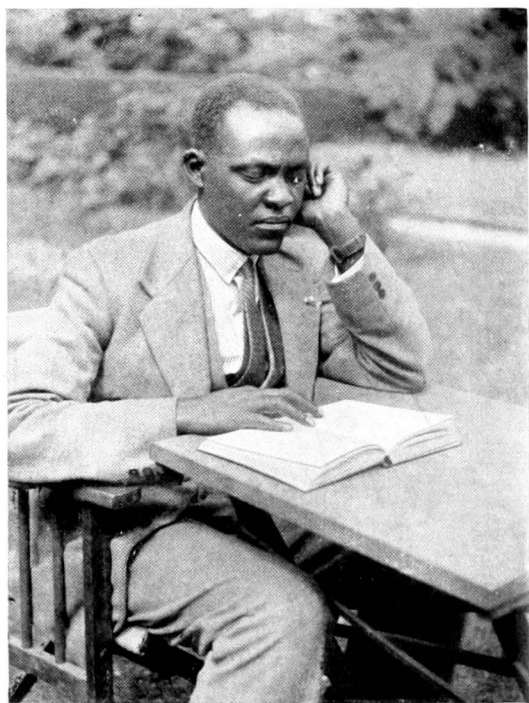


AN AFRICAN SPEAKS FOR HIS PEOPLE



**AN AFRICAN SPEAKS
FOR HIS PEOPLE**

PARMENAS GITHENDU MOCKERIE

With a Foreword by
PROFESSOR JULIAN HUXLEY



**PUBLISHED BY LEONARD AND VIRGINIA WOOLF AT THE
HOGARTH PRESS, 52 TAVISTOCK SQUARE, LONDON, W.C.**

1934

First published 1934

**MADE AND PRINTED IN GREAT BRITAIN BY THE
GARDEN CITY PRESS LTD., LETCHWORTH, HERTS**

CONTENTS

	Page
FOREWORD by PROFESSOR JULIAN HUXLEY - - -	7
Chapter	
I. A VISIT TO EUROPE - - - - -	11
II. LIFE IN KENYA - - - - -	22
III. KIKUYU TRIBAL INSTITUTIONS - - - - -	36
IV. KENYA UNDER BRITISH RULE - - - - -	44
V. EDUCATION - - - - -	54
VI. A SOCIAL SURVEY IN KIKUYU - - - - -	64
Appendix	
MEMORANDUM FROM THE KIKUYU LAND BOARD ASSOCIATION - - - - -	76

APPENDIX

MEMORANDUM FROM THE KIKUYU LAND BOARD ASSOCIATION

In placing the views of the Kikuyu people before the Commission, we wish to commence by stating the difficulties and handicaps under which we suffer in making this representation.

We are a primitive race, having come in contact with what is called "civilisation" for not more than half a century and yet we are confronted with the task of having to prepare a case in a manner which should be worth the consideration of a body composed entirely of gentlemen whose methods of thinking, experience based on books or limited years of Government service are entirely alien to the Community on whom they are sitting in judgment. We have therefore to borrow means and methods, and ape the manner in which the case may appeal to you from your point of view and according to your standards of measuring the requirements of a people who from the alien point of view are a species of living being which was hardly known to them about fifty years ago.

Our difficulties become aggravated when the fact is taken into consideration that our Association, which has taken upon itself the unpopular and unpleasant task of making an attempt to place before the British people the case of Kikuyu in its nakedness and true aspect, without any sophisticated frill, is not only gagged but crippled and tied by hands and feet, for we are not only denied the freedom of speech and press, but we are also forbidden from holding meetings and even collecting funds

to enable us to make our voice reach the ears of the civilised world.

Our honest efforts for making the truth known to the outside world and especially to the British people is construed as seditious and revolutionary while in reality we are rendering a real service to the British people by acquainting them with the real feelings of the people whose destinies they have taken upon themselves to rule and control. It is nothing short of treachery and trickery to make misleading and untrue statements in a flattering manner with a view to please the authorities in a manner which will win their favours.

History

We will not make any effort to relate the ancient history of this Country which is probably better known to you than ourselves, but we must ask your permission for placing the recent history of this Country as is known and understood by our people. We are aware of the fact that we are restricted only to statement of facts in connection with the Land Policy of the country, but we hope that you will not consider it irrelevant if we try to give you our idea of the history of the "Land we lived in" before the advent of the White Man and the "Land we live in" to-day.

The Land We Lived In

In the days when, what is known as "Kenya Colony" was to the civilised world "Terra incognita," and before the Germans Krapf and Rebmann came to these regions, or before Dr. Fischer discovered the Rift Valley in 1882, before Mr. Joseph Thompson passed through Masai Land in 1883 and discovered Mount Elgon, etc., which journey was the forerunner of the Uganda Railway, before the Hungarian Count Teleki and Lieutenant Von Hohnel traversed the Kilimanjaro and Kenya areas in 1887. Long before Mr. Ernest Gedge and Sir F. J. Jackson crossed the confines of present Kenya Colony in

1889-90 and long before Lord Lugard even the notorious German Carl Peter traversed these regions, we the Kikuyu-people lived in this Country as nature meant all mankind to live.

The land with ravines, the rivers, the forests, the game and all the gifts that nature has bestowed on mankind was ours and above all we had the FREEDOM.

It is true our safety was endangered by the occasional inter-tribal warfare, raids by slave traders, pestilence and famine, but we often wonder if we are safe from such misfortunes to-day. We were never-the-less a free people in the truest sense of the word.

The Land We Live In

It is within the memory of many an old man when the French Missionaries, the German emissaries and the British explorers began to visit our Country at short intervals. We looked upon these men as a curious creation of the nature unseen, unknown and unheard of by us. We looked upon these men as polite and harmless human beings as compared to the atrocious slave-traders. We extended to them our hospitality and allowed them to pass through our Country.

Our Land was never won by conquest, by the force of arms, nor even by peaceful penetration. There was a period when all the three nations, the French, the German and the British sought to enter into friendly treaties with us. Some of the old Chiefs preferred the British and entered into friendly treaties, the copies of which we did not keep as we never doubted the word of the White Man, but all these treaties were forwarded to and approved by the Foreign Office.¹ It was represented

¹ Mr. P. L. McDermott, the Assistant Secretary of the Imperial British East Africa Company in his book *British East Africa* or *I.B.E.A.*, published in 1893 by the authority of the Company, says on pages 207 and 208:

“The portion of Eastern Africa then reserved, and the more extended area afterwards acquired, for British influence, was at the

to us that the Union Jack was the symbol of peace, Justice, light and Liberty, and indeed these symbols can still be traced on the coins which were introduced by the Imperial British East Africa Company in the commencement. The impression which was gained by our Chiefs who signed the treaties, was that they were entering into an agreement of friendship with an honorable nation whose word of promise was inviolable and would remain inviolate for ever. We were told that the British would remain here as representatives of the great Queen who then reigned in England and had a world-wide Empire which flourished and prospered under her benevolent

date of the Company's formation an almost entirely unknown region beyond the coast line. While the southern sphere, assigned to Germany, had for many years been frequently traversed by trade, caravans, explorers, and missionaries, and had therefore become comparatively familiar ground, the countries north of Kilimanjaro were, in the year 1888, practically *terra incognita*, the only European who had succeeded in penetrating to the Victoria Nyanza being Mr. Joseph Thomson, in his rapid necessarily superficial expedition through Masai land. What was known of the rest of the region was the result of conjecture or of native reports gathered by missionaries. It became, therefore, the first duty of the Company to open up this unknown region to commerce and to civilisation by explorations, directed not to purposes of scientific observation, but to the attainment of such knowledge of the geography and resources of the country, *and to the cultivation of such relations of friendship and confidence with the natives as would ensure the general results at which the Company primarily aimed.*"

And also on page 210 of the same book he says:

"Other caravans of less relative importance but indispensable to the duties imposed on the Company by its own work and that of Her Majesty's Government, traversed various parts of the country, with the result that in two or three years a familiar knowledge was obtained of great part of the extensive British sphere, and *friendly relations established with the natives.*

"*A list of 92 treaties obtained in these expeditions, and approved by the Secretary of State for Foreign Affairs, testifies to the extent to which the instrumentality of the Company's caravans was successful in enlarging the sovereignty of the British Flag.*"

guidance. We were told there would, as the result of the new friendship, be no more inter-tribal wars, no raids by slave-traders and that we will enjoy a perfect freedom and peace in our Country.

It is true that the scourge of the inter-tribal warfare and slave-raiders' invasions have ceased in the sense we knew them before the British advent, but while the number of men who have been killed in the Great War, in which we were not in the least interested or involved, has probably exceeded the number who were killed in the local warfare for a preceding century and while we have enjoyed immunity against slave-raiders, we are expressing the true and innermost feelings of our people (which probably no chief will dare to be frank enough to tell you, fearing that if they dare tell the truth it might result in their rank or position being reduced) when we say that it is felt that the whole nation has been enslaved in their own Country without being removed along with any slave gangs, the only difference being that while the slave traders provided the slaves with a home and were responsible for their food and upkeep, we have been robbed of our homes in our own homes and such endless restrictions have been woven round us by means of a series of foreign laws the multiplicity of which baffle even the intelligence of professional lawyers. We feel we are treated like wild animals brought into captivity for whom even the ordinary consideration of space for free movement according to the captured animals is no longer available.

While the Medical Department has done a lot to save us from disease and pestilence the number of our people who succumbed to the ravages of the Influenza of 1919, a by-product of the Great War, has probably exceeded the number of all the victims of local disease and pestilence for a whole generation.

The term "Reserve" in reality does not mean a location which has been reserved for us but in practice

means an unfenced detention camp out of which we dare not move with any degree of freedom.

We cannot dream of touching the plentiful game which was once under our domain. If we dare touch a stick of fuel in the forests which were at one time ours, we have to pay the penalty, we have to pay heavy rents and taxes for remaining in a state of captivity on a fraction of what was at one time our own land, we have lost all the cultivation land which had been dearly bought by our ancestors from the Wandorobo.

We are forced by various circumventing influences to submit to a form of slavery in the shape of labour which is designed to be excluded from the sophisticated definition of slavery or forced labour, but which in effect means nothing but real slavery and forced labour.

Then we saw an altogether new thing being introduced into our Country which took away a big chunk of our homeland. This was the Railway. Although we now understand that this new piece of wonder was constructed for strategic purposes to defeat the designs of the Germans and for subduing rebellions in Uganda, we were told that it was a very useful piece of machinery constructed for our convenience to convey us from one place to another with comfort and speed. Little did we dream that the innocent-looking trains of the Railway would bring in their wake hordes of Europeans and Indians who would rob us of our very existence and drive us from our homelands.

We are sure that you would consider that these are the expressions of a few semi-educated agitators as some of us have been dubbed in the past. In order to show that we are only trying to acquaint you of the feelings of the whole Community, we beg your permission to quote the evidence of a British administrator who is considered to be an authority and whose good and sincere intentions cannot be doubted.

Mr. G. A. S. Northcote, District Commissioner of

Kyambu District and afterwards Chief Assistant and Acting Colonial Secretary to the Kenya Government, in his evidence before the Land Settlement Commission, 1917, stated (page 12 of the Report):

“What Kikuyu holds to be the robbery in 1903-04 of large tracts of privately owned land still causes strong resentment among them; for many years it coloured their attitude towards the European. It still so colours it, though to a less degree and the feeling happily is dying out. But very little would raise it afresh.”

“Predecessors of mine at Kyambu held as I do that our chief, if not only, reason to fear trouble with Kikuyu would lie in any great interference with their Reserves.”

Dr. J. E. Henderson, Ngenda Mission, Ruiru, whose opinion was asked by the same Commission as to the feasibility of acquiring a portion of the “Kikuyu Reserve” for the purpose of settlement, is reported to have stated *inter alia* (page 15 of the Report):

“He is convinced that the Wakikuyu would not be willing to sell their land and that if it were forcibly taken from them that a few white people might be killed by excitable members of the tribe. They are an agricultural people and that their land is their life and means even more to them than their cattle on which they set great store.

“He considers that even if the land is paid for, it will be impossible to make the Wakikuyu who do not understand the conditions of civilisation, think anything else than that the land has been stolen from them, and that although there is a large movement towards education amongst them that this had received a great setback when all the men between 18 and 35 were taken for the Carrier Corps.”

The Basis of the Charter of Queen Victoria

We respectfully beg to submit that the Royal Charter dated September 3rd, 1888, granted by Queen Victoria to the Imperial British East Africa Company which marked the era of British influence in this Country was decidedly not meant for the purpose of appropriation and annexation of our private lands, and certainly not for the object of colonisation of non-native population.

In the preamble and reciting the aims and objects of

the humble petitioners (The I.B.E.A. Company) it is stated :

“ That the petitioners desire to carry into effect the said grants, concessions, agreements, and such other grants, concessions, agreements, and treaties as they may hereafter obtain within the districts already referred to as being within the sphere reserved for British influence and elsewhere, as we may be pleased to allow with the view of promoting trade, commerce, and good government in the territories and regions which are or may be comprised in such grants, concessions, agreements, or treaties, as aforesaid, and the petitioners believe that, if the said grants, concessions, agreements, or treaties can be carried into effect, the condition of the natives inhabiting the aforesaid territories and regions would be materially improved, and their civilisation advanced, and an organisation established which would tend to the suppression of the slave trade in such territories, and the said territories and regions would be opened to the lawful trade and commerce of our subjects and of other nations.”

And section 12 of the Charter stated:

“ In the administration of justice by the Company to the peoples 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 respect to the holding, possession, transfer, and disposition of lands and goods, and testate, or intestate, succession thereto, and marriage divorce, and legitimacy and other rights of property and personal rights.”

How within the course of twelve years and almost immediately after the death of the noble Queen who had granted this Charter, its express direction was violated and abused by what has been described by the British administrators themselves as “ Robbery of Land ” will be shown hereafter.

Breach of Faith

In section 10 of the report on Native Land Tenure in Kikuyu Province the Committee is trying to analyse the claim of the Kikuyu for having bought their present Ithaka from Darobo, state at the end of section 10:

“ We need not define the exact implication of the claim that they ‘ Bought the Darobo ought.’ It is at least certain that payments

were made, and that Kikuyu families are the undisputed Successors in the occupation of areas which Darobo families once hunted.'

And in an attempt at a further analysis of the phrase, and wondering why any payments were made to the Darobo by the Kikuyus and why the Darobos were not driven out by the Kikuyu after fashion that we unfortunate Kikuyu have been driven out by the British, the Committee state in paragraph 11 of the said report:

"It is reasonable to ask why the Kikuyu did not attempt to drive the Darobo out. Why trouble to make a payment? The explanation is probably to be found in two main factors which are perhaps different aspects of the same thing."

"(a) The great respect which is shown for a right of first use, and
(b) Magical consideration."

Again the Committee in trying to define the right of occupying land of natives before the British came, state at the end of paragraph 30 of the Report:

"Not only is he the owner by virtue of inheritance of an original right of use, but he is the developing occupier, and it has been laid down as a 'Principal from which no civilised Government would think of departing that in the Countries acquired by conquest or cession, private property whether of individuals or Communities, existing at the time of the cession, or conquest is respected.' This can not be less true of a Protectorate which has subsequently been annexed as a Colony."

We need hardly stress the point that the principle of respecting the right of first use not only enunciated by civilised world and endorsed by the members of the Native Land Tenure Committee but also observed, according to Report of the Committee, by uncivilised Kikuyu in recognition of the rights of the Darobo, has been disgracefully ignored and thrown to winds by the Administration which "drove" the Kikuyu out of their holdings without making any payments for the land not only occupied by them, but inherited from their ancestors who had actually bought same from Darobo according to the Committee's own finding.

What could our helpless people do to challenge this glaring "Robbery of Land." They were at that stage hopelessly incapable, owing to their ignorance, of making any representation to the Imperial Government to counteract the activities and the hunger of the European settlers for obtaining other peoples' land, they (the Kikuyu) were certainly neither then nor are they now in a position to regain their land by the force of arms.

Had our land been thus robbed by any other native tribes armed with similar weapons as ourselves, the Kikuyu would have certainly given their lives for their property, but confronted by the people with the latest and most formidable weapons of precision and destruction such an idea was and is unthinkable. But forcible misappropriation of land completely shattered to pieces the confidence of the Natives for the word of the Sirkari who had promised that they had come to our land as our friends and protectors.

The lack of confidence thus engendered in the minds of Wakikuyu is expressed by them in the saying that "The Government is like a mole which burrows under ground and comes up and takes land." (See Mr. Northcote's evidence, page 11 of the Land Settlement Commission Report, 1917.)

White Colonisation

In their eagerness to turn our Country into a White Colony, the Administrators of the time not only disregarded the imperative directions and principles laid down by the Crown in the Royal Charter granted to the Imperial British East Africa Company and the subsequent Orders in the Council, but betrayed a lamentable and ruinous ignorance of Native custom by mercilessly giving away to Europeans all the land which was then lying fallow or was reserved for grazing of cattle and which they erroneously considered as being unoccupied, uncultivated and unwanted by the natives.

Colonel Ainsworth; one of the earliest servants of the

Imperial British East Africa Company, and afterwards Vice Consul to the British Government at Nairobi, stated in the evidence before the Land Settlement Commission 1917 (page 10 of the Report).

Colonel Ainsworth explained that the amount of uncultivated land to be seen in the Reserve was due to the Kikuyu custom of clearing forest for cultivation and afterwards as the bush sprang up letting it lie fallow, when they use it for grazing. He stated that in his opinion a forced removal of the population of the area under discussion would lead to trouble. Of course if the native could be given land elsewhere and was willing to go that would be another matter. He considered that any steps in this direction should be very gradual, and that to attempt to rush matters would disturb the peace of the country, as gradual and equitable measures are the only way to a good understanding between black and white. He does not think that the native can be any further concentrated under the present system of working the land, though from an Administrative point of view it would be an advantage to do so.

As further evidence of the fact that the Wakikuyu not merely claim extensive area of land over which the Wandarobo, from whom they bought the land, hunted and laid traps, etc., for the game, but that the land was actually occupied and cultivated by them from which they were forcibly evicted by the British. We would respectfully refer you to an eyewitness of no less importance than Lord Lugard, who states on page 323, Volume 1 of his book *The Rise of Our East African Empire*:

“Kikuyu is surrounded by magnificent primeval forests, and probably owes its rich soil to the existence of former forests, which have been replaced by cultivation, only the skirts being allowed to remain as a protection against the Masai.”

Captain (now Lord) Lugard had travelled from Machakos across the Athi Plains in 1890 and was thence guided through the forest to the cultivated land and

camped for a while at what was subsequently named Fort Smith.

He continues on page 325:

"When we emerged from the forest and entered the cultivation there was soon a big crowd. We camped on a knoll . . . this spot is the one of which Fort Smith was afterwards built by Captain Smith. . . . I did not myself approve of this place as a site for the station because it was situated in the very heart of the villages and fields of the Kikuyu; the place was somewhat cramped and firewood not obtainable for a considerable distance.

"I spent some time in examining the surrounding country towards the forest, under the guidance of the local Chief ERYEKI (Waiyaki) and his brothers, and eventually selected a charming site at a little distance from the cultivation and the villages. A clear mountain stream flowed at the foot of the slope; beyond was dense forest: the name of the place was Dagoretti."

Lord Lugard, as his story shows, did not go up into the Kikuyu Country, but describing the part between the Fort Smith and Dagoretti, he writes, page 328:

"The cultivation in Kikuyu is prodigiously extensive, indeed the whole country may be said to be under tillage. . . . We bought some twenty thousand pounds of grain and beans (mostly the latter) in a few days, before starting on the onward march . . . and this in spite of the fact that a flight of locusts had already devastated the country, that Mr. Jackson's caravan had bought up large quantities and that this was not the best time of the year for food purchase."

The description of Kikuyu land in April 1890 shows that the Kikuyu had penetrated, deforested, cultivated up to their present boundary at this point and that they were present in very large numbers. The reduction in number was due to the great famine of 1899, which in Mr. Krieger's opinion reduced the tribe by three-quarters of its numbers.

The village of Chief Waiyaki referred to by Lord Lugard, was and is to the South of Railway line. This chief was subsequently deported to, and died somewhere near, Kibwezi. Most of his land was handed over to Church of Scotland Mission (Thogoto), Kikuyu, some of it has been sublet by the said mission to the Alliance

Missions Society and the Alliance High School. Other parts of Chief Waiyaki's land was distributed among Mr. Waddle, Mr. Taylor and Mr. Cane, Kikuyu. The remnant of this Chief's clan numbering about a thousand are still on the land with no better status than that of squatters. They are known by the name of Mbari Ya Hinga.

If indeed the land which was lying fallow and reserved for cattle grazing and fuel, etc., at the time was considered through the ignorance of the Administrators to be unoccupied land and therefore provided any justification for the same being given away to others, then carrying the same principle to its logical conclusion, we most respectfully submit that out of the five million acres which has been given away to less than 2,000 Europeans, the four and a half million acres which are lying uncultivated up to this day should revert to the natives of the soil.

Pledge of the Governor of the Colony during the Great War

What was originally meant and promised to be a friendly State to the British people was proclaimed a protectorate and subsequently annexed as a "Colony" in 1921! Without any consultation with or information to the aborigines.

We witnessed with somewhat concern, as we feared that our turn for a similar treatment may also come sooner or later, the removal of Masai from the outskirts of Nairobi to Laikipia in 1904, and then again from Laikipia to the Southern Masai Reserve in 1912. We also witnessed the futility and utter hopelessness of resorting to the courts of law, which failed to give any redress to the Masai although they spent colossal sums of money in taking their case up to the Privy Council. In fact their case was thrown out of court on the grounds that they were allies of the British, and the courts had no jurisdiction to adjudicate in the matter.

When the Great War broke out and the Government

was in dire necessity of men, our people were asked to supply men. We were naturally not very enthusiastic in helping a Government who had deprived us of our homes and land in the past, and it was at this juncture that a definite pledge was given to the Wakikuyu by His Excellency Sir Henry Conway Belfield, on August 20th, 1914 (S. 211) *that there will be no more interference with our land in future.*

We are not in a position to produce any documentary proof of this pledge but in order to show that such a pledge was given we beg your permission once again to refer to the evidence of Mr. G. S. Northcote on page 11 of the Report of the Land Settlement Commission wherein he stated:

“ That His Excellency Sir Henry Conway Belfield in August 1914 gave a definite promise to the Wakikuyu that their Reserves should not be interfered with (vide S. 211 of 20th August, 1914) and he was also opined that such promises are not lightly to be disregarded.”

After this promise we supplied . . . men to the Carrier Corps of whom . . . died on active war service.

As a final reward for the war services rendered by the Kikuyu community, the Land Settlement Commission, notwithstanding the definite assurance given by the Governor on August 20th, 1914 (S. 211), recommended that 83,000 acres of the Kikuyu Reserve Land and 20,000 acres of the Forest Reserve land between Kikuyu and Kijabe should be given to the European Soldiers who had served in the same War as members of our community.

How this definite promise was observed in its wholesale breach rather than its fulfilment will be seen by an examination of Appendix I which shows the extent of land which was actually seized from the Wakikuyu and handed over to Europeans after this solemn promise.

Not only this, but while these men were on War service the hut and poll tax was collected with great severity from their mothers and fathers and it was not until 1917, when His Excellency the Governor issued an order to the

Administrating officers not to *press unduly* the relatives in the Reserves to pay the tax of men absent on War service, that a respite was granted.

Density of Population

As a result of the wholesale and devastating eviction of Kikuyu land and the wholesale allotment of same to the Europeans, the density of population in the Kikuyu Country, according to the findings of the Committee appointed in 1929 to report on the Native Land Tenure in Kikuyu Province, exceeds in some cases 500 to a square mile. Thus some of the districts in our province break the record of the density of the World population of any agricultural people and occupy perhaps third place in the record of the density of the World population, notwithstanding the fact that our Country is a purely agricultural country and the thickly populated countries such as England (with population of 700 to the square mile) Belgium (658) and Netherlands (558), are mainly industrial countries with some of the largest cities in the World such as London, and considering that almost half the area of our land is not arable, the congestion becomes appalling and leaves less than half an acre per head.

The Native Land Commission of 1916 appointed in South Africa reported the density of the population in reserves there to be ranging from 48·8 in the Cape to 79·45 in the Transvaal, with an average for the Union of 52·26; the density of the population on Native owned lands varying from 67·11 in Natal to 11·05 in the Orange Free State, with an average for the Union of 37·31 to the square mile, and yet the Commission recommended an extension of Native lands to the extent of slightly over 20,000,000 acres or 32,681 square miles.

Out of the total area of the Colony and Protectorate, which consists of 224,960 square miles, about 45,000 square miles are said to have been theoretically reserved for the use and occupation of Native tribes, the total estimated population being 2,404,000, representing a

density of 53·42 per square mile. The distribution of the land for Native Reserves is as follows:

Masai	14,962 square miles
Kavirondo	7,122 " "
Akamba	7,581 " "
Nyika	4,194 " "
Suk	3,389 " "
Kikuyu	6,116 " "
Kamasia	1,600 " "
Total	<u>44,964</u> " "

The figure of 6,116 square miles for the Wakikuyu has been taken from the Kikuyu Land Tenure Committee's Report, although the exact figure supplied to this Association by the Acting Commissioner for Local Government, Lands and Settlements *vide* his letter No. (Appendix 2) LND 26/1.11 of June 9th, 1932, shows the native area as 5,211 square miles.

Since we have not the figures of Census Report 1931 available, we have referred to the Census Report 1926, which shows that there were 2,199 Europeans engaged in the agriculture in that year, and according to the Report of the Agriculture Commission 1929, 4,537,817 acres of land (7,090 square miles) were held in occupation by 1,809 occupiers in the year 1926 (the total number of Europeans occupied being 2,199) showing a density of total European agricultural population of 3·22 to a square mile.

But this comparison does not show the true picture of the density of the Kikuyu Province.

Excluding the population of 254,920 of Meru and Embu districts with 4,187 square miles, representing a density of 60·88 to a square mile, there is left a population of 453,474 in Nyeri, Fort Hall and Kyambu Districts with 1,929 miles, which represents a density of 235·08 to a square mile in these three districts, although as stated previously some parts are so congested as to represent a density of more than 500 to the square mile.

Illegal Transfer of Native Land

In fact even according to the provisions of Section 30 of the Crown Lands Ordinance, 1902, the Commissioner is specially prohibited from selling or leasing any land in the actual occupation of natives.

Section 30 of the said ordinance reads as follows:

“ In all dealings with Crown and regard shall be had to the rights and requirements of the natives, and in particular the Commissioner shall not sell or lease any land in the actual occupation of the natives.”

Other sections of the Crown Land Ordinance, 1902, also clearly show that the Spirit of the Law was expressly not to disturb the natives who were actually settled on the land even though the same may be leased in contravention of Section 30 of the Ordinance.

The following sections throw a flood of light as to the real intention of the law under which the land was alienated to Europeans between 1902 and 1915.

Section 16 (b) that the lessee, his servants and agents, will not interfere with the settlements or villages of the Natives, or with the land allotted for Native Settlements or villages, and, so far as possible, will avoid all quarrels with natives in or near the land leased.

Section 31 (1) 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.

Section 31 (2) the Commissioner may allot for the purpose of Native Settlements or villages, portions of the land so leased, and when and so long as these portions are so occupied, they shall be deemed to be excluded from the lease.

Section 31 (5) claims by lessees for reduction of rent on account of diminution of land leased, or for other compensation on account of the exercise of the powers conferred by this section, and claims by the Commissioner for an increase of rent on account of the vacating of land formerly occupied by natives, shall be referred to the arbitration of a judge of the High Court under section 525 of the Indian Code of Civil Procedure.

Since the ordinary Indian Limitation cannot be applicable to the transaction of these peculiarly local

circumstances which do not exist and could never have existed in India, it should be a matter of legal opinion whether or not each case in which natives have actually been driven from the land which was originally occupied by them and subsequently leased to Europeans, cannot be a fit and proper matter for a Judicial inquiry. But having seen the result of the famous Masai case of 1912, we dare not hazard such a speculative litigation.

Extermination of Natives

According to Mr. Northcote's statement (before the Land Settlement Commission) the population of the whole Kikuyu Reserve, according to the latest figures available then (May 1917) was 968,703. This was the time when thousands of Wakikuyus between the ages of 18 and 35 were forcibly recruited for the Carrier Corps.

According to the Report of the Committee on Kikuyu Land Tenure, November 1929, the population has been reduced to 708,394, showing a decrease of 260,309. Out of this decrease 27,096 are traced as having gone on European farms as squatters (compiled from information given in the House of Commons on June 10th, 1931).

The details being as follows:

Nairobi	1,330
Kiambu	11,479
Fort Hall	10,674
Nyeri North	3,567
Embu and Meru	46
Total	27,096

These figures clearly show that excluding the men who were enlisted in the Carrier Corps, the number of Wakikuyu who have either perished or are leading a life of exile, being scattered all over Africa, is no less than 233,213. This staggering figure, showing the victims of the European invasion of our country, is enough to disintegrate any virile community, and serves as an indication of the complete annihilation of our people in

the course of a short period if the process of driving us out of our homes continues by the diverse ways and means which have been at work heretofore.

Land for Mission Schools

Apart from the indiscriminate distribution of our land among European Farmers without any regard to our present requirements or future expansions, large areas of land have been granted to Missionary societies on the pretext that these societies exist for our benefit, but serious differences of opinion arose between the missionary societies and Wakikuyu because of the attempt of the latter to interfere with the ancient custom of female circumcision, and consequently a large number of schools which were built on lands owned by Kikuyu with the funds provided by Kikuyu, were closed by the Missionary societies. These Schools were aided by the Government, and notwithstanding our entreaties and representations they have remained closed now for more than two years. The final answer was received from the Government concerning these schools is that the matter should remain pending till the inquiry by your committee. Some of the members of our tribe have been prosecuted and convicted (!) for trespassing on their own land which they had given for these schools. We beg to enclose herewith correspondence which has taken place between various persons of our tribe and the Government.

There are several salt licks in Kikuyu Province to which our livestock are not allowed free access.

Owing to various breaches of promises by the Government in the past as regards the stoppage of the alienation of our land, our faith in such promises has been so shaken that we do not consider the elastic and vague provisions of the Land Trust Ordinance to be any security to our tenure for all times, and this lack of confidence has been further aggravated by the alienation of land for Tana Maragua Hydro Electric Scheme which

has been made since the enactment of the Land Trust Ordinance. This shows that the present area of the Native Reserves is not safe from being encroached under various plausible excuses of schemes for the benefit of the public.

In conclusion we beg to request:

- (1) That all land belonging to our tribe which has been alienated including the land for Mission schools be restored to us.
- (2) That a sufficiently large area of fertile agricultural and grazing land be added to our present reserve with due regard to our present requirements and the future increase of our numbers.
- (3) That boundaries of present and future enlarged reserves should be marked in such an unmistakable manner that they should be easily known by sight to the present and future generations instead of being marked on plans and papers.
- (4) That no land should be alienated in the reserve for any purpose whatsoever to other than natives.
- (5) That within the reserve the system of Githaka should be maintained, giving individual titles to clans and families with the safeguarding conditions of adding to or reducing the area according to the increase or decrease of the family.
- (6) That permission be granted to us to purchase land from Europeans or Indians and if and when the members of our tribe are able to do so.
- (7) That a sufficient area of forest be placed at the disposal of each clan to which they can have free access and cut fuel or timber according to the requirements which can be regulated by the purely native councils.
- (8) That our livestock should be allowed free access to all salt licks.

*Other Books on Colour Problems
published by The Hogarth Press*

Politics and Economics

By NORMAN LEYS

KENYA

A LAST CHANCE IN KENYA

By LEONARD WOOLF

EMPIRE AND COMMERCE IN AFRICA

IMPERIALISM AND CIVILIZATION

By LORD OLIVIER

WHITE CAPITAL AND COLOURED LABOUR

THE ANATOMY OF AFRICAN MISERY

THE MYTH OF GOVERNOR EYRE

By LEONARD BARNES

THE NEW BOER WAR

Fiction

By WILLIAM PLOMER

I SPEAK OF AFRICA

TURBOTT WOLFE

By LAURENS VAN DER POST

IN A PROVINCE