

**A LAST CHANCE IN KENYA**

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NORMAN LEYS, M.B., D.P.H.

AUTHOR OF "KENYA"

"The African, of course, has no views at all."

(Sir Edward Grigg, recently Governor of Kenya, in answer, in the Joint Select Committee, to the question what were the opinions on Closer Union of the various sections of the community in Kenya.)



*Published by Leonard and Virginia Woolf at  
The Hogarth Press, Tavistock Square, London*

1931

*First published in 1931*

PRINTED IN GREAT BRITAIN  
BY R. & R. CLARK, LIMITED, EDINBURGH

## PREFACE

IN my earlier book *Kenya* I made a serious blunder. Misled by a crease in a newspaper cutting, I failed to see where a quotation ended, and attributed to Sir Edward Northey, at one time Governor of Kenya, words that were part of an anonymous leading article. I take this opportunity of making public apology to Sir Edward.

Great pains have been taken to avoid such blunders in this book. Two men who happened to be on leave from Kenya while it was being written read and criticised drafts of the chapters that contain statements of fact. Drafts of most of the chapters were read and criticised by two other men with longer and more recent experience of Eastern Africa than my own. Of these four, the only one whom I may thus publicly thank is the Venerable Archdeacon Owen, to whom the Africans of Kenya owe more than to any other person.

As with my earlier book, my brother, Kenneth Leys, of University College, Oxford, and with him my sister, Mary Leys, of the Oxford Society of Home Students, spared no pains in giving invaluable criticism and suggestion. I owe the tables in the Appendix and other statistical matter of great value to Mr. Charles Speller, formerly of Merton College, and at one time a resident in Kenya. I owe much to the help of my wife, my brother Dr. Duncan Leys, formerly of Balliol, and my old college friend the

Rev. Thomas Rook, of Derby. I am grateful both for criticism and for reading the proofs to Miss Winifred Holtby, formerly of Somerville, and to my daughter Agnes, formerly of St. Hilda's.

The introduction may be ignored by readers already familiar with the subject.

The book was practically finished when the Labour Government went out of office in August 1931.

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## INTRODUCTION

GRANTS of land have been made to Europeans in all the British Dependencies in East Africa, the largest and most numerous of them in Kenya. Hence the existence in that country of a European colony of by this time about 16,500 men, women and children, of whom some 2100 are landholders, who, together with an unknown but large number of absentees, own about 11,000 square miles of land. There are also more than 30,000 Indians and about 3,000,000 Africans in Kenya. In the other East African countries European residents are less numerous and influential.

Sir Joseph Byrne went to Kenya as Governor early in 1931. His four immediate predecessors governed the country in close co-operation with the leaders of the settlers, as the European residents are called. The settlers elect, under adult suffrage confined to Europeans, eleven out of the thirty members of the Legislature, and are represented on the small Executive Council. For more than twenty years Kenya has been governed, as to both legislation and administration, in accordance with what the settlers consider the right policy, despite frequent protests from the Indians and, during the last few years, a fast-growing tide of dissatisfaction among the African population, now emerging from the tribal stage of society. But the position of the settlers was felt to be insecure. Constitutionally, the Legislature has merely the function of advising the Governor, whose duty it is to carry out, with the help of the



official majority, the policy approved by Imperial Parliament, as expressed by the Secretary of State for the Colonies. Neither Parliament nor Colonial Office has ever publicly disowned the traditional British policy of equal rights and opportunities for all, although wide inroads have been made upon it in practice in a number of Dependencies under Imperial control. Nowhere have these inroads been so large as in Kenya. Further, the Labour Party was known to be deeply committed to the resumption of that traditional British policy. And, in the last year or two, its partial resumption by Sir Donald Cameron in the neighbouring Territory of Tanganyika, in spite of protests by the settlers, had won a popularity that contrasted with the poverty and unrest prevailing among the Africans of Kenya.

The settlers proposed to meet these dangers to their position, first, by persuading the Imperial Government to abolish the official majority in the Kenya Legislature, that makes it possible for a Governor to restore the policy that our country has always professed to follow, and second, by the creation of a Federation of all the countries in British East Africa, through which they might exercise over the whole area the control over policy that hitherto has mainly been confined to Kenya. While this situation was developing, a series of Commissions were appointed to investigate the problem. Until the appointment in 1931 of the Joint Select Committee of Parliament, the only one of these Commissions that was properly representative was the large Royal Commission of 1924, which was dissolved in the following year, for a reason that has never been publicly explained. While the reports of all except one of these Commissions contain long accounts of what their authors considered were the needs of the Africans, who in Kenya are 98 per cent of the population, and are an even larger proportion in the other East African countries, none of them explained at all adequately their wishes, especially

those of the peasantry. This book contains an account of their situation and their desires.

But there is a far more urgent reason for its being written. The policy pursued for five years by the last Governor, Sir Edward Grigg, which was really Lord Delamere's, which in turn, though this is denied, was an adaptation of the South African policy, has dangerously ripened unrest in Kenya. He was not the first Governor to believe that the key to every door to prosperity was the encouragement of "white settlement", by building up, by means of privileges and subsidies of many kinds, a European colony large enough to be entrusted with the responsibility for governing the country. But he carried out that policy with unprecedented completeness. Before his time each Government Department had an executive head who was responsible solely to the Governor. Sir Edward provided the different departments with boards or committees, dealing with education, roads and so forth, composed of settlers, which, though like the Legislature they had only advisory functions, found that their advice was generally decisive. He instituted a system of committing local affairs to bodies similarly composed, which are entrusted with the expenditure of public funds, though they raise no money locally. Sir Edward greatly extended the system of subsidies to the European colony which, as we shall see in detail, is so remarkable a feature of Kenya society.

Sir Edward Grigg's confidence in the ability of the resident European minority in Kenya to govern their African employees wisely and justly was closely related to his lack of confidence in the capacity of Africans. The reader will see no small way into the problem of Kenya if he grasps the fact that the man who has been governing Kenya for the last five years was so misinformed by his principal advisers as to be capable of using the words quoted on the title-page. The author will be abundantly

content if he can persuade some of the public of the falsity of this view of Africans half as successfully as the African delegates themselves convinced the Select Committee of its falsity.<sup>1</sup>

Apart from the causes of long continuance that are described in the chapters of this book, several incidental causes have contributed to make the next two years a period of special danger in Kenya. Every economic injustice has been aggravated by the fall in the world level of prices. A less calculable influence is that of the Africans who recently visited this country, who were almost the first from Kenya to do so. The courtesy with which the chairman and members of the Select Committee treated the official delegates, so different from the treatment they habitually get in Kenya, and the close attention with which they were heard, made a deep impression. The author thought it best to say to them no word except of friendly greeting. But he knows they went back to Africa on tiptoe with expectation, and greatly encouraged by the discovery of the fact that a large and important body of men and women in this country advocates the measures that would result in the complete redress of their grievances.

The deplorable decision of the Select Committee to refuse to hear the delegates chosen and sent, at the cost of great sacrifices, by Africans themselves, though it had listened to the delegates chosen by the Government, must have added many to the number of those in Kenya who suspect that our promises are not intended to be fulfilled. But, more than all else, it is the knowledge that their Government was directed, in the White Paper on Native Policy published in June 1930, to do some of the things they most ardently wish, and yet has done nothing to fulfil these directions, that has done so much to silence those who

<sup>1</sup> The Joint Select Committee of Parliament held its sittings during the first half of 1931. Its report had not been made public when this book was finished.

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advocate patience and to encourage those who advocate resistance.

These are the factors that go to make up the situation of the moment in Kenya. For a more general account of society in that country the reader is referred to the author's *Kenya*, and to Mr. MacGregor Ross's *Kenya from Within*.

## CHAPTER I

### THE MAIN FACT

Most African families in Kenya have incomes of less than five pounds a year, out of which they have to pay, on an average, 28s. in cash to the Government, and other taxes in addition. The chief tax is the hut and poll tax of 12s. Every male of sixteen and over has to pay the 12s. on his own behalf, and if he has dependants who live in huts of their own, such, for example, as an aged mother, he has also to pay a separate tax of 12s. on every hut. Hence, although there are not more than half a million adult African males in the country, including the old and otherwise unfit, more than a million taxes are actually paid.

One morning in August 1930 a man was found dead in bed in a certain Kavirondo village. (The Kavirondo and the Kikuyu are the two largest tribes in Kenya.) The signs pointed to death by violence. A magistrate held an enquiry into the death. At that enquiry these facts came to light. The man had just come home after finishing a six months' labour contract. (Later pages will explain what that is.) A few days after he got home the native tax-collector called and demanded from him the tax due on the hut of a certain cousin of his. The man denied liability for his cousin's tax, produced receipts proving that he had already paid his own tax and those of two other relatives in addition, and said that in any case he had no money to pay another tax. The chief's retainers or police, two of whom are always at hand to support a tax-collector, then seized

the man's only bullock (or heifer—the sex of the animal is uncertain) in satisfaction of the tax, and began to drive it away to their quarters, not far off. The animal's owner followed them, abusing them for their cruelty and bewailing his fate. After a time the police lost patience, set upon the man, beat him with a stick and kicked him in the ribs until blood came out of his mouth, and then tied him up in one of the police huts. In the night the man escaped. There was some conflict of evidence as to how he died. His mother said that he just died in bed as a result of the beating. But the magistrate thought true the evidence of other witnesses, who said they found the man's body at dawn hanging from a tree, and had taken it down and laid it on the bed. The magistrate's findings were that the man had committed suicide in despair, the result of his brutal and unjustifiable treatment by the retainers.

At the enquiry it came out, quite incidentally, that several labour tickets had been found on the dead man's person. A labour ticket is a card, marked with thirty squares, on which a man's employer or his foreman marks off each day's work as it is done. When the card is full, or at latest at the end of the contract, it is normally exchanged for wages. The withholding of wages, as in this case, is illegal and is punished by the more courageous kind of magistrate. As will be further explained in Chapter VI., natives never know whether such a complaint will meet with redress, or only with further trouble, and often think it wiser to be silent.

One or two minor points in this case deserve mention. The retainers who seized the man's animal acted illegally in distraining without a magistrate's warrant. They ought not to be blamed for doing so. If every man who was unwilling to pay his tax had to be taken before a magistrate, the whole system would break down.

Next be it noted that since no medical evidence was

called, no post-mortem could be held, and the exact cause of death remained uncertain. When the magistrate's findings were reported to the authorities, the native police or retainers—neither term fits them exactly—whose actions had led to the man's death, were fined a few shillings. Two of the handful of Europeans in the country who concern themselves with such matters then protested, and the men were tried and sentenced to several months' imprisonment. In the author's opinion that was almost unfair, since it is the system of taxation, devised in and enforced from Nairobi, that makes such incidents not only possible but inevitable. The next chapter gives a detailed account of the system. Finally, be it observed that no relative of the dead man was given any compensation by the Government.<sup>1</sup>

In Tanganyika, which once belonged to Germany, native interests have in the last few years been paramount. The incidence of direct taxation on Africans in that country is only a little more than half what it is in Kenya. And so considerable a proportion of the money is spent in ways that Africans themselves regard as beneficial that the Government is popular, as no other East African Government is, least of all that of Kenya. Yet, in the District of Songea, in the extreme south-west of the country, where the moun-

<sup>1</sup> The case of the Kavirondo suicide was briefly reported in the local Press. For the fuller account in the text, the author is indebted to two men, both of whom read the evidence and findings. One of them had a certified copy of these made, at a cost of 15s., but unfortunately left it in Kenya when he came on leave. The method used to ensure accuracy in this narrative was, first, to get the two men to write separate independent accounts of the case. Next, a series of questions was put to both independently, dealing both with points mentioned in one statement but not in the other and with points dealt with in neither. When finally the answers of the two men, who know one another slightly but had no opportunity to compare their versions of the story, were compared, they were found to differ on only two points: the sex of the animal seized by the retainers, and whether the man had or had not complained that his wages had been withheld. The one said he remembered nothing about the point. The other said that the man did complain to a District Officer, and that he issued a warrant against the employer which was withdrawn at the instance of a higher authority, as the employer was known to be in difficulties.

tains overlook Lake Nyasa, only a handful of the people can earn the tax-money locally, by work for the Government or the mission. Neither railway nor motor road goes near them, and even if one of them did, the cost of transport of such things as the people grow, 500 miles to the coast, would be prohibitive. The Government is trying to get roads made and to introduce the growing and curing of tobacco. It has also fixed the poll tax at a sum lower than in other districts. Yet hitherto most of the money to pay the tax has had to be earned by work for wages in the plantations on the coast at the opposite end of the country, 700 or 800 miles away. About a fifth of the men are absent at one time, earning the money for their fellow-villagers' taxes as well as their own. Most are absent from home for a year or more. The journey to the plantations in the Moshi District takes at least six weeks, on foot of course. Wild beasts, sickness and the difficulty of getting food among strange tribes, cause great hardship and result in many deaths, especially on the homeward journey, when the men return laden with trade goods for barter at home, for not all their earnings are spent in paying the tax.

Thus, even in the remotest corner of the best-governed country in East Africa do the forces of modern industry dominate the lives of the people. For all, the tax is a prime fact of life, rivalled only by the need to provide the family food, indeed an almost greater exigency, since, in default of payment the law sequesters the family hut and its contents, which may, then become Government property, be burned to the ground, and sometimes is so burned. How the money is to be earned and what Governments do with it are everywhere well-worn topics for argument and surmise. Every hut is furnished with a new sacred place, the spot where money for the tax is stored until its payment in the autumn falls due, and great indeed is the disaster if it is lost by theft or destroyed by fire.



## CHAPTER II

### TAXATION

IN countries like our own, where to a large measure all parties have the same standard of justice, there is no direct taxation of the poorer majority, since their incomes are never more than adequate to the cost of a civilised life. And in the case of the minority who do have to pay direct taxation, the taxes are graduated, so that the richer a man is the larger the proportion, whether of income or of property inherited, he has to pay. With us, indirect taxation is designed on the same principle. The articles it adds to the cost of are nearly all luxuries. (Sugar, it is true, is not a luxury, but, as in this country it is artificially cheap, it is reasonable to tax it.) And with us, care is taken to prevent any tax from adding to the profit of a section of the community, at the expense of the rest of the people.

We shall find that the fiscal system of Kenya is governed by very different principles than these. Nearly all the direct taxation is exacted from the poorest. The indirect taxation falls, not only on luxuries like whisky and tobacco, but on necessities of life like flour and clothing, and is deliberately designed to add to the profits of a favoured minority, at the cost of the rest of the community. In what follows, the taxation of Asiatics will be left out of account, for the sake of brevity and clarity.

But before we examine the system of taxation in Kenya, an account must be given of the incomes of the people who are taxed. Clearly both the wisdom and the justice of any

tax depends on the capacity of those on whom it falls to pay it. Since there is no income tax in Kenya, the incomes of its richer, that is, its European and Asiatic inhabitants, are unknown. Lord Delamere recently estimated the income of the average European family in Kenya to be £600. As he is opposed to any increase in Europeans' present taxation, that figure is not likely to be an overestimate. Judging by what these 16,500 people spend on polo and racing, it is a considerable underestimate.<sup>1</sup>

The latest official estimate of Africans' incomes is to be found in the report of the last Labour Commission that was published in the spring of 1929. It gives the income of the average peasant family, growing crops both for consumption and for sale, in a Reserve, as from £3 : 10s. to £4 : 10s. a year, including the value of the food consumed by the family. It estimates the income of the average wage-earner's family to be £10 : 15s. But, as the Report makes clear, that sum is a mean between the incomes of ordinary labourers, who were paid, when the Report was being written, about 12s. a month, and those of the small minority of the skilled, paid anything up to ten times as much.

Unfortunately these figures cannot be taken at their face value. A majority of the members of the Commission were settlers, as has been the case with most recent Commissions, and all the members were anxious to prove that it was far better for Africans to be at work away from home than to struggle with the many obstacles to prosperity

<sup>1</sup> The *London Times* of Oct. 5, 1931, contains the following advertisement: "Avoid the present heavy income tax troubles by living in Kenya, N. Rhodesia, Nyasaland, Tanganyika, Uganda, Zanzibar. Healthy climate, congenial surroundings. Particulars from Eastern African Dependencies Information Office, 32 Cockspur St., S.W.1." The Government of Kenya owes our country many millions of pounds. British taxpayers, for example, paid every penny of the cost, something over eight millions, of the original railway line from the coast to the lake. Yet the Government of Kenya thinks it right to use the public revenue of the country to tempt our idle rich to evade their duty to their country. And it considers such people to be eligible residents.

they encounter in a Reserve, of which a list is given in Chapter VII. So the income of the peasant is underestimated, and that of the wage-earner overestimated in the Report. The peasant actually is the poorer, artificially so as Chapter VII. explains, but not so much poorer as the Report estimated.

Also, these figures are out of date. Since the Report was written the prices of the Kenya staples, maize, coffee and sisal, have fallen by a third or a half, thus affecting the peasant's income directly and the wage-earner's indirectly. That fall more than cancels the underestimate of the peasant's income in the Report, but if we suppose that it just does so, we are left with £4 as the average income of a peasant family in Kenya to-day.

Wage-earners' incomes can be stated with more certainty. When the Report was written, the standard wage-rate was 14s. or 15s. for 30 working days. And as the usual labour contract is for 180 days' work to be finished in eight months, we get nine 30-day periods in a full year's work. (Employers in Kenya refuse to engage men except on long contracts and insist on reckoning these contracts by these 30-day periods instead of by calendar months.) The Director of Agriculture published a statement on how best planters could cope with the fall in prices, that was printed in the *Times of East Africa* of June 11, 1930. One of the three economies he advises he calls "payments in respect of natives". And he adds: "A start has already been made in many Districts", meaning the lowering of the wage-rate. And later he says: "In particular, throughout the Thika District labour is freely offering at 10s. per month in place of the previous standard rate of 12s. to 14s." Since that was written reports in the local Press show that this rate is now general in the country. A private letter written in June 1931 says that many employers are only paying 8s.

This item of news from a recent Nairobi paper is important as showing both how wages have been falling since the Report of the Labour Commission was written and also how these falls in standard wage-rates are brought about. Although for many years high officials have commonly used their influence either to prevent wages from rising or to lower them, reports of their efforts in the Press are unusual.

The *East African Standard* of November 8, 1930, contains the following from its Koru correspondent:

A special meeting of the Koru Farmers' and Planters' Association was held yesterday to discuss the need of a reduction in labour wages. Owing to bad prices now obtaining it has long been felt that a reduction of wages or something equally drastic was necessary. Two letters from the Songhor and Kaimosi Farmers' Associations were read to the meeting by the Chairman, Major A. Smith. Both stated that members of their Associations had considered it advisable to make a reduction of about 20 per cent in their labour wages, and that they were desirous of knowing whether we had taken any similar steps, or what our intentions were. We further learned that the Provincial Commissioner had paid Songhor a visit with the purpose of explaining to the natives the reason for this reduction. It was also ascertained that the natives, well recognising the evil of the times, had proved quite agreeable to the reduction. . . . As soon as we hear from the Fort Ternan Farmers' Association, who are holding a meeting to-day, we propose to follow the example of the Songhor Association and to ask the P.C. to pay us a visit.

A man who was present at the Songhor meeting referred to above tells the author that the Africans were anything but satisfied. He says the Provincial Commissioner was asked if the tax was to be reduced proportionately with wages, while a number held up some of the labour tickets of which an account has already been given, demanding, without response from the Provincial Commissioner, that he should compel employers to turn them into cash.

Settlers often allege that their employees get much of value besides cash wages. Some settlers' wives do play

the Lady Bountiful to their labourers' wives and children. Such efforts ought not to be despised, as showing that under a more just political and economic system friendly social relations with Africans would become commoner. But the point to decide is the cash value of these additions to wages. And surely the fact is decisive that when a labourer's home is so near to his place of employment that he can walk the distance daily, so that he can feed and house himself at his own charge, he never gets a wage higher than that of fellow-workmen whose homes may be a hundred miles away. Rather than spend their nights and Sundays away from home, men will sometimes take less from an employer near at hand, though the work may involve a ten-mile walk morning and evening, in preference to a larger wage together with free housing and rations offered by an employer at a distance.

These figures in regard to standard wage-rates are so important that perhaps the reader will allow the facts to be stated afresh. Taking the figure of the Director of Agriculture of 10s. for the 30-working-day period, the labourer's income for a full working year will be £4 : 10s., his calendar year being made up of 270 days' work, 52 Sundays, and the balance of 43 days representing days of sickness, days when tropical rain makes work out of doors impossible, and perhaps a visit home. Incidentally, it may be mentioned that the length of the working month in Kenya is the sort of thing visiting Commissions are not informed of.

The reader will also note that no account has been taken of those wage-earners, at most one-tenth of the total, who get more than the ordinary labourer's wage. This book is primarily concerned with the lives of ordinary Africans.

#### DIRECT TAXATION

We now have the right background for the facts of taxation. First to deal with direct taxation. In the case

of Europeans the system followed is that of a poll tax. And since the richest and the poorest pay the same sum, that sum had to be fixed low enough not to cause hardship to the poorest. So it is 30s. for every adult male of eighteen and over. (Even so a number of bankrupts and otherwise disabled people have to be exempted.) This poll tax brings in £12,500 a year. A second poll tax of the same amount brings in another £12,500 that is earmarked for the extremely expensive education given to European children. Death duties, the abolition of which is demanded by the settlers in the Legislature, are £5000 in an average year. And that is all. People who, if they lived in this country, would be paying super-tax are proportionally more numerous among Europeans in Kenya than among us. But all the richest of them has to pay in direct taxation, except a trifle when he gets a legacy, is £3 a year.

Africans in Kenya have also to pay three direct taxes. One falls on all, the others only on the peasantry, *i.e.* those who live by cultivating their own land in the Reserves. By far the largest is the hut and poll tax. The amount of the tax is 12s. But that is not its real incidence, which, as will be shown, is 28s., or more than twice as much. In the Budget for 1931 this tax is estimated to bring in £607,000. If that total sum is divided by the amount of the tax, 12s., we see that more than a million separate taxes will have to be paid. And there are not more than half a million adult African males in the country, including the old and otherwise unfit. If we take the old estimate of 430,000 for the number of able-bodied males, we find that each on an average has to pay nearly 30s. And the fact that that is the sum actually paid can be confirmed by any resident who is on good terms with Africans, by asking each man in a gang of labourers, or in a village, how many taxes he has to pay. Some will be found to have paid only one tax, others two, or three, while some will have receipts for five

or even more taxes. Everyone who applies that test in Kenya finds that the average comes out at about two and a half taxes, or 30s.

The explanation is that the tax is a hut as well as a poll tax. If two men of sixteen or over live in one hut, each has to pay. But also, if there are four huts in a village that are occupied, one of them by the owner of all four, another by his parents, a third by an aged aunt or other relative, while the occupant of the fourth is away from home no one knows where, the owner has to pay four taxes. In the main, in fact, the tax falls on dependants, and is paid by the person on whom they depend. That is clearly evident from the fact that if liability to the tax were confined to able-bodied males, the yield would be less than half what it is now. So that its incidence varies, not with a man's wealth, but with the number of his dependants, parents, grandparents and so on, or rather with the degree of generosity with which a man treats his dependants. An African hut is more like a single fairly large room than a house, and old people like having a room to themselves. But if a man provides only one hut for both his own mother and some other dependant too, he only has to pay one tax for both.

Most District Officers believe that many of these taxes are illegally exacted. Certainly the law says nothing about women being liable, except wives additional to the first. In the other countries of East Africa only men and extra wives are taxed. That is how it comes about that the incidence of the tax per head is only 2s. 8d. in Tanganyika, as compared with 4s. 7½d. in Kenya.

When the fact that the number of taxes actually paid is more than double the number of men capable of earning the money is pointed out to the authorities, the answer given is that polygamy is the explanation. It is the case, of course, that in tribal society wives additional to one are the sign of

wealth and consequence, and that, so long at any rate as they can ply the hoe, their taxation is not unfair. But to claim that the disparity between the number of African men and the number of taxes paid is thus explained is palpably absurd, since it is equivalent to saying that there are more than double as many women as men in the country.

This matter deserves examination in some detail. Everywhere in the world the male birth-rate exceeds the female. A slight excess of male deaths equalises the numbers of the sexes in youth and middle age, in the absence of special influences. Of these, two are recognised, industrial mortality and deaths in war. Of these two, the former can in Kenya have only little influence in causing an excess of females. But the number of Kenya Africans officially known to have lost their lives in the Great War, 46,618, is actually a larger proportion of the population than it was in the case of this country. (The records were admittedly incomplete and the true total was at least 60,000.) Here, then, is the only known cause for any considerable excess of females in Kenya. What happened to the wives and mothers of these conscripts, for they were forced to serve, who died in our quarrel that was none of theirs? They got no pensions, as ours did. It is being said now that this was the fault of the War Office, which General Smuts had persuaded to the view that Africans deserve no pensions. But the Government of Kenya cannot escape on that plea. For if the War Office had granted pensions, the Government could not have paid them. The enrolment of the men was done so carelessly that of the wives and mothers of these dead conscripts, fewer than one-seventh got even the balance of the pay the men had earned. Instead of being paid money by a grateful country, the women who lost sons and husbands in the war have to pay the Government money. They too have each to pay the 12s. tax, or rather have to find men to pay it for them. Some few of the widows will



still be able to support themselves by work in the fields. But by now most of the wives and all the mothers who survive are getting on and are entirely dependant. (Some few, as will be described, do get precarious exemptions from the tax.) What would we think of our Government if it not only gave war-widows no pensions, but made most of them find, somehow or other, and pay in cash to the Government, a sum equal to a man's gross earnings for six weeks? The reader's answer to that question is what Kenya Africans think of their Government.

How the tax is collected in a typical District next falls to be described. Presumptive liability is determined by native hut-counters, who tour their District all the year, adding new names to the lists of the previous year. Since their removal would result in loss of revenue old names are scarcely ever taken off the lists, parts of which are sometimes twenty years old, so that the relatives of people who may have gone to live on a plantation, or in Mombasa, or may actually have died years before, still have to pay their taxes. Every autumn a District Officer goes round collecting the tax, with these lists in front of him. He receives the money in the capacity of a Treasury Officer. Exemptions, to be referred to later, he grants in his administrative capacity, while, if he considers liability doubtful, he has to decide as a magistrate whether to grant exemption or not; often he has to be all three in a few minutes. The most conscientious Officer finds it impossible to make this system operate justly. Commonly one man has 30,000 taxes to collect, occasionally even 50,000, all due, in theory, on the same day. Seated at a table, some hundreds, perhaps even more than a thousand men lined up in front of him, how can he possibly find time to hear all who would claim exemption? The mere clerical work of taking the money, ticking off the names on the lists and issuing a receipt to each man, takes all day, and the evenings have to be spent checking the figures. In some

Districts the heat, the flies, the stench, make the work a daily torture often lasting from two to three months. Some Officers will do without their meals in order to do as much justice as they are allowed to, and may exempt as many as 15 per cent of the names on the counters' lists. But a District Officer is not allowed to give exemption certificates, even to the aged, for more than the current year. The reason given is that there might be traffic in certificates for longer periods. Yet the very people who use that argument issue every year hundreds of certificates of exemption for life to retired soldiers, police and warders, who significantly are exempt from direct taxation, presumably to keep them "loyal". If some District Officers, to the injury both of the revenue and their own careers, exempt as many as 15 per cent of the names on their lists, can it be wondered at if others decide that it is their duty to comply with the wishes of Nairobi, so that 5 per cent is a far commoner figure? The following are the sums paid in hut and poll tax in recent years in one of the most populous Districts.

	Shillings.	Increase.
1922 . . .	1,145,722	...
1923 . . .	1,356,520	210,796
1924 . . .	1,360,392	3,872
1925 . . .	1,414,344	53,952
1926 . . .	1,498,692	84,348
1927 . . .	1,514,460	15,768
1928 . . .	1,544,544	30,084
1929 . . .	1,566,724	22,180

Any possible increase in the population in these eight years cannot have been more than trifling. Readers who are familiar with statistics will at once recognise that these figures are taken, not from a "live" register, but from one to which names are added, many more in some years than others, and scarcely ever taken off. But only District Officers themselves will realise their full significance, how that in the years with large increases the Officer in charge

was the kind of man whose "zeal" marks him for early promotion, while the man who grants exemption to the aged and the like shows a stationary or a falling revenue and pays the price. The author is glad to know that no people will give this book quite so hearty a welcome as District Officers.<sup>1</sup>

The Venerable Archdeacon Owen, who, in spite of the abuse and misrepresentation that are poured on all who dare to tell the truth about Kenya, has openly attacked the system and done what he could, with scant help from fellow-missionaries, in defence of its victims, allows it to be stated here that he has a file containing records of many cases of injustice resulting from the system, including instances of assault and illegal distraint, often without legal process, upon men who denied their liability to pay taxes for aged parents. When he took such a case to court he won it, only to find that next year exemption would again be refused.

Unable to read the words of the hut and poll tax Ordinance, which, like all the other laws of Kenya, is published only in English, taxpayers were from the very beginning at the mercy of the authorities, and even now do not know how they might take their stand on the actual words of the Ordinance. This refusal of the Government

<sup>1</sup> In point of fact, the variations in these figures are also due to another cause. To test the legality of the exactions resulting from the rise in the yield in 1923, Archdeacon Owen took to court the case of a man required to pay the tax on his aged mother's hut. He won the case. The Native Affairs Department had to take notice of so notable a breach in its system. But it took advantage of the fact that the man in the case Mr. Owen took up was unmarried, so it issued a circular directing Officers not to make *unmarried* sons (of whom, of course, there are very few) liable for the tax due on their mother's huts. Then a year or two later, the Officer whose zeal had so increased the yield of the tax in 1923 returned to the District. Finding that sons were refusing to pay their mother's taxes, he one day turned himself from a Treasury official into a magistrate, and prosecuted a certain woman whose son had so refused, alleging that she herself was liable. He decided that she was, whereupon the son paid up, rather than risk the burning of his mother's hut. So the good work of producing a larger revenue each year goes on apace. Combined with the results of the world-wide fall in prices, it has brought the patience of the people to an end.

to let Africans know the terms of the laws they are punished for disobeying, in effect gives magistrates arbitrary powers. And arbitrary power is always abused. On this count alone the claim, so often made, that the natives of Kenya are sure of just treatment, is conclusively refuted.

Evils incidental to the system are rife. Hut-counters are so badly paid that their bribery by people who want their names left off the lists is inevitable, while District Officers have no time to discover such irregularities. Their lot, indeed, as well as that of the other agents of this system of oppression is most unenviable. Several of them have told the author how they have felt compelled to refuse exemption for lack of evidence, to find next morning some wretch brought to his tent on a stretcher, having been carried, some times dangerously ill or even moribund, for miles, to prove his inability to pay the tax.

By this time it will be clear that what is wrong is the system and not "abuses" due to faults of character or inefficiency in official agents. The native policeman who, after a long day in which his master has heard exemption claims with endless patience, beats over the head some fresh claimant, does so, not because he is cruel, but because he knows the District Officer is tired out. All European and African officials alike have to satisfy those who bear authority in Nairobi, while theirs in turn is the duty of "co-operation" with the settlers. There is a new phrase in use now. They are "associated in the discharge of the trust" for which our country is responsible.

The settlers as a body, indeed, quite honestly believe that benefits and advantages Africans derive from white settlement are worth to them far more than the sums, always alluded to as 12s. per family, that they have to pay in taxation. But of course they never enquire what the results are to ordinary Africans of the measures taken to promote white settlement. It is enough for them to know that they

are benefactors. If the system works out unjustly, that cannot be the fault of the benefactors. They regard the Government, not themselves, as responsible for anything that may be wrong—and it is.

So long as a third of the revenue from taxation is exacted directly from the poorest, and used in the main to subsidise the richest people in the country, neither the best Governor nor the finest Administrative Officers in the world can abate these evils in the slightest. It has been proposed to amend the law so as to turn it into what it is in the other countries of East Africa, a poll tax to which only able-bodied males would be liable. But if the yield is to remain the same as at present, the tax would have to be more than doubled, so that there would only be a redistribution of the crushing burden. And the resentment of those who would find they had to pay more than now might precipitate an explosion. The only real remedy is to do what is done in countries where Governments try to be just, to take direct taxation off the poor and put it on the rich, who in Kenya are most of the Europeans and some of the Indians, and to tax them in proportion to their wealth. Some day, and may that day come soon, a Governor will have to grasp that nettle.

Africans believe that what they pay in taxation is a tribute that Government spends on officials and their friends. The better educated of them know quite well that their sufferings are not due to the cruelty of the police or the rapacity of District Officers. But they, like the more ignorant, find it hard to believe the true case, which is that many of the men responsible for the vicious system but by no means all, including practically all the settlers, have no idea that it inevitably works out in injustice and oppression. They suppose a Governor must know everything. And so, when a Governor tells an assembled "baraza", quite innocently, that chiefs and police must not oppress their people, and then goes on to exhort them to be diligent in the

performance of those duties that cannot be performed without extortion and oppression, they just put him down as a hypocrite, since he cannot be a fool.

This same inequitable system of taxation prevails in all East Africa, but nowhere, except in Kenya, is the burden so heavy and the great majority of the people so poor. In Tanganyika, where, so far, the settlers have not been "associated in the discharge of the trust", the incidence per head is 55 per cent to 60 per cent of what it is in Kenya. And since in that country production by the peasantry is encouraged, comparatively few are seriously burdened by the tax.

The second kind of direct taxation of Africans is called a cess or rate. The rate varies from tribe to tribe. It is levied by the Tribal Councils, on the same people who pay the hut and poll tax, except that those absent from the tribal area at work for wages are exempt. The total sum raised last year in these rates was £42,000. Chapter V. contains some information as to the less usual ways in which the money is spent. Most of it is spent on education and roads. The Kamba delegate told the Select Committee that all the roads in his tribal area are made and repaired by men paid wages out of rates. The law enables District Councils in the areas where the land belongs to Europeans to raise rates in the same way as Tribal Councils do. These District Councils consist of one official and not less than ten settlers. Anyone wishing to propose a rate must give sixty days' notice of motion, and the motion must, in order to be operative, be supported by at least two-thirds of the members. In these circumstances it is scarcely surprising that no single one of these Councils has ever raised a penny in rates. Who would be so foolish as to propose such a thing when, as will be described in the next chapter, a generous Government provides, out of central revenue, all they need for roads and education?

Money that Africans have to pay to the Government is

mentioned here, although it cannot be called direct taxation, because the payment adds appreciably to the total burden. Ordinances of which an account is given in Chapter VI. enable fines and forfeitures far heavier than any individual could pay to be imposed on his village or tribe. The average sum thus paid in the last five years, falling, of course, with quite irregular incidence, was £34,000.

These figures show how essentially inequitable the whole system of poll taxation is in a country where incomes vary over a far larger range than in a civilised country. It is upon the peasantry that the system bears most heavily. Not only are they the poorest, but they have, as will next be shown, only eleven months in the year, sometimes even less, in which to earn the tax-money. Many people in this country suppose that Africans' needs are few and easily supplied, and that the poverty revealed by the facts just cited results in no real hardship. No idea could be more utterly false. Except in the case of the pastoral tribes, the people get appreciably thinner for months before the main harvest. The poverty of Kenya Africans, so aggravated by the crushing load of direct taxation, produces exactly the same suffering that it does in every race and under every climate. Malaria cannot be prevented without mosquito-nets, nor the many bowel infections of the tropics without boots, all of which things are far out of the reach of people with family incomes far higher than those of the ordinary labourers. Urban natives suffer from these diseases more than village natives. The imperfect record of African deaths in Nairobi shows the rate to be from two to four times higher than among Europeans. Periodically the Nairobi Municipality, shocked by the Health Officer's revelations of conditions in the slum-ghettos into which urban Africans are thrust, proposes some "model" housing scheme, in which the ideal aimed at is the housing of a whole family in a single room of concrete and galvanised iron. Even so low a

standard as that is obviously unattainable, on land worth anything over £500 an acre, by people with even £20 a year, or five times the income of the ordinary labourer. Twenty years ago the Government was given the most emphatic warnings that disease and overcrowding in the towns were due to preventable economic causes and could not be eradicated by Health Officers, however devoted and lavishly equipped. When in June 1930 the District Commissioner of Nairobi wrote to the Municipality to suggest that some provision ought to be made for housing the least-well-paid Africans employed in the town, the Municipality answered approving the idea, on condition that the place where these people were to sleep was at least ten miles from the municipal boundary.<sup>1</sup>

The truth of this matter is simply this, that the men who for the last thirty years have been chosen to fill high positions in Kenya have created these slums, precisely as their great-grandfathers created the slums of Liverpool and Glasgow, with the same motives and through the operation of the same economic causes. Much can be said in excuse for our ancestors. The forces surrounding them were so new and unfamiliar that they actually believed them to be independent of human volition. And while most of the wealth these forces produced was acquired by the owners of land and capital, the incomes of the workers were also increased—were, in fact, doubled. The men who introduced these same forces into East Africa have no such excuses. The African inhabitants of the towns in Kenya are at least four times as numerous as the European. No Governor ever mentions them in his reports. Blind to everything except the prosperity of “white settlement”, whether the measures taken to ensure that prosperity, and still employed, have good or bad results in the lives of ordinary Africans, those in authority in Kenya neither know nor care.

<sup>1</sup> A report of this matter is contained in the *East African Times* of 21st June 1930.



The third and last kind of direct taxation paid by Kenya Africans consists of unpaid forced labour. Under the Native Authority Ordinance, all adult males may be and commonly are required to do six days' unpaid work every three months. The penalty for refusal was formerly a fine, up to £7 10s. But Sir Edward Grigg represented in 1928 that a fine was not punishment enough, and since then a magistrate may add a sentence of two months' rigorous imprisonment.

It is often asserted in defence of this unpaid forced labour, and the assertion seems still to be believed by the Colonial Office, that it is no more than what tribal authorities always required. To make people believe that, this forced labour is called communal labour. Such an epithet for this forced labour is totally at variance with the facts. Practically all of it is done on work that the Government, not the tribal authorities, want done. At least nine-tenths of it is the making and repairing of roads and bridges and Government buildings—work that, of course, when done outside the Reserves, is paid for at ordinary rates of pay with money derived from general revenue. The District Officer is told that such-and-such buildings or roads ought to be made or put to rights. He, whose authority is specifically mentioned in the Ordinance, sends for the chiefs and tells them what he wishes to be done. The chiefs in turn summon the headmen and sub-headmen, telling each how many men he must produce, and they in turn go to the villages under their authority and choose the men to be called up.

It is a thousand pities that the Select Committee did not enquire from the African delegates from Kenya what is the practice in this and other matters, of which not only the public but the Colonial Office itself have been given quite false impressions. One of these delegates was a chief, another a sub-headman. The calling up of these forced labourers and the directing of their work are their common,

almost daily duties. They would have told the Committee that this "communal" labour is scarcely ever employed on work, such as building village schools, that the people themselves want done. Neither roads to carry motor-cars and lorries, scarcely any the property of Africans, nor dwelling-houses and stores for officials have any place in native custom, nor does tribal law sanction the imprisonment of those who refuse—prisons, indeed, were blessings unknown in tribal society. This forced labour is simply and solely used to get done for nothing the public works the Government, not the tribes, wants to be made and done. It is exceedingly convenient to a Government to be able to get work done for nothing. And since complaints by men illegally called up are unheeded—in fact, unheard of—this arbitrary power is, as with the tax that is paid in cash, frequently abused. Men often have to work for longer than the six days. The post of sub-headman is eagerly sought after, though the pay is often only 3s. or 4s. a month. Again, bribery by those able to pay bribes is inevitable, so that an unfair share of the work is done by the poorest, who cannot pay bribes. That also explains why the African delegates, two of whom belonged to the class that largely makes its living out of forced labour, made so little of it in evidence. It is surprising that they were so public-spirited as to condemn it at all.

As no record is kept of the men called up, of how long they work, or of what they do, it is impossible to give even the roughest estimate of what the cost of paying for the work would be. It is said that the Government estimated the cost at £50,000. It must be at least three times as much. And it should be borne in mind that its mere abolition would do as much harm as good. Roads and bridges would soon become impassable, and even more of the peasantry than at present would be forced into the already overcrowded labour market. Here again is proof, both that "white

settlement" is subsidised at the cost of Africans and that the injustice cannot be remedied without drastic financial reforms.

(The peasantry can be forced to work another month under the Roads Ordinance. But since in that case they have to be paid, that Ordinance is little used.)

If this forced labour, unpaid and unprovided with either food or tools, causes less hardship in the mass than the exaction of money from dependants, it causes quite as much resentment and perhaps is an even greater source of the disaffection that presages revolt. Let the reader try to put himself in the place of a Kenya peasant. He may be at work in the fields, perhaps in haste to get his harvest in. Or he may be a petty shopkeeper, with perishable food on the counter. Up comes the headman or his messenger, and off he has to go, sometimes without first going home, if some bridge ten miles away is down. Those of his fellow-villagers whom the "encouragement" of the Government has induced to work for wages for most of the year, rather than by cultivating land of their own, are exempt from forced labour and jeer at him as he passes their huts. He knows that on the other side of the Reserve boundary, where the land belongs to Europeans, the Government pays men to do precisely the same kind of work that he has to do for nothing. And he believes, with considerable truth, that the money comes from the taxes he has to pay. Redress there is none. If his crop is in danger or his child ill, there is no court of justice he can appeal to. There is but one way of escape: to bribe the headman. Could any Government have devised a more certain means of manufacturing rapidly widespread sedition than this "communal" forced labour?

It should be remembered that the great majority of Europeans in Kenya, including many officials, know nothing about life in the Reserves. They will dismiss this picture

of a section of it as luridly exaggerated. Missionaries and District Officers know that it is not exaggerated. Before we pass on, let us recapitulate and state as concisely as possible wherein the injustice of this tax upon the peasantry of a month's unpaid forced labour lies. First, in that there is no equivalent to it in the case either of Europeans or of Indians, or of their employees. Second, in that it acts as a double subsidy to European settlement. It enables the Government to spend practically all the money available for public works in the "settled" parts of the country, and operates both as an unrivalled stimulus to wage-earning and a constant discouragement to peasant cultivation. For who, being free to choose, would adopt an occupation that made him liable to be called away from home to do unpaid work for four or even more weeks in the year?

#### INDIRECT TAXATION

Finally, to deal with indirect taxation, and first with its incidence on Europeans. Five years ago the official statistician estimated that the total incidence of taxation on Europeans was £36 a head. Unless one knew how he reached that figure—how, for example, he determined the proportion of imported cigarettes that Europeans smoke, and hence the proportion of the tobacco duty they pay—we can only accept that estimate provisionally. It was stated in evidence to the Select Committee that game licences, a considerable item, were not included in the £36. In part they should have been; in part only, since a large proportion is paid by visitors. It is claimed by the settlers that these admittedly large sums they pay in indirect taxation ought properly to be set against the direct taxation Africans pay. What payer of super-tax in this country would not be delighted to pay as much indirect taxation as the Government could possibly invent, whether on tobacco or beer or motor-cars, so long as he need pay neither income nor super-

tax? But even if that were not true, this claim that Kenya Europeans are taxed as heavily as Kenya Africans can hardly survive the discovery that, with one significant exception designed to put money into the pockets of the settlers instead of taking it out, the taxes that are the ingredients of the £36 are in no case higher than the indirect taxes in force in this country, and in some cases are lower. Spirits cost the same as in England. Motor taxation is less. The sole exception to the rule that indirect taxation is in no case higher than what we have to pay, is a protective tariff, that adds to the profits, not indeed of the whole European colony, but of the 2100 European landholders who have been allowed privileges so diverse and numerous in every other phase of society. Wheat and flour are the worst example of this fleecing of the community for the profit of a mere handful of, in this case, no more than a hundred European farmers who grow wheat. Customs duties, combined with high freight rates on the railway, that go to make up the losses incurred by carrying the planters' produce for less than the cost of haulage, bring the price of bread in Nairobi to more than double its price in this country. That is the worst instance in this tariff. But ranchers also, by making the public pay nearly twice the world price for butter, and forest concessionaires by similarly lifting the price of timber, have persuaded the Government they control to fleece the public and fill their pockets. An appearance of impartiality is given to the tariff by its including heavy duties, not only on such articles as tennis racquets, but on boots and clothing and furniture—on nearly everything, in short, that Europeans have to buy to lead a civilised life. Nearly everything, but not quite. There is a free list. It does not include the necessities of life to the poorest, the hoes that Africans use to cultivate and the half-crown blankets that are the sole clothing of many.

The people who buy such things have no votes. But

they are supposed to be represented in the Legislature by the fifteen official members. There are also eleven elected European members. The largest of the eleven constituencies has fewer than eight hundred voters, the smallest only seventy-seven. The articles that the influence of the eleven placed in the list of articles imported free of duty include agricultural machinery (though other sorts of machinery are dutiable), traction-engines, fencing materials: those articles, in a word, and no others, that the 2100 European landholders want to buy cheap. Is it likely that their "association in the discharge" of our country's trust will cure these Jack Horners of the habit of picking out plums when they put in their thumbs?

The chief components of the £33 that the average European is said to pay in indirect taxation are the duties on alcohol and tobacco and clothing and sports-gear, motor taxation and game licences, these being the principal taxed things that Europeans buy. The true significance of that figure is that it is an index of wealth, a proof that Kenya Europeans are able to buy so much. It is a social index of the same order as the fact that the number of prosecutions of Europeans in a year in Kenya is 7 per cent of the total European population, or about eight times as high as the proportion in England, since the more a man spends and the more leisure he has, the greater are his opportunities of breaking the law. The Kenya tariff does tax adequately, perhaps more than adequately, the Indian and the poorer Europeans. But just as the 7 per cent reveals, not special criminality, but that many Kenya Europeans are affluent, so does the £33 make it clear that people who can spend so much ought to have to pay direct taxation, graduated according to their wealth. It is surely evidence of the distorted mental atmosphere of Kenya, of the mirages that cheat men's reason as well as their eyes, that the poorer sort of European, the men with family incomes of £500 a year and less, fail to

see that what they pay in indirect taxation can be reduced only if wealth is thus adequately taxed.

What Africans pay in indirect taxation is a very different story. The total figure, comparable with the £36, was estimated by the statistician to be 6s. 6d. a head. Of that 6s. 6d., direct taxation, the £607,000 in hut and poll tax and £42,000 in rates, accounts for 4s. 4d. The vindictively severe fines on certain tribes add another three-pence. Since Kenya Africans very rarely can afford to own motor-cars and lorries, as thousands of their cousins in West Africa can, nearly all the balance of 1s. 11d. must represent the 30 per cent import duty on native trade goods. If the 30 per cent customs duty comes to 1s. 11d., then the total value of the goods, with the tax added, is 8s. 3½d. This sum differs somewhat from the statistician's estimate of the proportion of the customs duties paid by Africans, which he put at £363,000, which works out at 2s. 7d. a head as the sum the average African pays in customs duties, and 11s. as the value of goods consumed. Whichever figure is the more correct, either is eloquent of poverty, is evidence that Kenya Africans have so little to spend on what British manufacturers are so anxious to sell. In Chapter VII. the reasons will be given why this poverty is rightly described as artificial.

As later chapters will show, no reforms in Kenya will be lasting and secure unless Africans are given equality of status, the master-key to equality of opportunity. But the privileges with which Europeans have unwisely been endowed, and the subsidies they unjustly enjoy, have already in 1931 fructified in poverty so profound and exasperation so intense, that at the moment it is of even greater importance for our country to realise that if a dangerous situation is to be avoided, there must be some shifting of the burden of taxation before the tax for 1932 is collected. Even now it may be too late. If the author had thought it possible that a Labour Government should allow these exactions to

continue after more than two years of office, he would have written this book sooner.

#### NOTE TO CHAPTER II

Though full and exact records are kept of the produce of every plantation in Kenya, no vital statistics of the African population exist, except imperfect records of deaths in towns. The official estimates of population are admittedly mere guesses. There is a like uncertainty about the number of men who are capable of ordinary labour. The figure of 430,000 in the text is an old estimate, and was taken as the basis of calculation only because no later official estimate seems to exist. The following passage strongly suggests that it is much too high a figure, in which case the true incidence of direct taxation would be even higher than has been stated. The passage is quoted from the pamphlet "Studies in Nutrition", by Orr and Gilks, published in 1931 by H.M. Stationery Office under the auspices of the Medical Research Council. On page 17 it is stated: "The physique of the typical male Kikuyu may be judged from recruiting statistics (Tate, 1917-1918). Of the 16,754 men of one district of the Reserve who were called up during 1917 for enrolment in the Carrier Corps, 10,912 were immediately rejected on medical grounds. Following the march of 100 miles to the dépôt at Nairobi, a further 17 per cent were rejected as physically unfit." Later passages in the pamphlet make it clear that this low level of health, which it would be difficult to match in any other country, is mainly due to inadequate diet, which in turn is due to poverty.

While the proofs of this book were being corrected, these two items of news arrived. One European District has actually rated itself for a hospital. But the payment is not a rate at all, but a sur-poll-tax of a pound, payable by every European male adult, irrespective of his wealth. The other piece of news is that the standard rate of wages is now 8s. for the 30 days' work, all over the country. As the labour market is still glutted, there is nothing to prevent wages from falling still further. But supposing they do not, this wage of 8s. means that the family income of the average wage-earner, working a full year of 270 days, is now £3 : 12s. instead of £4 : 10s. as stated in the text, of which 30s., or 40 per cent, is paid in taxation.

In *East Africa*, October 22, 1931, an article by Captain H. E. Schwartz, M.L.C., states: ". . . The Colony is ideally placed for people who have retired from business with a moderate income, the whole benefit of which they wish to enjoy. . . . There is no income-tax in Kenya, and since all taxation save a small poll-tax is indirect, a person . . . can support himself in the comfort of an English home surrounded by his own people far more cheaply than even in Italy or the South of France. . . . Although there are at present death duties in Kenya, they are only two-thirds of the English duties. . . . A man or family with a small fixed income can live in Kenya at a standard of comfort and amenity unobtainable anywhere else." The article is called "Kenya for a holiday or a home. No better country in the world", but characteristically the only reference to Africans is that they make cheap and valuable servants.



## CHAPTER III

### TRANSPORT

PARTS of the narrow strip of land on the coast of Kenya are fertile but unhealthy. Since the climate of the coast is not agreeable to Europeans, both population and productivity have greatly declined in that part of Kenya. Except for that relatively unimportant coastal strip, all the land in Kenya that is capable of cultivation is from 300 to 750 miles distant from Kilindini, the only port for the interior.

No commodities except gold, precious stones, ivory and slaves can profitably be transported to a market for 300 miles without the help of wheeled transport, which in our time is either railway or motor transport. Land in Kenya is clearly useless, except as the source of the occupiers' food, unless it is served by either a railway or a motor road, since the alternative is to carry produce on men's backs. (Disease restricts the use of horses in Kenya to racing and polo, and neither oxen nor donkeys are of much use.) The maximum distance from rail or road at which land has any economic value varies with the value of what it produces in terms of weight. Where a man's wage is only fourpence a day, it would pay quite well to carry a load of cotton worth two-pence a pound as far as thirty miles to the nearest market. But that could hardly be said of maize, that recently sold in the Kenya highlands for 2s. a 200 lb. bag. Unfortunately for Kenya Africans, it is only crops such as maize and potatoes, with a low weight-value, that hitherto they have been allowed to grow. So that clearly we have a test

whether the Government holds the scales of justice evenly between Africans and Europeans, in what it has spent and is spending on roads and railways, in the areas where the land belongs to Europeans, and in those where it belongs to Africans.<sup>1</sup>

The original Uganda railway, from the coast to Lake Victoria, was built before anyone had proposed that grants of land should be made to Europeans. Less than a third of it traverses land that is now in native occupation. That shows the extent to which Africans have been pushed back from the main transport route. For an account of how that was done the reader is referred to the author's earlier book, *Kenya*.

But clearly the branch lines are the test, since they were all built after large areas had been alienated to Europeans—after, in fact, the British Government of the day had been attacked in Parliament by Mr. Ramsay MacDonald, twenty years ago, for allowing the Masai to be dispossessed. The author is indebted for the list below to Mr. MacGregor Ross, for many years Director of Public Works in Kenya and the author of *Kenya from Within*.

#### BRANCH RAILWAY LINES IN KENYA

	Through European Areas.	Through Reserves.
Solai branch . . . .	26 miles.	...
Kitale branch . . . .	40 "	...
Thomson Falls branch . .	47 "	...
Nakuru—Eldoret—North Kavirondo	170 "	61 miles.
Nanyuki branch . . . .	102 . "	42 "
Yala branch . . . .	...	32 "
Voi—Kahe branch . . . .	...	93 "
Totals . . . .	<u>387 miles.</u>	<u>228 miles.</u>

<sup>1</sup> The most recent (August 1931) news from Kenya is of a rise in local food prices, including the price of maize, due to fear of destruction of crops by locusts. The figure of 2s. for a 200 lb. bag of maize was correct for late 1930 and early 1931.

To these there must be added the Magadi branch, ninety-one miles long. This line was built to carry soda from the natural deposits in Magadi Lake, and carries nothing to the main line except this soda. But it passes through the Masai Reserve. It has not been of the least use to the tribe and never will be, as in this part of the Reserve it is only in exceptional years that there is rain enough to provide a month's pasturage. This is where it was that Professor Julian Huxley noticed, as he says in his *Africa View*, how the Reserve boundary zigzags, so as to leave as many of the water-holes as possible outside the Reserve. In view of these facts, the Magadi branch has been included in neither list. Another branch is included though it does not deserve to be, the one from Voi to Kahe. It was built to connect the railway systems of Kenya and Tanganyika. Though nearly all of it does pass through native Reserves, most of the country it traverses is waterless and uninhabited, and the branch carries little produce. So that the list really flatters Africans' share of branches. In the map submitted in evidence by Mr. Ross to the Select Committee, what strikes the eye at once is the way branches avoid the thickly populated areas, to serve instead the areas where the land is in the occupation of the 2100 European landholders and their families, who employ some 32,000 "squatters" (a term to be explained in the next chapter), with 78,000 dependants and about 50,000 contract labourers. Of these European areas, only 12 per cent is cultivated.

The table that follows has been compiled from information contained in the Annual Report for 1930 of the General Manager of the Kenya and Uganda Railways. The figures deserve the reader's close attention. Some explanation is given in the footnote why a completer analysis cannot be given.<sup>1</sup>

<sup>1</sup> Though the author engaged an expert to examine the Annual Report and accounts of the Railway, he has been unable to give figures distinguishing traffic

FROM THE RAILWAY ANNUAL REPORT, 1930

Minor and Branch Lines:—

	1926 (July to December).	1927.	1928.	1929.	1930.
<b>SOLAI BRANCH (27 Miles):</b>					
<i>Total Revenue</i> . . .	£3,737	£19,769	£10,284	£5,223	£26,283
" working ex- penses only . . .	13,169	53,333	25,982	15,917	75,167
Loss . . .	£9,432	£33,564	£15,698	£10,692	£45,884
<b>KITALE BRANCH (41 Miles):</b>					
<i>Total Revenue</i> . . .	£28,144	£58,660	£66,512	£78,808	£95,746
" working ex- penses only . . .	54,241	79,277	87,671	110,276	193,210
Loss . . .	£26,097	£20,617	£21,159	£31,468	£96,464
<b>THIKA-NARO MORU BRANCH:</b>					
<i>Total Revenue</i> . . .	£18,434	£48,962	£61,515	£61,093	£56,038
" working ex- penses only . . .	45,169	86,376	92,710	92,842	100,800
Loss . . .	£26,755	£37,414	£31,193	£31,747	£44,762

NOTE.—These branches having been authorised prior to the promulgation of the Transport Order in Council, are not guaranteed by Government, and the losses sustained, therefore, are borne in full by the Railway Administration.

receipts on branch lines from those on the main line. For many years the original line, from Kilindini to Kisumu on the Lake, showed good profits. Then the policy of building branch lines to serve the European areas was entered upon. One of these branches started from Nakuru, ran parallel with the old line for some miles to serve a large forest concession, traversed both European areas and several native Reserves, and ended on the Lake at Jinja. As this new line had better gradients and a better alinement than the old route to the Lake, it came to be reckoned as part of the main line. But the part of the old line it replaced, from Nakuru to Kisumu, seems not to be reckoned as a branch line. That partly explains why complete data cannot be given. But it does not explain why the accounts of only some of the branches are shown. Can the reason be that the only two branches that serve densely populated native areas show profits on working?

# TRANSPORT

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FROM THE ANNUAL REPORT, 1930

Minor and Branch Lines (*continued*):—

	1929 (Sept. to Dec. inclusive).	1930.
<b>THOMSON FALLS BRANCH</b>		
(48 miles):		
Total Revenue . . . .	£2,546	£8,136
" working expenses only	10,536	31,032
Loss . . . . .	£7,990	£22,896
<b>YALA BRANCH (32 miles):</b>		
Total Revenue . . . .		I.II.30 to 31.12.30
Loss . . . . .		£1,309 £4,350
<b>NARO MORU—NANYUKI BRANCH:</b>		
Total Revenue . . . .		I.9.30 to 31.12.30
Loss . . . . .		£2,979 £744

These branches are guaranteed by the Kenya Government, the first two to the extent of loan charges, and the third to the extent of the loss incurred, viz.:

On the Thomson Falls Branch the Railway paid £4812 in 1929 and £17,244 in 1930.

On the Yala Branch the Railway paid £2982 in 1930.

The Report gives the total loss on all the branches as £207,000, or more than a tenth of the revenue of the country from taxation. This is probably the largest of the many subsidies the country pays the settlers. But the amount of this subsidy is far greater than £207,000. That is merely the loss on working and includes neither interest nor sinking fund. Further, each of these branch lines put several hundred thousand pounds into the pockets of the handful of people who had got the land from Government for practically nothing. Years ago Lord Olivier exposed this fleecing of the public, in the House of Lords, citing figures showing that land in the neighbourhood of the Thomson Falls branch had risen to twenty times its former

value and more. His plea that at least some of the increment should accrue to the coffers of the State was ignored.

How was this huge deficit met? Again the published accounts fail to provide a complete answer. Some part, certainly, was paid out of the Colony's general revenue. Some part, also, was borne by the Railway, presumably out of main-line profits. And a variety of reserve and other funds seem to have been drawn upon. But that is not the worst of the business. Referring to branch lines generally, the General Manager writes in his Report: "The more traffic the branch line carries, the greater the loss, owing to the fact that the greater bulk of the traffic carried is low-rated export traffic, transported at a loss." In other words, the greater the prosperity of white settlement, the heavier the subsidy the rest of the community will have to pay for transporting its produce.

More information on this subject is available from the report in the *Times of East Africa* of February 14, 1931, of a meeting the General Manager had with the settlers of the Trans-Nzoia District that is served by the Kitale branch. These settlers grow maize, both for export and for sale to coffee planters and others, to be used as rations. They had complained that the additional rate they had to pay for transport on the branch line took away all their profits. General Rhodes, the General Manager, told them at this meeting that "when the Bill about maize in bulk came in force in 1922, the cost of transporting maize was 10 to 12 cents per ton-mile". (The Kenya cent is a hundredth of a shilling.)

The branch lines had been built to help Districts who used to have to transport a long distance at heavy cost. Before the first of such lines had been built the farmers had promised willingly to pay an extra charge. These lines had been built before Government guarantees had been instituted. Since then, all branch lines had to be so guaranteed if there was any question as to their not being able to pay expenses.

Maize at a flat rate was carried at a loss, and as it was the chief crop grown in the Trans-Nzoia, the branch line did not pay even with the extra rate charged. Also, in view of inter-Colonial friendship, and of Uganda being a partner in the Railway, the reducing of these extra charges would affect a big principle. If no branch charges were made how could the Railway carry on? The loss last year had been met by money laid aside, such as the Betterment Fund, etc., but any deficit this year could not be met in this way.

General Rhodes was asked about a branch line that has been built in Uganda to serve a District where the African peasantry grow cotton for export. He answered: "He was not sure if it were paying, as the results had not been worked out, but conjectured that it probably did pay, as cotton was a paying traffic".

Fortunately people in Uganda are at last waking up to the fact that they have to pay part of the subsidy to the Kenya settlers. The *Times of East Africa* of 11th July 1931 reports a meeting that Sir Joseph Byrne, who is High Commissioner for Railways as well as Governor of Kenya, had with the Uganda Chamber of Commerce. Uganda wants the main railway line continued into the western part of the country, and General Rhodes had said that was impossible unless the Government of Uganda would guarantee the extension against any loss on its working. Sir Joseph is reported to have been told at this meeting, in reference to the requirement of a guarantee: "This was on account of the present state of railway finance which is mainly the result of the disastrous working results of the branch lines in Kenya. In other words it seems as if Uganda has to suffer again for Kenya's bad results. It was put clearly to the High Commissioner that the whole of Uganda was unanimous that losses incurred on branch lines should be paid by the country concerned and not out of railway funds." Sir Joseph seems to have been clever enough to get away from this meeting without answering these criticisms. To be strictly fair, one

ought to mention that of the maize carried by the railway for export 8 per cent is officially estimated to be native-grown.

Every railway charges different rates for different commodities, the rule being that the higher the value the higher the freight. But in Kenya everything has to subsidise white settlement. The dress of the poorest in Kenya is a cotton blanket costing about 2s. 6d., with a value per pound much the same as coffee beans. It will be remembered that Africans in Kenya are not allowed to grow coffee, though they grow it with complete success in Uganda and Tanganyika. So the railway carries the planters' coffee at a rate less than a fifth of what it charges for the Africans' blankets. These, indeed, and other similar articles consumed by the poorest, have to pay the highest rate of all, the one pianos and the most valuable goods are charged.

The freight-rate charged on native trade goods, the kind of articles of European manufacture people with family incomes of £4 a year can afford to buy, is just ten times the rate charged on the planters' maize for export. That, in fact, is how the loss incurred in carrying the maize is made good. In face of these facts it is scarcely credible that Sir Edward Grigg, in his evidence to the Select Committee, to be referred to more fully later, should have said that the railway could not be run at a profit unless white settlement were prosperous. On the contrary, as we have seen, the greater its prosperity, the heavier the loss to the railway. If these branch lines were closed, as most of them ought to be at once, the saving to the Colony would, when interest and sinking fund as well as working loss are included, be at least £300,000. Thus the abolition of this single subsidy would enable the hut and poll tax to be halved.

The latest figures for expenditure on roads are those in the 1931 Budget. The original estimates are the only ones the author has been able to consult. They are enough to



show in what proportions the Government thinks the money available ought to be allocated between the Reserves, occupied by Africans, and the alienated areas, where the land belongs to Europeans.

Roads are classified in the Budget according as they are in townships, are trunk roads and are non-trunk or feeder roads. Though clearly roads in the first category are mainly of advantage to Europeans, since, except in Mombasa, Africans are not allowed to own land in the towns of Kenya, they will be left out of account. The reader should note, however, that the great bulk of the cost of roads in the towns is paid for out of general revenue, most of which comes from the taxation of Africans. Trunk roads also will be ignored, since the Budget contains no information, either as to how many miles of them are in European and how many in native areas, or about how the money is distributed. Clearly the feeder roads are the real test, those that link up plantations in the one case, and groups of native villages in the other, with trunk roads and railways.

In these Budget estimates the money allocated to these feeder roads in European areas is £48,500, to roads in native areas £9430. In other words, the Government thought it fair to allocate five-sixths of the money available for these roads to the areas where the 2100 European landholders live, and one-sixth to the areas inhabited by the half-million African families. These figures may be compared with the cost of roads in Nairobi. The local Press of July 1931 reported meetings of the Nairobi Municipality at which the road programme for the following year was discussed. The sum originally proposed to be spent on roads in 1932 was £65,000. But the Government had demurred and the sum finally agreed on was a little over £30,000, most of which was to be borne out of the revenue of the Colony. These contrasting figures are not unrepresentative.

sentative. Most certainly the Government spends more public funds in Nairobi than in all the Reserves together.

How then are roads in the Reserves made and kept up? The answer is, by two means, in unknown proportions, by the forced "communal" labour, and by men paid out of local rates. Fortunately for their Government, Africans do not know that customs duties, freight rates and other measures are used as opportunities to transfer money from their scanty incomes to their masters' pockets. In this case there can be no concealment. People with £4 and £5 a year have to make their roads for nothing, knowing the while that people literally a hundred times as rich *get* their roads for nothing out of funds the people with £4 and £5 provide.

For some years Mr. J. H. Harris and others have advocated the earmarking of the money paid in direct taxation by Africans for spending on beneficial works and services in the Reserves, and that in fact is one of the things the Government is told to do in the White Paper on Native Policy. The last Governor, Sir Edward Grigg, wrote a dispatch in which he professed to prove that the money was so being spent already. He gave an appearance of fairness to his analysis by the exclusion of one or two items that might reasonably have been counted as benefits to the tribes. But it was vitiated as a whole by the basis of calculation adopted. Instead of distinguishing between what is spent in the 50,000 square miles of Reserves and what in the 11,000 square miles of European areas, Sir Edward included, in what he called benefits to Africans, any works and services affecting Africans anywhere. Thus he included a large share of the cost of the defence of the Colony, and of the police, who actually are not allowed to enter the Reserves, and even part of the salary of the British Consul in Abyssinia. The reader must already be convinced that to suggest that at present the money raised in the Reserves is spent in them

is utterly preposterous. The examination of the budgets of all the various spending departments would show, as expenditure on roads and railways has shown, that the pattern of Kenya society is the same throughout. Like the Koranic verses woven into Persian carpets, the motto of Kenya society is endlessly repeated, for Europeans in every phase of life a place of privilege, and whenever public money is spent, a subsidy.

The only honest way of ensuring that the hut and poll tax money is spent on the peasantry is the one proposed in the Cable plan. Mr. J. A. Cable is a settler of independent views, liberal-minded as no other prominent settler is. He proposes to have separate Administrations for the Reserves on the one hand and the settled, that is, the European, areas on the other, and to endow the former with the revenue from the hut and poll tax. The author supports the plan, as he would support any other real reform. But it ought to be pointed out that Mr. Cable's plan would do no more than isolate and solve a section of the general problem, leaving unaffected the position of Africans in the towns and plantations.

Nor would the Cable plan do anything for those Africans who have lost their tribal rights or never had any. Their number cannot be stated. The law dealing with the period of absence from the tribal area that abrogates a man's status as a member of his tribe varies greatly from tribe to tribe. Also it is impossible to predict what proportion of those who live outside the Reserves will ever wish to return to them. Much, of course, depends on whether the policy of discouraging production by an independent peasantry, that is analysed in Chapter VII., is continued. Even if it were reversed, practically all the Africans now in the towns, most of the squatters and many of the contract labourers would probably prefer to remain outside the Reserves. If the history of other countries is any guide, this class of from

150,000 to 300,000 has a greater future, politically and economically, than any other in the country. Hitherto the Government has gone on the assumption, that never was true and is every year becoming more untrue, that every African in the country has a status in some tribe. The needs of this class, whom it is the fashion to call, disparagingly, the detribalised, politically, economically and educationally, are at least as great as are the needs of those for whom the Cable plan would provide.

#### NOTE TO CHAPTER III

Just before these pages were sent to the printer reports appeared of the annual meeting of the Association of the Chambers of Commerce of Eastern Africa. At that meeting there was carried by 15 votes to 12 the resolution that the minimum rate of carriage of any goods over the Kenya and Uganda Railways should be "the actual cost of haulage, apart from loan charges and administrative costs, provided that the Government concerned agreed to bear the cost of any assistance in the matter of railway rates which may be necessary to preserve and protect the economic status of their own producing interests". The minority who opposed the resolution were doubtless the delegates from Nairobi and their sympathisers elsewhere. If effect is given to the resolution, the result will either be a substantial reduction in one of the subsidies the community pays to white settlement, or the public disclosure of what, in part, the subsidy amounts to. In part only, since "loan charges and administrative costs" have to be met, if not by all who use the railway, then by some of them only, who in that case must bear more than their fair share of these charges.

## CHAPTER IV

### LAND

PEOPLE who have never been engaged in agriculture are very apt to suppose that, except perhaps for mountain tops, [land is always capable of being cultivated.] Even in England, that looks like one vast garden, less than a third of the land is under cultivation. In Scotland the proportion is only a sixth, and at least half the land in that country is of practically no value at all. People always exaggerate the potential wealth of new countries. Sir Walter Raleigh thought to make his fortune in a West Indian island that now has no value, either agricultural or mineral, where in our time the entire population subsists by the industry of rum-running to the American coast. Kenya is no El Dorado either, as many a man who has gone there with a few thousands and lost them will aver, hard workers though many of them were. The extraordinary thing is that in spite of privileges and subsidies there should always have been so high a proportion of failures among the settlers. They too, in fact, are the victims of a vicious system.

Readers who are already informed must excuse a recital of some elementary facts. Of the total area of the country, about 200,000 square miles, some 40,000 are officially estimated to be capable of cultivation and another 30,000 are estimated to be suitable for animal husbandry. The author is convinced that the estimate of potentially arable land is far too high; and of the areas that are and might be cultivated, a large proportion cannot be ploughed. All

over Eastern Africa there are hill-sides and ravines and banks of streams, where there are pockets of rich soil, responsive to nothing but the peasant's hoe. [Readers must be referred to the author's earlier book for the story of how the Government appropriated the whole of the land of the country, and gave 11,000 square miles of it to Europeans, most of it in blocks of 5000 acres and more.] From most of these 11,000 miles the natives were simply turned off, but thousands of them still live as the white man's tenants on their ancestral lands. Some years ago these people began to trouble the authorities, not by demanding the restoration of their land—at that time they were too ignorant to do that. What happened was that many of them went to the new owners and offered to pay rent in return for security. And so a considerable class grew up, of rent-paying tenants on land belonging to Europeans. So great was their land-hunger that a rent of 10s. an acre was quite common. It is difficult to explain to English readers why the settlers objected to this practice and got the Government to stop it. The essential point is one of status. A leaseholder, even if the lease be only annual, has a higher status than a wage-earner, and the authorities in Kenya agree with the settlers that the presence, in the "settled" areas, of Africans with a status higher than a wage-earner, and so more independent, is so offensive that it ought to be a penal offence. So in 1918 it was made one. The Resident Natives or Squatters Ordinance then enacted has it that "no occupier shall permit any family to reside on a farm save under the conditions hereafter prescribed". A magistrate's permission is needed for every squatter that the owner of a farm may want, and all of them must do a minimum of 180 days' paid work in each year for the owner.

Until two years ago it was impossible to prove from official documents that there is a large class of Africans in Kenya with no rights in land at all, who lost these rights by

the grant of their land to Europeans. But in November 1929 there was published the Report of a Commission on Land Tenure in the Kikuyu Province. The Commission was composed of experts and produced an exceedingly able account of Kikuyu customary law in regard to land. But, quite incidentally, it mentions the existence of a landless class. When reading the following extracts from the Report, readers should bear in mind that, as the Report abundantly establishes, land-rights with the Kikuyu are individual or familial, except in the case of pasture. They are so, indeed, among every tribe that lives by the cultivation of the soil.

On page 21 of the Report just referred to it is stated:

Throughout the Kikuyu Province it is a common thing to find individuals cultivating and sometimes living on land belonging to some individual of another *mbari* (family) or *muhiriga* (clan). This is more common in the Kiambu District than elsewhere, by reason of the fact that there are a great many individuals who once were members of land-owning *mbari*, but whose whole *ithaka* (farms) were alienated to Europeans, and who could not acquire new *ithaka*, since they could not move on beyond the Reserve boundaries into unoccupied forest land.

And on page 26 it is stated:

There are far more *ahoi* (members of some other clan) in the Kiambu District than in any other District, because a very large number of *ithaka* were alienated to Europeans in the days before the Reserve boundaries were fixed, and then a great many natives who had land-rights on the *ithaka* of their *mbari* suddenly found themselves homeless and with no land which they could cultivate in their own right. . . . In early days a man never stayed long as a *muhoi*, for he would gradually acquire sufficient wealth to go off and buy himself a *githaka*. . . . Nowadays, however, there are fewer offers to sell land, and so *ahoi* tend to stay on indefinitely as such.

These *ahoi*, and the dispossessed of other tribes as well, have two alternatives. Some of them, as we have seen,

manage to find room within the already congested Reserve. Others live on in their old homes, under the obligation, as laid down in the Squatters' Ordinance, of giving at least 180 days' labour to the owners. Bantu religion, now, no doubt a declining force, lays upon the living the duty of cherishing, by prayer and gifts, the spirits of their ancestors in the places where they died.

The authors of this Report had no concern with the affairs of any tribe other than the Kikuyu. But the fact is that most of the Kenya tribes have lost a good deal of their best land in the same way. And yet, more than a year after the publication of this Report on Kikuyu land, the answer the Minister responsible gave to the question, asked in Parliament, whether Africans in Kenya had the land they need, was that they had. The falsehood was not his, of course. But one wonders that both he and Lord Passfield so patiently submit to being misled.

It is being said now that these unjust alienations were unintentional, were due to ignorance. Even if it were true, that would not excuse them. But it is not true. Protests were made, not after but at the time of these alienations. In more than one case protests reached the Colonial Office itself. Some account of what happens to those who protest will be found in Chapter VIII.

The vital question is, of course, whether there is ownerless land capable of cultivation in the Reserves that these *ahoi*, and the landless in other tribes, might be allotted. There is not. No official proof of that statement exists. But then, until this uniquely expert Commission on Kikuyu land reported, the existence of a large landless class was always denied.

A study of the table in the Appendix showing densities of population proves conclusively how congested already are the Reserves of the two largest tribes in the country, which contain two-thirds of its total population. (These



tables have been compiled from official reports by Mr. Charles Speller, M.A., an agricultural economist, whose abilities and experience are not yet adequately recognised.) Take first the Nyeri District in the Kikuyu Province, where 107,155 people have only two acres a head. This District lies high up on the south flank of Mount Kenya. It is a tangle of thousands of ravines, with rapid streams running out of the forest, higher up still. The banks of the ravines are steep, and the ridges between them narrow and often rocky. But the rainfall is ample, and what soil there is is rich. Every tiny pocket of it is cultivated, or of necessity, lies fallow. Visitors to such a District often fail to realise that in a country where there is neither coal nor fertilisers, areas far larger than in other countries have to be left fallow to recuperate and to be devoted to wood for firewood. In this Nyeri District the land is too precious for firewood to be grown. Every stalk of maize is treasured and burned under the cooking-pot. But if land is not left fallow long enough, crops are poor. Allowing for that, and for rock and precipice, the two acres a head are no more than enough for the food supply. When food was all the land was asked to provide, the people needed no more land. Now that the average family has to find 28s. every year, these Kikuyu must either grow crops for sale, and go short of food, or leave home to work for wages.

Take next the Dagoretti District, where there is only 1.3 acres a head. It lies lower than Nyeri, in the foothills of the mountain. The ground is hilly but not steep, and the rainfall is still good. It was in this District of Dagoretti and the neighbouring District of Kiambu that thousands of Kikuyu families were dispossessed by the grant of their land to Europeans. In any case, people living as densely as nearly 500 to the square mile cannot possibly do more than feed themselves from it.

As one travels north, round the eastern side of the moun-

tain, the rainfall gets less and less, so that when one gets to the northern slopes, it is too light and uncertain to allow of cultivation at all. So the population gets thinner the farther north one goes. Half-way round, in the Chuka District, there are 5 acres a head, and a good deal of firewood is grown, and carried for sale on women's backs—everything having to do with food is the concern of the women—for long distances to the parts where the land is too precious to be left as natural forest land. Further north still there is even more room. But in the Mbere District, where there are 17·2 acres a head, there are large areas in which cultivation would be unremunerative in most years. In fact, in all those comparatively sparsely populated Northern Districts of the Reserve, partial famines occur about every third year. Fifty miles from the eastern boundary of these Districts, across the Tana river, there is more "room" still. There is all the room, in fact, because the land is uninhabited, and always will be. Irrigation can never do much to extend cultivation in a country where even its largest river can be forded in the dry season.

The Report of the Commission on Land Tenure among the Kavirondo discloses a similar congestion to that we have found to prevail in the Kikuyu Province. Indeed, in parts the congestion is worse, there being densities as high as a thousand to the square mile. In this case alienation of land to Europeans is not a cause of scarcity of land, except in the sense that the alienation of the areas in the neighbourhood has left no room for the Reserve to grow. The main reason land in Kavirondo is scarce, is simply that it was enough for the old tribal economy but not enough to enable the tribe to grow produce for sale. The land of some of the smaller tribes, such as the Kisii, is even worse congested than the lands of the two largest, about which information from official Reports is available.

Further evidence of congestion will be found in the

table in the Appendix showing the population densities of the squatters. When we bear in mind that the land the squatters occupy is solely devoted to family food-supply, and that how much land they get is entirely at the discretion of the European owners of the land on which the squatters live, the fact is significant that most of these squatters have been allowed more than double as much land per head as we find most of the Kikuyu and Kavirondo have. On an average, squatters have 9.6 acres of land per head, while at least two-thirds of the Kikuyu, as the reader may see for himself in the table, have less than 3.5 acres per head. It may be mentioned that the Colonial Office directed the Government of Palestine to allow no Jew to get land in any District, unless 40 acres of suitable land was available in the District for every Arab family in it. If that regulation had been in force in Kenya, not an acre would have been alienated to Europeans in that country.

Unfortunately, it is impossible to give figures showing comparable densities in thickly populated countries like Belgium. The published figures for these countries include the population of all the towns except the largest. And they include, of course, people engaged in every sort of occupation besides that of agriculture. Whereas, in Kenya more than 90 per cent of the people live entirely by the cultivation of the soil. The exceptions in the case of these Kikuyu formerly were the women who made clay pots, and the smelters of iron-ore and smiths that made iron tools. These latter have now been driven out of business by the manufactures of Europe. But now there are new minorities who buy food and live by other work than tillage—chiefs, school teachers, petty traders. Even they generally cultivate too. There is certainly no district in any European country where people engaged in agriculture, except as market gardeners, have so few acres per head as in the parts of the Reserves in Kenya where soil and rainfall are good.

In England and Wales each person so engaged has on an average 29 acres.

That there are some African families in Kenya who can and do live by cultivating land of their own—in a sense at least their own—and by selling its produce, is true enough. The number is small. How small is partly evident from the fact that though there are more than two hundred times as many African families engaged in agriculture as European families so engaged, they produce only a fifth of the exports. These proportions exaggerate the true contrast, since the existence of the European colony provides Africans with a large internal market. But the broad fact remains, that of the agricultural tribes that include 90 per cent of the population, the great majority are compelled, by land shortage alone, though other factors operate too, to leave home to work for wages in order to find the money for the tax.

Let us next examine what needs to be done to ensure that every African family in the country that wishes to live by the cultivation of the soil may be able to do so.

First, the Reserves must be made really inviolable. Quite recently an official court of enquiry sat for days in Nairobi, examining the question whether some scores of Kikuyu families were to be turned off their land at Maragua to enable a private company to supply Nairobi with electricity. At present each Reserve is vested in a trust, composed of officials and settlers. Inevitably Africans look on these bodies as representing, partly the people who have robbed them, and partly the receivers of the stolen property. Tribal land should be held in trust by the tribal authority.

Second, until the needs of Africans are fully met, no land should be alienated to non-Africans. And all land reverting to the Crown through bankruptcy or intestacy should remain in the hands of the Crown.

Third, the first duty of the recently appointed agri-

cultural economist should be to survey and report upon the adequacy and suitability of the land in the existing Reserves, and in the unalienated Crown lands.<sup>1</sup> [As average rainfall is in most parts the critical factor in deciding whether cultivation would or would not be practicable, measuring stations in all such places ought to be started at once.]

Fourth, public announcement ought to be made in every District that the Government is about to draw up and carry out schemes of land settlement for Africans, as was directed to be done in the White Paper. Applications from those in need of land should be invited at once, since until that is done, no estimate will be possible of the numbers involved.

Fifth, state-aided co-operative marketing schemes, such as are in operation in Uganda and Tanganyika, should be undertaken, that would cover every district and deal with all the crops that the peasantry might profitably grow.

Lord Delamere once said: "If the policy was to be continued that every native was to be a land-holder of a sufficient area to establish himself, then the question of obtaining a satisfactory labour supply would never be settled". [His Lordship was mistaken.] The question has been "settled", for the time at least. So large a proportion of the people have been defeated by the deterrents to peasant production, of which a list is given in Chapter VII., that, at the time of writing, in the early autumn of 1931, the labour market is glutted by gangs of men wandering over the country, offering themselves for 8s. a thirty-day period, and finding none to hire them. Some, at least, of these men have land enough. What, then, are the conditions in regard to land that must be fulfilled, in order to enable the peasantry to be free and prosperous?

A preliminary necessity, of course, is a Government that wants what the Squatters' Ordinance was designed

<sup>1</sup> This Officer, however, seems to have had no experience of this highly specialised kind of work.

to prevent and does prevent—the existence of a free peasantry, with security of tenure. Let us assume that so miraculous a reversal of the existing practice has taken place, or is about to take place, and that there is a Government in Kenya that is heartily engaged in putting the directions of the White Paper into practice. Let us assume also that money for roads and railways is justly allocated, so that the families that have land enough but cannot market their produce can in future do so. Let us confine ourselves to the single problem of the settlement on the land of such African families as wish to settle on it. Of those landless families, the dispossessed stand in a class by themselves. They must be given free grants of Crown land of the best quality. No right could be more absolute than their right to that. The land they lost by its alienation to Europeans was land of the best quality, since Europeans wanted no other sort, and nothing less must be restored to them. The landless of other categories, such as the children of those who thirty years ago were slaves in the plantations on the coast, ought to be given land on the same terms as Europeans are granted.

Practically all the dispossessed, and probably most of the other classes of landless Africans in Kenya, are native to the Highlands. They must get land in the Highlands, with the soil and climate they are accustomed to. When people of these Highland tribes are transported to live in the low country, they rapidly succumb to disease. Next, each of the earlier land settlements should contain people of a single tribe. Third, no family should be settled more than a mile from permanent water. That may seem a long way for women to have to carry the household supply. But, except on the sides of some of its mountains, Kenya is a country with very few permanent streams. Only three of its rivers reach the sea at all. Fourth, no family should be settled more than five miles from a market. When Africans

in Kenya are allowed to grow coffee and other less bulky crops, they will be less dependant on markets near at hand. The whole economic situation of the country, in fact, will be changed.

Since no enquiry has been made by the Government, the number of landless African families in Kenya is unknown. At a guess, there may be 40,000 of them, of whom half or 100,000 souls are the dispossessed. There is no room for these people in the Reserves. Here and there, it is true, families can be found with as much as fifty acres of good land, perhaps even more. But we have no right to ask such people to make room for others, when the average European holding is more than two thousand acres, or about four square miles. Nor is there room in the unalienated Crown land. There are some 2000 square miles of it or more. But it is all inferior land, most of it with no permanent water. The last of the good land, areas in various parts comprising nearly 200 square miles, were alienated in the spring of 1930. The author got friends in Parliament to ask questions in the House of Commons and represent to the Colonial Office the importance of stopping these alienations, without result.

We are driven to the conclusion that if the conditions already described are to be fulfilled, and unless they are, success in African land settlement is unattainable, the rights of the Crown over some of the alienated land must be resumed. If we suppose that there are 40,000 landless African families, and that 20,000 of them want holdings now, and allow them four acres a head on an average, enough when the land is good, but not too much when fallow and firewood are provided for—not as much indeed as the settlers commonly allow their squatters, that would involve the restoration to native occupation of about 700 square miles, or about a fifteenth of the total alienated area. The size of the problem would be immensely reduced if

European farmers and planters were required to give leases with security of tenure to their squatters. If that were considered unfair, there could be no objection to settlers being allowed to give squatters such leases, rather than see them get holdings elsewhere. But, of course, such a tenantry must be as free as holders direct from the Crown. Not only the obligation of the squatter to do 180 days labour in the year, but the whole of the rest of the Squatters' Ordinance will have to be repealed. The sole reason for its existence as a law was to make impossible what the White Paper directs the Government to do, namely, to enable Africans to have family holdings outside the Reserves.

While the grant of free leases with security of tenure to those who now are "labour-tenants" would largely reduce the problem, it would not solve it. The best way of getting land for the other landless families, such as the *ahoi* mentioned in the Report cited above, would be to invite a representative body chosen by the settlers to choose the suitable areas that would be given back to the Crown with a minimum of disturbance to their present holders, and to leave it to that body to arrange how best those who should have to surrender land should be compensated by the rest. For there can be no question in this matter of compensation out of public funds. (As European land-holders were the sole beneficiaries of what Africans lost, they alone must make good the loss.) Care would have to be taken to make sure that the lands surrendered complied with the necessary conditions, and legislation will be needed in any case of the partial or complete failure of voluntary recession of land.

No reform will be more bitterly opposed than the settlement of landless Africans on Crown land. No offence is caused by the propinquity of any amount of "labour" on a man's land. But when the labour becomes a free peasantry, their propinquity is felt to pollute the air. Herein is conclusive proof that the existing relations between Europeans



and Africans in Kenya is the servile relation. Herein also, readers are enabled to know the measure in which the Imperial Government and the Government of Kenya are replacing that servile relation by the free relation. Once a year let him ask his member of Parliament to ask the Secretary of State for the Colonies how many African families have been settled on Crown land during the previous twelve months.

But, and it is a very large but, can we expect men who have devoted themselves for many years to the Boer-Delamere-Grigg policy of permitting to Africans the rights only of squatters outside the Reserves, to make a real success of settlements of free African peasants? We know now at last, from official report, that this large class of the dispossessed exists. The directions in the White Paper for dealing with this class are exceptionally clear and specific. Further, there already exist many successful land settlements of Africans, in which individual holdings are combined with varying kinds and degrees of co-operation, in Glen Gray, in Jamaica and elsewhere. But, does the will exist in Kenya to make successful African land settlements? Probably the best course would be to ask the Government of India to lend the Government of Kenya an Officer experienced in land settlement in India, and to leave the whole matter in his hands.

## CHAPTER V

### TRIBAL AUTHORITIES

DURING the last five years, Sir Donald Cameron has built up in Tanganyika an astonishingly successful system of Local Native Government. Making the fullest use of such tribal institutions as had survived the war, and the authoritarianism of his predecessors, both British and German, he restored to them their original proto-democratic constitution which made tribal opinion rather than the arbitrary power of a chief supreme, and grafted on the old stock new social tissue, to use Lord Olivier's phrase for the work with a similar purpose that he did in Jamaica. Thus these Tribal Authorities<sup>1</sup> collect the poll tax, have charge of roads and bridges in their areas, and both build and manage schools, dispensaries and maternity clinics. From a tenth to a third of the money a tribe pays in poll tax, the proportion varying with the stage of education and social development reached, is returned to these Authorities to be spent by the Tribal Treasuries. It was Sir Donald's intention—he has been transferred to Nigeria—to enlarge the powers and add to the functions of these Tribal Authorities, as their capacity for public service grew. In the exercise of their powers, Tribal Authorities frequently consult and to some extent are guided by Provincial and District Commissioners. But it is significant of the spirit of Sir Donald's administration that in no instance has it been necessary to overrule a decision of

<sup>1</sup> Tribal Authorities, in East Africa, are called, indiscriminately, Tribal Councils, Local Native Councils and Local Native Government.

a Tribal Authority. The semi-civilised find it very difficult to be honest about money, and the accounts of the Tribal Treasuries are still audited by British officials. For one bad case of embezzlement by a chief the negligence of the supervising Authority was mainly responsible. But, with that exception, out of £3,500,000 that these Tribal Authorities have collected, less than £1500 has been lost by theft and other defalcations. At one time there were 148 of these Authorities in the country, but the number is always growing less, as the people come to realise the advantages of union or federation into larger units.

The warmth with which the African delegates from Tanganyika expressed their satisfaction with their Government, contrasting so markedly with the somewhat critical attitude of the Uganda delegates and the grave dissatisfaction of those from Kenya, is conclusive proof of the success of Sir Donald Cameron's policy of trusting Africans and giving them responsibility. But Tanganyika is not immune from the social diseases from which Kenya suffers. Immense grants of land have been made to Europeans in places where the land will be useless unless Africans are induced to leave home to cultivate it. Urban land-values, while they have not soared to the disgraceful heights they have been allowed to reach in Kenya, have already risen so high as to make overcrowding inevitable. And an electric power station that formerly was publicly owned has been handed over, together with the monopoly of the use of certain important waterfalls, to a concessionaire.

The settlers and their organs in the Press allege that the Cameron policy of giving Tribal Authorities real responsibility, results in practice in extortion and oppression of the common people by their chiefs. While these reports are doubtless exaggerated, the danger that such things should happen is a real weakness in the policy. In the old days, chiefs who were oppressive or incompetent came to an un-

timely end. But a civilised government can neither allow so summary a remedy nor provide a better one by close supervision of those to whom it gives authority, since in that case the authority becomes a mere pretence. The Cameron policy, in fact, has the serious defect of depending for success on the character and ability of the men who administer it, especially on the Governor and Chief Native Commissioner. The wider aspects of this matter are dealt with in a later chapter. At this stage all that is necessary is to warn readers that the critics of the Cameron policy are partly right. To say that a thing is the best that could have been done in the circumstances is not to say that it will always be the best thing to be done, still less to claim for it, as some writers do claim for the Cameron policy, that it contains the solution of the fundamental problems of East African society. It is in fact an admirable temporary expedient, that, in the right hands, and if a generous educational policy is adopted, may develop into a more stable plan of society.

The success of the scheme of Local Native Government in Tanganyika naturally led to its imitation by Kenya. Some of the legislation has, in fact, been copied. How far the same policy is actually being followed in the two countries may be judged by what follows. It must first be explained that under the Native Authority Ordinance, any rules or regulations of which, with the consent of the Governor, a Tribal Authority may approve, have the force of law in the tribal area.

In February 1930 a notice appeared in the official Gazette of Kenya, to say that certain rules had been issued under the Native Authority Ordinance. These particular rules, now about to be described, have never been published, either in the Gazette or elsewhere. The author's knowledge of them he got from three men who read them, two of them District Officers, whose duty in regard to them will be

explained shortly. These rules make it an offence, punishable by a fine of £7 : 10s. and two months' imprisonment, for any African, without permission from a District Officer, to ask another African for money, or to take a collection, except the money asked for should be (*a*) for the payment of the tax; (*b*) in return for goods or services rendered; or (*c*) for religious purposes in an authorised place of worship. These rules were sent to each District Officer and Provincial Commissioner, with the instruction that he was to summon the Tribal Authority of his District, explain the rules to them orally, and instruct them to pass a resolution approving them, thus giving them the force of law.

Instances of behaviour that these rules make illegal, unless prior permission is got, are: to ask a relative for money to help to pay the bride's dowry, that always changes hands on marriage in Bantu society; to raise funds to fee a lawyer to defend a man in a Court of Justice; to collect money to build a school or club—one missionary is said to have actually applied for permission to raise money for general mission purposes; to collect money for any object in an unauthorised place of worship; and, of course, to collect money for a political or industrial organisation.

The reasons for issuing these rules, about which, of course, no Tribal Authority was consulted, were, first, that a very large number of people had left the Mission of the Church of Scotland and were talking about setting up a church of their own. The secession was due to the decision of that and other Missions, but neither the Anglican nor the Roman, to prohibit their members from continuing the practice of a certain initiation ceremony in girls. The idea underlying this customary rite is that unless a girl undergoes it neither she herself nor the very soil itself will be fruitful. It is practised by many tribes in Africa, in Arabia and in various other parts of the world. It does a certain amount of harm, though nothing like as much as

has been alleged. Elsewhere in Africa Missions have not found it necessary to outrage native sentiment by prohibiting it to their members, but do find that both this and other more injurious practices are dying a natural death. The seriousness of this secession consists in the fact that, in the main, each Mission has a monopoly of African education in the area it works in. In the minds of thousands of Kikuyu, this ban means that they must choose between patriotism on the one hand and Christianity and the education of their children on the other. The dispute has resulted in the closing of more than two hundred schools, and it is high time the Mission authorities in Scotland, or if they will not, then the Government, intervened to stop it.

The second reason for these rules is the rise of a number of societies independent of European influence, with the purpose of ventilating grievances and advocating reforms. (The largest of these societies, the Kikuyu Central Association, sent two of its members to give evidence before the Select Committee. The Committee declined to hear them. The official delegates did admirably, so far as they went, express what the common people in Kenya think and want.) As will be explained more fully in the next chapter, no new rules were needed to deal with an industrial union. An old law that makes it a criminal offence for a man to leave work without his master's permission, even under a year's contract, makes the existence of anything of the nature of a Trade Union impossible.

It will be noticed that the Native Authorities were not consulted beforehand about these rules, but were just ordered to approve them. Several weeks after the publication in Kenya of the White Paper on Native Policy, in which it is laid down that before the introduction into the Legislature of proposals that would affect native interests, the Native Authorities should be consulted, a Bill, the Native Tribunals Amendment Ordinance, was introduced into the

Legislature and passed through all its stages in less than a week. In November 1930 the author, being aware of the facts, got a friend to ask, in Parliament, if the Native Authorities had been consulted about this Ordinance. Dr. Shiels answered that although the text of the measure had not been before the Authorities, they had been consulted about its contents. He knows now how much truth there was in that answer. The African delegates from Kenya (two of whom were members of Tribal Authorities) were asked if they were consulted about Legislation affecting their interests, and said that they were not. No Government, if its policy is defensible, needs to resort to falsehood in its defence.

It may be added that if the Tribal Authorities had been consulted about this measure, they would have made use of opportunities so novel by objecting to its provisions, some of which are unpopular. It would be more accurate to say that they would be unpopular if people knew about them. For it is only the few who know English well who can learn the terms of the laws, even of the laws that the Native Authorities have to administer and enforce. The result is that when European magistrates wish to override the law, they may do so without detection.

Further information as to how the Native Authorities in Kenya are treated is contained in a statement by Monsignor Brandsma, on behalf of all the Bishops of the Roman Church in Kenya, that was published in the Nairobi Press. As reported in the *East African Standard* of February 21, 1931, Bishop Brandsma wrote:

As long ago as April 1929 we questioned the value of these official meetings with the local Native Councils in general, because of possible official suggestion and engineering of the statements, and, in particular, we challenged the whole truth of the alleged dissatisfaction of the Kavirondo Local Native Council meeting in question. In answer to Mr. Scott's memorandum we wrote on that occasion these words: ". . . The missionaries, Catholic and Protestant, should be associ-

ated with unbiassed Government officials and with intelligent natives in a Commission of Enquiry into (a) The native demand for Government schools, (b) The representative character of Local Native Councils, (c) The mode of procedure in their meetings, (d) the method of levying cesses and the incidence of these taxes. . . ." Once again, in a letter to Mr. Scott, we challenged him to submit the question once more to the Local Councils. He refused. . . . It has been reported to us that not very long ago a certain Local Native Council held out uncompromisingly against certain proposals of Government, including one to vote funds for a proposed Government school which the natives did not want, and that when the District Officer, ex-officio chairman, had used up all his arguments and most of his patience, he left the recalcitrant members confined to the Council hall for over an hour, at the mercy of an official interpreter, known to be a bully, and not a member of the Council nor even of the tribe, who was commissioned to talk them into reason. . . . The interpreter's argument might be summed up in these words: "Do you not see that you have made the D.C. angry? Can you afford to make him angry, when he is the one who administers the District and has the settlement of your cases? "

It must be nearly, if not quite, unprecedented for Bishops of the Church of Rome to write thus of a British Government, in the defence of native interests. No such enquiry as these Bishops ask for will be held until a Commission is sent from this country with the instruction to give the 98 per cent of the population, who are Africans, 98 per cent of their attention, and especially to give regard to what is said by those whom the people themselves may choose to speak for them. Such a Commission would find that the instance the Bishops refer to is not the only one of its kind. In one case a Native Council was shut up for far longer than an hour to compel it to vote money, out of the fund produced by the local rate, for the purchase of a motor lorry to carry the District Officer's baggage when on tour. In another case a "rest-house" for the use of officials was built out of funds thus raised, that are, of course, supposed to be spent wholly on what a tribal authority regards as tribal benefits.



It is greatly to be regretted that the Select Committee made no enquiry on this subject, in secret session, from the African delegates from Kenya.

How different has been the attitude to Africans of Sir Donald Cameron in Tanganyika and Sir Edward Grigg in Kenya is seen when the positions these Native Councils or Tribal Authorities have been given in the two countries are compared. In Tanganyika they elect their own chairman, choose their own clerks, who keep the minutes, and administer funds allotted them from general revenue. District Officers attend meetings of Authorities at their pleasure, but have no overruling power. In Kenya the District Officer is the chairman, and the secretary as well, as he keeps the minutes, and often uses his power to compel. No Authority in Kenya gets a penny from general revenue. The whole of the money an Authority has at its disposal, or rather at the District Officer's, is the produce of the local rate or cess, with which there is nothing to compare in the "settled" Districts. At least one Authority in Kenya has accumulated a large sum got from rates, because the Government will not let it be used to build a school where children would get the higher education European children get. In 1930 the Rev. Mr. Rampley wrote to the *East African Standard*, complaining that in the Nyeri District, though the people raised £2850 a year in rates, all the Government did for education was to pay £2 a month in part payment of a single teacher's salary.

About half the members of the Tribal Councils in Kenya are paid Government officials. One of the three African delegates from Kenya was a "chief". Chiefs in Kenya are paid from £2 to £8 a month. Another was a sub-headman. Sub-headmen are paid 3s. to 6s. a month. Neither of these two men have the smallest vestige of traditional authority over their fellows. And though that is not the case with the chiefs in all the tribes, the Government

always has the deciding voice in their appointment, and chooses men for their intelligence, reliability and pliability. In the laws of Kenya chiefs are invariably referred to as subordinate officials, and that is just what they are. That is what makes so portentous the frankness with which the delegates spoke to the Select Committee. One needs to have lived in Kenya to grasp the magnitude of the portent. That these trusted official agents should have given the grievances of the common people open, if only partial, expression can portend only one thing, that these men thought that the patience of their people had come to an end. It is scarcely necessary to add that until reforms in Kenya are actually under weigh, either to increase the powers of Local Native Councils, or to increase their representative character would be most dangerous—would, in fact, make them centres of disaffection.

Some account must be given of the difficult problem of the constitution of Tribal Authorities, especially since the Select Committee was given a false impression of the facts. Mr. Kulubya, the very able representative from the Kingdom of Uganda, spoke for his King. He declined to answer questions on matters not dealt with in his written directions, and could not have been expected to explain, what is the case, that there is a large and growing movement in his country in favour of the election by the common people of some of the members of the Native Parliament. Some change in that direction was suggested to the King by either the Colonial Office or the Governor. Rightly or wrongly, he took offence, the history of East Africa having made him very suspicious of what may lie behind the proposals of a British Government. But it is known that he himself intends to advance proposals to make his Parliament more representative.

As people in Kenya are both poorer and less well educated than in either Nyasaland, Uganda or Tanganyika,

any really democratic movement has hitherto scarcely been possible. The unfortunate thing is that, with few exceptions, all the Dependencies in tropical Africa are governed by people with a fervent belief in authority—for other people of course. In British West Africa, where there has been little or no economic exploitation, this policy of “supporting the power of the chiefs” has resulted in dangerous unrest. Sir Donald Cameron is unique among recent African Governors in realising that political and social institutions must be kept fluid. The reason he does so is that he always gets to know the common people, and knows that, since they are human, the forces of the modern world that have changed our lives may be expected to change the lives of Africans too.

A vast deal of nonsense is said and written about the supposed evils of “Europeanising” and “detrribalising”. What it all comes to can be found out by asking the question, what are Africans to be encouraged to know? If the answer is that certain knowledge should be withheld from them, then we know that those who give that answer regard Africans as sub-human. But the knowledge and the ideas that have transformed and are transforming our own society cannot be kept from Africans. If we offer them all that we recognise as best in our own lives, we may be sure of their gratitude. But if we allow those who regard them as sub-human to restrict their education, vainly in the end to restrict it, to the three R's and manual trades, as is now the policy in Kenya, we shall know what to expect if we ask ourselves how we, in these Africans' place, should feel and think in consequence.

#### NOTE TO CHAPTER V

Since this chapter was written there has come into the author's possession what purports to be a copy of revised rules that are evidently based on those described in the early part of the chapter. As, so far as one can learn, the rules have never been published, either in their original or in a revised form,

this copy must have originated in one made from a District Officer's confidential file. Its contents are in substantial agreement with the account in the text, but as its accuracy or even its authenticity cannot be guaranteed, it has been decided not to reproduce it here. One may add that it seems highly questionable if these rules are being enforced, or if they could be enforced. It may be doubted, indeed, whether they are not *ultra vires*, in the absence of publication. That would not trouble some magistrates, if told to prosecute and convict people who broke them. The strange thing is that the authorities in Kenya seem not to know that rules of that sort merely drive agitation underground.

## CHAPTER VI

### JUSTICE

IN the Nairobi Press in January 1931 there appeared short reports of a case in which a European farmer in the Songhor District was heavily fined for forcing labour and withholding wages. The farmer had sent one of his labourers to the nearest European Police Post with the complaint that the labourer wanted to leave on the expiry of his contract, and the request that the constable should induce him to remain in the farmer's employment. The constable threatened the man with six months' imprisonment, and to prove the threat was to be taken seriously, made him break stones for a week without pay, after which the man returned to work for the farmer. Some weeks later this same labourer, finding that some of his fellows were ready to join him in taking the risk, went with them to the nearest District Officer, who referred them to the Resident Magistrate at Kisumu. This man proved to be made of different metal from the type of which an example is given in Chapter VIII., with the result that the farmer was duly convicted. The European constable, whose guilt was surely at least as great as the farmer's, was neither put on trial nor reduced in rank, and was even allowed to remain at his post in the same District.

This farmer's trial occurred just about the time when Sir Edward Grigg, in answer to a question in the Legislature by Lord Francis Scott, emphatically declared that there was no forced labour for private employers in Kenya. The answer was cabled to Europe and widely reproduced in

English papers. The truer answer would have been to say that while forcing labourers to work for private employers is illegal, and frequently punished when reported to magistrates, it is practised with impunity by such officials as choose to employ force, and by certain employers when they consider it unlikely that complaint will be made to the more courageous sort of magistrate.

One result of the difference in status people of different racial origins have in Kenya, is that offences in Europeans are punished far more lightly than in the cases of Indians and Africans. Instances will be given later. Official offenders are treated most lightly of all, especially when, as in the case of that Songhor constable, zeal for the welfare of white settlement is the motive. In part, this favouritism is due to the theory that the prestige of the Government would suffer if public servants were brought to trial and convicted if found guilty. Nothing could illustrate better than that theory the extraordinary ignorance of the men who during the last twenty years have been promoted to high positions in Kenya. No one could listen to native talk very long, in any language, anywhere in East Africa for that matter, without realising that this large degree of immunity from punishment of Europeans, especially of public servants, is poisoning public opinion as almost nothing else does. All the countries of East Africa, since most of their male inhabitants travel long distances to work every year, are like vast whispering galleries, in which the choicest anecdotes are scandals about Europeans, men and women, such as the one just recounted. Many are exaggerated. Some—one hopes many—are untrue. Any listener, unseen, to native talk will often have burning ears. The real choice in this matter is not between giving discreditable incidents publicity or not. They get the publicity in any case, just as scandal does in an English village, and nothing the Government could do would stop it. The real alternatives are to let

unpunished wrong continue to circulate as a poison in the body politic, or to provide the sovereign antidote of public investigation. The crime that perhaps does more harm than any other, and in this case the authorities in Nairobi are only responsible indirectly, is the practice of flogging unwilling witnesses. Africans regard British justice as a quite incalculable gamble with fate. But its reputation will rise with a bound when a District Officer is publicly dismissed the service for flogging men to make them speak.

Here once again a partial explanation is the prevalence of the more or less unconscious belief that Africans are sub-human. The men who hold this disastrous theory about the white man's prestige and how it is to be upheld, know well that if they had to live under a Government that constantly claimed to be just—as in ordinary countries Governments never do—but yet hushed-up irregularities and actual crimes when committed by its own servants, their dislike of their Government would be mingled with contempt. Yet these same men will not believe that Africans, being human, have exactly the same feelings of resentment. A glaring example is the Bentley case. Mr. Bentley is a settler who, greatly to his credit, took up the case of some natives who had been condemned to death for murder. The inquiry into the whole matter, which after months of effort he managed to extort from the Government, showed that the men were innocent, and disclosed practices by the police that would in an ordinary country have led both to prosecutions and to dismissals.

The report of the Court of Inquiry was presented to the Government more than a year ago. But it has never been published and nothing has been done to undo the injury the case did to the reputation of British justice.

The nature of Kenya society is reflected in the laws of the country. The quotations from these laws that follow

are taken from the official edition of 1926, for the loan of a copy of which the author is indebted to the courtesy of the Colonial Office Librarian. The most important of the laws affecting Africans is the Employment of Natives Ordinance. Both Government and private employers in Kenya refuse to engage labourers except on contract. Breaches of these contracts by labourers are criminal offences. It is said that in certain other British Dependencies outside Africa provisions as barbarous and severe as those that follow are in force.

Section 2 of the above Ordinance has it that, "contract of service means any contract, whether in writing or oral, whether expressed or implied, to employ or to serve as a servant, for any period of time".

Section 3 limits oral contracts to thirty working days extending over forty-two days.

Section 2 limits contracts, other than apprenticeship contracts, for two years.

Section 15 runs thus:

Whoever decoys away or unlawfully induces any servant to quit the service of his employer, or who attempts to decoy away . . ., or who knowingly harbours any servant who may improperly quit the service of his employer, shall be liable on conviction to a fine not exceeding five pounds, or to imprisonment . . . to any period not exceeding six months, or to both such fine and imprisonment.

(The reader will remember that most labourers are now paid from 8s. to 10s. for thirty working days.)

Section 16 provides that a father, or in the case of a fatherless child, a magistrate, may apprentice any child of nine years or over nine, may authorise his or her apprenticeship for five years to a trade in which skill or art is acquired, "or as a domestic servant".

Section 22 runs:

Whoever induces or attempts to induce any apprentice to quit the service of his employer, shall be liable to imprisonment—for a



term not exceeding three months, or to a fine not exceeding twenty-five pounds.

There follow a number of sections specifying the duties of employers in regard to housing and feeding of labourers. When it is considered that it is customary to allow a labourer on an 180 days' contract to spend the first three days of it in getting grass and poles to make his own shelter with, the reader will realise that these provisions are of necessity vague. And in any case the machinery of their enforcement is so sketchy as to be a farce, as indeed the latest report of the Native Affairs Department admits.

This extract is from page 127 of the report of the Native Affairs Department for 1929:

At the beginning of the year the number of Labour Officers allowed for in its estimates was three, in place of the five allowed for in 1928 and previous years. At the time the reduction was made it was thought that it would be possible to arrange for administrative officers in the Districts to undertake a certain amount of routine inspection of labour. But at the end of the year this policy had not been put into effect, and it is feared that the difficulties attending it will be found insuperable, in which case it will be imperative to increase the number of Labour Officers if labour inspection is to continue to be effective, and if much of the ground already gained is not to be lost. . . . Owing to leave and secondment, out of a total of 48 man months only 21 were available for labour inspection.

The enforcement of the obligations of employers under this Ordinance is clearly a farce. Neither have administrative officers been made available for "labour inspection", by which term the men themselves, not their work, is intended, nor have additional inspectors been appointed.

Section 46 provides that boys of sixteen or under may be punished for a breach of the Ordinance by corporal punishment, "not exceeding sixteen stripes on the bare buttocks, instead of any other punishment".

Then there follow two lists of offences under the Ordin-

ance. These are the offences in the first, for which the penalties are rigorous imprisonment up to one month, a fine up to £5, or both.

(1) Failing to begin work at the stipulated time.

(2) If a labourer "shall without leave or other lawful cause absent himself from the employer's premises or other place proper and appointed for the performance of his work".

(3) Being drunk during hours of work.

(4) If a labourer "shall neglect to perform any work which it was his duty to have performed, or if he shall carelessly or improperly perform any work which from its nature it was his duty under his contract to have performed carefully and properly".

(5) Making use without leave and for his own purposes of anything belonging to the employer.

(6) If a labourer "shall use any abusive or insulting language, or be guilty of insulting behaviour to his employer, or to any person placed by his employer in authority over him, calculated to provoke a breach of the peace".

(7) "If he shall refuse to obey any command of his master, or of any person lawfully placed by his master in authority over him, which command it was his duty to obey."

(8) Giving a false name or address.

For the offences that follow a labourer may be fined up to £7 : 10s. or imprisoned up to six months :

(1) "If he shall wilfully or by wilful breach of duty or through drunkenness do any act tending to the immediate loss, damage, or serious risk of any property placed by his employer in his charge or—

(2) "refusing or omitting" to do anything to prevent damage to the employer's property.

(3) If a herdsman, for failure to report the death of an animal in his charge.

(4) " If being employed in any capacity other than that of a herdsman, he shall allege the loss of any property placed in his charge by or for his employer and it shall be made to appear by his employer that the property in question could not have been lost without his act or default."

(5) " If he shall without lawful cause depart from his employer's service with intent not to return thereto."

Section 49 provides that none of these penalties cancels a contract of service, and Section 51 that if the offence is absence from work the period of absence may be added to the term of the contract. Section 52 provides that a labourer may be required to pay compensation for loss or damage " by means of any act or omission " by instalments not exceeding half his wages. Section 53 imposes a penalty of imprisonment up to three months for leaving work before paying off an advance of wages. It is stated in the latest report of the Native Affairs Department that it is usual for labour recruiters to advance two months' pay on recruitment to a labourer's relatives for their taxes.

Section 60 lays down the penalty for a breach of the Ordinance by an employer. It is a fine up to £10, or imprisonment up to a month, or both. It will be noted that the maximum fine is a trifling sum to an employer. In point of fact, employers are practically never prosecuted under the Ordinance, and certainly never imprisoned for any breach of its provisions. Whereas every year many hundreds of natives are heavily fined and imprisoned under its provisions.

The following is the penalty in the Hut and Poll Tax Ordinance for default in payment of the tax :

The amount due from each native for hut tax or poll tax shall be recoverable at any time on conviction before a magistrate by distress and in default of distress (*i.e.* in the absence of vendible property) the Court may order imprisonment of either description for any period

not exceeding three months. And further, without prejudice to that mode of recovery or procedure, any hut or huts in respect of which the tax had not been paid or received by distraint on or before the 30th day of September in the year next following that in which the tax became due, shall be liable to be forfeited to the Government of the Colony.

In point of fact, neither the burning of huts thus forfeited nor other legal means of compelling payment are commonly used in the populous Districts. If in these Districts a District Officer observed the forms of the law in dealing even with a fraction of the cases in which liability to pay the tax is disputed by those on the counters' lists, his Court would be choked with work for months. Inevitably illegal but more expeditious ways of inducing payment, such as the seizure of an animal, as in the case of the Kavirondo suicide, are commonly used.

Ordinance No. 10 of 1928 runs as follows:

If any person is found in possession of meat, hide, skin or any part of any stock, milk, eggs, fruit, tea, maize, coffee beans, coffee berries, and any other article whatever declared to be produce, on any farm or in the immediate vicinity thereof under circumstances reasonably leading to the belief that such produce was stolen, such person shall be deemed to have stolen the same, and shall, unless he prove affirmatively that the possession was lawful, be liable to the penalties under section 3 of chapter 79.

That section reads thus:

Whenever any Court shall convict any native of the theft of stock or produce, the Court shall, in addition to, or in lieu of imposing any other punishment authorised by law, sentence the native convicted to pay a fine which shall in no case be less than ten times the value of the stock or produce in respect of which the offence has been committed.

The section goes on to say that no animal is to be valued at more than £30, and that in a case of attempted theft no

fine is to exceed £300. Another section enacts that, if the convicted native fails to pay the fine himself,

the Court shall . . . issue a warrant for the levy of the amount of the fine by distress and sale of any movable property of the offender, or of the offender's family, sub-tribe or tribe, or of any member of the offender's family, sub-tribe or tribe.

Under this law, clearly, Africans are judged to be guilty unless they can prove they are not. Note also that magistrates are given no discretion. If an African in Kenya is found to be in possession of produce the lawful source of which he cannot prove, the magistrate must impose a penalty that in some cases, patently, must leave the inhabitants of a whole village penniless. If an African employee in Kenya loses an eye, or a limb, or even his life by an accident while at work, his master need pay nothing, and usually does pay nothing. But if that employee kills and eats a sheep, he must pay ten times its value. Thus do the values of sheep and men compare in Kenya.

As they are denied the ordinary means of expressing their feelings, Africans in Kenya have in the last few years been giving these feelings vent in songs and dances, in which they satirise and mimic the people they dislike, just as our ancestors used to do. Ordinance No. 7 of 1930, enacted when a Labour Government was in office, was devised to deal with this dreadful crime. Section C of the Ordinance contains these words:

In any area of the Colony . . . the Provincial Commissioner or the District Commissioner may from time to time issue orders for either of the following purposes: (1) for proscribing public dancing; (2) for controlling and regulating native dances on farms and elsewhere within the area. Such orders shall come into force on the date of their publication in the Gazette.

A Government that tries to stop what people sing in chorus in village courtyards is scarcely popular.

Under the headlines "REGISTERING THE SERVANTS, VALUABLE ORDINANCE IN FORCE, HOW IT WORKS", the *Times of East Africa* of October 8, 1930, thus describes the Registration of Domestic Servants' Ordinance. It

came into force on October 1 and arrangements have been made for the gradual registration of all household servants in Nairobi. Following completion of application forms, enquiries are instituted as to the servants' characters and records, and unless there is a crime recorded against him, which the authorities consider should prohibit him from being employed in a household, a character book will be issued to the employee, in which, on discharge, employers can insert their opinion of the servants. Any frivolous or unfair comment will be sternly dealt with by the authorities. The advantages of the system, which will, it is presumed, be gradually applied over the whole country, are so obvious that it is needless to comment upon them. Up to the 7th inst. over 703 applications had been received. . . . Of these 301 have been identified, 26 are not considered suitable for domestic employment. What will happen to these 26 servants? They have the opportunity of finding "other employment" in town, or, what is more likely, they may seek pastures new, where the Ordinance does not at present apply. Within a certain period Nairobi employers will not be allowed to engage for household duties any servant not in possession of a character book.

These fragments from the laws of Kenya are characteristic of a slave-society. They would be impossible in a free country. They have been chosen because they belong to the very latest phase of the history of Kenya, as proving that in the last few years the penalties that are inflicted on Africans have been made heavier, and the evidence on which they are convicted made more flimsy. Less than three years ago the penalty for refusing to do the miscalled communal labour on roads and Government buildings, was increased from a fine equivalent to a labourer's gross income for a year to three months' imprisonment in addition. The law that is the keystone of the status of Africans in Kenya is the Registration Ordinance. For a full account of its terms and

working readers are referred to Mr. MacGregor Ross's *Kenya from Within*, a book that ought to be read by every writer on any African subject. The Registration Ordinance was designed to ensure that contract labourers, and there are practically no others in Kenya, should be tracked down and punished as criminals when they leave work without permission. It inflicts on labourers a surveillance that is closer and more irritating and oppressive than any to which the Criminal Investigation Department of a European city subjects its criminals.

An account was given in the last chapter of certain Regulations that were designed to control, if not to make impossible, political movements among Africans. Almost all such Regulations appear in the Official Gazette, but not in the bound volumes of the Laws of Kenya. So the reader cannot be given the text of certain other Regulations that make it a criminal offence for an African to attend a meeting of more than five persons, without first getting the approval of the District Officer for the meeting to be held. These Regulations also empower both the chief and the District Officer to attend any meeting for which permission has been granted. Mr. Johnstone Kenyatta has been so kind as to lend the author a twenty-page copy of the evidence and judgement in a case in which three men were tried and convicted for breach of these Regulations. (The copy, though obviously authentic, has been imperfectly made.) In this case a certain Kikuyu chief, suspecting that a meeting was to be held in a certain house, went to it after dark with some retainers and watched it for some time before they disclosed themselves. The evidence of all the witnesses for the prosecution was that, when they stepped out of hiding into the moonlight, about thirty people rushed off and disappeared, leaving the owner of the house, his wife, and three friends who were spending the night with them, behind. The magistrate fined two of the guests 20s. and their host 50s.

for attending an unauthorised meeting. But in his judgement he gave no weight to the evidence. He took the view that the four men found in the house were a Committee of the Kikuyu Central Association, of which they admitted they were members, who had come to collect members' subscriptions. He wrote, according to this copy of the proceedings:

It is difficult to say whether five persons as a Headquarters Staff when periodically reinforced by payees, who were probably immediately sent about their business, constitute a meeting.

The remarkable thing is, not that he decided that such proceedings did constitute a meeting, but that in the evidence there not one of the witnesses said a word to prove either that the convicted men were members of a committee, or that they had received any money. It seemed to be enough for this magistrate to know that a man in his District was being visited by three men from another District. That, in the face of such difficulties, this Association should have been able to send two men to this country, shows that Africans in Kenya are fast learning that tenacity of purpose that is one of the virtues capitalist industry teaches.

Laws so barbarous and severe are enforced by savage sentences in the Courts, sentences far more severe than were customary twenty years ago. The Nairobi Press daily reports such cases as a boy being fined 10s., a month's wages, for stealing a loaf of bread, and of a man sentenced to eighty days' imprisonment and a fine of 80s. for being in possession of some coffee—the report does not state the amount. The following case is recounted because it is so recent. In March 1931 an Indian boy of thirteen went off for a joy-ride on a motor-bicycle that was neither licenced nor had a silencer. The third count against the boy was that he had no driving licence. He was tried, convicted on all three counts, the bicycle having neither licence nor silencer and the boy no licence, and sentenced to four



strokes with a cane on each count, or twelve in all. The boy's father pled with the magistrate to fine him instead of flogging his son, because the flogging would interfere with the boy's future, especially at school. But the twelve strokes were inflicted, and the father wrote to the Press, obviously in deep distress, sending with the letter a medical certificate to prove how seriously the boy had been injured by the flogging.

But the hurt that went to the hearts of all the Indians in Kenya, and of many thousands of Indians in other countries, for the case and the father's letter of protest were widely copied in the Press outside Kenya, was their knowledge of the fact that no Court in East Africa ever sentences a grown man, if he is a European, let alone a child, to a flogging, for even the most brutal crime, and Europeans in Africa commit brutal crimes at least as often as Asiatics or Africans. Every Indian in Kenya knows that if this mischievous prank had been committed by a European boy of thirteen, all that would have happened would have been a visit or letter of warning to the father from a European police officer.

One often hears people expressing surprise that Indians should suspect our good faith when, in Mr. Baldwin's words, we say we regard them as friends and equals. The reason is that they judge us, not by what is said about them in Parliament, but by what we allow the agents of our country to do, in and outside of India, wherever Indians live. If we really meant these protestations of friendship, we should send to govern Kenya the kind of man who would have dismissed from the service the magistrate who sentenced the Indian boy to the flogging, and asked the Judge whose duty it was to supervise his work to resign. Note also that the only real remedy for the social disease this incident reveals is equality of status for all. No one in Kenya protested against the sentence, not even the successors of those who

proudly claimed to be *servi servorum*, the slaves of the slaves. The reason that Europeans in Kenya were unconscious of the disgrace in which the sentence involved them is that they despise Indians and Africans. They will continue to despise them until they are their equals in law and administration.

Too late for incorporation in the text, there comes the news, cabled from Nairobi early in September 1931, that implies that the report of the Court of Inquiry into the Bentley case, or the Bagishu case, as it is called now, has been published. One native policeman has been punished. "Certain police officers" have been found to have committed "grave irregularities, for which one was censured, while another left the service". It may safely be presumed that we owe this belated publicity to Sir Joseph Byrne's arrival in the country, and that the punishments that followed the presentation of the report to the Government, so trifling compared with the seriousness of the offences disclosed at the inquiry, had been carried out before he arrived. Nothing seems to have happened to the men who for months obstructed Mr. Bentley in his efforts to get justice done.

The cable to *The Times* contains the news that the Governor proposes to have an inquiry into the administration of justice in criminal cases in which natives are concerned.

## CHAPTER VII

### WHY THE POVERTY OF THE PEASANT IS ARTIFICIAL

THE question one is often asked is why, when the Reserves of the tribes in Kenya are so vast, and the climate known to be bountiful, and no law compels the people to leave home to work for wages, the natives cannot earn by selling their own produce what they have to pay to the Government, even if it is true that the average sum is only 28s. Tourists and big-game hunters report on their return that they saw plenty of Indian shops that seemed to be doing an active native trade in both buying and selling. The answer to that question is that a whole series of measures have been devised by the Government of Kenya that are still, in 1931, in full operation, with the purpose of inducing the people to leave home to work for wages, and that these measures have the cumulative effect of making wage-earning unavoidable by all except a few whose holdings are larger than ordinary and close to a market. Each of those measures is dealt with in its appropriate chapter. In this, for the reader's convenience, they are gathered together, so that they may be seen as a related whole, with a common purpose.

First, the system of direct taxation, with an average incidence, when rates are included, of 30s. per able-bodied male adult. Without this crushing burden on people so poor the whole system of society in Kenya would collapse. If the direct taxation of Africans in Kenya were abolished, the great majority of wage-earners would go home and stay there.

Second, a most effective way of discouraging the people from living and working at home is that, if they do, they have to work for nothing for twenty-four days every year, doing, inside the Reserves, the kinds of work which, outside the Reserves, are paid for out of general revenue that, in the main, they provide in taxation. Fairly often they have to do more than twenty-four days of the unpaid work, and sometimes have in addition to do twenty-four days' paid work, solely on roads. Both the paid and the unpaid work are done when and wherever in the District the District Officer sees occasion, at times often most inconvenient, so that sometimes crops are lost.

Third, while some, but by no means all, of the Reserves are very large, the parts in which soil and rainfall enable crops to come to fruition, in most years, are very small. Hence most of the inhabitants are crowded into these parts, where they have from 1.5 to 4 acres a head. Since in the absence of fertilisers land has to lie fallow longer than in civilised countries, and since the land is the sole source of fuel, holdings so small are, in most cases, no more than adequate to the food supply of the occupier and his family. That is, perhaps, the chief of the causes why the proportion of produce exported from the country that comes from the Reserves is so small. The official figures are, in percentages:

	1925.	1926.	1927.	1928.	1929.
European	74.7	78.5	81.5	82.1	78.5
African	25.3	21.5	18.5	17.9	21.5

These proportions are, in Nyasaland, almost exactly reversed. Nine African families in Kenya out of every ten have, in fact, the holdings they had thirty years ago. Then they needed holdings no larger, since they were large enough for what then were their needs. Now, since they both have new needs and must pay large sums in cash to the Government, most of them are inadequate.

Fourth, the great bulk of expenditure on railways and

roads has been and, in 1931, still is, allocated to the Districts where the land belongs to Europeans, so that the immense majority of Africans have to carry their produce to market on their backs or heads. In the case of many, if not most, markets are so distant, and the only crops they are allowed to grow so bulky, that their marketing is impracticable. Further, all the Government Departments besides those dealing with transport spend at least four-fifths of their money in the European areas.

Fifth, while their superior education and vastly greater wealth enable European land-holders to market their produce economically, and to induce the Empire Marketing Board to advertise their produce on the hoardings in our towns, neither marketing organisation nor advertisements are available to Africans. There are State-aided schemes for marketing, in Uganda the cotton, and in Tanganyika the coffee, that the peasantry produce, but nothing of the sort in Kenya.

Sixth, in the case of the pastoral tribes, that live by their cattle, veterinary regulations prohibit the export from the Reserves of live animals for sale. The purpose of these regulations is to check disease, and they are applied from time to time, as need arises, to European areas. They are permanently in force in the African areas. Presumably, therefore, those native areas are the more heavily infected. Yet nearly all the State-paid veterinary officers and other experts of the Agricultural Department are employed in the European areas.

Seventh, Africans in Kenya are allowed to grow neither tea nor coffee. In areas that are inhabited by about half the African population, coffee might be both the most reliable and the most profitable crop. In the neighbouring country of Tanganyika, Africans are encouraged to grow coffee, including the most valuable and delicate sort. Official reports from that country state that its cultivation, which is difficult,

is as careful and as successful on the holdings of the peasantry as on the plantations of the Europeans. The value of the native-grown coffee crop in Tanganyika is greater than the total yield of the direct taxation of Africans in that country.

Eighth and last, the "encouragement" to work for wages that Africans in Kenya are subjected to, instances of which are given in several other chapters. The words that follow are quoted because the man who uttered them at one time governed Kenya. Sir E. Denham was thus reported in the *East African Standard* of March 14, 1925:

There is the strongest moral obligation on the Government of the country to give the fullest assistance it can in securing to the European settler in this country the benefits of the development which he has created to the lasting advantage of the Colony. I wish to make it perfectly clear that such is the policy of the Administration, and that Government expects every administrative officer to give all possible encouragement to the Labour within their District (*sic*) to work on the lands which have been opened up by the settlers.

Such words are intended to result in compulsion. If they do not so result, what possible meaning can they have? To the better educated minority they do mean nothing. But the ignorant peasant cannot tell which of the orders his chief or District Officer gives him are lawful, and which extra-legal, and for a generation has been taught that to refuse to obey any is sedition.

For many years the effect of these related causes failed to satisfy the settlers. "Labour"—so, even in official documents, are labourers in Kenya commonly referred to—continued to be scarce, and active measures had to be taken by Government and settlers in unison to prevent wages from rising. Now at last they have borne fruit. Employers can have as many labourers as they wish, at what wages they please to give. These same measures have also ripened into fruit of another kind.

## CHAPTER VIII

### PROTESTS

IN the author's *Kenya* he attempted a general account of the country that was as complete as he could make it. So it contained a minimum of the personal. But this book does not claim to be a complete account of society in Kenya. It merely gives an account of the forces that influence the lives of ordinary Africans, describes the feelings and wishes of the people which those forces operate to produce, and explains why immediate reforms are necessary if consequences are to be avoided that by this time readers will be able to define for themselves. To such purposes, personalities are of the highest relevance. It would be merely fatuous, for example, to entrust the man whose words were quoted at the end of the last chapter with the execution of the policy of the White Paper, in Kenya or in any other country. Leopards do not change their spots.

Before now, some readers must have wondered whether in all these years, when bad has gone to worse, there have been no protests. Altogether, during those thirty years, a considerable number are known to have protested. Before an account is given of a typical case, readers must again be reminded that the higher a man's place in the official hierarchy, and the greater his responsibility for the contrivance and continuance of the measures that together create the existing political and economic system, the less he knows of their operation in the lives of the common people. That is no doubt true of the world generally. But it is specially

true of Kenya, since there, with the exceptions described in the next chapter, the Golden Rule is silently repudiated. "How would you like it yourself?" is an uncomfortable question for the more fortunate in any country to ask themselves. Among us, it is generally agreed that they ought to ask it. But in Kenya, to suggest to a European that he ought to ask himself that question, and that his answer to it ought to guide his conduct and the conduct of the Authorities in dealing with ordinary Africans, is felt to be discourteous, even insulting. Most Christians in Kenya take that view just as most atheists in that country do. An attempt is made in the next chapter to explain how and why this, the generally accepted basis of social ethics, has come to be abandoned so widely in European society in Kenya. The fact is mentioned here because, while reading what follows, it should be kept in mind that the immense majority of Europeans in Kenya do not think or enquire about the lives of ordinary Africans, and so do not know about them.

In January 1925 a certain District Officer, whom we shall call A., was posted to a fresh station. The day after he had inspected the books with his predecessor, whom we shall call B., and bidden him good-bye, he went to inspect the Station Jail. He found it to contain, in addition to convicted prisoners and others awaiting trial, a number of men against whom no charge had been preferred. On enquiry he found that some of the planters in the District, which includes many European farms as well as a large Native Reserve, had been accustomed to send B. any of their employees who, though they had committed none even of the offences in the lists in Chapter VI., had not given their masters the satisfaction they desired, and that B. had then given the men the punishments he thought suitable, and sent them back to work again. The men A. found in the jail when he arrived were those who happened at the time to be undergoing this process of correction. Most



of them were doing the ordinary work prisoners in Station Jails do. One of them had been compelled to work as a porter, carrying the usual 60 lb. load, for a fortnight, without pay. When A. discovered this state of affairs, he promptly liberated the men in the jail who had not been charged with any breach of the law. Their employers wrote in protest. A., being no respecter of persons, declined to do as they demanded. The employers, one of whom has since served on various official Commissions, wrote in complaint to the Governor, and in consequence A. received a letter of reproof from his Provincial Commissioner. A. then demanded, what so many of his fellows in similar predicaments have demanded in vain, a judicial enquiry. He got it. The Governor appointed a Judge of the High Court, the Chief Native Commissioner and a prominent settler to enquire, not, be it noted, into B.'s behaviour, but into A.'s; the guilt of offending the employers clearly being, in this Governor's view, much greater than the guilt of illegally imprisoning some scores of Africans. The proceedings before the Court were fully reported in the Nairobi Press, which is the reason this case, rather than others of the same type, is recounted here. The Court could find nothing to censure in A.'s actions, and in its findings admitted that the men he had released had been illegally imprisoned.

Most readers will agree that the result of such findings should have been the early promotion of A., the punishment of B. and the retirement on pension of the Provincial Commissioner. On the contrary, B., so far from being punished, was the man chosen for early promotion. In fact he has been repeatedly promoted, and now is near the highest posts in the service. A. was transferred to an unhealthy District, where there are no settlers. He has been posted to unhealthy stations ever since. He has watched, year after year, his juniors promoted over his head, is still in the

lowest grade of the service, has several times had to submit to the indignity as well as the loss of having the normal annual increments of salary withheld, and has repeatedly been reprov'd in private by the Authorities. With a single exception, these Authorities have never alleged, after investigation, that he had done anything wrong. The exception was an occasion when he was judged to have been rude to a superior officer, in that he refused to commit what he considered to be an illegality, unless specifically directed in writing to commit the act. The direction was never given.

The punishments that behaviour such as A.'s disregard of the wishes of the settlers receives, are those he received—unhealthy stations, withholding of promotion and increments of salary, posting him to stations in charge of his juniors, and in addition compulsory transfer with loss of seniority to less healthy Dependencies where there are fewer settlers or none at all, and compulsory retirement as soon as the regulations enable the Government to require it. Those who dare to expose, either instances of injustice or the political and economic system that makes injustices inevitable, take their reputations in their hands. Indeed, they throw them away. They are alleged to be careless in statements of fact, inaccurate in quoting figures, jealous of the success of the men with whose policy they disagree. In none of the attacks that have been made upon the system of society in Kenya have the settlers been described as being otherwise than what they are, than as being, that is to say, ordinary people in special circumstances that profoundly influence their beliefs and behaviour. Yet they constantly complain that their characters have been attacked. Any reader, whether in Africa or in Europe, who may think of doing anything to defend the rights and interests of the natives of East Africa should be warned that he will be accused of stirring up sedition, and that abuse and misrepresentation will be his portion.

## CHAPTER IX

### AFRICAN MENTALITY

WHEN Plato lived in Athens, most of our ancestors were uncivilised people, living in the tribal stage of society. Many of them were less civilised than the Baganda were, when Europe first learned of their existence sixty years ago, but probably all of them were further on than the Kikuyu were then. Yet we have no doubt that these barbarous ancestors of ours were quite as intelligent as their Greek contemporaries, and just as intelligent as we are now. The sole difference between them and us and between them and the Athenians of their time, is that they were denied, by the facts of geography and history, the opportunities the Athenians had, and our even greater opportunities.

Are the inferior average attainments of Africans to-day also rightly so to be explained by their inferior opportunities? Are Kikuyu and Kavirondo children as intelligent as our own, as capable, if put under the same influences, of becoming equally civilised men and women? The answer we get to these vitally important questions altogether depends on whom they are asked of. Practically all the settlers, and the great majority of the senior officials in East Africa, answer them in the negative. And that, of course, is why African children do not, in fact cannot, get the education European children get, although what they do get they absorb far more eagerly.

Now, both settlers and officials, we have seen, have many privileges and advantages over Africans that in their view

are the natural reflection of their superior attainments. They have an exclusive right to the franchise, superior rights in land, an advantage of some sort, in short, in every phase and aspect of life. They say they would be "swamped" if they had not these advantages, if they were extended to Africans, meaning that, if Africans were given the same opportunities as they and their children have, their existing monopoly of high positions, and large incomes and extensive estates, would vanish. Now that is a very natural view for them to take. Indeed, given their circumstances, it is inevitable. No body of ordinary men and women, endowed with all those privileges, dependent for their very existence on the labour of Africans, would agree that the children of their labourers should have the kind of education that would enable them, when they grew up, to control their own industrial economy and to develop their social and political institutions as free nations do. At present, in Kenya, Europeans are masters and Africans servants. The vast majority of Europeans in Africa believe that relationship to be an integral part of the natural order of human society. They not only believe that but feel passionately about it as no one in this country does about any political topic. During three years spent in a "settled" area the author found that to doubt that white men must always be masters and black men servants was, without exaggeration, regarded as proof of having a criminal mind.

But when people feel passionately they do not think clearly. That is why these men and women, suffering under the curse of privileges—for that is what exclusive privileges always are—cannot see that if, as they claim, they have a natural inherent superiority over Africans they would have nothing to fear if African children were given the same opportunities as their children. How real a disadvantage the privileges of Europeans are is illustrated by the fact shown in the Reports of the Education Depart-

ment, that European children in Kenya do less well in competitive examinations than Indian children, though the education they get is four times as costly as the education the Indian children get, and though, of course, the examinations are conducted in a language that is spoken in few of the homes the Indian boys and girls come from.

But the foregoing, while a perfectly true account of the attitude of the settlers and of many officials, would, if it stood alone, be a very defective and unfair explanation. It is in large measure explained and in their view justified by certain obvious facts of life. These facts, being what people see and hear and do in Africa, are not easy to explain in a book. The untutored African sees the sun daily move round the earth, and cannot be persuaded that in truth the earth goes round the sun. Facts no less certain, vivid and apparently unsurmountable, as irresistibly convince the European that the African is his inferior.

How sharp the contrasts are in one's very first hour in an African port! Every European one sees, dressed in spotless white, cool, unhurried, obsequiously attended, giving orders at his ease. While the Africans one sees, an ill-clad, jostling, sweating, jabbering mob, obey orders. Their very smell is different. Every day most men spend in Africa reinforces that first impression. But the key to the estimate which, even after years of experience, planters and merchants form of Africans' characters and capacities is that they have never seen and never spoken to Africans whose relations to society are not servile. Most Europeans never see Africans' home life in the Reserves, and few indeed are so enterprising as to get to know, as men and women, the better-educated class in the towns, with whom, more than with any other class, the future of the country lies.

It ought further to be admitted that living in relations so predominantly servile has to some extent produced servility of mind. Its total absence in Jamaican society,

among the grandchildren of chattel-slaves, is a startling and delightful revelation to anyone who has lived in either South or East Africa. But this servility is due in no degree to the quality of the minds and characters of Africans themselves. The conditions of life of wage-earners in Kenya are entirely what their Government and their employers between them decide they should be. That part of their lives that is spent in producing wealth, in every country the largest section of men's lives, is entirely beyond their power to control. We as a nation introduced into Kenya the system of society in which there is no place for Africans but the lowest, and contrived and imposed those measures that compelled Africans to enter that lowest place. They have no wish to fill it and, if there were no need to earn the tax-money, the great majority would go home and stay there.

This, then, is the answer to the easy assurance of their own superiority on the part of Europeans generally. If Africans display, as they sometimes do, servile qualities of mind, it is because we, having, thanks to machine guns, the power to treat them as we pleased, treated them and still treat them as slaves, as people unfit to be free, incapable of responsibility, except, of course, for the fulfilment of long labour contracts. For those who have been and are responsible for the Government of Kenya to spend less than 5s. a year on each African child's education, and more than fifty times as much on each European child's, is to brand men as slaves with an iron, and then point to the scars in scorn, saying that since they grew there the men must be slaves by nature. It is this, the general attitude of Europeans resident in East Africa, that makes absurd, and something a good deal worse than absurd, the policy of "associating them in the discharge" of our country's trust. What are our wards likely to think of us when they find we have handed the execution of our trust over to executors who believe that, if the wards of the trust were given the oppor-

tunities they demand, they themselves would be ruined? The honester of the settlers repudiate, as did those of Northern Rhodesia, so invidious and hypocritical a position. They are and mean to be masters, not trustees, and say so.

But there are some Europeans who live or have lived in East Africa who believe Africans have the same natural capacities as themselves. These include the men and women who know some African language really well. Of that small minority, the author never met a single one who regarded Africans as his mental inferiors. In his view, people with such knowledge are the only reliable judges. What value should we put on a Chinaman's estimate of our mentality, if we found out that though he had lived among us for years, he couldn't understand what people say to one another in tramcars and railway trains and teashops?

It is very regrettable that in Kenya it is thought bad form to know an African language really well. Except for some missionaries' children, even people who have been brought up in the country rarely do.

In point of fact, it is an extraordinarily difficult thing, unless one is exceptionally gifted, to get to know the language and life of a tribe really well. The first stage, of collecting a vocabulary of a few hundred words, is easy. But that does not enable one to understand a single actual sentence. And it is often impossible, especially for officials, to get willing help from the people themselves. Their point of view is something like this. They believe all Europeans to be very clever. Nothing is too difficult for them. This man, they say, obviously knows Kikuyu. He knows lots of words, including some quite rare ones, though, like all Europeans, he uses them very queerly. How can so clever a man possibly be ignorant of the answers to the silly, simple questions he asks? He must know perfectly well, for instance, that when a man needs a new hut, every man in his village helps him to build it. How otherwise could he ever

get it built? Besides, how can he have any real difficulty in learning Kikuyu, when we learned it without even trying to? And, anyhow, what is he after? (One finds, of course, the same aversion from answering the simplest questions in the poorest in every country, until they know what one is getting at.) So they conclude that this Master either has some nefarious purpose in his endless and confused enquiries, or is just trying to be annoying. Much of what is known as field anthropology is, for the reasons just given, quite unreliable, especially what is got through interpreters. When an assiduous questioner has to be satisfied, sensible people tell him the things that satisfy him.

Until after the war, Christian Missions had the complete monopoly of the education of African children in all East Africa. Even now, not one in a hundred of the African children at school are in Government schools. One reason is that in ordinary European society those who teach Africans are looked down upon, so that, apart from the men and women who have the sense of devotion to a cause, teachers for African schools are hard to get. The much more numerous Government schools in West Africa and Tanganyika are largely staffed by ex-missionaries.

Until quite recently, what was taught in these Mission schools was simply all that the missionaries' knowledge and time and means allowed them to impart. It was assumed that Africans, being normal human beings, would learn the ideas and habits of civilised life as they had opportunity. But in recent years the rise into fashion of the study of anthropology has had the strange result of making some, but by no means all, anthropologists put forward the theory that each race has a special mentality of its own. Strange, because no man could read any work by any of the anthropologists such as Tyler or Fraser, who deal with facts rather than with their own fancies, without being forced to believe that the human mind everywhere, from China to Peru, and



in all ages, has the same character, the same pattern, the same potential desires and ideals. For thirty years the author has tried to find, not only the evidence to prove the existence of the differentia of African mentality, but also what any two anthropologists agree that the alleged differentia are. He has never been able to find a scrap of evidence for this theory, and reputable anthropologists themselves acknowledge it to be baseless. It is not, of course, that people do not differ. They do, endlessly. But one finds the same differences everywhere under the same conditions and opportunities for development.

But it can readily be imagined with what avidity this theory was fastened upon by all those who want to keep Africans "in their place", that place being one under authority. For years this theory of differentiation has been the orthodox doctrine in the Colonial Office, and is the source of all those question-begging terms such as Europeanising and detribalising. One of the senior officials from Kenya told the Select Committee that it was the policy of his Government to make the African a good African, not a bad European. When such people are pressed to explain themselves, they say that Africans ought to be encouraged to preserve their own institutions and develop them along "their own lines". If then they are asked if a hut tax or labour contracts for a year or more were features to be found in tribal institutions, they have to admit that they are not. Ask them, again, what is to happen if Africans, like the people of other continents, find they want to change their social and political institutions, and we are told they should be discouraged from doing so, which means they must not do so. As the theory of this policy of differentiating Africans from Europeans is intellectually dishonest, so is its practice unjust and oppressive. As we have seen, so far from leaving African life undisturbed, we have forced Africans to become part of our society when it suits us to: that is, in their economic relations

with us. In all the phases in which this policy of differentiation operates, it severs the roots of what alone enables men to do justice, by making them assume that Africans are of different clay from themselves. It had in one case the ludicrous result of enabling a man to write a book describing the Christian attitude to the subject, that contained no mention of the circumstance that in the original Christian society not only was it taught that differences arising from the composite racial origins of the Church ought to be ignored, but also that in actual fact differences between European and Asiatic were ignored and soon forgotten.

Anthropology, it is true, has a certain real, if limited, value for those who are entrusted with the governing of people in, or emerging from, the tribal stage of society. But the study of a people's past is no substitute for attention to the urgent problems of their present emergency, and can never give much guidance during what in Kenya is nothing less than a mental as well as economic revolution. An illustration of how it is sometimes used to obscure the essential economic issues is the "talk" on the wireless given, late in 1930, by Mr. Leakey, the archæologist, who undoubtedly knows more about the Kikuyu than any other European knows about any tribe in Kenya. The thesis of his talk was that everything that goes wrong in Kenya is the result of ignorance—ignorance of the white man's ways on the part of Africans, and ignorance of native customs by European employers. He gave two illustrations. In one he made good his point, and it is significant that the incident occurred in the early days of our occupation. Peace parleys had been held, involving several tribes as well as the Government, and seemed at last to have succeeded, when the representative of one of the tribes turned round and spat, not only upon his former enemy but also upon the British officer who was conducting the parley. This officer, unaware that with Africans spitting on a man is a sign of friendship and

confidence, promptly knocked out the man who had spat upon him, when, of course, the war began afresh. That story indicates the kind of occasion on which knowledge of anthropology is of real value. But the second story was of a planter who one day was asked permission by one of his labourers to take a day off, because his wife was having a baby. He gave the permission. Next day, when out riding in a part of his estate miles away from this labourer's home, he saw him carrying a large bunch of bananas. He concluded that the man had lied to him, as so many had before, and swore he would give a day's leave to no more, being ignorant of the fact that Kikuyu law ordains that a husband must provide a wife just confined with a special rare sort of banana. Now, is it reasonable to expect employers in Kenya to study anthropology? They are there to make their living, and with luck, their fortune. Why should they pay a close attention to the lives of their labourers that is customary with employers nowhere? But in any case is the ignorance of the employer the real point of the story? Is it not rather that in Kenya an employer has the entirely arbitrary right to decide when, over periods of as long as a year, a labourer may or may not leave work, and that the law punishes those who leave work without permission by both imprisonment up to one month and a fine up to £5, which is equivalent to a labourer's gross earnings for more than a year. Surely the point is that one cannot expect employers to be studious, but one ought to expect the laws to prevent servile conditions, not to create them.

Here once more one meets the assumption that one ought to have a different standard of judgement for Africans, should think that what is important to them is something quite different from what we in their place should consider important. Why should we assume that the study of Africans' past should help us to solve problems arising from the fact that we have flung them, willy-nilly, into the seething

cauldron of capitalist industry, when we should never think of looking for a solution of our own coal industry to its history? In point of fact, its history has some trifling importance, since the system of way-leaves and royalties can be understood only by past history. Just such and no more is the relevance of anthropology to the problems of society in Africa.

The native inhabitants of Eastern Africa, when Europe first became aware of their existence sixty years ago, were, with few exceptions, in the tribal stage of human development. That is why they were so ignorant, and accordingly so easily oppressed, why they were so ill-prepared for the industrial revolution that has overtaken them, and why the present generation, though not of necessity the next, is unfit for political independence.

In some things of the mind, the fashion fluctuates from generation to generation. Rousseau's noble savages, worthy of imitation, were succeeded by heathen in their blindness, deserving only to provide raw materials for European lords and masters. Now the pendulum has swung back once more. And it is true enough that people who live in a tribe have virtues we sorely lack. In tribal society there are no paupers, no unemployed, no idle rich, no prostitutes, no prisons. No man goes hungry so long as a fellow-clansman has enough. But there is another side to the picture. When all are mutually dependent, none has independent mind or character. And we in our society would not barter our personal liberty for anything. We must be free to believe in God or to deny, to advocate government by a dictator or by a democracy, to eat beefsteak or nothing but vegetables. But in a tribe men are not free so to choose. All must think alike and behave alike. And out of this absence of variety, of what we call individualism, there comes a great poverty of mind. The Kikuyu have no word for grass, but only a score or more words, each

for one kind of grass. No purely tribal language has any word meaning "matter", or for "idea" or for "interesting".

But it is the tribesman's lack of reliability and of self-reliance that is so fatal to him in the modern world. The settlers are not unnaturally exasperated with people who ignore that fault. But they are wrong in believing it to be specially African. They are surely right too in denying that, as some anthropologists assert, tribal beliefs ought to be left alone. Even in our own society ignorance and baseless beliefs cause far more suffering than vice. Is there not something essentially insulting in encouraging other people to continue to believe what one knows is not true? Take, for example, a belief that at first sight seems harmless, but yet causes many deaths every year in Kenya. The people of many Bantu tribes believe that everything thrown off from the body, such as hair-clippings or urine, continues to be part of the person. The Kikuyu go to extreme lengths in this belief. If some of your hair gets into the possession of a man who wants to do you an injury, some unpredictable trouble is sure to befall you if he hammers the hair with a stone. For one man to allow what comes from him even to mingle with what comes from another man is an indecent familiarity. Hence Kikuyu cannot, or at least could not, be persuaded to use latrines. The result round Kikuyu villages is bad enough. In towns it is intolerable.

Once again, we should remind ourselves, the injury may lie not in changes but in their speed. To attempt to compel an African tribe to rest satisfied with what formerly satisfied, which too often is what in practice indirect rule means, is wrong. It is to deny Africans' right and capacity to respond to new ideas, to adapt themselves and the organs of their society to modern conditions. But surely it is even more wrong to let loose upon people so peculiarly unready the unrestrained forces which, even under the checks and

restraints civilisation has devised for them, have covered our own cities with slums. That is what we have done in Kenya and what with even more senseless and ruthless haste we are now doing in Northern Rhodesia. There is plenty of copper in the world outside Northern Rhodesia. No British Government and no British Governor has the right to provide the tribes of that country with slums and brothels and prisons to enrich an American syndicate.

The most serious consequences of the policy of differentiation are to be seen in education, and it should be borne in mind that in Kenya and other Dependencies it is a breach of the law to teach without a State licence. One of the standing problems of education in Africa is that while young children have to be taught in their mother tongue, there is practically nothing for them to read in it, in the case of most tribes, and nothing like enough in the case of all. So a second language has always to be used if the education given is to have real value. What ought it to be? In Northern Nigeria the Colonial Office experts decided that English would be foreign to African mentality and decided upon Arabic. What injury our country must have suffered for centuries from the disturbance to our mentality of the Semitic ideas of the Bible! Fortunately the people in Nigeria refused to learn Arabic and now learn English. Major Vischer has general supervision, in the Colonial Office, of the educational Departments in the various African Dependencies. He was one of the people, most of them believers in this theory that Africans ought to be treated differently from Europeans and Asiatics, who gave a series of talks on the wireless late in 1930. The B.B.C. published a pamphlet, in which the talks were summarised, before they were given. In the summary of Major Vischer's talk he is made to state that "there is a fundamental difference of mentality between African and European", and he goes on to say that the African is prone to the fault of learning

by rote without understanding the sense, as if every practical teacher did not know that this fault, common everywhere, lies in the teaching and teacher, not in the taught. Is it surprising that, as we saw in Chapter V., the people in Kenya prefer what the Church of Rome teaches them to what a British Government, thus directed and inspired, permits them to be taught in the schools of the State? The old-style missionary it is now the fashion to deride, for having given people a "literary" education. He did believe that there is much wisdom to be got from books, not to be got in any other way. But with all his "Europeanising" he never was such a fool as to teach people to believe or do anything merely because it was believed or done in Europe. But the new school refuses to Africans, and when possible hides from them, many European things, from trousers to democracy, merely because they are European. Thus one of the Commissions that have recently visited Africa referred to the "absurdity" of teaching African children, in a translated school-book, about Mary's little lamb. Do African children, like English children, not need to be taught kindness to animals? Why should it be of less educational value to teach African children about English lambs than to teach English children about African elephants? Here also we find that the cause of the wrong policy is the delusion that Africans are sub-human. Recent advances in Tanganyika, in Uganda and elsewhere ought to be recognised, and the infant University at Accra is full of splendid promise. But African education in all the Dependencies needs recasting, in accordance with the fundamental aim of making African men and women good citizens of a free society. We owe a great debt to Africans. There are pages in the records of our dealings with them that are more shameful than those of any other nation. Avarice and lust for power, both in the nation and in individuals whom as a nation we have failed to restrain, have, through the centuries down to the Great

War, cost many millions of African lives. As we have given them of our worst, it is now our clearest duty freely to offer them the fullest share of all that we recognise to be best in our own lives.

In the nobler-minded of the believers in the theory of special racial mentalities it takes the form of the doctrine of "segregation" or "indirect rule", terms typical of the chameleon-words that have done so much harm in African affairs.

There are two main types of this policy. The case of Rhodesia is specially cogent to East Africa. There, in the Constitution granted only eight years ago by a Conservative Government, the right to buy and lease land everywhere was specifically asserted, as also was the duty of Imperial Parliament to safeguard the rights and interests of Africans. The land in Rhodesia is divided between native Reserves, most of which are in remote parts of the country, the private estates of European individuals and syndicates, and Crown land. Yet when the Government of Rhodesia made, year after year, large grants of Crown land to Europeans, but allowed only one single African to have a small farm, the Colonial Office made no protest, so far, at least, as is publicly known. Instead, when the Rhodesian Government alleged that these clauses in the Constitution "didn't work", it was allowed to annul them. A new law, that received the Royal assent when a Labour Minister was at the head of the Colonial Office, restricts the right of Africans to own or lease land to certain areas that happen to be the less fertile, and are either poorly supplied with roads and railways or not supplied at all. Lord Passfield may have found that his predecessor had already committed the Colonial Office to the change. But at least he might have made use of the opportunity, as so many of his predecessors did, to defend native rights. Already Africans in Rhodesia are being denied their constitutional right to the franchise. The



Government actually proposed, but withdrew the proposal, to raise the franchise qualification to prevent Africans from getting votes. The example of Natal shows that no special legislation is needed to make waste paper of Imperial pledges and keep Africans off voters' rolls. Again, the chance might have been taken to insist that Africans should be able to get plots of land in Rhodesian towns. In a recent case a European had arranged to sub-let a plot to an African, but was compelled by threats of a boycott to give up the intention. The case of Rhodesia shows clearly what the results are when responsibility for policy is shared between Imperial Parliament and a resident European electorate.

In those parts of Africa where no land has been granted to aliens, a more complete kind of segregation, or indirect rule, is possible. In such countries everything depends on what the individual Governor or Administrator thinks of Africans. A Sir Donald Cameron, knowing that no healthy human society is static, and realising that, for people shut off so unprecedentedly long from the forces of the world's general life—Uganda, for example, might, until fifty years ago, as well have been on another planet—knows that change in these African tribes and petty monarchies must be, if it is to be orderly, rapid, hazardously rapid. So, as we saw in Chapter V., he gave old tribal institutions in Tanganyika an immediate infusion of new blood, gave them new duties, fresh interests, and implanted the seed of new social ideals. But men who think of Africans as Sir Donald Cameron and Lord Olivier do are very rare in the Colonial service, in the higher posts at least. Indirect rule, in most cases, means in practice a kind of social calcification, the exalting of authority, and when in a tribe there were no chiefs found, the creating of new authority, the hardening and stereotyping of law and institution. One ludicrous example is the case of the Zulu. Their tribal law was codified eighty years ago. And now, so obsolete have these laws become in the view of the present

generation of Zulu, that they have to be explained to Zulu litigants by European lawyers. This question of indirect rule is only partly relevant to our subject as it will never be possible to apply it, even after radical reforms have been carried out, in more than a partial form, to the tribes of Kenya. But it is as well that the reader should know that if he reads of bloodshed some day anywhere in British West Africa or in British East Africa, except for Kenya and Nyasaland, the people responsible may be assumed to be the men who think that "Africans should be encouraged to develop all that is best in their own civilisation", which, in practice, means that they are not allowed to adopt or adapt what they think best in our civilisation.

Misled by the real, but strictly limited, success of Sir Donald Cameron's native policy—he himself rightly styles it Local Native Government,—some writers who have travelled in East Africa, but none who have lived in Kenya, advocate the Cameron policy as the remedy for the social ills of Kenya. It cannot be. In the form of Mr. Cable's plan it certainly should be applied. But the settlers are absolutely right in asserting that Western civilisation has taken permanent root in Kenya. Even if the settlers left the country in a body to-morrow, its influence has already been so profound and all-pervading that it would prove irresistible. For Kenya the main question is not what life and liberty can be restored to the sorely vexed Tribal Authorities, but what place and what opportunities Africans are to have in the society we have introduced and forced them to enter. But, we are told, "democracy is unsuited to Africans". Let us see just what that means. It is only by means of elected representatives that large numbers of ordinary men and women can have any influence in public affairs. That needs no proving. Elections, it is true, can be either direct or indirect, though few people with experience of it prefer the latter kind. But if neither kind is suited to ordinary Africans,

then they must be sub-human, unmoved by the aims that lay hold of men in other continents. If, on the other hand, Africans are "just people", the problems and movements that arise among other people, the problem of King versus people, or of unpopular minorities, for example, will arise among them too. In fact they have arisen all over East Africa.

The various opinions Europeans have of Africans having been described, what Africans think of us must now be told. The only way to learn, discreditable as it may appear, is to listen unseen, when one is supposed to be asleep in a tent, for example, while the porters talk round the camp fire. On such occasions a listener hears about himself things that are more salutary than amusing.

Africans hugely admire our ability and energy. The two things they most greatly envy in us are, inevitably if regrettably, our wealth and our power to control the forces of Nature. They also often like individual Europeans for their personal qualities, settlers quite as often as officials. But, taken in the lump, their opinion of us is very bad. They consider us to be cruel, especially those of us who have blue eyes, the cruelty largely consisting not only in our insatiable demands on them for money and labour, but more especially in the way we have of insisting on people going on working day after day. They consider wage-labour a form of slavery, an idea that is fostered by the fact that in European parlance the word work and its Swahili equivalent are used only to refer to work for wages. They reckon us to be braver than they are, though that is not true of the trained men of the King's African Rifles. They think us all very crafty, and for some reason believe we all act very craftily to one another. They think us very vain. The seriousness with which many of us take military parades and other displays excites their astonishment and mirth. Parodies of these performances, generally when Europeans are not

present, are a popular amusement both in the villages and in the towns, especially in Mombasa, where they are most elaborate affairs. They consider that we have stolen their country from them, and compare us adversely with the Germans and Portuguese (though not of course on all counts), because we pretend to believe our motive in taking possession of the country was to benefit them. The German way, they say, is to knock you down and rob you. The English way is to cajole with flattery while the money is being extracted. It was strange to find that the children of the former slaves in Mombasa shared their masters' view of the past as a Golden Age. It is a curious coincidence that the two days a week that the slaves on the coast used to be allowed to grow their own food in, roughly correspond with the free time settlers customarily allow their squatters for the same purpose.

The people of Kenya will not begin to think better of us until we begin to carry out the reforms described in Chapter XI. But one or two things that aggravate them deserve mention because they could so easily be avoided. One of them, the failure to punish Europeans as severely as Africans, is discussed in Chapter VI. Another is our exasperating way of making promises and then, by the agency of different people from those who made the promises, breaking them brazenly. Above the desk of every Governor of an African Dependency there ought to hang the motto, "MAKE NO PROMISES". However honest a man may be, he can never know what another Governor or another British Government may do. One example may be given. The first tribe that was induced, nearly thirty years ago, to pay the hut tax was the Kikuyu. The man who persuaded them promised it would never be more than the sum first fixed of two rupees, or 2s. 8d. It has been increased several times until now it is four and a half times as much. New Governors never hear of such promises. It would

not suit the convenience of the Government to be so scrupulous. Yet if any man had a good excuse for making a promise it was the man who made that promise to the Kikuyu. In Westminster, statesmen had determined that the money must be got. They also thought bloodshed most reprehensible. The Kikuyu saw no reason why they should pay. But they feared bullets and they trusted this man, as now they would not. So he made the promise rather than kill some hundreds, perhaps thousands, of defenceless people. Which of us would have done differently? Some part, at least, of the blame for such breaking of promises lies at the door of the permanent staff of the Colonial Office.

Evidence as to the source of cultural variation is available in the various histories of different branches of the same race. Central Asia has for many centuries been getting more arid and hence less capable of supporting human life. Wave after wave of migration passed east and west out of this region of Tartary. One such wave got as far north as the top of the Baltic where we know the descendants under the name of Finns. The Finns fell under the influence of the culture shared by all the nations in that part of the world. Thus they were converted to Christianity late, and became Protestants when the Reformation arrived. In modern times they have always been in the fashion, so to speak. They are democrats, have women's suffrage, excel in games of physical skill, and many of them are Socialists.

A second wave reached the Danube valley and produced the nation we know as Hungary. Again we see that their national culture is characteristic of the region of the world the Magyars inhabit. They were converted to Western Christianity, and, living on the boundary of the area reconquered by the Counter-Reformation, most of the Magyars are still Catholic, and so, like most other Catholic countries but no Protestant ones, have a Dictator. The arts, specially

of music, flourish among them, as among their German neighbours.

A third wave of Tartars got as far as the Balkans, where they were converted to Greek Christianity like all their neighbours, and like them, though unlike their cousins the Turks who conquered them, they resisted conversion to Islam.

A fourth wave, the Turks, for some reason founded a great Empire. Living in that part of the world where nearly all became Moslem, they also did. But after they had lost the last province of their Empire, they decided to imitate the culture of the nations who had been victorious in the Great War and set up a secular State with democratic forms. The Tartars who stayed in Tartary became like their neighbours, Moslems of a more ordinary type. Though conquered by Russia, they resisted conversion to Greek Christianity, but presumably are less able to withstand Communism.

In the case of all these Asiatic nations there was, of course, much mingling of blood with their European neighbours. But in no case was the infusion great enough to obliterate the evidences of Asiatic origin, in language, folklore and, in some cases, dress, dances and other amusements. These, be it noted, are the sole evidence of the race to which these nations belong. All their important national characteristics they owe not to race but to history and geography. Put your finger anywhere on the map of the world and you can tell, by knowing the culture of the region, what the inhabitants of that spot believe—even what they eat. Nurmi is a famous runner, not because he has Tartar ancestry, but because open-air sports are all the rage in North-Western Europe. The Bulgars resisted Islam, not because the ideas of Greek Christianity are specially congenial to Tartars, but because their Church was, under the Turkish yoke, the bond of their national unity and the

symbol of their future liberation. The Persians, though of European race, adopted Islam and are, in fact, typical Asiatics in everything but their race. In short we find that cultures, civilisations, social institutions, religions, do not normally have racial frontiers. And in the modern world, of course, all those regional cultures tend to run together. Individuals, in some parts of the world at least, do have some of the knowledge that enables them to make personal choices.

The history of the nation that has had fortunes more varied than any other, the Jews, is in striking contrast with those we have been considering. Before they entered upon their wanderings and their sojourns among the Gentiles, they were furnished with a lofty creed, a noble literature and a close-knit social order that had given birth to a proud and self-sufficient national consciousness. When each company of migrant Tartars were adopting the religion and culture they found around them, Judaism resisted the attack of every rival. But the Jews themselves suffered a different fate. The paucity of their numbers everywhere resulted, in the course of many centuries, in admixtures of blood that have obliterated every sign of a common distinctive type. What the original type of the Hebrews was when they were a federation of pastoral tribes we do not know. They may have absorbed some foreign blood in Egypt. They certainly mingled for centuries with Canaanites and Philistines. In Babylon they were further recruited, and by the time the remnant returned to Palestine very little Jewish blood can have had its source in the people who entered Canaan under Joshua. Then came the missionary period when the Jews "compassed sea and land to make one proselyte", and the nation, thus enriched by many thousands who were attracted by Jewish ethic, challenged Imperial Rome. There followed the final dispersion. And now the Jews of to-day display the ethnological character, not of

any single so-called Semitic type, but of the people among whom they lived in the Christian era. The Polish Jews have the bulbous nose and the broad head of the "Armenoid". The Spanish Jews have the hooked nose and the narrow head of the "Mediterranean". The contrast between the two main types is complete, but neither has any claim to be called the truly Jewish. So also with the less common types of Jew. Those who have lived long among the Berbers have fair hair and blue eyes. Bombay Jews are black.

So the splendid record of the Jews, their fortitude in persecution and adversity that seemed illimitable, the astonishing achievements that have enriched all humanity, as have those of no other people, are due not in even the tiniest measure to any racial quality. They are due wholly to Judaism, to the fortifying, inspiring, ennobling influence of the Jewish doctrine and ethic.

We are forced to the same conclusion if we follow the economic history of the Jews. They began as a federation of small pastoral clans, living precariously between "the desert and the sown", moving with their camels, sheep and goats, as the Masai do to this day, to the mountains in the dry seasons, to the plains in the rains. The second period of their history was agricultural. No doubt their conquest of Canaan, after which they learned to live, by cultivating the soil, in houses and towns rather than in tents, was far more gradual than the records that have survived suggest. For many centuries thereafter, despite their many vicissitudes, they remained mainly an agricultural people. It was only after their rejection of Christianity, when, in the eyes of Christendom, they became an accursed people, that they were forced off the land. All over Europe and Western Asia, the rights both to own land and to enter the learned professions were denied them. The law that made it illegal for Christians to lend money on interest to



Christians and the similar law among the Jews gave the Jews their sole opportunity. They entered on the business of finance, not out of choice, still less because they had any hereditary aptitude for it, but because Christians used to consider it a disgraceful occupation. Indeed, if they had a hereditary aptitude it would have to be for camel-breeding, since that must have been the chief occupation of the ancestors of the patriarchs for thousands of years.

In short, there is no evidence to suggest that race is an important factor in human affairs, and a good deal of evidence to indicate that it has no importance whatever. There is no reason, therefore, to doubt that Africans, once given opportunity, will both share generally in civilised life, and contribute to the world their quota of men of genius.

## CHAPTER X

### TRUSTEESHIP

NOTHING worse interferes with clear thinking than the use of phrases that mean different things to different people. The Dual Policy is such a phrase. It means in Africa something quite different from what people here suppose. The ambiguity is not the fault of Lord Lugard, who coined the phrase to express the fact that a socially backward tribe or nation has obligations as well as rights. But in Kenya it means the complicated system of privileges that Europeans enjoy, most, though not all, of which we have been investigating. One of the disastrous misconceptions that hinder people from seeing the real alternatives in Africa is the mistaken belief that the problem is new. Thus the ideas discussed in the Hilton-Young Report—ideas is the right word since the Commission made no definite proposals of reform—were in many quarters described as original. But they were not only worked out but carried out by Sir Theophilus Shepstone in Natal two generations ago.

A moment's reflection reminds us that the problem arising from the existence in the same country of a people with greater opportunities and hence higher attainments, and a people with inferior opportunities and attainments, must have arisen in every age and continent. The Romans had to deal with quite as many variations of it as the British Empire presents us with to-day, and gave the problem the only solution that could have enabled their Empire to last for centuries. Again, in the pages of Lecky we discover

how the English of the Pale regarded the native Irish with exactly the same arrogant contempt as is felt and shown to Africans by Europeans in South and East Africa. The status that was imposed on the native Irish was nearly the same as the one we have imposed on the Africans of Kenya. The Irish even had to pay a poll tax, and though it was only twopence it was a contributory cause of one of their rebellions. Perhaps the closest parallel with the position both we and Africans are in, is the situation of the African subjects of the Crown during the first third of last century. Then, as now, those in authority sought long and patiently for a policy, for a system of society which, while reflecting in a difference of status Africans' inferiority in civilisation, should yet ensure their good treatment. The search failed, as it always must. It is impossible, in the same country, to give certain people one status in the laws, and certain other people another status, without making one status inferior to the other, and without putting the people with the inferior status into the power of the other. What makes this problem one and the same in every age is simply that ignorant and therefore helpless people are always at the mercy of those who seek the profit of their labour. The motive of employers of their less-civilised fellow-men is always the same, under whatever legal restrictions it operates. In no age or continent has it been found possible to protect the less-civilised, except by enabling them to protect themselves, by ensuring to them, despite the opposition of their employers, the same educational opportunities and the same legal status. In one sense the alternative is simple. Its only complications consist of the variety of the devices whereby at different times and in different countries the inferiority of status is applied to the less-civilised, and in modern times is disguised.

Once admitted into a society, the principle of inequality of status tends to spread. In Kenya for example, the first advantage gained by Europeans over the native Africans was

that they alone got grants of Crown land. Then they got exclusive franchise rights. Then superior education for their children, the monopoly of coffee-growing, and so on until in every phase and function of life Europeans are in one position and Africans in another, always the lower position. That, in the view of those who have built up the Kenya system, officials and settlers alike, is how society in Africa ought to be arranged. They see nothing unjust in it. They are more civilised than Kikuyu and Masai, and that seems to them a complete justification for the provision, out of public funds, of a liberal education for their children which no Kikuyu or Masai child is allowed to get. It may help readers to understand how the settlers regard this question if they are told that many, perhaps most of them, if they went and lived in Kenya, would think as the settlers do. So greatly do the system of society a man lives in and his place in that society determine what for him are right and wrong. Be it noted also that wherever in people's lives these distinctions are drawn, they must be rigid. Otherwise the system would not work. All Europeans as such, however ignorant, have votes. No African, however well-informed, has one. So also is the education of all African children restricted to what Europeans in Kenya believe, with a perfectly good conscience, to be good for them. No African in Kenya, not merely scarcely any, may grow coffee.

The ultimate fact is that Africans, being human, will not tolerate this inferiority of status much longer. If this series of fortifications built along the racial boundary is not removed deliberately, it will be overthrown. And the alternative, the only alternative, is no other than the traditional British policy of equal rights for all, which, first entered upon a century ago, was supported and enforced by a succession of Governments of every Party, and has never been repudiated.

In order to avoid the least misunderstanding, it must

clearly be understood that the policy of equal rights does not involve the grant of the franchise at once to all. It does not even of necessity predicate the democratic ideal. In modern times we are so accustomed to equality among ourselves that we are apt to forget the fact that political equality, or rather the existing approach to it, since some people have more votes than one, is quite recent. But long before we had become nearly equal politically, we had what used to be called civil liberty, to distinguish it from political liberty, or the possession of the franchise. In proportion, in fact as people do not have this civil liberty, are they slaves, and in every country the attainment of civil liberty marks the end of serfdom. A few examples will make the point clear. The general principle underlying these illustrations is that while the laws may distinguish different classes among the subjects of the State, it must not do so on the ground of their race. Thus in England, up to fifty years ago, a man had a vote only if he lived in a house with a rent of at least £10. But if it had enacted that a Welshman was to have a vote only if he paid a rent of at least £20, that law would be in conflict with the policy of equal rights and would deprive Welshmen, as such, of some part of their civil liberty. Again, our law may, and does ordain that a man with £500 a year must pay income tax at a higher rate than a man with £300 a year. But it would conflict with the policy of equal rights if it ordained that Indians resident in this country should pay income tax at a rate higher than we pay ourselves. Again, the law distinguishes in a multitude of matters the obligations of employers from those of employees. But it is contrary to the policy of equal rights to vary these obligations, or the penalties for failure to comply with them, as is done in Kenya, according as an employer or an employee is African or European in racial origin.

At one time our laws did distinguish people according to their racial origins, and they also did so, up to much later

times, according to their religions. Both sorts of distinction were abolished because they unjustly restricted the liberties of some of the subjects of the Crown, and so conferred on them an inferior status. They should be abolished in Africa, for the same reason. Among the Governments of the world that profess to be guided by civilised principles, the only ones that admit into their laws distinctions based solely on race are certain British Governments.

Before an account of the policy of equal rights is given in some detail, two reasons often advanced in proof that the policy is inapplicable to East Africa must be dealt with. In one important particular, it is true, the situation of Africans in East Africa to-day differs from that of Africans in the West Indies a century ago. In East Africa to-day tribal institutions and ideas still survive. But the fact that a man is a member of a tribe has as little to do with his status as a wage-labourer as is the fact that in some cases he is a member of a Church. An African in Kenya could as easily fulfil his tribal obligations, if he had the status of an English labourer, who may leave his work when he pleases, leaving his master with the right merely to take a civil action against him for damages, as he can now, when his status is that of a person who commits a criminal offence if he leaves work at will, for which he may be punished by imprisonment and a fine of more than a year's wages. The idea that because as members of a tribe they have tribal obligations, it is impracticable, when they enter our society, as they must, to give them the status of freemen, is another illustration of the fundamental misconception that they are sub-human. For when ordinary men and women at any stage of social development come into close contact with people at a higher stage, they reach forward to that higher stage. And if Africans are normal human beings we have no reason to regret such a process in their minds, resulting as it must in the disintegration of tribalism, both of its ideology and of tribal organs

and their functions. We are detribalised. Why deprecate the same process of social evolution in Africans?

But a process of social development, in itself natural and desirable, may take place so hastily as to be disorderly and socially injurious. On this point the opinion of all the anthropologists that the process of social change in East Africa has been injuriously hasty is surely right. But we cannot, even if we would, retard the process of change in the minds of the people undergoing the change. We can control the speed of the changes in the minds and lives of Africans in East Africa only by controlling the operation of the forces that are the cause of the changes. But that is just what we have never done. No Governor of Kenya has ever laid before his advisers the two questions, first, which those forces are that can most certainly be predicted to benefit the people, and second, what is the speed at which they should be allowed to operate. The Germans, on this point, were wiser than we have shown ourselves. When the war broke out they had alienated to Germans, in what is now Tanganyika Territory, less than an eighth of the land we had alienated in Kenya to our own countrymen. And they had done so much to prepare the people for the economic changes that result from land alienation, that they announced, in 1914, that education would be compulsory and free in several of the largest towns in the country, a stage no British Government has reached even now.

Instead of asking that difficult question, what are the kinds and degrees of economic change that on investigation are found to lead to the prosperity and enlightenment of the common people, the question the last four Governors asked and answered was a much easier one. Believing, with apodictic certainty, that the presence in the country of the largest possible number of Europeans would be an automatically acting fountain of benefits of every conceivable kind, perpetually being showered on all around, the question they

thought important was, what can be done to make the European Colony as large as possible, and as rich as possible, and to endow it with all the Crown land with economic value—all in the shortest possible space of time. Why, when ex-hypothesi we know they are getting immense benefit all the while, pry into the lives of canaille of Kavirondo or Giriama to see exactly how it works out? That would be, on this view, to confuse effects with their cause. It would be mere waste of time, money and energy that might have been spent in making the fountain pour out its life-giving streams in even greater profusion.

One example of the attitude of the late Governor, Sir E. Grigg, may be cited in illustration. In his evidence to the Select Committee he said: "No considerable increase of native production in either Kenya or Uganda can save the Railway from grave financial embarrassment, unless European production also thrives. Absolutely indispensable to the progress of Kenya, it is also of importance to Uganda. Without it, the great fabric of transportation from the Nile to the Indian Ocean could not be profitably maintained or indeed maintained at all without a grant-in-aid from the Imperial Treasury." Who, reading these words, would imagine that the branch lines that were built to serve the European areas made a total loss on working expenses alone last year of £207,000? Or that, on one of the most important of them, according to the General Manager, the more the branch carries the heavier the loss? Almost exactly at the time Sir Edward was giving this evidence the General Manager was telling the Kitale maize-growers that though it cost the railways five cents to carry their maize, they only paid two cents, and admitting that the cotton of the Uganda peasantry was carried at a profit. Surely even more extraordinary than Sir Edward's ignorance of the fact that European settlement lays a heavy burden on the finances of the railway, is his apparent ignorance of the fact



that in several British Dependencies in tropical Africa, where Europeans have no land at all, the railways flourish by carrying the produce of unaided African peasants.

What misleads many in this matter is that Africans in Kenya are supposed to be free to choose between the life of a peasant, living on his own land by the sale of what he grows, and the life of a wage-earner. Even making every allowance for the fact that the Colonial Office is deliberately misled on all such matters—though one wonders men should be content to continue to be deceived, was it reasonable to suppose that the Kenya peasantry could, by a stroke of the pen, be made so exceptionally fortunate? There are some countries in the world, it is true, where all the workers may choose between the wage-earner's life and the peasant's. They are few. In Tanganyika, Nyasaland and Uganda many, perhaps most, do have that choice. But in Kenya no one could spend a week in the Reserve of one of the agricultural tribes, without knowing that the people are as helpless in the grasp of the new economic forces as were the English peasantry a century ago. On every count those English peasants were immeasurably the better off. The industrial revolution overtook them far more slowly; they spoke the same language as their masters, and, after the revolution as before it, prayed to the same God; above all, they could rise, they were told, and some of them did rise, themselves to become masters, sometimes even the masters of their masters' children, which in Kenya, as in South Africa, it is profanity to suggest might ever happen. Moreover, those who governed England during our industrial revolution did not know how to control it, did not even know they could control it, even had the illusion that natural law and not human desires was the cause of the changes going on around them. But those who, both from Nairobi and from Downing Street, have hitherto been responsible for events in Kenya, though all the world know

the results of giving control of the new economic forces to men separated from those under their control by colour, race, language, stage in civilisation and religion, though some of them even dared to put Belgium and Germany in pillory for letting these results happen in Belgian and German Africa, have sat watching these results ripen into disaster with palsied hands. Some day the historian of the future, seeking an example of the capitalist era at its best, the country in which the forces of capitalist industry gave the workers the greatest share of the wealth they produced and most widely spread knowledge among them, where it emptied most prisons and best succeeded in fostering in all feelings of national loyalty and solidarity, will point to England. When by contrast he seeks examples of the worst results of the capitalist system of society, where avarice, allied with racial pride in domination, showed least sign of shame, where the common people were most despised and poorest, where the law was least regarded and loyalty least possible, he will point to South Africa and Kenya.

The persistence of tribal institutions and ideas among a people, so far from rendering the application of the policy of equal rights inapplicable in that part of their lives that is spent outside tribalism and inside our system of society, is what makes that policy the sole means of justice. The adoption in Kenya, in so far as it is possible, of the Cameron policy, admirable as it is, would not touch the roots of the social disorders from which the Africans of Kenya are suffering. Evils arising from the operation of forces of alien origin and economic nature cannot be cured by the revival of indigenous, and therefore, of necessity, subordinate political institutions. As the causes are economic, so must be the remedies. The Cable plan, by which every penny Africans pay in cash to the Government would be returned to be spent on what they themselves regard as benefits, is such a remedy. The Cameron policy is not. But, as we

have seen already, it would only be a partial remedy. It would enable Africans to escape, as now they cannot, from our society into their own, and in that way would be a real protection against their exploitation. But it would leave them, while within our society, the mere animated tools they now are, until the proposed native members gained experience. It would not satisfy the detribalised. What, in the long run, all experience proves to be the sovereign remedy, far more efficacious than everything that can be done to protect people from the outside, is to make men free. The very fact that personal responsibility is not fostered by tribalism makes easy the enslavement of people in the tribal stage, and that is the reason it is indispensable that under our laws, in what after all is their country, not ours, they should have all the marks which in their own eyes signify their free status, which would make them conscious that if they grasp their opportunities they will reach full citizenship.

On their part the settlers say, exactly as did the West Indian planters, that the equal rights policy is impossible. They aver, without adducing a particle of evidence, that previous British Governments gave them pledges that their present position would not be disturbed without their consent, which in effect means that for all time their exclusive privileges would never be extended to their African fellow-citizens. In point of fact no such pledges were ever made. It is notable, however, that in the reports of all the Commissions that have visited East Africa these privileges are treated with such tenderness, because, no doubt, their members so little realised their results in the lives of the common people. Unrepresentative as these Commissions were, it is surely remarkable that in not one of their reports is the long-established British policy ever mentioned. Nor is the fact alluded to in any of them that the old policy of equal rights has produced, in the case of Africans, both material prosperity and a total absence of racial antagonism.

A single week in the predominantly African island of Jamaica would for ever dissipate any suspicion that anything in the character or capacity of Africans themselves makes the policy of equal rights "impossible". The rates of pauperism and crime are among the lowest in the world, if not the lowest. No people could be more courteous. There is no unemployment and no lynching. An overwhelmingly African electorate sends to a Legislature that has a larger share of responsibility than the Legislature in Kenya men of African descent of acknowledged capacity and integrity. Jamaica, alone among the countries in that part of the world, has been able successfully to defy the American Fruit Combine. To compare economic data in an old country like Jamaica with a new one like Kenya may be unfair. But these facts may have some value. A plantation labourer in Kenya is paid about fourpence a day, in Jamaica about 2s. 6d. a day. The national expenditure is about £2 : 3s. per head in Jamaica, and about £1 : 2s. in Kenya. Total trade is £11 : 5s. in Jamaica as compared with £5 : 3s. in Kenya. Despite the much greater wealth per head revealed in these figures the debt per head of Kenya is already £4 : 9s. and only £4 : 14s. in Jamaica. And so far Kenya has not had to pay a penny of the cost of building the Railway, which was borne by this country. Also, large sums have been lent the country free of interest for a period.

All this, be it carefully noted, is the outcome of compelling the Government of Jamaica, nearly a century ago, to adopt the policy of equal rights for all. The white population of Jamaica was then more than twice as numerous as the Europeans now in Kenya, and proportionately of far greater importance in the Empire. And they resisted the change of policy for exactly the same reasons and by the same arguments as the Kenya settlers use to-day. Note further that the chattel-slaves of that time were far less fit to be free than are the tribes of Kenya to-day. They were

far more barbarous and lawless and ignorant. But they responded to the grant of the same rights before the laws as their masters had, as will also the Africans of Kenya unless our country's resolution fails her, by a wave of gratitude and loyalty that even now has not subsided. For once our country had done the right thing without having to be forced to grant popular liberties. The conspicuous faults of wage-earners in East Africa, their proneness to think wealth the highest good and to be attracted by the material superficialities of civilisation, our clothing and foods, are due not merely to the criminal haste with which they have been hustled into our system of society, but also because they have not been free to absorb its best elements.

Most great political changes admittedly are best carried out in stages, although when, as is the case with this policy of equal rights, a single organic principle is involved, the stages ought to follow one another rapidly and be complete in a few years. In Kenya, the alternative is, not between the existing policy and the policy of equal rights, but between the methodical execution of the policy of equal rights, at once, and an explosion that may compel a sudden and entire reversal of the existing policy. When, just over a century ago, the Jamaican Legislature had obstructed the methodical reforms our country tried to insist upon, the patience of the Home Government came to an end. On the instructions of the Colonial Office the Governor of Jamaica forced upon the Colony the Act cited as I. William IV., which in Chapter 17 contains these words:

From and after the passing of this Act, all the free brown and black population of the Island shall be entitled to have and enjoy all the franchises, rights, privileges, immunities and advantages whatsoever to which they would have been entitled if born or descended from white ancestors.

That is how the knot was cut in Jamaica, and it is how it will have to be cut in Kenya, if it is not untied.

The fact has to be faced that the present head of the Colonial Office has done nothing to untie it. Lord Passfield has acted, during more than two years of office, as if he were perfectly free to choose his own policy. It is true, as we have seen already, that the policy of equal rights is no monopoly of the Labour Party. But if it is pledged to anything it is to that policy. Take, for example, the relevant passage in *Labour and the Nation*, the statement which was drawn up by the Party Executive before the last General Election and unanimously approved by a Party Conference:

It [that is a Labour Government] will take steps, therefore, to transfer to the inhabitants of these countries, without distinction of race or colour, such measure of political responsibility as they are capable of exercising, while Imperial responsibility will be maintained during the period preceding the establishment of democratic institutions. . . . It will instruct the Governments of these countries to extend to their native inhabitants such rights as may already, as a result of either legislative or administrative measures, have been acquired by Europeans, and to make it their chief aim, by education and otherwise, to prepare the whole body of their inhabitants for self-government.

The following passages are even more precise and emphatic. They are cited from the official statement of the British Labour Party to the Congress held in Brussels, 1929, of the Labour Parties of the other countries in the world:

The sudden abandonment of the African would lead to complete anarchy. The policy to be aimed at, therefore, is the preparation as rapidly as possible of the African peoples for self-government. This can be done by: (a) preventing political power falling into the hands of the immigrant minorities who will use it for the furtherance of their own political and economic interests. Accordingly, the central legislative and executive power should remain completely in the hands of the supreme government responsible to Parliament. This responsibility should be carefully guarded and vigilantly applied. No measure of responsible government should be granted to these territories unless and until it is certain that the Government will be responsible to and controlled by the African inhabitants.

(b) The general and political education of the inhabitants, by means that should aim at making them as rapidly as possible capable of understanding and dealing with the political, economic and social conditions of the modern world which are the result of the penetration of Africa by European civilisation. Whilst the principle of trusteeship for natives, in Africa and elsewhere, should always, pending the completion of the educational process, animate the administration, and the interests of the indigenous inhabitants should be, and remain, paramount, immigrants should, as among themselves, enjoy complete equality with each other, and where electoral institutions exist the franchise should be general and equal, and the electoral roll a common one, with mixed electorates, to the entire exclusion of communal or community franchises, whether similar or different. The latter, while tending to establish and preserve racial privilege, arrogance and domination, have also the effect of perpetuating and emphasising racial and communal differentiation and segregation.

In June 1930 the Government published the now famous White Paper on Native Policy in East Africa, and instructed the Governors of the various East African Dependencies to carry out its directions. It was far less downright than the statements on the same subject made eighty years ago by former British Governments. But it did say that Africans were to be allowed to grow coffee; it did say they might have land on individual tenure; it did direct that taxation should be graded according to wealth; and above all it laid it down that "persons of every race and every religion, coloured no less than white, have a right to equal treatment in accordance with their several needs". If it had been acted upon, this White Paper, though halting and often vague, might have been perhaps as useful a check to the long period of drift in the wrong direction as a more direct and definite statement would have been.

The publication of the White Paper was followed by loud and emphatic protests. Objection centred on the phrase, copied from the Devonshire White Paper of 1923, "paramountcy of native interests". (In truth, no one

knows what it means. No African, or friend of Africans, asks that in any respect Africans should be in a position higher than Europeans. All that is asked for is equal justice. Professing to give more than equal justice, we give less.) Lord Delamere said that compliance with the directions of the White Paper would involve the amendment of more than twenty Ordinances, as laws are called in Kenya, and announced that until it was withdrawn he would refuse co-operation with the Government of Kenya. A few months later he was reappointed to the Executive Council. The settlers of Northern Rhodesia issued a statement repudiating the White Paper and asserting, with perfect truth, that its execution would completely reverse the policy of their Government. Several members of Parliament happened to be in Northern Rhodesia at the time, one of them, Mr. Allen Parkinson, a Labour whip. When they returned they issued a Report, long extracts from which appeared in the London *Times* of December 31, 1930. In that report they asserted that "the White Paper policy was bitterly and universally condemned by every section of the European population, among whom there was a wide-spread feeling of indignation against the Colonial Office".

That sentence should be most carefully noted. It bears out what is notorious to residents in East Africa, that the senior officials as a class, except some in Tanganyika, take the same position as the settlers. After he read that Report, Lord Passfield cannot have been in the least doubt as to what was likely to happen to the measures he had directed the Governments in East Africa to carry out. In point of fact, however, the statement that the condemnation was unanimous is not strictly true. There are some missionaries who believe that religion is concerned with justice and some junior officials, in all these countries, who would, if they could, act upon the principles of the White Paper.



They could not have been expected to air their views to distinguished visitors before their seniors.

Now, of course, the people who protested so indignantly against the White Paper are sorry they ever opened their mouths. They have advertised their privileges, when they might have waited to see if anything was actually going to happen. Nothing whatever has happened. No Africans in Kenya have been allowed to grow coffee nor to have land on individual tenure, nor has taxation been graded in accordance with wealth.

The Governor of Northern Rhodesia was on leave when the White Paper was published. On his return he was visited by a representative of the settlers, who afterwards, according to the press, expressed his complete satisfaction. Is it to be expected that men who have carefully built up one system should make haste to replace it by another? Soon afterwards this same Governor made a speech in the Legislature. He said, as reported in *East Africa* of December 25, 1930:

In so far as this Dependency is concerned, I should like, without qualification, to endorse the conclusion of an editorial in the *Bulawayo Chronicle* of November 3. "There is no equality between white and black to-day and those who advocate it misread the problem. There is no equality because there is no ground for equality."

What is meant by ground of equality may perhaps be judged by the fact that in the official report of the Education Department of Northern Rhodesia for 1929, it is stated that just over £10,000 was spent by the Government on the education of fewer than 500 European children, which is a little more than the total sum spent in educating the 200,000 African children of school age in that country. A resident in Northern Rhodesia, in a private letter, writes thus, in reference to the speech just quoted:

I have been very deeply concerned—and not by that speech alone, but by the change I find in the attitude of young officials. N. Rhodesia

is to become a white man's country, and the kind of public opinion that rules in South Africa is to hold sway here. The change is due to the mining industry, but I could not have believed that this changed attitude could have been brought about so quickly. The District Commissioner at X. said in my hearing, "The two great pests of Africa are the Bantu and mosquitoes".

Together with the White Paper on Native Policy, the Government issued another, dealing with its proposals for the Closer Union of all the British Dependencies in East Africa. It was to investigate the proposals in this second White Paper that the Joint Select Committee was set up. But the documents laid before the Committee included the Reports of the various Commissions that had been sent to East Africa, in which general policy was dealt with. The Committee soon found that not even the Kenya settlers wanted closer union, as they feared the Committee would support the Cameron policy, or adopt the Cable plan, or do both. All the nine African delegates condemned Closer Union on the ground that the proposed High Commissioner would cut them off from Parliament and the Colonial Office, and the six from Uganda and Tanganyika bluntly added that the second reason for their opposition was their fear of the extension of the Kenya policy to their own countries. When the delegates of the settlers appeared before the Committee Lord Passfield was at great pains to soothe their alarm. He allowed himself to be cross-examined by Lord Francis Scott, who expressed his gratification with the answers he got. He asserted emphatically that the representatives of the settlers could not be the trustees for the Africans of East Africa. But he claimed that, nevertheless, he had gone even further than his Conservative predecessor in "associating" settlers as co-agents with officials in the execution of the trust, citing the fact that a settler had recently been appointed Chairman of the Board of Agriculture in Kenya. And when Lord Francis suggested that,

after all, the settlers had some real ground to fear a change of policy in the official statements of the Labour Party's intentions, he allowed another member of the Committee to interject, without remark, "It was an election manifesto".

Dr. Drummond Shiels, loyally supporting his chief's policy, had the following passage with Lord Francis, as reported in *East Africa* of June 11:

Lord Francis: "It is not dislike of the Labour Government, but we have had an unfriendly atmosphere from certain people—and the Labour Party did issue documents as *When Labour Rules* and *Economic Problems of the Empire*, which made us a bit suspicious". (These two publications are neither so definite nor so authoritative as the two quoted above.) Dr. Shiels: "You do not like *Labour and the Nation*? It made a bad impression? You agree that it may not be the last memorandum?" Lord Francis: "Of course it is not". (Laughter.) Mr. Ormsby-Gore: "It was an election manifesto". (Renewed laughter.) Lord Francis: "We rather hope that we have misunderstood your views. We rather got that yesterday from the Secretary of State."<sup>1</sup>

In fact, what Lord Passfield and Dr. Shiels said to the settler delegates made it possible for the editor of their weekly London organ to write, in the issue just cited:

Lord Passfield and Dr. Drummond Shiels promptly contributed by their generous apologies for past mistakes and misunderstandings and their broad hints that the present Imperial Government fully realises its errors of commission and omission in East African affairs.

It would be unjust to assume that these two Labour Ministers have deliberately turned their backs on what have been the principles of their Party since its foundation. But they allowed themselves to be misunderstood. All over East Africa the news has gone that the Labour Government has recanted, that for two days its Ministers discussed the

<sup>1</sup> Dr. Shiels has a public record. Judging solely by that record, the author finds it impossible to believe that if Dr. Shiels had been Secretary of State instead of Under-Secretary, the Colonial Office would have taken the course it took between June 1929 and August 1931.

public affairs of Kenya with the delegates of its settlers without discovering a single point of difference. Supposing Sir Joseph Byrne to be so much better served than Sir Edward Grigg as to be aware of the urgency of reforms, how vastly must this misunderstanding increase his difficulties! Let him propose, for instance, to close those branch railway lines on which, as we have seen, the larger the traffic the heavier the working loss, or to replace the tax on African dependants by an income-tax, what answer could he give the settlers if they said, "Why disturb the complete harmony we enjoyed with your superiors in London?"

Do the responsible leaders of the Labour Party agree with the view that Labour Ministers are under no obligation after an election to do as they told the electorate they intended? It is true, as we have seen, that few of the men generally considered eligible to be made Governors believe in the policy of the White Paper, though now some of them are bold enough to claim that it is already in operation. That difficulty, though real, was easily superable. Nor can Ministers plead that they were only a minority Government. They would have had Conservative as well as Liberal support in this matter. Lord Salisbury and many other Conservatives were hearty supporters of the policy of equal rights and a whole series of Conservative Governments enforced it. Few Conservatives would venture to assert publicly a doctrine so opposed to the sentiment of the whole nation as that the natives of a country should have a status in the laws inferior to that enjoyed by Europeans living in it. Even if they did, we should remind ourselves that most of the main political issues of the past were decided by the victory of a Party that owed its existence to men's need to unite to win reforms. Emancipation from chattel-slavery was such a Party victory, the Duke of Wellington and other friends of the planters opposing it to the last. And this is a major political issue. All parties alike are cursed by the people

who talk about "mere party politics". Does the Labour Party wish to be led by them? If the Labour Party is merely a piece of machinery for getting more money for its supporters, the sooner it disappears the better. But if it has any real principles to keep it alive, it will be as determined to have justice done to voteless Kavirondo as to improve the lot of the British workman.

It is argued by some that no reform would last unless agreed upon by all sections of opinion in this country. That argument shows an astonishing lack of realism. All the great political reforms of the past have been opposed to the last. And Africans themselves can be trusted to see to it that reforms once carried out will never be reversed. There is indeed one reform which, though apparently of little immediate value or effect, is proved by experience in other countries to be the master-key to all the rest. If Imperial Government will do but one thing, will insist not only on giving the votes of educated Africans the same value as is given to the votes of Europeans, but also on keeping the voters' rolls genuinely open for Africans to enter in increasing numbers as they get education, every other reform could be relied upon to follow in time. There is no reason, of course, to wait, even for a year, for those other reforms.

Some scores of copies of the pamphlets containing the official pronouncements of the Labour Party, and of the White Paper, were sent to the press in East Africa and to a number of Africans. In order to prevent the Africans of Kenya from knowing about, and being attracted by, democratic ideas, they have been given a quite false picture of our political situation. They were told, and hence until recently naturally believed, that we are despotically governed by King George, that not only Governors but all officials are his personal choice, and that Crown land is so called because it is his personal property, to be given to whomsoever he wills. The royal arms on notepaper and the royal mono-

gram on articles that are Government property were pointed at as proof that we were still, politically, at the stage our country had reached under William the Conqueror. That false and at one time, in Kenya though not in Nyasaland, universally held belief made it impossible to persuade people that if their grievances were only known to the public in this country they would be remedied, and that already there were many who worked for their redress. One was not only in the position of a man who gave an account of things that everyone present knew to be false. One laid oneself open to the charge of talking downright sedition, by suggesting that the wishes of our lawful King should be set aside. The reason copies of these pamphlets and of the White Paper were distributed was to disabuse the minds of as many as possible, and, by persuading them that their deliverance was near, to turn their minds from violent courses. The Government of Tanganyika has translated the White Paper into Swahili and copies of it are on sale in that country. None is on sale in Kenya. It is impossible to tell whether, if the Colonial Office insisted on copies being made available, the result in the long run would be good. In the short run it would increase the dangers of the situation, by showing the people how the directions of His Majesty and his Government are flouted by their Government.

In a letter to the author, Sir James Rose-Innes, once Cabinet Minister under Rhodes, and later for many years Chief Justice of South Africa, writes:

It seems only too true that the policy of caste and repression is making headway in British Africa generally as well as in the Union. It has behind it the weight of Capital and Race Prejudice and Fear.

The following are extracts from a letter from an official:

You put your finger on the spot when you refer to the fact that without support from home nothing can be done in Africa. I have always told you that. . . . I have always believed that by unconscious and ignorant drift, Kenya, and parts of Rhodesia and Nyasaland, per-

haps even of Tanganyika, are slipping into—have slipped into—the *cul-de-sac* in which South Africa is now. But the first necessity before there can be any remedy is a conscious, well-instructed and continuing determination, at the source of authority, to control the situation.

One could understand the adoption of a waiting policy by a Minister of State in a situation that was not only unfamiliar but new. But here is a century-old alternative, offering, generation after generation, none but the most superficial variations. Kenya can either be governed on the principle that a Kavirondo is as important a person, in his own country, as an Englishman, and a Kikuyu child as deserving of education as an English child. Or it can be governed as it is now, for a few months or years longer, on the principle that Africans, who in the past have had cultural opportunities inferior to our own, ought in future to continue to have inferior opportunities.

Once more the reader is asked to make use of his imagination, and put himself in the place, not so distant from his own as that of a common labourer in Kenya, but of one of the few hundred of the specially fortunate, of some educated clerk or school-teacher. He reads the local papers, but of the English press no Liberal or Socialist papers, since practically none reaches Kenya. The Indian press he also reads, so that he knows that the President of the East Africa Indian Congress, as reported in the *Kenya Daily Mail* of January 21, 1931, said:

I therefore submit that the time has arrived when we must seriously consider the question of making some sort of trouble to Government, as it appears to be the only way to draw their attention to our grievances. Whether it should take the form of non-payment of taxes or passive resistance in other directions, I would leave you all to decide.

Some years ago, this educated African read a pamphlet containing an account of the intentions of a body in England called the Labour Party, about which the only thing he knew was that it was frequently held up to scorn in the local

press. This pamphlet contained proposals that prescribed so exactly the remedies that would cure the sufferings of his less fortunate fellows that he could scarcely take them seriously. But the comments on these proposals in the Nairobi papers told him that the settlers took seriously this threat to their interests, as they considered these proposals to be, and he told the people who came to him at night with their troubles that there might be something in them. Then comes the startling news that this enigmatical Labour Party, that promised so precisely to do what the people want done that they cannot believe it to be more than a body of obscure malcontents, has actually defeated its opponents, and is, for the time, the Imperial Government. Visitors who cannot read English again crowd in upon him in the evenings, demanding to be told what will happen. There is much debate over words like "constitutional", about the powers of the King, and above all as to whether any part of those miraculously splendid forecasts will come true. The months pass. No change appears. The Governor, Sir Edward Grigg, plainly has no intention of changing anything. People cease to visit our African friend who can read English. (There are no Communists in East Africa, and such Communist literature as is sent from South Africa is not only largely unintelligible but so badly produced as to be unattractive.) Hope revived again when the White Paper with the Royal Arms upon it arrived. And again what our friend read in the Nairobi press led him to tell those who complain that though wages fall the tax is no less, that at least the landless are to have land, and that they are to be able to grow coffee on it. The news of the Select Committee disturbed him, since the reports of previous Commissions have been followed by the worsening of the lot of Africans in Kenya. Nor was he greatly gratified to read how well his own people were received by the Committee. The time when he judged Europeans by what



they said is long since passed. As smooth, indeed, were the words that passed between the Ministers who had written to direct the redress of some of his fellows' worst grievances, and the settlers who, he well knows, are hostile to these reforms. Then he reads of the fall of the Labour Government. People come to him no more, to hear him read what once made their eyes sparkle. They listen rather to men who say that Europeans are all alike, that promises and programmes are intended to deceive, that those who promise most do the least, and that, cost what it may, resistance to the Government alone is left to the people.

There are men who say that no just cause is ever helped by violence. The terrible truth is that no nation or race or caste has ever won its liberty, whether in Ireland or Poland or any other country, without either the use or the threat of violence.

## CHAPTER XI

### WHAT MUST BE DONE

THE sentence on the title-page is quoted, not because the words are Sir Edward Grigg's, but because they are typical of the contemptuous ignorance of African life that, differing, of course, in degree, is the prevailing attitude in East African society. The evidence Sir Donald Cameron and his Chief Native Commissioner gave before the Select Committee was totally different, in kind as well as substance, from that of the other official witnesses. One felt they were talking about people they knew personally, that their idea of what Africans are like was in entire consonance with the manner and matter of the nine African delegates themselves. But it is the other view that most people of importance take of Africans. And that other view is reflected in a score of ways, through the conversation of those who have that view with visitors to Africa and at home, until it radiates to press and public. That is why some members of the Committee were opposed to the coming of any African delegates at all. On this occasion, fortunately, these nine men had a unique chance to show how false is the view commonly taken. The members of that Committee now need no instructing, no persuading on this point. They know what Africans are like. Most of the nine Africans, of course, were much richer than the average, and had enjoyed far greater educational opportunities than the average. But, with one possible exception, not one of them had had the educational opportunities the children in our slums have.

Unhappily, Africans scarcely ever get the chance thus to speak for themselves, and so, almost daily, slanders on their character and capacity have to go unrefuted. Even in the Reports of the Commissions that have visited East Africa there are more than traces of this false view. It is not that Africans do not appear in the pictures these Reports draw. But they appear as seen through the wrong end of the telescope. We see Africans as Nairobi sees them. They are important factors in the production of wealth, and that, of course, is true. But for the rest, they are never alluded to as if, when given the opportunity, they deserve the rights and liberties of ordinary citizens. They ought to be treated "fairly". But what they may desire is never given much consideration, sometimes none at all. Their grievances ought to be remedied. But their greatest grievance, that they are denied the opportunities of the full human life that other people are recognised to deserve, is always passed over in silence. Here again we meet the assumption that Africans are sub-human, deserve something more, no doubt, than the kindness domestic animals ought to be treated with, but just what more none can tell.

That is why the first British Government that is resolved to make the people of the British Dependencies in tropical Africa loyal subjects of the Crown by the only means that are capable of doing so, by the resumption, that is to say, of the traditional British policy from which in East Africa our country has drifted so far, should appoint a Commission to investigate East African affairs of a different type from those that have been appointed hitherto. The members, whether they are Tory or Socialist, should be men and women, for some should be women, who regard the poorest Kavirondo as being of the same importance as the richest planter. They should be directed to make the lives of the vast majority of the population their chief concern, and to seek information on those lives from the people who know

most about them, from officials and missionaries who live or have lived among the people, and, above all, from Africans themselves, such, for example, as the nine African delegates to the Joint Select Committee. Since this Commission should be directed to inform us of the facts affecting ordinary Africans' lives in the fullest detail, it should take at least two years for its investigations. The brilliant gifts and self-denying achievements of W. G. Ballinger mark him as the one man to be the chairman.

(Friends who have read the manuscript have criticised the mention in this book of two names of which most readers will be ignorant. The author has never had the pleasure of meeting either Mr. Speller or Mr. Ballinger. But he thinks the fact ought to be known that Mr. Speller is uniquely fitted to organise and make prosperous the agriculture of the peasantry of Kenya. Of Mr. Ballinger it is impossible to write in terms that will not be thought extravagant. It is a comfort to realise how utterly unimportant are the men who fill the reputedly high positions that men compete for, and to know that some day the real greatness of Mr. Ballinger's work will be recognised. There was no competition for the position he has filled these last three years. He has made it a great position by efforts as heroic and service as devoted as Livingstone's. His place in African history is secure, despite the fact that the task he was offered and accepted has been an apparent failure. For two separate reasons the attempt to found a Trade Union among the Africans of South Africa was doomed before it began. The tribal inheritance of these African wage-earners, though it lies in utter ruin, has yet endowed them with that fatal instability of character that makes their organisation a weaving of ropes of sand. People at their stage of civilisation, and with their opportunities of education, are rarely capable of sustained effort, especially for impersonal ends. Nevertheless, partial success would have been won if it had

not been for the hostility and obstruction of the Government of South Africa and its agents. Mr. Ballinger's investigations in the South African Protectorates, that are administered under the Colonial Office, also met with official obstruction, though for the most of the time these officials were under the orders of a Labour Minister. Never was there defeat more certain of becoming splendid and resounding victory. One at least of Mr. Ballinger's contemporaries is proud to have the honour of giving this salute to him and to his achievement.).

But while such a Commission, if appointed in time, would render a service of great value, both to the public and to Africans, it should not be appointed until some at least of the more urgent reforms are actually being carried out. The reason has already been explained. The following is a list of the urgent reforms that would make Africans in Kenya as prosperous and loyal as are Africans in Jamaica.

1. Full control of the policy to be pursued by the Government must be restored to men who are responsible to Imperial Parliament. As, constitutionally, the Legislature is a purely advisory body, it should be treated as such. (There are certain indications that Sir Joseph Byrne is doing so.) The Executive Council, the body that will actually carry out the reforms, should wholly be composed of men under the Governor's orders. If it is impossible to make the local Councils and departmental boards representative of the community as a whole, they should be abolished. In any event the authority of the heads of the Departments should be restored.

This policy is the reverse of the policy with which Lord Passfield concurred, of associating local private employers with officials in the discharge of the trust our country holds. There are two reasons why this policy is inconsistent with the general policy of the White Paper. One is that if the execution of a policy is entrusted to men who do not believe in it, they are sure to discover it "doesn't work".

Mr. Parkinson's evidence for Northern Rhodesia that was quoted in the last chapter is conclusive on the point. If European opinion in the other East African countries has been less candid, it is in fact substantially the same. The other reason is that at every turn the personal interests of private employers conflict with their duties as agents of the trust. As employers, they want wages to be low. As agents of the trust, they ought to want wages to rise. As owners of land, they seek the allocation to the settled areas of as much money for roads as they can get. As agents of the trust, they ought to try to get the money spent on roads in the Reserves. The point needs arguing so little that surely it is astonishing it should need arguing at all.

At this point it may be desirable to attempt an answer to the question some readers must have asked themselves already, what the effect is likely to be of the policy of equal rights and opportunities on the European Colony. Take, for example, this question of money for roads, and suppose it to be settled by making all feeder roads a local charge, whether on European land-owners or on Tribal Councils. We get a partial answer from countries where the scales are held evenly between planter and peasant. In Jamaica the bulk of the land is still in European ownership, most of it belonging to companies rather than to individuals. But Africans seem slowly to be acquiring land from the companies. In Nyasaland, before the war, one-third of the produce exported was native-grown and two-thirds plantation-grown. Now, four-fifths are the produce of the peasantry. In Kenya these proportions are exactly reversed, and the proportion of the exports that is produced by the peasantry is declining.<sup>1</sup>

<sup>1</sup> Though the official estimate of the value of native-grown produce exported from Kenya is half a million pounds, it is not to be imagined that natives receive that sum for the produce. By far the largest item in the half-million is hides and skins. The original seller of a hide or skin gets only about a fifth of the money it comes to be worth when exported, after having passed through from four to six Indian and European hands, each of which retains some profit. Of the £500,000, at most £200,000 reaches Africans.

Clearly, if a just policy were followed, these proportions would be affected. Coffee, tobacco and cotton are crops that may safely be predicted to become mainly or wholly peasant crops, as they have already in other parts of Africa. Sisal, on the other hand, is an example of the type of crop that will never be grown by the peasantry. And as it flourishes on poor soil with little rain, planters will, no doubt, continue to grow it in Kenya. Agriculture on a large scale, by means of expensive machinery, with none but skilled labourers paid several times as much as the wages now prevailing for skilled men, will, for a long time at least, be able to compete with a free peasantry. But there can be no reasonable doubt that if Africans were free to buy and lease land in Kenya, and if also there were a tax on undeveloped land, whether owned by Europeans or in Reserves, much of the alienated area would gradually pass into African ownership. Europeans of the mercantile, as distinct from the land-owning class, are beginning to realise that they stand to gain by the rise of a free and prosperous African peasantry. The considerable class of Europeans who farm as an amusement and rely for their support on the interest on investments outside the country, may be counted on to find it less attractive when unearned incomes are taxed as they should be. Under the policy of equal rights the European Colony is likely, in short, to survive rather as a body of merchants and expert technicians than as a sporting aristocracy.

2. To resume, after this interruption, the list of reforms. We shall assume that a Governor has been appointed to govern Kenya with the direction that the traditional British policy is to be acted upon, and that he has been enabled, by the changes described under the first heading, to give effect to that direction. His next step should be to make public announcement of the policy he proposes to carry out. One precedent out of many may be quoted for this step. When Natal was annexed, the Dutch were allowed to enter that

Colony only on the condition that they assented to the British policy rather than their own. To make it quite clear what that policy was, the Governor of Cape Colony, in the name of Queen Victoria, made the following public proclamation:

There shall not be in the eye of the law any distinction or disqualification whatever, founded on mere distinction of colour, origin, language or creed, but the protection of the law, in letter and in substance, shall be extended impartially to all alike.

Wherever that principle has been adhered to, as it has been in the West Indies and West Africa, it has brought about the total disappearance of antagonism due to differences of racial origins. But in Natal, as in British South and East Africa generally, our country entrusted the fulfilment of this high Imperial pledge to the resident European minorities. Of what these minorities have done with it this book provides an example. But we cannot plead that the charge against us should be limited to folly and incompetence. A century ago it was possible to believe that you can give a minority power and responsibility and that it would refrain from endowing itself with exclusive privileges. Now, we have abundant proof that it never does so refrain. Yet do we find a British Government, contrary to repeated explicit pledges, actually thrusting responsibility on the resident European minority in Kenya. For many years our country's reputation, in the estimation of Africans in South Africa, stood high, higher than any other country's. They say, in excuse for us, that we were manœuvred out of our responsibility for the defence of native interests. But that great fund of loyalty, built up in times when British Governments stood up to wealth and privilege and overbore them, is nearly gone. Educated Africans are watching us all over Africa. No longer do they judge us by our past. They judge us by the fact that, now no longer in ignorance, but



knowingly, in the South African Protectorates as notoriously as in Kenya, we have forgotten and deserted them.

3. Next, after his Proclamation of the resumption by measures deliberately to be taken of the traditional British policy of equal rights, the Governor should redress the most urgent of all the grievances suffered by Africans in Kenya, the taxation of their dependants. For some years at anyrate, Africans would be content to pay a poll tax of 12s., payable by able-bodied males alone. The loss to the revenue, which will be over £300,000, must be made good by the fairest of all taxes, a tax on profits, by a tax on undeveloped land, and by the abolition of the subsidies to the European Colony, the chief of which we have discovered in earlier chapters. Planters and merchants, Indian and European alike, will protest that the times are hard. So they are. The harder the times, the heavier the hardship borne by the poorest, and the more obviously just is a graduated tax on profits. In any case the Government has no alternative. The time is drawing near when, unless dependants are relieved of liability for the tax, the people will refuse to pay any tax at all. This book was written to explain why they may refuse, and why it would make bad worse to slaughter some of them to compel the rest to pay.

(As these words are being written, news comes that Sir Joseph Byrne has asked for an impartial expert to investigate the subject of taxation. He will not need to look far for a scheme suited to a community that includes both planters and peasants. The combined income and land tax in force in Jamaica is equitable, elastic and as popular as any scheme of taxation can be.)

4. The reform of land policy is second only in urgency to the reform of taxation. It has already been dealt with in Chapter IV.

5. The third of the three most urgent grievances is the unfair allocation of public funds. As the subject cannot be

dealt with adequately in these pages, the reader need only be reminded that these subsidies are many, varied and large. One instance, briefly referred to already, will show how heavy are the tolls that, at every turn of the road in Kenya, the community is made to pay to subsidise white settlement. Wheat is one of the principal crops of the settlers. Some of the crop is exported, and sold at a heavy loss in the world market. Part of the loss is met by carrying wheat for export at a loss on the railway, which of course the other users of the railway have to meet by being overcharged. But that is not enough to ensure to the handful of Europeans who grow wheat the profit they want. So there is a large import duty on wheat and flour and an exceedingly heavy freight rate on the railway, so that flour travelling up the line pays just five times as much as when it travels down the line. The result is, the intended result that in the opinion of Europeans in Kenya is equitable, that the price of bread in Nairobi is more than twice what it is in London. (The exact figures are 36 cents as compared with 15.) This tax is specially onerous on Indians. But it is also a hardship on European clerks, artisans and shop-hands, especially those with families. We shall be told that the settlers cannot live without these subsidies. If white settlement is incompatible with the barest justice, it ought to go, and must go.<sup>1</sup>

So long as law and administration operate differently, according as the people dealt with are African or European, will it be impossible to discover the just proportions in which public money should be allocated between these two now separated sections of the community. The methodical and

<sup>1</sup> The exact figures as kindly supplied by the East African Trade and Information Office are: Wheat for export in ten-ton lots, from Nairobi to Kilindini, 13.50 shillings per ton; the same when not for export, 26.44 shillings per ton. Wheat, any weight, Kilindini to Nairobi, 65.86 shillings per ton. Flour for export in ten-ton lots, Nairobi to Kilindini, 17.92 shillings per ton; the same, not for export, 31.36 shillings per ton. Flour, any weight, Kilindini to Nairobi, 91.17 shillings per ton. This last freight charge, it will be noted, is almost exactly a halfpenny a pound, and adds about a third to its cost to consumers.

orderly introduction of the policy of equal rights alone can solve this problem, since then people would differ, and be treated differently, not according to the colour of their skins, but according to the size of their holdings or their educational attainments.

6. The Governor having thus, first, acquired the power to carry out the policy our country approves; next, made public announcement of the nature and scope of that policy; and third, put in train the reforms that would redress the most acutely felt of the hardships that press upon the people, should then enact the one reform that deserves to be called fundamental, a law that would enfranchise all, irrespective of their race, creed or colour, who have reached the civilised life. What the precise qualifications ought to be is a minor question compared with the necessity of ensuring that voters' rolls are genuinely open. Notoriously, in several parts of the Empire and the United States, people of colour are kept off the rolls. All that would be needed to ensure that a law establishing a common roll was strictly observed is a Governor with ordinary resolution, such as the Colonial Office habitually sent to govern Dependencies a century ago. There are many precedents for the restricted qualification that would be necessary, in the history of our own country, Jamaica and many others. An income of £25 a year, combined with ability to write a simple English sentence, would do very well. Despite the fact that the Government spends more than a pound on each European child's education for every shilling it spends on each African child's, already there are many Africans as well qualified to vote as the average European elector. How can we expect these men to be loyal if we deny them the very possibility of citizenship? If the Africans of Kenya were allowed to be satisfied with their own economic life, we might have the right to exclude them from our political life. No man is loyal because he believes he ought to be. It ought to be enough for us to recognise

that if we in these men's place were refused the franchise we would not be loyal.

7. In the rest of the world, outside British South and East Africa, the schools of the State are open to all who can profit by them. There is no good reason why that should not be the case in East Africa. Published figures have so many cross entries and are so confused in other ways that exact data are unattainable. But it is roughly the case that the most expensive schools admit European children only, expenditure out of general revenue being at least £20 per year per child of school age: schools of an intermediate type admit Indian children only, costing general revenue something between £5 and £10 per head; only very cheap schools with a very restricted curriculum, costing the State about 5s. a head, admit African children. The latest published annual report of the Director of Education in Kenya refers thus to Indian education:

As regards the question of curriculum generally, the fear has been expressed that the education given (*i.e.* to Indian children) is too literary. This question raises questions of political importance as well as of general educational interest. The policy of the Government in regard to definite instruction in trades is to develop the African so that he may take his place in the Colony as an artisan. It is difficult to see how this policy can be made to square with a proposal to give instruction to Indians which will enable them to maintain their unique position as the general artisan class.

There would be no difficulty if the Director had as his main aim the training of the children of all races for citizenship. Education in Kenya is deliberately directed to train European children to become the governing, land-owning, employer class, while Africans are taught only what it is hoped will enable them to oust Indian artisans. Schools for Europeans, one of them costing £40,000, are built out of general revenue. Schools for Africans never are, with the single exception of the one in which they are trained to

replace the Indians. In the official handbook of the East African Trade and Information Bureau it is stated that the Government is to spend £200,000 on extensions to schools containing only 635 European children. The tuition fees for these children, it states, are from 6s. to 15s. a month, and boarding fees 90s. a month. The poorer European parents are charged less—in some cases nothing at all.

It is claimed in defence of this system that the European community pays the whole cost of European education by special taxation. Nearly all the adult males pay the special poll tax of 30s. The bulk of the cost of European education is reckoned to come from the taxation of spirits, the retail price of which is the same as in Britain. What would be said of the proposal to have most of the cost of educating boys at Eton and Harrow borne by the national revenue, on the ground that their parents have to pay so much for their whisky?

But, as by this time the Colonial Office knows, these special taxes do not cover the cost of European education. If they do cover it, no one can object to the right educational policy, which is to open all the schools of the State equally to all children, leaving the cost of schools to which entry is restricted to be borne by the caste that desires the restriction. In other countries the rich pay to get for their children an education better than what the State can provide for all, and so they should in Kenya. To avoid the least appearance of unfairness, the existing school buildings with restricted entry should be handed over free to trustees representing the European and Indian communities, in spite of the fact that Europeans pay, certainly no more and probably less than a third of the taxation. In future all Government schools should have none but educational tests for entry. Grants-in-aid should be based solely on educational efficiency, irrespective of the children's racial origins. From two to four years should be allowed in which to make this change in educational policy complete.

8. In no East African country are there either Factory Acts or Workmen's Compensation Acts. In one recent week the Nairobi press reported a variety of accidents that involved the deaths of twelve men, six of them Indians and six Africans. Trifling sums are sometimes paid, out of grace, to the relatives of such men. This reform, like all real reforms, will cost money. And, of course, we shall be told that now, of all times, the money cannot be found. If that is true, then the experiment of giving Europeans large grants of land in tropical Africa is a proved failure. If the employer of a Kikuyu who falls off a ladder and is killed cannot even pay his widowed wife's and mother's hut taxes for the rest of their lives, he has no business to be in the country. The tribal economy makes provision for the risks of peasant industry and finds homes and food for the widow and orphan. But it cannot be expected to provide for the risks of capitalist industry. If the settlers can provide for the risks to which they expose their employees, well and good, for assuredly their presence in the country might, on balance, be of great advantage to the rest of the population. But they are not indispensable. West African experience abundantly proves that in their absence African peasants can reach a level of prosperity far higher than the one Africans have reached in Kenya.

These reforms, it is hardly necessary to state, will involve the repeal of many existing laws and parts of laws. The whole process of reform might, if begun in time, be conducted in an orderly and methodical fashion, and be completed in five years. Extracts from the speech in Parliament on May 14, 1833, by Mr. Stanley, then the Secretary of State for the Colonies, will explain what is the alternative to the orderly but rapid execution of reforms. Speaking of how his Government proposed to deal with the slaves of that period, Mr. Stanley said:

We propose, that every slave, on the passing of this Act, shall

immediately, not in one year, or two years, have the power of claiming to be put in a situation in which they may enjoy all the privileges of freemen . . . in which their rights of property may be as full and complete as those of their masters—a state, in short, in which they would be entitled to every right and every privilege of freemen. . . . If I am asked how I propose to meet all those Acts of the Colonial Legislatures which control the actions of slaves? why, I say, if you pass a measure of this kind, you sweep all these Acts away at once.

Note well that no one of these reforms would make Africans paramount over Europeans. The serf does not ask to be made paramount; he asks to be made free.

## CHAPTER XII

### THE NEW SLAVERY

A NEW sort of slavery has been devised and is in operation in the world. Chattel-slavery was not the first sort of slavery and was not the last. What then marks the slave from the freeman?

Some Socialists talk about wage-slavery, quite absurdly, since the people alleged to be slaves are the great majority of an all-powerful electorate. On the other hand, there have often been people who were technically slaves, but really free. In the early days of Islam there were slaves who commanded armies. In West Africa there once was even a slave dynasty, that ruled over freemen. All such slavery is clearly a mere legal fiction. Further, mere poverty, however profound, does not make men slaves. In India there are millions of families with incomes of 4d. a day or even less. But their poverty is not contrived. Their Government may or may not be at fault for failing to take active measures to relieve their poverty. But at least it has taken no active measures that have helped to create their poverty.

But if, in any country, there exist people whose incomes are restricted, by measures deliberately contrived by their Government, to sums that permit them to have only the bare necessities of life in order that certain other people may enjoy the profit of their labour, then the right name for those people is slaves. A society is a slave-society if its Government pursues a policy that is designed to make one



section of it as rich as possible by endowing it with the profits of the labour of another section.

A little reflection shows that chattel-slavery, in which the body of a man or woman is the property of another man or woman, which was the common kind of slavery a few generations ago, is far from being the ideal form of slavery. After new importations into the American plantations were stopped, the breeding of slaves gave endless trouble. Human animals, unlike most others, can do nothing to support themselves for at least five years after they are born, and their care absorbs the energies of others who, but for them, might be producing wealth. Planters also found that much food was stolen to keep alive aged and otherwise unprofitable slaves. But the greatest defect of chattel-slavery was totally irremediable. In chattel-slavery the only incentive to labour is fear of the lash. And human nature is such that fear of the lash is a hopelessly inadequate incentive. The planters found it impossible to prevent their slaves from eating and drinking edible and potable produce. And the slaves had to be locked up in sheds at dark, since if they were not, they burned their masters' houses down.

Clearly, one ought to be able to devise a more efficient kind of slavery than chattel-slavery. Let us make the attempt. To state the problem in its simplest form, let us suppose the existence of a country inhabited by a hundred masters and a hundred thousand slaves. The former have ample capital and are on a far higher cultural level than their slaves. The problem is, how could the hundred obtain maximum profit from the labour of those of the hundred thousand who are capable of work. In the first place, they would not dream of burdening themselves with the ownership of the slaves' bodies. The difficulties of making sure that as many babies as possible live to become profitable investments, and the problem of what ought to be done with slaves when they are past work, are the last things they

would want to be troubled with. All they would care about would be, first, to get everyone working as hard as possible, and second, to acquire the maximum share of the wealth produced. They would not even care if some few of the slaves with special energy and intelligence managed to get more than just enough for bare subsistence, since the knowledge that such relative prosperity was possible would act on many others as the greatest possible incentive to maximum effort. In fact if they were criticised for having invented a new kind of slavery, they would prefer that some few of the slaves should have more than was strictly necessary for economic efficiency, to prove that the people were not slaves at all, and that the reason the rest were so miserably poor was that they were lazy. And they would not care by what system the slaves were provided with the necessities of life, whether by the wage-system or otherwise, so long as they got practically all the surplus wealth.

The means our hundred men would use in order to ensure a maximum profit from the labour of the rest of the population would be, first, of course, to get control of the Government. If that were impracticable, it would do just as well if the Government were in the hands of men who, though not directly interested, could be trusted to undertake the measures that would lead to the desired consummation. The men most likely to be devoted to this policy would be those of the same country and the same social class as those the hundred masters belonged to. Next, these masters would get this sympathetic Government to transfer to them the ownership of all the land that was surplus to the food requirements of the slaves. If they wished that some of the slaves should make their homes on their estates, they would get the Government to leave some of the slaves no land at all. Next they would get the Government to tax the slaves, so that as nearly as possible all they had left when the necessities of life were paid for should be devoted to the

cost of governing the country, so that thus they themselves should be relieved of that expense. Also the need to find the money to pay the taxation would help to ensure maximum effort by the slaves. The masters would expect the Government, of course, to spend the money got by taxing the slaves on their estates, on railways, roads, schools for their children, and so forth. And the Government would carry their produce on the railways for less than the cost of transporting it, making up the deficit by charging heavy rates on the slaves' clothing and such like. If wages were the means whereby the slaves provided themselves with these articles, the Government would be expected to do what it could to keep wages low, which, in any case, would be the natural course, since a Government can most easily reduce the cost of governing by reducing the wages of such of its employees as have no political influence. Since those who have to sell in the world market never get prices as high as they desire, the masters would get the Government to ensure higher prices for their produce at home, by a high tariff and high freight-rates on competing produce from outside.

If these indirect measures failed to give the masters the maximum proportion possible of the wealth produced by the slaves, they would get the Government to prohibit outright the cultivation by the slaves of what they grew on the estates of their masters, and to make it a crime for a slave to be in possession of such produce. And finally, if even that did not produce the profits desired, the masters would have to get the Government to pay them cash subsidies out of the general revenue of the country. Criticism of those measures would best be silenced by efforts to persuade the world, through the press, and books, and, above all, by official reports, that they conferred great benefits on the slaves.

The author would be grateful if readers would suggest any additional measures that would make this new sort of slavery more efficient. Even this imperfect scheme, he

submits, is a great improvement on chattel-slavery. It seems to him to combine all its advantages with none of its disagreeable features, and to provide the remedy for its one incurable weakness, the lack of offering the slave an incentive to maximum effort.

All the measures that have just been described have been employed by the Government of Kenya. The very last of them, the cash subsidy, was devised and carried out when a Labour Government was in office in Westminster. It allowed the Government of Kenya to vote a sum of over £100,000, nominally as loans, in order to pay a subsidy of 2s. a bag on maize exported. But the farce of pretending that the money would ever be repaid was so evident that the scheme had to be dropped after about £50,000 had been so spent.

This new kind of slavery also prevails, with certain modifications, some of which make it less, some more onerous, in the Union of South Africa and in both Rhodesias. In French, Belgian, and Portuguese Africa, though the system is more nakedly a slave-system than in South Africa and Kenya, escape from it is made possible for a minority. It is partially in operation in Uganda and Nyasaland, and there are more than traces of it in Tanganyika. In British West Africa there is no trace of this new slavery. There, danger comes from quite another quarter.

The kind of man who has had a distinguished military career often makes an admirable Governor of a country inhabited by uncivilised tribes in process of being compelled to accept our authority, with the hut tax and forced labour as its insignia. Such men know how to subjugate with maximum speed and minimum bloodshed. But a generation or more later, when the spread of libertarian and other ideas produce changes that are all the more rapid because so long delayed, the man with military experience and ideas is soon out of his depth. A typical instance is Sir Samuel Wilson,

the senior Permanent Under Secretary in the Colonial Office, whom Mr. Amery sent to Kenya early in 1929 to see if some compromise that would meet with general agreement on the proposals of the Hilton-Young Report could be reached. In his Report, the proposals in which were acceptable to the settlers and condemned by the Indians, Sir Samuel did not even think African opinion deserving of discussion. Sir Joseph Byrne, the present Governor, also has had a distinguished military career. If an outbreak occurs during his first year of office, he ought not to be blamed for it, as he cannot be expected at once to discover that he has inherited a vast manufactory of sedition. Even if he discovers the need for drastic reforms, he will not be able to carry them out in the absence of active support from responsible quarters in this country. Of that support, those who sent Sir Joseph to Africa have given him none whatever. It has to be admitted, moreover, that Sir Joseph himself seemed, when he went to Kenya, to have had no idea that he needed the support of a loud and insistent demand for reform from the public in this country. Just before he went to Kenya he made a speech in which, as reported in the *Times of East Africa* of February 14, 1931, he said:

I am told that I am in for a difficult job, but I have been in difficult jobs before, and one sometimes finds that things do not turn out quite as formidable as one expects. In any event I am taking office with a completely open mind. I shall do my very best to be just and fair to all classes. Kenya, unfortunately, has been too much in the limelight lately; it would be better if we could so manage our affairs as to be left alone in peace. I am told that there is a solid body of reasonable men in the Colony, who have neither the time nor the inclination for political strife, and who dislike all this publicity. If I could gain the confidence and friendship of these we might together do something, for this world-wide trade depression requires, both from the Government and from individuals, all the energy and thought we can devote to it. Hard work and economy were never more necessary than they are to-day.

Readers have been told enough to enable them to judge for themselves whether trade depression, serious though it is, is what matters most in Kenya. That, however, is not the most important point in the passage. In deprecating publicity—daylight would fit the situation better than limelight—Sir Joseph would destroy the one force that would enable justice to be done in Kenya and disaster avoided, the force of an instructed public opinion. When things go wrong in a regiment or in any other private institution, they ought to be put to rights privately. But the policy rightly to be pursued in East Africa, or in any Dependency for which our country is responsible, cannot be determined by an ignorant public. Things went wrong in Kenya precisely because neither the public nor Imperial Parliament was ever asked whether or not the Europeans who were going to Kenya to live, should be allowed a privileged position as compared with its native inhabitants. Things have gone from ill to worse in Kenya because so few people in this country know how this policy of privilege has worked out, and because of the unpatriotic apathy of many who do know.

The settlers for their part make no secret of their confident expectation of preventing the directions of the White Paper from being carried out, and of stultifying the announcements and pledges of a whole series of British Governments. In the past they have won every struggle of consequence with the Colonial Office. Their tone at this juncture shows that they scarcely expect it to struggle at all. The following resolution was unanimously passed at a meeting of the Convention of Associations that represents all the local Associations of the settlers, as reported in the Nairobi press of August 30, 1930:

The Colony relies on the pledges given by responsible Ministers of the Crown that no changes will be made without the consent of the Colony. . . . That the Convention . . . wishes to place on record that, though the Colonists in Kenya, for Imperial reasons, went

to their utmost limits of concession to enable Sir Samuel Wilson to obtain agreement, the present proposals of His Majesty's Government so violate their main principles that they have no alternative but to withdraw their concessions and to revert to the *status quo ante*, until other proposals are put forward by His Majesty's Government for consideration by us here in Kenya.

The arrogance of this pronouncement is typical. They are Kenya Colony. The pledges they refer to are purely mythical. So also with Sir Samuel Wilson's "agreement", of which no single Indian or African has ever expressed approval.

The Chairman of the last Caledonian dinner in Nairobi, always in Kenya an important occasion, is thus reported in the *Times of East Africa* of December 6, 1930:

I believe I am voicing a unanimous opinion when I say that Native interests in this country are and always will be, by common choice, definitely safeguarded, and while I believe that well-balanced opinion in this country should not attach too vital a significance to the unfortunate use of the word Paramount in the famous Memorandum on Native Policy, nevertheless we must take every precaution to ensure that European interests are in no way subordinated.

Colonel Durham was the Chairman of a meeting in June 1930 of the farmers of Kiambu, the District where, as we read in Chapter IV., the land of some thousands of Kikuyu families was given, without compensation, to Europeans. Referring to the White Paper, he said, as reported in the *Times of East Africa* of June 28, 1930:

To his mind the documents before them constituted a betrayal of the British element in the Colony, whether they were engaged in commerce or agriculture. (Hear, hear.) They would not submit to the suggestion that the native must be "paramount". . . . They could not accept the suggestion of a Common Roll. (Hear, hear, and applause.) Such a policy would sound the death-knell to White Settlement in Eastern Africa. We intend, said the speaker, to remain the dominant race and the ruling factor in East Africa. The White

Paper contained the extraordinary suggestion that under Closer Union many privileges under the Mandate enjoyed by Tanganyika should extend over the territories here. They must decline to submit themselves to any mandatory condition whatsoever.

Such are the men in fear of whom our country fears to do justice. If, as may well prove to be the case, this book has been written too late, if the harvest of injustice long continued and promises of reform long unfulfilled has to be reaped, may the British Government of that day remember these wise words of Mr. Gladstone: "I am sorry to say that if no instructions had been addressed in political crises to the people of this country except to remember to hate violence, to love order, and to exercise patience, the liberties of this country would never have been attained."



## APPENDIX<sup>1</sup>

### POPULATION AND ITS RATIO TO TOTAL ACREAGE IN CERTAIN NATIVE DISTRICTS OF KENYA COLONY

	Population.	Acres per head.
<b>KAVIRONDO PROVINCE.<sup>2</sup></b>		
<i>Districts:</i>		
N. Kavirondo . . .	332,835	4·6
C. Kavirondo . . .	370,046	3·1
S. Kavirondo . . .	320,514	5·9
<b>KIKUYU PROVINCE.</b>		
<i>Districts:</i>		
<i>Meru—</i>		
Igembe . . .	35,238	6·0
Tigania . . .	35,652	4·5
Imendi . . .	80,097	2·2
Tharaka . . .	10,937	14·0
<i>Embu—</i>		
Muthambi . . .	3,784	3·3
Mwimba . . .	14,099	5·8
Chuka . . .	13,448	5·6
Embu . . .	38,594	3·4
Mbere . . .	23,071	17·2
<i>Nyeri—</i>		
Nyeri . . .	107,155	2·0
Keruguya . . .	83,738	3·1
<i>Fort Hall—</i>		
N. Maragua . . .	86,279	2·2
S. Maragua . . .	86,540	2·2
<i>Kiambu—</i>		
Mukinyi . . .	24,523	3·3
Kiambu . . .	24,293	2·5
Dagoreti . . .	31,306	1·3
<i>Total</i>		912

<sup>1</sup> Compiled from information given in the House of Commons, June 10, 1931.

<sup>2</sup> Compiled from Report on *Kikuyu Land Tenure*, November 1929.

NATIVE SQUATTERS RESIDENT UPON EUROPEAN  
HOLDINGS IN KENYA COLONY ON JULY 30, 1930

Province.	Total.	Per cent.	Acres occupied.	
			Total.	Per Head.
Coast . . . .	503	0.5	2,806	5.3
Ukamba . . . .	5,943	5.4	79,680	13.4
Kikuyu . . . .	27,096	24.6	209,123	7.7
Naivasha . . . .	16,083	14.6	133,642	8.3
Rift Valley . . . .	11,940	10.8	85,365	7.1
Nzoia . . . .	29,195	26.5	388,338	13.3
Nyanza . . . .	19,396	17.6	162,929	8.4
Total . . . .	110,156	100.0	1,061,883	9.6

NATIVE SQUATTERS IN THE KIKUYU PROVINCE

District.	Total.	Per cent.	Acres occupied.	
			Total.	Per Head.
Nairobi . . . .	1,330	5.0	21,330	16.0
Kiambu . . . .	11,479	42.4	63,745	5.5
Fort Hall . . . .	10,674	39.4	79,581	7.4
Nyeri, North . . . .	3,567	13.1	44,467	12.5
Embu and Meru . . . .	46	0.1	...	...
Total . . . .	27,096	100.0	209,123	7.7

NATIVE SQUATTERS IN THE NYANZA PROVINCE

District.	Total.	Per cent.	Acres occupied.	
			Total.	Per Head.
Kavirondo, Central . . . .	...	...	...	...
"    North . . . .	432	2.2	678	1.6
"    South . . . .	...	...	...	...
Ksu Ldi . . . .	9,026	46.5	84,081	9.3
Kericho . . . .	9,938	51.3	78,170	7.8
Total . . . .	19,396	100.0	162,929	8.4

DISTRIBUTION OF LAND AND LIVESTOCK IN CERTAIN  
NATIVE DISTRICTS OF KENYA COLONY AS AT JULY 31, 1930

District.	Each Head of Population.					Per 100 acres of Pasture.	
	Acres.			Number of		Cattle.	Sheep.
	Total.	Arable.	Stock.	Cattle.	Sheep.		
<i>Coast:</i>							
Nyika, North . . .	15.80	0.40	15.40	0.22	0.57	1.45	3.74
„ South . . .	22.65	0.56	22.09	0.51	0.97	2.29	4.39
Average . . .	18.12	0.46	17.66	0.32	0.71	1.81	4.00
<i>Ukamba:</i>							
Machakos . . .	4.75	0.17	4.58	1.10	1.38	24.10	30.30
Kitui . . .	27.40	1.06	26.34	1.58	2.63	6.00	10.00
Teita . . .	5.40	0.30	5.10	0.23	0.68	4.50	13.50
Average . . .	12.59	0.59	12.00	1.20	1.75	9.80	14.45
<i>Kikuyu:</i>							
Kiambu . . .	2.87	1.82	1.05	0.35	0.56	33.50	53.20
Fort Hall . . .	2.15	1.28	0.87	0.11	0.81	13.00	92.40
Nyeri South . . .	2.38	0.73	1.65	1.17	3.73	71.06	225.80
Embu . . .	7.50	1.00	6.50	0.18	0.76	2.50	11.70
Meru . . .	9.70	0.70	9.00	0.68	0.62	7.50	6.90
Average . . .	4.72	1.03	3.69	0.57	1.54	15.58	41.72
<i>Nzoia:</i>							
Nandi . . .	11.20	0.20	11.00	4.40	3.80	39.40	34.60
Elgeyo } . . .	21.91	1.10	20.80	0.96	3.76	4.65	18.00
Marakwet }							
Average . . .	16.00	0.60	15.40	2.87	3.79	18.61	24.56
<i>Nyanza:</i>							
Kavirondo, Central	3.34	0.64	2.70	0.99	1.12	36.60	41.50
„ North	4.64	0.82	3.82	1.34	0.23	35.20	6.10
„ South	6.11	0.62	5.49	3.08	2.44	56.14	44.50
Average . . .	4.66	0.70	3.96	1.77	1.24	44.69	31.30
Masai . . .	198.04	0.02	198.02	18.58*	17.08	9.38†	8.63
General Average . . .	10.42	0.73	9.69	1.59	1.79	16.45	18.52

All Goats are included with sheep.

Land is the gross area and includes cultivatable, semi-arid and desert land watered and waterless.

\* Includes Donkeys 3.58.

† Includes Donkeys 1.80.