG. 18.—THE INSURRECTIONARY AREA (1922-23)

Showing in heavy black-and-white lines the railway system and in light lines the motor-road system, as were at the end of 1922.

carried out, viz. settlement by consent of the European inhabitants of this country.

“ Failing the carrying out of such promises, as we value our lives and property, we bind ourselves to resist, by every means in our power, the carrying out of such an unjust Ordinance.”

At Kyambú<sup>1</sup> :—

“ This meeting is prepared to resist to the utmost any settlement prejudicial to the domination of the European community and that this meeting pledges itself to support its leaders in this matter.”

At Kabéte<sup>2</sup> :—

“ That this meeting of the European settlers of the Kabéte District reaffirms the resolutions which have been passed by the Convention of Associations on the Indian Question, as exemplified in its policy known as the ‘ Irreducible Minimum,’ and wishes to place on record the unalterable determination of the settlers of the District to adhere to the principles therein enunciated, and also to record the fact that they will take such action as may be considered necessary by the Central Committee of the Convention to prevent any legislation contrary to these principles from taking practical effect.”

Even a meeting at Ruiru,<sup>3</sup> with the Convention President in the chair, suffered sufficiently from “ East African memory ” to

“ record its unalterable determination to adhere to the principles enunciated in the resolutions passed at the June 1921 session of the Convention of Associations on the status of Indians in Kenya.”

It added :—

“ in no circumstances whatever will it consent to any compromise on the irreducible minimum laid down in these resolutions, and assures the Executive Committee of the Convention of its unqualified support in any measures which may be necessary to this end.”

It may here be repeated that the “ Irreducible Minimum ” comprised two nominated Indians, as an extreme concession, on the Legislative Council, whereas there were now four, in addition to an Indian Executive Councillor.

On January 23rd, 1923, the *East African Standard* produced a leading article gently deprecating any nervousness or apprehension on the part of the Indian community :—

“ A demonstration of so extensive a nature as to include the extinction of every Indian in the Colony, would really hardly be necessary to prove the seriousness of our conclusions to the Colonial Office. Britons

<sup>1</sup> *E.A.S.*, Jan. 27th, 1923, p. 15.

<sup>2</sup> *Ibid.*, p. 15.

<sup>3</sup> *Ibid.*, p. 14.

have never yet butchered defenceless people. . . . We believe we are justified in stating that it is most unlikely that unarmed Indians will be either murdered or shot by the settlers of Kenya." 1

Although the distinction between being murdered and shot may have appeared a trifle fine to the average Indian shopkeeper, this was reassuring. (Nevertheless, a number of questions were asked in the Legislative Assembly at Delhi as to the safety of Indians in Kenya. This was invaluable, from the insurrectionists' point of view.) All the same, it needed a certain amount of steadfastness and control to be a roadside Indian shopkeeper in the highlands of Kenya at this time.

It will be a matter of some difficulty for the average British reader to bring his mind down to the scale of these furious meetings in the Colony. Some of them were attended by less than a dozen men, though for a meeting on the Uásin Gíshu plateau, an attendance of 135 was claimed. At a meeting at Londiáni there were "nearly forty" present, although an opportunity was afforded of hearing Mr. Cobb, who was shortly to blossom forth as "Honorary Secretary of the Vigilance Council of the Convention of Associations," and also a certain General Wheatley, a settler from West Kenya, who was locally regarded as likely to be "General Officer Commanding," in the event of revolutionary forces having to take the field. At this meeting, moreover, there was some dissension, and a certain Captain Preston 2 "accused Mr. Cobb of misrepresenting facts. . . . A heated discussion followed." In point of fact, all these meetings were the subject of outspoken derisive comment among the more balanced residents of the various districts. Many roundly repudiated the central doctrine of the Vigilance Committee—that rebellion against the local Government could possibly be regarded as the highest form of loyalty to the Crown. The wildest perversion of reason was in evidence among the inspired supporters of the movement however, even reaching the point of solemn assurance, to those who deprecated unconstitutional action, that it was well known to be His Excellency the Governor's personal wish that the movement should be as unanimous and forceful as possible. A number of adherents were obtained by this stratagem—not because anybody believed it, but because it afforded a pretext for judicially minded but

1 *E.A.S.*, Jan. 27th, 1923, p. 7.

2 *Ibid.*, Feb. 3rd, 1923, p. 19.

timid souls to offer lip-service to the movement, and so escape the recrimination of the gentlemen who worked so hard with their mouths at meetings, committees and Conventions.

The largest district meeting was at Nakúro, where 300 colonists were said to have collected. The staged attractions here were, however, exceptional. They included Lord Francis Scott, formerly an aide-de-camp to a Viceroy of India, Lord Delamere, Major MacDonald and Mr. Frank Watkins (senr.), the old warrior of 1905. The resolution adopted here was more explicit, wordy and formal than those at the smaller meetings<sup>1</sup> :—

“ That in the event of the Government of this Colony acceding to the political claims made by the Indian community, the white community will take such action as they may consider proper and necessary to prevent any legislation with that object from taking practical effect.

“ That any action to be taken shall be such as to solve decisively the Indian problem in this Colony, shall be complete in its nature and effect, and shall, by its thoroughness, indicate in the clearest manner, not only that the white community declines to be made a pawn in the game of Indian politics, but that in their internal politics they refuse to be dictated to and overridden in their opinions by those at home, who are obviously ignorant of, or indifferent to, all local conditions.

“ That such action as may be taken shall be of a persuasive character as far as possible, physical pressure only being resorted to in so far as it may be required, to show that the persuasion being exercised is intended to be acted upon.

“ That for the effective carrying out of the intentions of the white community of this district as expressed in the preceding resolutions, a committee consisting of one representative from each sub-district be appointed to consider and formulate details of a programme to effect those intentions and to co-operate with similar committees representing other districts of the Colony.

“ That the white community of this district bind themselves to support the Central Committee in any steps that they may consider necessary, and to carry out, or assist in carrying out, any instructions issued by them with the object of effectively accomplishing any programme they may adopt.”

Lord Delamere continued to occupy the position on the Governor's Executive Council to which General Northey had appointed him.

It is probable that few, if any, of the gentlemen at these meetings would have been willing, at that time, to subscribe to

<sup>1</sup> E.A.S., Jan. 27th, 1923, p. 14.



Abraham Lincoln's dictum, that "God never yet made any people good enough to govern another"—and the Ides of March were approaching.

The Nakuro meeting had also exhibited annoyance at the Conservative Government's dealings with the Colonial Office. It passed the following resolution unanimously :—

"That the Convention of Associations and the Associated Chambers of Commerce be requested to pass a resolution protesting against the recent appointment of Mr. Ormsby Gore as Under-Secretary of State for the Colonies in view of the personal opinions expressed by him in the House of Commons on July 4th, 1922, and that he be requested to pay a visit to this country to see for himself the conditions, and that a copy of such resolution be sent to H.E. the Governor and the Colonial Secretary."<sup>1</sup>

Undeniably, Mr. Ormsby Gore's remarks had not been such as would commend themselves to land concessionaires with thousands of acres of land on their hands, still awaiting sale. He had said :—

... "Personally, both in the interest of the difficult economic situation that now obtains in that country and of the ultimate object that I have in regard to Kenya Colony, namely, that it should be regarded primarily as an African country, that we should be there for the Africans just as we are in Nigeria, and that it should not become an Indian colony or a white English colony so much as remain a country primarily governed in the interest of its 3,000,000 native inhabitants, I should not be sorry to see restrictions of all kinds on non-African immigration into that Colony. . . . I personally regret the history of that Colony, and would like to have seen the development of Kenya and of East Africa proceeding on precisely the same lines as the development of the Gold Coast and Nigeria, and that we should not have gone in for this idea of bringing in from India for building railways and all the rest a considerable non-African element. I prefer the Nigerian system, and I do not like the results I see in Kenya. . . ."<sup>2</sup>

"I rather regret that this experiment was ever undertaken in Kenya, because it will be an economic failure. The white settlements are very nearly ruined now, and in five years' time they are likely to be absolutely ruined by this policy. The

<sup>1</sup> *E.A.S.*, Jan. 27th, 1923, p. 18.

*Commons Debates*, July 4th, 1922, col. 254, 255.

problem of getting good work out of the natives is such that, however much you develop your harbours and railways, I believe that Kenya Colony is economically doomed by its past history and by the way the development of that Colony is proceeding. . . .”

Lord Delamere announced at this Nakúro meeting that the terms of the proposed settlement (i.e. the Wood-Winterton Agreement) were to be gone into by the Government and a limited number of people (meaning white people) on Saturday, January 27th, 1923. This was nearly five months after its receipt by the Governor. The white people would subsequently communicate with their Associations, after which a secret meeting of the Convention would be held. He presumed that the Colonial Office had agreed to these conversations.<sup>1</sup>

It is open to question whether the local Government would not have been acting with more wisdom and dignity if it had announced its intentions through a Government channel, instead of utilizing, as its mouthpiece, a speaker at such a meeting as the one at Nakúro.

The Bishop of Mombasa invited his clergy to offer up prayers that a right solution of this racial problem might be arrived at.

As if the situation were not sufficiently involved at this time, the *East African Standard*, on February 3rd, 1923, provided material of a most inflammatory nature for both Mahomedans and Hindus. The former took the shape of an open letter addressed by a Rev. W. H. Shaw, residing in West Kenya, to Mr. Ormsby Gore, in which he compared the Prophet Mahomet to Belial. The precise contribution of this reverend gentleman towards the right solution for which the Bishop was praying ran as follows :—

“ And because any nephew of such a man as Bishop Gore must have respect for the teaching of that fine politician, St. Paul of old, I cabled to you on St. Paul's Day asking you to refer to 2 Cor. vi, vers. 14-18 : ‘ Be ye not unequally yoked together with unbelievers—what concord hath Christ with Belial ’ (Mahomet), etc. Britons and Christians must rule here, and any attempt to force equality where none exists is doomed to failure. Not till India and not till Africa acknowledges Christ can there be any talk of any political rights, for not till then can there be similar ideals and aims.”<sup>2</sup>

The morsel for the Hindus was contained in an unsigned article headed : “ The Indian Question from an Englishwoman's

<sup>1</sup> *E.A.S.*, Jan. 27th, 1923, p. 33.

<sup>2</sup> *Ibid.*, Feb. 3rd, 1923, p. 18.

Point of View," in which Indian widows were referred to: ". . . often mere children in years, these helpless unfortunates become the drudges of the household and the common property of the male members."

(The Ides of March were nearer now.)

Only on January 25th, H.H. the Aga Khan had cabled from Poona to the local Indians: "Whatever happens, never do anything illegal or unconstitutional. One single Indian act of lawlessness will bring disaster cause." The provocation on February 3rd was, however, too extreme. The Brahmin editor of a small Mombasa paper called *The Democrat* replied with a disparaging article upon the morals of white women in Kenya. Perhaps it was considered that, according to local standards, racial vilification was neither illegal nor unconstitutional. The editor soon found out his mistake.

He was promptly arrested, tried by a Judge of the High Court, and recommended for deportation.<sup>1</sup> His offence was represented to be not only action tending to cause a breach of the peace, but also blasphemy, in that he had mentioned the word "altar" in commenting upon conditions prevailing at some European weddings.

Sheaves of cablegrams flew to London, India and Zanzibar, from Europeans, Moslems and Hindus. Threats of legal action, against various parties implicated, numbered upwards of twenty. Sir Robert Coryndon, or the Secretary of State behind him, took charge of the situation. The sentence of deportation was not confirmed, and the editor was released. The *East African Standard* editorially published a complete recantation of any abusive design in publishing the passage about Mahomet: On Lord Delamere's motion, seconded by Mr. Rudolph Franz Meyer, the editor of the *East African Standard*, the Convention passed a resolution<sup>2</sup> of condemnation of "a wanton insult to a faith for which the Convention has the greatest respect," and the Rev. Mr. Shaw's son wrote to the paper to say that his father was far away in West Kenya, but that he personally felt sure that his father meant no disrespect to the faith of Islam or its followers. That resolute old gentleman was not, however, going to let things remain at that. He wrote another letter, which the *East African Standard* published on March 10th, 1923, stoutly defending his use of the term "Belial," expressing

<sup>1</sup> *E.A.S.*, Feb. 24th, 1923, p. 4.

<sup>2</sup> *Ibid.*, March 3rd, 1923, p. 11.

“much astonishment” at Lord Delamere’s “solemn resolution,” and querying the latter’s status as an exponent of Scripture.

The *London Times* accorded denunciation, in a leading article, to the Mombasa *Democrat’s* outburst without a word of reprobation for the provocation that had led up to it.

Concerted action had long previously been taken at meetings of local Associations to press for written promises from settlers that they would under no circumstances deal any longer at Indian shops, and that, whatever the outcome of negotiations might be, they would never sell any land to an Indian. Many landholders were receiving rents or services, or both, from Indians for the use of small plots of land, on which to erect roadside shops or to install water-driven flour-grinding mills. A local paper’s “own correspondent” in one of the country districts pointed out that the rents obtained from these shopkeepers and millers were very welcome in the hard times prevailing, and that boycotting Indians, who were able to live so much more cheaply than the European, would mean that bags, string, salt, paraffin, native rations, sugar, etc., were going to cost more in future. Nevertheless, they would do it. This, he pointed out, provided a true indication of the feelings of the district.

The attempted trade boycott, then and later, produced many ridiculous episodes. In Nairóbi, for example, European shops suddenly began to exhibit a boot-and-shoe repairing department, to which virtuous Europeans of course took their repairs. They paid more for the repairs than had previously been customary, but—these were still done in the Indian bazaar. On the open benches of the leather-workers there, Europeans could and did see the footwear, which they had handed in at the more pretentious premises of the European firms, awaiting their turn to be repaired. A European and African Trades Organization sprang up, and provided grounds for further appeals for funds. Its actuating *motif* was the elimination of the Indian worker from the community, but when it carried this to the point of instituting measures for the introduction of cheap Italian and Seychellois labour, some of the saner elements in the white population took the perfervid organizers in hand, and a published disclaimer of any intention to introduce non-British labour followed in due course. In the country districts, settlers were found who would concur in their wives’ spending the days in a

roadside shanty, peddling the requirements of natives and settlers, while the children spent the day at home, with father—and the native servants. One such saleswoman reported, with evident pride in a praiseworthy achievement, that since she had set up shop, a couple of Indian “dukas” (shops) had had to shut up and leave the district. The diminution or disappearance of Indian shops was a matter for congratulatory note at district meetings. Competition by white settlers, men or women, would have been only a partial and temporary check. Backed by rather pointed preparation for measures of “physical pressure,” action did not stop with a check to, but in some districts with the disappearance of, the Indian trader. This bore some resemblance to that “squeezing out of the native of India from regions in which he had established himself under every security of public faith” which, in Mr. Churchill’s opinion, would not be countenanced by any Government with a scrap of respect for honest dealing between man and man, but—other times, other manners. During 1922 the Indian population declined by 1,800.<sup>1</sup>

Here, as another example of the manners of the Political Machine, are some extracts from one of the leaflets circulated by “VIGILANT,” defining “Our Policy,” that is, the policy laid down by the Convention of Associations. It will be remembered that “two nominated and not elected representatives on the Legislative Council” was still one of the five points of the “Irreducible Minimum” which was comically adhered to. In dealing with this, the leaflet concludes:—

“Election of representatives will inevitably involve equal rights of franchise and an Indian majority, as soon as the necessary educational level is reached. Self-Government, with an Indian majority, would be the next stage. The third, in all probability, would be the squeezing out of all Europeans, followed by the wholesale reversion of the country to savagery.”

Another point was “segregation in residential areas, and in commercial areas where practicable.” This was dealt with concisely:—

“The highest authorities have pronounced segregation to be a sanitary necessity.

“Anyone who keeps his eyes open knows it to be a moral necessity wherever there are white girls.

“It is a political necessity, because experience proves that East and West can only co-operate at a distance.”

<sup>1</sup> Commons Debates, June 12th, 1923, col. 287.

Feeling, perhaps, that there was a rather low note sounded here, the authors of this manifesto thought it well to conclude this instalment of propaganda with just the merest hint of kindness :—

“ IT IS UNTRUE that Asiatics have been badly treated in Kenya. Their treatment has been just, as they are well aware, and it will continue so to be. There must be *no* extension of Asiatic rights : but while Asiatics are with us, they must continue to receive fair and benevolent dealing.”

There were not wanting in the Colony at this time British men and women in scores and hundreds who viewed all this sordid imbroglio in which the Colony was involved with shame and detestation, and who regarded the ringleaders in it as a disaster to the country of their adoption. No use was made of the former section by Government, nor was their co-operation sought, nor any appeal made to them by Government to assist in staying the rot. In fact, they almost ceased to be an element of any uneasiness to the insurrectionary party, though for a meeting of the Nairóbi Political Association on February 5th, 1923, an invitation was made to members to introduce “ any trusted European friends,” instead of staging “ a public meeting.” The more excited elements had, by now, completely occupied the stage, and apart from the difficulty of obtaining a hearing, even if one faced the unpopularity of trying to counter the storm of racial and religious bigotry, there was the fact to dwell upon that threats (not, of course, tendered in writing) of farm-burnings and other reprisals for non-co-operators in the white cause were freely talked of. Moreover, by a strange fatality, the acts of Government seemed almost designed to play into the hands of the irreconcilables and insurrectionists. The “ Wood-Winterton agreement,” which had been received in the Colony a week after General Northey had left, had spread, in a garbled form, throughout the white community, and in more authoritative form, it finally reached the Europeans of Nairóbi at a closely guarded meeting in the Theatre Royal, at which those attending had to pass a picket of scrutineers at the entrances, to make sure that they were “ trusted European friends.” Throughout this turbulent period the Legislative Council was made no use of, for the full public declaration of proposals or the ventilation of criticisms. Under such a pantomime of secrecy as prevailed, the mildest proposals would have been invested, before reaching dispassionate hearers, with some atmosphere of dread. Under

prevailing conditions, and by hearers who were far from dispassionate, their delirious rejection was a foregone conclusion.

When analysed in a calm spirit, the Wood-Winterton agreement can hardly be stigmatized as any betrayal at all of our compatriots in Kenya. A paraphrase of the cypher cablegram which the Colonial Office had sent to the Governor on September 5th, 1922, was read to the excited audience in the Theatre Royal. The terms of settlement therein proposed are described in the Government White Paper Cmd. 1922 of 1923, as follows :—

(I) *Franchise*.—A common electoral roll for all British subjects and British protected persons (male or female), aged 21 years and upwards, possessing qualifications which were to be prescribed.

(II) *Qualifications*.—Either a complete census or a test census to be held in order to determine a method of adjusting qualifications which would approximately result in a ten per cent. Indian electorate. To obtain this percentage it might be necessary to adopt alternative property or educational qualifications instead of a combined qualification. Should the census show that in order to get the ten per cent. the qualification standard would obviously be unreasonably low, reasonable standards would be laid down irrespective of the resulting percentage. Qualifications to be settled in time to enable the new Indian electorate to vote at the general election in March 1923. European voters already on register would be admitted to the new register whether or not in possession of the new qualifications, but all fresh applicants for registration, whether Europeans not registered under the Legislative Council Ordinance, 1919, or Indians, would be required to possess these qualifications.

(III) *Constituencies*.—The official majority to be retained. Alternative proposals as follows :—

- (a) Eleven elected members representing seven constituencies, three of which to return one member and four two members.

In the former, European candidates only to be qualified for election : in the latter, there would be one European seat and one Indian seat, giving a total of seven Europeans, four Indians.

- (b) The India Office suggested that there should be twelve elected members representing four constituencies, each constituency returning three members, or, alternatively, eleven elected members, representing four constituencies, of which three would return three members and one would return two members. One seat in each constituency should be Indian, the rest European, giving eight or seven Europeans according as the total were twelve or eleven elected members and four Indians. This alternative (b) would not prejudice the position of the Europeans, and might be more acceptable to the Indians. The Government of Kenya to examine and report upon the possibility of giving effect to alternative (b), but the reply to the telegram not to be delayed for that purpose.

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(IV) *Municipal Franchise*.—Agreed that in municipalities Indians must be given adequate representation on an elective basis where such basis already existed for Europeans, but detailed arrangements could not be decided upon until the receipt of a despatch on the subject expected from the Governor.

(V) *Executive Council*.—Provision already existed in the Constitution for such persons to serve as unofficial members of the Executive Council as the Governor might appoint from time to time. There was now one unofficial Indian member of the Executive Council under this provision, and it should be understood that this arrangement would continue. No distinction to be made between Europeans and Indians in deciding on the fitness of individuals to be members of the Executive Council.

(VI) *Segregation*.—No segregation, either commercial or residential, on racial lines, but the Colonial Government or municipal authorities to have power to impose at their discretion sanitary, police and building regulations, subject to these regulations containing no racial discrimination as such.

(VII) *Immigration*.—It would be announced that in present circumstances no change was contemplated in the existing regulations.

*Note*.—The Secretary of State added a note on this subject as follows :

“Throughout discussions with India Office, I have made it plain that my view is unchanged as to immigration control, and that if the danger ever arises of a large influx of Indians I hold myself entirely free to take action which may be necessary. In view of the figures which you have supplied as to the influx and efflux of Indians in 1921-22, I have not felt it necessary to insist on any alteration of the law at present.”

(VIII) *Highlands*.—The following to be the terms of the announcement :—

“The Colonial Office cannot contemplate any change in the existing law and practice, having regard to past policy and commitments. The India Office take note of this view, but are unable to accept it, and reserve the right to reopen the question, if need be, at some future date.”

The insurrectionists were, at any rate, achieving one of their aims—to make it clear that the Government was going to be involved in greater trouble with the whites than with the Indians. The more ardent of the insurrectionists were quite outspoken as to certain of the movements which were being arranged for. Government House was to be suddenly raided, and the Governor required to accompany a settler escort by motor to a distant farm, where he would be detained and well cared for. Senior officials were to be similarly removed. The European members of the police force (Colonel Notley, the Commissioner, being at home on leave) were claimed by the



plotters as being completely on their side, and it was confidently expected that, with or without defections from their number, the officers of the King's African Rifles would at any rate assist the movement to the extent of abstaining from attack.

(The Ides of March had come.)

Missionaries were enlightened, in some measure, as to the possible trend of events, and were given to understand that they would be expected to use their influence to maintain calm in the native districts around them. They would not be required to take any oath of loyalty to the new Government. It was, of course, possible that natives might get out of hand, and pillage Indian shops, so steps were taken in certain districts to allow of the prompt collection of white women and children on to certain selected farms, which would remain as concentration camps, under adequate guard, as long as any commotion prevailed. Other farms were selected for hospital use. Indians from far and near would be brought in to the Uganda Railway, which would be taken over by the *de facto* Government, and would be railed to the coast. The highlands would be suddenly and completely cleared of Indians, and the Home Government could then be asked what they had to say about it.

While this chatter was going on, H.M.S. *Southampton*, H.M.S. *Cairo* and H.M.S. *Colombo*, sauntering along from somewhere, turned into Zanzibar Harbour, and lay there. They were less than seven hours' steaming from Kilindini Harbour.

The Europeans in the highlands were persistently canvassed by recruiters as to their willingness to take the field, and about their available equipment in arms, ammunition and motor vehicles. The Representative Council of the Alliance of (Protestant) Missionary Societies addressed to the Convention a refusal, on the part of the general body of missionaries, to have anything whatever to do with preparations for armed rebellion, and added a strong remonstrance as to the evil example of such activities in the presence of a large native community.

It was while affairs were in this state that the settlers of Rumurúti became nervous as to the alleged proximity of armed bands of natives not far from them to the North. There had been a rumour in the local papers of a strong Southward Abyssinian raid, and armed Somalis (who as a tribe are well supplied with rifles) were also supposed to be moving. When a European striking force, so well equipped and so completely

organized, was available, it would have been wrong of a small and isolated community, which did comprise some white women, not to have taken the simple precaution of seeking some measure of protection until the danger passed; so a runner was sent to Nanyúki, the local headquarters in West Kenya, with a request for help. Now, O.C., Insurrectionary Forces, West Kenya, besides being a gallant Major of the (British) Army, was a bit of a fire-eater as well, and his martial soul burned within him at the prospect of a trial mobilization on active service conditions. He called up his Staff Officer, an equally gallant Captain (British Army), and ordered that a squad of fifteen men with rations for ten days, should mount and ride to the relief of Rumurúti. Prompt orders, accordingly.

*No one moved.* They declined to move. They continued declining to move. They haven't moved yet.

It was not the fact that Somalis were likely to be fully equipped with firearms, while Indians were known to have none, that led to this lamentable insubordination on the part of the anti-Indian forces. More probably it was the well known fact that Rumurúti, even in the days when there were only ten white residents there, supported three liquor bars—"the Town of the Thirsty Ten" was what a Nairóbi paper called it. It was not only possible that the advancing host of hostiles had been sighted only through the bottom of a beer-glass, but so probable, that the abandonment of the supervision of farms by fifteen supervisors was held, by them, to be scarcely justified. The relief force sat tight on their farms, and the un-beleaguered defenders were never molested. No medals were struck.

In February 1923 it had transpired that Sir Robert Coryndon was to proceed home for a full discussion of the situation with the British Government. A few selected Europeans and Indians, and one European missionary were also allowed to come at public expense. The Europeans were Lord Delamere, Mr. T. A. Wood, C.M.G., M.B.E., and Mr. C. Kenneth Archer, the President of the Convention of Associations. The Rev. J. W. Arthur, O.B.E., M.D., of the Church of Scotland Mission, was the selected missionary. The Indians were Mr. A. M. Desái, formerly the editor of the now defunct Indian paper, the *East African Chronicle*, Messrs. A. M. Jeevanjee and B. S. Varma, who had been in England together when Lord Milner was Secretary of State for the Colonies, and Mr. Husseinbhai

S. Virjee, a prominent Indian merchant. From India there travelled to London, in order to be present while conferences were going on, the Right Hon. V. S. Srinivasa Sastri, Mr. Jamnadas Dwarkadas, Mr. B. S. Kamat and the Rev. C. F. Andrews. The Governor and the Europeans from Kenya travelled by one boat, and the Indians by another. There also appeared on the scene a special representative of the European workers in Kenya. This was a Mr. Percy C. Green. His expenses were not met from public funds. How they were met never transpired. His was the duty to pass on the views of a suddenly-emergent "European Workers' Association" in Kenya to the Labour Party in England. According to the census of 1922, the number of non-Natives classified as "Industrial" was given as :

European	..	..	546 men and 13 women.
Non-European	..	..	3,658 men and 21 women.

It is probable that few, if any, of the 559 Europeans were concerned in the despatch of Mr. Green as their spokesman. He did not succeed in carrying conviction to the Labour Party in England that the exclusion of Indians was essential to the welfare of Kenya.

A special session of the Convention of Associations had, of course, to be held before the Governor and the delegates sailed. The President was in bed at the time, following upon an operation, and the chair was taken by a respected old settler who had been on the Legislative Council at one time and who had also been Honorary Secretary of a Christian Union among the scanty settlers of twenty years previously. It must have been a matter of deep searching with him to decide whether it would be useful and decent to open proceedings with prayer. He compromised, with a text :—

"In quietness and confidence shall be your strength."

The Convention then got down to business. A letter from the absent President was read in which he briefly detailed the extent of the concessions which they would permit. The local Government had almost ceased to count, but its life was extended, on terms, for the duration of the negotiations in London. Resolved :

"That this Convention gives His Excellency an assurance that it will do all in its power to prevent any direct action being taken by the Euro-

pean community during the progress of negotiations in England on the Indian Question between His Excellency, the Convention's delegates and the Imperial Government, provided that no attempt is made by the Imperial Government to force an issue during that period." <sup>1</sup>

The usual racial and religious extravagances were made to do duty once more, though they were wearing threadbare by this time, and the Colony was getting thoroughly tired of them, and the Delegations sailed.

H.M.S. *Colombo* came across to Kilindini Harbour, and its personnel played football matches in the Colony.

Sir Charles Bowring, K.B.E., acted as Governor. In opening a session of Legislative Council in May 1923, he said :—

" I would state that a little time ago certain rumours reached me of direct action contemplated in various parts of the Colony. I lost no time in getting in touch with the Executive of the Convention of Associations and as a result I was, as I felt certain would be the case, able to satisfy myself that the rumours were unfounded. I have informed the Secretary of State accordingly. It was necessary that I should do so because if rumours of this nature got abroad locally they may equally easily reach England where they may gravely interfere with the endeavours now being made to arrive at a peaceful settlement of the question.

" I would earnestly entreat Honourable Members to make known both to the Executive of the Convention and to Government any such reports as may come to their notice in order that any cause for alarm may be instantly allayed." <sup>2</sup>

It is not reported that any of the Honourable Members laughed. Perhaps they did it sufficiently quietly to escape notice from the Press table. Those to whom the insurrectionary movement was anything but a laughing matter might perhaps be excused, in view of all that had happened, in regarding this protestation as indicating something not altogether unlike an understanding between Government House and Insurrectionary Headquarters. One of the Honourable Members who silently listened to this absolution of instigators to rebellion has since admitted, in public meeting, that " the Colony " was on the verge of rebellion at this time.

The delegations never met in London. They interviewed Colonial Office officials separately, but no joint meeting took place. The most important witness before the Secretary of

<sup>1</sup> *E.A.S.*, March 10th, 1923, p. 4.

<sup>2</sup> *Ibid.*, May 26th, 1923, p. 9.

State was, undeniably and very properly, the Governor. Opinions may differ as to whether the course of events in Africa amounted to "undue influence" upon his judgment, or not. Certainly the point had been made forcefully enough in Kenya, if anyone chose to believe it, that violent unrest, and possibly bloodshed, would follow if the "common franchise" of the Wood-Winterton agreement were imposed. There was a considerable body of opinion in England, not very fully informed about the precise local conditions in Kenya, which held that the Cabinet must be prepared to send the Guards to Nairóbi if the Wood-Winterton agreement were not promptly abandoned. In the end, it was abandoned. For two full years, with one short interregnum of three or four months, Kenya Colony had lived in a rising whirl of excitement as to impending rebellion. The one interregnum was the short period when General Northey was absent from Kenya in 1921, when Lieut.-Colonel W. K. Notley, D.S.O., whose normal position in the Service was that of Commissioner of Police, assumed the position of Acting Governor. Short of public pronouncement, he let it be known as widely as possible that he would employ all the resources of Government, in every possible direction, to smash any development or continuation of revolutionary activity and to retaliate upon those responsible for aiding or abetting it. Peace descended, even on to the saloon bars. "Alarm" was "instantly allayed."

Colonel Notley is no longer in the Colonial Civil Service.

Lord Delamere and his supporters took one false step in London, from the consequences of which they are still trying to extricate themselves, as will be described in a later chapter. They over-stressed their interest in the interests of the native. There never had been heard, inside or outside Kenya, more outspoken advocacy of the welfare of the African. The British Government, with some knowledge of labour-recruiting, the Labour Commission's Report, the Native Registration Ordinance, the Másai Move, the Nándi Clearance, the 33½ per cent. Wage Reduction and the cental currency, pondered upon ways and means of ensuring native welfare. All news of the revolutionary organization was withheld from the British public, except by the *Manchester Guardian* and some Labour papers and magazines. A correspondent in *The Times*, writing as the Archdeacon of Nairóbi, pictured the spread of Indian civilization, methods of government, religion, and all they stand for

through all our Colonies and Dependencies as a possible outcome of the grant of Indian claims in Kenya. He failed to indicate his additional qualification for speaking, in that he combined the duties of his ecclesiastical office with the activities of a planter upon an estate of his on the Nánda border. The Bishop of Uganda provided in *The Times* of April 25th, 1923, a lengthy plea for caution in the grant of Indian claims, which elicited a rejoinder signed jointly by a former Bishop of Madras, a former secretary of the National Missionary Council of India, Burmah and Ceylon, the Principal of Wilson College, Bombay, and a missionary of the Wesleyan Methodist Missionary Society. The Kenya Missionary delegate's considered verdict was one of disparagement for the Indian and appreciation for the European immigrant, coupled with advocacy of the restriction of the immigration of Indians into Kenya. He was evidently more impressed by the peccadilloes of the Indian trader than by the latter-day achievements of the powerful exploiter group among the European settlers. A summary of his views may be given in his own words :—

“ While the Indians have created trade facilities, they have also brought into their (the Africans) midst a very undesirable class, whose influence has been bad, and who have made money at their expense. The African to-day naturally asks : Why should this alien race hold the monopoly of trade in our country, and trade as we ourselves can be trained to carry on? The presence of the Indian, while not a good influence, has retarded the development of the African, which contrasts with that of his near neighbours in Uganda, who have learned to carry on their own trade.”<sup>1</sup>

And later :—

“ It is now a land of European agriculturalists and commercial men, who in the main conform to the best types of our British civilization. These often do not openly profess their faith, but their God does not forget them, and the great and uplifting influences of the faith of Jesus Christ in the life of our nation down the centuries has formed a bulwark of Christian character which forms and guides the lives of our people. And so it is in Kenya.”

Lord Delamere's moral fervour held up during the negotiations : “ Our concern for our home in Kenya and the well-being of the native people,” he wrote, “ does not blind us to the fact that the danger to the Empire and Christianity is greater.”

<sup>1</sup> *The East and the West*, July 1923.

This elicited from a Calcutta paper the observation<sup>1</sup>: "Utterances such as these in which Christianity is dragged into sordid controversies is nothing short of blasphemy."

The signed memorandum of the Indian delegation to London included the following declaration as to the welfare of the natives:—

"We think it safest and best in the present circumstances, that neither the Indian nor the European settler should have the control of native affairs, and that the legislative power should be taken out of their hands and kept in the hands of the Imperial Government till a time in the future when the African native is sufficiently advanced in intelligence and education to manage his own affairs and rule over his own country. This is our present judgment, and we are prepared to abide by it."<sup>2</sup>

It is open to question whether the missionary delegate would not have more nearly represented the general view of the bulk of missionaries in the Colony if he had supported this view as firmly as he supported that of the Convention delegates. It would have been a popular solution in a wide circle in Kenya, outside the noisy group who were inflamed with political ambitions. Large numbers of residents in Kenya concurred fully with the pronouncement of a tiny European paper (not under Reform Party or Convention influence) which, though more of a little advertisement-sheet than a newspaper, had the hardihood to express a view subversive of all the aims of dominance which actuated the Political Machine. This *Uasin Gishu Weekly Advertiser* of June 28th, 1923, said:—

"Reuter learns from a trustworthy source that opinion is hardening that the solution of the Kenya difficulties will be found in a reversion to some form of Crown Colony Government implying primarily the Imperial trusteeship of native interests and the possible withdrawal or at least a modification of the Kenya Constitution! This is the wisest solution we have yet seen on the Kenya situation. Representative Government granted to this Colony has been a complete failure owing to the fact that the white population is far too small, that it offers no choice of representative men. The same names must be constantly flouted in the face of the electorate, who have no choice but to refrain from voting or to vote for men who do not carry their confidence. By reverting to Crown Colony Government confidence will be restored to the Indians and Natives and incidentally to a goodly number of Europeans."

The decision of the British Cabinet was delivered in July 1923, in the form of a White Paper, Cd. 1922, entitled:

<sup>1</sup> *The East and the West*, July 1923, p. 290.      <sup>2</sup> *The Times*, June 5th, 1923.

'Indians in Kenya.' In Part I, the past and the existing positions were reviewed, without a word about the possibility of revolution in the Colony, of course. With reference to the Wood-Winterton agreement, it records that "The Government of Kenya rejected the scheme mainly on the ground that it gave no sufficient safeguard to the European community against Indian predominance in the future." . . . "The desirability of arriving at an agreed settlement was impressed upon the Governor, but his discussions with the leaders of the European community led to nothing." . . . "It became obvious that the policy proposed in the Wood-Winterton report would not satisfy parties in Kenya." Additional light was shed on the matter by a sentence appearing in Part II: ". . . The result of the reference to opinion in Kenya of the recommendation that a common electoral roll should be established, even though combined with a reservation of seats, was to show that the advantages claimed for the common electoral roll would in practice have been illusory." The reader now knows how this "reference to opinion in Kenya" was conducted. As regards India, it is reported that "The Government of India were willing to accept the scheme, although they did not consider that it fully met the claims put forward on behalf of the Indians."

In Part II, a statement of policy was put forward. The hopes of the Political Machine were shattered, and its repute was shaken, in two trenchant sentences:—

"His Majesty's Government cannot but regard the grant of responsible self-government as out of the question within any period of time which need now be taken into consideration."

And—

"In no responsible quarter is it suggested that the Indians in Kenya should not have elective representation upon the Legislative Council of the Colony."

The most valuable assertion of policy is probably that which is to be found in the second paragraph:—

"Primarily, Kenya is an African territory, and His Majesty's Government think it necessary definitely to record their considered opinion that the interests of the



African native must be paramount, and that if, and when, those interests and the interests of the immigrant races should conflict, the former should prevail."

The Government decided upon a communal franchise on a wide basis for both Indians and Arabs; for provision for five elected Indian unofficial members on the Legislative Council and one Arab. The Europeans were to continue to elect eleven unofficial members. The number of nominated official members was to be fixed so as to maintain an official majority on the Council.

The existing Indian member of the Governor's Executive Council was maintained, and provision was sanctioned for the nomination of an additional unofficial member, preferably a missionary, whose advice on matters affecting Africans would, in the opinion of the Governor, be of value.

Elective representation of Indians, on a communal basis, upon Municipal Councils, was prescribed, and the policy of segregation as between Europeans and Asiatics in townships was abandoned.

On the subject of estates in the highlands the White Paper says:—

"After reviewing the history of this question and taking into consideration the facts that, during the last fifteen years, European British subjects have been encouraged to develop the highlands, and that during that period settlers have taken up land in the highlands on this understanding, His Majesty's Government have decided that the existing practice must be maintained as regards both initial grants and transfers." The White Paper had just previously pointed out that "it would be possible for the Executive Government to grant land in the highlands to an Asiatic, or to approve the transfer of land from a European to an Asiatic, without any alteration in the existing law."

This appropriately left the subject of land-holding in the highlands unprescribed by letter of the law. When Europeans who want to sell land to non-Europeans bring greater pressure to bear on the Governor than those have established who at present consider that social amenity and enhanced profits are jeopardized if non-Europeans are admitted to their districts, the change will take place. It will be found that considerations of religion no longer stand in the way.

On the subject of immigration the line of general policy was stated to be that

“ only in extreme circumstances could His Majesty's Government contemplate legislation designed to exclude from a British Colony immigrants from any other part of the British Empire.”

It was to be an instruction to the Governor, in concert with the Governor of Uganda, to explore the question and submit proposals for giving effect to that amount of control on immigration, of all races indiscriminately, which the economic interests of the natives of both Kenya and Uganda might be found to require.

As Lord Delamere had reported that he had come to England to press for the immediate grant of European self-government for the Colony, the European delegation which represented the Political Machine in the Colony clearly received a more emphatic rebuff than any other section. Perhaps more than one disappointed “ first Premier of Kenya Colony ” returned to the East, to try to explain there the obtuseness of the Home Government. One can never tell. Political ambition has a way of breaking out in strange places. In so far as the Indians pressed for either the removal of elective representation from immigrants of any race, or, alternatively, for franchise for all races on a common register, they also received a rebuff, and the insurrectionary movement of the Political Machine justified itself as having achieved one portion at least of its aim. Also it can be imagined with what relief a decision was received in militant quarters in the Colony which provided a pretext for discontinuing the big words of the previous two years, and abstaining from translating them into action. The movement was only designed and conducted for influencing timid officials in Kenya and London. It had certainly not been without effect, but it would have been exceptionally awkward if . . .

\* \* \* \* \*

With this horrid thought, these records of preparation for a *coup d'état* may be closed for a time. It will now, perhaps, be permissible to present a picture, compiled with some knowledge of what the contemplated action of Political Machine, and of Government, was to be, describing the probable outcome of an insurrection, if one had been attempted.

## CHAPTER XXII

### "68459"—AN IMAGINARY EPISODE

"Running on a roof ends at the edge of it."

SWAHILI PROVERB,  
current in the Coast towns of high Arab  
buildings with flat roofs.

ANYONE who is so keenly interested in the history of Kenya as to be disdainful of anything that is not history, should disregard this chapter and proceed with the next. Frankly, this chapter is fiction. It is the story of an entirely imaginary Governor who was an expert Poker-player, who had that uncanny instinct, which some players have, for spotting a bluff at sight, and who, upon the Political Machine's putting one up to him, drew it.

He had the notion, which so many choice spirits in our Empire's history have shared, that "the game is more than the players of the game, and the ship is more than the crew."

It is, from beginning to end, little else than fiction.

\* \* \* \* \*

This Governor had been impressing upon the Home Government for some considerable time the view that it ought not to be particularly concerned about Tranquillity—at any rate, in Kenya. The despatches from Government House were singularly disdainful as to the possibility of successful revolt by 1,400 planters. Laborious rejoinders from London, pointing a moral from the exploits of the German General von Lettow and his small force in the adjoining territory during the War, were countered in a cavalier spirit. The undesirability of precipitating, in the presence of a large native population, a *coup d'état*, in the opening stages of which the representatives of the British Government would necessarily have to suffer some indignity, was discounted to some extent. Valuable influences would be brought into operation. If the worst came to the worst, a certain plan of operations, detailed in "Schedule B," would, regretfully enough, have to be undertaken. But Government, in any case, held

trump cards. The Governor wished to adopt the adventurous course, a description of which, with its probable outcome, figured in his despatches as "Schedule A." He was confident of his staff. He was confident of the result. Those members of the permanent staff at the Colonial Office who had some knowledge of what was impending, had to admit to themselves, as they journeyed, punctually and regularly, by tube and bus between town or country homes and the gloomy corridors overlooking Downing Street, that for the officials in Kenya a time of real discomfort was approaching. It was going to be a test, under which some of them, inevitably, would break down. That would introduce its own further crop of problems. The War Office heard nothing officially about impending events, but the Admiralty did, and three cruisers put in an appearance one morning in Zanzibar Harbour, where they anchored. It was in no way different from other Fleet visits that had taken place at irregular intervals in the past. The personnel enjoyed shore leave to a normal extent and a limited programme of festivities was carried out. The vessels lay there day after day. . . .

\* . . . \* . . . \* . . . \* . . . \*

In Kenya, tension was increasing. Rumour was exceptionally busy even in an area where she was so habitually overworked as Nairóbi. An announcement, at three days' notice, that a special session of the Legislative Council would be held at Government House caused an unprecedented burst of speculation. Cypher cablegrams to and from Government House were illegally procured (as usual) and studied in influential non-Government quarters, but it emerged that the code had just recently been altered, and no use could be made of the copies in hand. The messages remained inscrutable. It was well enough known that the approaching session of Council was not being held at the instigation of the Political Machine, nor with any interchange of confidences with it. That powerful group was in the dark as to the trend of developments, and that in itself was almost tantamount to an "unfriendly action" on the part of Government House; so anything might be about to happen.

The day of the session of Legislative Council arrived. Even those of the elected members who were also on the Executive Council knew nothing as to what was going to happen. As a result, they experienced a strange lack of confidence in themselves.

They were, for the time being, scarcely more than ordinary town-folk. The Governor had called no meeting of the Executive Council for nearly three weeks, a circumstance unprecedented within the experience of the oldest member. The public space in the Council Hall was crowded for the opening of Council. The members stood in groups near their tables. The elected members appeared to be trying (not too successfully) to look unconcerned.

The Governor entered, amiable and apparently quite at ease. The entire company stood in silence. The Governor took his seat, followed by the members. Prayers were read. One or two of the stalwarts of the Insurrectionary Movement looked a trifle overheated and shiny. One of them mopped the back of his neck at intervals. The Governor, speaking from brief notes on a paper in his hand, explained that he had convened the special meeting in order to make an announcement of importance in connection with a question that had for long loomed large in the minds of all of them—the future Constitution of the Colony. His Majesty's Government had given the fullest consideration to the local and Imperial aspects of that question, and had decided that election of representatives on the Legislative Council should in future be conducted by qualified voters on one common electoral register. While no voters on the existing register would be disfranchised for deficiency of qualifications under the new franchise, the requirements of the latter would be stringent, and would involve a somewhat high educational qualification and an advanced knowledge of English. These having been attained, admission to the register would be open to British subjects of any race.

There was a short pause. A glacial silence reigned in the Council Chamber. The chatter of native boys from the grouped rickshaws, parked at a distance round the lawn of Government House, came in through the open windows. No one moved. The Governor continued.

His Majesty's Government had decided that the official majority on the Legislative Council should be retained, and it wished to make it clear that it entertained no intention of departing from the existing form of Crown Colony Government under which final responsibility for the Government of the country lay with the British and not with the local Government. It was not pretended that any departure from this position would be sanc-

tioned until the African natives were sufficiently developed to exercise a preponderating influence in advising upon the legislation of the Colony.

It remained for him to explain that His Majesty's Government was quite conversant with the issue that had arisen between the European and Indian immigrants in the Colony, regarding their respective spheres of activity upon the Legislative Council, which, it was to be noted, would remain, as it had hitherto been, an advisory body for deliberation upon the forms which local legislation and also the Colony's annual budget should assume. The Government unequivocally recognized that the major share in the work of exploration, pacification and early occupation of the country beyond and away from the railway line had been conducted by the British elements in the population—and principally by the public servants of the Crown—and it had therefore all the more readily adopted a suggestion—which all representatives of the Indian community in Kenya, with the sole exceptions of three individuals of extreme views, had supported—that there should be a reservation of seats. The number of elected European members would not exceed seven, and the number of elected Indian members would not exceed five. In addition to these, the Governor would nominate official members to the number of not less than fourteen. He was able to report that an Instrument under the Sign Manual of His Majesty had been completed the previous day, varying, to the extent described, the Letters-Patent upon which the Constitution of the Colony had hitherto been based. This would be in his (the Governor's) hands in the course of two or three weeks, and he would then require to summon his honourable Council to meet him again, when details of new electoral boundaries and new franchise regulations would be put forward for discussion and subsequent report to the Secretary of State. The latter would confirm or modify the recommendations put forward, and authorize the compilation of a new register, and subsequently the conduct of elections.

He ended with a quiet but powerful appeal to all men and women of good will to accept the new political conditions in a calm spirit, and in the assurance that the destinies of the country were in safe and honourable keeping. He stressed the points that no one was going to be deprived of the fruits of his labours, and that the welfare of all sections of the community in the Colony was at least as sincere and compelling an aim with the British

Government, with whom the government of the Colony actually lay, as it was with any of the constituent sections there represented in the Council. Not otherwise than by reasoned and deliberate exertion to translate good will into political amity could the Colony enjoy the blessing of peace, which alone could lead to the emergence of prosperity.

Another glacial silence. The councillors were immobile. Some gazed intently at their desks; others through the open windows upon the masses of colour that blazed under the morning sunshine in the gardens outside. The warm breeze moving through the Chamber lifted a loose sheet of paper from a member's table and sent it glissading across the polished floor. Scores of eyes turned upon it, and then resumed their previous occupations. Before everyone's vision there floated the whirling words of the Nakúro resolutions, only a few weeks old:—

*“Action to prevent any legislation with that object from taking practical effect . . . . action to solve decisively the Indian problem . . . . complete in its nature and effect . . . . physical pressure only being resorted to in so far as it may be required to show that the persuasion being exercised is intended to be acted upon. . . .”*

The silence became unendurable. Someone at the back of the Chamber coughed. Perhaps three minutes had passed—perhaps four. No one spoke. The Governor looked round, but failed to catch any member's eye. No one had any remarks to make. Then, in a matter-of-fact tone, he thanked honourable members for their attendance, and intimated that Council stood adjourned until that day three weeks hence, or such later date as might by Government Notice be proclaimed. Council and spectators together rose as the Governor stepped down from the dais and passed into the private apartments of Government House. Reporters slipped to the door, bounced on to motor-cycles and tore away down the Hill to the newspaper offices. A buzz of conversation broke out on topics of steely inconsequence. (The one serious topic of conversation would be dealt with elsewhere.) Did anyone want a lift home? There was room for one in this rickshaw—for two in that car. Would So-and-so come round for lunch? Everything icily “as usual.” These people could act all right.

Excitement in the town rose as the afternoon advanced. Dozens of automobiles stood at various times outside the

premises in which the more prominent of the local politicians conducted their businesses. The Executive of the Convention was known to be closeted in secret session. As shops and offices shut, none of the occupants, whose residences were at any distance in the suburbs, went home. The hotels and restaurants were crowded at tea-time. Everyone expected developments before nightfall. Either the furious propaganda of the last two years was to terminate under a yell of derisive laughter from one end of the Colony to the other, or else the Insurrectionary Party would have to do something to save their faces. For the first time there was an element of sympathy in the public attitude. Was it possible that a composite group of politicians and farmers could actually try conclusions, with any hope of success; against the British Government? Poor devils! They *had* got themselves into a mess. In Coast terminology, they had been running on a roof—and had now got to the edge of it! By pushing hard, at times a bit ruthlessly, they had worked themselves into positions of some local eminence. The Home Government, with no personal consideration for them at all, but concerned with larger issues than their local reputations, had jockeyed them into a position wherein only two courses were open to them—certain loss of reputation or probable loss of wealth or property. The King's Sign Manual to the new Constitution was proving a serious counter-mine below the Insurrectionists' position—which was that it was only by rebellion that they could prove their loyalty to the Crown. It was with a large admixture of amused curiosity that the crowded resorts in Nairóbi town awaited the development of events. Dinner was over. Nine o'clock struck. Numbers of motor-cars and rickshaws began to leave for the suburbs. Perhaps nothing was going to happen that night. If it did, there were the morning papers to look forward to. It was true that a sheaf of telegrams had gone from Convention Headquarters just before the G.P.O. shut, and transmission had been refused. All lines to the interior were silent. No post offices to the North or West could be rung up. Was it possible that all lines had been cut, except those down the Railway to Mombasa? It might be coincidence. Telegraph interruptions were frequent. But that all lines should be down simultaneously, except in one direction . . . (!) The usual official explanations would no doubt be forthcoming in the morning, with a prompt restoration of service. But it was a peculiar circumstance, and one that might present a marked



disadvantage to insurrectionists. It was certainly not one of their moves. The lines to the Coast would be the only ones that they would want to interrupt. . . .

\* \* \* \* \*

Dinner was over at Government House. Guests were present, as was usually the case throughout the year, but particularly when Legislative Council was sitting. It was afterwards remembered, as a suggestive incident, that the Governor was playing Poker. Outside the main entrance, the usual solitary trooper of the King's African Rifles was doing sentry-go on the spacious drive in front of the portico. It was a quarter past ten. The Governor's Aide-de-Camp had just left the lounge to answer a telephone call in the Governor's private sanctum adjoining. The message must have been brief, almost monosyllabic, for he re-entered the lounge at once and passed through it and out to the gardens behind, where some small groups of guests were chatting under the starlight. The Governor and his Aide had exchanged glances—nothing more. Almost immediately, from among the dark masses of croton-trees lying beyond the gardens and tennis-courts, there raced up to heaven a powerful rocket which, with a tiny distant crack, spat out into the black sky a single magnesium star, that sailed down, burning steadily. A second and a third rocket followed in rapid succession, the noise of the third one momentarily masking the shuffle of feet and tyres as one or two scores of Europeans slipped skilfully off a fleet of more than twenty automobiles which had reached the front-door at a high rate of speed. There was a squeaking of brakes violently applied: some swift words outside. The Sudanese *askari*, suddenly faced with an emergency, jerked in through the open door of the lounge the message "*Wasungu wéngi*" (Many Europeans), and brought his rifle down across the doorway. He called out, "Halt! Who goes there?" in the clipped English of the Sudi—using a formula which long training supplied him with even in such an unbelievable episode of disorderliness as this. He was taking instantaneous note of incredible events. (He would be questioned on all this in the morning, up at the Lines.) Meanwhile, this was no sort of *adabu* (good manners) on the part of these visitors. The first one that reached him, at the run, went down before his rifle-butt—stunned. Then the incursion flowed over him. Thirty or forty poured into the lounge. The Governor

was the last man to rise from the card-table. “ Gentlemen, in the King’s name—Halt ! ” he said. A spokesman came forward—apparently the one unarmed man in the crowd. Others had raced through to the back and side doors and the French windows. Some tore half-way up the main staircase, where they commanded any approach from the upper floors. There was no defence—no reprisal. Revolvers were slipped back into holsters. There was a momentary silence of a few seconds’ duration. From outside came the excited whispering of the native servants of Government House. The cars were manœuvring into new positions on the drive—circling headlights flashed through the windows. The Aide-de-Camp moved to the Governor’s side. He looked as if he was badly in need of a Lewis-gun, or preferably a Maxim. “ Your Excellency,” said the spokesman, “ I regret to say that we must ask you to come with us.”

“ In the King’s name, I order you all to withdraw,” replied the Governor.

“ We have no other course open to us than to insist,” added the spokesman.

“ Gentlemen,” said the Governor, speaking rapidly, “ I have ordered you, in the King’s name, to withdraw. I know all or most of you personally. May I add a word of advice ? Abandon this insane adventure here and now, or else you are all ruined men. Beyond question. Beyond hope of remedy.”

“ Will Your Excellency accompany me to a car outside ? ”

“ Certainly *not*.”

“ I . . . I mean we . . . must insist.”

“ I am not going to discuss the proposal with you now or at any future time. I have . . . ” There was a mob-movement, swift and almost silent. The Aide got in a straight left and a right swing before he was enfolded. His hands were forced behind his back. Handcuffs clicked. The Governor was being chaired through the open door. His Aide and his Private Secretary followed, carried shoulder-high. The lounge was empty of intruders. The stream of raiders vaulted on to throbbing cars outside and the procession tore off down the long drive and into the town. A dozen Europeans with three cars had remained at the entrance to see that no attempt was made to shut the gates and trap the flotilla. They had seen nothing and no one—except those magnesium stars sailing down as they arrived. The whole incident, from the moment when the fleet of cars entered upon

the drive until they raced through the gates again, had not taken more than three minutes. The guests of the evening, the excited servants and the disarmed *askari*, gagged and handcuffed in the doorway, were left to themselves in the lounge.

One overturned card-table.

One chair broken.

Marks of a scuffle on the thick pile carpet.

*Rebellion!*

\* \* \* \* \*

So a few of the loiterers who had hung about the town did get some reward for their vigil—a stream of cars coming down Sixth Avenue at 40 miles an hour. First a couple of open box-cars—three armed Europeans, revolver in hand, on each. Then a powerful English car, hooded and curtained; more cars, some open, some with hoods up—all full. These fellows could drive! A slight relaxation of pace round the bend into Government Road, and again at the corner past the National Bank of India. Then a steady hum, *diminuendo* as the flotilla passed. A criss-cross of head-light and spot-light beams as it wound up the steep hill past the Mental Hospital and out on to Kenya's "Great North Road," on the way to Fort Hall.

The Governor was being kidnapped! To Nanyúki or beyond, said some of the spectators. Somewhere to the North, anyway. *What next?*

\* \* \* \* \*

About this time a number of things happened simultaneously. At several bungalows on the Hill, Heads of Department, after dining, strangely enough, in full marching kit, moved in from the veranda, where enjoyment of coffee and a pipe had been interrupted by the sight of a rocket rising behind Government House, and completed the packing of a suitcase for a possible absence of some weeks' duration. They were soon called for, by car, and taken away.

The Indian bazaar was found to be surrounded by an armed guard of colonists. No one could enter or leave. The Indian Lines behind the railway workshops were similarly enclosed, as also were the quarters of the Indian artisans of the P.W.D. River Road, the principal Indian quarter, was barricaded at both ends and paraded by patrols, who ordered all residents to go indoors off the street. A number of hands had been "working overtime" at

the Railway shops. It was not till a later hour that they had been collected and removed by armed patrols. Strangely enough it was down there that some of the senior members of Railway staff were “ collected ” for “ removal.”

An influential group of insurrectionists visited the Lines of the King's African Rifles. All approaches to the Lines exhibited barbed-wire entanglements, which had not been there when darkness fell. Polite sentries were taciturn. None of the officers could be seen ; they were busy. Would the *Bwana* stand back from the barbed wire ? They had orders to fire at anyone who touched it. (Sandbags could be seen inside the entrance—with machine-guns peeping through.) The visitors might go away. They went. (There had been a pronounced but brief period of activity up at the Lines when the rockets went up ; also an appalling volume of swearing in the Mess—at enforced inactivity imposed, without explanation, by the O.C. Troops.)

\*     \*     \*     \*     \*

Twenty-seven miles away, across the plains that stretch to the South of Nairóbi, lay the unused corrugated-iron buildings that had once constituted Stony Athi railway station. It had not been used for railway purposes since a new station had been inserted at Magádi Junction. Two European members of Post Office staff had been camped in these deserted buildings for some days. (Trains ran through the discarded station without stopping.) As on previous nights, one of them was spending the evening under the open veranda, sitting in a deck-chair, wrapped in a blanket and watching intently. A cypher message had been received at midday enjoining particular watchfulness that night. Suddenly he rose and stepped in to the instrument table. He was “ through ” to Mombasa. He sent off the one code word, “ 68459,” and then tried to call up Nairóbi. No reply. There was an interruption—line cut, no doubt. He then woke his companion, who had turned in on a camp-bed after having been on duty all day until sunset, watching the Northern horizon for the sudden development of a tiny black smoke-cloud from three signal shells. They were both heartily sick of the strained duty of watching that one spot on the horizon during darkness and daylight.

“ The rockets,” said the watcher briefly.

“ Get through ? ” asked his companion.

"Yes."

"And Nairóbi?"

"No."

The man who had been on day-shift dressed rapidly. The two mounted motor-cycles, and took the road across the plains towards the Mua Hills. There was a certain farm there where they might be of use, and their job at Stony Athi station was over.

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In the receiving-room of the Wireless Station at Kilindini two European operators sat. The night was hot. Both were in cotton pants and canvas shoes, with gauze shirts open at the neck and sleeves rolled up. One was reading a novel, lying back in a deck-chair with phones on, listening in on a wave-length of 195 metres. In addition to the station's main aerial, an improvised second one was hanging from one of the 200 ft. steel masts. He had been on this duty for some nights now; and a very uninteresting occupation it had proved. The other, a post-office operator on routine duty, was listening to some passing vessel out at sea, talking to somewhere else. If one lifted one's phones, a distinct buzz could be heard from insect swarms kept at bay from the brilliantly lighted interior by the copper mosquito gauze which filled the open windows. It was 10.23 p.m. The man in the deck-chair suddenly sat upright. His novel slid to the concrete floor with a slap.

"Got it?" asked his companion.

The operator nodded. "Something," he said. A pause. "Very faint," he added, and then, "Gone."

"It's an odd chance whether it comes through," said the post office hand, removing his own phones. (The distant steamer had ceased to interest.) "Tiny outfit. Have you seen it?"

The operator nodded a negative, and then held up his hand. The little equipment on the Mua Hills was coming through again. There was dead silence for a minute or two, except for the insects against the gauze. Then the operator rose to his feet sharply, taking off the phones and laying them down. "I got it very clearly just then," he said. "'68459. Message ends'—repeated three times. Good enough." He slipped swiftly through the mosquito-proofed door and went across to the engine-room. He started the 3-kilowatt set, adjusted his transmitter to 1,000 metres and sent out the group "68459." A thumping reply

came back from Zanzibar, easily audible even in the transmitting room: "Thanks, we've already had it. No more now. So long." He reverted to 195 metres, and sent off to a possible listener on a "loyal" farm on the Mua Hills the acknowledgement "O.K." He went back to the silent receiving-room and listened. Mua Hills had closed down, however. Nothing else came through that night.

\* \* \* \* \*

It was a very sensational and abrupt end to the dance at the English Club at Zanzibar when all the Naval men had suddenly to leave as early as a quarter to eleven—the Naval band included, which had been lent for the night's festivities. The local Goan band was hastily called in, but few dancers waited for it to come. Most of them had gone out on to the front. Launches were racing from the three brilliantly lighted cruisers to the shore and back again. One could hear anchors coming up. They moved off down the anchorage. Lights suddenly went out. A heavy bank of smoke lay across the low stars. The cruisers were going Northward at high speed. *Something to write home about!* Meanwhile—back to the Club for an excited supper.

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Staff was working late in some of the rooms of the East African Department at the Colonial Office. The last message from Nairóbi had been timed 7.34 p.m. there, which was 5.4 p.m. in London. The town was outwardly quiet, but the Governor's informants were definite that a raid would be carried out early in the night. The quiet meeting of the Legislative Council in the morning had previously been described. Under such circumstances, it was considered worth while, at the Colonial Office, to wait at any rate until midnight by local time. If nothing had happened by then . . . A telephone call. Private line: Admiralty speaking. Zanzibar had just come through, with the message: "Called by Kilindíni. 68459. Leaving eleven-thirty." The Permanent Under-Secretary went across to the Secretary of State's room and reported.

Kenya had its fill of publicity next day in the midday <sup>a-</sup>the subsequent editions of the papers. A torrent of speculat<sup>a-</sup> interview and correspondence followed upon the official state<sup>a-</sup>zed all supplied to the Press. This was to the effect that a situa<sup>a-</sup>ly been

political unrest had developed in Kenya Colony. Communication with Nairóbi was interrupted. Three cruisers had left Zanzibar for Kilindini, which they should reach at 6 a.m. (3.30 a.m. London time). The native population was believed to be quiet. It was not considered that civilians in the Colony were in any danger. His Majesty's Government had taken immediate steps to stop the passage of passengers, goods, mails or cablegrams into Kenya Colony, both from overseas and from adjacent territories under British control. (That was the mystifying factor.) Passengers or goods then on the seas would be landed at Zanzibar. Any claims for damages or expenses, arising from Government action as described, should be lodged with the Secretary of State for the Colonies, Colonial Office, Downing Street, S.W. 1. The Government had been in communication with Foreign Embassies overnight as to the treatment and safety of their nationals at Mombasa and elsewhere in the Colony and Protectorate.

The Permanent Under-Secretary himself went home that evening by way of the Italian Embassy, where he paid a brief call.

The other officials dispersed to their homes. At the end of an unusually harassing day they found themselves walking with an unaccustomed spring. They too were having an adventure. Had they done the Right Thing? Suppose their information had been honestly intended . . . but inaccurate! . . . Suppose they were not holding a trump card after all? Were the chauvinists as immature a group as had been represented? If human weaknesses in a remote corner of their domain now intervened . . . If the operations of Schedule A did not provide a remedy . . . Or only resulted in a stalemate. . . . If the horrors and expense of the programme arranged for as Schedule B had to be faced . . . The nearest precedent to this sort of thing had been that affair in '54. But that had . . . Anyway, it was going to be interesting. (And it is not only on the fringes of Empire that the spirit of adventure lingers).

\* \* \* \* \*

Meanwhile Nairóbi town was filling up. None but children in the town slept that night. The suburbs poured their populations back. The streets were full at midnight. The American, through and Portuguese Consuls were at their offices, and were room. visited by representatives from Insurrectionary Headquarters. Patrols traversed the streets, ordering natives back to

their quarters. No Indians were in sight. The railway station and workshops and the General Post Office were a blaze of light. Amateur staffs were being installed. In the extensive railway shops most of the power tools were found to be out of commission as a result of the removal of essential parts. Locomotives in the yard had been largely put out of running order—in as complete a manner as was possible at short notice. At the G.P.O., instruments, stamps and postal orders had been cleared. They were possibly in the strong-room, but with this locked and the key missing, nothing but dynamite could clear up the point. Even by daylight it was clear that all was not going well with the Insurrection, and then there was “ the Government poster ” for them to contend with. A patrol of Insurrectionists near the Secretariat just before midnight had found that the Government Press—apparently dark and unoccupied—was at work under full pressure, with all windows carefully shrouded inside with a double covering of bookbinders’ leather. European personnel had been at work ever since the rockets rose behind Government House, striking off masses of a Special Issue of the *Official Gazette*. This was in leaflet form, and comprised three terse “ Government Notices.” The first declared a moratorium for the banks, of unspecified duration ; the second declared that a state of emergency existed in the Colony and Protectorate, in which the Governor, under the Powers vested in him, revoked and suspended all wholesale and retail liquor licences of every description until further notice.

The third was to the effect that whereas certain evil-disposed persons had attempted to usurp the powers of Government in the Colony, it was notified for public information that all persons joining in, aiding or abetting their attempt would be treated as rebels, and would render themselves liable to deportation and permanent exile from the Colony. Representations would be made to the Secretary of State for the Colonies for the promotion of a Bill in Parliament authorizing the sequestration of estates and of all immovable property in the Colony belonging to individuals who might be convicted, on trial, of having joined, or remained in association with, the parties guilty of the said attempted usurpation of powers, subsequent to the date of publication of the Notice.

The patrol occupied the Press, ejected the staff, and seized all copies of the Special Issue ; but batches of this had clearly been



leaving the Press at intervals for hours. They were found in the morning placarded on buildings all over the town and suburbs. Copies had been slipped under shop doors. Everybody either had a copy or had seen one.

And the notice was dated 1 a.m. on that morning. The day just dawning was the "date of publication." Anyone who "associated himself subsequent to that date with . . ."

Individuals and families started thinking hard. They would have till midnight to decide which side . . .

Meanwhile the King's African Rifles stayed in their lines, and were unapproachable. There was something ominous about that passivity.



During the day a steady rumour grew that the Governor was only 17 miles away instead of being over 150 miles away, as it was understood that the intention of the raiders had been. It was an ominous fact that they were already being referred to as "the raiders." At last a resident came in with a story that the first car of the escort accompanying the raiders to the North had come, without warning, round a sharp bend, upon a deep ditch dug completely through an earth embankment on the road. The car was smashed beyond repair. It was still lying there. He had seen it. The four men on it were at the nearest farmhouse with fractured ribs or limbs. The Governor's car had only just drawn up in time. A motor-cyclist scout had met the party at the same place to say that all bridges across the Theta River and swamps beyond them had had their decking burnt off by gangs of natives under European leadership—whether official or settler was not known. A fierce petrol fire had been started on each bridge deck, and the incendiaries had disappeared. The attempt to reach Nanyúki or beyond with the Governor had been given up. He and his party had been taken to some farm on the South of the road. The three rockets at Nairóbi had been seen by numerous people in the region. Systematic road obstruction seemed to have started then in many directions. Simultaneous risings, even in the nearer districts, had been seriously disarranged by the cutting of wires and the blocking of roads by removal of earthwork or the felling of trees across them.

Only two newspapers were allowed to appear in Nairóbi. They both contained exuberant leading articles appealing for

solidarity in the Causes of the Empire and of Christianity. They averred that everything was proceeding according to plan, and that a new era of prosperity must necessarily open out before the country as a result of the settlement which a united front at this juncture would enable them, without doubt, to exact from Downing Street.



Dawn at Mombasa. The revolving light in the lighthouse on Ras Seráni is brought to a standstill and extinguished, and the old Indian attendant descends to his quarters nearby. The African look-out boy opens the shelter at the foot of the flagstaff and starts his shift on watch. To the East of English Point the sun is rising from a sea of glass, distorted by the merest undulation along a curving line which marks the limit of the Leven Reef. A car whizzes past, taking a couple of residents for an early morning round on the links. One or two bathers, with bath towels across their shoulders, pass on bicycles, making for some of the little beaches along Kilindíni Harbour.

The African look-out steps smartly across to the flagstaff and runs up a dark navy-blue flag to the Southern yard-arm: "Unknown steamer approaching from South." On Mombasa Fort, the old Portuguese relic dating from 1593, the air-blown siren groans out its message to the waking townspeople. Scarcely has the look-out returned to his shelter than he again steps to the flagstaff, hauls down the flag and runs up a string of three: "Three unknown steamers approaching from South." Again the siren brays on the Fort. So far they are only three puffs of smoke, with mastheads showing above the clear-cut line of the horizon. But what a pace! In a few minutes the signal is altered. It now reads: "Three of H.M. ships approaching from South." The two leading vessels turn in along the channel leading to Kilindíni Harbour entrance, between coral reefs over which the shallow water presents the intense emerald green that can be seen nowhere in Nature except over coral reefs in tropical sunlight. The leading cruiser enters the harbour. The second slows down and stops near the entrance. Launches are lowered and appear to be busying themselves about one spot. After a brief interval they rejoin the cruiser. A spout of water rises at the spot they have just left. The second cruiser follows the first into the harbour. The third cruiser continues on its

course across the channel of approach, and disappears Northward up the coast at the same sensational speed at which it had approached from the South.

The residential area at Mombasa launches its European population towards Kilindini Harbour. A stream of motors and rickshaws tears across the island. Meanwhile the Post Office has opened for the day. News gets about that Mombasa is isolated. The cable to Zanzibar is interrupted. The land lines to the interior only operate as far as Voi, a hundred miles away. Can it be possible that anything has happened in Nairobi? Mombasa had for long been listening, with mingled derision and boredom, to revolutionary heroics by up-country politicians. Could the fools actually have . . . ?

By the time the rickshaws reach Kilindini harbour-front the leading cruiser has got to work. She has anchored close in, and launches are towing a considerable force of marines to the small pontoon jetty which constitutes the only landing-place, until the completion of the extensive wharf on which construction only recently started. A wide circle of interested spectators faces the landing jetty: Swahilis in their long white *kanzus*; Shihiri stevedores with bare bronze bodies above coloured loincloths; turbaned Arabs in colourful national costumes; native women in wraps of blazing tints; a few Indian police in khaki uniforms with scarlet kummerbunds; the Goan staff of the Customs and Post Departments in irreproachable white duck; and the Europeans, a little group of tussore suits and pith helmets—a few of them women with sunshades. A subdued jabber of speculation in a dozen different languages and dialects, as the crowded boats discharge their companies in rapid succession up the pontoon. A few sharp orders and the swarm condenses into a column of four abreast. Another order, and it starts away from the wharf, without a word to anybody present—marines, fully armed and carrying heavy equipment. (So something *must* have happened up-country!) The semicircle of spectators opens, and the column winds through—up the steep ascent from the water-front, under the railway bridge, sharp left into the black shadows of the mango-trees across the front of Kilindini railway station, right-wheel across the extensive station yard. They are taking a short cut to the Wireless Station. These Naval men seem to know their way about! They enter the fenced compound of the Station, pile arms, stack equipment and stand easy. Naval officers converse with the

Station staff. A silent marine, as sentry at each gate of the compound. . . .

Inaction.

One man listening-in at 195 metre wave-length in the little receiving-room. But nothing to be seen by the curious crowd round the compound.

\* \* \* \* \*

A second contingent landed shortly after from the second cruiser, boarded a train at the water-front and went by rail into Mombasa. It here detrained, split into detachments and marched direct to the various foreign Consulates, at each of which a guard was mounted. Later in the morning the Commander and his staff from the leading cruiser landed, paid brief visits by car to each of the Consulates, saw the Provincial Commissioner at his office, and returned on board.

That was all.

The cable cut; the Wireless Station occupied; the foreign Consulates guarded.

No train arrived at Mombasa from the highlands that day. Railway officials were reticent. The evening passenger train for Nairóbi was cancelled.

Never had the Indian drivers of the ramshackle Fords which plied between Mombasa and Kilindini reaped such a harvest! The road was crowded all day and all evening. The entire population of Mombasa appeared to visit the Kilindini water-front once or oftener. There was no activity on board the cruisers. Their bells struck the hours. They looked miracles of unconcern. In the afternoon, and again late in the evening, launches plied again. Reliefs marched to the various occupied points, and the relieved guards re-embarked.

Quite unexciting.

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The insurrectionists in Nairóbi did enjoy some minutes of triumph when they cleared the Indian bazaar towards midday. Under strong guards of armed colonials, all wearing the arm-band of the "new Government," the occupants of the bazaar were marched down Government Road to the station. Indian shop-keepers, only a few of them managing to look at all jaunty, scared Indian women, quaint, wide-eyed little children, comically garbed

in miniature reproductions of the clothing worn by their elders—and all carrying large or small bundles of their more precious belongings—made up the bulk of this somewhat pathetic procession. Guards round the bazaar were doubled as the evacuation proceeded, and no looting took place in it. It would be the turn of the River Road area to go, next day. The large number of locomotives standing in Nairóbi yard had been found to display an amazing catalogue of defects, some at least of which must have been intentionally effected. Still, eight or ten trains had been assembled in running order. Telegraphic communication down the line was restored, and the first packed train got away for the coast with its volunteer crew of driver, firemen and guard and its overload of Indians. The loading of other trains proceeded, and a second and third soon left. But after that there was a pause. Hours passed. Engines were in steam, crews ready, the locked carriages crowded, sentries on duty alongside. But nothing else left that day. The first train had been stopped, some 23 miles away. More than a quarter of a mile of rails had been found to have been lifted, carried away and hidden in the bush or buried. Telegraphic information came from Insurrectionists who had raided wayside stations farther down the line: the gangmen's huts were empty; the permanent-way staff had disappeared; the line was hopelessly breached in a number of places, chiefly round curves. There could be no running that day. There was nothing for it but to return the packed trains to Nairóbi and detrain the cramped deportees. There was no shelter for them at Nairóbi—except in their own quarters in the bazaar. They were marched back to the bazaar! Their guards could not escape the feeling that they were cutting a ridiculous figure. And it was the Government—the dispersed and arrested Government—that was making them look ridiculous! Heroes who can shatter opposition cannot invariably survive ridicule. Critical townfolk in Nairóbi quoted the case of the Grand Old Duke of York, who had ten thousand men . . .

The bottom was dropping out of the insurrection!

The Insurrectionists were clearly going to be under the necessity of patrolling some 600 miles of railway and 2,000 miles of roads if they wished to keep communications open. There was almost complete abstention of the Civil Service personnel from their movement. Some individual officials whom they had been relying on as certain adherents emerged as their most

energetic obstructionists. "All's fair in love and war," and since the Insurrectionists had been plotting treason for months, there was no ground for complaint in that some of the officials had met them on their own level. There was no revolutionary activity in Mombasa Island. Work proceeded there as usual, except for the enforced isolation from the outside world.

On the second morning there were two ominous indications in Nairóbi of distrust in the Insurrectionary cause. The newspapers appeared without leading articles or appeals of any sort. They merely contained news. They were not aiding or abetting the movement. All liquor bars, with the exception of one small saloon of rather disreputable history, remained shut. Licensees were not risking their licences, and their commercial future, by disregarding the deposed Government's edict. This created a profound impression. There were wholesale abstentions on the part of men and boys who on the previous day had been active adherents. The Insurrectionary leaders, in promoting their own economic and political interests ruthlessly throughout a long term of years, had not, of course, failed, at the same time, to create personal hostilities in many directions, and these now flared up in angry obstruction of their aims. "Intelligence" leaked from their councils to Government officers, as it had done since the beginning of the movement. Street meetings, hostile to the Insurrection, attended by hundreds of Europeans, were held at different points in the town during the day. Government officials were prominent at these. The prevailing note was one of ridicule—there were no brains of sufficient quality behind the Insurrection to afford it any chance of success. How could it carry on without whisky?—and much that was personal and damaging. As the result of suggestions made at these meetings, townsfolk in hundreds signed declarations, addressed to the O.C. Troops at the Lines of the King's African Rifles, placing themselves at his service in any steps he might see fit to take for the restoration of the *status quo ante*. He apparently saw fit to take no steps.

A limited telegraph service had been established by volunteer staff at the G.P.O. A strict censorship was attempted on both inward and outward messages. Mombasa office, though in "loyal" hands, was sending messages up-country. News leaked through during the day that the Union Castle liner, which was expected just then with a large direct mail from

London, had appeared "to time," but had been met in the channel by a launch from one of the cruisers. The liner had turned round and headed South for Zanzibar; the launch had returned.

The port was blockaded! That fact provided food for reflection upon present heroics and future prospects: upon the alternatives of secession and prosperity: upon chaos and commerce. It invited disquieting comparisons between the Insurrectionary G.H.Q. and the British Government. All dhows in Mombasa Harbour had been visited from the cruisers, and all had left. The Port Office tug *Mvita* and the small coasting steamer that ordinarily lay in Mombasa Harbour had passed round to Kilindini and were anchored up-harbour, behind the cruisers; otherwise both harbours were empty. The third cruiser had reappeared from the North and passed slowly Southward, far out at sea.

At the inland end of the railway all the vessels of the Uganda Railway Marine had left Kenya ports and steamed across the Victoria Nyánza to harbours on the Uganda side, where they were lying at anchor.

The High Court remained open, and no interference with the Judiciary was attempted by the Insurrectionists. It received a flood of applications, in a wide variety of connections; for injunctions against the raiders. Much comment was roused by rumours of a claim by the Government of the Uganda Protectorate against "the Kenya Government" for damages and compensation for stoppage of trade, interference with Administration, interruption of mails and other services, and other "collateral disturbance"—whatever that phrase might ultimately be interpreted to mean. The foreign Consuls also lodged claims of varying degrees of seriousness, addressing copies both to the Officer in Charge of Troops, at the K.A.R. Lines, and to the Chief Justice.

It was known in Nairóbi that the American Consul had convened a meeting of all the foreign Consuls, after which they had visited Insurrectionary G.H.Q. together. There had also been a meeting of the Consuls at the American Consulate with all the bank managers. In the commercial world resentment against the raiders grew. Street meetings became more outspoken. "Rescue the Governor!" became one of the catch phrases. There were hostile demonstrations in front of Insurrectionary G.H.Q. The orderly and well-affected masses of

the European community would ultimately have the privilege of paying for the antics of these raiders. A Constitutional Group assumed form, and its followers grew rapidly in numbers. The leaders of the Insurrection visited and left G.H.Q. only under strong guard of their supporters. And these were dwindling. The end was approaching.

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Leading Mombasa residents had visited the senior cruiser. The Commander had politely declined to meet anyone except the Governor of the Colony.

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Neither trains nor messages were allowed to pass the border into Tanganyika Territory. Representatives of G.H.Q. did, however, get through to Tanga by car. Naval staff were in charge of the Post Office, Customs House and Port Office! Dhows had to obtain a permit to leave or enter the harbour. *There was a cruiser patrolling outside.*

If the Insurrectionists had some historic and compelling gesture to make to the great world overseas, they were clearly experiencing some difficulty in making it.

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If anyone had wanted an illustration of the quality of the Administration staff in the Colonial Service in Kenya it was to be had, plainly enough, during these few days. The Black Telegraph, which at times outstrips the electric one, appeared to work unerringly. Simultaneous movements of raiders upon distant and isolated stations were, in the first case, seriously disarranged by the cutting of land lines and the blocking of roads. In anticipation of a disordered telegraph service, the Insurrectionists had arranged light signals across certain stretches of country, but precisely in these areas heavy bush fires had sprung up at sunset on the day of the rising. Smoke and flames effectively blanketed the signals. Raiders waited at appointed posts, with growing suspicion and uneasiness, for comrades who were late. The European raid, for swiftness and efficacy, depended on the motor-car, and one hour's work at well-chosen spots would block routes sufficiently to necessitate hours of work to reopen them. When



the " station " was finally approached, discoveries of varying type were made. Some were roughly but effectively fortified, and so strongly held as to be unassailable without serious bloodshed : so they were invested without further molestation until instructions might come through from G.H.Q. at Nairóbi. For the most part, District Commissioners had just left or had been away for some days, in the Native Reserves. The rebel officers in one district never joined their insurrectionary commando at all. *The District Commissioner had swooped first*, captured them at their homes and disappeared with them into untracked forest in a mountainous part of his district. They were not seen or heard of until the insurrection was over. No attempt was made to trace or round-up these Administration officers. They performed legendary exploits in the patrol of their districts. To hundreds of thousands of Africans *they* were the Government, whatever might be happening on " the Hill " at Nairóbi. There was no looting, no excitement. Many Indians whose arrest had been intended had also faded into Native Reserve. Administration officers directed their movements. The Insurrectionists had other things to do than to venture into Native Reserve, where a fugitive Assistant District Commissioner might so easily become a swift assailant at the head of a sable host, of nightmare potentialities. More than one rebel patrol vanished off its beat during the first two days—to turn up sound and well when subsequently released after the insurrection was over. All the captures were not on one side by any means. And the day-and-night *shauris* with distant chiefs, with excited clansmen, went on unceasingly ; advice, instructions, the heavy hand of " Government " for any infraction : confident but sympathetic grasp : the Right Thing, being done without text-book or letter, of instruction. Low whistles at dusk outside a Mission station : " Road clear : no rebels." The District Commissioner comes striding out of the bush, a lean figure in khaki. A short conversation with the missionary and his wife. (Some quiet laughter under the starlight.) A hasty meal on the veranda. Next morning, at sunrise, a village headman 25 miles away is receiving the orders of Government *from the same officer*. Native masses on their best behaviour. The spoken word, from the *Bwana* himself : on native paths : in sun-baked villages : in the long shadows of sunset : in the blackness of night, by small camp-fires, suddenly quenched and deserted after a brief halt. And in every direction

—communication by the Black Telegraph. Control—concerted, complete.

British Administration—“ carrying on ” in an emergency. Rather regardless of rebels, on the whole. All in the day’s work, anyway.

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It was a game effort on the part of four men from Nanyúki to get into touch, on behalf of Insurrectionary G.H.Q., with the outside world by striking Kismáyu, overland, by car. On getting there, across miles of waterless desert, they would have to choose their moment, raid the Post Office wireless station—the only wireless transmitting set that was publicly known of at that time in Kenya beyond the big one at Kilindíni—eject the staff and hold it, at the point of the revolver if necessary, until they could get the Insurrectionist Message through to some passing steamer at sea, and so to Europe. Three cars were to start, laden to their fullest capacity with petrol, stores and radiator-water. First one, and then a second, would be abandoned. The third *should* reach Kismáyu, carrying all three drivers, the volunteer wireless-operator and the residue of petrol and water.

Leaving a trail of empty containers of petrol, oil and water—every ounce of useless weight being instantly discarded—toiling across patches of loose sand on unrolled strips of canvas, draining the radiators of the abandoned cars in turn of their last precious drops of water, manœuvring through leagues of thorn scrub, wielding axe and shovel, four terracotta-coloured men did finally roll up to the wells of Afmādú, and so along the good military track into Kismáyu. “ Where had they blown in from? Nanyúki? That was a sporting effort.” . . . (Mad exploits of this sort, by car, are quite commonplaces in Kenya, however.) “ Had they heard the news? When did they leave Nanyúki? There was a giddy old rebellion on! Yes, really! A cruiser had come up the day it started; anchored about a mile out and sent in a party. The Provincial Commissioner had been taken off by launch for a long *shauri* with the Commander. He wasn’t giving much away, though. Naval officers had gone over to Gúmbo across the river and interviewed the Italian Commandant there. After a stay of a few hours the cruiser had gone off South again. . . . No. Dhows were no longer allowed to come in to the anchorage. Water Police put off and sent them on South—to

Zanzibar. Kismáyu was properly cut off now—in the jolly old middle of nowhere. . . . No. They had heard nothing since. The Italian wireless was said to be out of order, and the cruiser's party had stripped our wireless station of all its removable gear. They must come along to the Club, anyway, and have a . . .”

\* \* \* \* \*

The third night was a sleepless one for the insurrectionary leaders. The Constitutional Group was receiving adherents every hour. The most exciting day in Kenya's history started with a tense quarter of an hour just before sunrise. The K.A.R. were moving!

It was, however, a leisurely and unexciting movement: nothing retaliatory. Something like a route-march. No band; no bugles. Only the rhythmic swish of sandalled feet on the macadam roads—a marching column which shed two European officers and 40 Sudanese at each of the banks, where they mounted guard, as impassive and uncommunicative as ever. Presumably they were ensuring against any brief flare-up of anarchy as the rebellion fizzled out.

Sixth Avenue began to fill at an early hour. Crowds of men collected round the lofty premises of the largest commercial firm there, which had become the headquarters of the Constitutional Group. Moreover, these men carried rifles and wore the white arm-band of the new anti-rebel movement. The end was in sight. Fleets of cars collected. Messengers passed repeatedly to Insurrectionary Headquarters and back. An ultimatum, said some. So it was. The restoration of Government—or reprisals. Civil war, in fact—with that unknown quantity, the K.A.R., still holding its hand.

The public services of the town and country were hourly foundering in increasing chaos. The machinery of State had been dislocated by shallow men, deceived by their own self-importance, who were quite unable to restore it. The equipment for a counter-raid, against themselves, was now collecting before their eyes. Before midday the end came. Capitulation, unconditional. Dispersal to their farms, to await what might happen to them. A final fan of messages was sent out from the G.P.O. to district commandos, and the raiders melted from the scene.

Meanwhile a huge fleet of cars had poured out along the Fort

Hall road—to bring the Governor in, of course. His own car had been seen leaving the town by the Ainsworth Bridge : no one in it but the Government House chauffeur. A couple of hours passed. The crowds grew in density. The returning escort could be heard when it was as far away as the race-course. The K.A.R. detachments at the banks relinquished guard and marched back to the Lines, from which barbed wire had now disappeared.

The approaching fleet of cars maintained a constant blare of horns. An unceasing roar of cheers swelled and sank and swelled. The cars came down to walking pace. Sixth Avenue was almost impassable, a kaleidoscope of colour—natives, Indians, Europeans, Somalis, cheering, waving. Every window open and full. There was a chorus of locomotive whistles from the railway yard. The bells of All Saints' and of the Roman Catholic Cathedral were crashing in with their quota of noise. A nightmare was being lifted from all these people ; a strange emotion of joyousness was abroad. There was an immense demonstration outside the American Consulate—geniality gone a bit frantic. Everywhere flags had appeared. The town was in gala dress. The procession wound up the hill to the entrance gates of Government House, where the crowd halted and gave three thundering cheers as the car, with the smiling Governor sitting beside his impassive Aide-de-Camp, sped away up the long drive. The Union Jack was again run up the flagstaff in the middle of the front lawn. Round upon round of cheers, and then a slow dispersal of the enormous and excited crowds. All was well. *The Governor was back.* The country had emerged safely from a ludicrous “ rebellion.” . . .

(Poor devils !)

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Towards sunset Government House car was again seen on the roads. Only one brief call—at the K.A.R. Mess.

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Down in Mombasa Island naval detachments from several localities converged upon the pontoon jetty at Kilindini and went on board the two cruisers. Anchors came up. They passed slowly down the winding harbour and stood out to sea. A third

cruiser, having discontinued patrol duties, passed, going Northward up the Coast. All three disappeared, in leisurely fashion, over the horizon.

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It was an inspiration on the part of the Governor to have that Garden Party at Government House on the next day but one. Never had Nairobi known such an exuberant function. To a new note, moreover. A general public invitation. Again a satisfying feast of colour. Everybody was there, so to speak. So was the new spirit. Intentional considerateness. Spontaneous and unshakable geniality. Europeans, Americans, Goans, Indians, Arabs, Swahilis, Somalis exhibiting more than mutual toleration. Courtesy unflawed by assertiveness. The senior officials were all back, loud in their praises of the hospitality that they had enjoyed during their enforced residence on distant farms. The Aide was making earnest inquiries about the identity of two men, to each of whom he must have given a black eye. The Postmaster-General was replying quizzically to sallies as to the effect of his arrangements upon the course of recent events. Large numbers of the ex-raiders were present. A Government Notice the previous day had proclaimed a General Amnesty for all participants with the exception of five ringleaders, whose names were given, and who had already been arrested. Their trial was to take place in London later. Those of their followers who were present almost lost their traces of awkwardness in the cordiality of the terms upon which they found themselves with everybody—from the Governor downwards. There were no jibes going about. After all, we are all liable to make mistakes, especially under foolish leadership. Bygones had suddenly become bygones. Residents were willing to take fellow-residents *as they found them*, without harbouring convictions of inescapable repulsiveness on the part of others. All these people had suddenly become—"East Africans." Violence had suddenly been lifted from the internal relations of this virile colonial admixture of groups. The sporting spirit had emerged, as it was bound to do sooner or later, from the bonds which the vanity of incompetents had sought to impose. Poor little Kenya Colony, for so long a sufferer from Enlarged Spleen and a Disordered Liver, had reached the crisis of her disease, had an operation—and *recovered!*

**The suddenness of it all !**

And the Home Government, with that Heaven-sent intuition which is so uncanny in its operation and so amazingly wholesome in its results, the intuition, reinforced by long and unique experience, which lets it know when to back “ the man on the spot ” and when to check him, had once again done the Right Thing, after all.

But the inspiration for plunging into that particularly daring, and equally successful, adventure had occurred to the man on the spot, the man who had the job to do.

So much for skill at Poker !

## CHAPTER XXIII

### THE ISSUE

O brave men and fair women !  
Ill comes of hate and scorning.

J. G. WHITTIER.

IN a community such as previous chapters have described in outline, Indian merchants, workers and professional men had the temerity to suggest that they should be allowed a pronounced share in discussions leading up to the framing of legislation and to the allotment and spending of public funds. As a class they were necessarily critical of European methods employed, and of European privileges enjoyed, in the Colony, and criticism was about the last thing that the colonists could stand. It can scarcely be a matter of surprise that among such a class of frankly acquisitive Europeans as had in the course of years attained to a substantial though undefined measure of control of affairs, any such demand was foredoomed to the most emphatic and uncompromising hostility. It was by no means difficult to work up a large measure of hostility. It has to be recognized, on behalf of the colonists, that the East was presented to them in its most unattractive guise. The picturesque settings of India were absent. In their place were the corrugated iron shanty by the roadside ; the cheap, insanitary and utilitarian structures of a congested bazaar. The lithe daughters of Hind, moving, magnificently attired, in the highest circles in the land, were not there—even to be looked at. Instead there was the trader, courteous but cute, a master at his calling, a trifle obsequious but nevertheless self-reliant and successful ; in some ways a rival, and even, in cases, a disdainful rival. Outside the merchant and professional circles, most of the working Indians were poor, and many of them disregarding of appearances and of cleanliness. It was the East with *all* the allurements left out. If of British stock, one had to be a sportsman or a statesman or a Christian not to acquire a prejudice against it, and there existed in the Colony a large collection of Europeans, perhaps a thousand or two out of the total of nine thousand odd whites, who were

wrong in imagining themselves to be either sportsmen or statesmen, and whose Christianity was, at any rate, of a specialized type, now passing out of vogue in educated circles. So the anti-Indian agitation is not altogether inexplicable; nor is the course it took remarkable. Aesthetic influences, to which adventurous spirits as a class are perhaps unusually susceptible, did not operate. Economic influences contained an element of menace, or at any rate of competition. Ethical considerations were easily disregarded. The result was the Kenya Indian Question, in the form in which we now know it.

The gravamen of the charge levelled against the Indians in Kenya was that they competed with the natives and prevented, or at any rate retarded, their development. It will be well to consider this first.

Undeniably the Indian managed practically the whole of the internal trade in manufactured goods with the natives. A certain small volume of trade in livestock, principally sheep and goats, was carried on with native tribes by Europeans, or by Somális, Swahilis and others, some of them acting as agents for Europeans. The sale of trade-goods to natives in Kenya was, almost entirely, conducted by Indians. If there had existed an African shopkeeper class, it would have been possible to say, with some show of reason, that the Indian, with his greater commercial experience, might, or did, undercut the African and put him out of business. That was not the case, however. It never has yet been the case that the native as a class in Kenya has taken up trade in imported goods, though there is nothing to stop him from doing so. He has conducted *barter*; that is all. Indenting on wholesale houses, dealing with importing and forwarding agents, facing delays in supplies by ship and train, the awful mysteries of "General Average," the arrangement of road transport, and, finally, the holding of a varied stock for a prolonged period—during which turnover takes place on a small margin of profit, which in turn is invaded by losses of perishable food-stuffs, by pilferage and miscarriage of orders—the whole comprises a routine which any well-informed student of the nature of the East African of to-day knows to be entirely unattractive to him. He has never been taught commercial methods either by missionaries or Government. Whatever the Indian's attitude has been, it has not been one of strangulation of African enterprise. On the contrary, it has been an object-lesson and an



incentive to which the African has not, up to the present, responded in any marked degree. If Europeans had, from the first, conducted trade operations to identically the same extent, we should be hearing nothing but appreciation for the stimulus that they were supplying to backward native tribes, and of the concomitant trade facilities which the latter were enjoying. Europeans have tried it—in some cases with conspicuous non-success. If an abrupt clearance of the Indians had been effected by the insurrectionary forces, one certain result would have been that the native tribes would have suddenly ceased to receive many supplies to which they were becoming accustomed, and the volume of trade would have abruptly declined, with an accompanying reduction both in railway earnings and Customs revenue in the Colony, and in the volume of trade orders from overseas received by exporting houses in Great Britain. In so far as a less sudden clearance of Indians is effected by lock-out from shop-sites on the part of landed proprietors in the highlands, by organized terrorism and menace, and by immigration restrictions, the same results will be in evidence, though developed at a slower rate. It has been, and still is, the Indian who delivers the goods and pushes trade in the interior of Kenya.

According to the Census of non-natives in 1921, there were 937 Europeans and 5,733 non-Europeans engaged in commerce. The Europeans are accounted for, in the main, by the personnel of wholesale houses, of the forwarding, lighterage, importing and transport agencies, and the staffs of shops and stores in the towns. Of the non-Europeans, the Indians numbered 3,942 and the Goans 426. The latter are almost exclusively shopkeepers in the towns. The remainder, numbering 1,365, included 1,326 Arabs and 39 others. The dealer with the individual African, by sale or barter, was, and is, overwhelmingly the Indian trader.

No one who has had practical experience in teaching the East African native, and few who have made less intimate acquaintance of him, can doubt that adequate training will enable him to conduct the minor trade operations of handling imported goods and exporting local products; but he has not reached that point yet.

The principal occupation of native tribes in Kenya is agriculture. A very large number of natives engage in this in the Reserves, and some scores of thousands work for wages upon European estates. In neither of these callings is the Indian any

competitor to them. Where the African works on his own holding, the Indian is neither a handicap nor a competitor to him. On the contrary, he is the principal purchaser of native agricultural produce, for resale or for export. A small section of the native population, represented by eight or ten small tribes, are stock-raisers and ranchmen—some of them on a very large scale. With them the Indian competes in no way. On the contrary, he provides for them a market for hides. A still smaller section of the population lives by hunting; their principal food is honey and the flesh of game animals. To them also the Indian is no competitor.

It can be correctly asserted that, in the principal tribal pursuits of the natives in Kenya, the Indian is not a competitor, but a valuable accessory in the marketing of their surplus produce.

In the all-important commodity of land, the Indian has not been such a despoiler, nor has he been guilty of so much encroachment, as has the European. In earlier years when Indians outnumbered European settlers by 60 or 70 to 1, they contented themselves by acquiring properties in towns, or upon already developed plantations at the coast, where enhancement of price was likely to be rapid, and increased returns certain. The Indian, as has already been pointed out, was in the country mainly as a small trader, intent upon an early return upon his outlay. By the time that agricultural land in the highlands began to exhibit speculative values, discrimination against the Indian buyer was already being exercised by Government, largely at the instigation of European landholders.

It is open to the Indians to claim that even when they had full opportunity to do so they did not encroach, to any material extent, upon native landholders. It is open to the European to retort that, when once the value of agricultural land in East Africa was established, it was only concerted and resolute action by Europeans which kept the Indians off it. The Indian agitation of recent years for land in the highlands turns upon its value as a negotiable trade asset of high speculative value, and also upon Government's refusal to grant it. This has been construed as an intentional slight, imposed at the instance of trade rivals who wish to limit, upon racial considerations, the emergence of competitors, who would, on the one hand, share some of the profits accruing in land speculation, and, on the other hand, reduce the profits of existing landholders by diminishing the senti-

mental value which is thought to attach to land in a wholly "white" area.

The Indians in conducting their large volume of trade in the country have employed very many thousands of Africans, in various minor capacities. When Europeans, from their large labour forces, select promising natives for semi-skilled jobs or minor positions of authority, it is claimed, very rightly, that they are assisting the African in his industrial advance; that they are an educational influence in the Africans' midst. When Indians do precisely the same thing, it is held to prove, to parties of racial bias like the Political Machine, that they are obstructing the economic advance of the native, that they are exploiting him. Education and exploitation are alike there in both cases, and only parties of extreme self-assurance would undertake to define the degrees of detriment and of assistance respectively prevailing in any special case. Indians are to be found who have had the same Africans in their employment for twelve years and more, during which period the latter have advanced in capacity and usefulness to a marked degree. So also are Europeans. The economic advancement of the native has been fostered by both. The balance of advantage to the African from the help given him by the European and the Indian settlers respectively is a subject upon which no full and impartial statement of the facts is procurable. Both are immeasurably below the value of the services that have been rendered to him by the missionaries. A partisan in either racial camp is at liberty to make extravagant claims because in most cases they cannot be disproved, and therefore proof of falsity does not discredit his judgment in the minds of readers or hearers.

The European protagonists imagine themselves to be on firmer ground in attacking the record of the Indian skilled worker in the Colony. There is, however, even yet, no trained African artisan class in Kenya, as there is on the West Coast or even in Uganda. Indian artisans have been working in the Colony and Protectorate during the last 40 years, both in the Government Service and outside it. If throughout that period no Indian artisans had been procurable in Kenya, it only remains to be asserted that the considerable exhibit of development which the Colony to-day presents would not have been achieved if African labour alone had been relied on. The European must either cease alluding with pride even to the comparative degree of

development which is to-day visible, or else he must admit the share which the Indian artisan and contractor have had in bringing it to pass. The average European, of course, does the latter. It is left to the imaginations of the "Comic Commissioners" of 1919 to claim that it was the presence of "the 7,000 whites of British East Africa and Uganda, the population of a small English town, starting from insignificant beginnings," which had "sufficed to provoke an overseas trade of £6,098,835 (1914 returns) in the short space of 13 years"; also that the whole of the increase in the value of the exports (between 1914 and 1917) is "the result of planting, farming and mining activities initiated and controlled by Europeans."

In the Census published in 1921 the number of Indians classified as industrial was 3,024; there were also 337 Goans. Undoubtedly there have been individual Indian skilled workmen who have displayed an antagonistic attitude to proposals for, or attempts at, instructing Africans in their trades. The attitude is not only a phenomenon, but a rare phenomenon. To quote such individuals as illustrative of a class-attitude on the part of Indian workmen is exaggeration. Every employer of skilled labour, on anything but the smallest scale, knows of Indian artisans who not only are willing to teach Africans, but who also take a pride in the progress of their pupils. To glorify this attitude as the prevailing spirit among Indian artisans would be equally misleading. It is nothing of the sort. The average Indian artisan's principal interest in his work centres upon the approach of pay-day, and he works without troubling himself about ultimate racial developments. There has never been any organized action by Indian artisans in the Colony, obstructive to the emergence of an African class of trained artisans. There can be no question that, as the African artisan emerges in sufficient numbers, at the same time exhibiting equal or sufficient application and dependability of behaviour, he will undercut and displace the Indian at every turn. Immigration restrictions are the last thing that are needed. Mr. Shams ud Deen, formerly a Legislative Councillor in Kenya in 1922-23, and himself an employer of native labour, writing in 1924 as the representative of the considerable Asian staff employed on the Government railway system in Kenya, said: "The Indians have never raised objection to the training of Africans to fill positions at present held by them. . . . In point of fact, the Indian has materially and actively helped to train Africans in

all workshops, and Indian contractors and builders in Kenya employ African skilled labour in preference to Indian. This is not altruistic regard for the African native. It is the operation of normal economic influences."

The competition of the Indian with the African in skilled trades, modified as it is in some cases by a concomitant influence helpful to African participation in such trades, presents no element of discredit to the Indian. Its persistence to-day is the outcome of prolonged disregard by Government of the duty of educating the African in skilled trades, and of entire lack of pressure, during the first ten years' sessions of Legislative Council, by those non-official Europeans who year by year were concerned in the discussion and passing of the Colony's budget, for the adequate grant of public funds for providing such education. The Public Works Department, as the result of representations made by the Director in 1907, was allowed to establish a Training Depot under a skilled European Instructor, for teaching Africans carpentry and joinery, but the output of boys after a three years' training never exceeded 50 per annum, while the cost of such training, although it amounted to less than £30 per annum per boy, of which a considerable proportion was recovered in the value of articles made, was frequently adversely criticized by unofficial members of Council. Nearly all the trained boys were taken into the employment of European firms or estate proprietors, where their future progress depended largely upon the scope of work undertaken by the employer and the degree of sympathetic interest taken by him in the improvement of the workman. This P.W.D. Training Depot was maintained, with an interruption during War years when the apprentices for the most part went to the front in German East Africa, until 1924, when it passed, with an increased provision of financial support, under the charge of the Education Department.

In the professions there is no competition between Indians and Africans, but there is some slight degree of it, in Kenya's tiny professional world, between Indians and Europeans. Outside the considerable professional personnel of the Government Service, the 1921 Census showed only 253 non-native professional men and women. Of these 204 were Europeans, in the following categories: Lawyers 35, Doctors and Dentists 30, Clergy 66, Civil Engineers 22, Architects 11, Trained Nurses 40. The minority, consisting of 8 Lawyers, 13 Doctors, 4 Clergy,

22 Schoolmasters and 2 Nurses, comprised 40 Indians, and 9 Goans and others. (It must be remembered in reading this list that a large proportion of the schoolmasters and schoolmistresses, doctors and nurses in the Colony are included in the group, numbering 956, of European men and women in the Colonial Civil Service in Kenya.)

There remains this Government Service to be considered. No Immigration Ordinance is required in order to control the composition of the Government Service in Kenya. The Secretary of State for the Colonies can post his own selection of officials to it, and he can also remove any official, without reason given, whenever it is considered to be in the public interest to do so. The excited forecasts, which the spokesmen of the Political Machine indulged in during 1922 and 1923, as to inevitable Indianization of the Public Service in Kenya are thus seen to be, as every one who paused to think knew them at the time to be, nothing but intentional self-deception, or attempted deception of others.

It can scarcely be doubted that many of the European colonists in Kenya have had their impressions of Indian character coloured by contact with the Indian station-masters on the Uganda Railway—and these are a special class. Attachment to a career under Government, with the prospect of pension or bonus at the end of it, seems to render them, as a class, submissive, and prone to fall back upon higher authority in all difficulties. The classical example of this attitude is the telegram sent to the District Station-master at Makindu, late at night, from a wayside station further up the line :—

“ 28 Down train whistling at station points (stop) Lion roaring on platform (stop) Please arrange.”

Outside his own well-known routine, he is liable to make miscalculations. In the early days of the War, when the Uganda Railway was being repeatedly mined and blown up by German sapper parties, there was received at Kilindini, from a station on the edge of the Taru Desert, the message :—

“ German force 700 strong reported marching on railway (stop) Send rifles first train and 700 rounds ammunition.”

In the absence, for generations, of any form of active trades union protection, he has been liable to fines and stoppages which

have often been unduly severe. This militates against the exercise of responsibility, and leads to dependence upon orders rather than to power of independent action. As an illustration of this, another telegram may be quoted—from a station near Nairóbi :—

“ To D.S.M., Nairóbi.

Dead European sportsman, killed by lion, brought on station for forwarding Nairóbi (stop) Shall I consign at goods rate or passenger ? ”

It is mere prejudice which allows some Europeans to dwell upon the peculiarities of a few members of one useful and hard-working group, without at the same time recalling that there have been Indians in the Government Service in Kenya as District Station-masters, permanent-way inspectors, and on the medical, veterinary, engineering and other staffs, who have been men of outstanding capacity and resource.

At the time of the 1921 Census, the Government Service comprised 956 civilian Europeans, of whom 90 were women, and 112 military appointments which included three women. The non-Europeans in the Government Service numbered 3,325 civilians, of whom two were women, and 30 appointments in the military forces. All the higher posts on the civil and military sides were filled by Europeans.

The number of Africans in the Public Service apart from messengers, labourers and workers in menial occupations is increasing but slowly, although Heads of Departments have striven patiently to train and retain them. The King's African Rifles and the Police Department contain large numbers of Africans. Hospital orderlies, laboratory assistants, clerks and typists, forest orderlies, telegraphists, linotype operators, book-binders and printing press hands, sailors, firemen, engine cleaners and tenders, motor drivers and mechanics, workshop hands and machine tenders in considerable variety, telephone operators, telegraph linesmen, game scouts, entomological collectors, survey hands, port and harbour staff, stokers, painters, Court interpreters are all to be found—numerous tribes being represented. There is no question about the willingness of both senior and junior officials in the Public Service to employ Africans whenever possible. The only danger is that some of them, with an excess of interest in the advancement of the African, may be tempted to

substitute Africans, of not quite mature training, for non-natives at a slightly too early stage—to the loss of efficiency, and in some few cases to the danger of the public. The replacement of non-natives by natives in a wide range of callings is inevitable. It only remains for Government to see that in the Public Service this is conducted with judgment, and with scrupulous fairness to displaced employees—many of whom have already spent their best working years for Government in the Protectorate and Colony.

That the Indian in Kenya deprives the African, or is going to be able, even if he were anxious, to “deprive the African of his birthright,” is a fable. What the term “birthright” is precisely intended to comprise, in the mouths of the European “politicals,” is not altogether clear, but undisturbed and peaceful possession of tribal land is clearly not one of the constituents. The election manifestos of the Reform Party issued in January 1924 and December 1926, both comprised, as one of the Party’s aims, *the alienation of all remaining Crown Land*, and during June and July 1924, several questions were asked in Parliament as to a projected grant, to members of titled families in Kenya, of a further 100,000 acres of land in the Northern Frontier Province of Kenya. This had been a “closed area,” where native rights to the land had never previously been assailed.

The charge against the Indian of being a menace to the welfare of the African may be dismissed as a laborious invention. There remains for consideration “the Europeans’ fear of being swamped.” This fear is still cherished, and was paraded in 1922–23 with every evidence of panic. Reduced to words, it implies that Indians might prove to be such capable administrators that the Colonial Office, pressed by the India Office on one hand and unable to deny the superior capacity of Indians to Europeans on the other, would have posted numerous Indians to positions of authority in the Government Service in Kenya before the grant of responsible self-government was made to the Colony. When this grant was finally made, Indian electors on the one hand and Indian officials entrenched in responsible positions on the other, would influence the course of events to the extent of reversing the policy of exclusion which the Europeans were then doing their best to maintain against the Indians. The reprisals of the Indians would inevitably succeed, and Africans would be left to the tender mercy of an Indian administration—to their



fatal disadvantage. Strangely inconsistent with this forecast, was a parallel one, which was urged with no less assurance, that if British control were relaxed, the Africans would cut the throats of every Indian who could not escape from the Colony in a week. The latter view claimed quite a lot of adherents, as it was more disparaging to the Indian than the former one. It was, incidentally, an atrocious slander on the intelligence and humanity of the local Africans—a bit of political inventiveness of more than usual turpitude. Nevertheless, anyone who held either of these views, or an admixture of both in any degree of mental confusion, was a welcome recruit to the anti-Indian movement at the time.

It must be borne in mind, with regard to any possible Indianization of the Service, that there arises not only the question of the suitability of individual applicants for appointment to it: there is also the need for smooth and efficient team-work by the personnel of the British Government's staff in each tropical Dependency. If the British Government considers that this team-work might be jeopardized by racial admixtures, it may with a clear conscience, disallow them. If a policy of racial admixture is urged from sheer contumaciousness, that fact alone prejudges and condemns the success of the move. The discharge of our responsibility to Africa, honestly pursued, need not be deflected by the criticisms of others.

. The British race is not the only one in the world's history with a record of successful colonization. Others have preceded it, left their mark on the life of men and declined to comparative passivity. Others no doubt will follow, and make far different history from that of the British Empire as we know it to-day. One circumstance which renders British Colonization unique in history is that it has been the last wave of colonization to move over the territories of uneducated peoples. The control of simple folk who can neither read nor write has developed qualities, many of them admirable, which however are not necessarily going to be equally successful in dealing with educated people. The exploits of the British nation will probably never be equalled, partly for the reason that they will never be copied. If in the future march of mankind, any other race does eclipse our record, it will have peoples to deal with among whom ideas can circulate *quickly*. Conditions are changing, and methods which were of easy application have, in one portion of the world's surface after another, become unworkable in a short term of years subsequent to the

introduction of the printed sheet, combined with even a slight spread of the art and practice of reading. Sympathy, understanding and adaptability to changing conditions have become the essential factors in the continuing influence of those nations whose principles are moulding the lives of mankind.

The British Empire, in spite of the considerable element of demoralization from which so many of those on its fringes suffer—the payment of their part of the price—has established a record of beneficent work among the races of mankind which must remain to its credit when the indictments for rapacity, self-seeking and arrogance have shrunk to their proper proportions. Instances of all these failings are numerous enough. They serve to indicate that the frailties of human nature cannot altogether be eliminated even among men and women who are embarked upon high enterprises. They are not, however, the motive force behind the movement. Viewed in correct perspective they are unimportant elements of default : of failure to live up to a high ideal. It is true that they may imperil the structure of Empire. It is only in so far as there is, among those who, strenuously and according to their lights, work to uphold it, an admixture of choice spirits who hear a clear call to righteousness of behaviour and have the audacity to make an attempt to practise it, that the structure stands, and resists disintegration. To many an artificer upon this Great Project, the words of Ruskin upon England's mission still appeal alike as a warning and an inspiration :—

**“ This is what she must either do, or perish : she must found colonies as fast and as far as she is able, formed of her most energetic and worthiest men ; seizing every piece of fruitful waste ground that she can set her foot on, and there teaching these her colonists that their chief virtue is to be fidelity to their country, and that their first aim is to be to advance the power of England by land and sea ; and that, though they live on a distant plot of ground, they are no more to consider themselves therefore disfranchised from their native land, than the sailors of her fleets do, because they float on distant waves. So that, literally, these colonies must be fastened fleets ; and every man of them must be under authority of captains and officers, whose better command is to be over fields and streets instead of ships of the line ; and England, in these her motionless navies (or, in the true and**

mightiest sense, motionless *churches*, ruled by pilots on the Galilean lake of all the world), is to 'expect every man to do his duty'; recognizing that duty is, indeed, possible no less in peace than in war; and that if we can get men, for little pay, to cast themselves against cannon-mouths for love of England, we can find men also who will plough and sow for her, who will behave kindly and righteously for her, who will bring up their children to love her, and who will gladden themselves in the brightness of her glory, more than in all the light of tropic skies."

The Kenya politicians, in giving way to hysteria as to the impending overthrow of British domination throughout our East and West African and other Colonies and Dependencies, proclaimed themselves as hardly of the class of those who in the past have written proud pages in Britain's honourable record of colonization. They came to a country where the major handicaps to settlement had already been removed for them by paid servants of the British Government. They were of poor fibre, these screamers of disaster. They were an annoyance and an object of derision to the more stable and less vocal mass of their compatriots in the Colony. The Indian's rôle in the Colony has been described with sufficient detail. He has been useful and industrious and, on the whole, prosperous as a trader and commendably law-abiding. But he has played no heroic part. He does not claim to have done so, though Indian troops had a conspicuous record for usefulness during the early days of Government, in the Uganda Protectorate in particular. The allegation that the Indian never, within historical times, penetrated beyond the area in which British authority and influence had been established by British officials is, however, disposed of by the fact that Professor Gregory, whose adventurous exploration has been alluded to, found an Indian trader installed at Njemps, on the shore of Lake Baríngo, in 1893—some 500 miles from the coast. Throughout the Imperial Company's days, Indian traders chiefly effected development in the interior by financing trading-caravans under Swahili or Arab leadership. They never travelled with them. There was nothing glorious in their share of the partnership, and nothing inglorious. It was ordinary trade.

When one remembers the turmoil in which Europe has in the past been involved as the result of differences of religious belief,

and the almost complete suppression of "religious" rancour which to-day prevails everywhere, except in a few emotional eddies upon the serene sea of toleration, there is much that should hearten and support workers in the cause of inter-racial courtesy. To no one in Great Britain to-day is it such a blot upon God's gracious creation that a man should be an Indian as it was to swarms of "God-fearing and patriotic" Englishmen, only three hundred years ago or less, that a man should be "a Papist." Religious intolerance is now regarded as an atavistic survival among the emotionally erratic; or alternatively, a sign of mere low-breeding. It has largely been precipitated out of our atmosphere.

There is every reason to hope that racial intolerance will disappear in the same way. Economic interests, which so often are at the root of it, must be studied with good-will, and experimental solutions must be tried in turn with honesty of intention. We should wait without undue impatience to see whether the Europeans of Kenya are not both anxious and able to reverse a policy of rancour and exclusiveness with which they have been saddled by bitter partisans, whose views of public policy have often run parallel, perhaps by mere coincidence, with selfish and financial interests of their own. Viewed even on the lowest plane, the Europeans might make more money if they did their job with both hands, instead of attempting to hold down and strangle other British subjects with one hand while they work with the other.

For in the last resort there are the Africans to reckon with. There is some very barren ground in East Africa for the sowers of international hate. The sunny disposition of the African predisposes him to an attitude of friendliness where this is in the slightest degree reciprocated. In religious tolerance he is a model to many of the white immigrants. Even the Mahomedan population of the Coast has a Swahili proverb which says: "Better a useful Infidel than a useless Believer." Africans cannot understand the adoption of methods of slander and terrorism for the removal of useful traders, and they look with suspicion upon a community which follows or tolerates such courses. They like it, indeed, so little that they may in time learn to apply the principles of boycott to a repellent group or community which cannot exhibit enough *adabu* (good manners) to live at peace without stirring up unnecessary strife. Laboriously manufactured unfriendliness is not going to be an attractive trait for any

immigrant group to exhibit in East Africa. The Watchful Nation which we are evolving there is at least as likely to be attracted by the easy ways and transparent gentleness of the Indian as by the rigours of discipline and marvels of output which mark the local sphere of the European planter. The latter cannot escape the implications of belonging to the Ruling Race—a connection which in the early stages is of assistance, but which may later on so easily become a handicap. Helpfulness of attitude, both in their private *and corporate* activities, and popularity as fellow-residents are the two requirements which will constitute the ultimate test that an awakened native population will apply to immigrants. If the white man fails to pass it, his economic submergence can be so *very* easily effected!

The only intruder who has evinced any disposition to mingle with the group of landholding Europeans in Kenya has been the British Indian, so he has borne the full brunt of their hostility. Social intermixture has not been sought. On the whole it would not be any more agreeable to the Indian than it would to the European. The former has only sought an equal opportunity in business. What the Indians have missed has been, and is, permission to travel the same road to easy wealth that the European speculators have travelled, the denial of which right they regard, not altogether correctly, as a slur on their nationhood. There is here, surely, an added reason for new legislation in Kenya which will make the career of the speculator less lucrative for the European and, at the same time, less attractive to the Indian.

The Indian community as a whole refused to have anything to do with the *communal* franchise offered in the British Cabinet's White Paper of July 1923. Although the voters' register was open to about 15,000 Indian men and women, only about 200 names went on to it—mainly those of residents in remote localities who could not keep in touch with the affairs of the community. When the Labour Government was in office in Britain in 1924, this deadlock engaged its attention, and it appointed an "Indian Colonial Committee" of British and Indian gentlemen, under Sir John Hope Simpson as chairman, to consider the situation. The upshot was that Mr. J. H. Thomas reintroduced the practice of *nomination* for Indian members of the Legislative Council, and five Indian members accordingly took their seats. At the 1927 elections, one independent Indian made use of the existing

diminutive voters' roll, and getting the requisite number of signatures to his candidature, obtained an *elected* position on the Council, as an "unopposed return." The Constitution then required re-alteration, to provide for 1 elected and 4 nominated Indians.

If there is one spot in Africa where both geographical and historical associations rule out any chance of success for the programme of exclusion of Indian influence which, for a generation past, has been so prominent in South Africa, that spot is Kenya. For good or evil, the actions of Governments and the march of commerce have planted three races in juxtaposition there, and it is in the last degree improbable that any one of the three is going to withdraw. Under such circumstances the idea will persist in the mind of the unbiased student that there might be something to be said for Ruskin's plan of "behaving kindly and righteously." It might make life more worth living than even a ruthless striving after "social amenity" could do. After all, Ruskin was something of a seer, and he did say that England can find people who will do it. What if they have been on the spot in Kenya all the time!—and only a trifle unalert as to the damage going on around them. What if they begin now! . . .

Honesty of intention and of action on the part of British officials, coupled with the substitution of courtesy for rancour both in Government and non-Government circles, are all that is required to secure loyalty and contentment among the Indians in Kenya, and to make the Colony an area where the paid agitator—that bugbear of all virtuous Governments—would fail to get either a hearing or a following. A Government which took even a timid lead in mobilizing the forces of good will and commercial sanity would be the most potent influence for eliminating racial bitterness and reintroducing serenity of relations. If no Government is found to take any such action, wholesome public opinion in the Colony, taking thought and action to make itself felt, beginning with adventurous individuals and expanding into small groups, can effect the same result, at a slower rate—with "Government House" following instead of leading.

One may be permitted to glance at the trend of an opposite tendency. In the forefront stands the steady degeneracy of white stock, soaked from youth, through adolescence, in a culture of hate and disdain, pervading the home, the Colony's public life and the local Press. One knows, and occasionally meets, the

product of such an influence—a type which no Empire need be proud of: domineering, repellent in its self-glorification, little-minded. In hundreds of families in Kenya young lads and girls have been started on a course of this sort—a course leading to debased spiritual levels. They will be a troublesome factor for the better elements in the Colony to deal with, unless enlightenment reaches them, or public opinion brands their ingrained tendencies as “bad form,” by the time they grow up. Concurrently, the more assertive and least reasonable elements of the India of to-day—and no friend of India is concerned to deny that such exist—will respond, in measure at present undreamt of, to the invitation, which the activities of the more nervous and less scrupulous Europeans of Kenya provide them with, to retaliation. Mounting terrorism on one side and stiffening resentment on the other, together must involve, apart from a check to prosperity, the emergence of the worst qualities of both races.

The display of evil qualities cannot possibly be without its effect upon the watchful African. He may take sides. He may suddenly apply his test. He may take organized action to select immigrants and fellow-residents of his own choosing. Those who are not of his choice may perhaps hold on for some time—but only under a handicap growing steadily more insupportable. One other event is certain—that, if present-day conditions continue, the test will be applied much earlier than the average white planter at present imagines. If the group that is resolute to maintain the highest standards of British colonizing effort can silence, reassure or suppress the strident minority in the Colony which nurses, as its primary requirements, the control of the local Government, the maintenance of an armed European Defence Force, the avoidance of taxation, and the coercion of Africans to work for them, whether they wish to or not, the application of the test, by such sunny-souled folk as the Africans, may be deferred almost indefinitely. The habits of life of some Europeans seem to have atrophied their intuitive faculties to the extent of allowing them to believe that it would be possible to maintain a white colony, in residence in a climate and land where the services of black men are required at every turn, by the threat of armed correction for any laxity in meeting their requirements. It would not. If immigrants cannot establish themselves as agreeable fellow-residents to the natives of Africa, there can be no abiding-place for them in Africa.

*PART III*  
**REVIEW**



## CHAPTER XXIV

### COLLECTIVE PUNISHMENT

"Ole Uncle S. sez he, 'I guess  
(I'm good at that),' sez he,  
'That sauce for goose ain't *jest* the sauc  
For ganders, with J.B."

JAMES RUSSELL LOWELL  
(Uncle Sam's comment on John Bull).

WHEN one group of people regards as a crime that which another regards merely as a dashing exploit, with a lucrative side to it, contact between such groups is only too likely to result in outbreaks of violence. Exceptions to this rule are so few as to be noteworthy. Settlers with all a European's objection to being scalped did for years live among and in friendship with Red Indians who collected scalps as an honourable calling. That was under the regime of William Penn and the early Quakers in Pennsylvania, and the result was secured by methods which merit the study of those faced with racial problems to-day. Noteworthy among these was the practice of having crimes of violence tried before a jury composed half of Red Indians and half of white settlers, the latter treating the former as *fellow-men*. (Racial problems are all primarily a matter of *attitude of mind*.) Farther South in the same continent and in later generations, where settlers with all a European's objection to losing private property raised livestock in proximity to Mexicans, mestizos and others who collected it as a pastime, less enlightened methods were adopted, and it was only the hangman's rope and the six-shooter of the Texas Rangers which brought the regime of the cattle-lifter and the horse-thief to a lingering close. A hundred years ago in England sheep-stealing was punished by hanging, and 35 years ago it was legitimate under tribal custom for an East African to slay another found tampering with his honey-drum, left hanging, as it must be, in a tree far from the supervision of its owner. Throughout East African history the stock thief has taken his life in his hands. Extreme rigidity on the part of the Courts is necessary if control of the armed man who elects to be judge and executioner in his own cause is to be effective. In 1908

one of the white farmers who had suffered at the hands of sheep-stealers shot one of a group of unknown natives whom he found on his property. The shooting did not come to light until it was reported, by one of the natives who escaped, to a Magistrate over 100 miles away, some days later. In due course the settler was tried. He admitted having shot the native, but the jury of eight white men found him not guilty, and he was discharged. The collapse of legal check was immediate and complete. Administrative action was, however, promptly taken, and the man was deported from the Protectorate. The aspects of his action which received harsh criticism in the country were that in the first case he had not had the hardihood to report his action to the police, but had lain low on the chance of its never coming out, and secondly that, having shot the native through the body, he had then neither attended to his injuries nor "finished him off." Still, he had a sufficient number of sympathizers to give him an ovation and send-off as he passed through Nairobi, under escort, on his way to the Coast, and he was subsequently readmitted after an exile of about seven years. This Administrative act of deportation created a great impression in the country. Disregard of the Law by juries was evidently not going to be of much avail under a Government which lost no time in deciding—to use the terms which *The Church Times* employed in dealing with the case—that the African was not to be treated on precisely the same lines as the hyena. *Truth* suggested that the correct course would have been to deport all the jurymen.

The difficulties of the situation will be seen to be numerous. It is something of a remedy that the cattle of white ranchers should be branded, and an ordinance providing for optional branding was passed. Still, this avails nothing against a group of carnivorous bipeds who are capable of stealing a grade bull or a milch cow and devouring it in one night. On the enormous unfenced estates of European stock-raisers the difficulty of getting away with an occasional animal is trifling. The cost of erecting and maintaining substantial fencing, in a country where herds of zebra or kongoni may charge through it at night, is so heavy that only wealthy ranchers can do it. But the difficulty of driving a stolen animal about the country without scores or hundreds of natives knowing all about it is immense. That fact points the way to a remedy.

If a native tribe likes to harbour lawless groups that indulge in cattle-lifting, if native villages like to let stolen stock be driven past them, and fail to report easily ascertainable facts to the police, *fine the whole lot!* That will teach them to be alert to the presence and movements of evil-doers in their midst.

A Collective Punishment Ordinance (No. 4 of 1909) was brought into force on April 24th, 1909, allowing the imposition of fines by a Magistrate on all the natives of any village, area, district, tribe, sub-tribe, or community (which appears wide enough) if they or any of them had colluded with or harboured criminals, suppressed or combined to suppress evidence, or had failed to restore stolen property if tracked to within the limits of their village or district, or had failed to track such stolen property beyond the limits of their district, if it passed beyond.

An amending ordinance (No. 19 of 1910) allowed Government to exact compulsory labour on roads or other public works in lieu of a fine. Further, a Stock and Produce Theft Ordinance (No. 8 of 1913) was brought into force on June 26th, 1913. Under this, the Court, in addition to any other punishment authorized by Law, might sentence a convicted native to pay a fine which should be *not less than* ten times the value of the stock or produce stolen. Unless the fine were paid forthwith, the Court should issue a warrant for the levy of the fine by sale of any moveable property of the family, sub-tribe, or tribe of the offender or of any member of the offender's family, sub-tribe or tribe. This was stiffened by an amending ordinance (No. 19 of 1914) authorizing a reward up to Rs. 150 to informers, and allowing additional imprisonment of an offender who might be unable to pay a fine. In some instances the infliction of such communal punishments has no doubt been deserved, while it is equally certain that in other cases innocent people have been heavily victimized.

This policy may with equal justice be applied to other delinquents than natives. Suppose we apply it to ourselves! In view of the damage that the natives have suffered at British hands during the last 30 years, it may legitimately be expected from us that we should accept, as sauce for the gander, what has hitherto been sauce for the goose. Many hundreds of Europeans are living in comfort upon lands passed to them in disregard, more unwitting than vicious, of "a principle from which no civilized Government would think of departing." The

fact remains: they are on stolen land. How can we make amends for that wrong? Is it possible to make amends, otherwise than by restoring stolen property? The Māsai, twice evicted from lands that they prized; the Kikúyu, despoiled of much of their best lands, harried to pick coffee on lands which were once theirs; the Akámba, driven first out of the Mua Hills and then off the Yatta Plains<sup>1</sup> with a loss of thousands of head of livestock—how are we to apply the principle of “collective punishment” to ourselves for this piracy? Shall we allot ten times the amount of land stolen, repay ten times the livestock killed? What of the invasion of family life, the raids of the press-gang, the bribery of venial native headmen, the merciless severity of the finger-print system, the “contracts” running to seven or eight months, the stupendous exaction of hard cash, the niggardly treatment of native requirements? This is perhaps even more blameworthy than stealing a settler’s cow. Shall the same penalty be applied? Ten cows for one? What compensation is now proposed for the use of the natives’ cash for railway construction into “white” farms, for the wide disproportion of State assistance extended during 20 years to whites and natives respectively? Who is to pay the £950,000 a year which will be required in 1929 for loans already granted—to say nothing of additional sums which are clamoured for? Are the natives to pay that—in addition to the exactions that have been made upon them for the last quarter of a century? In the years 1900 to 1925 Africans paid more than £5,800,000 in direct taxation. Europeans, Indians, Arabs, and Goans, in the only direct taxes of general application (non-native poll tax and one year’s income tax), have together paid less than £330,000. Where is the “very substantial contribution to the revenue” which Mr. Winston Churchill, writing from Fort Ternan in the Protectorate in November 1907, foresaw from the application of a graduated land tax operating upon all alienated estates of more than 1,000 acres?<sup>2</sup> If this has been evaded as a result of collaboration between landholders and pliable servants of Parliament in the Colony, what is Parliament going to do about it now? In 1924 and 1925 heavy pressure was brought to bear on the local Government to grant land in actual use by the Sambúru tribe to one or more of the European sheep-ranchers. The Convention, faced

<sup>1</sup> Cd. 2387 (1925), p. 189.

<sup>2</sup> Cd. 4117 (1908), p. 11.

with a perennial shortage of labour, has frequently advocated extended medical services by Government in the Native Reserves, but the up-to-date view represented by a resolution in March 1925 is that the native tax (except on the remoter tribes) *should be doubled*,<sup>1</sup> the increased yield being spent on native welfare—though the current yield of his taxation is so largely devoted to the assistance of white immigrants.

The one and only hope of success in this policy of self-enrichment at the expense of unrepresented Africans lies in the supply of sedatives to the British Parliament and public. The meagre character of Governors' published reports has been touched upon in Chapter VI. It was a development of some moment that Parliament should decide to send out a Commission of three of its members to visit the East African Dependencies in 1924. It would have been considered a reprehensible exploit if the Indian community in Kenya, being one of the groups particularly seeking the consideration of Parliament for their claims to influence in the political life of the Colony, had come forward with an offer to place luxurious cars, driven by prominent spokesmen of the Indian cause, at the disposal of the Commissioners for their touring while in the Colony, and had arranged hospitality for them. The Convention would have gone into hysterics, even although it was not the month of March, and allegations of intrigue and backstairs influence would have been heard from every settlers' association in the Colony. This, however, is the offer of service and hospitality which the political Europeans made, and which was accepted.

Before the Commission reached Kenya Colony it had been decided that the European settlers were to undertake its touring arrangements. The Chairman found himself at precisely that parting of the ways which every Assistant District Commissioner sooner or later reaches. Should he rebuff compatriots of kindly and hospitable disposition, merely for the satisfaction of discharging a duty with complete regard, perhaps a fantastic regard, for impartiality? (*Perhaps they would not understand. Perhaps it would make relations difficult.*) He did not meet this emergency quite as well as the average A.D.C. meets his. The local Government, of course, had a fleet of cars, though none were perhaps so luxurious as those of the more wealthy settlers. There were several public hire services in the Colony, with drivers of

<sup>1</sup> *E.A.S.*, March 14th, 1925, p. 14B.

the greatest reliability—and Parliament was paying the expenses of the Commission. Neither of these agencies was made use of. The private cars of some of the largest landowners were used instead, the owners acting as drivers and considerably influencing the selection of routes. This action of the Commission's, as also the supineness of the Government, received widespread disapproval in the Colony, and gave rise to much cynical amusement. Although all three Commissioners were not equally influenced, the process to which, with the approval of the local Government, they were subjected bore fruits that are discernible enough in their Report. This would have earned wider public respect if it had been the result of investigations conducted in complete independence of any and all of the groups of disputants whose claims have given rise to some of Parliament's graver problems in connection with the Colony. Even so, it is a matter of surprise that two of the three Commissioners, even with such partial knowledge as they had gained, should have urged that settlers should be granted positions upon Trust Boards charged with *the administration of native lands*—of all things. It indicates either ignorance or disregard of native psychology and local history. There *are settlers* in the Colony who would be ideal Trustees—but they would not be the ones selected for these Boards. Mr. F. C. Linfield (Cd. 2387, p. 188) saw this clearly enough to reject the proposal, as it "would increase rather than allay native suspicion."

It might be thought that the peccadilloes of white juries in the trial of crimes of violence between whites and Africans would be regarded as a blot on the Colony's honour which all sections of Europeans would gladly combine to remove. The dispensing of strict justice is often a matter of grave embarrassment to the average citizen, especially when the life, liberty or finances of his acquaintances are involved. There is, however, the judiciary in the High Court and the Supreme Court—a body remarkably free from prejudice and bias, experienced, learned and, in a high degree, undeflectable. The Government, either local or Home, decided after a number of cases of miscarriage of justice, that the Crown should be accorded the right of appeal against acquittals which, in its opinion, defeated the ends of justice, and that the Supreme Court should have the right of conducting a re-trial if an appeal to it by Government succeeded. This was carried against strong opposition from the Reform Party during

the regime of General Northey (Ordinance No. 48 of 1921),<sup>1</sup> but as objection to it was maintained, the subsequent regime of Sir Robert Coryndon saw its repeal (Ordinance No. 12 of 1924).<sup>2</sup> A timid proposal was once made by Government for a measure of Employers' Liability and Workmen's Compensation, but objection by elected members and by the Convention, which thought that "the time was not yet ripe," etc., resulted in its being quietly dropped. At the present time accidents in the lumber industry, in factories and electricity-generating stations, involve the proprietors in no legal liability for the treatment or maintenance of injured employees, or for assistance to the dependents of those who are killed. Kenya's elected legislators have always shown themselves intolerant of any legislation they didn't like. It is true that their only remedy is clamour, but as they have uniformly found the local Government amenable to clamour, they have established a condition under which all the laws meet with the approval of the noisiest race-group in the Colony—the other groups not being given any chance of making their needs or wishes operative. The stage that has been reached in applying democratic methods of government in Kenya has resulted only in the subservience of the local Government to the best organized group in the Colony. British rule in Kenya can scarcely be more just or even-handed than are the decisions of the British House of Commons. In point of fact it has been very far below any standard of impartiality and trusteeship that the House of Commons would approve, if the latter, or the Office of State responsible to it, knew all that has gone on in its name and under its authority. It may have appeared to readers of previous chapters that the Colonial Office might have intervened more frequently or more drastically in some of the episodes of the Colony's short history. We know many of the rulings that it has given, some retrograde developments which it has abruptly terminated. *We do not know* how often or how trenchantly it has intervened to disallow proposals from the Colony which it may have regarded as unwise or unworthy. We do know that it has frequently had the greatest difficulty in getting full and truthful reports from the Colony upon developments which were arousing suspicion in Great Britain. The British public, officially supplied only with an "annual report," the inadequacy of which has been alluded to, has had

<sup>1</sup> O.G., 1921, p. 1973.

<sup>2</sup> *Ibid.*, 1924, p. 687.

little chance of gaining any insight into our country's rôle in this part of tropical Africa—at any rate until Dr. Norman Leys's book<sup>1</sup> appeared. Most Colonial Dependencies produce, in addition to the Governor's report, an annual Blue Book providing a wealth of detailed information. Kenya Colony found it convenient to suspend this publication about ten years ago. Information about the Colony has accordingly been less accessible than should be the case.

Sir Edward Grigg's first annual report,<sup>2</sup> published in December 1926, says: "A situation which has caused growing anxiety for many years is that brought about by the continuous increase in the number of native-owned cattle." By dint of allowing six acres per head of cattle and three acres per head of small stock, the Director of Agriculture manages to compute that 47 per cent. of the occupied European area was effectively utilized in 1923.<sup>3</sup> If the same allowance is, however, made for the stock owned by natives in 1924, it follows that for their 4,000,000 cattle and 6,000,000 sheep and goats<sup>4</sup> alone they ought to be in possession of 65,625 square miles of *grazing land*. In fact, they ought to have much more, because the European ranches are in the very pick of the grazing land of the Colony, and much of the land that the native stock are required to use is vastly inferior. Additional to this, they ought to have enough land for growing the food of a population which at present numbers about two and a half million, but which may be expected to increase in the near future, and still further land for growing economic crops for export. The area tentatively described as Native Reserves in 1925 was 46,839 square miles;<sup>5</sup> this means, in round figures, that some 2,000 European owners of farm lands (counting both residents and absentees) have been allotted as much land by Government as (on the average) 400,000 natives.

If the native becomes wealthy, he will cease to be a *docile* wage-earner. This is the everlasting menace that faces the white planter. Those native tribes which do own much livestock are prevented from trading it by having their grazing grounds put in quarantine. This is done by a Proclamation of Government. Native-owned cattle *could* be put on the market by establishing

<sup>1</sup> *Kenya* (Hogarth Press, 1924).      <sup>2</sup> Colonial Reports, No. 1321 (1926).

<sup>3</sup> Annual Agricultural Report, 1923, p. 6.

<sup>4</sup> Native Affairs Department Annual Report, 1924, p. 26.

<sup>5</sup> Official exhibit at the British Empire Exhibition, 1925.



one or more quarantine outlets in each reserve. It would be a source of revenue to Government. Each beast would have to be vaccinated against pleuro-pneumonia, and double inoculated against rinderpest before being passed out on to the market. For these operations by the Government Veterinary Staff a charge of 2s. and 6s. respectively is made. Many natives would willingly pay this for the sake of their being allowed to sell oxen at trade prices. But it has seldom been done. The veterinary officers are otherwise engaged. The Parliamentary Commission recorded that: "The Animal Husbandry Department, which embraces the veterinary services, seems to devote the greater part of its time to the care of European cattle, and the setting of quarantine boundaries about native cattle areas where disease is known to exist."<sup>1</sup> Native stock has never been assisted or cultivated by Government for its own sake. The Másai Reserve has been in quarantine continuously for seven years; so have some of the grazing grounds of the Akámba. Másai stock may be brought to the boundary of the Reserve at one or two points and there slaughtered for the meat supply of the towns. This is solely for the convenience of the townspeople. That is a different thing from allowing it out of the Reserve *alive* for trade purposes. There is strong agitation for limiting the amount of Reserve land so as to disallow increased native wealth in the form of cattle. The fact that not less than four out of every ten<sup>2</sup> native children, in some districts, die in infancy might be thought to justify the provision of sufficient milch stock to afford children a milk diet in the early days after they are weaned. But it is notorious that in many tribes and districts milk is a rarity, and not an abundant article of diet, and that the feeding of young native children is gravely defective in method. Yet Mr. F. C. Linfield, in his discerning minority report to that of the Parliamentary Commission, observes: "In Kenya we listened to much criticism from settlers regarding the alleged excessive accumulation of stock by natives. The problem does not seem to arise in other East African Dependencies."<sup>3</sup>

The Sanitarian with his advice and control, the Trader with his wares, are steadily raising the native standard of living. A minority of the employers provide a standard of living that is higher than the native manages to get all the year round in

<sup>1</sup> Cmd. 2387, p. 156.

<sup>2</sup> Annual Report, No. 1188 (1922).

<sup>3</sup> Cmd. 2387, p. 188.

his village. The majority of employers have always supplied food with complete regularity (which is beneficial), but in the form of a monotonous and inadequate diet. Since other agencies are at work, raising the standard of living, and since there is a shortage of labour varying, seasonally, in severity, the employer class is being driven to a higher standard of treatment of native workers. This will become more pronounced as Africans have opportunity of earning money by growing produce on their own lands for sale. Competition for labourers will lead to more attractive terms of service being offered. The last four years have seen a great improvement in conditions for labourers on the farms and plantations. It is to the credit of some of the settlers in Trans-Nzôia that, when prosperity returned in 1923 after the post-war slump, a resolution was carried by the local Association, urging that native wages should be generally raised. They recalled that there had been widespread reduction of wages in 1921 during very hard times, and, as conditions had now improved, these settlers thought it just and politic to revert to a higher pay for their labourers. Needless to say, the Convention did not help to spread this idea broadcast over the country in the energetic way it assisted the earlier reduction of pay. The effect among the employer class was partial, but it shows conclusively that there is a section to which the anti-settler strictures that are so common in England do not apply. Members of this section are to be found in all parts of the Colony. But they are not organized. They never act in concert. They have no liaison group in England to place their views constantly before the Colonial Office, as have the traders and some of the landholders. If and when they do contrive to act as an organized political unit, there will be some hope of removing from Britain's Colonial record the stain of Kenya's artfulness in taxation and land policy.

The influence of the missionaries, if openly thrown into the scale against that of the exploiters, would be final and decisive. It must be admitted, however, that their position is one of some difficulty. The larger Missions are dependent on the Government for some of their funds. The dominance of predatory groups over the local Government has, for years, been fairly complete. Nothing is more certain than that, if the missionaries made themselves objectionable to some of the wealthy in the Colony, the strongest pressure would flare up for the cessa-

tion of Government grants to the Missions for medical and educational work. It might, or might not, succeed; but the missionary has to balance the chance of reduced benefit to the natives, due to restricted medical and educational aid, against increased economic and political freedom for the native if the influence of the exploiter upon the policy of Government were destroyed. This choice requires a degree of commercial intelligence and political insight in which the missionary, as a type, is conspicuously lacking. (There are a few brilliant exceptions.) Missionaries in Kenya, throughout its history, have been strangely silent in the presence of abuses. When every excuse has been made for the difficulties of their position, there remains, among many good friends of theirs, a measure of regret at their record—for the sufficient reason that when they like to operate, upon a moral issue, they and their supporters in Britain control the situation. The satisfactory result of outspoken Mission activity in the case of the attempted cental-coinage swindle has been joyfully recorded. There is nothing else on their political record to compare with that—and it is not because opportunities for moral indignation have been lacking. There is no Board of Economic Studies in any Mission in the field. The improbability of depressed wages and Christian virtues flourishing together in the same soil is not appreciated quite as clearly there as it even is in England. The Economic and Finance Committee in 1925 recommended that native children should be taught *double-handed picking* (of coffee). British public opinion would not have been shocked if one or more Missions had publicly pointed out that this suggestion came very badly from advisers *resolutely opposed to the natives' being taught or allowed to grow this same coffee on their own lands*. Just because they now receive cash grants from Government, it should be a point of honour with all missionaries in Kenya to be more outspoken in their criticism of Government and its *methods* than ever before—if any grounds for criticism arise. Otherwise they will run a risk of being regarded as “bought.” The one party that has not been conspicuous for docility is (with few exceptions) the officials of the British Government. They are still waiting for full and frank permission to function according to our best colonial traditions. Only one who has enjoyed the honour of being in and of that fraternity can appreciate the zest with which Government effort for the sanitary, educational and economic advance-

ment of the natives, as its *primary* and unassailable duty, would be responded to. The results remain to be seen, when the opening is provided.

We got the country not by conquest nor by cession. We went there under the terms of treaties, and as protectors of the natives. We have stolen immense quantities of land, and indulged in unblushing exploitation of many native tribes. Those which have refused to be exploited have, at any rate, received the minimum of assistance. The Government hospital in the Másai Reserve in 1924 received an allotment for upkeep of £1 per month—not £1 per bed, but £1 for the hospital. (As this book goes to press a measure of partial restitution of land rights is in active process of settlement.)

A few Administration officers have at times bowed to interested pressure; some of these are mere Vicars of Bray, always alert for the support of those whom they imagine to be able to advance their interests. These would find no difficulty in becoming ardent apostles of native welfare if this became the predominant Government policy. The bulk of the Administration officers, placed as they often have been between amenable Governors and Acting Governors on the one hand, and influential critics or even assailants on the other, have maintained a record of undeflectability of which Britain may be proud. By all the arts of research, inquiry, explanation, remonstrance and, at times, defiance, they have informed, corrected, guided and, occasionally when the need arose, frustrated Government in its erratic career through the great experiment of departing from previous established British standards in the administration of a subject race, as it takes the very first steps towards ultimate self-government many, many years hence. Compared with the lot of the Administration officer the calling of the missionary ranks only as a sheltered trade. The Government Service in Kenya is a lot which may well remain for many years an allurements to the most adventurous, resolute and highly equipped young men of Britain. There is a call to do the right thing, in small issues and large, to a people for whom the British Government is trustee. Amazing adventures await those who answer the call. Clearness of vision, a sense of humour, high spirits and sympathy are called for to an extent that can surely be the case in few parts of our Empire to-day. That conditions are no worse than they are, that the native population is as well-

disposed as it is, lies to the credit, in the first place, of the Government staff in official touch with the homes of the natives. The Colonial Office demands now that selected candidates for the Administration shall be University men, and shall also have some training in ethnology, local law, economics and accounting. *It may still appoint Governors who have had no training in any of these subjects, and are innocent of University experience, but it is to be hoped, as the trained official group increases in size, as it is perpetually increasing in experience also, that the selection of Governors from outside its ranks will become a thing of the past.*

Native sentiment is increasingly the field in which research is needed. The movement which Harry Thuku for a time led is not a thing of the past. It has merely been driven underground. A Government which replies to bad language with ball cartridge has to be treated with some show of respect. That is the view of the Kenya Government that the native harbours. No one would dream of explaining to the native world that the slaughter in Government Road in March 1922 was an accident—a ghastly mistake—due to a jumpy native trooper, after 18 hours on duty, letting his gun off, for the final nervous upset of other jumpy troopers and their officers. That is the actual fact. The native has been left to believe that it was the Government's considered rejoinder to a public demonstration. The Phelps-Stokes Commission, touring the country for months in 1924, never heard a word of complaint about the finger-print system Harry Thuku had railed against it—and he is in exile. The system is none the less a danger to the peace of Kenya. The European landowners demanded it. If they or, failing them, the rest of the white community, are incapable of utilizing a heaven-sent period of quiescence to remove it themselves, Great Britain ought, probably, not to interfere. But if a system of slave-capture, obviously inapplicable to a free people, leads to native unrest, she should come down with all her resources on the side of the native and to the discomfiture of white fools, active and passive, who had not enough sense to enjoy their advantages without rapacity and oppression. The *kipāndi* is a minor bit of oppression, and perhaps all the more stupid on that account. When registration by finger-prints was imposed in the Northern Frontier District in 1923, by the Military, who were in charge there at the time, the Mahomedan tribes flatly refused to have anything to do with it, and Government wisely

did not press the matter (these Somalis are armed). One tribe, the Garreh, actually vacated British territory and moved over the frontier—preferring the tender mercies of Abyssinia to the British Empire, *plus* registration.<sup>2</sup>

It may well be the case, however, if reforms tarry too long, that the British Parliament, with whom final control lies, may take uncompromising action to end a state of affairs which it may imagine to reflect on its honour. The isolation of its servants in distant Dependencies is diminishing. Aeroplanes carry despatches at hitherto unheard-of speeds. Wireless allows of verbal argument from abroad with responsible Ministers at headquarters. Television may have results, at present scarcely dreamt of, in allowing high authority at home to witness critical happenings across the world. The control of ultimate authority over its distant servants is being tightened. It is all the more urgent that ultimate authority should be fully informed, that its personnel should be men and women of the highest attainments and strongest character, and that the responsibility of this personnel to that collective "opinion upon which the high character of British Government must ultimately depend" must be unquestioned.

Is our Government's record in Kenya anything of which we can be proud? Direct taxation levied, with the exception of the ludicrous annual poll tax on adult non-native males, solely upon the poorest of the population; forced unpaid labour regularly exacted, in Native Reserves only, for 24 days per annum by law, and for much more than that in many well-known cases, an exaction which can only be evaded by clearing out of the Reserve; constant talk by high Government officials of using the Administration officers to "persuade" the natives to leave their homes and work for wages—talk that is never followed by public correction or reprimand from higher authority in London. No wonder that the Reserves are repellent to so many natives, that the detribalized native is increasing so fast in the land, that there are populations of burglars and prostitutes in every town. Is there any other part of the Empire where aboriginal natives have provided so many hundreds of thousands of pounds for the public assistance of a handful of whites? Is there any other part of the Empire where white politicians have clamoured for a European Conscript Defence Force of all

<sup>2</sup> Native Affairs Report, 1923, p. 19.

males from 16 to 60 years of age—to allow of exploitation being carried a few steps nearer to the verge of native rebellion than would be politic if force were not at hand to crush native objection—besides being so useful in case the whites should again find it necessary to threaten rebellion on their own account? A Committee of Council (with one eye on this possibility?) actually recommended that the provision, in the Bill, for an oath of allegiance should be deleted.<sup>1</sup> The project for a Defence Force was warmly espoused by the Governor, Sir Edward Grigg, towards the end of 1926, but greatly to the surprise of his backers, the Bill for the creation of the Force, when published for first reading in Council, caused an uproar in the Colony. The papers contained a stream of protests—partly from ex-Service men, who resented being made into conscripts by a stroke of the Governor's pen, and partly from those who felt that any suggestion that Europeans only resided in the country under shelter of armed force would be disastrous commercially, and a disgrace alike to Government and the settler community. The local clergy roundly denounced the measure, and the Governor agreed to defer further action until after the general elections to the Legislative Council in February 1927. If, as appears unlikely at the time this book goes to press, the Bill is forced through in 1927, it will lie with the House of Commons to shield Black Kenya from the provocation inherent in a foreign employer class, armed and drilled for coercion—to be applied at will, whenever coercion may be more palatable to it than negotiation. The House of Commons can disallow such a step by a motion that His Majesty's power of disallowance shall be exercised by the Secretary of State in the case of any Defence Force Ordinance submitted for his sanction from Kenya. Who can forecast what the influence of *Black Kenya* is going to be on Black Africa? If the Europeans in Kenya cannot reside and prosper there with the good will of the Africans, they are imperilling *now* the future good will of Black Africa towards Great Britain. Are they worth supporting—at that price?

If Great Britain has to answer that question, good employers will suffer with the bad. As a matter of self-preservation, the numerous groups and individuals in Kenya who are content to *strive for the maintenance of good relations* with the native masses (who, incidentally, are enriching them) should *combine*

<sup>1</sup> *The Times*, January 15th, 1927.

to dispossess political "leaders" (*sic*) of positions which they have used to evolve a system such as is described in the chapters of this book. With the help of a few supine officials in high places, estate improvements have been striven for and secured at immense cost to the native tribes, and without any extra payment, direct or indirect, by the individuals or small groups that have profited by increased selling value of their possessions running into gross totals of hundreds of thousands of pounds. The fault for all this does not lie with the settlers as a class, nor even, solely, with a minority of the settlers. To some extent the Colonial Office cannot be charged with it, because it is to a large extent kept in the dark, and its own Regulations, when they proved inconvenient, have been disregarded at times by its officials in the Dependency. Even the Royal Instructions to Governors have not always been sacrosanct. The explanation is that in nearly every crisis in the country's history, some official has been on the spot who was sufficiently weak under pressure, or avid for applause, to be pliable. The class of official who will not check an exploiter for fear of evoking his hostility is as well known in Kenya as in any other part of the Empire. He is execrated by the bulk of the Service, and despised by the bulk of the white population, but he meets the requirements of some. It will not be easy for the reader of average worldly wisdom to believe that powerful interests have not at times made it worth while, financially, for officials to support certain measures, or to refrain from opposing them. The writer, who has watched Government in East Africa from 1900 onwards, believes, at any rate, that nothing of the sort has occurred. It seems more probable that the trouble has been due to the attitude of mind that disregards the rights of those who can bring no social or political pressure to bear, and which seeks the favour of those who can bring both—and this aggravated in some cases by vanity of the type that cannot face public abuse, but will risk the stain of a dereliction of duty in order to escape it.

We do not need to seek far for the one outstanding blot on our record—for which we should pass Collective Punishment on ourselves. What is the temptation that we have conspicuously failed to resist?

### *LAND!*

When there was so much good land in the country that was positively vacant, what excuse is there for private owners



being on land which we know to have been native property and under native occupation? Koinánga wa Mbfyu, a Kikúyu headman in the Kyambú district, many years ago allowed certain other Kikúyu natives to cultivate portions of his family *gethaka* (estate). They were given a few rupees' compensation for their crops by Government and turned off. Neither Koinánga nor any member of his family ever received a cent. It was only when Koinánga was sent for by the new European "owner" and told that he must supply labour or leave the property, that he discovered that, thanks to the Government, he himself was no longer its owner.<sup>1</sup> There are hundreds of very similar cases; and still, in 1927, no restitution has been made. "This, however, is certain," says a memorandum submitted to the Parliamentary Commission by Catholic clergy in Kenya of the diocese of Bishop Neville, "when the European came here the land belonged to the natives, and it is difficult to see how they have lost their rights to its ownership." It is true that a high percentage of the original European grantees have gone—some wealthy and some broken. Others are now on the land who have bought it from other Europeans at high prices. Direct restitution is impossible. If that did rectify one injustice it would create many more. Is there nothing that can be done?

Yes, there is. It is something which will appear to the average British reader to be so simple and inadequate as to be an anti-climax to the recital of wrongs varying from mean craftiness, like the attempted cental-coinage swindle, to dashing brigandage, like the Nándi clearance. To many Europeans in Kenya it will appear cataclysmal. It is *that Africans should be allowed, when occasion offers, to buy land that they want*. It is not as simple a solution as it looks. Some of the Kenya landholders will make that quite clear. Our trouble will be with them. But there are scores of others in the Colony who would jump at the chance of selling their estates to Africans, if they could only thereby get out what they have put into them, in cash and the value of their time, and escape with it from the country. The political Europeans have been so vocal as to the advantages (to the native) of "interpenetration," and so very anxious for his welfare, that they would be expected to acquiesce in African ownership of some of the estates which are now grouped in solid

<sup>1</sup> Memorandum on Kikúyu Land Tenure by the Rev. Harry Leakey, M.A. (C.M.S.).

"European" blocks. Much of the occupied land the Africans have never used nor wanted. There would be no bidders for it now. But there are districts for resumption of which natives and native tribes would work as they have never worked before. Nor need the proposal be regarded as an altogether inadequate return by us. We have increased the Africans' power to amass wealth. In the first place our missionaries, in season and out of season, have offered free education. Government has followed in recent years in the same steps. We have stopped the disturbance of industry by border warfare. We have made travel safe. We have allowed the trader in, with his offers of tools, implements, useful devices of every kind. *We have kept the liquor trader at bay.* In spite of much exploitation, the African might be said to have benefited as the result of our presence in his country—were it not for our appropriation of much of his best land. Truly, he has not improved as much as he ought to have done; he has not had the chances that he ought to have had. But even the hypocrisy with which we have driven him off his own lands to work on those of Europeans has not been unqualified detriment. Family life has suffered and disease has spread, but on hundreds of estates the working African, even if he was driven there by high taxation or more direct methods, has found consideration—even friendliness. And while some of the Government officials have danced to the piping of the exploiters, the vast majority have been true friends and protectors to their natives.

For the last few years there has been much chatter in Kenya Government circles about the "dual policy." This is supposed to mean that the native is to be allowed to do the impossible—feed himself and all dependents, produce crops for export, and at the same time keep all the European estates going to the satisfaction of their owners. The idea is nonsense. No one knows this better than the Government in Kenya. In actual fact, the pretended adoption of this "policy" is a method of covering Government's retreat from the previous "single policy" of unblushing partisanship of "white" interests. As such, it is a sign of grace, and as such, it is violently assailed by some of the Europeans in Kenya. The wise African says: "*If you run after two spur-fowl you usually catch neither.*"

A change of policy is always possible. Let it be imagined that all "advice" or "encouragement" by officials to the native to leave his Reserve, to work for the private profit of strangers,

were publicly branded by Government as dishonourable—as it almost invariably is in practice. Let it be imagined that every possible assistance were given by Government to production on native lands—with this much regard for the plantations and farms, that they would receive such public assistance as their proprietors were *willing to pay for*, over and above their fair contribution to the general expenses of Administration, Law, order, and technical services. What would happen? *Very many estates would go on getting their labour supply as if nothing had happened.* The proprietors of these are the class of man (or woman) that Africa can ill do without. Others would fail to get enough. Some would get none. The proprietors here are of the class that Africa cannot be relieved of too soon. But the African in Kenya would be a free man in his own country, for the first time for a quarter of a century. Suppose we insisted—disregarding all appeals about the preservation of a “future home for the white race” in a small patch of Kenya less than twice the size of the county of Yorkshire—that the native shall have the right to buy land from anyone in his own country who is willing to sell it to him? That would be some compensation to the European who cannot keep his land under cultivation without direct or indirect pressure by Government on the natives to work for him. That class of man does not deserve much consideration in Kenya, anyway. He has had a quarter of a century of unflinching assistance. Why should not the Africans have equally vigorous assistance from us, in their turn now? Whether individual natives should be allowed to buy land to which Government has granted a secure title for 999 years, or whether sales should only be to families, clans, or tribes which would continue communal features of occupation according to native custom, is a matter upon which not only the local Government, but also many officials and missionaries, both on the active and retired lists, could give much valuable advice to the Secretary of State. The vital point is that before a demand had been even voiced, let alone pressed, we should have offered to the natives, *whom we are supposed to protect*, a measure of restitution for wrongs done, on the whole unwittingly or carelessly, when they were at too heavy a disadvantage even to make comment or rejoinder.

If we fail to act. . . .

Is it imagined that a demand will not be voiced?

And not pressed?

## CHAPTER XXV

### THE BLUE PETER

"Old comrades on new seas. . ."

KIPLING.

**T**HIS, the short, last chapter of an over-long book, opens with an experience of the writer's, with his wife, upon some of Britain's splendid highways. Homeward bound on the London-Brighton road, late on a January evening, the car runs into fog, and comes down to walking pace. Turning into the London-Eastbourne road, the fog is found to be thicker. The car creeps along by the kerb, which remains intermittently visible, between puffs of opaque, white fog, for a distance of a yard or two from the head-lights. One or two cars are passed, doing a similarly cautious crawl along the opposite kerb, and hooting at intervals. A bus is standing empty at the roadside at one place, fully lighted up, but deserted for the night. (The completion of the run, into Oxford Circus, may be done in the morning, if the fog lifts then.) Thicker still! The kerb has disappeared. From the driver's seat one cannot see as far as the surface of our little planet. The car stops, and the wife alights. Walking alongside the kerb, which alignment she keeps by giving it an occasional sidelong kick, she dangles from one hand a large white handkerchief in the direct beam of the head-light. This shows up for a yard or two ahead of the car, and the procession moves on. The point is reached where the London-Eastbourne road must be left for the steep lane which winds up to a Surrey hill-top (upon which this book, incidentally, has been written). The handkerchief is no longer needed. The lane runs between high walls, the nearer of which just shows up through the fog. It is, of course, not possible to "rush the hill." The car mounts slowly, on low gear. But suddenly trouble is over. The car has not gone 100 yards along the lane; it has not climbed a distance, measured vertically, of more than 20 feet—and it is a brilliant moonlight night!

Only 20 feet below, the operations of mankind are largely at a standstill, its business dislocated, its activities crippled.

The cause of this paralysis, when viewed from a *slightly* different plane, suddenly becomes an object of beauty. It is a bank of mist, running across from hill-side to hill-side of the valley, the upper surface looking like a wind-drifted snowfield, shining brilliantly white under the full-moon. It fills the floor of the valley, where men mostly travel, as an opaque slab, involving them in darkness, discomfort and even in danger. What is, to observers on a slightly different plane, a spectacle of beauty not soon to be forgotten, is to dwellers, travellers and workers on the lower plane of vision, an intolerable oppression, only too provocative of *bad tempers*.

(Who would not live on a hill-top—especially if owning any old sort of an automobile with which to get there?)

The mind of the retired official snaps back to Racialism in Kenya—and perhaps in other and wider domains than Kenya. There is the dislocation, often the abandonment, of effort: reduced output even where effort is maintained: exasperation: social intercourse almost impossible: impaired activity everywhere, involving, as its most malign consequence, restricted opportunity for the exchange of courtesies—which are so much more important in human affairs than commodities.

Racialism, precisely!

*From one point of view.*

Unless people of good will, inside and outside the churches of the Christian and other faiths, proceed to cultivate an aptitude for *attack*, which at present they seldom exhibit, racialism may come to be regarded only as a source of malign activities. That would be a pity. Racialism has its bright side, just as the puddle of fog in the Caterham valley-bottom had—if it is viewed from a standpoint where the light falls upon it.

It is, in this other aspect, an opportunity, wherever experienced—an opportunity for attack upon one of the most momentous of the dangers which face mankind to-day, a danger in face of which mere defensive operations are tactically valueless, a danger which can only be met by slashing counter-attack, inspired by *originality*.

This, possibly enough, is true everywhere where races come in contact. That might form the subject of an essay for the pen of a more widely travelled observer than the present writer. But within his limited range of observation it is pre-eminently true of Kenya. Its people have an opportunity that few

communities in human history have been accorded. *Will they rise to it?*



None can be unaware that the attitude which has been developed in Kenya Colony, during a generation of political scheming, has been, and still is, a source of embarrassment to the Imperial Government. If all British residents in Kenya are indifferent to this result: if there is no articulate group able or willing to try for a solution of the difficulties with which the Empire is hampered, our term of operation as a motive-power on the side of world progress has ended; the spirit of adventure has left us.

The present position is a stalemate. Mr. Baldwin's Cabinet of 1923, with its Kenya White Paper, provided a final settlement of *nothing*. On the topic of our relations to the African, it advanced a programme that remains classical, invaluable. But even there, as was shown by Acting Governor Denham's appeal for "encouraged" labour on plantations in March 1925, the moral opinion of Britain must keep itself perpetually equipped for emergencies which may arise suddenly where they are most unexpected. "It is on the power and pressure of this opinion that the high character of English Government must ultimately depend." We must remember that. Outside this one topic, the White Paper was a surrender to clamour, a surrender for which the only justification lies in the fact that a balance was struck from accounts that had been "cooked."

There is no useful purpose served by mumbling "Peace peace!" when there is no peace. The White Paper has already proved an inadequate instrument.

In the pages of this book there has been pictured—a troubled community. Has the narration at times been sardonic? At times, perhaps—but not throughout. But was ever writer provided with such a field for satire? Has there anywhere flourished, in our generation, a group of British people as aptly symbolized, as is the small political group in Kenya, by a turkey-cock—everlastingly gobbling, strident, aggressive, ugly to look at? And so the yard in which this creature has strutted has known no peace. There has been a perpetual dust-storm on a small scale—due to its antics. As the looked-for period of peace on earth, good will among men approaches, the creature may appropriately

be sacrificed. It is a fate that commonly awaits the turkey-cock at such periods.

Given clear thinking, there is hope of peace. Self-interest of British individuals, concern for the glory of the British Empire, the spiritual health of growing British families in Kenya, and response to ethical considerations, alike call for the sublimation of racial hatred. Included in the first, there lies, for the Britons in Kenya, the not insignificant factor of self-preservation. Unless the Africans among whom they dwell remain well disposed to them, serenity of mind, charm of environment and financial attractiveness together take wings, and vanish from their world. Churlishness, arrogance and exclusiveness are attitudes of mind which are only too likely to drive the African to take sides against those who display them. That having taken place, the political and economic downfall of a group enveloped in a hostile African atmosphere is certain.

Across the political waters, only three courses lie open to the Europeans of Kenya. They may try to maintain the present exclusiveness as to the franchise; they may surrender the franchise and substitute some other procedure; or they may effect an extension of the franchise, in a way that will elicit the approval of other groups.

The first means stalemate, the strangulation of the spirit of adventure, the indefinite recession of peace.

The second is scarcely to be expected. There was a period, early in 1923, when it was on the verge of adoption as a political platform by a group in the Colony. Lack of organization and absence of an impartial Press were among the influences which averted that issue. The major objection to it at the present day is vanity—the certainty of a scream, eclipsing all previous cacophonies, from the political turkey-cock. A high percentage of the Europeans in Kenya did press, over a long term of years, for the franchise. They have now had it for eight years, and much disillusionment prevails. If we could visualize the complications in administration, in internal relations, in political unrest, that are likely to follow the grant, now seen to have been somewhat precipitate, of franchise rights in Kenya in 1919, we should perhaps pause before rejecting, even now in 1927, the possibility of reverting to a nominated Legislature. To the personal recollection of many observers that form of Government did yield a more wholesome Legislature—less grinding of

private axes under the thin pretence of public duty, less turmoil, a truer presentation of the genuine public interest. The offer of the vote to the Europeans has resulted, after an upheaval, in the offer of the vote to Indians, and consequent upon that, to Arabs, who as a class did not desire it. But having been given to them, it will be demanded by emergent African groups—by the Bagánda no doubt, by the Kaviróndo, by one group after another. This “privilege,” so artificial in a native African setting, will as a matter of tribal pride and self-esteem, as a supposed safeguard against oppression, be demanded by each native community that attains to a certain (quite elementary) degree of political consciousness. The unwisdom of precipitating this claim is almost universally recognized in Africa. It cannot, however, be averted if Europeans continue to exercise the right. A considerable group would still be found in the Colony which would agree to suspension of electoral activity, by surrender of the franchise and return to a nominated Council, for a fixed period of, say, fifteen years, so that development of the native tribes may proceed with a lessened risk of political agitation. They realize that the surrender of a privilege, the enjoyment of which has proved of doubtful benefit to the community at large, would be cheap indeed at the price of freedom from political convulsions among the native tribes. It is doubtful whether they would to-day be in a majority. And the measure would be a sentence of death to the political turkey-gobbler. Its dying struggles would be noisy and unedifying. There would be provided, however, a peaceful interregnum, during which reflection might be devoted to the adoption of some system of Government in which the ballot-box does not figure. Its production is almost always a cause of bitterness along racial lines. There are numerous organized societies in the world that maintain a system of Government without employing the ballot-box—to mention only such dissimilar groups as the Mási in Kenya and the Quakers in England. The idea of assisting in the conduct of the community's business by depositing in secret an anonymous opinion as to which of a number of individuals, all perhaps personally unknown to the voter, is the least unfitted to be a member of a governing body for the community, is about as foreign to the average African tribesman's view of what is sensible as almost anything that could be devised. It is not altogether certain that the African tribesman is wrong



in his estimate of the value of the political methods of Western democracies.

There remains the third course—a modification of the franchise that will prove acceptable to Indians, Arabs, and native Africans alike. Disquisition upon possible forms and procedures may be dismissed in one sentence. The form that is good enough for the Europeans sets the standard of what will be accepted, without demur, by the other groups: just that—and nothing less.

If we are genuine in our intentions to advance the African to whatever level of achievement his capacity, under good example and liberal education, enables him to reach, there is one incontrovertible conclusion to which sympathetic study of the native leads us: in so far as we accept the emergent African of civilized mode of life and of prescribed educational level *as one of ourselves politically*, we invite his confidence, earn his regard, and secure his cooperation and friendship. *It is the only way to do it.*

Any other method, however unctuously and laboriously explained to him, is recognized promptly as the erection of a barrier. It is not ultimately the African who suffers from the erection of that barrier—it is the group within it. They suffer from restricted movement and vision, from reduced light and air. Inevitably they slip into the rôle of *defenders*, which is the dullest of callings. Their enclosed space of privilege may in due time become a prison to all intents and purposes—the barrier unscalable: the barrier, in due course, irremovable except by mine and explosion.

In a considerable circle the acceptance of the cultured and educated African or Arab (given an adequately severe educational test in English) as a fellow-citizen on a basis of political equality, is by no means an intolerable idea. In a loose-thinking way it is accepted, more or less, that such an upshot is the designed outcome of our occupation and administration of East Africa. With hazy recollections of English history, among which the most deeply ingrained memories are “Julius Cæsar, 55 B.C.,” “William the Conqueror, 1066,” the average man or woman does, however, regard it as something of an undeserved infliction that it should take the African, not 2,000 years or even 1,000, but only fifteen or twenty, to reach a stage of education when he can no longer, with any show of equity, be debarred from carrying his

interest in the conduct of public affairs to the point of joining others in recording a vote for a candidate of his selection. In spite of this grievance, due to the African's rate of progress, the right would be generally conceded, were it not for the presence of the Indian, similarly or more highly equipped, upon the scene. This repugnance to deal equitably with the Indian is a piece of unworthy sentimentality. It has no practical value. On the contrary it has definite practical disadvantages even on the commercial, not to mention the spiritual, plane. The query as to whether we are justified in subjecting the emergent masses of Africa to Indian competition comes with poor effect from the mouths of people, many of whose actions are examples of cold, calculating, remorseless exploitation. The reply is that the emergent African will safeguard himself. No one need doubt that. The suggestion that in this he will be hampered by the Indian element in the Colony rather begs the question. It is at least arguable that the presence of the Indian may be an assistance to the African in his political development. Numbers of Kenya residents thought so in 1922, as has been related.

Socially, all groups might live their own lives; they would all be abundantly content to do so. A large measure of political peace would be secured for Kenya, and the Imperial Government's difficulties with India would be reduced. It is perhaps understating the case to put it so. Rather it may be said that a handful of British people in Kenya to-day have a unique opportunity of according the Imperial Government invaluable help in one of the major problems of statecraft.

Considerations of fair play will, moreover, persist in intruding themselves among British communities everywhere. In the decade 1913-23 *the Indians in Kenya did not have fair play*. There is some obligation upon clear-thinking British people, both in the Colony and outside it, to be magnanimous.

For this solution of a common register almost any concession would be made by the non-Europeans. The only approach to statecraft that has been exhibited throughout the whole course of the imbroglio in Kenya has been the Wood-Winterton Agreement, which was mishandled so lamentably in Kenya in 1922-23. Its reservation of seats, with perhaps slight modification, would be accepted by non-British parties. It is conceivable that a restriction of voters would even be agreed to for a term of fifteen or twenty years. Any franchise which prescribed

a stiff educational test in English would at present admit to the electoral register thousands more Europeans than Indians, Arabs, and Africans put together. But that will not always be so, and in order to secure present-day equality of citizenship at the polling-booth, an agreement might be negotiated which would limit the maximum size of the Indian electorate to the exact number of British qualified voters, revisable on a yearly compilation of the voters' register. Clearly enough, there is nothing of statecraft about that suggestion. It is mere expediency, and rather nimble at that. But it might open the door to peace. It might settle, for a generation, Kenya's "Indian Question."

As for what is likely to happen, more than a generation ahead, in a country of such artificial, and such rapidly changing, conditions as Kenya—those who consider themselves competent to arrange that now must be content to be regarded as more self-confident than convincing.

There remains the potential African electorate, which at present is not a reality. If Europeans will insist on retaining the franchise, they must look forward to a time when a European candidate may win or lose an election on African votes. And at that time the would-be legislator, if a European, will be judged largely by the European record in the Colony. That is the desperate consideration for European residents in Kenya ever to bear in mind. What will it profit them, what can anything profit them, if they have meanwhile allowed little-minded politicians to estrange the good will of Black Africa?

What the Empire looks for from the people of Kenya is—Exploration. Unless the spirit of adventure is dead within them, they will organize this without instructions from the Home Country. The Empire, if not actually in danger, is embarrassed. It is beset by an enemy against which the proud navies, the massed bayonets, the bombing-plane, and the gas-cloud avail nothing. War can not subdue it. War may come and pass but that enemy remains—strengthened, in fact. What a field for originality of attack is here! Racial animosity is the one influence which, more than any other at the present day, appears likely to check the further advance of the British Empire as a power of beneficence in world affairs. But the spirit of revolt against sordid limitations to human effort still prompts our choice spirits; and there is nothing of adventure about an attitude of racial exclusiveness. It is conservatism, at its worst and most

banal—a policy that can never serve as the actuating motive to a people emerging from the lower spiritual levels. Its operations, when closely scrutinized, are seen to be debasing.

Once more we are back, though on a different plane, to the days of the Gentlemen Adventurers. Only it is now the case that their forays cover a wider range and are conducted at higher speed—they are turbine-driven, so to speak, instead of wind-driven. And the Lady Adventurers go with them now—another difference! Their explorations—on the plane of human relations—are for the immediate glory of the Empire, but are, none the less on that account, an example and a possible inspiration to other watching nations.

Those who are faced with a situation of racial strain are precisely the groups who possess the necessary equipment for this new Exploration. Who knows what influence a daring exploit by them may not now have upon the fortunes of mankind? When did the finger of High Adventure beckon us in vain?

*Happy* group of Adventurers, tailing down the sawing gang-plank on to the tender, and so to the liner lying in mid-channel with the Blue Peter flying!—The conscience of Britain goes with you on this cruise. On board the liner now, and looking down on to the empty deck of the lurching tender alongside. That thudding metallic racket ceases—amid shrill flutings. Thinly, across the wind, a voice from forrard: “Anchor’s up, sir!”

A long blast on the siren.

(*Clang, clang!*—down in the engine-room.)

Off! Down harbour—under a hooting sky, but with sapphire seas and a new world waiting for you somewhere ahead.

The Blue Peter flutters down.

An Exploration begun!

*Lucky* dogs!

## APPENDIX

MR. A. R. BARLOW (*v. pp. 95, 224*), WRITING IN *Kikuyu News*

ON

### NATIVE MEN'S WORK

THE usual argument one meets when urging that the native needs time to attend to his own affairs is that the male native while at home does no work, but lolls about watching his women slaving for him. This is an erroneous idea. Although the women when married are almost constantly at work, there are many kinds of work looked upon as purely men's work. Of these the following may be instanced :—

Men make new gardens by cutting down the scrub and breaking up the land with long poles used as levers. They are very frequently seen in Kenya cultivating by themselves or helping their wives in the gardens when planted. Some things such as sugar-cane, yams, sweet potatoes, and bananas, are planted almost exclusively by men. When the banana trees bear, the heavy bunches of fruit have to be prevented from breaking them down by being propped up with long props, and this, again, is men's work. Women do not take part in the cultivation of yams at all. Men spend the night out in the gardens all the time that the maize and other crops are ripening, in order to keep off porcupines, pigs, and the small buck. The trapping of moles which are such a pest in the gardens in many parts of Kikuyuland, is done by men; also the pruning of the trees grown for building purposes, and the fencing in of gardens and villages. When new huts are required, or a village is moved, it is the men's part to cut the poles and sticks required, and to build the framework of the huts, the women doing the thatching and plastering. The herding of the goats and cattle, of course, falls on the men and boys, and is a very binding duty; also the daily plucking of sweet-potato leaves for the fattening of sheep. Sometimes, too, journeys have to be made to the salt-licks and the salt earth carried to the village for the stock. Again, there are the special trades followed by men, for instance, smithing, chain-making, wire-pulling, wooden stool and beehive making, wicker-work for grain-stores and doors, and in some parts the dressing of grindstones. During the season of the "small rains" every available native is needed in the gardens to keep the birds from devouring the *mwere* crop. This is a most arduous task, lasting from sunrise to sunset every day for a matter of two months or more.

. . . We believe that the home life of the native should be preserved and allowed to develop its best characteristics, which is impossible when the father and sons of a family are at home only at odd times, separated

by months of absence. We believe, again, that the moral and spiritual development of the children of the soil is of as much importance as the financial prosperity of their conquerors.

. . . Although we sympathize with the employer who is losing money from shortage of labour, we do not agree that the native races were created simply for the benefit of the white man.

" . . . But in the administration of Kenya His Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust, the object of which may be defined as the protection and advancement of the native races."

*Command Paper 1922, p. 10.*

Presented to Parliament in July 1923.

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## GLOSSARY

### *Of Words of African Origin appearing in the Text.*

- Askári.—Armed trooper (Police or Military).
- Batili.—A dhow with a long projecting prow and a sharp stern.
- Bóma.—A rampart or boundary-fence : also the space enclosed by such.  
Since the early Government outposts in East Africa were roughly fortified, the word has also come to mean a Government station.
- Bwána.—Master : used also in a way corresponding to our " Mr. "
- Getháka.—An allotment of land to one Kikuyu family.
- Habári.—News.
- Kiberíti (*lit.* sulphur).—Matches.
- Kibóko (*lit.* hippopotamus).—A tapering whip of hide.
- Kibúyu.—The dried shell of a pumpkin, used as a bottle.
- Kipándi.—The identification certificate which has to be carried by male natives of Kenya.
- Kongóni.—" Coke's Hartebeest "—a very common antelope, of heavy build.
- Laióni.—A young man of the Másai tribe, not yet admitted to the warrior class.
- Manyátta.—A Másai village.
- Morán.—Warrior(s) of the Másai tribe.
- Safári.—A journey, voyage.
- Shám̄ba.—A word of wide application, covering *cultivated land* from the smallest native allotment to a large farm or plantation.
- Sháuri.—A consultation : business.
- Shénzi (strictly *mshenzi*).—A barbarian, savage.
- Témbo.—Palm wine, a native intoxicating drink.
- Táhu.—Ceremonial uncleanness, pollution (among the Kikuyu tribe).

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