

JOINT COMMITTEE ON
CLOSER UNION IN
EAST AFRICA

Vol. III.—APPENDICES

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JOINT COMMITTEE ON EAST AFRICA.

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APPENDIX No. 1.

(Vide Question No. 1.)

MEMORANDUM FROM SIR SAMUEL WILSON GIVING AN ESTIMATE MADE AS TO THE FINANCIAL ASPECTS OF H.M. GOVERNMENT'S PROPOSALS FOR CLOSER UNION IN EAST AFRICA.

1. Appendix III of Sir Samuel Wilson's report (Command 3378) is a Note showing approximately the financial aspect of the scheme of Closer Union put forward in his report. It is proposed to start from this as a basis, and to examine what modifications (if any) in the figures given by Sir Samuel would be involved if the scheme of Closer Union contemplated by His Majesty's Government is adopted. Opportunity will also be taken to bring Sir Samuel Wilson's figures up to date, i.e., to substitute figures taken from the 1930 (or 1930-31) Estimates of the Dependencies concerned for the 1929 (or 1929-30) figures given in his report. Account will also be taken of the fact that, as explained in Sir Samuel Wilson's Report the reorganisation of the military forces was not necessarily dependent on a scheme of Closer Union being adopted, and, as pointed out below, the reorganisation scheme has already been brought into force, and the savings resulting therefrom have already been largely realised.

2. It was contemplated by Sir Samuel Wilson that the Central Authority would be financed by retaining a certain percentage of the total customs revenue of Kenya, Uganda and Tanganyika, and the whole of the postal and telegraph revenue. In addition, the Railways would pay a joint contribution of £10,000 a year to the Central Government.

The scheme of Closer Union contemplated by His Majesty's Government would not involve any alteration of the above arrangements, since it was not Sir Samuel Wilson's intention (as would appear from page 16 of Command Paper 3574) that customs revenue should be collected by a local Government and a percentage paid over to the High Commissioner.

3. Under Sir Samuel Wilson's scheme, the Central Government would be required to defray the cost of:—

- (a) Administering the customs service, and the posts and telegraphs service.
- (b) Central research.
- (c) Defence.
- (d) The High Commissioner's establishment.

Under the scheme envisaged by His Majesty's Government certain wider functions would fall to the lot of the High Commissioner and the Central Authority than under Sir Samuel Wilson's scheme, and it is necessary to consider what additional expenditure will be required on this account. For this purpose (and throughout this note) it is assumed that Railway finances will be kept separate and no reference is made to them apart from the annual contribution of £10,000 already mentioned, and the further liability shown at the end of paragraph 8 below.

4. The additional functions to be carried out by the High Commissioner under His Majesty's Government's scheme are:—

- (a) He is to be Chief Adviser on Native Policy to the Secretary of State, and, as such, is to be entrusted with a number of duties.
- (b) Air and motor services and the East African Dependencies Trade and Information Office in London are added to the "transferred" services.

5. So far as can be foreseen, the administration of (b) above would not involve any addition to Sir Samuel Wilson's estimates, since (1) the subsidies to Imperial Airways, Limited (which constitute practically the only Government expenditure on air transport services) would continue to be paid direct

Cmd. 3574,
page 6.

Appendix No. 1—*continued.*

by the local Governments; (2) the motor services, in so far as they are public transport services, are operated by the Railways; and (3) the contributions for the maintenance of the East African Dependencies Trade and Information Office would continue to be paid direct by the local Governments.

The practical question is, therefore, what addition should be made to the budget of the Central Authority, as drawn up by Sir Samuel Wilson, in order to provide for the additional staff required in consequence of the High Commissioner becoming the Secretary of State's Chief Adviser on native affairs.

6. It is considered that the High Commissioner would require the following additional staff:—

<i>Appointments.</i>	<i>Salary suggested.</i>
	£
1. Secretary for Native Affairs	2,000
2. 2 Assistant Secretaries (on scale £720-30-840-40-920)	1,640
3. 4 European Clerks	1,132
4. Non-European Staff (say)	500
5. Rent of Buildings	1,500
6. Incidental Charges (Passages, Travelling, etc.) ..	2,500
Total ...	9,272

(Say £9,000)

7. In Sir Samuel Wilson's report the cost of the High Commissioner's establishment was tentatively estimated at £50,000. It would, of course, be impossible to draw up any detailed Estimates until details of the staff arrangements, etc., were settled, but the following may be taken as a working basis:—

	£
1. High Commissioner (Salary)	7,500
(Duty allowance)	2,500
2. Chief Secretary (common services)	2,000
3. Legal Adviser	1,800
4. Financial Adviser	1,800
5. Chief of Customs	1,600
6. Postmaster General	1,600
7. Statistician	1,000
8. 4 Assistant Secretaries (on scale £720-30-840-40-920)	3,280
9. 6 European Clerks	1,700
10. Non-European Staff	700
11. Private Secretary	500
12. Aide de Camp	400
13. Government House Maintenance (including sub-ordinate staff)	5,000
14. Rent of buildings:—	
(To cover (i) cost of repairs;	
(ii) interest and sinking fund charges	
on capital cost)	9,000
15. Incidental charges (Passages, travelling, etc., including expenses of Council)	5,000
Total ...	45,380
Add 10 per cent. for Contingencies	4,538
Total ..	49,918

(Say £50,000)

Appendix No. 1—*continued.*

NOTES.

(i) No provision has been included for the payment of pension contributions from the funds of the Central Authority which would ultimately be liable for the actual pensions. Service on the High Commissioner's staff would be declared to be "public service" for the purpose of the East African Dependencies European Officers' Pensions Ordinances, so that the existing rights of any officers transferred from the service of the East African Governments would be preserved.

(ii) Rent has been calculated on a basis of capital value of £125,000, the interest and sinking fund charges being computed at approximately £7,000.

(iii) The Statistician is at present attached to the Governors' Conference Secretariat and provision for his salary (which is at present £1,000 a year) would be required. If, however, it were decided to appoint a Director of Railways at once and not to appoint a Financial Adviser (see note (f) on page 16 of Sir Samuel Wilson's report), the Statistician's salary (if required) could be met from the provision made in the above estimate for the salary of the Financial Adviser.

8. Taking into account the figures given in paragraph 6 of this note, and giving 1930 (or 1930-31) figures for those of 1929 (or 1929-30) the schedules given below should be substituted for those given on pages 35-36 of Sir Samuel Wilson's report. The following points should be noted:—

(a) Under "Expenditure" allowance is made for the total anticipated savings of £10,000 in the cost of administering the unified Customs and Posts and Telegraphs Departments, i.e., the figure taken is the combined estimated expenditure of the three Dependencies in 1930 (or 1930-31) less a sum of £5,000 in each case. (See paragraph 13 of Appendix III to Sir S. Wilson's report.)

(b) The reorganisation of the King's African Rifles on the lines mentioned on page 21 of Sir Samuel Wilson's report has already been put in hand. Although the full economies have possibly not yet been secured, the estimates for 1931 (or 1931-2) will show a saving of £42,000 in respect of expenditure borne by the Governments of Kenya, Uganda, Tanganyika, as compared with 1929 (or 1929-30). As the financial year 1930 (or 1930-31) was a "transition" year, in which reorganisation was in active progress, it has been thought preferable, in the case of Defence expenditure, to insert estimated figures for 1931 (or 1931-2) as being more normal. In paragraph 13 of Appendix III of Sir Samuel Wilson's report it was stated that an estimated saving of £60,000 would be secured if the scheme of military reorganisation were put into effect. This, however, included £10,000 in respect of Nyasaland, leaving a saving of £50,000 for the three Northern Dependencies. As stated above, the 1931 (or 1931-32) expenditure is expected to be £42,000 below that in 1929 (or 1929-30). It is possible that, with the completion of the reorganisation arrangements, further economies may be found possible which will bring the total saving up to the figure mentioned by Sir Samuel Wilson—viz., £60,000—but as any such economies are independent of the Closer Union proposals no account has been taken of them in the schedules below.

(c) The figures for Research expenditure include the contributions from Kenya, Uganda and Tanganyika to the East African Institute of Human Trypanosomiasis at Entebbe.

Appendix No. 1—continued.

1.

SKELETON BUDGET OF CENTRAL AUTHORITY.

<i>Revenue.</i>	£	<i>Expenditure.</i>	£
25 per cent. of Customs Revenue	536,000	Central Organisation	59,000
Postal Revenue ...	338,000	Customs	85,000
Railway Contribution ..	10,000	Defence	282,000
		Posts and Telegraphs ...	282,000
		Research	14,000
		Repayments to —	
		Kenya	118,167
		Uganda	3,167
		T.T.	40,667
	£884,000		£884,000

CALCULATION OF REPAYMENT.

(a) Calculations affecting revenue.

	Kenya.	Uganda.	T. T.	Total.
25 per cent. of Customs Revenue:—	241,000	105,000	190,000	536,000
Postal Revenue:—	182,000	53,000	103,000	338,000
	423,000	158,000	293,000	874,000

(b) Allocation of Expenditure.

	Kenya.	Uganda.	T. T.	Total.
	£	£	£	£
Central Organisation	16,333	16,333	16,333	49,000
Customs*	38,000	17,000	30,000	85,000
Defence	115,000	65,000	102,000	282,000
Posts and Telegraph†... ..	133,000	52,000	97,000	282,000
Research	2,500	4,500	7,000	14,000
	304,833	154,833	252,333	712,000

* Estimated Customs expenditure 1930 (or 1930/31) less £5,000 divided in proportion to Customs revenue as in Sir Samuel Wilson's report.

† Estimated Posts and Telegraphs Expenditure 1930 (or 1930/31) less the anticipated saving of £5,000, which saving has been allocated between the three Dependencies in the same proportion as in Sir Samuel Wilson's report.

Appendix No. 1—continued.

(c) Repayments due.

	Kenya.	Uganda.	T. T.	Total.
	£	£	£	£
Revenue credited	423,000	158,000	293,000	874,000
Expenditure allocated	304,833	154,833	252,333	712,000
	118,167	3,167	40,667	152,000

SCHEDULE III.

(a) Effect on Estimates of each Dependency.

	Kenya.	Uganda.	Tanganyika.
	£	£	£
Revenue:—			
Decrease in Customs Revenue ...	241,000	105,000	190,000
Decrease in Postal Revenue ...	182,000	53,000	103,000
Total Decrease	423,000	158,000	293,000
New Item of Revenue (Repayments from Central Authority).	118,167	3,167	40,667
Net Decrease in Revenue ...	304,833	154,833	252,333

(b) Expenditure.

The following would be deleted from the Dependency's Estimates:—

	£	£	£
	Kenya.	Uganda.	Tanganyika.
Governor's Conference	1,750	1,750	1,350
Customs	33,000	17,000	40,000
Defence	115,000	65,000	102,000
Posts and Telegraphs .. .	135,000	53,000	99,000
Research	2,500	4,500	7,000
	£287,250	£141,250	£249,350

(c) The net result is therefore:—

	£
Kenya—Loss of approximately	17,500
Uganda—Loss of approximately .. .	13,500
Tanganyika—Loss of approximately	3,000

Appendix No. 1—continued.

Railway Administrations.

The above calculations provide, in accordance with Sir Samuel Wilson's proposal, for a joint annual contribution of £10,000 from the Railways calculated as a percentage of the gross revenue of the two systems. Sir Samuel Wilson also contemplated that the salary and expenses of the Railway Adviser (or Director of Railways) should be provided for in the same manner. It is thought that the salary of the post could not well be less than £3,000 and that an additional £2,000 for expenses would be reasonable. The total amount to be contributed by the Railways would thus be £15,000, which would be allocated in accordance with Sir Samuel Wilson's proposals in the following proportions:—

	£
Kenya and Uganda Railways and Harbours	12,000
Tanganyika Railways	3,000

As a sum of approximately £4,000 is already provided for the High Commissioner for Transport in the Estimates of the Kenya and Uganda Railways and Harbours the net additional expenditure, in the case of that administration, would be £8,000.

9. It should be pointed out that no account is taken in the above figures of indirect changes which might be involved in the Estimates of each territory as the result of the creation of a Central Authority. It has been represented that the appointment of such an authority would probably involve the appointment of increased staff in certain Departments of the local Governments (e.g., the Secretariats) and, consequently, increased expenditure. On the other hand, economies might result in other directions (e.g., from a centralised system of audit); but it is not possible to calculate what the net result is likely to be. The local Governments might be faced with capital expenditure on account of buildings, etc., for the central authority, but they would recover this in the form of interest and sinking fund payments made by the Central Authority (see item 13 in paragraph 7 above).

APPENDIX No. 2.

(Vide Question No. 590.)

MEMORANDUM FROM THE REV. W. E. OWEN, ARCHDEACON OF KAVIRONDO.

The proposed Franchise for Kenya.

In paragraph 9 of the Statement on Closer Union, the opinion is expressed that "with regard to the franchise for the Legislative Council of Kenya . . . the establishment of a common roll is the object to be aimed at and attained, with an equal franchise of a civilization or education character open to all races."

As far as Africans are concerned, the objections to this are, it is submitted, as follows:—

(a) To demand of African taxpayers a qualification equal to that of Europeans is unfair to Africans now, and must be unfair for some generations to come. If the qualification be an educational one, it is unfair, because the policy of the Colony in educational matters, as set forth in the 1929 Report, is clearly differential. "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" (p. 6). The policy of the Colony is to give a general education to Indians and Europeans, but an artisan training to Africans (p. 6 and 7). The African is relegated to the lower reaches of an educational curriculum.

(b) In emphasising the status of the individual it disregards the larger claim of the community. Individually, the European pays to the State £36 a year as against the African's 6s. 6d. But the European community, as a community, pays but about half of what the African community pays. Considered from the community standpoint, the proposal debars Africans from the status which their contribution to the State would justify.

(c) The practical working out of a common roll with an equal franchise would result in subverting and destroying what is left of tribal values and authority, turning the social order of tribal life upside down. We are committed to the development of African Councils in Kenya, and Local Native Councils are already in existence. On these Councils sit the elders of the communities, wise in tribal law and tradition, but illiterate from an educational standpoint. Under a common roll with an equal franchise the youngsters in tribal training, the products of schools, would exercise a responsible function denied to those who are accounted by tribal custom best fitted to perform them. A cleavage would be made where more than ever unity and co-operation are required.

(d) A common roll, it is highly probable, would cause and would maintain racial animosities, for with every increase of the African voters on the roll, Europeans would scheme to raise the standard of qualification, in order to keep Africans off the roll. A common roll would commit Africans to a pursuit of the shadow of electoral influence, and divert them from more profitable participation in the Government of their native land. In the chapter on Franchise in the recent work on South Africa, "Coming of Age," a chapter advocating the merits of the common roll, the policy is thus stated on p. 124:—

"Were the facts ever to become such as to justify the view that the native or non-European vote was likely to swamp the European, it would always be open to the still dominant Europeans to raise the qualifications for the franchise and so strengthen their position at the polls. This was done at the Cape in 1887 and again in 1892."

Appendix No. 2—continued.

The Government's Statement on Closer Union declares that "The goal of constitutional evolution, in Kenya as elsewhere, is admittedly responsible government by a Ministry representing an electorate in which every section of the population finds an effective and adequate voice." In the circumstances of Kenya, where the primitive section of the communities pays twice as much in taxation as is paid by the advanced section, it would appear that some new device is called for to give to the primitive people "an effective and adequate voice." The common roll is clearly an inadequate instrument to effect this desired result. No novelty is claimed for the following proposals, but they are submitted in the belief that they merit consideration.

Africans should be admitted to a communal roll, on the basis of payment of the direct taxation demanded from them. The franchise to qualify them to vote for the election of members of the Local Native Council for their area.

Above the Local Native Councils there should be constituted Provincial Councils and a Central Council. The members of the Provincial Councils should, as to two-thirds of their number, be elected by the Local Native Councils in the Province. The Provincial Councils would likewise elect two-thirds of the number of members of the Central Council. This Council would elect their representatives in the Legislative Council of the Colony. The number of African representatives should be adequate for the interests involved. The present system of nominated members who have no responsibility to the Africans whose interests they are to represent is bad. The minimum number of representatives should be three, one each for the Coast, the Highlands and the Lake. It might well be more.

-In what I have said above, I have been considering how to secure for the communities which pay twice as much as do European communities, an effective and adequate voice in the affairs of their native land. But some Africans live in towns and in Settled areas, and do not fit into the machinery of tribal life and organization. For these the system I have suggested finds no place. They are comparatively few in number, and many of them are but part-time dwellers out of the Reserves. They live in electoral areas already constituted, returning Europeans to the Legislative Council. The only practical method to adopt with regard to these is to admit them to a common roll on an equal qualification with other races in the electoral area. Some place must be found for them in the political structure. They are already outside of tribal life and their admission to a common roll cannot turn tribal organization upside down. A communal roll cannot be devised for them, for it is not feasible to increase the number of representatives returned from the area in which they reside. The only political expedient to apply to them is the equal franchise on a common roll.

APPENDIX No. 3.

(Vide Question No. 1061.)

MEMORANDUM FROM THE ANTI-SLAVERY AND ABORIGINES PROTECTION SOCIETY.

The Committee of the Anti-Slavery and Aborigines Protection Society begs to submit this memorandum, which is based mainly upon the proposals for Closer Union in the East African Territories, as set forth in Sections 7, 8 and 9 of White Paper Cmd. 3574, referred to your Joint Committee.

We trust that the Joint Committee will feel able to support the principles of the Memorandum on Native Policy, in view of the fact that they embody in the main the views of all political Parties in this country.

In the first place, we beg leave to observe that the definite proposal in Article 8 (Cmd. 3574) under which nominated Members should for the present represent African interests in the advisory and legislative activities of the Colonial territories, has never, so far as we are aware, proved satisfactory, because (a) the nominated Member has not always acted in the true interests of the natives, which has led to the allegation that this was because of conflicting interests; (b) it has seldom, if ever, satisfied native aspirations. While we agree that this system may have to be adopted in certain cases, we urge that this should be done only as a temporary expedient, and subject to certain limitations, including that of a definite period for its operation.

The Committee of the Anti-Slavery and Aborigines Protection Society attaches far greater importance to the following passages in Sections 7 and 9 —

“His Majesty’s Government are of the opinion that the establishment of a common roll is the object to be aimed at and attained, with an equal franchise of a civilisation or education character open to all races.” (Section 9.)

“The goal of constitutional evolution, in Kenya as elsewhere, is admittedly responsible government by a Ministry representing an electorate in which every section of the population finds an effective and adequate voice.” (Section 7.)

“The most promising line of development for the near future may well lie, not in any direct participation in the Legislative Council, but in the increasing importance to be given to the Native Councils.” (Section 7.)

These Sections involve some of the most important considerations affecting the development of Britain overseas during the present period of our history, and we desire to make the object of our principal representations —

(a) The Goal of Citizenship.

(b) The Period of Constitutional Evolution.

Successive Colonial Secretaries have repeatedly laid down that common citizenship is the only sure foundation of British development. This doctrine repeatedly appears in despatches during the reign of Queen Victoria, whilst in more recent times it has found expression in a formal declaration in the following words by Mr. Winston Churchill at the Imperial Conference of 1921:—

“There is only one ideal that the British Empire can set before itself in this regard, and that is that there should be no barrier of race, colour or creed which should prevent any man by merit from reaching any station if he is fitted for it.”

More recently a remarkable manifesto has been issued in South Africa, to which were appended signatures of eminent authorities, including the Rt. Hon. Henry Burton, K.C., Sir Clarkson Tredgold, K.C., late Attorney-General of Southern Rhodesia, Sir James Rose-Innes, K.C., the Archbishop

Appendix No. 3—continued.

of Cape Town, etc. After declaring that "no greater question confronts mankind," the manifesto continues:—

"Equality before the law, freedom for any man to perform any work for which he is competent, and equality in the exercise of electoral powers by all who have satisfied a uniform standard—these have been the birthright of all men. Behind this stands the recognition of the basic fact that all sections of the population are integral parts of the whole, with common interests, that the welfare of the whole country, and not that of any single race or colour, is the true concern of all people. . . . If they (the natives) develop and full citizenship is denied them, there is bound in the end to be a clash. It would, no doubt, be possible for a time to keep them down by force, but force has never proved to be a lasting remedy, least of all in South Africa."

We have no shadow of doubt as to the equity and political expediency of keeping the door wide open to full citizenship for all civilised men and are unable to share the views of those who hold that the natives of East Africa are incapable of producing (within a measurable period) men able to make a substantial contribution to the government of Colonial territory. The evidence to the contrary is so emphatic that we trust your Committee will permit a somewhat wide and varied illustration.

If it be the case that throughout the length and breadth of Kenya there is to-day no single native able to play any part whatever in a scheme of Closer Administrative Union, this constitutes a deplorable commentary upon those who have controlled Kenya hitherto. If true, it is difficult to avoid the deduction that Kenya has given less opportunity to the natives to advance than any other territory under the direct rule of the Crown. It is, moreover, the case that in other walks of life natives, even in Kenya, have shown considerable capacity. An appreciable number of East African natives occupy responsible positions as Clergy and holders of Office in the Church, whilst we have heard from more than one quarter of the business capacity of the Chairman of the Kisumu Native Chamber of Commerce, who is said to be a Kenya native.

We find it hard, therefore, to believe that Kenya natives are so low in the scale of advancement that any prospect of their assuming citizenship responsibilities must be ruled out. In this connection we beg to recall to your mind the very healthy surprise, almost shock, which in recent years has been sustained by public opinion in Australia, where the Aboriginal Races were once regarded as the lowest in the range of civilisation, so low indeed, that white civilisation was invited to contemplate their early extinction. During the last few years, informed opinion has entirely changed. These Aborigines are showing a capacity of which even their best friends never dreamed. The educational establishment in the State of Victoria which obtained the highest marks for advance in a recent year, was a school of pure Aborigines. Individual natives have emerged who have exhibited high talents. A short time ago a draughtsman of one of the largest firms in Sydney was a pure-blooded Aboriginal. James Noble, an Aboriginal in North Queensland, has greatly impressed his colleagues in the Church by his capacity as a speaker, reader and teacher, and has created so much confidence that he has been invited to preach in one of the Churches in Brisbane. His colleague, another Aboriginal, passed an examination with honours, and secured the Bishop's prize. Aborigines are taking charge of machinery, driving motor launches, printing newspapers, and assisting in hospitals. If these things are possible for natives so low in the scale as the Aborigines of Australia we are confident that the natives of East Africa are capable, progressively, of even greater advancement.

Appendix No. 3—*continued.*

The French political attitude towards native races goes further than anything suggested by persons of the most extreme views in Great Britain. Its result is that French coloured subjects have risen to positions of greater responsibility than can be paralleled in most British territories. Natives may be members of all legislative bodies of French Colonial territories; eighteen coloured French Colonial subjects sit in the Chamber of Deputies, one of whom has risen to the position of Vice-President of the Chamber in Paris; another, a Senegalese, has become Under-Secretary of State for the Colonies. This policy of equal civic status has produced men of historic note. Toussaint L'Ouverture, whose country of origin appears to have been Dahomey in West Africa, was a great General and Legislator, and historic records quote as his salient characteristic an unswerving loyalty to his pledged word. The Marquis d'Hermonas said of Toussaint: "God in his terrestrial globe could not commune with a purer spirit." Alexandre Dumas had negro blood, as also General Dodds, conqueror of French Dahomey.

In British West Africa, where the policy laid down in the reign of Queen Victoria is applied in spirit and letter, we find precisely the same results obtaining as in French Colonial possessions. Educated negroes (and even "uneducated" in the European sense) occupy high positions in every walk of life. We find coloured men as Presidents in Chambers of Commerce, elected and nominated Members of Legislative Councils, Doctors, Bishops, Judges, Magistrates, Editors, Solicitors and Barristers. Of these, some of the most eminent are Sir Kitoye Ajasa, Sir Nana Ofori Atta, Bishop Howells, the Hon. S. H. Pearse, and Mr. Cole. The latter has, we believe, held high Administrative positions with white Civil Servants under his control.

Reviewing impartially the whole area of native advancement, it is seen that the measure of progress is everywhere governed by the measure of opportunity, and nowhere is evidence of this law more striking than in the Colony of Kenya, where opportunities for natives to rise to responsible positions are more restricted than in any other British Colonial territory, with the inevitable result that they show the lowest measure of economic, social and political progress.

We assume that in considering the proposals set forth in Section 9 for a Common Roll with equal franchise, the Joint Committee will make some recommendations as to the Civilisation Test referred to in the Section. The Committee of the Anti-Slavery and Aborigines Protection Society trusts that the Joint Committee will be able to formulate a Test; indeed, if such can be set forth, it may have a far-reaching effect upon all British Colonial territories, to the great advantage of the native inhabitants. We trust, however, that any such Test will be based upon common conditions. For example, a British born subject of East Africa should not be expected to satisfy a Civilisation Test whilst naturalised German, French or Portuguese subjects were placed upon the Common Roll *without* any such obligation.

We recognise that an education and income Test is not wholly satisfactory, and without subscribing in every detail to Lord Selborne's remarkable speech at the Cape of Good Hope in February, 1909, we beg to draw attention to certain passages, and to his unique suggestion for dealing with the problem:—

"Now, Parliamentary institutions in England are 550 years old, and yet the bulk of the population, white working men, have not yet had a vote for 50 years! If, in the case of a country which came into contact with Roman civilisation nearly 2,000 years ago, and

Appendix No. 3—continued.

which has actually had Parliamentary institutions for 550 years, the great bulk of the population has only been considered fit for the exercise of the franchise for less than 50 years, how absolutely absurd it is to suppose that the natives of South Africa, the great majority of whom have not been in contact with any civilisation for 100 years, should be fit to exercise the franchise on the same basis as the white man of the country, by extraction either British or Dutch, or French, or German, all nations whose first contact with civilisation dates back to Roman times before the Christian era? No; the natives of South Africa must be led up to the franchise in exactly the same gradual way as the white men were, and, in my opinion, it is a mistake to seek for a system which will apply equally and simultaneously to natives as to white men."

"I am not with those who say that the natives require no system of representation whatever. Far from it, because I do not believe in the possibility of the white men, however good their intentions, being able to rule the natives wisely unless the natives have an opportunity of being heard and expressing their views on what concerns them most."

"I would admit to a voter's privileges any natives who have really reached the average level of civilisation of the white man. The question is: How to judge whether these people have reached the standard of civilisation, and who shall be judges?"

"I suggest that no stereotyped test will meet the case, and that the only authority which could be trusted to decide such a contentious question truly and impartially is a Judge or Judges of the Supreme Court, nominated by the Governor-in-Council for the purpose."

"To such a tribunal a native might make application for the franchise, and on him would rest the burden of proof to show that, by his general standard of living and conduct, he was a civilised man. On being satisfied of the civilised habits of the applicant, the Judge would order his name to be included on the roll of voters, and that native would remain a voter for the rest of his life, provided always and of course that he fulfilled the same conditions or qualifications as are enacted in the case of a white man."

We do not view with any great alarm the alleged danger of "swamping," since experience shows that it takes some time for natives in any large numbers to attain a standard of civilisation justifying their being placed upon the electoral roll. Even when so placed, there is still some delay in their becoming accustomed to exercise the franchise. One of the best examples is no doubt Cape Colony, where the native franchise has been introduced and has worked extremely well for nearly 80 years.

The total population of Cape Colony is 2,838,247, of whom 2,132,110 are non-European. The number of voters on the Register is, Whites 167,184, mixed and other races 23,881, Asiatics 1,737; out of the population of pure-blooded natives numbering 1,640,162, only 15,780 have qualified, but of whom a relatively small number exercise the franchise.

Should the Joint Committee on Closer Union come to the conclusion that any joint legislature now set up must be for the present composed exclusively of non-natives of the territory, we trust it may be emphasised that such a conclusion is merely a temporary and provisional one, and that in the near future East Africa will be brought into line in this respect with other Colonial territories under the Crown.

As indicated, the Committee of the Anti-Slavery and Aborigines Protection Society does not view with favour the appointment of a member of

Appendix No. 3—continued.

another race to represent the African. Only an African can truly represent the aspirations of his own people. Still less are we of opinion that such "representative" membership should be drawn from a particular section of the community. In the meantime, the members of the Official Majority should be regarded as the representatives of native affairs.

Comparisons in this respect are often unfortunate, and we hesitate to make them, but if there is one section of the community which has impressed us with its deep knowledge of native affairs and of warm interest in native welfare, that section is the Native Commissioners. It is indeed rarely that Native Commissioners cannot be found who possess a very real, well-informed attitude regarding natives and their affairs.

Pending effective native representation on Legislative Councils, we suggest that the Closer Union of these territories should envisage the building of a bridge between the admittedly backward stage of native development, and that of the races in other Colonial territories. This bridge, we suggest, should rest upon three main piers:—

(a) *A Native Council.* Those already existing function with ever-increasing success, and should be developed and consolidated, with due care for the preservation of traditional tribal authority.

(b) *The Provincial Councils* should in turn be genuinely composed of tribal representatives drawn from the Native Councils and not manned by "puppet" Chiefs

(c) A Central Council composed of representatives drawn from the Provincial Councils. In this way, the Central Council would represent, roughly, the entire native community in any single territory, or perhaps the whole of the territories brought within the ambit of Closer Union. This body might be empowered, as a temporary expedient, to appoint an agreed number of Members to the Legislative Council. Native legislation, budget proposals, etc., should be made available in simple form to all these Central Councils.

LABOUR, TAXATION AND JUSTICE.

(a) *Taxation.*

We do not know how far Closer Union will involve consideration of the whole question of taxation, but there is one main principle which we would like to urge upon the Joint Committee, namely, the great advantage which accrues to the policy of devoting all direct, and a proportion of indirect, taxation levied upon the native to native welfare. The advantage following this practice is so overwhelming from every point of view, that it merely needs to be stated in order for it to be adopted wherever possible. We have discussed this question frequently with Native Commissioners whose testimony as to the difficult and unpleasant task of extracting hut tax or head tax from native inhabitants is unanimous. The cost of collection, in consequence, constitutes a serious charge upon the revenue. The most notable example of the system of earmarking direct taxation for native purposes which we advocate is to be found in the administration of Sir Hubert Murray, Lieutenant-Governor of Papua. The experiment adopted by Sir Hubert Murray has been so successful that the cost of collection and the amount of unpaid tax are alike negligible, because the impression made upon native mentality is such that it is actually regarded by the natives as evidence of the Governor's displeasure not to be asked to pay the tax. The remarks of Governor Murray upon this question are so interesting that we have attached to this Memorandum an extract from his Report

Appendix No. 3—continued.

(b) Forced Labour.

This question is assuming such importance that we hope that any scheme of Closer Union will carry with it a recommendation for the early abolition of Forced Labour. Most experienced Administrators are now almost unanimous in declaring that the native is not, taking everything into consideration, an idle person. There is a good deal of truth in such colloquialisms as "He works like a nigger," and one which natives frequently use to each other, "Do you think you are a white man that you can sit there doing nothing?"

The International Labour Office has secured wide acceptance of the policy of total abolition of Forced Labour of every kind save only that required to meet the exigencies of some public disaster. We should like to see this policy accepted and affirmed by the Joint Committee on Closer Union for East Africa.

(c) Justice.

We find it difficult to believe that the Joint Committee will frame any system of Closer Union which does not provide for a reform of the judicial system in East Africa. It is, we believe, admitted that steps must be taken in this direction, and we desire to make two suggestions:—

(1) A combination of administrative and judicial functions is not in the best interests of justice, particularly when the Administrative Officer is himself the Judicial Officer, having before him culprits alleged to have failed to carry out his (the Magistrate's) orders given when acting in his administrative capacity. It is alien to British ideals of justice for a man to be Prosecutor and Judge in his own cause.

(2) Cases have frequently come to our notice where a substantial injustice existed which could only be remedied by presenting a test case to the Privy Council. The administration has no funds for such a purpose, while those who suffer from the disabilities at issue are too poor to finance the heavy charges involved. In consequence, the provision of opportunity for bringing a substantial wrong before the competent authority can rest only upon private charity. It is true that there are native funds in possession of the administration which might be used, but in the absence of any such provision it has hitherto proved impossible to secure the necessary grant of funds.

Now the Committee of the anti-Slavery and Aborigines Protection Society is greatly impressed with the value of Native Trust Funds, because so much that is administratively difficult becomes easy when funds are available. In this connection we draw attention to the Native Trust Funds of the Union of South Africa, which, under the fostering care of competent white and native supervisors, are working most satisfactorily. The five Native Trusts of Natal, for example, have to-day cash funds of some £80,000, an annual income of £25,000, and a normal expenditure of about £20,000.

(d) We understand that Closer Union will in any case involve the problem of customs duties on imports and presumably railway reorganisation for the movement of raw produce. In this connection we have observed that Kenya alone in the East African territories is attempting to segregate certain industries in the Colony as between the indigenous inhabitants and the settler community. We do not believe, nor does experience show, that this is the best economic development where agricultural produce is concerned, and we trust the Joint Committee will feel able to recommend that no barriers upon the actual production of raw material should be erected between nationalities. Any difficulties which might arise from defective

Appendix No. 3—*continued.*

production should be met, as in the case of the Gold Coast and other territories, by an adequate staff of Government Inspectors and Supervisors.

We have the honour to be, My Lord,

Your humble and obedient Servants,

(Signed) CHARLES ROBERTS,
President.

TRAVERS BUXTON,
Hon. Secretary.

JOHN H. HARRIS,
Parliamentary Secretary.

EXTRACT FROM REPORT OF SIR HUBERT MURRAY.

Native Taxation.

"In Papua it was thought that, if you impose a tax in order to induce natives to work, you are practically admitting the principle of forced labour. There is something to be said in favour of forced labour, though the precautions against abuse must be so strict that it is probably better left alone, but at any rate, if there is to be forced labour, it was thought that it should be introduced openly, and with those precautions, and not secretly, disguised as something else. So that the native tax in Papua is a tax, and a tax only.

"Further, it was thought that the special taxation of a certain class could only be justified if the proceeds of the tax were expended for the benefit of that class. The natives were already paying in customs duties an amount usually estimated as equal to a half of the local revenue, and it was thought that they would certainly have good cause to complain if the special tax levied upon them were appropriated for purposes of general administration. Consequently a provision was inserted in the Native Taxes Bill that the money raised by the tax should be paid into a separate account, and that, after deducting costs of collection, etc., the balance should be expended on the general and technical education of the native of Papua, and for other purposes having for their object the direct benefit of the natives. One of these purposes will be the sanitation of villages and the treatment of village diseases, of course this has always been done so far as our means have allowed, but there are almost unlimited possibilities of extension."

APPENDIX No. 4.

(Vide Question No. 1202.)

MEMORANDUM FROM SIR CHARLES BOWRING.

In my opinion the appointment of a High Commissioner or Governor General for Eastern Africa is undesirable, and it is my belief that the aim in view would be more satisfactorily achieved by the creation of the post of a special permanent Under Secretary of State for the East African Territories, including the Nyasaland Protectorate and North Eastern Rhodesia.

2. Apart from the question of cost which would be far greater in the case of a local "Central Authority" there appear to me to be a number of objections to the suggested post.

3. As the Secretary of State for the Colonies obviously cannot divest himself of his responsibilities to Parliament in the matter of Colonial affairs, it is not clear what powers could be conferred on a local "Central Authority" which are not, or at least could not, be conferred on the Governors of the Territories concerned.

4. It would therefore appear that, were a "Central Authority" to be appointed the Governors would in effect be reduced to the status of Lieutenant-Governors, and the Legislative Councils of their several territories would be liable to interference by a new link between their President and the Secretary of State. It is difficult to conceive that such a position would be acceptable to the unofficial members of the Councils—especially in those cases in which they are the elected representatives of the public.

5. The Governor would also suffer in prestige—especially with the natives. I consider it most important that every Governor should become personally acquainted with as many of the chiefs, headmen and principal native councillors as early as possible after he assumes the Government of his territory and that he should keep in as close touch as possible with them. The natives thoroughly understand that the Governor is not all powerful and that he has, on many occasions, to make representations on their behalf to a higher authority in England. At the same time they realise that he is the local representative of the supreme power and they appreciate visits by him to their areas and also like to know that they can see him in person when they visit his headquarters. A higher local "Central Authority" would be unable to secure that personal touch, if only on account of the very large area over which he would exercise control, but the mere fact of his being there would immediately relegate the Governor to a backward position in the eyes of the natives.

6. A local "Central Authority" would of necessity have his headquarters in one or other of the territories and it seems to me that he would inevitably be subjected to the influence of the more articulate sections of the Community of that territory.

7. In order to gain local knowledge of conditions in the different Dependencies it would be necessary for him to spend considerable periods away from his headquarters and in the meantime there would be delay in dealing with the affairs of the other territories which, in the absence of the post held by him, would have been disposed of by the Governor concerned.

8. A minor objection would be the overlapping of the terms of office of himself and the different Governors. He would probably require 2 or 3 years to familiarise himself with conditions in the different dependencies and by that time new Governors might have been appointed who would themselves require a certain amount of time before they could speak authoritatively and with confidence on matters affecting their own territories and by then

Appendix No. 4—continued.

there might be a new "Central Authority" who would in turn have to gain local experience.

10. I believe that the main reason for dissatisfaction with Colonial Office control on the part of both the officials and the unofficial politicians to be the belief that a large number of matters to which they attach considerable importance are never considered by the Secretary of State himself or even by the Permanent Under Secretary but are disposed of by comparatively junior members of the Colonial staff, vaguely described locally as "Colonial Office Clerks". The use of a facsimile impression of the Secretary of State's signature affixed to despatches instead of the actual signature itself has, I know, on occasions been bitterly resented by the unofficial members of the Executive Council.

11. It is realised that it is impossible for either the Secretary of State or the Permanent Under Secretary to give their close personal attention to all the affairs of all the Colonial Dependencies and it is therefore felt that under the existing system those officials have to be very largely guided by the sectional officers of the Colonial Office.

12. It is true that within the last year or two the position has been, to a certain extent, relieved by the more complete severance of the Dominions Office from the Colonial Office, and also, so far as Eastern Africa is concerned, by the visit of the present Permanent Under Secretary to some of the East African Territories. But the last named official could not spare the time to visit all the territories and on returning to the Colonial Office after his tour, was of course obliged to concern himself with the affairs of the rest of the Colonial Empire.

13. I suggest that the importance and multiplicity of the problems of Eastern Africa justify the appointment of a very senior official on the staff of the Secretary of State, the whole of whose time would be available for the affairs of that part of the Empire. His headquarters being in London he would be able to keep in touch with the Secretary of State and the trend of Colonial and Imperial Policy generally. He should spend at least half of his time in Eastern Africa where he would before very long acquire an intimate knowledge of local conditions which would be of the greatest value to him in his capacity of adviser to the Secretary of State. At the same time he would have no executive functions and the prestige of the Governors would not be in any way impaired.

14. Coincident with that appointment I would advocate the abolition of the "Governors Conference Secretariat" and possibly the transfer of some of its staff to the new Permanent Under Secretary.

15. Should further conferences of East African Governors become necessary they could be presided over by him, and could be held as occasion determined either in London or in one of the African Dependencies.

16. It seems to me that all the advantages of closer union between the Eastern African Dependencies would be better secured by an appointment such as I suggest and with a minimum interference with existing local institutions at a time when the energies of everyone concerned could be more usefully employed in endeavouring to re-establish the financial and economic position of the territories which is at the present time so seriously prejudiced by the world-wide depression.

APPENDIX No. 5.

(Vide Question No. 2131.)

MEMORANDUM BY MAJOR RENTON AS SUBMITTED TO AND APPROVED BY THE PLANTERS' ASSOCIATIONS OF UGANDA.

1. The proposal to adopt some form of closer union among the three East African Dependencies appears to have originated in a manner different from past instances. Usually the desire for federation arises within the states themselves and gradually comes to a head with a general agreement on the main points of union. In our case, however, we can find no desire for federation expressed by any body of opinion in any of the countries. In fact it appears that there is a strong consensus of opinion against such a course at the present time. Such amalgamation as we already have is not invariably and universally advantageous. We may achieve union in time by our own efforts.

2. If, however, there is a political urge to federation, actuated by the desire permanently to secure Tanganyika for the Empire, then Uganda must needs acquiesce. It is presupposed that our interests would be safeguarded. The basic principle would be the equality of each of the three states with their neighbours, i.e., representation by states, not by calculation of population, resources, etc.

3 This would perhaps be a suitable time for altering the name of the Protectorate "Uganda" is a misnomer and misleading. It is politically, geographically, and grammatically incorrect. The "Lake Provinces" Ruwenzori, have been suggested as names.

4. The Uganda Development Commission (paras. 41 and 42) reported "We do not believe that the amalgamation of Kenya and Uganda would be wise. The characteristics of the two countries are entirely distinct and their development must advance on different lines. We should, however, favour a greater degree of co-operation in certain definite spheres of common interests. We do not feel that there is any need to suggest any definite policy for the development of native areas in preference to European and *vice versa*. In our opinion there will always be plenty of room for both. The land throughout the Protectorate is rich and suitable for close cultivation, while labour requirements are never likely to be so large that they cannot be met by proper organisation without jeopardising the production of native crops."

We think the above holds good to-day.

5. The Memorandum of the Kenya Convention of Associations which must be taken as a considered opinion of a large majority of the people of Kenya, lays down definitely that Kenya as a centre of European civilisation in Eastern Africa must dominate the proposed federation. We understand that point of view. We disagree, but if that attitude is pressed then matters might be adjusted by the restoration to Uganda of the large native area lying in the Victoria Nyanza basin of Kenya. We submit that this is worthy of consideration. Incidentally, rinderpest enters Uganda from that quarter and could be better controlled. Kenya should be content to be *primus inter pares*.

6. While we are convinced that the time is not yet arrived for Federation yet we believe that a system of co-ordination of services common to all Territories should be effected with advantage and at a cost negligible compared to that of a High Commissioner.

7. The Railway Council has worked satisfactorily and could serve as an example for other similar councils. Likewise, we understand that the

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conference of the three Governors has not been altogether unsuccessful and it suggests itself to us that the scope of this conference could be extended to include unofficial representation.

8. Instead of a High Commissioner, who would be a luxury we cannot afford, and who would assuredly require an expensive secretariat, we advocate the appointment of a Standing Committee by the legislatures of each territory which would meet in turn in Kenya, Uganda, and Tanganyika, probably under the Chairmanship of a Chief Secretary in which the meeting is held. This Standing Committee would deal with Railway Policy, Customs, Police, Agricultural Research, etc.

9. Agricultural Research especially, for agriculture is at present the mainstay of the three countries. In Uganda very little has been done in this respect. The Department of Agriculture in Uganda cost in 1929 in salaries alone £23,850, and it is difficult for the public to realise that they received value for the money. The recent and somewhat cynical removal of the Director of Agriculture to Entebbe against the interests of all concerned is indicative of the importance that Government attach to this industry.

10. As regards co-ordination of native policy, we are entirely in agreement with Sir William Gowers' note dated 24th June, 1929 (see Appendix to Sir Samuel Wilson's Report). In Uganda there is no native question except in Bunyoro. For any individual, however gifted, to co-ordinate native policy for the very numerous and diverse tribes would be an impossible task and the idea would not have occurred, we think, to anyone conversant with East Africa.

11. In conclusion, we would state that the one idea of the Planters' Associations is to proceed with their work in tranquillity. They are willing, nay eager, to co-operate loyally with their neighbours for the common weal. They have never been a source of embarrassment to the Government. On the contrary, they have given all the help they can and it is but little that they have received in return.

APPENDIX No. 6.

(Vide Question No. 2332.)

Foreword.

MEMORANDUM FROM THE REV. CANON HARRY LEAKEY, M.A., REPRESENTATIVE FOR NATIVE INTERESTS IN KENYA LEGISLATIVE COUNCIL.

As a preliminary to stating my views with regard to the possible benefit, or not, to the Natives of Kenya of a Closer Union between the Three great Dependencies of Eastern and Central Africa, I would like to mention that, having lived for nearly thirty years within a radius of ten miles of Nairobi, now the busy capital of Kenya Colony, I have had unique opportunities of seeing the effect which the rapid occupation of the Highlands by the white man has had upon the black man. If the mingling of white immigrants with black residents has caused any clash of colour, then that clash has been before my very eyes, for I have lived in those Highlands continuously since pre-white occupation days.

One vital aspect of the question as to whether it is desirable to make some change in the direction of Closer Union, or in any other direction, is, as it appears to me, to know how things have worked out in the past, and are continuing to work out, under the present régime. This must be my excuse if I appear to wander somewhat from the main question before the committee. In addition I would point out that nearly all the questions which I shall touch upon have been mentioned in some degree or other in the questions and answers at previous sittings of the committee, but leaving further elucidation desirable.

Effect of
White Settle-
ment upon
Natives.

If I were asked whether the coming of the White Settler, as apart from the Administrator and Missionary, has been of any economic advantage to the Black Races, more particularly to those of the Highlands, like the Kikuyu, I would unhesitatingly answer in the affirmative. I am convinced that the extraordinarily rapid social and economic development of those tribes which have come into close contact with European farmers and commercial men would not have taken place in the short space of two decades if the African had continued to meet only Administrative and other Government Officials and missionaries. I agree, therefore, that there is real truth put forward by the Settlers themselves, and emphasized by General Smuts in his Rhodes Lectures at Oxford, that the White Settlers have been and are a powerful educative force toward the social and economic development of the Natives, particularly in the matter of cultivating their lands. As an instance of this, I would state that Chief Koinange, who will, I believe, soon be in England to give evidence before the Joint Committee, purchased and made good use of a disc plough, drawn by a large team of oxen, long before any persuasive measures from administrative or agricultural officers were brought to bear upon his tribe. He took this step entirely on his own initiative after observing the great advantage of a drawn plough over manual labour with hoes, as the latter gave place to the former on settler's farms, not only near his land, but on land which had actually belonged to him and his family formerly. He further planted a small experimental plot of coffee, after watching the results of this crop, a novel one then to the Kikuyu, on his new neighbours' estates; but he very sportingly pulled it all up and replanted the whole half acre or so with citrus trees also learnt about from Europeans upon hearing that it was distasteful to them that Natives should grow coffee. He further sold all the coffee seedlings in his nursery, saying that he wished to live at peace with all men and was not going to let a patch of coffee come between him and his European neighbours.

There began also to be a very marked improvement in Native bovine stock in the second decade of this century, due almost entirely to the Natives observing the manifest superiority of European imported stock over their own. This was before the Government's importation of stock had had any effect on the Natives, and young half-bred bulls, from a settler's imported short horn bull, were in great demand, and left a very marked impression

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on many herds for some years. Unfortunately the lack of immunity from disease of these semi-European cattle, and the lamentable results of Government inoculation, changed their views, and they reverted to their original breeds. Otherwise we should to-day have the same improvement in Native cows as we have in poultry and eggs, also largely due to the settlers' example, though of late years the Government has helped to improve the Native poultry stock considerably.

I have written intentionally at some length upon the subject of the effect of the impact of white settlement upon the tribe which I know best to make it clear that I am not what is called "pro-native" to the extent of wishing to oust the European settlers, and leave "Africa to the Africans." As a matter of fact, I greatly dislike the term as implying that one is "anti-" someone else. I am pro-settler, pro-Indian, pro-native, pro every thing that is good and just and fair, and only "anti-" that which is bad, and selfish, and tends to increase racial hatred and prejudice, instead of breeding goodwill and contentment.

Personally, I hold that there is certainly room for a large white agricultural population in Kenya without doing any injustice to the Africans who have lived there for centuries, though I deplore the unmethodical and haphazard way in which white settlement was allowed to begin and which did cause grave injustice to the native landowners. But these are the mistakes of past history, and cannot, alas, be righted now. But they should evoke all the greater sympathy and care for the Natives in any new measures which are to be taken.

I am wholly optimistic about the Highlands being perfectly suitable for white races, and, until it is proved to the contrary, I intend to believe that their children, and children's children, can all thrive in Africa, at an altitude of 6,000 feet, as well as in any part of the globe. I have brought up my whole family there, and I am perfectly satisfied with the result; moreover, I look forward to my grandchildren proving that I am not mistaken in my theory.

This brings me to a point upon which Sir Edward Grigg was insistent in giving his evidence. If the white population is going to live side by side with the black races and no unfortunate clash of colour is to be produced thereby both must be made happy and contented, and the way to do this is to allow each to satisfy their aspirations, so far as is compatible with reason and fairness to all concerned. So long as the black man thinks that the white man is trying to "do him down," and wants to steal his land, or keep him a hewer of wood and drawer of water for ever, of course there will be trouble.

Equally so if the white people who have come to settle and make their homes in the Colony imagine that a paternal Colonial Office is going to translate the word paramount, as used in the 1923 White Paper in regard to Native Interests, into a perpetual disregard of their interests, and only consider those of the Africans, as was erroneously supposed on the issue of the 1930 White Paper on Native Policy, then obviously there will also be trouble.

Hence there arises the all-important question of how can both parties be made happy and contented? Shall it be by Closer Union with the other territories, where the conditions are so very different, and there is no great mass of white plantations dovetailed in with crowded Native Reserves? First, from the Native point of view, would it be beneficial to the Natives of Kenya to be allied in a way which they never have been before with those of Uganda and Kenya? In my opinion there are pros and cons, like, I suppose, in every other controversial suggestion, and the question is, which of these outweigh the other? Let us take an example of each. First let us suppose that the Natives of Kenya were very anxious

The term
"pro-native"

Kenya's suitability for
white settlement.

Importance of
contentment
for all.

Possible
effects of
closer union.

Appendix No. 6—*continued.*

to grow coffee. (I am not sure that they seriously are, nor am I sure that it would really benefit the tribes to grow crops purely for export.) They might grow rich quicker, but until the day comes when they will no longer live on their gardens, but from shopkeepers' supplies, and may that day be long distant, they would do better to use their land for growing wholesome foods for themselves and their children. But supposing they did so wish. Then it is impossible to suppose that when the three dependencies had become a united whole, and representatives from each sat side by side in a general council, that what was allowed to Natives in one territory could be denied those in another, even though the same reasons for wishing them to be debarred the privilege still existed. In such a way one must assume that their unification with a far greater area would be a help to them.

On the other hand, one can easily conceive cases where it might be a hindrance. Let us suppose that in the two great dependencies, Uganda and Tanganyika Territory, it had been decided that only a little English should be taught to a few selected Native pupils, because there were so comparatively few English-speaking people in those dependencies. In the British Colony of Kenya, however, and particularly in the Highlands where English-speaking people are in such great numbers and are in close daily contact with Africans, it had been realised that it was absolutely essential for every single Native, who is likely to come into contact with Europeans, to be given at least the opportunity of learning it at school, whether he happened to be a chief's, or rich man's, son or not. Yet owing to a Closer Union of the three territories, and a strong desire for a common syllabus, together with a common policy, throughout the New Union, this most essential need might have to be sacrificed, which would be an irreparable loss to the Natives of Kenya.

Beyond this, and the obvious fact that if it did not prove too expensive, it would be a considerable advantage to the Dependencies to have all their great transferred services united under one command, just as the Post Office, and Kenya and Uganda Railways have been in the past, I feel hardly competent to say with any certainty whether a Closer Union on the lines suggested would be of great benefit to the Native peoples.

Arising out of questions which have been asked of other witnesses, I would say that it would be absolutely essential for a Governor-General, or High Commissioner, to have a full administrative staff of his own. Further, if there should be a High Commissioner "acting as an eye to the Secretary of State," and spending most of his time in Africa, as has been suggested in Committee, I am convinced that such an official would have to be given a rank above the Governors. With regard to the place of residence for a Governor-General, or High Commissioner, I consider that Nairobi is par excellence that place. If, however, this should mean that the Governor of Kenya would have to reside permanently at Mombasa, it would be unfortunate; so the fact that there is already a magnificent house in Nairobi worthy of a Governor-General, that fact does not seem to help to the extent that it appears at first sight; as a new house in a more central position than Mombasa would probably have to be built for him the Governor.

If I should be asked whether I consider the present *status quo* in Kenya is satisfactory, and should continue, I should most emphatically answer "No."

My reasons for so saying are that unquestionably the white community will not be happy and contented without a considerable and increasing control of their own affairs: at the same time I am convinced that it is not fair to them, let alone the Africans, to give them so large a control of things which concern the African.

The ideal, of course, would be to separate entirely the affairs of the two communities, and give full control of their own destiny to the Europeans,

Governor
General's
staff.
Position of
High Com-
missioner.
Place of
Residence.

Status quo in
Kenya.

Appendix No. 6—*continued*,

while the Colonial Office, for at least many generations of Africans, kept complete control of their affairs as a Native Protectorate.

It has, however, been clearly shown by others that so inextricably interwoven are the matters which concern the white and black communities, owing to the uncontrolled and speedy development of a white colony during the last quarter of a century, right at the very doors—even on the very land—of Africans, that to separate them now into watertight compartments has become impossible.

That being so, we are faced with what is the next best thing to do.

Before attempting to answer this question I must give my reasons for saying that the status quo should not continue, and that it is not fair even to the Europeans that it should.

At the present time on the Legislative Council of Kenya as it exists to-day there are on the official side the Chief Native Commissioner and four Senior Commissioners whose business it is to safeguard the interests of the Natives, while on the unofficial side of the house there is only one person specially appointed for the purpose. That person has for the past three years been myself. Present position

Now I wish to do full justice to my comrades on the unofficial side, that is to say, the elected European members. I could unhesitatingly depend upon their support on many measures for the uplifting and training of the Natives if I had to bring such things up for consideration, and so much do they consider that they have strong moral obligations to fulfil in regard to the sacred trusteeship of the Natives of Africa which the British Government has taken upon itself, that I have more than once been pulled up, on a point of order, when I have ventured, while making a speech to speak of myself as the special representative of the Natives on that side of the house! The implication being, of course, that I was arrogating to myself a duty which every elected member feels equally is a duty incumbent upon him! But obviously when the interests of the European community and that of the African run, as so often they must, absolutely contrary one to the other, the elected member who has this solemn duty to the African so laid upon his heart must find himself in an awkward position, for there comes to his remembrance his solemn promises to his constituency before the last election that he will always put their interest before everything else. And to be placed in such a position I say is not fair to any man. But it is not in open council that the result of this is seriously felt, for there is always what is vulgarly termed the "steam roller." So long as there is a clear official majority and the Governor can order which way it shall vote no serious harm could come to Native interests. But it is in the Select Committee on the Estimates for the coming year that the preponderating power of voting on the European side can make itself felt in so drastic a way. Every unofficial member is an *ex-officio* member of this committee which sits for about three weeks scrutinizing the draft estimates which have been prepared in advance. Of the official side of the Legislative Council there sit only the Colonial Secretary and the Treasurer. Not even the Chief Native Commissioner is present except just when his own department's estimates are being considered. This means that there are 11 persons pledged to vote in the interests of European constituencies and one person specially appointed to lift up his voice on behalf of all the Africans in the Colony. Select Committee on Estimates.

The simplest way to get rid of this anomalous state of things appears to be to have a separate budget for the purely African services which would be dealt with by the Governor through the Chief Native Commissioner and his officers, assisted by an advisory council of persons deeply interested in Native welfare, until such time as there should be a sufficiency of natives advanced enough to discuss with the Government their own affairs. Such Separate Budgets Essential.

Appendix No. 6—*continued.*

Advisory
Board on
Native
Affairs.
Africans'
View.

an Advisory Board on which Missionaries might have seats has long been pressed for by the Kenya Missionary Council of Protestant Missions, but nothing has come of it yet.

Speaking from my knowledge of those Africans who are now really beginning to think about things beyond their goats I can definitely say that this question about who disburses, and settles how shall be spent, the thousands of pounds which they pay out in taxes is beginning to cause grave anxiety. I have actually been asked more than once why it is that the European settler is given this task to do, or takes so large a share in.

Common, or
Communal
Roll.

With regard to the vexed question of whether there should be a communal or common roll for the African I am confident that for at least a long time to come it should be the former.

Native Local
Councils.

I look upon Local Native Councils as excellent training places for Natives to learn constitutional methods of debate and eventually qualify for Provincial Councils, and then General Native Councils of various tribes, and finally take their seat on the Legislative Council. It is through these Local Native Councils that a democratic system of voting can be secured. Every adult should be given the opportunity of voting for the representative of his own district.

Nature of
modern
councils.

The question has been raised as to whether these Local Native Councils are really Native Institutions. The answer to that seems to me to be that they are an adaptation of the old time deliberations. On these councils there are always some of the old men, who let it be remembered are the only ones versed in that much used phrase "Native Law and Custom," and serving with them there is usually a good number of young men of some education who have begun to assimilate Western ideas of debate and parliamentary methods. These guided by the administrative officer who is, I believe, invariably the chairman, help to make it possible to get the business before the meeting accomplished.

Appreciation
of L.N.Cs.
by the rank
and file.

I have heard a question asked as to whether the rank and file of the people appreciate the existence of these councils. I should say that at present the interest which they evoke is exceedingly small, but that it is growing quite fast in those tribes like the Kavirondo and Kikuyu which are in closer contact with civilisation.

Detribaliza-
tion.

There appears to me to be a very hazy idea of which are the detribalised Natives. In some instances I have heard squatters spoken of as if they were automatically detribalised. On the other hand I have heard of the better educated and the Christian Natives spoken of, as if education and the embracing of Christianity automatically detribalised a man. I would be very pleased to show the fallacy of both these assumptions if interrogated on the matter.

Landless
Squatters.

The danger of giving too great a control of the destinies of the African communities, as well as of their own to the white community is well intanced by their attitude as to the desirability of all Crown land outside of the demarcated Native Reserves being at once thrown open for white settlement. This has been pressed for again since the Reserves have been demarcated. When I have challenged in Legislative Council the fairness of this and suggested that considerable further land must of necessity be Reserved, not only for the natural increase of population within the Reserves, but also for the thousands and thousands of landless squatters who are only tenants at will of European landowners, I have been rebuked for proposing uneconomic measures. The oft repeated statement that they can "Go back to their Reserves" is entirely misleading and quite incorrect as I would be pleased to show.

Forced
Labour in
Kenya.

The question of whether Forced Labour, or Compulsory Community Labour, either with or without pay, exists to any great extent, and is a hardship in Kenya to-day, seems to be a subject which may well be brought up when any question of a change in the administration of the Colony is to be discussed. I shall be glad to give evidence upon this matter if

Appendix No. 6—*continued.*

so desired. This question is closely connected with the expenditure of the Revenue raised by Native Taxation. For I believe there can be found money which does not now go back to the Reserves to pay for that labour which at the present time is not only done by compulsion, but is also unpaid. The Hilton Young Commission asked for, and had submitted to them, a statement on the expenditure in the Reserves. But though they spent a good many hours in examining it, the more they did so the more complicated it appeared to become, and they very unfortunately could not include in their report an authoritative statement on the subject without taking a great deal of evidence for which they had no time. That is why they contented themselves with recommending that a High Commissioner, if appointed, should go into the question. The late Governor of Kenya in one of his speeches from the chair stated quite definitely that such a statement would be published, but this has not yet been implemented. I am convinced that it is a matter which requires most thorough investigation. To mention one instance only which might be looked into. Unless I am much mistaken, in working out what services Native taxation may fairly be called upon to defray, the gaols are claimed to be a fair charge upon money derived from it. As the great proportion of prisoners are of course Natives, there may be justification for this. But if it is considered just that the Natives should pay for the gaols, then they certainly should get the benefit of the convict labour. When this is employed for non-natives, a return should surely be made by the department employing it into a Native Trust Fund, which could then be drawn upon for purely Native roads or other necessary work in the Reserves.

Need of a complete statement showing expenditure of Native Tax Revenue.

I am entirely in favour of the Dual Mandate for Kenya, and approve every help being given to both communities to develop and exploit to the full the magnificent resources of the land they occupy. But I do feel that there is a danger in not giving sufficient consideration as to the best direction in which to help the Natives. What is good for the goose may not be good for the gander. And I would be pleased to give evidence to show how a desire to improve the export and commercial side of Native crops may very materially influence for ill the physical development of the tribes.

The Dual Mandate.
A danger.

I desire to take this opportunity of explaining a matter with regard to this Kikuyu Chief, which without explanation is bound to lead to confusion. He is the President, of the original "Kikuyu Association." This must not be confused with the well-known and very voiceful "Central Kikuyu Association" of which Johnston Kinyata, who was recently in England, is the Secretary, and the until recently expelled Harry Thuku is the President. This latter, the "Central" one which has its chief Headquarters in Nairobi and the Fort Hall District, broke off from the original Kikuyu Association a good many years ago. While both stand for the uplift of their tribe, or profess to do so, their methods are diametrically opposed to one another. A feature of the original one of which Koinange is resident is that Government Officials and Missionaries understanding the Kikuyu language are always welcomed to their meetings. To avoid confusion from the similarity of the names, a movement was afoot as I left the country a few months ago to change the name of this one to that of "Kikuyu Local Patriots." This was to emphasise their determination to be loyal to the British Government, and at the same time to show that they were true lovers of their native land. This Association functions in the thickly populated Kiambu District. A similar loyal association, which will have nothing to do with the Central one, exists in the Nyeri District.

Chief Koinange.

If Koinange is asked to give evidence about what the Natives look upon as hardships inflicted upon them by white settlement I hope that he will be asked to state his case with regard to the fact that many hundreds of Kikuyu cattle, if not thousands, have to be grazed upon land in the possession of Europeans, who are in return for this allowed to have the milk, because they have not sufficient grazing grounds of their own.

Lack of grazing ground among the Kikuyu.

APPENDIX No. 7.

(Vide Question No. 2525.)

MEMORANDUM FROM MAJOR W. LEAD, M.C., AND MAJOR H. BOWN, O.B.E.,
THE DELEGATES APPOINTED BY THE SETTLER COMMUNITY OF TANGANYIKA
TERRITORY.

1. *The attitude of the British Settlers in Tanganyika Territory towards the principle of Closer Union with the Colony of Kenya and the Protectorate of Uganda.*

For some years past the British Settlers in Tanganyika Territory have been convinced that not only would some closer association with the British Colonies adjacent to them prove advantageous to Tanganyika, but that in the peculiar circumstances in which they are situated such a Union might indeed prove to be vitally necessary.

A study of the reports submitted by various visiting Commissions and the general trend of affairs political in Tanganyika during recent years has enhanced the desire for Closer Union, and a measure of agreement on the methods by which such a Union could be achieved was arrived at when Sir Samuel Wilson visited the Territory during 1929.

We must, however, here record that in arriving at an understanding with Sir Samuel Wilson it was felt by the great majority of British Settlers in the Territory that in surrendering certain essential revenue-producing services, we were undoubtedly taking a very far-reaching and important step, and it was felt that the interests of our Territory would not be adequately safeguarded unless the Central Authority, which it was proposed to bring into being, should be formed and constituted as eventually stated by Sir Samuel Wilson in his report, and that no other body representing in any less degree the interests of our Territory could be accepted.

The issue of two Command Papers in June of last year by His Majesty's Government entitled "Proposals regarding Closer Union in East Africa" and "A Memorandum on Native Policy in East Africa" respectively caused a radical change in the attitude of the British Settler towards the question of Closer Union, and while having no desire to go back in any way on the Agreement arrived at with Sir Samuel Wilson, it was felt that a new position had been created. In these circumstances steps were taken, by the aid and assistance of the European Association with headquarters at Dar-es-Salaam and strongly representative of European opinion in the Territory, to hold a session of the Congress of Associations, a body meeting from time to time and affording all Associations in the Territory an opportunity of recording their views.

At a fully attended meeting of the Congress of Associations held at Dar-es-Salaam on the 15th August, 1930, the following resolutions were passed:—

(a) That this Congress, whilst reaffirming approval of the principles of Closer Union, definitely states that the Statement of Conclusions of His Majesty's Government as regards Closer Union is unacceptable in its present form.

(b) That this Congress approves of the recommendations contained in the Report of Sir Samuel Wilson on his visit to East Africa in 1929, and strongly supports the views held by the Governors of Kenya and Uganda that the sooner the scheme could be put into operation the better.

(c) That this Congress deplores the attitude of His Majesty's Government in withholding the principle of trusteeship being shared by European Settlers, as advocated by the White Papers of 1923 and 1927, and insisting on the principle that the ultimate responsibility must rest with His Majesty's Government alone.

Appendix No. 7—continued.

Since the above resolutions were passed in August last year, the effects of a severe and world-wide economic depression have been increasingly felt in the Territory, and certain sections of the community have expressed doubts as to whether it would be wise under existing circumstances to proceed with actual political Closer Union at the moment. In February of this year a resolution was passed by the Associated Chambers of East Africa sitting at Dar-es-Salaam to the effect that any form of Political Union should be postponed for the present, and that the three Legislatures concerned should endeavour by means of Advisory Committees to proceed as far as possible with the economic co-ordination of certain essential services of the State.

This view, however, was not the unanimous view of the Members of Chambers of Commerce, as it was shortly afterwards repudiated at Mombasa by the Mombasa Chamber of Commerce. We presume, however, that this aspect of the case will be adequately dealt with by the commercial delegates of each Territory.

It will be clear from the Resolutions reproduced above that it is our duty as Delegates to press for Closer Union, but we submit that it is equally clear that we have no state that the proposals of His Majesty's Government as contained in the White Paper of 1930 are totally unacceptable to the Settlers of Tanganyika.

2. The importance to Tanganyika Territory of White Settlement and a consideration of the position created in this connection by the issue of the White Paper on Native Affairs (Command 3573).

Contrary to the view which has already been expressed before this Commission, notably by Sir Donald Cameron, that the future of White Settlement in East Africa is a very doubtful one (in fact the witness referred to appears to have gone very much further than that and stated a White Settlement would eventually have no place in East Africa at all), it is held by the great majority of unofficial Europeans who have lived in East African Territories that not until there is in existence a strong White Settler and resident population, will the Territories concerned ever advance to any degree of importance, nor will the indigenous peoples be raised to a reasonable degree of civilisation.

We trust that we shall have an opportunity of elaborating this point in evidence, but admitting that the vital necessity to East Africa of White Settlement in East Africa is the honest and firm belief of the existing Settlers, it is not necessary to state at length the difficulties caused to our people by the issue of the White Paper on Native Policy in June of last year and the general feeling of consternation and alarm that was created.

We respectfully submit that it will be sufficient in this precis if we record that the British Settlers of Tanganyika would find it impossible to agree to any form of altered Constitution based upon the Native Policy laid down in this Memorandum.

3. Suggestions regarding the General Native Policy to be applied in the event of Closer Union being effected.

We are of opinion that Native interests will best be advanced and the Native led towards a higher type of civilisation by the application of a Dual Policy. We deprecate any attempt to advance and educate the Native under a system of isolation from contact with the White Settler. We hold strongly that the example of White Settlers who have definitely made their home in Tanganyika and whose present and future interests are intimately bound up with the interests of Tanganyika Territory is likely to be of more

Appendix No. 7—*continued.*

influence and more benefit to the Native than the indeterminate influence of Government Officers who are in the country for their official career, and in various districts only for portions of tours of duty. We are not prepared to disagree with the principle of indirect rule but consider that the greatest caution should be observed in extending the system until the Chiefs who are entrusted with the Government of the people have shown themselves to be worthy of such trust. In this connection we hope that one may visualise a reduction of the numbers of the large and expensive administrative staff, who are in many cases duplicating the work of supervision and instruction which could be adequately performed by the various Technical Departments of Governments, such as the Medical Department for Hygiene, the Agricultural Department, the Treasury for Financial Control and the Educational Department for citizenship and morals. With regard to the maintenance of law and order outside the jurisdiction of Native Courts, we hold that this duty would be more efficiently performed by Resident Magistrates than by Administrative Officers, and consider it would be in the general interests of the Native if this system was adopted immediately.

4. The Extension to other British Territories of the Mandatory Principle of Government.

Without in any way wishing to question the policy followed under a Mandatory System of Government we must protest against the assumption made in the recent White Papers that it necessarily follows that the Mandatory Principle should be adopted in purely British Territories. We can conceive grave constitutional issues arising if it were ever seriously attempted to put this suggestion into force.

5. The Cost involved by the Appointment of a High Commissioner with or without a Legislative Advisory Council.

Various suggestions appear to have been made regarding the cost of a High Commissioner and his necessary officers. No actual estimate of the cost appears to have been prepared. Responsible persons have stated that in their opinion the cost would be small. It is our opinion that if a High Commissioner is appointed without legislative bodies he must have at his disposal a certain expert staff and even if this, the more inexpensive method, were adopted we do not conceive that the cost would be small. If on the other hand the High Commissioner is to be supported by legislative bodies, we visualise a heavy annual charge to keep the Central Government functioning, and a large capital sum would be obviously required to finance the building programme which would be necessary.

We are not impressed by the suggestions which have been made that the provision of a Central Authority will lead to a reduction in the cost of the local Governments; all the evidence in other Dominions where similar development has taken place go to prove the contrary.

We submit that the question of whether or not the East African Territories can bear any added Governmental expenses at present is one for the earnest consideration of the Joint Committee.

6. The Composition of the High Commissioner's Legislative or Advisory Council.

Our instructions in this matter are clear. The Settler in Tanganyika considers that the composition laid down in Sir Samuel Wilson's report contains the minimum quantity of unofficial representation which would meet their views. The Settler is opposed to the principle of an Advisory Council.

Appendix No. 7—continued.

7. The Position and Composition of the Local Legislature under and in relation to a High Commissioner and his Legislative Council.

It is felt that no change could reasonably be made in the Tanganyika Legislative Council at the moment so far as Unofficial Representation is concerned, and we have heard of no desire on the part of the Settler to amend the existing official side of the Council.

It is, of course, admitted that we in Tanganyika have at the moment no concern or interest in the Legislative Councils of other territories, but we are unanimously of the opinion that in the event of any Closer Union being effected at least one of the States should possess a clear majority of elected unofficals in their State Legislature.

As it is quite clear that such a state of affairs could not be brought about in Tanganyika for some time to come, we are in agreement with the Settlers of Kenya in their request that the Legislative Council for the Colony of Kenya should be reconstituted in order to provide for an elected unofficial majority if Political Closer Union is decided upon.

8. The Method of Nomination of Members of Legislative Councils (including the Legislative Council of the High Commissioner) in all cases where the System of Elections is not applicable.

We have no suggestions to make in this connection regarding the nomination of Official Members of Council, and presumably an established procedure is followed when making such nominations.

With regard to the nomination of unofficals, we respectfully submit that nomination should never be made without taking full opportunity of ensuring that the person nominated is acceptable to the majority of the Settlers in the Community. We think it should be possible to ensure, without actual election, that a real representative of the unofficial community sits in Council, and we are glad to note that this principle has recently received the endorsement of a distinguished Colonial Governor.

9. The Co-ordination or Amalgamation of certain Services in the event of a High Commissioner not being appointed.

We would like to take this opportunity of recording that it is the considered opinion of our Community that whatever may be the effect of the proposals regarding a Political Closer Union, it is vitally necessary to ensure that the essential services of the East African Territories are brought more closely into line with each other immediately. We consider that no real progress in Tanganyika can be made towards the development of our communications until the Railway and Transport Services of East Africa are under one executive control. We respectfully request that the Joint Committee give especial attention to this aspect of Closer Union, viewing it solely from the economic point of view if it may be found necessary to rule out the political. We are by no means convinced that the Conference of East African Governors could not achieve much in this direction if it was clearly stated by His Majesty's Government that it was their duty to do so.

APPENDIX No. 8.

(Vide Question No. 2782.)

MEMORANDUM FROM DOCTOR H. H. HUNTER, REPRESENTING THE UGANDA
CHAMBER OF COMMERCE.

INTRODUCTION.

Qualifications.—Went to South Africa 1897. On the Diamond Mines. Then was two years in Southern Rhodesia at Salisbury. South African War. Volunteered. After South African War was in Cape Civil Service. Later joined South African Bar, practised at Grahamstown. Had a thorough knowledge of the Native Territories of the Cape. In 1905 went to Uganda and have been there since. Hope to end my days there.

Was made honorary member of Uganda Chamber of Commerce when it was started in 1905 and am the last survivor of the original members. Have been five times President. Served during the Great War in East Africa. Was one of the pioneer Rubber and Coffee planters in Uganda, and helped to start the Uganda Planters' Association, of which body I was first President. Practise as an Advocate. Have served on all the various local commissions on Posts and Telegraphs, Customs, Railways, etc.

Senior unofficial member of the Legislative Council and the Inter-Colonial Railway Council since their commencement.

Before inauguration of Legislative Council used to be consulted on proposed new legislation. Have been consulted from time to time by the leading chiefs of Buganda and Bemyoro

Indians paid me the compliment of stating at the time they had no representative on the Legislative Council that they considered their interests would be looked after as long as I was on the Council.

Was unanimously nominated to represent the Planters' Association and also the Uganda Chamber of Commerce. For personal and pecuniary reasons refused. Finally agreed to represent the Uganda Chamber of Commerce and the Eastern Province Chamber. Have made very great personal sacrifices to attend.

Attach the instructions received from the Uganda Chamber of Commerce. Understand that the Eastern Province Chamber agrees in the main with these.

Personally do not agree with the recommendations as to elective representative. Consider democracy is not a shining success and that democratic institutions are not suited to the present conditions of Uganda. If elective representative is introduced Uganda will at once have both an Indian and a Native question. Uganda should have increased unofficial representation on the Legislative Council, and should also have unofficial representatives on Executive Council.

Uganda has never asked for political union with Kenya and Tanganyika.

No one has ever been informed in Uganda why the various Commissions on Closer Union were sent out. The only reason Uganda supported Political Union with Kenya and Tanganyika was that Uganda was informed that if such a Union came about Tanganyika would become part of the Empire and could never be separated from it.

An Economic Union we have to all intents and purposes, and if we were only left to settle matters without outside interference we would do so in time. Uganda in the past has suffered through failure on the part of the Colonial Office to consider her interests. I need only refer to the following:—

(a) For years East Africa (now Kenya) collected her Customs and never accounted for same, and no refund has ever been made.

Appendix No. 8—*continued.*

(b) The earnings of the Uganda Railway were paid into the General Revenue of East Africa and later by means of rates Uganda was taxed for the benefit of East Africa. General Hammond has fixed the amount due by Kenya to Uganda as about £500,000. Uganda is still suffering from this policy.

Uganda provides the paying portion of the Railway Revenue, but owing to losses on branch lines built for political reasons in Kenya rates cannot be reduced. Maize is now being carried on the Railway at a loss in breach of the Railway Order in Council, yet the Colonial Office do nothing.

(c) The Boundaries of Uganda have been continually altered. Uganda's boundary at one time extended to Naivasha and included what is now known as the Highlands of Kenya. This was handed over to East Africa for, I think, £2,000. From time to time the boundary between Kenya and Uganda has been altered, always in favour of Kenya and with a view to providing further labour supplies for Kenya. Kavirondo should be returned to Uganda, and Uganda's boundaries where it adjoins Tanganyika should be altered to include Bukoba. If this is impossible, the Kagera River should be the boundary.

Native Policy.—It is impossible to define this, and also harmful. The word "paramountcy" should never have been used and should be deleted. My experience of over a quarter of a century in Uganda has been that in practice the natives have always been considered first, then the Indians, with the Britisher coming in at the end after every other white nationality has been first considered.

If you must have a catch-word, why not "Equal opportunity for all."

Irremediable harm has been done by persons who seem to delight in libelling their own countrymen and their own cloth. Influential papers give wide publicity to these effusions without first ascertaining their accuracy. Just the other day I saw one of these letters. It referred to the use of convict labour at Kisumu some years ago when due to a large cotton crop in Uganda the Railway had not sufficient labour to handle the increased traffic. It is the nasty innuendos that are contained in these epistles that I object to. Persons ignorant of local conditions at once imagine that conditions similar to those we are told prevail in Russia occur in Kenya. On more than one occasion, whilst waiting for a train at Kisumu, I watched these convicts. You saw at least six to eight convicts slowing pushing a 400-lbs bale of cotton from the ship's side about 50 yards into the shed. I could single-handed have pushed that bale into the shed. The cotton in question was native grown and had it not been shifted the losers would have been not the capitalist Mill Owners in Lancashire, but the native Uganda peasant.

Another letter when boiled down stated that the Jinja-Kampala Railway extension was built by the blood and tears of the Uganda women. The building of the Jinja-Kimpala Railway was a great tribute to H.H. the Kabaka of Buganda. It was built by Baganda labour and everyone agrees that the Baganda have benefited enormously through going out and working on the construction of their own Railway and not leaving it to be built by outside labour. A few chiefs were over zealous in outside districts in carrying out the Kabaka's wishes. There were, I believe, two or three cases of beatings, but over 20,000 natives took part in the construction. The Constructive Engineers told me that numbers signed on after their month's work was up. As a large employer of labour, I can say emphatically that no plantation manager who ill-treats his men can get labour. He is a marked man at once and his plantation gets a bad name.

Appendix No. 8—continued.

Britishers in Uganda feel very deeply the slur cast upon us in some of the numerous White Papers published in East Africa by stating that His Majesty's Government are unable to delegate or share their trusteeship of the African population. It is the local Britisher who does the educating of the native. In Uganda, and I am sure also in Kenya and Tanganyika, any white man who takes advantage of his prestige amongst the natives and treats them unjustly is an outcast and finds that it is best for him to clear out.

Climatic Conditions.—Are very similar to Kandy in Ceylon. Have urged continually that Government should increase tour of service for officials. This would entail a big saving in expenditure.

Land Policy—Of not granting freehold a mistake. Plenty of land for all for years to come. Opposed to segregation. Small owner managed estates have been more successful than estates run by Limited Companies.

There are always openings for Europeans who are prepared to work hard.

Native Courts.—Should be appeals to the British Courts. Administrative officers not suited to decide such appeals. Can give an example. The argument in favour of Ad. Officers is that they have a better knowledge of native customs. This not necessarily so, and magistrates and judges are better placed than Ad. Officers to learn such customs. Present policy in Uganda is to curtail the jurisdiction of trained judges and magistrates and hand it over often to young Administrative offices fresh out from home.

Political Federation.—Chamber opposed to this. Are not satisfied that Uganda's interests would be sufficiently safeguarded. Afraid that the Kenya view would always tend to prevail, especially if headquarters of Government were at Nairobi. Kenya much more vocal than Uganda and also owing to the exceptional type of settler has a very big pull in this country.

Political Federation would be a costly experiment and Uganda fears that her problems would not receive the consideration they deserve.

With a Governor-General having his headquarters at Nairobi, Uganda would tend to sink to the level of a province of Kenya.

To ensure that Nairobi should be the headquarters, the Kenya Government with the willing consent of Kenya politicians has a palatial residence altogether too ornate and expensive for a Kenya Governor.

Uganda in a federation should have an equal say with Kenya and Tanganyika. Her population and marvellous resources entitle her to this. At any moment minerals may be discovered which would bring a large influx of Europeans. Valuable tin and copper discoveries have already been made, but the country is one of the most difficult countries in the world to prospect.

The Cotton Industry is thoroughly established. Absurd to say saturation point has been reached. The present position of the industry is almost entirely due to the individual efforts of certain administrative officers. With a properly organised Agricultural Department, staffed with good experts, production should go rapidly ahead. The removal of the headquarters of the Agricultural Department to Entebbe, however, has caused serious alarm in the country. Nobody was consulted as to the removal, all interests were ignored and the doctrine of paramountcy of the native flouted. The director of Agriculture ignored the views of the senior members of his department.

All forms of tropical agricultural products can be grown, but hitherto Government has confined its attention almost entirely to Cotton.

Plantation Industry.—Coffee, Rubber, Tea and Tobacco. (Cocoa was formerly grown to a considerable extent, but, owing to absence of expert advice, has died out). The industry is now in a very depressed condition owing to the world-wide drop in prices. It deserves well of Government as

Appendix No. 8—*continued.*

a great number of the present native producers got their training in agriculture on European plantations. It would be a serious calamity for the country if the planters went out.

Railway Policy.—The Inter-Colonial Railway Council has been a success. The present Railway policy is to carry certain agricultural exports at about cost and to make their main revenue out of imports. Cotton, Coffee, Rubber and Sisal are paying propositions. The Railway budget is always based on the Uganda Cotton crop. Maize, it is now admitted, is carried at a loss. Uganda's present policy is against protection. Her view is that if Uganda or Kenya wish to encourage any industry it should be done at the expense of the country concerned.

As Kenya had run the Railway to earn a revenue which went into the General Revenue of the country, when the Inter-Colonial Railway Council started there was a serious conflict as to the rating system. C P. rates was the great bone of contention. Rates, however, were finally settled after strenuous discussions, I think, in 1929, and were recommended to come into force in July, 1930, but for reasons I am ignorant of this has not happened. Possibly the Governor of Kenya's advice over-ruled that of the High Commissioner of Railways. At the time the rates were decided, Mombasa had a commercial representative who supported the Uganda view. Mombasa has not now a representative on the Council. When there has been a conflict between Uganda and Kenya, members have always endeavoured to arrive at a compromise without forcing matters to a vote. Usually with success.

Customs.—Uganda is against protection and Kenya in favour, but after consultations a working arrangement has been arrived at. From her geographical position, Uganda suffers, as a certain proportion of Customs revenue is lost to her, but the advantages of the absence of custom bars makes up for this.

The same thing occurs as regards licences of motor cars and lorries. There is a working arrangement whereby motor cars and lorries are allowed into Uganda from Kenya and vice versa without formalities.

Native Education.—Swahili should be the lingua franca. Should be given a technical rather than a literary education. The tendency is to turn out too many clerks for whom there are not sufficient openings. Further, natives are inclined to look on any kind of manual labour as beneath them. Some system of apprenticeship should be introduced.

Very large sums now being spent on Education. Doubtful whether value is being obtained for this expenditure. The great bulk of the Baganda can read and write. Agree with Sir D. Cameron that some form of religion is essential to build up native character. Purely secular education will prove a failure.

The Uganda Agreement.—The Baganda are most apprehensive that Political Federation would mean the abrogation of this Agreement. None of the Commissioners dealing with Closer Union have referred to this Agreement. In addition, there are the Ankole, Toro and Unyoro Agreements.

During the War, 192,000 natives took part and practically all the white population volunteered.

Do not agree with Major Renton that Uganda is too far away from Tanganyika to worry whether it reverted to Germany. Uganda is possibly more directly in touch with Tanganyika than Kenya. The British population would strongly oppose any hint that there was a chance that Tanganyika might be handed back to Germany.

APPENDIX No. 9.

(Vide Question No. 3175.)

MEMORANDUM FROM MR. S. H. SAYER, REPRESENTING THE TANGANYIKA CHAMBER OF COMMERCE.

Point No. 1.

Submit the following resolution passed by the Association of East African Chambers of Commerce at the session held at Dar-es-Salaam on the 29th January, 1931 —

“That this Association reaffirms its desire for the earliest co-ordination of essential services, *inter alia*, Customs, Railways, Posts, Telegraphs, Education, and Communications (including Aerial), Research, Law and Procedure, in the three Territories of Kenya, Uganda and Tanganyika, but realising that everything possible should be done to concentrate, at any rate for the time being, on a policy of economic reconstruction and to eschew political activity, is strongly of opinion that the present is not an opportune time to press for any form of Closer Union which would involve constitutional changes, and that during the period of economic reconstruction, the desired object can be sufficiently attained by the formation of standing Advisory Committees appointed by the three Legislatures, and fully representative of the unofficial element, which, by consultation and co-operation, will be enabled to present to the various Legislatures ways and means for the better achievement of the desired co-ordination.”

Submit evidence prepared by the Executive of the Association.

Point No. 2.

March, 1931

ASSOCIATION OF CHAMBERS OF COMMERCE OF EASTERN AFRICA.

Note upon the position of the Association in relation to the problem of Closer Union of the East African Territories.

It can be quite properly said that the movement in East Africa towards closer union owes its origin to the establishment many years ago of Joint Customs and Postal Departments for Kenya and Uganda. At that time Tanganyika was under non-British administration. Following the War, however, when Tanganyika came under British administration, and, particularly by virtue of the provisions of Article 10 of the Mandate, a direct incentive was given to the extension of, firstly, the economic, and consequently the constitutional principles under discussion.

To proceed in order of chronological sequence —

The Association of the East African Chambers of Commerce, which was formed in 1920, adopted early in 1921 as one of its main aims, the establishment of a complete Customs Union between the Territories of Kenya, Uganda and Tanganyika, the Union to be under one departmental head and one administration for the purpose of abolishing all customs barriers between the Territories. Continual pressure was exerted by the Association at periodical Half-yearly Sessions to bring its aim constantly before the East African Governments, and the next notable development was in November, 1924, when the Association submitted a Memorandum to the Ormsby Gore Commission, in which the following appeared —

“*Complete Customs Union.*”

“We strongly advocate steps should be taken at once to bring this into being. We cannot see that anything but good can be derived

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from the adoption of this proposal. The ideal would be for the simplification of Customs formalities to that degree most compatible with the assurance that each country shall receive its due amount of revenues. Where so many commercial firms trade in all the Territories, the free movement of goods cannot but help enterprise and the internal trade from any one country to another would be much developed."

Following the issue of the Report of that Commission, a further self-explanatory Resolution was passed in September, 1925, in the following terms, and which was communicated to the East African Governments:—

"The Association note that there is no definite recommendation upon the question of a full East African Customs Union under one general administration. The Association feels that unless with the full inception of a full Customs Union there is one General Administrator, difficulties in interpretations of a General Customs Ordinance are bound to arise."

Notwithstanding this apparent lack of appreciation of the importance of the question, pressure was still exerted by the Association, which claims a measure of credit for the resultant publication on 18th May, 1927, of the Inter-Colonial Customs Agreement. Even this step, however, was held to go only part of the desired journey, and in August, 1927, the following Resolution was passed:—

"That whilst the Association appreciates the value of the Inter-Colonial Customs Agreement, this Association is of opinion that a full and complete Customs Union is desirable and it be an instruction to the Executive to continue to seek for the achievement of that object."

In furtherance of this Resolution, a Deputation of the Association giving evidence before the Hilton-Young Commission of the 9th February, 1928, submitted the following views:—

"This Association views the position to-day in the following light.—

"(1) That the inauguration of the Inter-Colonial Customs Agreement has produced comparative uniformity in Customs matters in Uganda, Kenya and Tanganyika, but this Agreement does nothing to call for continuance of uniformity.

"(2) That the Authorities are bound to differ on the practical application of the laws and regulations.

"(3) The present position is only maintained by goodwill and tact.

"(4) Such an unstable foundation is not a satisfactory one for Commercial dealings.

"(5) Inter-Colonial trade is increasing and commercial capital is being spread over wider areas, and the Association feels that this will not be fully protected until security is given by all Customs matters being placed under one control. The Commissioner would then be an East African Official, and equally responsible to all Governments—only when this is done does the Association feel that firms can rely on receiving the same treatment in Customs matters along the whole Coast.

"(6) This Association feels that their wishes are only following out the well-known commercial principle of consolidating several branches of the same kind of business under one directory head.

"(6A) In conclusion, the ideal the commercial community will work for is complete Freedom of Trade over these countries."

Somewhat *pari passu* with the growth of the demand for a complete Customs Union of the three Territories, pressure was brought to bear upon the East African Governments for the unification of Commercial Legislation. In its origin the request was for an improvement of admittedly bad Bankruptcy Laws and for provision whereby a bankrupt in one Territory could

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have assets in an adjoining Territory sequestered for the benefit of the estate generally. Thereafter the demand for uniform legislation was widened to cover other subjects, and it will suffice to attach hereto a Progress Report, showing to what stage progress in unification has attained at the end of 1930, mainly it can reasonably be claimed because of the insistent demands of the commercial community as represented by the Association.

In chronological order the next step was the framing of the Commercial Community's views into a series of Resolutions presented to Sir Samuel Wilson during his visit to East Africa at the middle of 1929, and couched in the following terms:—

“(1) That this Association reaffirms its desire for the earliest co-ordination of essential services in the three Territories of Kenya, Uganda and Tanganyika Territory under one departmental head for each service.

“(2) Further, that the following essential services, viz., Customs, Railways, Ports and Communications, including Aerial Communications, Defence, Central Research, Law and Civil Procedure, Posts, Telegraphs and Telephones should be immediately transferred to a Central Control.

“(3) Further, that the Central Authority when established shall, in collaboration with Local Governments, consider what further services can profitably be co-ordinated or transferred.

“(4) That the preliminary stage visualised by the Report is passed and there is no reason why the second stage, which calls for the appointment of a Central Authority, should not be entered into forthwith.

“(5) That these objects cannot be achieved unless the Central Authority is endowed with Executive Powers and considers that this can best be obtained by the establishment of a Central Council with Legislative Authority.

“(6) That the Central Control shall be vested in an individual of wide Colonial experience and that his Council, in addition to his Official Advisers, shall be selected from the three Territories.

“(7) That Sir Samuel Wilson's attention be drawn to the necessity of securing in any revised Legislative Assembly for any of the Eastern African Territories that adequate representation of the Commercial Community must be secured.”

Followed by a Resolution passed at the July Half Yearly Session, 1930, in the following words:—

“That this Association notes with satisfaction that the Imperial Government in the White Paper published on the 20th June endorses the principle of Unification of Essential Services throughout the three Territories and trusts that an early and satisfactory agreement of the Political issues involved will be reached to ensure the early achievement of this object.”

During 1930 the world business depression supervened and may to a large extent be held responsible for the terms of the last event to be chronicled, namely, the Resolution passed at the Half Yearly Session held in January, 1930, in the following terms:—

“That this Association reaffirms its desire for the earliest co-ordination of Essential Services, *inter alia*, Customs, Railways, Post, Telegraphs, Education and Communications, including Aerial Research and Law Procedure, in the three Territories of Kenya, Uganda and Tanganyika, but realising that everything possible should be done to concentrate, at any rate for the time being, on a policy of economic reconstruction and to eschew political activity, is strongly of opinion that the present is not an opportune time to press for any form of

Appendix No. 9—continued.

Closer Union which would involve constitutional changes, and that during the period of economic reconstruction, the desired object can be sufficiently attained by the formation of standing Advisory Committees appointed by the three Legislatures, and fully representative of the unofficial element, which by consultation and co-operation will be enabled to present to the various Legislatures ways and means for the better achievement of the desired co-ordination."

By passing the above Resolution it must be emphasised that the Association does not retreat from the unanimous view previously expressed that Closer Union is the objective desired.

The reasons for desiring postponement for a temporary period are due largely to two factors, viz. :—

(a) Economic.

(b) Personal.

To enlarge on the first point, all communities in this country, not excluding Government, are occupied with the serious problem of adjusting their positions to the altered economic conditions. It does not, therefore seem an appropriate time in view of this situation to consider the establishment of a Central Authority, as the expenses of doing so would probably involve extra commitments by each Government. The present is not an appropriate time to assume any unknown liability.

On the second point, Heads of Government Departments, Commercial Houses and Settlers cannot afford under present circumstances to turn their undivided attention to the Constitutional issues, which, however important, are secondary to economic conditions. These Territories, in common with the rest of the world, are experiencing the effects of the collapse in the prices of primary products and because they are almost entirely dependent upon the export of Agricultural products, the consequent economic reconstruction calls for the utmost concentration upon the part of Governments, Corporations and individuals in the task of re-adjustment. Any factors tending either to disturb or hamper this task are to be avoided, particularly as it is impossible to judge at the present time of the future trend of the existing depression.

Pending the return to a more normal situation, it would appear that nothing but good can arise from the continuation of the principles of the Round Table Conferences. The Association of East African Chambers of Commerce has been an important co-ordinating factor in matters of common commercial interest affecting the three Territories, and it has been largely due to their deliberations that their original demand for co-ordination has spread. It is the opinion of the Chambers that, pending the full attainment of the final objective and the carrying through of co-operation in certain essential services, the present time could be advantageously used in establishing further unity between the three Territories and preparing the way for many schemes that would be included under the ultimate policy of Closer Union.

Any precipitate action for the immediate adoption of the whole scheme of Closer Union would lead to divergence of opinion, which would be prejudicial to the goodwill necessary to success, as it is thought that sufficient consideration has not been given to the powers of the proposed Central Authority. The Chambers consider that if quasi-official Committees were appointed by the Legislatures of the three Territories, much useful work could be added in the meantime to that already achieved in connection with unification of the Essential Services, and in preparing the way for the final establishment of a Central Authority. The recommendations of such advisory bodies would ultimately prove invaluable by setting forth consolidated opinions on points where divergence would now otherwise arise.

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For these reasons the Association of Chambers of Commerce of Eastern Africa has come to the conclusions outlined in the January, 1931, Resolutions.

REFER TO THE ASSOCIATION'S TELEGRAM TO SIR SAMUEL WILSON, DATED 15TH JUNE, 1929, AND GIVE REASONS FOR THE CHANGE OF OPINION AS INDICATED IN THE ABOVE RESOLUTION.

Point No. 3.

You will observe that there is a very important modification in the opinion of the Association, although I know that commercial opinion is not unanimous on this point. The view expressed in the telegram to Sir Samuel Wilson is an acceptance of his subsequent recommendation, and until the publication of the Government White Papers, commercial opinion was solidly in favour of Closer Union, as proposed by Sir Samuel Wilson. Some reasons for modification of the views submitted to Sir Samuel Wilson are embodied in the evidence I have first tendered on behalf of the Associated Chambers. There are other reasons and I will enumerate them. The publication of the White Papers had the effect of forcing the commercial community to side with the Planters as a measure of safety. The policy advocated in the White Papers, and the language in which it is expressed, have sown the seeds of a bitter race warfare. Such warfare can end only in economic chaos. The commercial community, therefore, whilst realising that the Administrative unity would be of great benefit to all communities of the three territories, cannot support any proposal likely to create political strife, and increase the possibility of intense racial hatred. In other words, to remain as we are is infinitely better than the territories overwhelmed by bitter political strife.

We have been told that the White Papers do not mean what we think they do. In that case I would strongly urge the withdrawal of the White Papers, and a re-statement of Government policy couched in less provocative language. It should also be emphasised that the Home Government's function is purely to safeguard the interests of all inhabitants, irrespective of race or creed. Assuming that the native races derive considerable benefit from the economic development of the country, the function of the Government is to see that Administrative Acts produce the greatest good for the greatest number and this should be interpreted in its broadest sense.

REASONS FOR CLOSER ECONOMIC UNION OF THE THREE TERRITORIES.

Point No. 4.

The case for Closer economic Union has been clearly set out in the Hilton Young Commission Report, under the heading of Co-ordination of Services, Chapter 5. I would, however, go very much farther on the question of co-ordination, particularly in regard to the question of railways. At a later stage I will deal with the question of Dual Control, and the pooling of Rolling Stock. Another point that must not be lost sight of is that the financial condition of Tanganyika Railway System has completely changed since the Hilton Young Commission made their Report. Another point in connection with the co-ordination of Services which has not been sufficiently stressed is the question of pooling of Staff. As you are aware, owing to the climatic conditions, each Department has to carry very considerable surplus Staff in order to meet the wastage created by Home Leave and Sickness. It stands to reason that the heavy charges

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in this connection can be substantially reduced if the Staff is controlled by a common employer, and the elimination of the existing Administrative difficulties of transferring Staff from one Territory to another. I would quote as an instance, the breakdown of the Tanganyika Central Railway System during the floods last year. The permanent Staff of the Tanganyika Railways was inadequate to cope effectively with the situation. Under unified control additional Staff could have been drafted from Kenya, and have helped to meet the situation. I know that in Tanganyika considerable delay in technical Railway Survey has been experienced owing to the difficulty of obtaining the necessary engineering Staff, and I believe that Staff could have been obtained in Kenya without serious embarrassment to the Kenya-Uganda Railway.

SUBMIT STATEMENT OF BENEFITS WHICH WILL BE DERIVED BY THE CO-ORDINATION OF THE FOLLOWING SERVICES: RAILWAYS, ROADS, CUSTOMS, LEGAL, POST, TELEGRAPHS, AGRICULTURAL, PORTS AND HARBOURS, ETC.

Point No. 5.

The benefits that will be derived by the Services stated have been covered to some extent by the previous point dealt with, and also by the recommendation of the Hilton Young Commission. I would reiterate the economy and efficiency that would follow the amalgamation of the Staff dealing with the various Department I have enumerated. The benefits from the Standardisation of Equipment and Policy are so obvious that they need no elaboration. The remarks that apply to the pooling of Personnel can also be applied to the pooling of Stores. Vast sums are expended in materials for all Departments, and dumps are laid down at various points. It is a fact that Tanganyika may have Stores which are not immediately required, and which by prolonged storage are deteriorating. Kenya, on the other hand, probably requires Stores of this type. They do not obtain them from Tanganyika, but from the Crown Agents. By this alone considerable sums are lost in interest and depreciation. In the case of legal departments we are constantly faced with the difficulty of obtaining uniform laws and codes of procedure. Although there is a desire on the part of the Legal Department of each Territory to achieve uniformity, the existing system of separate Legal Departments causes greater delay in securing the introduction of much needed revised Legislation. Draft bills are sent backwards and forwards owing to differences of opinion, and if those differences are not composed, that particular Ordinance is not unified. There is no controlling authority that can insist on one or other of the Departments giving way. With regard to the Customs Department, there is a considerable measure of uniformity in existence to-day, but the machinery for the examination and introduction of proposed Tariff changes is clumsy, and here again there is no co-ordinating authority which can insist on a definite line of action being adopted. Furthermore, there still exists a difference in the interpretation of the existing Tariff, and whereas goods may come under one classification in Tanganyika, they may come under an entirely different classification in Kenya. Here again the interpretation of the Tariff is within the sole jurisdiction of the Controllers of Customs in the stated Territories, whereas there should be a common definition, and any items in dispute should be settled by a co-ordinating authority. In the matter of Roads, this work has now become a science, and their methods of construction and upkeep should be the result of organised research. It is obvious that such research can be better undertaken by a single authority,

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than being as it is to-day, a departmental offshoot in each of the Territories. With regard to Posts and Telegraphs, the case for the unification for the former has been adequately set out in the Hilton Young Report, but in the case of Telegraphs and Telephones, there is a much stronger case for single control. Inter-territorial communications are increasing daily, and I would cite the case of a Dar-es-Salaam-Mombasa telephone service as an example for the necessity for Closer Control. In this case the line from Mombasa to Kenya border is controlled by the Kenya Postal Authorities, and from there to Tanganyika by the Tanganyika Postal Authorities. Many complaints have been made regarding the continuous breakdowns of this service, which is a very important one, but both postmasters are inclined to blame each other for the lack of maintenance of the wire. It is obviously futile for the Postmaster of one Territory to maintain his section of the wire in perfect condition, if the other section is allowed to fall into disrepair. It may happen that one Territory has no further funds to deal with such work, whereas the other Territory has plenty. The result is a poor service. Another point to be borne in mind is the increase in the use of Wireless Telegraphy. The time is not far distant when the main telegraphic communication between these centres will be by means of wireless. I think that it is absolutely necessary for the co-ordinating authority to lay down the most suitable point for the placing of Receiving and Transmitting Stations. It would be foolish to put down stations in close proximity on the borders of the respective Territories. In regard to Ports and Harbours, there should be a common policy dealing with the central points for the docking and repair work of vessels, and for the provision of salvage craft. The question of marine lighting is a common one along the East African Coast, and should be controlled by a single Authority. It is obviously uneconomical to maintain two sets of craft for lighting and buoy work. With regard to Agriculture and Medical Services, the problems of the two countries are identical, and efficiency and economy would be effected by common control. I would refer to the locust pest as an example of the necessity of the two countries acting in close co-operation.

QUOTE PEAK PERIODS OF RAILWAY TRAFFIC ON KENYA AND UGANDA RAILWAY AND TANGANYIKA RAILWAYS, WITH A VIEW TO POOLING OF ROLLING STOCK IF A LATERAL CONNECTING LINK CONSTRUCTED.

Point No. 6.

The peak period of Railway traffic on the Tanganyika Central Line Railway is between July and December, whereas on the Kenya-Uganda Railway it is between December and July. Vast quantities of rolling stock have to be maintained on each System in order to cope with the Peak Periods, and therefore a common pooling system would provide considerable relief and effect large savings in capital outlay. This pool can only be arranged if a connecting link between the two Systems is constructed. It is possible for this connecting link to be arranged if the full recommendations of the Henn Railway Commission are adopted. This Commission has recommended, and this recommendation has been supported by Sir Donald Cameron, that a line be constructed from Kilosa on the Tanganyika Central Lines to Mombo or Korogwe on the Tanganyika Line. This line, apart from being a connecting link, will tap a rich and well-populated native area. In addition, it will enable closer Administrative Control of the Northern areas of Tanganyika.

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REFER TO THE ECONOMIC DEVELOPMENT OF THE TERRITORIES, THE PRESENT SITUATION AND ENDEAVOUR TO VISUALISE FUTURE DEVELOPMENT.

Point No. 7.

It is as well to remember the history of these Territories and the economic development of them. Fifty years ago there was no Administration such as we know it to-day, and trade such as we know it was confined to the coastal areas, and it was very small in extent. The commencement of the development was due to the arrival of enterprising traders and missionaries. As their efforts increased, the necessity for safeguarding their interests and with a view to further intensive development, European Governments established their Administrations. The point I wish to emphasise is that the Administration followed development, and did not precede it. In some ways the process is going on to-day. In those areas where there is intensive development there is a large Administrative Staff, and generally much more efficient Administration. The general increase in Administrative Services can only be justified by increased development. The fact that there is any European Administration in East Africa to-day is entirely due to the enterprise of European traders and missionaries. It should be noted that various Asiatic Races had been trading at the coast centres for centuries, but their efforts did not lead to the establishment of ordered government, which did not come until after the arrival of the Europeans. It can therefore be said that the security for life and property which the natives now enjoy is entirely due to European enterprise. The development of the territories up to the present time has progressed at a very rapid rate, but it is possible to visualise certain limits. I would take Uganda as an example. There is a distinct slowing up in increase of her exports, and there is good reason to believe that there will not be any further rapid development for some time.

In the case of Kenya I do not visualise any very great increase in native crops, but I do visualise very large increases in European growing crops. There are still many thousands of acres of alienated land not yet in production, and there are many thousands of acres of cultivated land not yet in bearing. However, the agricultural development of Kenya will be limited by the area available for non-native production. The position with Tanganyika is very different. There are still large areas available for European cultivation. The possibilities of native cultivation cannot be accurately gauged until the transport programme is more advanced. There is, however, one very important development that is likely in the near future, and that is minerals. Very large deposits of coal have been discovered, and there is every indication of gold, copper and precious stones. In order to exploit these discoveries there must be a large influx of Europeans, and any Constitution framed to deal with the Territory must bear this in mind.

If there are rich mineral discoveries in Tanganyika the whole economic centre of gravity in East Africa will be changed. It is obvious that such enterprises will attract vast hordes of labour, not only from Tanganyika but from surrounding territories. This labour will have to be fed and the natural granaries are the highlands of Tanganyika, and the highlands of Kenya. Ultimately there may be cotton mills in Tanganyika or Uganda, the products of which would supply the local demand. It should be noted that cotton weaving and spinning is at present being carried on in the Belgian Congo. Another development that has to be visualised is local manufactures. This is a natural development, and has happened in every country in the world. We have already observed the commencement of this trend. Native cigarettes are now being manufactured in the country in

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large quantities. Practically the whole of the sugar supply of East Africa is being met by local products. The same is happening with Tea. The whole of these factories have been developed by non-natives, and if the process continues an increase in the non-native population may be expected.

NATIVE SOCIAL SERVICES DEPENDENT ON THE FULLEST DEVELOPMENT OF THE COUNTRY'S RESOURCES.

Point No. 8.

I have already given you an outline of the history of the country, and you will have noted that before the advent of European enterprise there were no native social services. Medical and educational facilities did not exist. It should be noted that at this moment the diminution in revenue in Tanganyika following the serious reduction on the purchasing power of the country, owing to the enormous drop in the price of sisal, which is entirely a non-native industry, there is a possibility of a serious curtailment in native social services. Many people consider that the work done for the natives of the Territory is inadequate, but there cannot be any increase unless additional revenue is available, and this revenue cannot be available without intensive development. I submit that the quickest way to obtain this development is by non-native enterprise. It has been stated that natives are themselves capable of increased production, the results of which will produce the necessary revenue for increased social services. Whatever the native produces, the marketing of his products will be in the hands of non-natives for many years to come. It therefore follows that these non-natives play an essential part in the internal economy of the country, and they are entitled to expect that their interests will be safeguarded, and that they will be justly treated.

DEVELOPMENT OF INTER-TERRITORIAL COMMUNICATIONS AND ITS EFFECT ON FOOD AND LABOUR SUPPLIES.

Point No. 9.

I have previously referred to the forecast of the possible development of the Territories. I also indicated a movement from North to South of people and goods in the event of mineral enterprises developing. All these things will necessitate the development of lateral communications as opposed to the existing longitudinal lines of communication. A glance at the map will show how these lateral lines have been neglected, and this is entirely due to the artificial political boundary which exists between Kenya and Tanganyika.

THE NECESSITY OF SAFEGUARDING TANGANYIKA'S FUTURE BY CLOSE TIES WITH NEIGHBOURING BRITISH TERRITORIES, AND THEREBY GIVING CONFIDENCE TO INVESTORS.

Point No. 10.

I believe that Tanganyika suffers to a certain extent by the absence of capital to develop her resources, due to the fear that her present status is only temporary. I think everything should be done in the interests of the Territory to give the necessary confidence to investors, that the Administration is stable, and that there is no possibility of a change in the Mandatory Power. I believe that this confidence can only be achieved by the closer Administrative and other ties with neighbouring British Territories. It is obvious that in most parts of the world the Mandate of Tanganyika

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and its relation to adjacent British Territories is not viewed in the same light as German South-West Africa is to the Union of South Africa. I think that it should be the policy of the Government to create the same unity in East Africa as far as Tanganyika is concerned, as exists in South Africa as far as South-West Africa is concerned.

THE MANDATE IN YEARS TO COME.

Point No. 11.

I will not go too closely into this question, as I do not wish to cause offence or create a disturbance in those quarters where this subject appears to be a matter of very considerable interest. I will only say that I believe in the course of time, there will be a diminution in control of Mandated Territories by the League of Nations, and that even to-day a new generation is springing up who have very little idea of the origin of our Administration of Tanganyika. There are very few people to-day who know or care anything about our acquisition of Mauritius. The bitterness which followed our acquisition of Canada is forgotten. And likewise the strife that took place before the Union of South Africa is unknown by the younger generation. I mention this point because it is necessary when framing a Constitution to meet the future needs of East Africa to try and visualise what will happen in the future, and not merely to build to meet present conditions

ARTICLE 10 OF THE TANGANYIKA MANDATE.

“The Mandatory shall be authorised to constitute the territory into a customs, fiscal and administrative union or federation with the adjacent territories under his own sovereignty or control: provided always that the measures adopted to that end do not infringe the provisions of this Mandate.”

NOTE BY EXECUTIVE OF ASSOCIATION OF CHAMBERS.

The last sentence has been held to refer only to the equal-rights trading provisions of the Congo Basin Treaties and the similar provisions of the Mandate. There is nothing in it which prevents Closer Union, co-ordination of Essential Services, etc., always providing equal trading rights are respected: e.g., no Imperial Preference in the Customs Tariff.

APPENDIX No. 10.

(Vide Question No. 3466.)

MEMORANDUM FROM SIR HUMPHREY LEGGETT.

Inasmuch as the question has been put to many of the witnesses before the Joint Parliamentary Committee and is often asked outside, as to whether European Settlement in the East African group of territories has been, and is likely to continue to be, of definite material and moral advantage to the natives of those territories, I venture to submit that the expression "European Settlement" needs rather closer definition. I think it is frequently used in an omnium gatherum sense to lump together two distinct forms of land settlement by Europeans, viz., plantation enterprise and what may be called the "Colonist" type of settlement (the latter being mainly individual farming as exemplified in South Africa, Canada, etc.), and is also extended to cover commercial activities and, last but not least, the work done by Government Departments, Missionary Societies and the like.

When these four main heads are lumped together, the total European population may be of imposing dimensions, and if the whole of that population be described as "Settler Population," a somewhat misleading impression may arise.

It appears to be assumed as a basic fact in the Hilton-Young and Wilson Reports, and in the evidence that has been tendered to the Committee by several important witnesses, that the Kenya Highlands are already carrying a fairly large European population of "Colonist" type, and that that area has a large "Colonist" potentiality. The expression sometimes used is that this community is "rooted to the soil" and it seems to be assumed that the population of that type will increase comparatively rapidly—even a figure of 100,000 within a few years being estimated by one important witness. It further appears to be assumed in some quarters that the higher areas of Tanganyika, or parts of such areas, will also be carrying a "Colonist" population within the period envisaged in the Government White Papers and the Terms of Reference to the Parliamentary Committee. In particular, no distinction seems to be made between "Colonist" and plantation settlement in the minds of many people.

I think I am correct in assuming that "Colonist" settlement means essentially a community of men and women who look forward definitely to living out their lives in the country of their adoption, rearing families there, who will succeed to the land owned and developed by their parents, and that the successive generations shall enjoy sound health, and also have a reasonable assurance of prosperity sufficient to enable their standard of living, including the margins necessary for education of their children, to be maintained at a level that will safeguard such "Colonist" community from the risk of the emergence of a "poor White" class. Admittedly, occasional failures cannot be avoided, but the postulate of the "Colonist" future of any territory must assume that such cases will be rare, due to individual shortcomings, and not to conditions that would affect the Colonist population in the mass.

No doubt it is because of these assumptions that the writers of the Reports, and the witnesses above referred to, feel that it is necessary to make special provision for the local political future of the Colonist communities of Kenya and Tanganyika, both as to the present extent reached in this colonisation, and still more so as to its anticipated considerable increase.

It seems to be a matter of common agreement that the same problem does not, and is not likely to, arise in Uganda.

I venture to submit that if this basic assumption as to the Colonist future of these countries be unproved, or even if it cannot be definitely

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proved to rest upon a sure foundation, the whole range of political and economic proposals, based upon the Colonist theory, needs to be reconsidered.

Opinions may differ as to how the assumption of a Colonist future for these areas has arisen. It may be suggested that local enthusiasm in new countries is a very potent factor. No doubt it gives to the individuals concerned the patience and driving power to overcome many natural obstacles. But such enthusiasms may be based upon slender data, and their experience may result in their views being affected, consciously or unconsciously, by a conviction that, in some way and by some means, the danger of a "let down" can and will be averted by special assistance. The possible instability of the existing situation, and still more so a reliable estimate of the future, may be obscured by a failure to recognise that the success attained up to the present may have been the result of special circumstances and special aids, and thus be artificial to an unsuspected extent.

With the greatest respect, I would submit that the reports and evidence thus far before the Committee have accepted a great deal of the statements made in general terms under the influence of local enthusiasm, both as to the present situation and future prospects, with regard to the subject of European settlement of the Colonist type, and that the Committee has not yet heard an attempt to bring these general statements to the test of figures. In attempting such a test, I am most anxious to avoid giving the impression that I am in any way hostile to European land development in these areas, provided it is on a sound basis, and still more am I anxious to emphasise my conviction that the "Colonist" communities of East Africa are an exceedingly high-principled and hard-working body, imbued with much public spirit and desire for the best welfare of East Africa and the whole of its inhabitants of all races, according to their own interpretation as to how this result can be attained. But, in postulating that European land development must be on a sound basis, I mean that it must be strong in the economic sense to be able to withstand climatic vicissitudes and market fluctuations, able to hold its own without direct or indirect subsidies, such as the diversion to its interests of State revenue raised from other communities within the territories, and, above all, assured of its own ability to support the necessary standard of living of the Europeans engaged in it, and the welfare of its Native employees. Finally, such land development by Europeans on lands alienated to them in such territories, should not exceed, in its demands upon native labour, the dimensions that would result in diverting so great a number of natives from tribal life as to endanger the economic and political development of the natives themselves on the lands in their own occupation under tribal or other essentially native systems.

My submission is that land development by the European community on "Colonist" lines has not yet proved its soundness in these desiderata, that it is very far from being prosperous and self-supporting to-day, even if it ever has been—which I also doubt—and that it is likely to be even more hazardous and doubtful in the future. I give reasons below, with supporting figures, to show how I arrive at this opinion, and why I believe that the effort to develop the greater part of the alienated areas on "Colonist" lines, is more likely than not to result in failure, which would not only involve the "Colonist" community itself, but would have other important repercussions, such as holding back a much more promising form of European land development, viz., the plantation system, with all that that implies, and also, perhaps, holding back native development in Kenya. I also desire to put forward facts and figures to show that the effort to establish a "Colonist" system is already endangering the financial

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stability of Kenya, with repercussions upon the adjacent territories, and upon the economic and political development of the natives of all these territories.

Soundly based settlement, as above defined, can, I think be in many ways definitely helpful to the native population, in inculcating habits of industry, punctuality, accuracy, etc., and in the moral and hygienic spheres, and I would not deny that even the type of "Colonist" settlement has, up to the present, been of definite value in these matters. But it is inherent in my submission that the value of "Colonist" settlement in these regards must ultimately depend upon whether "Colonist" settlement is in itself a permanent success, and, if it is not, the reactions may be such as to make it definitely harmful rather than helpful. The spirit may be willing but the purse too weak. That, for example, would be inevitable if "Colonist" settlement were to result in the creation of a considerable "poor White" class. In reply to the question often asked as to whether European land settlement, whether it be of "Colonist" or "Plantation" type, is really *essential* to native progress, I think that my answer would be in the negative, and, in support of my answer, I would point to the striking economic, political, moral and hygienic progress of Uganda with its 3½ million natives, and of the Bukoba, Mwanza, North Tabora, etc., Provinces of Tanganyika, in which areas there is no European settlement of either class. The great success which is attending the development of the densely populated Wachagga tribal area on Kilimanjaro, appears to be quite independent of the fact that there are European plantations in the same district. The forms of European assistance admittedly essential to native progress in native areas do not depend on European settlement, but consist of such matters as agricultural and craft instruction, medical and educational staff work, and commercial enterprise to supply marketing facilities. Commercial enterprise flows in automatically, and the other services are provided by the State, either directly or through Native Councils, and are based upon revenue easily raised from the native population itself. But, to repeat, although I do not believe European land settlement to be *essential* to native progress, I do believe that it can be definitely helpful if such European settlement be on a basis that would be permanently sound.

Passing now to the other type of European settlement, viz., "Plantation" enterprise, as distinct from the "Colonist" type of settlement, as above defined, I have in mind such selected enterprises as can reasonably expect to yield profit margins in good times and bad, sufficient to give the owner means to support the necessary standard of living for himself and his family, plus such margins as will enable him to employ salaried skilled staff to carry on good management in the event of the illness or absence of the owner, or of death that may throw the property on the market, or create absentee ownership. Taking the experience of other plantation countries, such as the Malay States, Ceylon, the Mysore, Darjeeling, Behar and other plantation districts of India, and also non-British plantation countries such as Java and Sumatra, plantation enterprise no doubt commences very frequently by individual private ownerships, with a considerable tendency to the eventual agglomeration of groups of private estates under company organisation and finance, with the entire European staff on a salaried basis and looking forward to return eventually to their original home countries in the same way as do the majority of Government officials, missionaries, and the staffs of banks and commercial companies, etc. Obviously company enterprise will be highly selective, i.e., finance would only be attracted where the economic prospects are thought to be good enough on the long view, and able to hold their own against competition from the same products of other plantation countries. The products that I have in mind as likely to form a sound basis

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for development in Kenya and Tanganyika on plantation lines are coffee, sisal, tea, and sugar, and possibly coconuts in the coast areas. All of these, to be an economic success, require enterprise on a considerable scale, i.e., world experience indicates that they are not suited to the "Colonist" type of development.

I think it is also the experience of plantation countries, such as those named, that the salaried staffs of such enterprises have little inclination to take an active part in the local politics affecting the Central Government, and no wish to devote their time to assuming responsibility for the Central Government, nor for matters outside their own concern. The men are, as a rule, fully satisfied with having an effective share in local affairs, such as District Boards for Roads and Public Works, District Educational and Medical Committees, etc. They have, as a rule, no time for much more than this, nor to be associated with the Central Government in more than an advisory capacity, and certainly not executive. In these respects, i.e., distaste for political activity, there seems to be much similarity between the men on the land in plantation countries and the men employed in commerce, industry and professions in those countries. Indeed, even in Kenya, it may be noticed that comparatively few of the business community take an active part in local politics or trouble to register their names on the Voters' Roll. Indeed, the interest taken in politics by the entire European community of Kenya seems to be exaggerated, if one can judge from the fact that at the annual registration of voters in December, 1930, in which only about one half of those entitled to register for the vote took the trouble to do so, although the suffrage qualification is exceedingly low, requiring merely six months' residence in the Colony, and every British-born man and woman of 21 years and upwards with that residence is entitled to register, but barely 50 per cent. did so.

I believe that the tendency and economic forces making for a gradual but probably comparatively rapid switch-over from the "Colonist" to the "Plantation" type of European land development in Kenya are already in motion, although as yet not generally recognised there or at home, and that this will have a marked and even profound effect upon the political and inter-racial future of that country within a few years, and that Tanganyika, in which the "Colonist" type of settlement is still very small, is unlikely to increase its Colonist population, but should have an important future as a plantation country. I also think that these tendencies and the effect of natural economic forces to that end, would have already been much more apparent than they yet are in Kenya had it not been for a number of adventitious and even artificial props that have been given to the "Colonist" theory of European land development in that country.

Some of the props on which the "Colonist" type of development has been built up since European immigration for settlement on the land first commenced in 1904-5 have been as follows:—

(a) The initial provision of a railway, traversing the settlement area, free of capital charges for interest and sinking fund, and a system of railway service facilities, and of railway rates on export produce, exceptionally favourable to the settler community and their produce. From the opening of the railway in 1901, up to 1922, the railway annual working profits were allowed to pass, without deduction of any kind, wholly to the Kenya Treasury, although the majority of those railway profits were derived from the traffic to and from Uganda, and the German East Africa (Tanganyika since 1919) districts at the south end of Lake Victoria. The Kenya Treasury thus received about 1½ million sterling over this period from the railway.

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(b) Until 1909, i.e., for the first five years of European settlement, the Kenya Treasury took the whole of the Customs receipts on the imports of Uganda, plus the Customs revenue that was then levied by way of export duties on certain produce, such as hides, chillies, ivory, etc., even when originating in Uganda. The Kenya Treasury is said to have received about £800,000 during these years which would have accrued to Uganda on any fair apportionment system.

(c) The annual budget expenditure of Kenya, at any rate until three or four years ago, made very inadequate provision for services to the native population, such as medical, educational, etc., as pointed out in the Report of the Ormsby-Gore Commission in 1924. In other words, the Kenya Government, although contributed to by the railway revenues of adjacent territories, and by the native taxation of Kenya itself, spent the major part of its revenue upon services to the European settler population, i.e., to establish and maintain the "Colonist" type of settler.

(d) Taking only the last ten years, the average world prices for the chief articles of agricultural production have been abnormally high, especially for wheat, maize, butter, pig products, etc., yet it is doubtful whether the Kenya farmers producing these have made much, if any, real farming profit over the period. At any rate, this is borne out by the present deplorable financial state of the farming community and its great indebtedness to the banks and other mortgagees, as frankly disclosed by the recent investigations of the Kenya Board of Agriculture. If the farming industry had been reasonably profitable, enabling the accumulation of reserves against bad times, the drought of 1929, and the price slump of 1930-31, could hardly have reduced the farming community to such a deplorable state as now appears to exist.

(e) In addition to the benefit of high world prices to the exporting farmers, the entire farming industry in Kenya has had the advantage of high local protection through the Customs tariff since the Import Tariff was revised in 1923, and the very high inwards rail rates on imported foodstuffs. For instance, in 1923 the Import Duty on maize meal, wheat, wheat flour, etc., was raised to 30 per cent. *ad valorem*, the duty on butter and cheese to 1s. per lb. (roughly 100 per cent. *ad valorem*), etc., and the inwards rail rates on these articles were fixed at several times the rate charged for the same articles in the outward direction for export. The result has been to put the inland prices of local produce at levels substantially higher than even the abnormal high world prices, and has indirectly taxed the whole of the non-farming community, including plantation enterprises, and Government Departments, such as the Railways, Public Works, and also the non-food-growing natives and Indians, etc., for the benefit of the farming community, but even this, added to the other assistance above mentioned, has not enabled the farming community to achieve a sound economic position.

(f) During the last six or seven years the export railway rates on maize have been reduced to 11s. per ton. The report of the General Manager is to the effect that the total traffic carried, divided by the total working expenses, figures out at a working cost of about 6½ cents of 1s., say, ¾d. per ton per mile, and he has stated that the average rate paid by maize, on the basis of a freight rate of 11s. per ton for any distance, figures out at about 2½ cents of 1s. or, say, slightly over ¼d. per ton per mile. It is thus evident that maize has been subsidised at the expense of other users of the railway. The export rail rates on wheat, butter, etc., are on a similarly eleemosynary basis. I know that it is claimed that the Railway Department does recoup itself by the

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inwards traffic of imported goods bought and used by the farmers, on which the railway rates are on a comparatively high scale, but whether this works out in practice may perhaps be tested by the statements now made on high authority, such as the Board of Agriculture, as to the very low buying power of the farmers (unless financially assisted by loans). There is also the fact that a single truck load of imported goods would average many times the value of a truck load of exported goods, so that if import and export values balance one another, there would be a heavy amount of haulage of empty rolling stock from the coast to the interior, which must reduce the railway profit made by carrying imported goods, or, alternatively, increase the real loss made by the railway in carrying export produce at non-paying rates. I think that this aspect of railway working has probably been obscured in recent years by the fact that the railway had so much import railway material to carry up country for the building of new lines, Public Works buildings, etc. and that when this exceptional import traffic is no longer offering, the truly uneconomic basis of non-paying rates on export produce will expose itself. Indeed, this already seems apparent from the railway results of 1930, when the railway system made a heavy working loss for the first time during the last ten years, despite, or more probably because of, the fact that the export traffic of maize and wheat was approximately three times larger in weight during 1930 than it was during 1929—(Maize 1929, 764,769 cwts.; 1930, 2,222,529 cwts. Wheat 1929, 69,703 cwts.; 1930, 214,527 cwts. Coffee 1929, 133,091 cwts.; 1930, 310,091 cwts. Sisal 1929, 15,649 tons; 1930, 15,939 tons). From these figures it would seem that the heavier the export produce traffic in Kenya farmers' products, the greater is the working loss made by the railway.

(g) Coming to the latest illustration of the unfortunate position of the farming industry, the Kenya Government found it necessary, in 1930, to persuade the Railway Administration to grant a still further real subsidy to the wheat and maize industries to the extent of £53,900, part refund of railway export rates, and £15,500 of refunded port storage charges, and the Government made a refund of grading and conditioning charge to the amount of £12,155. Thus in 1930 these industries received a direct cash subsidy of over £80,000, and for 1931 a sum of £108,000 has been set aside by the Kenya Treasury to be issued by way of recoverable advances, free of interest, to the maize farmers, being actually loans without security, and to be recouped at some indefinite future date by an export tax on the industry when maize reaches a price level which would have to be something like £2 per ton above current prices, and actually higher than the normal pre-war value of the article. It therefore seems doubtful whether these advances may ever prove really recoverable. One of the effects of this financial assistance is to put up the price of maize for local consumption by an amount equal to the difference between the net export value and the amount of the subsidy, and all local consumers, whether European, native or Indian, find the working cost of feeding themselves and their labour *pro tanto* increased. This affects Government Departments, plantation owners, and, in fact, all who do not grow their own supply. It has been estimated by Major Grogan in the Kenya Legislative Council, that this is equivalent to a further indirect subsidy to the maize industry, by other sections in Kenya, to the extent of £100,000, and that if this is added to the direct and indirect Government and Railway subsidies of 1929-1930, it means that the maize industry will have received about £300,000

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subsidisation during these two years, in addition to export rail transit at below cost of carriage.

(h) Another special measure of financial assistance to the farming community thought necessary by the Kenya Government in 1930 was the setting aside of the sum of £100,000 by the Kenya Treasury, for the purpose of making cash advances to farmers whose credit with the banks and commercial houses, etc., was exhausted, and who were not in a position to give mortgages or other normal security for loans. A specific body, the "Agricultural Advances Board," was set up to administer this Fund, and their report issued in December, 1930, contained a statement that they found it exceedingly difficult to make the money issues on any ordinary business basis. They were therefore confining themselves, in most cases, to granting monthly advances to farmers, to enable the latter to pay their labour and otherwise keep going, but even in these cases the Agricultural Advances Board felt it necessary to insist that the farmer should establish some sort of composition with his tradesman creditors, whereby the latter should undertake that in consideration of receiving 50 per cent. of their outstanding accounts for goods, etc., supplied to the farmer, those creditors should agree not to press or take legal action against the farmer for the balance of their debts, for a period of three years. This, in short, was equivalent to a three years' partial moratorium. With even the strongest desire to issue the whole £100,000 Fund to deserving farmers, the Agricultural Advances Board did not consider itself justified in issuing more than £43,000 during the year 1930, and a paragraph in their Report states that it will be necessary to continue advances from the Fund during 1931 to the farmers concerned as the only way to averting the risk of probable complete loss of the advances already made from the Fund. The eventual recovery of these loans seems very doubtful.

(i) No doubt it is mainly the result of these special measures of assistance that, as recently officially reported, the free surplus balances of the Kenya Treasury were reduced to £23,000 only at the end of 1930, this figure comparing with over £700,000 surplus Treasury balances a few years ago for that Colony. On the other hand, it is noteworthy that, despite the very heavy slump in the cotton crop of Uganda during 1930, both as to quantity and world values, the Uganda Government has just reported that its surplus balances at the end of December, 1930, amount to approximately one million pounds sterling, and that they estimate that this Uganda surplus will not be depleted by the end of 1931. In Tanganyika, where the surplus also rose to over £700,000 two or three years ago, the effect of the drought year 1929 and of the world price slump of 1930-31, has still left the Tanganyika Government with a surplus of over half a million sterling.

(j) Among other reasons for expressing the opinion that the Kenya farmers, i.e., settlement of Colonisation type, if it be basically sound, should by now have achieved a sound foundation owing to the revenue opportunities of the farmers from high prices and the special aids above mentioned, I think it is a fact that they have also had the opportunity, of which many have availed themselves, of making revenue from sources other than the produce on their land. The last ten years has been a period of extreme activity in the building of railways, roads and public works of all kinds, which have enabled the Departments concerned to give out a great deal of work to sub-contractors, and many of the farmers have availed themselves of such work, and have made revenue

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from transport and other services accessory to this period of capital development by the State. The revenues made by them in such ways have possibly assisted to obscure the fact that their purely farming operations were not so profitable as many of them may have imagined and as would perhaps be inferred from the general statistics of the trade imports and Customs revenue of the Colony, and the high standard of living that has been maintained. In addition, quite large money has changed hands in the course of sub-division of original areas, for sale to newcomers, etc., and the receipt of such monies would also have tended to obscure the inadequate income made out of the actual agricultural products.

(k) Although I admit that it is rather a special case, the effort to establish a farming settlement, of "Colonist" type, for slightly disabled ex-Service men, in the Kenya Colony in 1919-20 (known as the "British East Africa Disabled Officers' Colony") may be worth mentioning. About 80 ex-officers, mostly married and with families, were selected for this scheme, and 26,000 acres of what is probably the best farming land in Kenya, adjacent to the Township of Kericho, was set aside as a free grant. The officers were allowed to commute their pensions in order to provide a minimum of £400 capital apiece, and a similar amount, bringing the total to about £800 per family, was provided by the Ministry of Pensions; free or partly assisted passages and rail fares were provided, and these 80 families were placed upon the land, but failure began within two years, and although the scheme was allowed to borrow about £20,000 from the Bank on the security of the land that had been granted free, this was soon exhausted, and within four years not one of those settlers remained on the land. The total expenditure was not less than £80,000-£100,000, plus the free grant of the land, and the whole of this capital was entirely lost, and the 80 families were ruined. The land which the Colony had thus parted with was eventually sold by order of the Bank and realised about an average of £3 10s per acre, the excess realised over the amount of the Bank debt being sufficient to repay these settlers less than one half of what they had sunk in the venture, and the State itself made a dead loss of its 26,000 acres.

This scheme was quite outside of the big so-called Soldier Settlement Scheme in 1919-20, under which about 1½ million acres were allotted to about 1,500 ex-Service men as farm holdings. This included a special class of small holdings, chiefly close to townships, the idea being that the allottees would be able to obtain work in the towns to supplement their farming revenue. I think it is correct to say that most of these small holdings went out of occupation, or became amalgamated with larger holdings, within two or three years, and that out of the original 1,500 allottees, there are probably not more than 750 in occupation to-day of the holdings then allotted to them.

(l) To sum up, I am convinced that a large number of Settler families now in Kenya have been honestly, but quite seriously, misled as to the future which the country holds out to them and their descendants for settlement on what I have called "Colonist" lines. The Kenya Government itself has taken part, however unconsciously, in this misleading of individuals, by the optimistic tenour of annual and other reports, and by its public advocacy of a programme of continuing to allot small holdings on which new settlers should be established with

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very small capital and the aid of Government advances. Individuals would surely be entitled to infer from this that the Government itself feels confident as to the prospects of economic success of such small settlement. Also, as above referred to, there is the factor of local enthusiasm, which is not merely confined to earlier settlers who have surplus land for sale, and who may be unconsciously biased by their desire to see newcomers entering the country as potential land buyers, but it is also true that the Government itself has each year offered quite large new areas for alienation, and this also would carry the inference that the Government itself is satisfied as to the future prospects of Colonisation settlement. So far as I can trace, there has been no published attempt by the Government to bring these prospects to the test of facts and figures based on an analysis of actual results. Loose general statements are made. The concluding para. of the Department of Agriculture Census Report of each year has published a figure stated to be "the value of products exported on an average by each European occupier," viz., £917 per occupier for the year 1924/25, increasing up to £1,197 per occupier in 1927/28, with rather smaller figures for the next two years. The statement is official, and no doubt is literally true as an average, but I submit that it is utterly misleading, inasmuch as it makes no distinction between the product of the small private farmer and that of the large sisal and other plantation companies, and is thus apt to give a false picture of the prosperity and prospects of the private farmer. Another Government statement, which may also be misleading, is that the average Customs Duty paid by each settler is over £30 per annum, and that, on the basic rate of 20 per cent. import duty, this would reflect a spending power of £600 per settler, i.e., the inference that the average settler has an annual buying power of that amount. Indeed the statement would imply even a much larger annual average buying power than £600, as local purchase prices would have to include railage costs from the coast, retailers' profits, and so forth, and also many farmers' requirements are admitted duty free. In short, the statement that each settler contributes on the average £30 to the Customs revenue can only be taken to reflect that, in the opinion of the Government, the average purchases of a settler and his family are certainly not less than £1,000 per annum, and this, I submit, is another instance of the way in which official statements have been creating an atmosphere of exaggerated optimism, leading to an economically unsound Settlement situation.

PART II.

It may be useful to the Committee to have an attempt to analyse the present European population of Kenya, with a view to seeing how many may be regarded as permanently domiciled there, i.e., intending that they and their descendants will continue to live in the Colony, and to form an opinion as to how far the "Colonist" element of the European population is likely to increase or decrease in numbers.

The last official Census of Kenya was taken on 21st February, 1926. This date was selected to occur at the time of year when the annual seasonal absenteeism on home leave, of both the official and unofficial classes, is at its minimum. On the other hand, February is a month when the temporary population of tourists, shooting parties, etc., is generally at its maximum. It was estimated that the temporary absentees at Census date would probably just about be balanced by temporary visitors, the latter being included in the Census enumeration, and the former not included.

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The Census gave a total European population of 12,529 as follows:—

Males, over 16 years of age	5,669
„ under	„	„	...	...	...	1,530
Females, over	„	„	...	...	...	3,835
„ under	„	„	...	...	...	1,495
						12,529

Of this total, 10,466 were recorded as born outside of Kenya, viz., 6,153 males and 4,313 females. The number recorded as born in Kenya was 2,063, made up of 1,046 males and 1,017 females. A more detailed analysis of the juvenile population is important to the subject, and is as follows:—

Age Group.	Born out of Kenya.	Born in Kenya.	Total.		
			Male.	Female.	Total.
0-5 years ...	402	1,197	820	779	1,599
6-10 „ ...	337	459	380	416	796
11-15 „ ...	• 358	272	330	300	630
Total 0-15 „ ...	1,097	1,928	1,530	1,495	3,025
<i>Add—</i>					
16-20 „ ...	577	106	366	317	683
Total 0-20 „ ...	1,674	2,034	1,896	1,812	3,708
21-90 „ ...	8,792	29	5,303	3,513	8,821
Grand Total ...	10,466	2,063	7,199	5,330	12,529

From the above table, it is seen that the European population in February, 1926, included 459 born in the Colony between 1921 and 1925, 272 born in the Colony between 1916 and 1920, and only 135 born in the Colony in the 12 years from 1904, the start of European settlement, up to 1915 inclusive. This suggests that the European population between 1904-1915 was rather a shifting one, as would be natural in the early days of a new country. The total of 935 males and female juveniles born outside the Colony, which were between the ages of 10 and 20 in February, 1926, doubtless reflects the influx of families accompanying the Soldier Settlement Scheme and the Disabled Officers Colony Scheme of 1919-20, when 1,500 farms were allotted.

I estimate the present European population of Kenya as being between 14,500-15,000, and probably fairly near 14,650, calculated as follows:

The February, 1926 total was 12,529. Add to this 1,200 children born in Kenya between 1926 and 1930, who survive and are retained in the Colony at February, 1931, at a rate of 280 per annum (1921-26 increase by births was 240 per annum). Add to this 200 new arrivals of juveniles born out of the Colony, between 1926-1930, at a rate of 40 per annum (the corresponding figure for 1921-26 new juvenile arrivals was 80 per annum, but immigration has been on a smaller scale in the second of these two five-year periods). Add to this the estimated net excess of new adult arrivals over adult permanent departures between 1926 and 1930, say 500. These figures would make an addition of about 1,900 to the Census of February, 1926, resulting in about 14,650 in February, 1931.

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If my estimates are correct, these figures would result in leaving the 0-5 years age group in February, 1921 at about 1,600 boys and girls, which is about the same as in 1926, and an increase of the 6-10 years age group from 796 in 1926 to about 1,700 in February, 1931, and an increase in the 11-15 years age group from 630 in 1926 to about 900 in 1931, and a decrease in the 16-20 years age group from 683 in 1926 to about 600 in 1931. The probable number of adults of both sexes aged 21 years and upwards will therefore have increased from about 8,821 in 1926 to about 10,000 in 1931, viz., made up of about 5,900 adult males and 4,100 adult females, as compared with 5,303 adult males and 3,518 adult females in February, 1926. It will be seen that the proportion of the adult females to the adult males tends to rise with the passing of each five-yearly period.

Now how far can this European population be regarded as permanent settlers, in the "Colonist" implication of that term.

In the 1926 Census, the occupations of the 12,529 Europeans was scheduled as follows:—

Occupation Group.	Employer.	Employee.	Own Account.	Total.
Agriculture	725	684	790	2,199
Commerce	130	996	164	1,290
Domestic	11	235	64	310
Government	—	1,294	—	1,294
Industry	103	384	120	607
Professions	67	498	141	706
None	—	—	—	6,123

The number scheduled as of "Nil" occupation included 1,830 males, which corresponds almost precisely with the number of juvenile males under 20 years of age at that date, which was 1,896, and shows that practically every male over 20 years of age was employed. The number of unemployed females was 4,293, of which 1,812 were juveniles and the other 2,481 no doubt included the majority of the married women in the country.

It will be seen that about 20 per cent. of the adult males of the Colony were employed in Government service, including Railways, Public Works, Military, etc. In the same proportion, there would be between 1,200/1,300 adult males now so employed, out of the estimated 5,900 in the Colony. A very large proportion of these are on engagement from England and unlikely to remain in the Colony on completion of their service. On the other hand, it is hoped and expected that many of the Government, Railway and Municipal vacancies, as they occur, may be refilled by young Kenya Europeans. Against this, there is the risk to them that the very active period of new Railway and Harbour construction, Government buildings, etc., which has been a feature of the 10 years 1920/1930, is already slackening off and unlikely to recur, and may displace a good many Europeans, both official and unofficial. As regards unofficials, a fair number have found employment on contracting and sub-contracting in connection with these construction programmes, but according to the Census, they were not scheduled as Government servants, but were included under the heads of Commerce, Industry, Domestic and Professions. The slackening off of such work probably affects some few hundreds of unofficial Europeans, directly and indirectly.

Turning to the figures under the head of Commercial employment, it seems striking that those working on their own account, or as employers,

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were so few, and that employees made up 75 per cent. of the total. The reason probably is that large businesses at Mombasa and elsewhere, such as Banks, Shipping Companies, Oil Companies, Import and Export Merchants and General Agents, are in so many cases owned by Companies domiciled in England, whose staffs are largely sent out on service engagements and return home on completion. Probably fully half of the 1,033 males scheduled as engaged in commerce are therefore not permanently resident and are not truly settlers. In this, as in Government employment, it may be hoped that vacancies will be filled locally, and thus assist to employ some of the population hitherto on the land.

The Domestic schedule shows 64 males, and is explained to include hotel proprietors and their staffs, club secretaries, etc., and probably half of these are non-permanent residents. On the other hand, it may be hoped that the hotel, tourist, sporting and amusement industries will tend to increase with the growth of Tourism from Europe and America.

The Industrial schedule shows 581 males, but the Census report states that 75 per cent. of these were builders and contractors and mechanics (motor and general), and that 97 were employed in the local timber industry, and the Report went on to say that there was nothing to indicate any forthcoming increase in the number of European mechanics and artisans. The slackening off of Railway and Government building construction is, of course, reducing the number of openings for European industrial occupation and employment. A big amount of building has been done in Nairobi and other towns, such as theatres, hotels, blocks of flats, offices, etc., which probably need not be renewed or extended for some years.

Professions were scheduled to give occupation to 706 Europeans, *viz.*, 416 men and 290 women, the occupations included under this heading being Religion (Missionaries, etc.), Medicine, Education, Engineering and Law. Ladies and gentlemen engaged in these matters under Government, Municipalities, etc., are included in the schedule of Government employees, and the 706 in the Professions schedule were therefore unofficals. Probably at least half of these look to returning home on completion of their active life overseas.

Under the head of Agriculture, which accounted for 2,107 males and 92 females, 691 males and 34 females described themselves as employers, 746 males and 44 females as being on their own account, and no less than 684, *viz.*, 670 males and 14 females, described themselves as employees. The latter would, no doubt, include the staffs of Agricultural and Plantation Companies, Managers for absentee land owners, etc. Thus almost exactly one-third of the agricultural employed population in 1926 were employees, and at least part of these are recruited from outside of the Colony and will probably return home on completion of service. Presumably all those classified as employees are in risk of losing their employment if financial results of the land are not enough to satisfy the employers, including a yield sufficient to enable the employer to pay the salary and expense of the employee.

Two months ago there were 181 names on the Unemployed Register in Nairobi, arising partly out of agricultural discharges and partly from industrial retrenchments.

Summing up this analysis of the European population, the total of, say, 15,000 European men, women and children to-day is probably made up of about 7,000 who are unlikely to remain permanently in the Colony themselves, or to expect that their families will do so, and about 8,000 who do

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hope and desire to remain permanently both as to themselves and their children. This 8,000, as I show below, is probably made up of about 5,000 men, women and children now on the land as owner occupiers, and about 3,000 in other capacities, such as Agricultural employees, commercial employers and employees, industrial and professional.

The Kenya Agricultural Department publishes an annual Census. The last available is for July, 1929, and stated the number of occupied land holdings as 2,035, being an increase of 64 on the previous year. As each holding is counted separately, and as there are a good many Companies and private owners owning from two up to a dozen or more separate holdings, the actual number of ownerships is probably not more than 1,800 out of the 2,035. The 1926 Census showed 725 agricultural employers and 790 as being agriculturalists on their own account, of both sexes, which would imply about 1,515 holdings occupied by employers and people working for their own account at that date. The net increase of ownerships over the five years to 1931 is probably about 300. The Agricultural Census shows that an average of about 80 holdings change hands each year from death, permanent departure, etc., with an average increase of 140 new holders each year, i.e., a net annual increase of about 60 holders, or, say, 300 in the five years. The 2,035 occupied land holdings thus appear to be made up of about 1,800/1,850 actual ownerships, the difference of about 200 ownerships being accounted for by multiple holdings

The 1929 Agricultural Census state 2,882 Europeans as then employed on agricultural holdings, and this figure probably includes a number of the wives and elder juveniles, as well as the salaried employees, the latter, as above mentioned, totalling 684 in 1926. The settler population of "Colonist" type on the land, as distinct from employees of Companies and absentee owners, etc., would not appear to be more than about 1,500-1,600 settler families, or say, under 5,000 souls including their women and children, and it is with regard to so many of these that I fear the present situation and future outlook is so precarious.

It is said that quite a number of these would be glad to sell out and quit the country if they could find buyers, and I suggest that the best hope for many of the juveniles may be absorption into Government service, Railways, commercial employment, etc. There is probably no early fear of the emergence of "poor whites" in any serious number, owing to the fact that so many of these settlers are men with Army pensions or other private means, such as financial support from home. But pensions die with their holders, and there would be a danger of the "poor white" problem arising in another 10 to 20 years' time. This would be the more likely to occur if a further influx be encouraged of settlers without very adequate financial means, i.e., sufficient to enable them to go in for land development of the Plantation rather than of the Farming type. I submit that the European, as a Colonist farmer in East Africa, cannot hope to make a permanent economic success from products which the natives can themselves grow free of the high personal overhead expenses necessary to the European. The European farmer has, in effect, to rely upon profit margins sufficient to keep himself and provide for his family and to employ and pay natives to compete against other natives. As the general mass of natives advance in production for their own account, the levels of native wages must rise, and make it more and more difficult for the Colonist farmer settlement to succeed. The examples of Uganda, Bukoba, Mwanza, Shinyanga, and the Wachagga coffee growing natives of Tanganyika, show how rapid this increase of native production and native economic standard can be.

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PART III.

NOTES ON CERTAIN CROPS.

The primary economic crop of Kenya European land settlement is coffee, although maize has been often referred to in Government speeches, etc., as the backbone of the Kenya farming industry. It is now being suggested that the European farmers should try to switch over from maize to mixed farming, with a large expansion of dairying, etc.

Coffee.—The Secretary of the Kenya Coffee Planters Union stated in December, 1930, that there were 871 Coffee Plantations in Kenya, being 42 per cent. of the total Estate occupiers, and that there would be only a small percentage of these who would not require financial assistance during the coming year. The Agricultural Census shows the European coffee planted area to be about 90,000 acres, of which about 65,000 are in bearing or part bearing. The crop this year is estimated at 12,500 tons, or, say, about 4 cwt. per acre. The average crop per coffee planter is, therefore, under 14 tons, and would be not much over 20 tons when the whole 90,000 acres are in bearing. Even this low figure may be misleading, as some of the estates with the largest yields are owned by companies.

In any case, it is impossible for a 20 ton crop to pay for skilled management and leave a profit. It seems that a large proportion of the total planting has been in small patches, and some of it on very doubtful soil. Quite half the total crop is of very poor quality, due to these causes of unsuitable soil and lack of skilled management, and is produced at a working loss. Such growing of coffee is not Planter enterprise, and it obviously does not pay as a small farming matter, i.e., it is not suited to the "Colonist" type of settlement, as distinguished from the Plantation type of settlement. I fear that a number of the present Colonist coffee growers will go out of action, and I believe that the tendency will be for the best of the rest to pass into Company ownership under skilled management and with the necessary financial resources. That part of the present crop which is good, is undoubtedly very good, and quite profitable. A crop of 20,000 tons under the present system of small Colonist ownerships would imply that nearly 1,000 owners and their families expect to be supported by it. A crop of 20,000 tons under skilled company management would require at the most 400 salaried managers and assistants on the basis of one European per 50 tons crop. The proportion of Europeans in highly organised coffee plantation countries, such as Mysore, Java, etc., is about one per 100 tons crop. The margins of profit, on world prices, will simply not allow Kenya coffee to survive unless it is rationalised and its overheads reduced in this way.

Quite recently, the Kenya Board of Agriculture has submitted to the local Government that financial aid to the extent of about £80,000 is necessary to the coffee industry to enable about 150 growers to carry on at all.

Maize.—The Report of the Kenya Board of Agriculture enquiry last year stated the number of maize growers as about 1,000, and that the cost of production, including 1s. 3d. per bag, or, say, 14s. per ton maintenance living expenses of the European farmer himself, works out at from 30s to £2 per ton below the net realisable value to the farmer if sold at world price of 19s. per quarter. This figure was estimated on the assumption of a crop yield of eight bags of 200 lbs. per acre of planted maize, which is admittedly well above the average yield throughout the Colony for some years. Even with considerable reduction in the wage rates of native labour,

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and every economy by the European farmer, it is difficult to see how this difference can be bridged. It is admitted by the Kenya Farmers Association, who do the co-operative selling of most of the crop, that there are distinct limits to the world demand for the special type of maize which yields the premium price over maize for ordinary foodstuff purposes, the world value of which is quite 10s. per ton lower. The subsidies and other special assistance to the maize industry have been mentioned earlier in this Memo. The crop this year is estimated at about 1,800,000 bags, of which about 600,000 bags is expected to be consumed locally, and the balance will have to be sold on the export market.

Wheat and Barley.—Very great efforts have been made to grow both these cereals as farmers' crops. They have had special financial assistance and special export rates, but the Board of Agriculture Report shows that both are grown at a loss.

Dairy Produce.—I have mentioned above that hopes for the future of the "Colonist" farmers are now being based on an effort towards "mixed farming," and it is pointed out that the export of farmers' butter last year rose to 400 tons, value about £36,000. This figure is trifling, and no doubt increase is possible, but many of the farmers whose memory in Kenya does not go back more than 10 years or so, may be overlooking that the records of 40-50 years show that the rainfall goes in cycles of about 11 years, with about four years of insufficient rain, working up to drought, out of each 11 years' cycle. The losses due to this cause, and to animal diseases, have been very serious.

Tea.—Although not yet one of the major exports, the growing of tea, in selected areas, has been taken up by very strong people, with expert staffs, following upon careful experiment by them, and there seems to be good reason to expect that this industry will develop considerably on Plantation lines. It is admittedly not suitable to small "Colonist" farmers.

Sisal—Next to coffee, sisal has been for some years the second most valuable export of Kenya. The Board of Agriculture Report mentions that there are 77 sisal growers, with a planted acreage of 123,000 areas, but apparently only about 30 of these are serious growers and took the trouble to reply to the Board's enquiry. The fact seems to be that a number of farmers, mainly up country, have planted small areas of 50 to 250 acres, regardless of the fact, which is recognised by the Board of Agriculture in its Report, that an annual output of 1,000 tons, needing a minimum of 2,500 acres of compact plantation, is the smallest economic unit that can avoid loss, even at a world price of £32 per ton. The present world price is £17 10s., but the drop is regarded as temporary. It is impossible to amalgamate sisal plantations that are not contiguous and probably some proportion of the present planted area in Kenya will go out. In any case, it seems more than risky to plant it at 500 miles from the coast, as has been so much done, thus putting the product at a rail carriage disadvantage of at least £1 per ton, compared with the output of the big plantations at 100-150 miles from the port, and still more so, as compared with the very large Tanganyika plantations which are at an average of 50 miles or less from the coast. In any case, therefore, sisal is not a crop for the "Colonist" farmer, but needs much capital and highly organised plantation and engineering management.

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PART IV.

RECOMMENDATIONS.

1. I respectfully submit that any policy of inter-racial political development needs to be prefaced by a considered view as to whether the "Colonist" type of European land settlement is likely to be maintained and become a large permanent factor in the country, and that this view should be arrived at after deciding whether the special financial assistance of non-paying railway rates, etc., on low grade products should be continued.

2. A definite land settlement policy would also take into account the question of further alienation of land for "Colonist" settlement.

3. Should the view be adopted that settlement on Colonisation lines is not likely to be a permanent success, many of the political arrangements that have been discussed may be unnecessary.

4. Every effort should be made to absorb into Government service, commerce, etc., such Europeans as become displaced by the failure of the Colonisation thus far attempted.

5. If Colonisation does not increase, and still more so, if it automatically shrinks, there will presumably be considerable reduction in Government expenditure, and less Government revenue will be needed. This and the abolition of non-paying export rates would give opportunity for revision of railway rates to give an increased stimulus to the 6½ million native population in the far interior, such as Uganda and the Lake districts of Kenya and Tanganyika, where this large native population is at an average distance of 800 miles from the coast. The geographical disadvantage of their position is disproportionately recognised at present, despite the tapering of the Railway mileage rates. Increased stimulus to this very large population by Railway action, and by a revision of Customs tariffs, so as to increase the real buying power created by their agricultural production, would have a very important effect on their capacity to contribute to Treasury revenue, as well as to the revenues of their Native Councils.

6. Absence of expansion, and still more so, any automatic reduction in the volume of Colonisation settlement, would reduce the demand for labour, which now takes from the tribal areas an average of over 30 per cent. of the able-bodied males of working age for periods probably averaging six months of each year, and, in order to supply the all-the-year-round demand, must therefore work out at considerably higher percentage absent from their tribes for long periods in each year. I think it is admitted that the proportion absent in this way is already too high for the economic and political welfare of the tribal communities.

If it be decided that the forms of stimulus and encouragement for the increase of the "Colonist" population are to cease, I venture to think that there will be no need for the appointment of the local Arbitral Authority envisaged by the Hilton-Young Report. The Secretary of State can be the only official Arbitrator in high policy, and I venture to suggest that the present situation is due to the absence of a consistent policy, applied for a period long enough to make a permanent impress. No doubt the interruption of the War and the experimental state of affairs generally, may be the reason why public enunciation of a definite policy has been so long delayed.

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7. I also venture to think that a permanent High Commissioner, with his establishment, is not necessary for the control of the common economic services of Kenya, Uganda and Tanganyika. The currency system of the three Territories is already united under the Currency Commissioners. The military system has been recently reorganised, so that the cost falls fairly on each Territory. The Railways, Customs and Posts and Telegraphs of Kenya and Uganda are already united. Commercial law can be made uniform throughout the three Territories, and judgments, powers of attorney, etc., in each Territory can be made valid in the other Territories, by mutual arrangement, under the supervision by the Colonial Office, and a High Commissioner is not needed for that.

Trunk railway and arterial road development can be settled by conference, and such questions as branch railway lines, to serve purely local interests, would be decided upon along the lines of the general settlement and development policy laid down for the guidance of the Governors.

8. Finally, I would venture to urge that the administration and development of the areas alienated to European settlement, at any rate in the present Highland area, be as far as possible, separated from the general administration and development of the remainder of the country, i.e., from the gazetted tribal areas and the area of Crown Land which is at present neither alienated to European settlement, nor allotted to tribes. Possibly European self Government, in certain services, and within the limits of revenues to be allotted for the purpose, may be capable of gradual extension in the Highland colonisation area, but there would be no need to extend this to isolated plantation areas that lie outside, nor to the town and port of Mombasa. As regards Mombasa, I venture to suggest that it should be, as far as possible, a self-governing unit, and be regarded as being in all ways a Dependency of Kenya and Uganda, in common to both those States.

APPENDIX No. 11.

(Vide Question No. 3754.)

MEMORANDUM FROM MR. G. V. MAXWELL, CHIEF NATIVE COMMISSIONER OF KENYA.

Preliminary.—In submitting this *précis* of the evidence which I should like to tender to the Joint Committee, I beg leave to make two prefatory observations. The first is that I am confident that the Committee will realise that, as a serving Officer of Government, I am placed in a delicate situation in endeavouring to represent the native point of view, for I must state what I believe to be the native feeling on certain aspects of the matter whether or not it accords with the policy of Government. The second is that any opinions which I may express in what I personally believe to be the best interest of the native population of Kenya must be taken as my personal views only, and not in any way as binding the Government of Kenya.

2. *General.*—In the present stage of political development among the native tribes of Kenya it would be futile to invite a considered expression of opinion even from such comparatively advanced bodies as Local Native Councils or Native Political Associations on such a complicated question of major policy as Closer Union. With the exception of tribes living on the actual borders, few natives of Kenya have even visited Uganda or Tanganyika otherwise than as servants or labourers in peace time, or as native troops or carriers during the War. Even the most enlightened of them have but a vague conception of the machinery of their own Colonial Government and cannot appreciate or understand the *raison d'être* and respective functions of the various departments. They only know the officers with whom they come into personal contact, such as administrative officers, doctors, veterinary and agricultural officers, schoolmasters, or public works foremen. *A fortiori*, they know absolutely nothing about the Governments of other territories, and the distinctions involved in such terms as “Colony,” “Protectorate,” and “Mandated Territory” are quite beyond their comprehension. The mental horizon of even the most prominent members of native political associations is usually limited to the parochial concerns of a small section of one tribe. In these circumstances if I were asked such a question as “What are the views of the native tribes of Kenya as a whole on the proposals for Closer Union in East Africa?” I should have to reply that they have none, because, in the first place, the native tribes of Kenya are by no means a united whole, comprising as they do many different and mutually hostile peoples, and secondly because, as communities, the various elements composing the native population are quite incapable of understanding the question with all its political and financial implications.

3. It therefore devolves upon me as Chief Native Commissioner to offer what suggestions I can in the interests of uncomprehending natives, of the Colony as a whole, and of the Empire.

4. The Commission on Closer Union directed its attention to the examination of two principal questions, namely:—“(1) Is Federation or Closer Union between the different territories of Eastern and Central Africa to be adopted as a means to secure more effective co-operation between them?” and “(2) What form of constitution is suitable for those territories in which non-native immigrant communities have become permanently domiciled?” It stated at the outset its conclusion that “although there do, in fact, exist possibilities for more effective co-operation in these matters of such importance as to deserve serious attention, nevertheless these are of minor significance compared with the need for a common policy

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in dealing with all matters affecting the present position and future development of the natives, and their relations with the immigrant communities. The chief need in Eastern and Central Africa to-day is that there should be applied throughout the territories as a whole, continuously and without vacillation, a "native policy" which, while adapted to the varying conditions of different tribes and different localities, is consistent in its main principles." (Cf. p. 7 of Report)

The Commission further expressed the opinion that "the problem of devising some form of Imperial control confined to broad issues of policy and commanding the respect and confidence of the local communities, instead of their distrust and opposition, is one for which a solution is needed not only in Eastern and Central Africa but for the proper development of other non-self-governing dependencies" . . . (p. 8) "It is not safe to allow policy in Kenya to be framed regardless of what is being done in Tanganyika and Uganda. It should be framed for East Africa as a whole" . . . (p. 9). "Co-ordination of policy by the Imperial Government for the whole of Africa will be easier, if the various small units are first united in homogeneous groups."

5. Native interests in Kenya will be affected in three main respects by the decisions which are eventually taken. The first relates to the extent to which tribal and native social systems will be preserved and have their best features developed, or will be broken down by the introduction of some form of Government which is incompatible with a communal system. The second is the extent to which natives may be called upon to meet, through taxation, the costs entailed by the appointment of a Central Authority and staff and the setting up of further machinery of Government which they can neither understand nor appreciate. The third and greatest is the effect which any such arrangements may have on the security of their tenure of their land.

6. The strength of a chain is the strength of its weakest link, and it is therefore necessary, before uniting the East African territories, to examine carefully the composition of the links of which the chain is to be made. In this respect I can only speak from my experience in Kenya, where I have spent nearly ten years as Chief Native Commissioner.

7. The composition of the population of Kenya is strikingly different to that of Uganda and Tanganyika. It may be roughly stated in round figure as 12,000 Europeans, 30,000 Asiatics, 10,000 Arabs and 2½ million Natives. The European, Indian and native communities have political ambitions and powers of articulation in inverse ratio to their numbers. The demand of the unofficial leaders and spokesmen of the European Community has been for a form of so-called "self-government" which would in effect amount to the subjection of the Asiatic, Arab and native Communities to the will of an European oligarchy. Although natives do not comprehend the inner workings of modern civilised constitutions, there is one vital point upon which they are quite clear and definite, and that is that they acknowledge and prize the authority and protection of His Majesty the King, his Ministers and his Governors, and they will never willingly accept any other. They will deeply resent any arrangement whereby they may be governed, taxed or legislated for by any other authority. They would strongly object to an unofficial majority in Legislative Council unless it were a majority representing the interests of the African population. The politically-minded element of the native population is small in comparison with the whole, but it contains many who eagerly read the local English papers. Much that they find there in the shape of "letters to the Editor", speeches at political meetings, proceedings of the Convention of Associations and even many utterances in

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Legislative Council convey to the native reader a firm impression that the European is inexorably determined to keep the native under, to take his land and to use him simply as a labourer at the smallest possible wage. This is most unfortunate, as many, if not most, of the deplorable things that are said and written are condemned by the sound but non-vocal majority of the settlers, but the fact remains that it is mostly through what appears in the Press that native political aspirants, no less than the British public outside the Colony, judges the British Community in Kenya.

8. It is obvious that there are certain activities of Government which profoundly affect Communities outside Kenya and in some cases outside Africa. Among these are Railway and Harbour services, Customs, Posts and Telegraphs, and Defence. These are matters of Imperial significance which natives cannot possibly undertake and which they gladly leave to the duly appointed officers of the King's Government. Although unable to appreciate their full significance or their relations with outside world, natives realise the benefits which have accrued to them by the white man's organisation of transport and communications for they make personal use of these services: they appreciate also the protection afforded by the King's African Rifles and the Police. But they would be very uneasy at any suggestion of even these services being controlled by any authority other than that of officers directly appointed by the King or by His Majesty's representative.

9. The greatest anxiety which the natives of Kenya feel concerns their land, and that is a matter in respect of which certain tribes, and particularly the tribe which exhibits the greatest political activity, have a genuine grievance.

10. The Commission on Closer Union in Eastern Africa considered that the first step towards the co-ordination of policy in Eastern Africa is to unite the various small units in *homogeneous* groups. With this I am in agreement and I am of the opinion that it is essential to the political and economic development of Kenya that there should be a separate administration of the native areas and a separate budget for local services within those areas. The alternative is to treat all the various communities in Kenya as a homogeneous whole, which they are not, and to govern them through the ballot-box, which is incompatible with tribal institutions and would in a comparatively short time precipitate a variety of disasters including a complete breakdown of tribal authority.

PROPOSALS FOR SEPARATE ADMINISTRATION OF NATIVE AREAS.

11. The outline of my proposals is as follows:—

General.—(1) The division would be a geographical and not a racial one. The non-native areas, which for convenience I will call the Colony, would contain the major settled areas and Crown Forests, together with the 10 mile Coastal strip which is held under lease from the Sultan of Zanzibar, but excluding any area that has been declared as native reserve. The "native areas" would contain all native reserves, including any leased land therein, all contiguous land that has not been definitely alienated or set aside for alienation or for other non-native or public purposes, and the Northern Frontier and Turkana provinces.

(2) The Governor of Kenya would hold two separate Commissions from the King—one as Governor of the Colony of Kenya, and the other as High Commissioner of the Native areas.

(3) The Governor of Kenya would legislate, with the advice and consent of a Legislative Council, for the Colony, i.e., the non-native areas only.

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In his capacity of High Commissioner for the native areas, he would legislate for those areas by proclamation or Order-in-Council, whether by special enactment affecting the native areas only, or by applying Colonial Ordinances or English Acts with or without modifications.

(4) The Governor of Kenya would have powers of certification and veto in respect of Colonial Legislation in order to safeguard native interests, to prevent unfair racial discrimination, and to ensure the due continuance of essential services.

(5) The native areas would be administered by a Chief Commissioner under the High Commissioner. the latter would be concerned with questions of major policy only, leaving all matters of detail to the Chief Commissioner.

(6) The Government of the Colony would be the Central Government and would receive all Customs revenue, and would be responsible for the following services and for the necessary financial provision.—

- (a) The Governor's establishment,
- (b) The Supreme Court,
- (c) Customs administration;
- (d) Defence, whether Police or Military;
- (e) Posts and Telegraphs,
- (f) Audit;
- (g) Survey of boundaries;
- (h) Main Trunk roads;

as well as the internal requirements of the Colony.

The Central Government would also receive all non-native poll-tax, wherever paid, and all revenue received in the settled areas in respect of licences, fees, fines, etc., etc.

(7) The revenue of the native areas would consist of—

- (a) all native hut and poll-tax, wherever paid;
- (b) all revenue received in native areas, other than non-native poll-tax or money specifically due to the Central Government.

(8) There would be a completely separate budget for the native areas. The funds would be kept apart from Colonial Funds, and would be in no way under the control of the Legislative Council of the Colony. The budget of the native areas would be prepared by the Chief Commissioner for the approval of the High Commissioner who would enact the necessary legislation: this budget would make for all direct services in the native areas including administration, subordinate courts, native tribunals, tribal police, medical, educational, agricultural and veterinary services, district roads and bridges, local public works, etc. etc.

(9) A due proportion of the surplus balances as at 31st December, 1929, should be paid to the funds of the native areas.

(10) All buildings and other public works in native areas, other than those relating to central services, to become the property of the Government of the native areas, which would take over the liability in respect of any loan funds expended upon them.

(11) Housing and office accommodation in towns occupied by officers of the native administration to be similarly handed over.

(12) Officers to be interchangeable between Colony and Native areas, cost being allocated in proportion to period of service in each.

(13) Native areas to be specifically represented on all inter-territorial Boards or Committees.

(14) Chief Commissioner of native areas to have a Native Affairs Board to advise him on such matters as he may desire to refer to them. The constitution of the Board is a matter of discussion, but

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native opinion would oppose the inclusion of any unofficial non-natives unless natives were fully consulted in regard to their selection.

12. A map and a skeleton native affairs budget illustrating these proposals are available in the event of the Committee desiring to examine them further.

13. Subject to what has been set out in this précis native opinion would not oppose the unification of the following services in respect of the East African territories, namely, Railways, Posts and Telegraphs, Customs Defence and Aviation: but it would seem that the appointment of a High Commissioner with the staff necessary to control all these services would involve great expense, a considerable proportion of which would ultimately fall upon the native population.

14. It is suggested for the consideration of the Committee that any points requiring negotiation and adjustment between the Governments concerned could be dealt with by periodic conferences between the Governors, assisted by their respective technical and other advisers. Annual conferences in East Africa should be presided over by a special emissary of the Secretary of State, who would merely conduct the proceedings and have no vote, and would report to the Secretary of State for decisions. These conferences might be supplemented by a meeting every three years in London between the Governors and the Secretary of State at which outstanding questions of major policy would be discussed and authoritatively settled.

15. Of the special functions assigned to the High Commissioner on page 288 of the Report of the Commission on Closer Union:—

“ A (a) To inaugurate enquiries and joint discussions on questions of native policy as indicated in the annexure to Chapter VI, Part I.”

“ A (b) To promote unified control of certain services of common interest, and to settle on a fair basis any immediate causes of dispute or differences.”

“ A (c) To discuss locally and work out the arrangements for introducing the modifications proposed in the constitution of Kenya.”

It would seem that A (a) and A (b) are matters which the three Governors should undertake, jointly or severally as circumstances may require, with the assistance of their own officers in the manner suggested in paragraph 14 hereof, and the A (c) is a matter for the Governor of Kenya to settle with the Secretary of State and the local population. It is in this connection that the proposals outlined in paragraph 11 of this précis are submitted as a practical means of giving effect to the fundamental principles underlying the conclusions reached by the Commission, and quoted in paragraph 4 hereof, as well as the conditions set out on page 103 of their Report.

NATIVE AREAS BUDGET.

		Estimates, 1931, net.	Indirect.	Direct.	
		£	£	£	£
I.	H.E. the Governor ...	17,880	5,000	—	—
II.	Administration ...	282,654	1,100	—	165,493
III.	Agricultural ...	172,126	—	20,000	45,000
	“ Research			2,500	
	Veterinary ...			20,000	
	“ Research			2,500	
	Carried forward ...				

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		Estimates, 1931, net.	Indirect.	Direct.
		£	£	£
	Brought forward ...			
IV.	Audit	16,365	8,000	—
V.	Coast Agency ...	4,417	2,200	—
VI.	Conference of E. A. Governors	1,250	600	—
VII.	Customs ...	34,120	7,000	—
VIII.	Education ...	204,850	—	120,000
IX.	Forest ...	39,122	—	—
X.	Game... ..	12,469	—	—
XI.	Interest ...	15,356	7,700	—
XII.	Judicial ...	36,234	2,000	—
XIII.	Legal ...	9,519	—	3,000
XIV.	Local Government ...	90,638	—	—
XV.	Medical ...			111,000
	„ Research ...		15,000	—
	„ Mental Hospital ..		2,000	—
	„ Inf. Dis. Hospital		5,000	—
		233,510		
XVI.	Military ...	114,361	50,000	—
XVII.	Miscellaneous ...	51,133	—	12,500
XVIII.	Pensions and Gratuities ...	124,098	—	50,000
XIX.	Police ...	158,394	7,000	—
XX.	Post Office and Telegraphs	128,062	—	—
XXI.	Printing and Stationery ...	39,384	—	5,000
XXII.	Prisons ...	51,745	—	10,000
XXIII.	Public Debt Funded ...	88,070	44,000	—
XXIV.	Public Works Department	154,520	—	20,000
XXV.	Public Works Recurrent ...	183,450	—	70,000
XXVI.	Registrar General ...	6,092	—	—
XXVII.	Rent, etc., Zanzibar ...	16,000	—	—
XXVIII.	Secretariat and Legislative Council.	22,590	—	—
XXIX.	Statistical ...	25,167	10,000	—
XXX.	Survey and Registration ...	39,625	—	2,000
XXXI.	Trade and Information Office	4,850	—	—
XXXII.	Treasury ...	25,084	—	10,000
	Total (exclusive of Public Works ... Extraordinary).	£167,420	—	£623,993

NOTE A. Column 1 shows net estimated expenditure 1931. Figures are taken from page 7 of the Colonial Estimates and are for comparison item by item with Column 2.

B. Column 2 shows the amounts which may be regarded as the native contribution through Customs revenue to each service.

C. Column 3 shows items to be carried on the separate "native areas Budget."

D. It is estimated that natives pay (indirectly) £170,000 to £200,000 a year in Customs revenue.

E. The 1931 estimate for native hut and poll tax is £609,318. Other revenue which would accrue to native areas budget is estimated at £35,000.

F. Post and Telegraphs Department estimates show an excess of revenue over net expenditure of £61,315.

G. Forest and Game Departments are self-supporting.

H. XXVI., XXVII., XXVIII. and XXI. would not concern native areas.

APPENDIX No. 12.

(Vide Question No. 4144.)

MEMORANDUM FROM SHEIKH HEMED MOHAMED BIN ISSA AND MBARAK ALI HINAWY, (ARAB DELEGATES).

Historical Survey.—Arabia being so to speak adjacent to Africa, the Arabs were the first foreigners who went to this Continent, almost from time immemorial; they went as conquerers, traders, settlers and civilisers of the country. The first recorded immigration of the Arabs into East Africa dates as far back as A.H.65 (A.D.684) when Suleman and Said descendants of Julanda the Azdite landed from Arabia and settled in East Africa with their families and followers. Until the advent of the various European invaders of whom the Portuguese were the first and even after their advent the Arabs were the rulers and administrators of the large portion of the continent of Africa. Mainly through the great difficulties in transport the actual *settlement* has been more or less restricted to the Coastal area of East Africa but there is no doubt that they as traders travelled far into the interior of Africa and signs are not wanting of the impress of their civilisation all over East Africa. It is also well known that the Arabs took a large part and were of great assistance to, and it might truly be said, guided European Explorers in their geographical discoveries in Africa (i.e., discoveries to the Western Nations) and it was mainly because of their settlement that the explorers were able to have a base on which to undertake their explorations in Africa. The whole littoral of East Africa belongs to the Arabs by right of conquest, has been occupied by them for hundreds of years and owes its civilisation to Arab colonisation.

Administration Political.—Even during the Portuguese occupation the development by Arab civilisation and culture was so definite that it was found advisable, rather than force Portuguese civilisation and culture of the coast, to govern the country through the medium of Arab Administrators. Even under British Administration there has been an Arab Administration dealing with or responsible for Arab and Coast native matters. The Arab Administrative Officers have, it is submitted, always given entire satisfaction but the present policy of the Government seems to be to do away with this system; a number of posts have been abolished and of those remaining a large proportion are now inferior in grade to even the lowest grade (Indian or Goan) Asiatic Subordinate. It is undeniable that the Imperial British East Africa Company owed a great deal of their success and that with little or no bloodshed in the annexation of the interior of East Africa to the Sultan of Zanzibar and the Arab traders and settlers. It is desired to emphasize this as it seems to be forgotten in many quarters that the Arabs have been always loyal, friendly and have given all assistance in their power to the British Government even in respect of the abolition of the slave trade and of slavery itself. Neither must it be forgotten that in rendering assistance they were in fact striking at the very base and mainstay of their civilisation namely the supply of cheap labour for development.

Social Education.—It is not an uncommon complaint against the Arabs that they are degenerate, but again it should be pointed out that no attempt was made by the British, side by side with the abolition of slavery, to improve the condition of the Arabs by any system of education which should have given them the means to adapt themselves to the changed conditions resultant on the abolition of slavery. Much as the feelings may be to be deprecated it is idle to deny that the Arabs feel that the abolition of slavery resulted (as they feel it was definitely intended and calculated by the Administrators to result) in the levelling down of the Arab rather

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than in the levelling up of the freed slave. The only school for the Arabs in Mombasa was first established in or about the year 1912, i.e., 24 years after the advent of the Imperial British East Africa Company, and even up to now no serious attention is being paid to education in that school. At the present time Arabic does not appear as a subject in the curriculum of the school. Instead of this school doing any good to the community as is expected it is feared that it tends to be the training depot of a degenerate class. The education given there is totally inadequate and is doing more harm than good to the children. By the loss of slaves the Arabs have been rendered apathetic and because of lack of education—English or Arabic—and the competition of the Communities who provide ready made and cheap clerical class, the Arabs have been pushed aside and all this has a great deal to do with the degenerate class of parasites who are such a blot on the Coastal population. Lack of education and poverty among the parents themselves prevents any idea of their finding the means of combating the evil or putting a stop to it. The remedy must be costly and drastic, but if anything should be done for the Arabs the Government ought, in humanity if not for its own prestige, to play the part that is expected of a guardian to his ward.

Given the opportunity the Coastal youth is able to become, in a short time, a very valuable asset not only to his Community but also to the Government of the country. He has the advantage of years of examples of different disciples of civilisations—Missionaries, Arabs and Indians.

Muslim jurisprudence includes both civil and criminal law, and though the criminal part of the Sheriat has been largely superseded by the local and English Laws, yet it is regarded as of very great value in moral teachings. The family relations from birth to death such as marriages, divorces and inheritances, etc., are all governed by the Civil Law. Civil Jurisprudence also affects the social relations involved in marital rights and duties, wardship, sale, purchases, gifts and trusts, etc.

For years the Arabs have been asking the Government to provide them with the education best suited to them, yet all their suggestions and requests had fallen on deaf ears. Although the chief objection to greater Arab representation in the Legislative Council is that the Arabs, for the most part, do not speak English and lack European education, very little is done to remedy this. Education is the subject that a great deal of the anxiety of the Arabs is centred upon, and it is felt that something must be done at once to remedy the situation.

Economic Land.—Before the establishment of the British Protectorate, the whole of the Coast lands from Lindi to Mogadisho were under cultivation, and Kilwa, Bagamoyo, Pangani, Dar-es-Salaam, Malindi, Lamu, Kisumu, Barawa and Mogadisho were prosperous Arab cities. With the abolition of slavery 35 years ago, however, this prosperity came to an end and most of the land went out of cultivation. Not only were the Arabs not adequately compensated for the loss of their cheap means of labour, but the Government confiscated all land which was found to be unoccupied.

“The Land Titles Ordinance, 1908,” was passed to make provision for the removal of doubts that had arisen in regard to titles of land and to establish a Land Registration Court in the East Africa Protectorate.

According to Mohamedan Law, which has always been in force at the Coast, a man may occupy any waste land and if he clears it of bush and cultivates it, the land belongs to him. Even though he may leave it for a time and it reverts to bush, he may always return and cultivate it, or he may sell it, whilst nobody else may take possession of it or live on it without his permission. The land only passes out of his possession when

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he has definitely abandoned it, i.e., when he quits the country without having an agent to look after his property or when he gives up a plot after trying it for a season and finding the soil barren or unsuitable. Fitzgerald in his "Travels in East Africa," published in 1898, regarding the ownership of land at the Coast, page 34, says:—"Land once cleared, becomes the property of the man who clears it, remaining his even when abandoned, and such land can now be bought very cheaply owing to the scarcity of slaves."

The Government, however, declared all land covered with bush as necessarily waste or abandoned land, and consequently Government property. With this declaration a number of individual Arabs had their lands declared Crown land—the Twelve Tribes losing a large area of land held for the benefit of the community as a whole and the Arabs of Lamu rendered landless by the confiscation of the land belonging to them. There is a great deal of feeling of dissatisfaction amongst the Coast population owing to the misappropriation by the Government of privately owned lands. It is asked not only that the confiscated lands be returned to the owners but certain other areas be set aside (and held in trust) for the future use and settlement of the landless class of the Arabs.

Having regard to the consideration that is now given to the Native Tribes in the interior, it appears that a great deal more should be done for the Arabs on the Coast, who, after all, own the country.

Representation, on (a) Municipal Councils, (b) Local Legislature, (c) Central Council

(a) The present position in Mombasa is that there is only one Arab unofficial nominated member as against seven European unofficial Members and seven Indian unofficial members. Of the members nominated on Government behalf one is an Arab although not essential so. It is felt that Mombasa being essentially an Arab City and the majority of ratepayers being the Arabs and the Twelve Tribes, the proper representation of these people has not been adequately met.

(b) There is here again only one Arab Member who is elected on Communal Roll and an Official is also nominated to represent Arab interests. This official has in past been an Arab.

(c) The Central Council if established would in all probability only deal with matters transferred to the High Commissioner, i.e., Transport, Customs, Posts and Telegraphs, Research, Defence, etc., etc., and it seems probable that Arab interests in these matters would be protected.

The question of representation of the Arabs on various bodies is fraught with some difficulties owing to the difficulty of drawing a dividing line between sections and acceptable to all. The 12 Tribes are at present unrepresented.

The question of the representation of the 12 Tribes and other unrepresented Mohamedan Communities of the Coast seem to have been overlooked when granting the Arabs the privilege of one Member on the Legislative Council. It is felt that with increased representation to represent the various sections as a whole would go very far towards the removal of the ultimate agitation for the demand of separate representation by the present unrepresented sections of the Coast population.

The suggestion, or rather the policy, to grant a non-official majority in the Legislative Council of Kenya cannot be supported by the Arabs. It is felt that the interests of the Arabs must inevitably suffer if their destinies and development are to be controlled by an unofficial majority—particularly

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as that majority must have, and would be swayed by, local prejudices and would be unable—as history has shown—to take a long view and to get a proper perspective in any affairs relating to what are called “Subject Races.” Further, it seems to the Arabs that the unofficial majority will result in increasing the antipathy between the better organised committees with the almost inevitable result that the Arabs and Natives will become and treated as mere pawns in the political battle between these two communities and that will be increasingly difficult for the Imperial Government to exercise that impartial judgment which can be exercised by them only and which seems to be absolutely necessary for the peace, welfare and good government of the country in the present stages of development of the various races and peoples comprising the population of the Colony and Protectorate.

Medical.—It is only a couple of years since that a really good deal has been done to combat the diseases on the Coast, but the medical service is still inadequate and a great deal more is required in this respect.

Common Roll—The results, should a Common Roll be decided upon, are likely to be so far reaching that the Arabs are apprehensive of subscribing thereto. The benefit of a Common Roll are not denied, but with the peculiar composition of the population of Kenya and the condition of the Arabs in matters of education, etc., it is feared that the Arabs would be swamped by the other Communities and would lose even the little voice they at present possess. Unless, therefore, some sort of reservation of seats, etc., is considered, the Arabs cannot subscribe to the idea of a Common Roll

Taxation—Besides the indirect taxes, which affect the Arabs as much as any other Communities, the Arabs are subjected to the same direct taxes—Poll Taxes, etc., with the possible exception of the Education Cess—as the European and Indian Communities. The economic pressure that has been brought to bear upon the Arabs by being rendered slaveless, landless and given no education so as to give them the means to adapt themselves to the changed conditions, has greatly effected their conditions of living and reduced them to poverty. Almost all their agricultural lands have passed out of their hands and the little they concentrated themselves upon in Townships is now threatened with the same conditions, i.e., the selling of the land to meet the Municipal and other taxes which cannot be done by the very small income derived therefrom and the high cost of living obtaining at the Coast Shs. 30s. Poll Tax, with the penalty of double the amount if not paid within the first four months of the year—is equal to $\frac{1}{2}$ of a year's income of an average Arab who in very many cases has a large family to support. Very many do not earn this percentage. Added to the Central Government taxes are now the taxes imposed by the Municipality. All these go to increase the economic pressure on the Arabs.

Closer Union.—In considering any scheme of federation or Closer Union it is submitted that regard must be had to the fact that the Coastal belt is still a Protectorate, the conditions therein differ materially from the conditions in the Colony proper, conditions differing from Uganda and from Tanganyika Territory. It is believed that federation would involve the loss of such rights as the Arabs possess peculiar to Protectorate.

Probably the unification of the essential services would beneficially effect the trade between the Territories and there appears to be no reason why Customs, Railways, Agricultural, Posts and Telegraphs, Defence, Research and Immigration should have their separate systems and departments. Economies could probably be effected by the co-ordination of these services and much unnecessary bickering and confusion would be avoided.

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The Arabs do not view with any degree of favour the idea of appointing a High Commissioner. The co-ordinated essential services, together with the various matters concerning policies, could properly be controlled by the Heads of the Departments concerned with the advice of inter-colonial advisory Boards of officials and unofficials and the decisions of the three Governors in conference. With an impartial Chairman the conference of the three Governors could just as much, or even better, decide upon the various questions suggested to be delegated to the High Commissioner.

Should, however, the appointment of the High Commissioner be decided upon the Arabs would view with apprehension the selection of the Kenya Highlands as the Headquarters of the High Commissioner. Mombasa is considered as the most appropriate place for his Headquarters. It would, it is believed, be not out of place at the same time if consideration be given to the idea of separating Mombasa District from the rest of the Province and giving it a system of self-contained district under the High Commissioner on the same lines as the cities of Washington, Canberra and Delhi, etc. Another suggestion that would probably be beneficial to the Coast generally is that consideration be given to the idea of administering the Protectorate under a Lieutenant Governor responsible to the High Commissioner or that the Protectorate of Zanzibar and Kenya, both being territories belonging to His Highness the Sultan of Zanzibar, be administered separately from the Colony proper.

Coastal conditions.—From the beginning of the British occupation, practically nothing has been done for the development of industries at the Coast. The Agricultural Department has been shockingly neglectful in its treatment of the Coast. For many years the people of the Coast of all communities have complained of this neglect, but nothing has been done. It is felt that because there has been no European settlers at the Coast, the area is being treated as the Cinderella of the Colony. Agricultural returns and trade statistics show that from being an exporter of grain up to, say, 1914, the Protectorate is now a very large importer. Such developments and improvements which are seen at the Coast (and that is only at Kilindini) seem to be only a result of the policy of Highlands development and seems to be undertaken merely as a part of that policy.

Although the waters of the Indian Ocean on the East African Coast are known to be teeming with fish, this potential source of food supply has been entirely neglected by the Government, and the supply of fish to the people of East Africa still depends upon the primitive methods. For many years the Government has been besought to develop this industry, but nothing whatever has been done. Means of transport are conspicuous by their absence and no trouble has been taken to investigate the possibilities of irrigation schemes to develop the areas round the various rivers.

APPENDIX No. 13.

(Vide Question No. 4484.)

MEMORANDUM FROM MR. P. E. MITCHELL, SECRETARY FOR NATIVE AFFAIRS OF TANGANYIKA TERRITORY.

The interest of the African population of Tanganyika in political questions and their understanding of those questions vary greatly in proportion to their experience of contact with them, their material prosperity, and the extent to which education has affected each particular group. Progress has been rapid of recent years in the political and the economic sphere as a result of increasing wealth and education, and it would be a mistake to suppose that it is any longer possible to take decisions closely affecting the African people without considering their opinions and aspirations, except by concealing from them or abstaining from making clear to them the objects and consequences of new measures and so in time forfeiting their confidence and arousing their suspicions when they inevitably found out for themselves.

I should be misleading the members of the Joint Committee were I to suggest even by inference that any but the most exceptional natives are able to understand the constitutional issues in the form in which they are set out in the Statement of the Conclusions of His Majesty's Government as regards Closer Union in East Africa, indeed, even of those who have read it, it is probable that very few have mastered it. But that statement is a document that proposes means to achieve a certain end, and if few natives are capable of understanding the means, large numbers have clear and strong views of what the end should imply, if their interests receive consideration. I can best illustrate this by an example; if natives were asked, "Do you consider that there should be an elected majority in the Legislative Council with a franchise on an education and property basis?", only an insignificant number would understand what the question meant. But if you said, "Do you think that in place of the authority of the Governor a body should be set up in which unofficial Europeans and Indians and possibly a few educated natives should have power to decide what taxes you are to pay and to legislate for your Native Administrations and your land?", the answer would be an emphatic negative from any African you cared to ask.

Though natives generally hold certain views, which I shall endeavour to set out, the expression "the natives" does not connote any political organisation, while consciousness of community of interests is at the present time restricted to comparatively small sections of the people. The views which natives hold in common they hold mainly because of the general similarity of their circumstances.

In giving evidence from the native point of view, I shall try to set out as clearly as I am able those matters which are involved in the constitutional issue and which are understood and discussed by Chiefs and leading natives, and by numbers of the common people. Some of these matters may not appear to be relevant to the question of the form of Closer Union, if any, which is best suited to East African conditions, but in so far as the political development of the natives in the future is under consideration, it is desirable that their present opinions should be recorded.

I feel a great responsibility in recording native opinion in this way because of the difficulty of making a clear statement of the extent to which it is held by natives. At the same time, it is essential that it should be realised that the natives are not a mere collection of savages who can be contemptuously dismissed to the care of a Native Affairs Department, but a race who are rapidly developing a new civilisation. That civilisation may

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be compounded of elements some of which are distasteful to us, and it is in any case in its infancy; but it is essential to recognise it as a living force which nothing can prevent from growing into the great problem of twentieth century European rule in Africa. The submissive savage whose only needs are a full stomach and a blanket is rapidly disappearing as a direct consequence of our presence in Africa; and even if large numbers of the natives might not incorrectly be described thus at the present day, that description has already ceased to have any practical relation to the major problems which confront those whose business is the administration of the African natives: well informed native opinion is widespread, and there are now few native authorities who do not hold the views which I shall proceed to set out, views which they share with many of their people. Subject to what I have said above, I believe the following to represent those views:—

(i) In any constitutional changes which are contemplated, the full authority of the Governor as the representative of His Majesty must be retained. I have explained to natives the implications of an unofficial majority in the Legislative Council, they invariably reply, "We are the subjects of the King who with his councillors makes laws to govern us, and who appoints Governors over us; that is the only authority we know, and we have never accepted any other." I have heard of no considerable body of native opinion which desires native representation in the Legislative Council. The reason for this is that natives regard themselves as being under the direct authority of the British Government (which most of them personify as the authority of His Majesty) exercised through the Governor, and that they regard that authority as being absolutely unqualified over the whole field of Government. The proceedings of the Legislative Council are conducted in English in a capital remote from the great body of natives, and are seldom known to or understood by them.

(ii) Though there is no demand for representation on the Legislative Council, there is great interest in the laws which are passed, if they affect the natives. Educated natives, and the majority of the members of the larger Native Administrations, desire an increased degree of consultation with Government, especially about projects of legislation affecting them. I think it justifiable to say that this desire is shared by a large proportion of the common people. The Chiefs and their people are accustomed to regular and frequent meetings with Administrative Officers, and the consultative and explanatory side of this system is greatly valued by them. I should add that there is beginning to be evident within the larger tribes such as the Sukuma and Nyamwezi, where the tribe has not been consolidated in a single administration, a desire for consultation and co-operation among themselves, co-extensive with the tribe.

(iii) Nothing should be done to weaken or endanger the system of Native Administration (including Native Courts and Native Treasuries), but it should be strengthened and extended as circumstances permit. Owing to the coincidence of the conclusion at this time of the term of office of Sir Donald Cameron, with whose name this system is associated in the minds of the natives, I have received from all over the Territory remarkable expressions of gratitude for its establishment and of pride in it. It is sometimes said by Europeans that there is corruption and oppression in the Native Administrations, in spite of the greatest vigilance by Administrative Officers, there is probably some truth in such statements, but it would be a mistake to suppose that natives regard such isolated cases of injustice and oppression as may occur owing to the faults of individuals as any argument against a

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system which they value so highly. Actually, except for infrequent speculation of generally small sums of Native Treasury money and occasional harsh treatment of persons under arrest, the standard reached by the Native Administrations is already high; but, if it were not, the Native Administrations would remain deeply rooted in the affections of the people. I have no hesitation in saying that throughout the Territory Africans would regard with feelings varying, according to their capacity to comprehend, from apprehension to vigorous opposition any constitutional changes which seemed to them to detract from the security now enjoyed by the Native Administrations.

(iv) The judicial system, in so far as the British Courts are concerned, is regarded by most natives as an incomprehensible foreign system before which they are at a disadvantage in comparison with Europeans and Asiatics. In view of the allegation sometimes made (but entirely without foundation) that the Courts have a bias in favour of the natives, it is of great importance that it should be realised that the opposite view is widely held among natives. Particularly when a case involves on the one side a European or Indian, and on the other a native, it is generally believed by natives that they are at a serious disadvantage. The principal reasons for this widely held view are the complexity of our law and procedure, the delays and expense, a belief that there is discrimination against them in the severity of sentences in criminal cases, the fact that in many cases counsel are employed, the language difficulty, the determination of cases whether civil or criminal by a foreign law which they do not understand, and of which they often have no knowledge until they come into personal conflict with it, and the consequent displacement of their own customary law. The Native Courts afford relief, within the limitations of their restricted jurisdiction, without which the situation would be regarded by the natives as intolerable. But when allowance has been made for this, it remains true to say that natives generally believe that the scales of justice are weighted against them. I am not now concerned to say if there is any substance in the native view, nor, if there is, to suggest remedies; I merely record what that view is, because I desire to emphasise that it is not wise to exclude from these discussions the all important question of the judicial system, nor to assume that by merely transplanting our law and our judicial system to Africa we have done all that is necessary in this respect. In countries where white men and black men are to live side by side, it is of the greatest importance that a judicial system should be established which is devised to meet the special circumstances of those countries.

(v) The great majority of the natives consider that native land rights should be secured by the laws of the country. Because of the natural conditions in some parts of the country, the question of security of land tenure has scarcely arisen; but in those areas as elsewhere the natives would immediately disclose the strongest feeling if it came to their knowledge that there existed any qualification of their right to the lands they regard as their tribal lands. Those who know about it are grateful to Sir Donald Cameron for the amendment to the Lands Ordinance of 1923, introduced by him in 1923, which declares that a native or native community lawfully occupying land in accordance with native law or custom is deemed to hold a right of occupancy under the Ordinance, that is to say to have the best title which our law can confer. Nevertheless, if they or the natives generally understood that in fact the Land Ordinance confiscates what they regard as their absolute rights and substitutes for them a form of tenancy under the

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Crown terminable for certain specified causes (see Section 10 of the Ordinance), or any form of terminable tenancy, they would make the most vigorous protest and would in fact refuse definitely to accept the position. It is of great importance that this point should be realised; natives have never accepted, and never would accept, the principle underlying the Land Ordinance; they were never consulted and they do not understand it. It is simply not intelligible to a Msukuma, for example, that there can be any qualification upon the absolute ownership of the Sukuma land by the various sections of the Sukuma tribe. In the use of such expressions as ownership or property in connection with land, it is necessary to be careful not to introduce our conceptions of land tenure, and that reservation must always be kept in mind. Land being available, natives understand that Government should take some of it for townships, railways, and so on, and do not object. As long as it is plentiful they do not mind settlers using what they themselves do not require, and often welcome the opportunity thus provided of earning wages or selling foodstuffs to labourers. But wherever settlers appear in any numbers, the natives rapidly become extremely suspicious and anxious about their land. Land is the fundamental issue in East Africa, and I venture to say that the strongest proof of this will be forthcoming at once if the members of the Joint Committee care to question the three African witnesses from Tanganyika. In this connection, I would refer to the Memorandum of His Majesty's Government on Native Policy in East Africa, pages 8 and 9, where the following words occur.—

“The legal decision that the land not specifically alienated to individual owners remains vested in the Crown does not mean, in the view of His Majesty's Government, that the natives who have been actually using that land have no rights which the Courts of Justice must protect, *but only that such customary rights have not yet been so definitely ascertained and defined that the protection of the Courts can in fact be exercised.*”

That was written of Kenya Colony, but in so far as it applies generally, it is important to bear in mind that in Tanganyika the natives would reply to the portion which I have underlined that their rights are clear, well defined, well known to themselves, and habitually asserted in their Native Courts, and that if the British Courts cannot protect them, that is due not to any uncertainty about those rights nor to any difficulty in ascertaining what they are, but to the defects of our judicial system. Native customary law regulating the use of land is complex and varies much from tribe to tribe, changing circumstances cause changes in the conditions governing the use of land and in the customs which regulate that use, and density of population, water supplies and similar factors affect it according to local conditions. But this customary law is an effective working system, as any one must realise who reflects that the 4½ million African people of the country till their land and depasture their cattle without feeling the need of invoking the services either of the British Courts or of the Lands Office. Though the land is held by the tribe, cultivation is of course individual. I know of no communal farms in Africa, though grazing is more often than not communally owned by clans or villages.

(vi) In the mixed areas and particularly in the Northern Province, natives consider that their right to grow coffee, or any other crop, on their own land should be made absolutely secure. Until recently, there was great agitation among European coffee planters with a view to prohibiting the growing of coffee by natives, as it was prohibited in

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Kenya Colony, for the ostensible reason that native coffee growing would be a danger through the spread of disease. Great publicity was given locally to that agitation, and throughout the native areas on Mounts Kilimanjaro and Meru there remains much anxiety on that score.

(vii) In a cosmopolitan country such as Tanganyika, natives at the present day—not only Chiefs and educated natives, but numbers of those who are employed by Europeans—resent the assumption of superiority made by Europeans merely because they are European. It may have been the case 30 years ago that natives regarded all white men with respect because they were white; for the last 20 years or so they have respected them because, generally, they are men worthy of respect. The curious idea of the “prestige of the white man” when it is distorted to mean the prestige of every white man, however obviously lacking in anything of the sort he may be, exists only in the minds of people who know nothing of natives and their thoughts and conversation. Natives have an immense respect for European nations as such and for European persons who deserve their respect, but a contemptible man is as contemptible to Africans as he is to us. At a time when economic causes are bringing about a rapidly increasing overlapping of white and black in the sphere of employment, it is of importance that this should be borne in mind.

(viii) Finally, as regards Closer Union, I believe that a few years ago the position of the great majority of Chiefs and leading natives would have been that, provided the authority of His Majesty's Government was retained unimpaired over the whole field of Government, they had no very strong views as to whether it should be exercised by one Government or three. But to the people of the Tanga and Northern Provinces and to the educated natives generally, “Closer Union” means an association with Kenya in which they believe that Kenya would be the dominant partner, and they have frequently and strongly expressed their opposition to any form of it. The people of Bukoba share this feeling, but in their case it is Closer Union with Uganda which is regarded with the greatest aversion, mainly, I think, because of old enmities rather than present day conditions. This view used only to be met with here and there in other parts of the country; it has, however, been gaining ground rapidly since these questions first became prominent in East Africa, and unofficial European opinion, as expressed in the local English newspapers, has taken a strongly outspoken line in favour of racial domination. Editors and their correspondents in East Africa are apt to forget that at the present day newspapers are read by, or to, thousands of natives, and that the expression in strong terms of the determination of the small European community to secure for itself full control over the natives has an equally strong reaction among the most important sections of the natives. Moreover, when individuals write letters to the press or induce associations to pass, and publish, resolutions, to the effect that natives should be compelled to work for Europeans, that flogging is the only punishment they understand, that their land should be taken for European settlement, that they are incorrigibly dishonest, insolent, truculent, and so on, the thousands of natives who read these things, or hear of them from others, become alarmed, and form the opinion that European political opinion is strongly opposed to their interests and desirous of restricting their liberties.

I do not wish to suggest that there is any general feeling of hostility against Europeans, but only set out what I believe to be the native point of view. The presence of non-natives as planters, farmers, and traders has

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conferred benefits on the natives, and I believe that this is, in a general way, recognised by them. Though personal animosities exist here and there, or more extensive friction over such particular issues as land or native coffee growing in the Northern Province, it is certainly not the case that there is any anti-European feeling common among the natives, while there are many individual Europeans engaged in agriculture and commerce who are held in the highest regard by the natives with whom they come in contact. If one were to judge solely by some of the public speeches which are made and by the local press, he might come to the conclusion that European opinion was hostile to the natives, but such an impression would be entirely incorrect. There are a few Europeans with an ineradicable dislike of Africans and a limited number who obtain considerable publicity by endeavouring to persuade the general European public that the repression of the natives is essential to its safety, but, generally speaking, the two races get on well together and their relations are good, though very restricted in scope since very few Europeans outside the missions and certain branches of the public service have an adequate knowledge of any native language or come in contact with any side of native life except personal servants and other employees.

The matters set out above are those about which it may be said that there is a considerable body of native opinion; summarised for the purpose of the enquiry which is being held by the Joint Committee, they might be put thus:—

(i) The only authority which the natives understand or recognise is that of His Majesty's Government exercised through the Governor.

(ii) Natives should be consulted on policy and legislation affecting them.

(iii) The continuous development of the present system of Native Administration should be guaranteed.

(iv) The British judicial system should be examined with a view to reforms designed to make it better understood and more accessible to native litigants, and in closer touch with the lives of the great mass of the people.

(v) The law should make native land secure.

(vi) Natives everywhere should be at liberty to grow any crops on their land which they may find profitable, on the same terms as non-natives.

(vii) If it were suggested that political forms based on the assumption that white men are necessarily superior, because white, to all natives should be imposed on the natives of Tanganyika, the suggestion would be based on an assumption which the natives regard as false.

(viii) No form of Closer Union with Kenya Colony is desired, but it would not be strongly opposed except in the Northern and Tanga Provinces, provided there is no diminution of the direct authority of His Majesty's Government. In Bukoba the opposition would be very strong, but directed mainly against Uganda.

Native opinion as recorded above is concerned more with the political and economic development of the natives than with the specific issues raised in the Statement of Conclusions of His Majesty's Government as regards Closer Union in East Africa. When that opinion is considered in relation to Closer Union, or to the political and economic development of the natives, certain aspects emerge with which it is at the present time not sufficiently instructed to deal, and I interpret my instructions to give evidence from the native point of view as meaning that I should endeavour to deal with these aspects.

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In the first place, it is clearly necessary for those whose business is the practical application of policy to have as clear an understanding as possible of the general instructions under which they are working and of the ends which they must set before them. It is at least as important that the administrative officers should be in no doubt as to the meaning of their instructions, as that the interests of the natives should be secured. There is no ambiguity about the obligations undertaken by His Majesty's Government under the Mandate for Tanganyika, nor as to the intention of the statements of policy issued in 1923, 1927 and 1930; but there is a plain conflict between those documents and organised European political opinion in East Africa. If the administrative officer is under an obligation to obey the one, it is nevertheless true to say that his perplexities are at times greatly increased by the manifestations of the other. Not only, therefore, are the natives directly concerned with the political issues; they have a second point of contact in that their interests are directly dependent on an administrative staff which may be subject to influences which they regard with great suspicion, and which are in any case opposed to the instructions under which that staff is working.

For a proper comprehension of what this involves in Africa, it is necessary to remember that authority to Africans is a personal thing. Their own intricate tribal organisations have only one name for an institution, as far as my knowledge goes, and then only as a gathering of people; be it the Pitso, the Lukiko, the Ibanza, or other assembly, it is thought of, and spoken of, not in the abstract way that we speak of the legislature, the judiciary, and so on, but as an assembly of living persons. For the rest, there are the titles of Chief, Sub-Chief, Headman, and many others, but no names for the offices, nor, I think, any conception of them apart from the persons who hold them. I know several Bantu tongues, but none in which it is possible to translate literally the simple sentence "The Chiefship of Mwanza is vacant." It is only possible to say: "There is no Chief in Mwanza."

It is very well understood by natives that a person in authority should be subject to rules and restraints in its exercise; their own Chiefs are far from being autocrats. They are controlled not only by tribal custom, but by a variety of other constitutional checks, all of them personified.

I believe that the personal contact between the District Officer and the Native Authorities and their people is, for this reason, the vital point in the administration of any African dependency. I do not mean to suggest that we should govern by the individual ideas of District Officers, that they should be subject to general directions of policy and certain restraints on their powers is by no means derogatory to their authority and perfectly understood by the natives. But I do mean that any real or apparent influence over the administrative staff resulting from the manifestations of non-native political opinion is most injurious to the confidence of the natives in the Government and their general attitude towards the administrative system.

Since it is perfectly legitimate for non-native public opinion to express itself, and to endeavour to secure the adoption of policies it considers to be advantageous to it, it is inevitable that the presence of non-natives in large numbers in any part of East Africa should raise new problems including that to which I have referred. The essential difference between conditions in East Africa and in England is that political and social pressure is in Africa brought to bear directly on the civil service, especially on the Administrative Officers, often in a very personal form, while the position of these officers in relation to the greater part of the population is much more that of master than of servant. These problems are part of

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the inevitable consequences of European and Asiatic settlement, and their solution is necessary to the future peace and well being of all races; but difficult and prominent as they are, they should not be permitted to obscure the fact that they arise in a comparatively small part of the whole area in question. If these problems cannot be evaded, they can at least be localised, if there can be shown to exist areas of sufficient extent, and sufficiently homogeneous, to warrant a measure of administrative separation. It is not possible to contemplate the sub-division of East Africa into a sort of patch-work quilt, nor necessary to try to anticipate future economic and political developments too far ahead, but with that reservation, it is desirable to consider if there are any practicable steps which can be taken now.

For this purpose, I would invite attention to the attached sketch map of Tanganyika, it will be observed that certain divisions are shown, and for convenience of reference I shall refer to them by the following names:—

- (i) Areas enclosed by the thick blue line: the Native Territories.
- (ii) Areas coloured or hatched in red: the mixed areas.
- (iii) The remainder, left white: the Eastern Native areas.

The "Native Territories" are larger in extent than Uganda, and contain in round numbers 2½ million natives, 8,000 Asiatics of all classes, and, excluding officials and Missionaries, 300 Europeans, nearly all of whom are engaged in commerce and banking and in certain minor mining operations and industries. They are bounded by international or inter-territorial frontiers on the West and North, and on the East are separated from the rest of Tanganyika by the Masai, who constitute a peculiar and difficult problem, but also an efficient buffer between "Native Territories" and the neighbouring "mixed" areas. On the South along the dotted blue line there is a broad belt of almost uninhabited tsetse fly infested country, most of it infected with sleeping sickness, which stretches from Lake Tanganyika eastwards to the Ruaha River. From the Ruaha River to the Southern limits of the Masai is mainly thorn scrub, much of it also full of fly and all of it sparsely inhabited and of little value to any one, native or non-native.

The people of these "Native Territories" are great cultivators and stock owners and the basis of their existence is peasant farming. They are economically self-sufficient within their own areas, though considerable numbers of the young men do go out and engage for wage labour on farms and plantations, railway construction and so on, for a few months in the year.

In these Territories, the natives, as elsewhere in Tanganyika, are organised in Native Administrations, and these Administrations are the largest, most efficient, and, with the possible exception of the Ohagga of Kilimanjaro, the most progressive in the country. Because of their geographical situation and economic self-sufficiency, there are completely lacking those contacts with other races and those political stimuli which in South Africa, for example, have developed political consciousness and aspirations on European lines, and it is impossible to see how any such development could occur, even if it were thought desirable. It is not possible to say at this date if our democratic forms would be of any service to Africans so placed; they enjoy tribal forms of local government, which they are now engaged in bringing into tune with modern ideas, which are at least as democratic, in the true sense of the term, as England. Every member of the tribe has his say, if he so desires, in tribal affairs, and his share in tribal responsibilities; there are very few social distinctions of practical importance, and no privileged classes or castes except to the limited extent to which, in

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certain areas, the distinction between the ruling race and the peasantry has any real practical meaning to-day. Their Chiefs and other authorities are chosen from those qualified by birth by means which make the popular voice effective; and, what is more important, are influenced and controlled by the common will, when in office, in a manner which is remarkable for its efficiency. A properly organised Native Administration is truly representative of every member of the tribe and expresses the corporate will of the people.

If the "Native Territories" are treated as a Province detached for purposes of legislation and administration from the rest of the country, as the Transkeian Territories are detached from the Union of South Africa, it is possible for those who are charged with the responsibility for their administration to envisage a gradual development through the grouping of Native Administrations into larger units so that ultimately a Central Council can be brought into existence, which will be the apex of a naturally evolved structure. In such a Council, when in the fullness of time it is created, there will be a place for the commercial and other non-native interests of the Territories. The Council evolved by a natural process from the smallest units of Native Administration will have its roots in the villages and will in fact express the political development natural to this great block of people.

By these means 2½ million natives would be withdrawn from direct concern with organised non-native politics, and the officers who are charged with their administration would be enabled to carry out their task under the control of the Governor free from political anxieties and influences which may affect injuriously the quality of their work and the continuity of policy which is essential to it. This in itself would be a great gain, for the needs of to-day are a close attention to local government affairs, to social services, increased production, the all important question of security of peasant land tenure, in fact to all those activities which are necessary for the progress in civilisation of these people, their material and moral welfare, and political stability in the future.

It may be said that to do this is to endeavour to fence off the "Native Territories" from contact with world forces and to preserve an anachronistic tribalism long after its day, and that natives so placed will remain backward and uncivilised while those of the "mixed areas" are progressing under the stimulus of close contact with Europeans.

The answer to that is Uganda, and the "Native Territories" of Tanganyika as they are to-day. If it can be shown that the Baganda, the people of Bukoba, or the Wasukuma, for example, are more backward, less prosperous, and less progressive than Africans whether in Kenya, Tanganyika, or elsewhere who are in close economic and domestic contact with Europeans, then I admit the case is proved; but nothing of the sort can be shown.

As to the tribal system, it rapidly becomes an anachronism if it is entirely disregarded and left to rot; but if it is recognised and the people are helped and encouraged to modernise it, if it is made the basis of their local government and the framework for their progress in civilisation, it can, and does, become the most powerful civilising force of all, for it is the living force of the spirit of the people. It is to be found in Tanganyika in all stages of development on the road to modernisation; over the greater part of the "Native Territories" it is now a just and efficient instrument of local government by means of which not only are law and order maintained, but social services for the people are being established on an annually increasing scale. It is important to emphasise that it is extreme

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poverty, and not the tribal system, which keeps Africans backward, and in the struggle against poverty the Native Administrations take a leading part by stimulating enterprise and self-respect, the cultivation of economic crops and the spread of education and medical facilities. Finally, it is idle to suppose that it would be possible to disregard the living, powerful, native organisation in these Territories and to make a clean break with it when representation for the purpose of legislation is in question. Rather it seems to me essential to recognise that the legislature which must be aimed at is one which is really representative of the people and a logical development from the smallest units of local government, and which will embody in itself those forces which to the people concerned mean natural authority and not mere foreign power, which is a very different thing.

The "Eastern Native Areas" contain 40,000 Masai in the North, and some $\frac{3}{4}$ million other natives, a few hundred Indian shopkeepers, and not more than a score of Europeans, excluding Missionaries and Officials. At first sight it may be thought that there is no good reason for treating them as separate from the "Native Territories," but there are in fact good reasons for this. These areas are generally low-lying (that is well below the altitude generally regarded as of interest to non-natives) and, except for the greater part of the Masai District, infested with tsetse fly; the tribes are small and their organisation is weak in comparison with the tribes of the "Native Territories," and though the valleys of the larger rivers contain much fertile land, on the whole the level of fertility is low, rainfall is uncertain and water supplies poor. Economically, these areas are almost entirely dependent on the "mixed areas." A little cotton, tobacco, and copra is grown for export, but, generally speaking, the natives depend for their living on foodstuffs grown for sale in the "mixed" areas and on wage labour for Government Departments and non-native private employers. A great deal must be done for these people, especially in the development of communications and economic crops, health services and education; but the problem they present is for the District Officer, the Agricultural Officer, and the doctor.

It may be that in the future population will increase and resources develop to such an extent that these "Eastern Native Areas" should be jointed to the "Native Territories" or formed into a separate Province; for the present they need a specialised application of the ordinary activities of Government rather than administrative separation. They represent predominantly a coastal culture, and are distinguished from the natives of the "Native Territories" by many differences including the important difference of having no cattle, with the sole exception of the Angoni in the extreme South-West and, of course, the Masai, who are quite distinct for other reasons.

The "mixed areas" are inhabited by some $1\frac{1}{2}$ million natives, 16,000 Asiatics of all classes, and 2,200 Europeans engaged in agriculture and commerce. Generally speaking, the natives are in fairly compact well organised tribal blocks, but important exceptions are the plains stretching inland from Tanga, and the plantation areas of Morogoro and Kilosa, and, of course, the large towns.

Here I venture to suggest that in the circumstances of East Africa, two apparently contradictory courses should be followed, according to circumstances. Where an extensive "Native Territory" such as I have described can be separated administratively, in my judgment this should be done. But where there is an unavoidable association of European, Asiatic, and African, as in these "mixed" areas, then it is equally important to emphasise that association in every possible way. Unless

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the future of East Africa is to be an increasingly bitter struggle for racial domination between Europeans and Africans, with complications introduced by the presence of very large numbers of Asiatics, it is essential that all three races should realise that they must work out for themselves a basis for common citizenship which is acceptable to them all.

It is not my business, nor indeed am I qualified, to go into details of the local government arrangements which are required in the mixed areas. In broad outline, I suggest that the Native Administrations of the native blocks in the "mixed" areas and local government organisations in the farm and plantation blocks should have as many points of contact on road, water, coffee, cotton, and similar boards as possible and should share in association certain "provincial" powers in each of the areas concerned, and that representation on their common legislature at the capital might in due course be built up through these "provincial" organisations, in a general way analogous to the building up of a central council in the "Native Territories" from the Native Administrations.

I trust I may not be thought to have digressed excessively or to have gone beyond my brief. My object has been to endeavour to show how an officer engaged in the practical administration of the East Africa of to-day envisages his duties, and this of necessity involves some consideration of future development. As it seems to me, the future can be pictured as a federation or union of Native and Mixed Provinces, and the administrative separation which I advocate seems a logical step to take now towards that future.

Whether in the meantime the authority of His Majesty's Government should be exercised through three Governors, or three Governors and a High Commissioner, or one Governor-General and a number of Lieutenant-Governors, is a question which is less directly concerned with my instructions to appear and give evidence from the native point of view.

From the restricted point of view of the Tanganyika natives only, it is doubtful if there is anything to be gained from Closer Union at the present time, and in view of the special considerations arising from the position of the Territory under the Mandate, there is a case against it; and there is the fact of strong native opposition. But "Crown Colony" Government cannot endure for ever, and the position of trustee for the native races is one which His Majesty's Government must some day relinquish as no longer necessary, however, distant that day may be. If we are successful in our task of civilising the natives and of promoting to the utmost their moral and material well being (as we have undertaken to do), we must inevitably in the process give them our language and much of our national culture and ideals, and it is idle to suppose that mere colonial boundaries will be able to hold apart people who are being brought together by such powerful forces, especially when their political and economic interests lie in the same direction.

It is, therefore, impossible to contemplate a future East Africa which is not united, except by anticipating that we shall fail in our task. But it is idle to hope for a uniform rate of advance politically, socially, and economically over so vast an area and such vastly different conditions, and it seems to me that there is a danger at this stage in the establishment of a central authority situated in East Africa, a danger that local variations and experiments and the development of healthy local government institutions may be impeded by a centralisation which can hardly fail to increase in effectiveness once a central authority is set up, and to make that authority a more remote and impersonal thing. It is reasonable to expect that the greater the area over which such an authority is set up, the more

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remote it should be from direct contact with the natives and their problems. It is extremely difficult for those who are engaged in administration in Africa as things are now to keep always before their minds the realities of the situation and the lives and circumstances of the African people; but I judge that the maintenance for as long as possible of the personal, humanising relations between the Government and the governed is a matter of the greatest importance when circumstances are such as to make necessary a form of Government not subject to the control of the will either of the majority or of any section of the community. There is a native proverb to the effect that "When elephants fight, it is the grass that suffers;" when large constitutional or economic questions occupy the stage, there is some risk that the peasant in his field, the labourer on the plantation, the artisan and small shopkeeper may recede so far into the background as to be forgotten. It is not the impersonal benevolence of senior officials that these people need, but the human contact with those who must for many years interpret authority to them; regarded solely from the angle of native administration, there is much to be said for a division of administrative units, always presupposing the effective authority of His Majesty's Government over all, for the smaller a territory is the more real is the contact between the Government and its native subjects. A single, stable, central authority over the whole field of government is a necessity of present circumstances not questioned by responsible opinion anywhere; it is equally unquestioned that only His Majesty's Government in Great Britain can provide that authority; from the native point of view the fewer intermediaries there are between the natives and the final authority, the greater will be their confidence, and the clearer their realisation that the people of Great Britain have undertaken the responsibility "to work continuously for the training and education of the Africans towards a higher intellectual, moral and economic level than that which they had reached when the Crown assumed the responsibility for the administration of this Territory."

APPENDIX No. 14.

(Vide Question No. 4804.)

MEMORANDUM FROM THE TANGANYIKA NATIVE DELEGATES.

1. The Tanganyika Africans are loyal subjects of His Majesty the King, and repose full confidence in His Majesty's Government that their interests will always receive careful consideration and will be safeguarded in accordance with Article 22 of the Versailles Treaty that "the well-being and development of such peoples form a sacred trust of civilisation"; and Article 3 of the Mandate—His Majesty's Government has undertaken "to promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory."

2. We are very grateful for having been invited to speak on behalf of the Africans of the Tanganyika Territory on the matter of Closer Union of the three territories:—Kenya, Uganda and Tanganyika.

3. The Tanganyika Natives are opposed to Closer Union of the three territories on the following grounds:—

(a) The Chiefs of Tabora, Natives of Moshi and Tanga objected to Closer Union of these three territories before the Hilton-Young Commission. The Chiefs of Bukoba had an interview with Sir Samuel Wilson at Bukoba in their Council House and they objected to Closer Union of these three territories. They also gave him a letter dated 14/5/29, copy of which is attached. Sir Samuel Wilson told them that on his return to England he would inform the Members of the British Imperial Parliament about it. The natives of Moshi and Kilimanjaro Native Planters Association also met Sir Samuel Wilson and they also objected to Closer Union of these territories.

(b) Natives generally are afraid of the strong influence which the Settlers have in the Legislative Council of Kenya Colony.

(c) The Government of Tanganyika has done much to improve the condition of the natives and the system of native administration.

(d) The natives of Kenya are confined to the reserves, which is not the case in the Tanganyika Territory. The Tanganyika natives are strongly opposed to the system of reserves.

(e) The systems of native land tenure of Kenya, Uganda and Tanganyika are dissimilar.

(f) Kenya natives are registered and issued with registration cards and forced to have their prints impressed on their cards like criminals, and to carry or wear them in tins wherever they roam. We consider this system as inconsistent with the liberty of a native.

(g) The Tanganyika natives are strongly opposed to the system of prohibiting natives to grow coffee as is in vogue in Kenya.

(h) We are of the opinion that the native representation on the council of the High Commissioner may not be commensurate with the greater portion of revenue contributed by them to the Government. Therefore their interests may not receive the consideration they deserve.

(i) Unless the natives are represented by persons selected or accepted by them regardless of colour or race, their representation in the Council of the High Commissioner will not be representative of their views or interests, and therefore will not be conducive to their interests.

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(j) They are of opinion that Closer Union will displace the direct authority of the Secretary of State by a local authority in which Africans will not have a strong voice.

(k) They are perfectly satisfied with the services of Tanganyika Railways, Posts, Customs, Ports, etc., and do not wish the amalgamation of these services with Kenya's and Uganda's.

(l) Closer Union will increase the expenditure of the Government of Tanganyika and might entail an increase of native taxation for the expenses of the office of the High Commissioner and his establishments.

4. The natives have always recognised His Majesty the King and His Majesty's Governments in England and Africa, but they have no confidence in Councils in which they have no direct representation commensurate with their interests.

5. In view of the fact that natives have no direct representation in the Legislative Council and owing to the great importance of legislation passed by the Legislation Council affecting them, and also that the greater portion of the revenue is derived from their sources, they desire that a Native Advisory Committee or Council with the Secretary for Native Affairs as President be established, whose duties will be to consider all laws affecting natives, native revenue and expenditure of their revenue, and all matters concerning them generally, and be advisory to the Government on native affairs.

6. Certain protective measures are necessary now (e.g., the Credit to Natives Restriction Ordinance) because the majority of the natives need them; but with such exceptions, there should be no discrimination of any sort in the laws of the Territory between Natives and Immigrants.

7. Native rights and interests in land and water be firmly safeguarded and a Native Land Board with native members on it be formed. Where land is insufficient for native use there should be no further alienation of land to Immigrants; and no land should be alienated without consulting the natives of the area concerned.

8. The foundation of the prosperity of the Tanganyika Territory and its inhabitants is and must always be, the native farmer. We ask that this fact be recognised and that he should be thoroughly educated in agriculture and helped to grow profitable crops and to market them, co-operatively or otherwise. It should be made by law impossible to impose on him restrictions as to what crops he should grow (e.g., coffee, etc.) which are not imposed on other races.

9. The indirect native administration established by His Excellency Sir Donald C. Cameron, K.C.M.G., K.B.E., be strengthened, permanently safeguarded and extended. Native residents in townships should have direct representation on township Boards.

10. The principles set out in H.M.'s Government Memorandum on Native Policy seem to us just and proper provided effect is given to them in practice, because mere words are no good to us. We beg that the policy contained therein should not be altered, or if it is necessary to change it that we should be consulted in advance. It should be made public in Swahili so that all natives who can read may be able to read it.

Appendix No. 14—*continued.*

Central Native Treasury,
Bukoba District,
Tanganyika Territory.

Copy.
9/22.

14th May, 1929.

The Provincial Commissioner, Bukoba.
u f.s. The District Officer, Bukoba,

SIR,

In our last meeting held on the 10th instant, you informed us about the Commissioner who is arriving here to-day and that the duty for which he was sent is to investigate on the subject of the proposed scheme of the federation of the British countries in this part of Africa, i.e., Tanganyika, Kenya and Uganda, Nyasaland and Rhodesia to be under the control of one Governor-General. Further you said that perhaps he will enquire on the subject of transferring the whole of the Bukoba Province or its part from Tanganyika Territory to Uganda Protectorate and you explained that this scheme has already been discussed about in the Parliament by the men appointed for it.

2. We answered you on the fact of uniting the Bukoba Province to Uganda and unanimously mentioned it to you that we do not like the Province of Bukoba in whole to be joined to Uganda because since the origin of the sultanship in this country such action has never been done and the manner of ruling in both countries has never been the same. Moreover, the Province of Bukoba has never been under one control with Uganda.

3. Referring again to the fact of the federation of the above-mentioned countries. We were well explained by you that the whole of this matter is still under discussion and nothing yet has been proved. In the same day we could not give you any suggestion of our ideas on the subject of uniting Tanganyika Territory to the other countries, and therefore we beg to-day to tell you what we think about it. In our opinion we feel it quite undesirable that Tanganyika should be federated as it is sufficient to maintain itself in everything with its Government as it is at present. Again, we see it that if Tanganyika is joined with the other countries we shall be put into some trouble of undertaking the rules of the other countries to which we were not accustomed.

4. Therefore we have the honour to request you that, even though we shall not have an opportunity of interviewing the visitor personally on the subject, you will be kind on behalf of us, to explain him fully that we beg this matter to be put before the Government and request it to consider over it, and if possible, let Tanganyika to remain separate as it was and as it is at present under one Governor. Again to explain our disappointment to the transfer of the Bukoba Province to Uganda.

We have the honour to be, Sir,

Your obedient servants,

BAKAMA OF BUKOBA DISTRICT.

(Sgd.)	KALEMERA.
(Sgd.)	ED. LWAIJUMBA.
(Sgd.)	D. LUMANYIKA.
(Sgd.)	D. K. RUGOMORA.
(Sgd.)	R. J. RUHINDA.
(Sgd.)	REGENT F. X. LWAMGIRA.
(Sgd.)	REGENT LWEKIZA.

APPENDIX No. 15.

(Vide Question No. 5044.)

MEMORANDUM FROM MAJOR CROWDY REPRESENTING THE "ASSOCIATED PRODUCERS OF EAST AFRICA."

The producing community of East Africa does not consist only of those who are actually on farms and plantations in the country. A large, and for the economic progress of the country important, group are those who, having themselves spent many years in the country, are still supporting and directing undertakings there, and others who have contributed the funds for starting enterprises in these countries and sending out their friends and relatives as colonists. These people have sunk a great deal of capital there on which probably the return to them has been exiguous, but they can claim a very large share in the changes which have taken place both in the surface of these territories and the lives and habits of their inhabitants. How great that share has been can perhaps only be fully understood by those who knew the area affected by settlement as they were and see them as they are to-day. It was these individuals who supplied the impulse and a great portion of the fund through which the administration of the country has been pushed outward from the railway tracks through roads into spaces where 25 years ago western influences had never entered. To them it is due that such crops as coffee, sisal, wheat have become staple products of the country. They may often have wasted their resources, but the net effect of these efforts is that in 30 years and less the unfruitful No Man's Land has become as important as Uganda to which it leads

As far as I can gauge the general opinion of these people is that the time has not arrived for any big or long-distance scheme for Federation to be embarked upon. Too often now have political interferences engendered a sense of insecurity and unrest which has been detrimental to the progress of Kenya and Tanganyika. Mostly, if not always, the attention directed to these quarters of the world was well intentioned, but it was unfortunate for countries which required that the energy of everybody concerned in them should be concentrated upon the problems at their feet, and the result was the diversion of suitable settlers and capital to the Rhodesias. As regards the native inhabitant it should be remembered that the intrusion of western ideas and customs is always rather in the nature of a shock and that time should be allowed for the current to circulate and dissipate into a slow and steady permeation.

There are other arguments which point in the same direction. I will indicate some of them shortly:—

(1) East Africa as a thing to be ruled, inquired into and developed, has only existed for 25 years. Knowledge as to the aptitude of its population and its soil is very rudimentary. Whether it is going to be a real white man's country or not is still uncertain. Its pests and rainfall have still unsounded possibilities. Any machinery you put up now for administrative purposes may be unsuitable to the future. Yet it is common experience that once you have set up a type of machine it is difficult to scrap it.

(2) An atmosphere of chilliness towards Federation on a wide basis has been intensified by the publication of C.M.D. 3573 and 3574 together. The ordinary conception of good government is that it should be impartial and devote itself to the good of a community as a whole.

Appendix No. 15—*continued.*

These documents appeared to pose lopsidedness as a principle of government. Having been with the deputation which discussed with the Colonial Office of the day the question which led to the pronouncement on the paramountcy of native interest in the C.M.D. of July, 1923, I quite understand how that phrase came into being from the clash of the interests of rival communities at the time. Its reiteration now when in framing a policy for the future the impartial consideration of the combined interests of a whole territory should be held firmly in view has provoked opposition among the objects of secondary consideration, and it appears in a want of balance in the proposals themselves.

(3) The financial reason against undertaking a big and indefinite scheme of Federation appeared to me to be decisive. No real estimate of costs and savings appears to have been made. It would be difficult to arrive at, but at the present time to enter into unknown commitments would be incredible folly. I may say in this connection, that no scheme for general Federation has yet been put forward which does not appear to postulate either overlapping and expense or the reduction of Governors to Commissioners and Legislative Councils to Urban District Councils. In fact any scheme to be financially sound must in effect reduce the governments of the three territories to merely local administration. It should be remembered that in common with the rest of the world East Africa is passing through a stage which impresses lesson of economy.

Though not in favour of a big scheme of Federation, I do think that there is a *prime facie* case for the amalgamation of certain services provided that, as in many instances will I think be found to be the case, it can but clearly show that the efficiency of the service will be increased without an increase in overhead charges for the same service. These services will be the ones familiar through the frequent recommendation which had been made for their joint administration:—

- (1) Railways and Main Roads.
- (2) Customs.
- (3) Posts and Telegraphs.
- (4) Defence.
- (5) Research.

If these services were committed to a High Commissioner I think there would be a clear gain. The money necessary for carrying them on should be provided as suggested in the Wilson Report C.M.D. 3378 (the one Report that seems to have troubled about estimates). The Commissioner should submit reports, accounts and estimates for each year to the Government of the three Colonies. He should have power to make rules and regulations necessary for the Departments which he was administering, that power being conferred and defined by the Ordinance creating his Office. He should have a technical staff necessary to carry out his duties with a legal and financial adviser and secretaries. After his accounts, etc., have been before the Governors and the Legislative Council of the three Colonies a Conference should be held between the H.C. and his staff and each Governor, accompanied by a certain number of official and unofficial members. The approval of that Conference should be necessary for any proposal outside the ordinary powers of Administration conferred upon the H.C. The regular meetings of this Conference should be held once a year but emergency meetings might be held from time to time.

Appendix No. 15—continued.

Provided the place was central the H.C. should choose his own Headquarters.

I do not contemplate that the H.C. should exercise any function other than those attributed to him above at first, but obviously he will be brought into contact at many points with the life of the Colony and would be in a position to set up and carry through enquiries into other matters from time to time.

A point to which sufficient attention has not hitherto been given is the association of the settler community in carrying on the administration as suggested by C.M.D. 2904.

This Memorandum does not set out to be anything beyond a very short and crude enumeration of the points of view which are shared by me with many others interested in the production in East Africa in order that it may not be said that they had none to put forward

APPENDIX No. 16.

(*Vide* Question No. 5305.)

MEMORANDUM FROM MR. W. TYSON, REPRESENTING THE KENYA CHAMBER OF COMMERCE.

Note upon the position of the Association of Chambers of Commerce of Eastern Africa in relation to the problem of Closer Union of the East African Territories.

It can be quite properly said that the movement in East Africa towards closer union owes its origin to the establishment many years ago of Joint Customs and Postal Departments for Kenya and Uganda. At that time Tanganyika was under non-British administration. Following the war, however, when Tanganyika came under British administration, and, particularly by virtue of the provisions of Article 10 of the Mandate, a direct incentive was given to the extension of, firstly, the economic, and consequently the constitutional principles under discussion.

To proceed in order of chronological sequence.—

The Association of the East African Chambers of Commerce which was formed in 1920, adopted early in 1921 as one of its main aims, the establishment of a complete Customs Union between the Territories of Kenya, Uganda and Tanganyika, the Union to be under one departmental head and one administration for the purpose of abolishing all customs barriers between the Territories. Continual pressure was exerted by the Association at periodical Half-yearly Sessions to bring its aim constantly before the East African Governments, and the next notable development was in November, 1924, when the Association submitted a Memorandum to the Ormsby Gore Commission, in which the following appeared:—

“Complete Customs Union.

“We strongly advocate steps should be taken at once to bring this into being. We cannot see that anything but good can be derived from the adoption of this proposal. The ideal would be for the simplification of Customs formalities to that degree most compatible with the assurance that each country shall receive its due amount of revenues. Where so many commercial firms trade in all the Territories, the free movement of goods cannot but help enterprise and the internal trade from any one country to another would be much developed.”

Following the issue of the Report of that Commission, a further self-explanatory Resolution was passed in September, 1925, in the following terms, and which was communicated to the East African Governments.—

“The Association note that there is no definite recommendation upon the question of a full East African Customs Union under one general administration. The Association feels that unless with the full inception of a full Customs Union there is one General Administrator, difficulties in interpretations of a General Customs Ordinance are bound to arise.”

Notwithstanding this apparent lack of appreciation of the importance of the question, pressure was still exerted by the Association, which claims a measure of credit for the resultant publication on 18th May, 1927, of the Inter-Colonial Customs Agreement. Even this step, however, was held to go only part of the desired journey, and in August, 1927, the following Resolution was passed:—

“That whilst the Association appreciates the value of the Inter-Colonial Customs Agreement, this Association is of opinion that a full and complete Customs Union is desirable and it be an instruction to the Executive to continue to seek for the achievement of that object.”

Appendix No. 16—continued.

In furtherance of this Resolution a deputation of the Association giving evidence before the Hilton Young Commission of the 9th February, 1928, submitted the following views:—

“This Association views the position to-day in the following light:—

“(1) That the inauguration of the Inter-Colonial Customs Agreement has produced comparative uniformity in Customs matters in Uganda, Kenya, and Tanganyika, but this Agreement does nothing to call for continuance of uniformity.

“(2) That the Authorities are bound to differ on the practical application of the laws and regulations.

“(3) The present position is only maintained by goodwill and tact

“(4) Such an unstable foundation is not a satisfactory one for commercial dealings.

“(5) Inter-Colonial trade is increasing and commercial capital is being spread over wider areas, and the Association feels that this will not be fully protected until security is given by all Customs matters being placed under one control. The Commissioner would then be an East African Official, and equally responsible to all Governments—only when this is done does the Association feel that firms can rely on receiving the same treatment in Customs matters along the whole Coast.

“(6) This Association feels that their wishes are only following out the well-known commercial principle of consolidating several branches of the same kind of business under one directory head.

“(6A) In conclusion, the ideal the commercial community will work for is complete freedom of trade over these countries.”

Somewhat *pari passu* with the growth of the demand for a complete Customs Union of the three Territories, pressure was brought to bear upon the East African Governments for the unification of commercial legislation. In its origin the request was for an improvement of admittedly bad Bankruptcy Laws and for provision whereby a bankrupt in one Territory could have assets in an adjoining Territory sequestered for the benefit of the estate generally. Thereafter the demand for uniform legislation was widened to cover other subjects, and it will suffice to attach hereto a Progress Report, showing to what stage progress in unification has attained at the end of 1930, mainly it can reasonably be claimed because of the insistent demands of the commercial community as represented by the Association.

In chronological order the next step was the framing of the commercial community's views into a series of Resolutions presented to Sir Samuel Wilson during his visit to East Africa at the middle of 1929, and couched in the following terms:—

“(1) That this Association reaffirms its desire for the earliest co-ordination of essential services in the three Territories of Kenya, Uganda and Tanganyika Territory under one departmental head for each service.

“(2) Further that the following essential services, viz., Customs, Railways, Ports and Communications, including Aerial Communications, Defence, Central Research, Law and Civil Procedure, Posts, Telegraphs and Telephones, should be immediately transferred to a Central Control.

“(3) Further that the Central Authority when established shall in collaboration with Local Governments consider what further services can profitably be co-ordinated or transferred.

“(4) That the preliminary stage visualised by the Report is passed and there is no reason why the second stage, which calls for the appointment of a Central Authority, should not be entered into forthwith.

Appendix No. 16—continued.

“ (5) That these objects cannot be achieved unless the Central Authority is endowed with executive powers and considers that this can best be obtained by the establishment of a Central Council with legislative authority.

“ (6) That the central control shall be vested in an individual of wide Colonial experience and that his Council, in addition to his official advisers, shall be selected from the three Territories.

“ (7) That Sir Samuel Wilson’s attention be drawn to the necessity of securing in any revised Legislative Assembly for any of the Eastern African Territories that adequate representation of the commercial community must be secured.”

followed by a Resolution at the July Half-yearly Session, 1930, in the following words:—

“ That this Association notes with satisfaction that the Imperial Government, in the White Paper published on the 20th June, endorses the principle of unification of essential services throughout the three Territories and trusts that an early and satisfactory agreement of the political issues involved will be reached to ensure the early achievement of this object.”

During 1930 the world business depression supervened and may to a large extent be held responsible for the terms of the last event to be chronicled, namely, the Resolution passed at the Half-yearly Session held in January, 1931, in the following terms:—

“ That this Association reaffirms its desire for the earliest co-ordination of essential services; *inter alia*, Customs, Railways, Post, Telegraphs, Education and Communications, including Aerial Research and Law Procedure, in the three Territories of Kenya, Uganda and Tanganyika, but realising that everything possible should be done to concentrate, at any rate for the time being, on a policy of economic reconstruction and to eschew political activity, is strongly of opinion that the present is not an opportune time to press for any form of Closer Union which would involve constitutional changes, and that during the period of economic reconstruction the desired object can be sufficiently attained by the formation of standing Advisory Committees appointed by the three Legislatures, and fully representative of the unofficial element, which by consultation and co-operation will be enabled to present to the various Legislatures ways and means for the better achievement of the desired co-ordination.”

By passing the above Resolution it must be emphasised that the Association does not retreat from the unanimous view previously expressed that Closer Union is the objective desired.

The reasons for desiring postponement for a temporary period are due largely to two factors—viz. —

- (a) Economic.
- (b) Personal.

To enlarge on the first point, all communities in this country, not excluding Government, are occupied with the serious problem of adjusting their positions to the altered economic conditions. It does not therefore seem an appropriate time in view of this situation to consider the establishment of a Central Authority, as the expenses of doing so would probably involve extra commitments by each Government. The present is not an appropriate time to assume any unknown liability.

On the second point, Heads of Government Departments, commercial houses and settlers cannot afford under present circumstances to turn their undivided attention to the constitutional issues, which, however important,

Appendix No. 16—*continued.*

are secondary to economic conditions. These Territories, in common with the rest of the world, are experiencing the effects of the collapse in the prices of primary products entirely, and because they are almost entirely dependent upon the export of agricultural products, the consequent economic reconstruction calls for the utmost concentration upon the part of Governments, corporations and individuals in the task of readjustment. Any factors tending either to disturb or hamper this task are to be avoided, particularly as it is impossible to judge at the present time of the future trend of the existing depression.

Pending the return to a more normal situation, it would appear that nothing but good can arise from the continuation of the principles of the Round Table Conferences. The Association of East African Chambers of Commerce has been an important co-ordinating factor in matters of common commercial interest affecting the three Territories, and it has been largely due to their deliberations that their original demand for co-ordination has spread. It is the opinion of the Chambers that, pending the full attainment of the final objective and the carrying through of co-operation in certain essential services, the present time could be advantageously used in establishing further unity between the three Territories and preparing the way for many schemes that would be included under the ultimate policy of Closer Union.

Any precipitate action for the immediate adoption of the whole scheme of Closer Union would lead to divergence of opinion, which would be prejudicial to the good will necessary to success, and it is thought that sufficient consideration has not been given to the powers of the proposed Central Authority. The Chambers consider that if quasi-official Committees were appointed by the Legislatures of the three Territories, much useful work could be added in the meantime to that already achieved in connection with unification of the Essential Services and in preparing the way for the final establishment of a Central Authority. The recommendations of such advisory bodies would ultimately prove invaluable by setting forth consolidated opinions on points where divergence would now otherwise arise.

For these reasons the Association of Chambers of Commerce of Eastern Africa has come to the conclusions outlined in the January, 1931, Resolutions.

RESOLUTION PASSED AT THE ANNUAL SESSION HELD AT DAR-ES-SALAAM IN
JANUARY, 1931.

(F) CLOSER UNION.

Resolution No. 27 (A).

That this Association reaffirms its desire for the earliest co-ordination of essential services, *inter alia*, Customs, Railways, Posts, Telegraphs, Education and Communications including Aerial research and Law and Procedure, in the three Territories of Kenya, Uganda and Tanganyika, but realising that everything possible should be done to concentrate, at any rate for the time being, on a policy of economic reconstruction and to eschew political activity, is strongly of opinion that the present is not an opportune time to press for any form of Closer Union which would involve constitutional changes, and that during the period of economic reconstruction, the desired object can be sufficiently attained by the formation of standing advisory Committees appointed by the three Legislatures, and full representation of the unofficial element, which by consultation and co-operation, will be enabled to present to the various Legislatures ways and means for the better achievement of the desired co-ordination.

APPENDIX No. 17.

(Vide Question No. 5612.)

COVERING LETTER BY MR. C. L. BRUTON (DISTRICT OFFICER, UGANDA)
TOGETHER WITH HIS PRÉCIS OF THE MEMORANDA, ETC., HANDED IN BY THE
UGANDA NATIVE DELEGATES.

S.S. Beignardin de St. Pierre,

22nd April, 1931

To the Secretary to the Joint Parliamentary Committee on Closer Union
in East Africa.

The House of Lords.

SIR,

I beg to refer to the Secretary of State's telegram No. 52 addressed to His Excellency the Governor of Kenya Colony requesting that a short précis representing the combined evidence of the Witnesses from the Uganda Protectorate should be presented by me on our arrival in England

2. The preparation of a combined précis is, I regret, a difficult matter, as various memoranda have been prepared for submission to the Committee and the Delegates have particularly requested me that these should be submitted separately, and, as each witness is called, he is examined on the Memorandum of the tribe or tribes which he represents. This is a most important point. In these circumstances, therefore, I most respectfully recommend that their wish be acceded to, and I attach the Memoranda as under:—

(a) Letter No 58, Part III of 25 3 31, addressed to His Excellency the Governor of Uganda, from His Highness, the Kabaka, together with enclosures.

(b) Memorandum by the Basoga

(c) Memorandum by the Banyoro

(d) Memorandum by the Batoro.

(e) Memorandum by the Banyankole.

(f) Some definitions about Federation in connection with other Districts in the Northern and Western Provinces of the Uganda Protectorate.

3. In view, however, of the instructions contained in the aforementioned telegram, and the fact that my evidence will be given from the Native point of view, I have prepared a précis of the salient points in the various Memoranda submitted, upon which I presume I shall be examined. In fairness to the Delegates I would point out that this précis has been prepared by me personally without their assistance. The reason for this being, and I fully understand their point of view, that they feel that they are not in a position to alter the Memoranda in any degree and would lay themselves open to criticism by the tribes they represent were they to do so.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.) C. L. BRUTON.

Appendix No. 17—*continued.*

PRÉCIS OF THE MAIN POINTS IN THE MEMORANDA SUBMITTED BY THE NATIVE GOVERNMENTS OF UGANDA.

In the attached Memoranda it is abundantly clear that, although the statement of the conclusions of His Majesty's Government in the United Kingdom as regards Closer Union in East Africa contain no reference to political federation, either now, or in the future, the various tribes still view with apprehension any form of federation other than the co-ordination of the economic services. The following are the main reasons:—

(a) They fear that the appointment of a High Commissioner, in any capacity, will entail the control of their destinies being transferred to Kenya, and deprive them of their direct right of access to the Secretary of State for the Colonies.

(b) They see nothing to gain and a great deal to lose by any change in the existing Native Policy.

(c) The agreement Tribes, I think, fear possible amendments in their existing Agreements, and His Highness, the Kabaka of Buganda refers in his Memoranda to the assurances received from the Secretary of State that the rights of the Baganda, as defined in the 1900 Agreement, will not be affected by any scheme of federation.

(d) There is a general fear that native-owned land will be alienated to immigrant settlers.

(e) There appears a general consensus of opinion that there will be unsurmountable difficulties to the unification of a native policy throughout the extensive area and largely divergent peoples of such countries as Kenya, Tanganyika and Uganda.

(f) The possibility that the proposed change will throw further financial burdens on the Protectorate and entail increased taxation.

(g) The point is stressed that no general native Council exists for all the Provinces in Uganda, which fact demonstrates the variety of tribes and diversity of interests even within the Protectorate.

2. Now, groundless though certain of the above fears may be, there is no doubt that they do exist, more especially, I think, among the Baganda, in spite of repeated assurances given to them. Moreover the Delegates have fully realised the responsibility of the trust imposed in them and their anxiety and conscientious endeavour to carry out this trust has been most marked in our conversations during the voyage.

3. I trust that in our evidence we may be able to elaborate any points which are not clear.

Appendix No. 17—continued.

(A)

(Enclosure 1.)

Kabaka's Office,
Mengo, Buganda.
25th March, 1931.

His Excellency the Governor,
Government House,
Entebbe.

u f.s The Provincial Commissioner, Buganda.

YOUR EXCELLENCY,

I have the honour to forward herewith in quadruplicate copies of my Memoranda on the subject of the Closer Union of the British East African Dependencies, and also copies of some of the more important correspondence that have taken place between the Protectorate Government and the Buganda Native Government on the same subject. I would request Your Excellency to transmit these copies to His Majesty's Secretary of State for the Colonies to be laid before the Members of the Joint Parliamentary Committee.

2. I am also enclosing herein in quadruplicate a précis of what the Omuwanika, the native witness sent from Buganda, proposes to say before the Committee.

I have the honour to be,

Sir,

Your Excellency's most obedient servant,
(Sgd.) KABAKA OF BUGANDA.

(Enclosure 2.)

HONOURABLE MEMBERS,

While standing here in the name of His Highness the Kabaka, Chiefs and the people of the Kingdom of Buganda, I have to pay before you the representations which His Highness the Kabaka has ordered me to put before this Honourable Commission regarding the Federation of the East African Dependencies. It will not be necessary for me to enter into the details of the question as His Highness has already sufficiently dealt with the matter in his Memoranda which, I understand, are already in the hands of the members of this Honourable Commission.

On page 10 Sub-section (a) in his first Memorandum on the question of Federation His Highness asked the Imperial Government that should the Federation of the East African Dependencies be decided upon, Buganda Kingdom be excluded from such Federation or from any form of Closer Union, the conditions governing the Buganda Kingdom being quite different from those of any of the territories with which it is proposed that Buganda should be federated. These conditions are fully explained by His Highness in the Memorandum on question and it is needless for me to go through them at length now. His Highness goes on further in the above quoted Memorandum to express his conviction that no good can be derived by the Kingdom of Buganda from Federation.

I would draw your special attention to the fourth Memorandum written by His Highness where his views are clearly and briefly set forth in the last four points set out therein.

I am sent by His Highness the Kabaka, Chiefs and the People of the Kingdom of Buganda to confirm the memorandum written by His Highness on the question of Federation. In conclusion I wish to lay before you copies

Appendix No. 17—*continued.*

of correspondence that has passed between His Highness the Kabaka and his Lukiko and His Majesty's Government giving the assurance that Buganda will not be included in the proposed amalgamation of the Dependencies.

(Enclosure 3.)

FURTHER MEMORANDUM ON THE PROPOSED CLOSER UNION OF BRITISH EAST AFRICAN DEPENDENCIES BY HIS HIGHNESS THE KABAKA OF BUGANDA.

Consequent upon the kind invitation of the Imperial Government which has been extended to the Natives of East Africa to send witnesses to England to attend the Parliamentary Joint Committee which is now sitting to deal with the question of Closer Union of the British East Africa Dependencies, I have found it necessary to put up a further Memorandum on this question to emphasize the most important points that I have already raised in my previous Memoranda and correspondence against the inclusion of Buganda Kingdom in the formation of the proposed Closer Union or Federation of British East Africa Dependencies.

I have already set out my fears and anxieties in many previous Memoranda, correspondence and interviews with the various Commissioners that have been sent to this country from time to time to investigate and inquire into the desirability of the proposed scheme of Closer Union. and I have always pointed out the reasons for such fears and anxieties. From the newspaper reports and other correspondence on this subject emanating from the European Community in Kenya, it is only too clear that my fears and anxieties are well-founded and that it is the express intention on the part of the European Community to subordinate the interests of the Natives of East African Territories to the interests of the immigrant European races. I have already set out the history of the annexation of my Kingdom of Buganda by His Britannic Majesty's Government and how the original Treaty, commonly known as the famous Uganda Agreement of 1900, was entered into between Her Majesty's Special Commissioner and my Chiefs on my behalf. This solemn Agreement has never been modified in its provisions or intention by the Imperial Government. It is too well known for me to repeat seriatim the various provisions of this most generous agreement which has for over 30 years been the basis and foundation of the most perfect and happy administration of my country of Buganda by the Protectorate Government. The most important factor in this native administration is that, I, as the Kabaka or Hereditary Native Ruler of Buganda, have been solemnly assured of my suzerainty among my people over whom I rule and administer justice through my own appointed Native Chiefs and Native Courts, subject of course to the protection of His Majesty's Imperial Government at Home through the local Protectorate Government.

Again, I have already set out at length in my previous Memoranda that at the time of the establishment of a Protectorate by His Majesty's Imperial Government over this part of East Africa west of Lake Victoria, the importance of the position of my country was clearly recognised, and while the other native tribes comprised in the Uganda Protectorate were merely divided into separate districts my Kingdom of Buganda was accorded the important position of forming a whole Province by itself. Thus the status of my country is quite different from that of any other of the native tribes in the Protectorate. By the terms of the famous treaty of 1900, which has been so often quoted, the internal administration of my country was solely reserved to myself as the direct Native Hereditary Ruler of my people. Further, it was clearly provided in that Treaty that whatever law that was

Appendix No. 17—continued.

made for the general governance of the whole of the Uganda Protectorate which conflicted with the terms of the Uganda Agreement would not be applicable to my country.

Another most important feature of the position of my country which differs from that of any other native tribes in the Uganda Protectorate is the system of the tenure of land among my people in Buganda. In no other country of any other native tribes in the East African British Dependencies will you find private ownership of land by individual natives. In Buganda, under Clause 15 of the Uganda Agreement of 1900, certain native private landowners were recognised and their claims or titles to land registered by the Protectorate Government. These natives can do exactly what they like with their land in the matter of alienation among themselves and even to foreigners under certain circumstances and with the express consent and approval of both my Native Government and His Majesty's Representative in the Protectorate. So that freehold tenure of land among my people is considered as one of the most fundamental and important provisions of the Uganda Agreement.

From the foregoing it is clear, therefore, that my fears and anxieties are based upon the facts, which I have already set out before in my previous Memoranda and correspondence, that in the event of the proposed Closer Union being adopted, it will necessarily and inevitably destroy the position and status of my Kingdom, since the interests of my people will necessarily have to be subordinated to the interests of the immigrant European races and those of other native tribes possessing no internal native government among their own countries, and having no recognised form of native land tenure.

I would, therefore, most humbly emphasise the various points which I raised before and which I set out most clearly in my previous correspondence, the most important of which are—

(i) That I emphatically protest against the inclusion of my Kingdom in the formation of Closer Union of the British East Africa Dependencies

(ii) That therefore in the event of the Uganda Protectorate being included in the formation of such Closer Union the Kingdom of Buganda should be excluded and a Special Commissioner appointed by His Majesty's Imperial Government to conduct the administration of my country who should be responsible direct to the Imperial Government at home in affairs affecting the internal administration of my country.

In this connection I would refer to an assurance given by the Right Honourable Mr. Ormsby-Gore and contained in the Hon. the Chief Secretary's letter to me, No. 7153, dated the 28th November, 1927, the most important part of which reads as under—

“ You may rest satisfied that, whatever changes in East Africa may be made as a result of the enquiry, the supervision of the welfare of Buganda will rest with the Secretary of State for the Colonies, who will, as in the past, attach the greatest importance to the Agreement as the means whereby it is possible, through the constituted Native Government, to provide for the progress of the country and its people.”

(iii) That the present system of native internal administration of my Kingdom should not be interfered with in any way as a result of the establishment of Closer Union of the British East African Dependencies.

(iv) That no change in the status of my country or the traditional native customs of my people should be caused by local legislation enacted by the Federal Council of the Closer Union.

In conclusion, I have considered it necessary, in case some of the members of the present Parliamentary Joint Committee have never seen my previous Memoranda and correspondence on the subject to forward through the

Appendix No. 17—*continued.*

Protectorate Government copies of these Memoranda and the more important correspondence dealing with this burning question, I feel sure that after the Committee has carefully studied my previous Memoranda and correspondence and perused the present Memorandum and also heard the native witness that has been sent from this country and whom I have charged to emphasise our fears and anxieties set out in those memoranda, it will be very easy for the Committee to realise the force of my arguments and protest against the inclusion of my country in the formation of Closer Union or Federation of the British East Africa Dependencies.

(Enclosure 4.)

SEE COLONIAL OFFICE PAPER No. 57, p. 85.

(Enclosure 5.)

SUPPLEMENTARY MEMORANDUM ON THE PROPOSED FEDERATION OF THE BRITISH EAST AFRICAN DEPENDENCIES BY HIS HIGHNESS THE KABAKA OF BUGANDA.

In view of the Official Notice (No. 558 of 1927) appearing in the Official Gazette of the Uganda Protectorate of the 15th November on page 515, setting out fully the terms of reference of the Special Royal Commission which has been appointed to inquire into the above question, I have considered it necessary to prepare further representations for submission to the Commission on its arrival to this country.

As Kabaka of Buganda, I am not much concerned with the first two and last three terms of reference, but only with the third term of reference. It has always been my fear that as a result of the establishment of a Federal Council any changes in the powers and composition of the Legislative Council of the Uganda Protectorate will necessarily affect adversely the present status and constitution of the Uganda Kingdom, since it is certain that such Federal Council will of necessity be composed of a large number of Unofficial Members of the various immigrant races possessing vast interests in their deliberation in such Council. It is needless to point out that the interests of foreign and immigrant races in a country must inevitably be in conflict with the interests of the Natives of the country. It therefore follows that it would be almost impossible "to secure more direct representations of native interests" as indicated in paragraph (c) of the third term of reference.

As regards the declaration by His Majesty's Government of the policy involved in setting up the Commission, with all due respects, I and my Chiefs are naturally afraid that by the proposed Federation it will be found impossible for the Imperial Government to carry out the "duty of safeguarding the interests and the progress of the native population as trustees of their welfare until such time as they can take part more fully in their own Government and in the common affairs of all races inhabiting the territories," as laid down in that declaration.

As already pointed out on page 5 of my original Memorandum on this subject, with all the best intentions on the part of the Central Government, I beg to submit that it will not be possible for the Central or Federal Council to accord special consideration to the interests of the Buganda and the constitution of their Kingdom as has hitherto been done by the local Government of the Uganda Protectorate. The Federal Government will be confronted with divergent interests and tribal customs of the native races composed in the Federation, while at the same time the interests of the foreign and immigrant races will be found almost always to be antagonistic to the

Appendix No. 17—*continued.*

interests of the native races for which the Imperial Government are trustees. As pointed out earlier in this Supplementary Memorandum, the local Legislative Council as well as the Federal Council will necessarily compose of Unofficial Members of the various immigrant races whose interests will necessarily take precedence over those of native races, thus making it impossible for the Imperial Government to discharge its responsibilities of trusteeship of the welfare of the interests of the native races, though without any intention on the part of that Government to shirk its responsibilities or to shift them on the shoulders of the Unofficial Members of the Councils.

Again, it must not be forgotten that the native races which will be composed in the Federation being quite different from each other, it will be almost impossible to secure uniform representations of the native interests either in the local Council or in the Federal Council or even in a Central Department controlling the native affairs of the Federation.

It is therefore quite clear to my mind that the duties and responsibilities of the Imperial Government as trustees of the interests of the Baganda can best be carried out and discharged by the local Governments rather than by the proposed Federation of the various Governments. Since, for instance, in the administration of the Uganda Protectorate the responsibility for the welfare of the interests of the various native races inhabiting the Protectorate rests directly and ultimately upon the Governor, to whom direct representations can always be made by the Native Chiefs and Councils through the local Administrative Offices, and the interests of the immigrant races not being so important as they will become in the Federation do not seriously interfere with or even come in contact with the interests of the native races, and the number of the Unofficial Members of the Local Legislative Council being very small, the responsibilities for the welfare of the natives are entirely upon the Official Members of the Council possessing no interest of their own in the country to influence them in the duty of safeguarding the interests and the progress of the native population as trustees for their welfare.

In conclusion, I would beg to take this opportunity to record both on my own behalf and also in the name of my Chiefs and people our expression of profound gratitude to the Imperial Government for the kind and sympathetic appreciation of our difficult position in this matter and for the solemn assurance which the Right Honourable Mr. Ormsby-Gore most kindly directed to be conveyed to me through the local Government, and which has been duly transmitted to me in the Honourable the Chief Secretary's letter No. 7153 of the 18th November, 1927.

As already pointed out in my original Memorandum on this subject, my people and I feel quite sure that there has never been, and we sincerely hope there will never be, any intention on the part of His Majesty's Imperial Government to break our Agreement of 1900, which is a solemn and most generous Treaty made on behalf of Her Majesty Queen Victoria with my Chiefs and people of Buganda in my name and on my behalf. But as already submitted in detail in my original Memorandum referred to above, our apprehensions are caused by the knowledge that the formation of Federation will necessarily and automatically bring about fundamental changes in the composition of the local Legislative Councils of the individual Protectorates and Colonies; and it is only natural that we the Baganda should expect and fear that the general welfare and interests of the various native races weaken the force of a treaty, however solemn it may be, made by His Majesty's Government with a single, and, relatively speaking, unimportant native State composed in the new Federation. Moreover, it is only natural that we should entertain feelings of anxiety that with the advance and progress of the new Federation, at least, some of the terms and provisions

Appendix No. 17—*continued.*

of our Agreement of 1900, made over 27 years ago, will, in time, prove repugnant to the interests of the general policy of native administration of the Federation as a whole and we shall be compelled to surrender some of our rights which we acquired under that Agreement.

Again, as already pointed out in the earlier part of this Memorandum, the Imperial Government itself may find itself compelled by force of circumstances, in view of the general progress of the countries comprised in the Federation, to delegate its responsibilities and duty cast upon it by the terms of the Agreement of safeguarding the interests of the Baganda, to a Federal Council or Central Government of the Federation composed of Unofficial Members of immigrant foreign races whose interests in the country will necessarily be in direct conflict with interests of the native races; and it will become increasingly difficult for the Baganda to assert their rights conferred upon them under the Provisions of the Uganda Agreement of 1900, or for the Imperial Government to carry out and discharge conscientiously its duties towards the Baganda which it solemnly undertook to discharge in that Agreement.

In my humble opinion, therefore, I would sincerely urge that in order to avoid all these difficulties and future complications which I am sure will assuredly result in the ultimate abrogation of our solemn Agreement, Buganda Kingdom should be excluded from the formation of the proposed Federation or any other form of Closer Union which may be ultimately agreed upon to be introduced in British Eastern Africa; and I would again earnestly request the Royal Commission in this respect to consider very carefully my alternative suggestions on page 10 of my original Memorandum on this question.

(Enclosure 6.)

SEE COLONIAL OFFICE PAPER No. 57, P. 80.

(Enclosure 7.)

NOTE.

Copies of the most important Correspondence that have taken place between the local Protectorate Government since the beginning of the negotiations of the proposed Closer Union or Federation of the British East African Dependencies.

These are the copies of Correspondence referred to in the last paragraph of the fourth or last Memorandum on the Proposed Closer Union by His Highness the Kabaka of Buganda.

Copy 1,
No. 1698/54.

Provincial Commissioner's Office,
Kampala, Uganda.

10th September, 1930.

H.H. the Kabaka, K.C.M.G.,
Mengo.

Re Closer Union of African Dependencies.

With reference to your letter No. 58/29 Pt. III, dated 2nd July, 1930, I am requested to inform you that a copy thereof was forwarded by His Excellency the Governor to the Secretary of State on 26th August.

(Sgd.) C. RANKIN,
for Provincial Commissioner, Buganda.

Appendix No. 17—*continued.**Copy 2.*

COPY OF THE LETTER FROM THE KABAKA OF BUGANDA OF THE 2ND JULY WILL BE FOUND ON PAGE 104 OF COLONIAL OFFICE PAPER—No. 57.

*Copy 3.**Confidential.*

No. 1698/51.

Provincial Commissioner's Office,
Kampala, Uganda.
1st July, 1930.

H.H. the Kabaka, K.C.M.G.,
Mengo.

I enclose herewith two letters from the Honourable the Chief Secretary.
2. I would draw your attention to the fact that the replies are required by the Honourable the Chief Secretary by the 10th inst.; your reply should therefore reach this office not later than 5th inst.
3. Please treat this as urgent.

(Sgd.) J. W. STEIL,
for Provincial Commissioner, Buganda.

Copy 4.

No. B. 42.

Confidential.

Chief Secretary's Office,
Entebbe, Uganda.
30th June, 1930.

To the Provincial Commissioner, Buganda,
Kampala.

With reference to my confidential memorandum No. B. 42 of to-day's date, asking you to communicate to this office any views you may wish to express with regard to His Majesty's Government's conclusions in regard to Closer Union for consideration by the Acting Governor in Council, I am directed to request you to invite His Highness the Kabaka to submit through you any observations he may wish to make for similar consideration.

(Sgd.) E. L. Scott,
Acting Chief Secretary.

Copy 5.

No. K. 15/5.

Chief Secretary's Office,
Entebbe, Uganda.
12th March, 1930.

From the Chief Secretary to the Provincial Commissioner, Buganda,
Kampala.

I am directed to refer to this office Memorandum No. K. 15/5 of 7th February, and to inform you that the Secretary of State has now, in a despatch dated the 12th of February, confirmed his telegram referred to in that Memorandum.

2. His Lordship has further requested that the Kabaka be informed that should a Central Authority be constituted in East Africa, he will, at the appropriate time, consider whether it is desirable that any special steps should be taken to safeguard the native constitution and administration of the Kingdom of Buganda. He adds, however, that as these are fully

Appendix No. 17—*continued.*

provided for in the agreement of 1900, and as the Kabaka has already received an assurance (vide this office memorandum No. 7153 of the 28th November, 1927) that the agreement will not be varied without the full consent of himself and his councillors, it appears doubtful whether any further safeguards will be regarded as necessary.

3. I am to request that this information may be conveyed to the Kabaka.

(Sgd.) P. W. PERRYMAN,
Chief Secretary.

No. 1698/43.

Copy for information of H.H. the Kabaka, K.C.M.G., in reference to his No. 58/29 of 29/11/29.

(Sgd.) D. W. ROBERTS,
for P. C, Buganda. 13/3/30.

Copy 6.

No. K. 15/5.

Chief Secretary's Office,
P.O. Box 5,
Entebbe, Uganda.
7th February, 1930.

To the Provincial Commissioner, Buganda,
Kampala

With reference to my memorandum No. K. 15/5, dated the 21st of December, I am directed to inform you that the Secretary of State has telegraphed that His Highness the Kabaka may be assured that the views of himself and of the Native Government in Buganda are fully known to him and they need have no fear that their representatives will be overlooked or that the position of the Native Government is in jeopardy, and that, in the circumstances, no useful purpose would be served by sending a deputation to London.

2. A further communication will be sent to you on receipt of the Secretary of State's despatch in this connection, but, meanwhile, the Kabaka may be informed as indicated above.

(Sgd.) P. W. PERRYMAN,
for Chief Secretary.

No. 1639/42.

Copy for information of H.H. Kabaka in ref. to his 58/29 of 29/11/29 and enclosure and my 1698/41 of 23/12/29.

(Sgd.) D. W. ROBERTSON,
for Provincial Commissioner, Buganda.

8/2/30.

Copy 7.

No. 1698/41.

Provincial Commissioner's Office,
Kampala, Uganda.
23rd December, 1929.

H.H. the Kabaka, K.C.M.G.,
Mengo.

With reference to your letter No. 52/29 of 29/11/29, addressed to His Excellency the Governor u.f.s. this Office on the subject of Federation I am directed to inform you that your letter along with that from your chiefs

Appendix No. 17—continued.

has been forwarded to the Secretary of State for the Colonies who has been asked to give a telegraphic reply on the question of receiving a deputation.

(Sgd.) A. H. Cox,
Acting Provincial Commissioner, Buganda.

Copy 8.

No. S. 1258/49/1/26.

Office of the Secretary,
Mengo, Buganda
23rd October, 1929.

To His Highness the Kabaka of Buganda,
Mengo.

YOUR HIGHNESS,

We most respectfully beg to write to you that the Lukiko have discussed on the question of Closer Union and have read carefully the Luganda translation from the Report of Sir Samuel Wilson on the question of the Federation of Uganda and other territories. The Lukiko have seen that the representatives should be sent as soon as possible to England for further explanation to the Secretary of State and the following are the reasons why we are in disagreement with that report:—

(1) In the report of Sir S. Wilson, on recommending all what he saw, the conditions and administration of the country as it will be was not clearly defined as he saw them that they must be left intact.

(2) The Power of the High Commissioner proposed and the Conference to sit at Nairobi, Kenya, for the Governors has brought fear to Buganda that this Conference will ultimately bring under its control the rights of the natives as regards the administration of the country as it is now.

(3) Due to the High Commissioner being given power to deal with administrative questions when at Kenya, that when Governors write to the Secretary of State on important matters concerning their respective territories will supply the High Commissioner with copies of such despatches, this shows that Buganda will in time be deprived of her rights which exist now, of writing straight to the Secretary of State.

(4) It is stated that the High Commissioner and the Conference will be empowered to deal with matters of administrative concern, commercial, Posts, Telegraphs, Railways and researches, and that this Conference shall consist of seven members from each of the three territories, we are much afraid that this will bring us under the control of the High Commissioner and his Conference.

(5) In the Report, the High Commissioner was given the power that all important questions discussed by any of the three countries will be made known to the High Commissioner.

(6) In this Report of Sir Wilson there is nothing definitely stated that Buganda will not be federated with any other country proposed to be brought under this Closer Union.

(7) Although it was set aside in the Report that the things to be amalgamated to be under the High Commissioner and his Conference were to be Customs, Railways, Defence, Posts, Telegraphs and Researches, but it is apparent that the policy of administration and welfare of the Natives will be gradually affected in time to come, as it would appear from the note by the Governor of Uganda of 4th June, 1929, which was annexed to this report, where he states that the native policy will be best affected in time to come by free discussion in Conference of Governors under the residency of the High Commissioner.

Appendix No. 17—*continued.*

(8) All the Commissioners who had come to this country in this connection and all the letters we had written and replies we had received never had we obtained an assurance that Buganda will not be included under this federation with other countries.

(9) We beg that an urgent cable be sent as soon as possible to the Secretary of State to the effect that our representatives will be coming in as short a time as possible.

We are, Sir,

Your Highness' most obedient servants.

(Sgd.)	M. L. NSIBIRWA, Katikiro.
(Sgd.)	ANDEREYA KIWANUKA, Omulamuzi.
(Sgd.)	S. W. KULUBYA, Omuwaniika.
(Sgd.)	AMONI B., Kago.
(Sgd.)	PETERO SENDIKWANAWA, Kukwenda.
(Sgd.)	HAMU MUKASA, Sekibobo.
(Sgd.)	Y. MUKASA, Kangawo.
(Sgd.)	S. WAMALA, Mugema.
(Sgd.)	TONASI S., Keima.
(Sgd.)	ASHE MUKASA, Kitunzi.
(Sgd.)	R. S. KIWANUKA, Pokino.
(Sgd.)	M. K. ZAKE, for Kasujju.
(Sgd.)	MUSA, Katambala.
(Sgd.)	J. LUWEKULA, Luwekula.
(Sgd.)	G. KAMUSWAGA, Kamuswaga.
(Sgd.)	NYANSI LULE, Kyambalange.
(Sgd.)	ANDEREYA L. LUWANDAGA, Kimbugwe.
(Sgd.)	JAFALI MIKASA, Lumama.
(Sgd.)	Y. KYAZE, Kweba.
(Sgd.)	SIMEWO, S. S., Kiimba.
(Sgd.)	MESUSALA KAMYA, Mugerere.
(Sgd.)	SAMWERI S. MUSALE, for Mutesa.
(Sgd.)	EDUARDO M., Mbubi.
(Sgd.)	Z. KIBALE.
(Sgd.)	J. T. K. SABALANGIRA.
(Sgd.)	YOSWA MISANGO.
(Sgd.)	F. MANYANG'ENDA, Sentala
(Sgd.)	ERIKA KABI, Sabaganzi.

Six Members.

Copy 9.

No. 7153.

Chief Secretary's Office,
Entebbe, Uganda.
28th November, 1927.

SIR,

I am directed by the Governor to acknowledge the receipt of your letter of the 26th October, forwarding a copy of a Memorandum prepared by you on the proposed Federation of East African Dependencies, which will be submitted to the Secretary of the Commission in due course.

2. I am also to state that His Excellency has been informed by the Right Honourable Mr. Ormsby-Gore that he has received your letter dated September, 1927, regarding the Commission. Mr. Ormsby-Gore wishes you to be assured that both Mr. Amery and he have had in mind the special case of yourself and your country during the deliberations which preceded the appointment of the Commission, and that the attention of the members of

Appendix No. 17—*continued.*

the Commission is being specially drawn to the Agreement of 1900. "You may rest satisfied that, whatever changes in East Africa may be made as a result of the enquiry, the supervision of the welfare of Buganda will rest with the Secretary of State for the Colonies, who will, as in the past, attach the greatest importance to the Agreement as the means whereby it is possible, through the constituted Native Government, to provide for the progress of the country and its people." The Agreement is a solemn pledge of the King's Government, and, if the experience of time shows that it can usefully be varied, it will be varied only with your full consent and that of your councillors. Mr. Ormsby-Gore has no doubt that the Commission will make a point of hearing any representation which you may wish to make.

I have the honour to be, Sir,
Your Obedient servant.
(Sgd.) R. RANKINE,
Chief Secretary.

His Highness the Kabaka of Buganda,
and The Provincial Commissioner, Buganda.
Kampala
(Inld.) P.W.C.
30/11/27.

Copy 10.

COPY OF LETTER FORWARDING RESOLUTION PASSED BY THE ANNUAL LUKIKO OF
BUGANDA.

No. S. 56.

Kabaka's Office,
Mengo, Buganda.
29th October, 1927.

The Provincial Commissioner, Buganda.
Kampala.

Proposed Federation of the British East African Dependencies.

SIR,

I have the honour to inform you that as a result of the recent and persistent rumour in the local Press of the proposed Federation of the British Dependencies in East Africa, this matter was submitted to the Annual Lukiko for discussion and their views thereon, and I enclose herewith in English and Luganda their Resolution on the matter.

In forwarding the Resolution it is my duty to express my own opinion thereon, which is that I am in entire agreement with it. It is not necessary for me to say a great deal about this matter, as I have already prepared a Memorandum both in English and Luganda dealing with the possible effects of the proposed Federation on the Constitution of Buganda Kingdom and the national traditions and customs of my people.

3. As this matter has not yet been submitted to the Native Government of Buganda officially for discussion, I would request you in forwarding this Resolution to His Excellency the Governor, to explain to him that it was the natural outcome of fears and anxiety entertained by myself and my Chiefs that this matter was put before the Annual Lukiko for discussion and that the Resolution is sent to His Excellency for his information and to enable him to ascertain the views of the Buganda Native Government on this matter beforehand.

I have the honour to be, Sir,
Your Obedient servant.
(Sgd.) DAUDI,
Kabaka of Buganda.

Appendix No. 17—*continued.*

Copy 11.

THE PROPOSED FEDERATION OF THE BRITISH DEPENDENCIES IN EAST AFRICA.

After a very careful and full discussion of the question of the proposed Federation of the British Protectorates and Colonies in East Africa, the Annual Lukiko of the Kingdom of Buganda now sitting at Mengo has passed the following Resolution:—

This Annual Lukiko desires to record its unanimous disapproval of the contemplated amalgamation of the Kingdom of Buganda with any other African tribes of the British Territories in East Africa outside the Buganda Kingdom on the following grounds:—

That it is a well known and admitted fact that the fundamental traditions and customs of the Baganda upon which the constitution of their Kingdom is based are totally different from those of any other native tribe in East Africa.

(2) When Buganda was formally annexed to the British Crown, the Imperial Government undertook upon itself the responsibility of its protection and preservation of its national customs and traditions, and recognised in a most solemn Treaty—The Uganda Agreement of 1900—the constitution of its Kingdom by reserving to the Kabaka of Buganda and his Lukiko the internal government of his country, under His Majesty's direct protection and over-rule.

(3) The Lukiko of Buganda is therefore strongly of opinion that the proposed Federation of Buganda Kingdom with any other Native Tribe in any British East Africa Dependency outside the Uganda Protectorate will necessarily and ultimately destroy the National Customs and traditions of the Baganda and the constitution of their Kingdom, and directly or indirectly cause the breach of that solemn Treaty of 1900 in its most fundamental principle.

(Sgd.)	TEOFIRO KISOSONKOLE, Katikiro.
(Sgd.)	ANDEREYA KIWANUKA, Omulamuzi.
(Sgd.)	EZERA KABALI, Omuwanika.
(Sgd.)	AMONI BAZIRA, Kago.
(Sgd.)	MANTENE L. NSIDIRWA, Mukwenda.
(Sgd.)	HAM MUKESA, Sekibobo.
(Sgd.)	PETERO SENDIKWANAWA, Kangawo.
(Sgd.)	SAMWERI WAMALA, Mugema.
(Sgd.)	TOMASI SERUMAGA, Kaima.
(Sgd.)	SERWANO KULUBYA, Kitunzi.
(Sgd.)	RAULI KIWANUKA, Pokino.
(Sgd.)	YOZEFU SEBOWA, Kasuju.
(Sgd.)	MUSA SEBALU, Katambala.
(Sgd.)	YOZEFU NSINGISIRA, Luwekula.
(Sgd.)	NYANSI LULE, Kyambalango.
(Sgd.)	ANDEREYA LUWANDAGA, Kimbugwe.
(Sgd.)	GEORGE SRFASI, Kamuswaga.
(Sgd.)	SULEMANI NDIRANGWA, Lumama.
(Sgd.)	SEMEWO S., Kiimba.
(Sgd.)	YUSUFU MUKASA, Mugeiere.
(Sgd.)	PETERO NSUBUGA for Mutesa.
(Sgd.)	EDUARDO MUGULUMA, Mbubi.
(Sgd.)	MESUSALA KAMYA, Kweba.
(Sgd.)	MUSA MUSOKE, Acting Secretary to the Lukiko.
(Sgd.)	FESITO MANYANG'ENDA, Sentala.
(Sgd.)	J. K. T. GOMOTOK A, Sabalangira.

Appendix No. 17—*continued.**Copy 12.*

COPY OF THE LETTER FROM THE KABAKA OF BUGANDA OF THE 29TH NOVEMBER
WILL BE FOUND ON PAGE 91 OF COLONIAL OFFICE PAPER No. 57.

Copy 13.

COPY OF LETTER FROM THE KABAKA FORWARDING THE FIRST MEMORANDA ON
CLOSER UNION TO H.E. THE GOVERNOR.

Buganda Kingdom,
Mengo, Buganda.
26th October, 1927

His Excellency,
SIR W. F. GOWERS, K.C.M.G.

DEAR SIR WILLIAM GOWERS,

I have much pleasure in sending Your Excellency the enclosed Pamphlet, which I have considered necessary to prepare dealing with the question of the proposed Federation of the British East African Dependencies. I sincerely trust Your Excellency will appreciate with sympathy my natural anxiety and fears on this subject, and my poor efforts to explain them to the Royal Commission, which I understand is about to visit this Country to investigate into the matter.

With kindest regards,
I beg to remain,
Dear Sir,
Your Excellency's sincere friend,
(Sgd.) DAUDI.

Copy 14
No. 7153.

Chief Secretary's Office,
Entebbe, Uganda.
18th October, 1924.

To His Highness the Kabaka of Buganda.
(Intld. D.) u.f.s The Provincial Commissioner, Buganda.

With reference to your letter No. S 49 dated 5th May, 1924, on the subject of the federation of the British Colonies and Protectorate in East Africa, I have the honour to inform you that a despatch has now been received from the Secretary of State for the Colonies to the effect that he approves the terms of the reply sent to you from this office, Memorandum No. 7153 dated 24th July, 1924.

(Sgd) J. C. R. STURROCK,
Acting Chief Secretary.

Copy 15.
No. S 49.

Secretary's Office,
Mengo, Buganda
7th October, 1924.

To The Parliamentary Commission of Inquiry,
Entebbe,
Uganda Protectorate.

GENTLEMEN,

We the undersigned on behalf of the people of Buganda beg most respectfully to bring before this Honourable Commission of Inquiry the following resolutions passed by the Lukiko (Native Parliament) which recently sat for the purpose.

Appendix No. 17—continued.

2. It is known all over that the Kingdom of Buganda was and used to be an Independent Kingdom as well as a Ruling Nation. Before the British came we had our own standing Army, which enabled us to conquer almost the neighbouring countries. To cut in short. We hope that what has taken place in Buganda in the past has been already brought to your notice. Gentlemen, during the Reign of King Mutesa it was His Majesty's wish that the two countries should become friends. A message was despatched to Her Majesty the Queen accordingly. What King Mutesa did for all foreigners to make them comfortable during their stay in Buganda is known to all people. He infinitely trusted the British. We Natives of Buganda know King Mutesa was the foundation upon whom the British influence round here has been built. Other European Powers tried very hard to make Treaties with Buganda, but King Mutesa was very firm, having a belief that some day his message to H.M. the Queen would come back with good news in which case the two countries should become friends. Thus it happened, that when the neighbouring countries saw that we had made friends with the United Kingdom, they themselves automatically became friends with the British. Hence the British Protection. It was also His Majesty's wish that the Buganda Kingdom should always have direct intercourse with the British Home Government and it was a general conversation of His when at Council with his chiefs although there is no written paper about this, the country being in ignorance at the time, we are sure this was also known in England. We have also to mention for your information that in 1890 King Mwanga II, when he succeeded his father (King Mutesa) he sent his chiefs to Mombasa requesting the British High Commissioner that the British Protection is required to enable him (King Mwanga) to develop his Kingdom.

3. We are being made to feel uneasy that the Commission of Inquiry might criticise our famous Agreement of 1900. We think and sincerely hope that this will not be the case, and that we will be left to have direct dealings with Downing Street as we have hitherto.

The Governor-General in Council will naturally make all Laws to govern the Federated States, and we will automatically be under them. We fail to see how we could be left outside of the scope of the Governor-General Council, that if they happened to make laws say, relating to Poll Tax, Labour, Administration, Education, Communication, Child Welfare, Movements, and registration Law concerning which the Governor-General's Council might want to participate, and many other important matters. We again are of the belief that such amalgamation will not benefit us, for it will not be in conformity with our standing good customs of the Native Government upon which we have run all our administrative work for such a long time.

We need not point out that we still hold our ancient good custom of Government which has been even approved by the British Government with minor modifications.

4. It is a known fact that Buganda is growing rapidly solely because of her self-support and that all her grievances are carefully gone into by all Officials sent here from Home. We are naturally quite content for having such a nice and famous Agreement of 1900 which is being looked upon by both British and Native Governments as the Guardian.

We think that if this amalgamation ever came about our Native Government will automatically be lowered down, for the Governor-General will be an important person in his own way and will have to administer all Colonies under him in groups. Thus we are being made to feel uneasy that our voice will not be heard as hitherto, and that our Government who is ever ready to help and advise, and if necessary to forward all matters to the Secretary of State for necessary action, will also be made to have no voice, which means lowering down Buganda as already stated.

Appendix No. 17—*continued.*

We do not think that a Lieut.-Governor will be of any benefit to us, for he will have to send all state matters home through the Governor in Council which will have to be criticised by the European members. In any way the Council will pass a Law as to include our Country. In the 1900 Agreement the Kabaka and the Lukiko have Executive Power either to make or to abolish Laws affecting the Native of Buganda Kingdom. When this Agreement was made, it was framed in such a way to leave Power under the Native Parliament (Lukiko) because we had our recognised system of Government as given above.

5 Our honoured friends, you are quite aware that our customs, manners are totally different to those obtaining in the neighbouring countries and that the Kabaka and Native Parliament (Lukiko) are empowered to administer all the Natives as already stated. Again, as we have given we are being alarmed as to how the proposed amalgamation if it comes about will affect us, because a good deal of state matters that are at present being dealt with by the Native Government will come under the administration of the Governor-General's Council in which case our Country will be burdened with all sorts of taxes, Native Registration approved by the Governor-General's Council. Again Buganda is very rich and growing rapidly, and naturally European members who will be deputed to make laws to affect federated colonies (Buganda included) will in many ways be framed in such a way as to retard the progress of our country. If we were to be left severally alone, we are proud to say that you could not find a better contented and well to do country as the Buganda.

6. Gentlemen, we may add for your information that Sir Gerald Portal the then Her Majesty's Consular in his despatch of 1st November, 1893, to the Secretary of State for the Foreign Affairs, put before him the undesirability of amalgamating Buganda to any of the neighbouring countries and that he was of the belief that the British Government should only show the Buganda the best way to run their country to the best course of the progress, economy and also a better education.

7. We think and sincerely hope that this matter will receive your serious consideration and that the Secretary of State for the Colonies will receive all the facts of our case and see for himself why we are not in favour of the proposed amalgamation.

8. We are quite confident that the Secretary of State will do his utmost to see that our case receives his favourable consideration; and that he will find his way of not amalgamating us as above stated.

Before we close this petition we have to mention that although the proposed amalgamation may not necessarily affect our Agreement, we being a Protected Nation do not wish to be under a Governor-General administering the Federated Colonies.

9. Gentlemen, we sincerely hope that you will excuse us all the trouble we are causing you in this matter and that you will excuse mistakes, if any, made whilst endeavouring to put before you in this letter our case.

Believe us,

We are,

Gentlemen,

Your humble and obedient servants,

(Sgd) DAUDI CHWA, Kabaka of Buganda.

(Sgd) APOLO KAGWA, Katikiro of Buganda.

(Sgd) ANDEREYA KIWANUKA, Omulamuzi of Buganda.

(Sgd) YAKOBE L. MUSAJALUMBWA, Omuwanika of Buganda.

Copy sent to His Excellency the Governor of the Uganda Protectorate for his information.

Appendix No. 17—continued.

Copy 16.

No. 7153.

Chief Secretary's Office,
Entebbe, Uganda.

8th July, 1924.

To His Highness the Kabaka of Buganda,
(Intld. J. de D.) u.f.s. The Provincial Commissioner, Buganda,
Kampala.

With reference to a letter No. S.49, dated 5th May, 1924, signed by yourself and your Ministers on the subject of the amalgamation of the British Protectorates and Colonies in Eastern Africa, I have the honour to refer to the correspondence on this subject between yourself and this office in 1921 and 1922.

2. Your anxiety in this matter was then reported to the Secretary of State for the Colonies, whose reply was communicated to you in this Office Memorandum No. 7153, dated 18th March, 1922. This reply was to the effect that, should it be decided to make any arrangements for effecting closer co-ordination between the Administrations in East Africa, whether by federation or by other means, you may rest assured that no action will be taken involving infringement of the Agreement of 1900, and that in any event it is not contemplated that the Kingdom of Buganda or the Uganda Protectorate generally should be placed under the jurisdiction of any external legislative body in Eastern Africa, or that the Secretary of State's responsibility for the Administration of the Protectorate should be reduced in any way.

3. This Government has not been advised that any scheme for local federation is in immediate contemplation, and there is no reason to suppose that the assurances already given you will, in any way, be departed from.

4. His Excellency the Governor is sending copies of this correspondence to the Secretary of State for his information, but he is confident that neither you nor your Ministers need have any anxiety in this matter.

(Sgd.) J. C. R. SURROCK,
Acting Chief Secretary.

Copy 17.

No. 7153.

Chief Secretary's Office,
Entebbe, Uganda..

18th March, 1922.

His Highness the Kabaka of Buganda,
u f s. The Provincial Commissioner, Buganda.
Kampala.

In continuation of my Memorandum No. 7153 of the 20th December, 1921, relating to the amalgamation of Uganda, Kenya, Tanganyika and Zanzibar, the Secretary of State for the Colonies has requested that you may be informed that, if it should be decided to make any arrangements for effecting closer co-ordination between the Administrations in East Africa, whether by federation or other means, you may rest assured that no action will be taken involving infringement of the Uganda Agreement of 1900, and that in any event it is not contemplated that the Kingdom of

Appendix No. 17—*continued.*

Buganda or the Uganda Protectorate generally should be placed under the jurisdiction of any external legislative body in Eastern Africa, or that the Secretary of State's responsibility for the Administration of the Protectorate should be reduced in any way.

(Sgd.) GEO. LYALL,
for Acting Chief Secretary.

Copy 18.

No "P" 481/21.

Kingdom of Buganda,
Mengo Lukiko.
12th November, 1921.

His Excellency the Governor of the Uganda Protectorate,
Entebbe.

u f s. The Provincial Commissioner, Buganda.

YOUR EXCELLENCY,

We are writing this letter, placing with the greatest respect the following matter before you. It is a serious matter, and it greatly troubles the mind of every Muganda. It is as follows:—

2. The Governors of different Colonies as well as Your Excellency assemble in England in the Colonial Office to discuss the question of amalgamation of those Colonies under the British Empire also the amalgamation of the Uganda Protectorate, Kenya, Tanganyika and Zanzibar, to be placed under one High Commissioner, was discussed, we are very afraid of the matter, because of the following reasons:—

(a) The meaning of the Uganda Protectorate is that it is a country which is protected. Moreover, looking at Clause 6 of the Uganda Agreement, 1900, it provides as follows —

“ Her Majesty's Government agree to recognise the Kabaka of Uganda as the Native Ruler of the Province of Uganda under Her Majesty's Protection and over rule.”

Though the countries referred to are called Protectorates, they are not so in the same sense as ours, for this reason we merely invited the Europeans out of Friendship

(b) The countries which are administered in the manner in which a colony is, say Kenya Colony, their principles and customs upon which the administration is based, differ from those existing in Uganda.

3. For those two reasons mentioned above it is obvious that the proposal if carried into effect would simply spoil the Government of Uganda as regards the Administration, customs and the good protection hitherto by the British. On our part we have no doubt that the manner in which the British Government protect us, and the customs under which we are ruled appear far better than they would be if the amalgamation took place.

4. We do trust and have no doubt that the British Government would not at all like to see any people in any country under its Flag ruled and treated under the customs which differ from that country. Therefore we pray with the greatest respect possible, trusting that although we have explained briefly why we are not in favour of the amalgamation of our country with other colonies of the British Government you will consider very carefully and favourably this question.

Appendix No. 17—*continued.*

5. Furthermore, we of the Kingdom of Uganda who have a treaty with the British, do not favour such an amalgamation with other peoples.

We have the honour to be,

Sir,

Your Excellency's most humble and obedient servants,

(Sgd.) DAUDI CHWA, Kabaka we Buganda.
 (Sgd.) APOLO KAGWA, Katikiro.
 (Sgd.) ANDEREYA KIWANUKA, Omulamuzi.
 (Sgd.) YAKOBO MUSAJALUMBWA, Omulwanika.
 (Sgd.) AMONI BAZIRA, Kago.
 (Sgd.) NASANABRI MATANJA, Mukwenda.
 (Sgd.) S. M. MUKASA, Kangawo.
 (Sgd.) HAMU MUKASA, Sekibobo.
 (Sgd.) TEOFIRO KISOSONKOLE, Mugema.
 (Sgd.) TOMASI SERUMAGA, Kaima.
 (Sgd.) Y. MUWANGA, Kitunzi.
 (Sgd.) NYANSI LULE, Kyambalango.
 (Sgd.) ALIKISI SEBOWA, Pokino.
 (Sgd.) YOZEFU SEBOWA, Kasuju.
 (Sgd.) HAMISI SABAGABO, for Kasuju.
 (Sgd.) Y. NSINGISIRA, Luwekula.
 (Sgd.) ANDEREYA LUWANDAGA, Kimbugwe.
 (Sgd.) MUSA, Lumama.
 (Sgd.) RAFAIRI SEMAGANDA, for Kweba.
 (Sgd.) SEMEWO SENKATUKA, Kiimba.
 (Sgd.) A. KIKULWE, for Sabadu Mugerere.
 (Sgd.) DAUDI SERWANGA, Mutesa.
 (Sgd.) SULEMANI MUZIT, for Mbubi.

Appendix No. 17—continued.

(B)

MEMORANDUM FROM THE BASOGA.

Memorandum prepared by the Chiefs of Busoga with reference to the proposed closer union of the East African Dependencies to be presented by their representative Omwami Y. Z. M. Ngobi to the Parliamentary Joint Committee.

1. Our views as expressed in the Memorandum delivered by us to the Hilton Young Commission in 1928 are in no way altered and are now as therein stated.

We would, however, add the following items:—

2. So far as we are concerned the existing system of native administration and the protection afforded by the Government has been most satisfactory ever since the British Government exercised control over our country and there has always been co-operation between us and the British Government.

This being the case we do not understand what are the circumstances which have recently arisen necessitating closer union nor the purpose closer union is intended to serve. Still less do we see what benefit closer union is likely to be to us. On the contrary we can see many possible if not probable disadvantages.

3. In our Memorandum to the Hilton Young Commission we stated that we, the peoples of Busoga in the Protectorate of Uganda have our own ancient administration, laws, customs, etc. which continue as heretofore and that all these are entirely different from the administration laws and customs of the native peoples of Kenya and Tanganyika.

4. So long as we are in the Protectorate of Uganda all the matters referred to in the last preceding paragraph are respected. Therefore we do not wish for closer union with countries wherein the peoples differ in their methods of customs.

5. Even in the Protectorate of Uganda the various Provinces have not joined together in the sense of having a native control council. How then can it be sought to join Uganda to Kenya and Tanganyika?

6. The authority of the native administration has been recognised by the British Government in a number of matters such as:—

(a) There are native courts with power to hear all cases between natives.

(b) With the consent and approval of the Government we have power to appoint and dismiss chiefs.

(c) Native poll tax is collected by us and remitted to the Government.

(d) We have our own offices for the administration of native affairs.

(e) We discuss laws which we consider to be for the good of the country and if approved by the Government they are carried into effect.

(f) We administer all native affairs and also collect native administrative taxes such as fines and court fees.

(g) We have made good roads all over the country and the chiefs of the native administration are responsible for their proper maintenance.

(h) All orders issued by the Government from time to time must be issued to us and we circulate them to our people.

7. We object to closer union with countries where the natives have not obtained the above conditions and we fear that closer union would deprive us of these rights.

Appendix No. 17—*continued.*

8. It has come to our knowledge that the laws affecting natives of Kenya are not good and that the natives are complaining about them.

We enumerate a few:—

(a) The Hut Tax involving as it does a tax for each hut or in the event of a house with a number of rooms a tax for each room according to the number of wives.

(b) It is reported that natives have been despoiled of their good land and sent out to barren and waste land and that the good land was given to white settlers.

(c) The system of Kipande registration existing in Kenya which keeps the natives in a state of semi-slavery.

9. In our country of Busoga we have no freehold estates but we possess and occupy our lands which are hereditary in the same way that we did before the advent of the British Government.

10. From time immemorial we possessed in Busoga our native administration and our paramount chiefs now the Saza Chiefs—ruled their own countries independently as Kings.

These chiefs had under them subordinate chiefs who assisted them in the administration. The paramount chiefs had the right to give away or to sell some of the land.

11. As we have no freehold estates in Busoga we fear that if closer union is adopted the white settlers may come into our country and take away our land as they have done in Kenya.

12. We trust that the Joint Committee appointed to consider the question of closer union will give most sympathetic consideration to the views expressed in this Memorandum which will be amplified by the evidence of our representative who will be able to express our views and opinions as regards the native and the condition in our country of Busoga and the reasons why we do not view with favour closer union.

- (Owesaza) W. W. K. NADIOPE, Gabula.
 (Owesaza) Y. M. ZILABAMUZALE, Ngobi.
 (Owesaza) Z. NABIKAMBA, Tabingwa.
 (Owesaza) S. MUGOYA, Wakoli.
 (Owesaza) D. NSOBANI, Menya.
 (Owesaza) Y. BALITA, Luba.
 (Owesaza) E. KADOKO, Mumyuka for Ntembe.
 (Owekitibwa) E. WAKO, President, Busoga, Lukiko.

And on behalf of the people of Busoga.

Appendix No. 17—*continued.*

(C)

MEMORANDUM FROM THE BANYORO.

The Parliament of the Bunyoro Kingdom, Hoima,
Northern Province,
Uganda Protectorate,
10th March, 1931.

To The Right Hon. Secretary of State for the Colonies, London, England.
u f s. H. E. The Governor of Uganda Protectorate Entebbe.

Subject: The Closer Union of the three territories, viz., Kenya Colony, Tanganyika Territory, and Uganda Protectorate, which His Majesty's Government has raised and asked us to send our witness before the Committee for the purpose of joining the above said territories; and the witness we elected being Mr. Kosiya Kahubire Labwoni, the County Chief, Kaigo of Bujenje County in the Kingdom of Bunyoro.

MAY IT PLEASE YOUR LORDSHIP.

We, the undersigned, Tito Winyi, Omukama of Bunyoro (the King of Bunyoro) together with the consent of Parliament members of the District on behalf of all people of Bunyoro Kingdom, before we place our matters within this letter before you, beg most respectfully to thank with much pleasure His Majesty's Government for allowing us, the natives of Bunyoro District which is in Northern Province of Uganda Protectorate in British East Africa, to send a witness to be present during the Closer Union Conference. We earnestly trust that as His Majesty's Government has for a long time been considering the question of joining the territories, and as they wanted to ask us, the natives of Bunyoro first, what we think, and what we prefer, so as to get a full knowledge, we consequently trust that you will necessarily listen to the matters we are going to place before you, and we hope that you will reasonably do for us what we desire.

Because it makes us anxious when we see the possibility of our Protectorate being united with Kenya Colony and Tanganyika Territory in one Federation or Closer Union where as we previously did not agree in the presence of the Sir Hilton Young Commission.

2. We humbly beg to express our explanation about the Kingdom of Bunyoro (known as Kitara—which means sword)—how it used to be in the old days and up to date.

The Kingdom of Bunyoro (Kitara) is an ancient and hereditary Kingdom. This Kingdom was a vast and powerful one in Central Africa during the times our forefathers, having its own policy and Parliament over which the King (Omukama) was the supreme ruler. Under him were the County Chiefs' Sub-chiefs, and Clan heads of families, all possessing their lands. Consequently we knew the way of ruling ourselves before the operation of the British Administration.

The policy of "Indirect Control" adopted by the British Government from the earliest days of Administration, has proved of the greatest benefit in maintaining and developing a system of Government, which was in vogue long before British occupation. By this wise arrangement our own National institutions have not only been respected, they have been more definitely established.

Referring to our Memorandum on Closer Union, submitted to the Sir Hilton Young Commission and dated December 26, 1927. We wish again to endorse our full agreement with the co-ordination of the great Public

Appendix No. 17—*continued.*

Services such as Transport, Communications, Customs, Medical and Research, and Defence, etc.

With reference to Unification of a Native Policy throughout the three extensive and largely divergent Countries of Kenya, Tanganyika and Uganda, we recognise unsurmountable difficulties owing to the different degrees of development and civilization. (Sir Hilton Young Report, pages 80-81.) We desire however to express our conviction that the time has come for the Unification of a Common Policy amongst the Bantu peoples of Uganda, and to further this end, we hope a Native Advisory Council will be formed to embrace the Kingdoms of Bunyolo, Bunyoro, Buganda, Toro, Ankole, and the Basoga as the general conditions of these five Countries are the same. Each has its place in the Government of the Uganda Protectorate, under the same Governor and Administrative Officers, and each shares the proportionate burden of Taxation.

3. We fear Federation or Closer Union for the following reasons:—

(a) Because of the difficulty of being joined up with countries of different status, such as the Mandated Status of Tanganyika, the Colonial Status with its Legislative Council of Kenya, and the Protectorate Status of Uganda, with its own beneficent form of Government.

(b) Lest Federation means a change of policy and loss of liberty taking away the power from the native rulers and chiefs, and changing the Protectorate into a Colony.

(c) Lest such Federation with the formation of a new and expensive Department, would need greatly increased Revenue, so that an increase of taxation would follow which the Country cannot at this time bear.

In conclusion, we beg your Lordship most respectfully to receive our witness in the person of Mr. K. Labwoni who is the bearer of this our carefully considered Statement.

We have the honour to be,

Your Lordship,

Your most obedient and humble servants,

TITO G. WINYI II, Omukama we Bunyoro.

P. BIKUNYA, Katikiro we Bunyoro.

ZAKAYO JAWE, Mukwenda we Bugahya.

DAUDI MBABI, Sekibobo we Kihukya.

H. K. KARUBANGA, Kimbugwe we Buruli.

PETERO D. DWAKAIKARA, Pokino we Buhanguzi.

S. B. BYARUFU, Kangaho we Kibanda.

Appendix No. 17—*continued.*

(D)

MEMORANDUM FROM THE BANTOBS.

In regard to the Notice in the Official Gazette, Vol. XXIII, No. 24, of 31st December, 1930, in which it is directed by the Secretary of State for the Colonies at the request of the Joint Committee, that representatives from East Africa attend and give evidence concerning the union of the three Governorship.

We, the Omukama, Council and People of Toro, not being granted leave to send our representative as has been granted to other nations—Humbly ask the Government of the Protectorate to forward this our Memorandum to the Joint Committee on Closer Union in England.

We wish to repeat the statements in our memorandum of 1927 on this subject, and to show that we have no desire for our Uganda Protectorate to be joined with Kenya Colony and Tanganyika Territory, since conditions are not the same, as we show later in this memorandum.

We should like to state plainly to H.M. Government that our objection to this union arises from our fear that the prosperity which we enjoy in this Protectorate under the rule of a single Governor who settles our affairs with the Colonial Office, should cease, that the customs and laws of our Native Governments ruled by our Native Kings for many generations should be endangered—laws which have received the approval of H.M. Government and have been fostered by the Protectorate Government—should our country be joined to such colonies as Kenya and Tanganyika.

It is well known that there are certain differences between countries called Protectorates and those called Colonies, which we do not wish to discuss at length, but about which we would like to say a few words. The Uganda Protectorate is a country which H.M. Government has agreed to protect, under various agreements of 1900, and it is stated in various places that our countries, agreeing to work in obedience to the Government, the Government will protect and strengthen the Native Kings and Councils which it found in them.

We are pleased to think that both sides of these agreements are faithfully carried out, and that all things have been, and are, tending towards co-operation.

On other hand, such Colonies as those it is suggested should be joined with our Protectorate are countries which have no agreements between them and H.M. Government, but are merely led in the way which is seen to be most suitable, and above all they have no native Kings and Governments. If such countries with dissimilar forms of Government and customs are joined together, there can be no doubt that the good government, customs and laws of the Uganda Protectorate will become contaminated. The result would be a dislike for the rule of the Government, whereas now we are very proud of it, owing to its goodness and wisdom and all that it does for us without complaint.

Some of the things which the natives of the Uganda Protectorate fear, and which tend to separate them from those countries with which it is suggested that they should be joined, are the questions of settlement of natives on their own freehold lands. This was arranged by the Government which gave certain freehold land to the native chiefs, and all the land outside, which could be cultivated, to the people. It is most important that the natives should have land in their own country. It seems clear that Kenya Colony and in such other countries that non-natives come and settle and build permanent homes.

Appendix No. 17—continued.

To do this they want to buy the land outright, and to send away the natives from their homes and villages and keep them in small areas unsuitable for them, where they can neither increase, cultivate the land, nor herd their cattle, and where they have no power on the land.

If this union comes about and removes all the difference between the various countries, we know very well that our country can be taken away from us by foreigners who come to find a home, as has been the case in Kenya and even more so in other countries joined in the past, such as the Union of South Africa.

It is quite clear that the natives are of no importance and elsewhere they are being driven out by the pressure of the foreigners. The thought of this makes us very unhappy, and we see that if this union takes place our country will be in the same state after few years.

Another thing, we see that the Uganda Protectorate appears to be well off for money obtained by taxes and in other way; this is most important to us, and we fear that should there be union, the question of money used in the country cannot fail to be difficulty, and the result will be increased taxation and other things which we cannot at present see, but which will come after the union.

We have nothing to say against a union of Railways, Customs, Telegraphs and Researches, because they do not affect our governments; they are questions having to do with the Protectorate Government, though we are asked to give our help to some of them.

We beg the Government to think deeply and let the Uganda Protectorate be kept out of union, and given the liberty to decide in years to come; if Uganda sees that this union would bring advance, it may be allowed to ask for it. But if the present arrangement is satisfactory, we ask that the country may remain as it is in every way, like other countries which are left outside the union.

OMUKAMA OF TORO.
KATIKIRO OF TORO.
KAHUMA OF TORO.
MUGEMA OF TORO.
KITUNZI OF TORO.
RUHEKUBA OF TORO.

Appendix No. 17—*continued.*

(E)

MEMORANDUM FROM THE BANYANKOLE.

(E. S. Kahaya, M.B.E., Omugabe of Ankole's opinion towards the Uganda Federation to Kenya Colony.)

Having read in Official Gazette Notice No. 558 of 15th November, 1927, explaining all the important points, why Uganda Protectorate should be united to Kenya Colony, I beg most humbly to bring my points of view to the above question.

I feel afraid and I do not think that this sort of union will result any improvement of the country neither will allow the natives to indulge themselves in the way of administration and education as they are at present, for the following reasons:—

(1) Before the Europeans came in this country, Ankole Kingdom had its supreme Ruler and its own guiding Rules and customs, some of which were very good, and were allowed by the British Government to stand, which are quite different to that of Kenya Colony.

(2) The Ankole Kingdom rely upon a true foundation which is the Ankole Agreement of 1900 made by His Majesty the King of England's representative, Sir Harry Johnston, between His Majesty the King of England and Omugabe and his chiefs. All as laid down in the Agreement are working well in Ankole to the welfare of the natives and we have always confidence in His Majesty the King George the V that nothing will be altered in the Agreement which he had made with his subjects.

(3) If Kenya is a Colony and Uganda is a Protectorate, how the General Governor if sitting in Kenya will be able to enact laws that will suit the two different territories, different in manner and different in administration.

(4) As I understand that it is proposed that there will be only one official language to work in both United Territories, the result of which will be that the education in Uganda will be diminished on account of the difficulty of a foreign language which our people will have to learn, when the education has been improving very rapidly in Uganda at present, we have no lack of Kenya Education!

(5) The development in Transport and communications, Customs Tariffs and Customs Administration, Scientific Research and defence these have nothing to do with our Native Administration, as they apply to Traders only, and such would not cause Federation.

(6) I do not think there is anything under certain circumstances which would compel me to agree to the Federation, and leave the true Agreement of 1900 on which I have been working up to now.

I thank His Excellency the Governor for his official notice to give us opportunity to bring our opinions on the question, and I trust he will kindly recommend to His Majesty the King George V the withdrawal of the question of Federation as requested.

(Sgd.) E. S. KAHAYA,

Omugabe of Ankole.

Kamukuzi, Mbarara, Ankole.

11th January, 1928.

Appendix No. 17—*continued.*

(F)

SOME DEFINITIONS ABOUT FEDERATION IN CONNECTION WITH SOME OTHER DISTRICTS IN THE NORTHERN AND WESTERN PROVINCES OF THE UGANDA PROTECTORATE.

These districts—Gulu, Chua and West Nile of the Northern Province—are mostly ruled by the Administrative Officers through Chiefs, there being no old and good ruling system or Parliament from the beginning as in Buganda and Bunyoro, also Ankole. When the British Government came and opened up their districts it introduced there the way of suitable ruling on the same lines as those of the Kingdoms mentioned above. It will thus be seen that these people did not know the way of ruling themselves before the advent of the British.

2. The Kigezi District (Western Province), before the coming of the British Government, was ruled in separate parts by native Princes.

(a) When the British Administration operated in their country they formed a Parliament for them; and all these parts in this district were made into counties, as it is at the present time.

(b) Whenever council is held, the District Commissioner chooses one of the county chiefs to preside over such a council; the next time another chief is chosen—this is done occasionally.

3. The Government is not changing their customs, but only polishing them in such a way from doing what is unnecessary for themselves as well as the public; and their Native Administrations are now progressing on well. Moreover these people are merely ruled in the way which is seen to be fit for them.

4. *The Question of Land.*—All these districts use their lands as they used to do from the beginning. The Government protects the land for the benefit of the natives, and the natives enjoy full liberty over it.

5. From my point of view—regarding Closer Union or Federation—though no Memoranda are prepared by the districts mentioned above, I can say without hesitation they are of the same opinion—they don't like federation as it seems to be somewhat a matter of causing them to restart in every way should this new Government be formed, since they are part of the Protectorate, being under one Governor. In short, they prefer indeed to be under the present system of the Protectorate Government rather than the Closer Union.

Delegate for Northern and Western Provinces, Uganda Protectorate.

Hoima, 24th March, 1931.

APPENDIX No. 18.

(Vide Question No. 5945.)

MEMORANDUM FROM MR ASHTON-WARNER (DEPUTY PROVINCIAL COMMISSIONER, UGANDA).

I would preface my remarks by saying that, although the majority of the natives are not sufficiently advanced to understand or interest themselves in broad constitutional questions, there is a growing body of educated native opinion, which takes keen interest in the advancement of the country, and in any measures which might be calculated to alter the constitution or affect native interests. It is this opinion which has to be considered as representing native views.

2. I believe that native opinion would be averse from any change which might lead to the loss of Uganda's identity by constitutional or political union with neighbouring territories. I believe there exists a fear that if Uganda were drawn closer to Kenya, policy, as affecting native interests in Uganda, might, in no small degree, be governed by the views of the non-native, unofficial element in the latter territory. For many years past native policy in Uganda has followed along certain well-defined lines and the fear exists, I think, that any union with neighbouring territories might react detrimentally to this policy by reason of the views of the settlers in other territories carrying undue weight as regards native affairs in Uganda, where problems arising from white settlement do not exist.

3. Natives in Uganda have come to understand and appreciate government by their own Governor as the representative of the King. They are also jealous of their right of appeal through their Governor to the Secretary of State in London who, in their eyes, is the immediate mouthpiece of the King. I believe, therefore, that the establishment of any local authority between their own Governor and the Secretary of State would be regarded with considerable suspicion and would not be understood.

4. As regards the amalgamation of certain services common to all territories under an independent authority, I do not think this aspect of the problem is likely to cause any apprehension in the native mind since, so far as the native is concerned, this step alone would not affect the constitutional position.

5. The broad lines of native policy have now been laid down by the Secretary of State, and this policy does not demand any alteration in the policy which has been followed in Uganda for many years past. In my view, no advantage could accrue by the appointment of a local authority superior to the territorial Governors to co-ordinate and supervise the carrying out of this policy. In certain directions, indeed, as I have tried to indicate above, I believe such an appointment would have definite disadvantages.

The main policy having been decided upon, co-ordination could only be attempted in matters of comparative detail, and native problems, even within each individual territory, are so diversified that any co-ordination by one authority would I believe be impossible of achievement.

APPENDIX No. 19.

(Vide Question No. 6101.)

FIRST MEMORANDUM FROM THE LADY ELEANOR COLE, REPRESENTING THE EAST AFRICAN WOMEN'S LEAGUE.

When the two Government Papers, the one on Closer Union and the other on Native Policy, were published in June 1930, they were read with a feeling of great disappointment by almost everyone in Kenya. The note of hostility towards the Colonists could not fail to strike everyone. In anticipation of the publication of these papers the non-official and commercial representatives of both Kenya and Tanganyika had agreed to hold a conference to discuss them as soon as they were made public (Uganda was also invited to send representatives).

After a full discussion of these papers lasting three days a unanimous resolution was passed to the effect that the proposals were unacceptable.

Within a week of the publication of these papers a meeting was arranged under the auspices of the East African Women's League to enable the women of Kenya to give expression of their views on proposals, which, it was felt, would vitally affect their future standing and welfare in the Colony.

This meeting, held on June 27th, in spite of the short notice given, was attended by women from all over the Colony, representing the commercial, official and unofficial communities.

At the end of the meeting it was unanimously resolved "That this Conference representing European Women who have established homes in Kenya strongly support the views, as expressed in the telegram sent to the Secretary of State for the Colonies on June 21st by the Conference of Representative European Men from Tanganyika and Kenya, including members from the Legislative Councils of both Territories, recently held under the Chairmanship of Lord Delamere, and agrees that His Majesty's Government's conclusions as regards Closer Union in East Africa and the Memorandum on Native Policy in East Africa are unacceptable in their present forms."

Later when it became known that this Joint Committee in London was prepared to take evidence from people resident in Kenya the East African Women's League, with a membership of over 1,200 women, asked me as their chosen representative to bring their views to the notice of this Committee.

The Women in Kenya feel very strongly that the safety of their position in the country depends on the white man being looked on with trust and respect by the natives. If the present good-will that has grown up between the settlers and the Natives is disturbed or destroyed the harm done to both races will be incalculable.

Till recently no European woman was afraid to go about alone throughout the country, and many have often to be left alone from time to time on isolated farms when the man's business takes him away, or in some cases where women have taken up land on their own or have been left widowed. Among the young Kikuyu who have come under the influence of political agitators there is an occasional show of insolence and incivility towards white women, and this in itself is sufficient to make European women watch with anxiety any premature preaching of the native's right to political equality. This very tribe who have developed some political consciousness are those who are most insistent in their desire to continue the barbarous custom of female circumcision.

I think people in this country are apt to assume that Kenya is a country of "planters," whereas the great majority of colonists are settlers in the

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true sense—in the sense of making or trying to make permanent homes. Without really friendly relations existing between Black and White this would be an impossible task. If conditions are made impossible for the white woman and her family the settled areas will pass into the hands of absentee landlords with bachelor managers in charge, and there is no doubt that the chief losers from this change would be the natives.

Speaking on behalf of the East African Women's League it is our firm belief that settlement—the making of homes by work on the land—the example set by the European family life—is the biggest factor working for the civilisation of the Native in East Africa to-day. What a native can learn and is taught on a European farm is of real value to himself. Often of more value than the mere teaching of reading and writing. I could instance many stories to show the affection and trust that exists between the natives and the families for whom they are working. Contact and work with the European has swept away the Natives' instinctive fear of the white man, the European women would beg of Government not to put fear into the white races by threatening to put political power into the hands of natives at present so little removed from savagery. The League of Nations in accepting the doctrine of the sacred Trust of the leading nations of civilising primitive races, points out that this can never be done by placing a dangerous power in ignorant hands.

The White Papers of 1930 were issued at the end of a three year's drought in Kenya. Every settler had been feeding native families to keep them from starvation—and the Wives and womenfolk of the Settlers, on whose shoulders much of the doctoring and succouring of the natives falls, most bitterly resented the implication in these papers that natives were not getting a fair deal from their employers and that there was not one word in them of encouragement to settlement. These papers seemed to them calculated to breed discontent and suspicion between the races. They feel the Home Government cannot be aware of the conditions under which women of their own race are living out there and for this reason have appointed their own delegate to bear witness for them before the present Joint Committee.

They feel that in the statement of conclusions of H.M. Government as regards Closer Union in East Africa proposals are made for radical alterations in the form of Government under which they are living and they wish to place on record their objections to these proposals. They are making permanent homes in Kenya, they are bringing up their children in that country with the idea that they too should make Kenya their home. For this reason the women feel they are vitally concerned in the future government and development of the country, and the present proposals fill them with dismay.

When Kenya was first taken over by the British Government from the Chartered Company settlers were officially invited to come and take up land there. Since the War, Government again gave explicit encouragement to white settlement under its Soldier Settlement Scheme. Further, whereas the original Crown Leases were for 99 years only, all Crown Leases are now for 999 years. It is therefore evident that up to now white settlement has been definitely part of the policy of the Home Government in respect of Kenya.

The Dual Policy recently enunciated also recognises that the development of the country by white settlement should be furthered side by side with Native production. The business of the Government, beyond keeping law and order has hitherto been thought to be to develop the country as a whole—economically, politically and socially. The impression left on the minds of the colonists after reading the papers issued last June was that the whole

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business of government in future was to concentrate on the welfare of the native. White settlement was to take a distinctly back seat.—settlers were to be allowed on sufferance only, though their interests, where they did not clash with those of the natives, would be treated with the justice due to all “immigrant communities” and “racial minorities”—surely curious language for the Home Government to use in describing British Colonists in a British Colony.

Up to now the Colony has been developing politically along the normal lines of a British Colony—i.e., the colonists receiving an increasing share in the government of their colony; and with this increasing share we maintain that the interests of the Natives have been increasingly looked after. Now, not only is all further advance along these lines to be stopped for an indefinite period until such time as the African can share in the same electoral roll, but such privileges and influence as the colonists already possess are, under these proposals for Closer Union, definitely to be curtailed.

The points which arouse most opposition in these proposals are.—

(1) The suggestion that a common roll as against a communal roll is an object to be aimed at and attained.

(2) The suggestion that Indians and possibly Africans should be nominated to the Central High Commissioner's Council.

(3) The suggestion that legislation and administration in so many important subjects should be transferred from the control of the local Kenya legislature to the High Commissioner's Council.

(4) That no further advance should be granted towards self government in Kenya until such time as the Natives can be equally enfranchised as the Europeans.

(5) That as pointed out above the paramountcy of Native interests is stressed in such a way as to lead settlers to believe that their interests will suffer.

(6) That the policy of segregation does not appear to be accepted by the present government since it is proposed to reserve land outside the native reserves for the use of individual natives. This is contrary to the intentions of the Native Lands Trust Bill as understood in Kenya.

Considering the present economic difficulties that the colony is struggling under, it is felt that what is most needed is a concentration of effort to improve this situation and not to have the Colony's energies dissipated by discussion at this moment of a highly controversial measure profoundly affecting the constitutional future of the territories concerned.

In further explanation of Numbers 1, 2 and 3, I should like to add.—

(1) With regard to the franchise.—It is certain that every white woman in the Colony would vote against the common roll being substituted for the communal one. Any such suggestion will arouse the bitterest opposition. They regard it as the beginning of a movement tending towards placing the power of government in the hands of the coloured races. No guarantee would give them a sense of security against being out-voted once the common roll was instituted as a basis for the franchise. Women settlers are living in close contact with native life. They see his most barbarous side. They know that the Native carries out a dying sufferer from his hut to be often eaten by wild beasts before he is dead, rather than that he should pollute the hut by dying in it. They know Natives will leave a baby to burn because it is believed to be unlucky to pull it out of the fire. They see and hear often of the evil results of the custom of circumcision of women. They see the Native regarding his women as part of his chattels, in no way his equal—it is impossible for us to believe that even in

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a generation or so these natives can so alter their whole tradition and outlook on life as to make it desirable that they should be on an equal political footing with the European. To anyone living in Kenya to-day it is evident that the white race must be the governing race whatever doctrinaire theories may be laid down to the contrary. If political equality is preached to the Native we women feel sure that trouble will come of it. In Kenya there is adult suffrage for both sexes of Europeans, yet we read that no further step towards self-government can be made while only one per cent. of the population is enfranchised. This method of only counting heads in a population of mixed races not unnaturally arouses the mistrust of the Europeans. Are we to be held back for centuries till the Native has become civilised in the true sense of the word?

It is evident that if majority rule is genuinely not to be aimed at, a communal franchise with a restricted number of seats on the Council is the only workable and logical plan. Under this system it might be possible in due course to enfranchise the Natives, but even so, those whom I represent, feel that as far as it is humanly possible to foresee the representative of the Natives even if elected by them, should be Europeans, if they are to sit on any central council at which the white man's affairs are part of the matter to be discussed and voted on. The day when the Native's traditions, loyalties, outlook generally shall be so identical with those of the European as to qualify him to have a determining voice in the white man's politics, is not yet dawning.

These remarks in regard to the communal franchise apply equally, so far as the European women are concerned, to the Indian as to the African.

(2) For these reasons the suggestion that Indians and possibly Africans should be nominated to sit on the High Commissioner's Council, is unacceptable.

As under these proposals any measure passed by this Council may be referred to the Secretary of State for the Colonies, at the request of any three members of the Council, if one Indian were nominated from each of the three Territories concerned, it follows that the Indians would have it within their power to hold up all legislation passed by this Council.

(3) It is proposed that legislation and administration of such subjects as Railways, Ports and Harbours, Customs, Defence, Posts and Telegraphs, extradition, research, etc., should be transferred from the local legislatures to the High Commissioner's Council. Now in Kenya at present these matters are all discussed and voted on in a council where the settlers are represented by 11 elected members. On the High Commissioner's Council it is apparently proposed only to nominate one European to represent the settler's interest. It is difficult to see what advantages these proposals for Closer Union hold out to compensate the settler for this loss of control in his own affairs.

For all these reasons I would plead on behalf of the white women of Kenya that any proposals for altering the constitution and for setting up a Closer Union with the neighbouring territories be for the time being withdrawn, that the Dual Policy be freshly and categorically affirmed and an effort made to restore confidence and goodwill between the different races. We women believe that the welfare of our race in Kenya is inextricably bound up with the welfare of the African. But we also believe that the present proposals, by damaging the prestige of the white race, by their harmful effect in stirring up racial jealousy, by unwisely and prematurely holding out political power to the African, if put into practice will in the end harm the Native probably even more than ourselves.

Appendix No. 19—continued.

SECOND MEMORANDUM BY THE LADY ELEANOR COLE.

Fishers Hill,
Woking.The Secretary,
East Africa Committee.

DEAR SIR,

After reading some of the questions put by members of the above Committee to other witnesses, I think the following extracts dealing with the question of settlement in Kenya since the War will help members of the Committee to realise why it is felt that the White Papers published last June foreshadow a change of policy towards European settlement. I think no one can read these extracts together with the latest White Papers and not feel that there is a very marked change of tone towards settlement.

The move towards further settlement after the War was not initiated by prospective settlers, but by Government officials both in this country and in East Africa, as these extracts clearly show. I did not include these facts in my Memorandum which was only intended as a summary, but the questions put, as I have already said, to other witnesses makes me feel it is worth while giving these extracts in writing before I give my verbal evidence.

Yours sincerely,

(Sgd.) ELEANOR COLE.

1. From a letter from H.E. The Governor (Sir H. C. Belfield) to The Secretary of State (The Right Hon. A. Bonar Law).

. . . . I have the honour to enclose a Memorandum on the question of free grants of land in the East African Protectorate at the conclusion of the War as called for in your despatch of 2nd March, (1916).

. . . . The Memorandum was prepared by a special Committee consisting of the Land Office, Director of Agriculture and the Director of Public Works; and the conclusion arrived at is that there is a considerable area of unalienated Crown land which could be made suitable for a closer settlement scheme.

. . . . I should have no objection to the suggestion made by the War Council that a limited number of small farms should be earmarked for alienation to potential settlers who are not possessed of the requisite capital, but who may, nevertheless, desire to take up small holdings after two or three years' residence in the country. The total acreage which would, under this proposal, be held up temporarily, would be comparatively small, and if it could be entertained, it might at least tend to an increase of the local European population immediately on the cessation of hostilities, a result which it is highly desirable to achieve.

. . . . I am of opinion that when the alienation of Crown Lands is resumed a sufficient area should be set aside in the blocks indicated in the Committee's Memo.: to provide for the inception of a closer settlement scheme in the future. I am of opinion that, in view of the very large area of land which is available for alienation, this could be done without in any way affecting the progress of the country. I trust that you will be able to agree to the appointment of a local Commission to go into the question of closer settlement.

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2. From His Excellency's Address to Legislative Council, 12th February, 1917. (Sir H. C. Belfield)

Hon. Members will observe that a motion which stands in the name of the Chief Secretary on the Order Paper relates to a proposal to appoint a Committee to enquire into the possibility of elaborating a scheme of Land Settlement for the benefit of members of H.M.'s forces who may be desirous of settling in this Country when their term of service expires.

* * *

I desire to say, with all the emphasis with which I can drive my conviction home, that no labour, no trouble, no deliberation on our part should be spared, and no concession withheld which may possibly place the means of securing a healthful, peaceful and profitable future within the reach of those who have unhesitatingly sacrificed their former position and prospect in the Nation's need

The land is here, awaiting occupation and development,

* * *

Set aside once and for all the idea, if such exists, that the Government contemplate making profit out of such a scheme. It is a case in which loss should be faced with equanimity if it becomes apparent that we can thereby place such advantages as we are able to offer at the disposal of those who have earned the right to assistance in some degree proportionate to the hardships they have undergone and the sacrifices they have made for their Country and ourselves.

3. From Correspondence, in the form of a White Paper laid on the Table in the Legislative Council at the Session opened 11th February, 1917.

War Council Resolution. 21st December, 1915.

The Governor's War Council after considering the probable effects of the military operations in the E.A. Theatre of War, are unanimously of opinion that the situation at the close of hostilities will be such as to render necessary very special measures having as their object:—

(1) The future security of the European Colonists in the areas affected

(2) The substitution of British for German influence where the latter at present predominates.

They consider that these objects would most readily be achieved by the adoption of a policy of close settlement by subjects of the British Empire and suggest that H.E. urge upon the Home Government the desirability of granting to each British Volunteer or Soldier taking part in the E.A. Campaign a block of land not exceeding 320 acres agricultural or 1,000 acres pastoral within the area specified above.

They further suggest that the land be granted on 999 years lease

* * *

It is therefore considered that a new phase in the development and colonization of tropical East Africa will arise out of the War which will require to be handled with the greatest firmness and tact, and it is believed that a large increase of European settlement would do much to simplify the problem of native administration under the new conditions.

Appendix No. 19—*continued.*

. . . They wish to point out . . . that as the proposed Lessees would be drawn from many parts of the Empire, a great Imperial purpose would be served by focussing such widespread attention on the territory concerned.

The Governor to the Secretary of State.

. . . It seems right that such an opportunity for closer and more extended colonisation should not be allowed to pass, and that endeavour should be made to attract to younger and less known dependencies some of those who would otherwise direct their attention to Canada and Australia.

4. From the Ministry of Pensions to Colonial Secretary, 17th August, 1918.

SIR,

I am directed by the Minister of Pensions to acquaint you that his attention has been drawn to the possibility of finding permanent employment for partially disabled discharged seamen and soldiers in British East Africa and Uganda.

These Countries seem likely to offer a good field for the settlement of the right type, and their climate and the kinds of occupation they specially offer are suitable for some disabilities caused by the War. . . .

I am, accordingly, to ask you to be good enough to bring this matter before the Secretary of State for the Colonies, who, Mr. Hodges hopes, will see fit to bring the proposals outlined in this letter before the Governor of British East Africa and Uganda.

5. From Sir Edward Northey's Inaugural Address to Legislative Council.

I believe that our duty is to encourage the energies of all communities to produce from these rich lands the raw products and foodstuffs that the world at large and the British Empire in particular require. This can only be done by the encouragement of thousands of able-bodied natives to work with the European Settler in the cultivation of land and improvement of stock. The native must be taught that co-operation between the European and himself will be beneficial to both. He will learn to live in better health and amid more sanitary surroundings . . . he must learn to be ashamed of his former idleness

No one wants to take away any land which natives occupy and are using productively, but we can say in these days of progress and development, and world-wide shortage of food and raw materials that Crown Lands not made productive may by law be made so as required.

6. From Memorandum on Policy by Sir Edward Northey, 21st October, 1919

As regards Native Policy we must recognise in the first place that no hard-and-fast rules can be laid down as applicable to each and every tribe. . . . Our ideal must be to combine the progress and prosperity of the Protectorate with the welfare of the natives. . . . We must make the native a useful and contented citizen, playing a large part in the economic development of the country; this he will not do if left to his own resources.

Appendix No. 19—*continued.*

7. Colonel Amery, Under-Secretary of State for the Colonies (Interview with "Morning Post").

" . . . All the Dominions should take an active interest in our Tropical Empire. . . . The word *immigration* should not be used of citizens of the Empire moving to another part of the Empire."

As an example of how the Soldier Settlement Scheme was looked to by Government to help in the general administration of the country, farms were surveyed and given out on a strip of land between the Nandi and Teriki Reserves and this was so arranged because these two tribes were constantly at war and raided each other's villages continually. These settlers were asked to act as a buffer, which they have done successfully. The wife of one of the settlers writes to me, "Both tribes work quite amicably on our farms together now, but very rarely intermarry." These farms are held on a 999 years' lease and the rents are payable to the Nandi Local Native Council. This arrangement is only a recent one. When the farms were first taken up they were understood to be Crown Lands, with the Crown as landlord.

One of these farms is now run by the widow of a Soldier Settler with the help of a young son—she and her children can speak and understand the Teriki language, which is a great help at getting at the heart of things with the tribe.

APPENDIX No. 20.

(Vide Question No. 6387.)

MEMORANDUM BY LORD FRANCIS SCOTT, CAPTAIN H. E. SCHWARTZ, AND MR. J. F. H. HARPER, REPRESENTING THE KENYA EUROPEAN SETTLERS.

The subject of Closer Union has been before the unofficial Communities of Eastern Africa in one form or another for many years.

The attitude of white unofficial opinion in Kenya towards this question may be gathered from a brief history of the movement since it first took shape as a live Political issue.

This history began in 1924 with the following Resolution, unanimously agreed to, at the Session of the Convention of Associations held in December of that year:—

“That this Convention believes it is yet too early for this country to pronounce any definite opinion as to the desirability of a federation between this Colony and other British possessions in East Africa, but trusts that the Elected Members of the Legislative Council and the Convention of Associations Executive will watch the trend of events very carefully in order that no gradual amalgamation of services shall result in a virtual federation in which the interest of this Colony may be jeopardised. Further this Convention is of opinion that no form of federation would in any event be acceptable to the Colony which did not preserve the constitutional status of Kenya and leave the way open for its future constitutional advancement and provide that the Federal Capital should be in Kenya Colony.”

In 1925 the first unofficial conference held at Tukuyu and consisting of Delegates from Northern Rhodesia, Nyasaland, Tanganyika Territory and Kenya, while supporting the idea of co-ordination, declined to advocate any formal federation.

In 1926 these views were re-affirmed in effect by a similar conference held at Livingstone. Later in 1926 the Elected Members of the Kenya Legislative Council issued a manifesto promising favourable consideration to a scheme of co-ordination, provided it contained safeguards for the constitutional status of the Colony, including an Elected majority in its Legislative Council.

In 1927 a Command Paper appointed the Closer Union Commission. The evidence given to that Commission by the white unofficial community re-affirmed sympathy with the principle of federation with adequate safeguards.

In 1929 the same principles were re-affirmed in the evidence given before Sir Samuel Wilson.

Finally in 1930 the latest Command Papers were published.

In Appendix A is set out a chronological list of pertinent resolutions passed on the various occasions referred to above.

At no time have the leaders of Political thought in Kenya raised the subject of federation, or pressed it, as a means to the political advancement of the unofficial community, albeit they have with some trepidation given provisional support to some form of Closer Union, for reasons both Imperial and Economic.

Whatever opinions may have been entertained in Kenya in the past, or may still be entertained, as to the desirability of Closer Union in principle, and whatever disagreement there may be as to its practical application, on one point, the white unofficial community is agreed, namely, that the attitude of His Majesty's present Government towards settlement in Kenya, as disclosed by their Command Papers of 1930, makes the voluntary acceptance of any form of Closer Union, involving a change in the constitution, out of the question at the present juncture.

Appendix No. 20—*continued.*

Both the tone and the substance of the two white papers, following on the Report of the Commission on Closer Union of 1923, have engendered a suspicion that any Central Authority set up by His Majesty's present Government will apply policies prejudicial to the interests of those who have made their homes and sunk their fortunes in the Colony.

His Majesty's Government base their decisions on a doctrine fundamentally opposed to those interests, namely, that the interests of the African Native must be paramount and that if, and when, they conflict with those of the so-styled immigrant races, the former shall prevail.

The designation "immigrant races" is interpreted as implying that the people to whom it applies, including the white unofficial community, many of whom are native to Kenya and have no other domicile—have no permanent lot in the Colony and that therefore their rights and interests are to be restricted to those of alien immigrants.

Such a doctrine is a drastic reversal of the policy of successive Imperial Governments who in the past have actively invited settlement of East Africa. We would instance the measures of Sir Charles Elot and General Northey. The direct outcome of such measures is that Kenya contains a large adolescent population to whom the Colony is actually and prospectively their only home.

To describe such as immigrants is not only incorrect, but is to deprive them of their birthright.

The general conviction prevailing in Kenya that His Majesty's present Government entertains opinions incompatible with those of the Government represented by Mr. Amery and with the interests of white settlement, has been hardened by the tenor of the argument developed by the present Under-Secretary of State for the Colonies in the course of his examination of Sir Edward Grigg when before the Joint Committee.

The Central Authority proposed by His Majesty's present Government is to aim at, and attain, a common roll in Kenya, which is a fundamental reversal of previous policy, namely, the principle of a communal roll announced by the White Paper of 1923, and subsequently adopted as part of the constitution of the Colony.

These are major issues and no agreement to any policy incorporating such principles can be expected in Kenya.

It is proposed to deprive local Legislatures of powers of vital importance to local interests without any adequate safeguards as to the use of these powers. For instance, the proposed transfer of customs tariffs, unaccompanied by any safeguards for the integrity of the fiscal system of Kenya would provide an unsympathetic Secretary of State with increased facilities for altering the whole of the financial policy of the Colony against its wishes, and possibly against its best interests.

In this connection we would add that a complete constitutional customs union with Tanganyika Territory, administered by a Central Authority, would prejudice the position of two British Colonies, Kenya and Uganda, in regard to any future Imperial policy in the direction of Imperial preference, should such eventuate, by virtue of an indissoluble association with a Mandated Territory.

We are aware that the treaty of St.-Germain-en-Laye introduces complications in this respect, but these complications can be removed when the question arises, since the treaty is subject to periodical reviews: which is not the case with a vital principle of the Mandate. The existing customs agreement between the Territories, which is the outcome of discussions on the spot between both Governors and unofficial representatives, and which is subject to revision by the same means, works to the general satisfaction of all interests concerned.

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Further, the Central Authority proposed is to exercise powers inconsistent with the dignity and efficiency of local administration, as, for instance, the supervisory authority proposed to be invested in the agents of the High Commissioner over local Native administration.

As against these reversals of previous measures involving divestment of existing rights, no compensating advantages whatever are offered to the white unofficial community. So far from providing the safeguards on which they have always insisted as a condition precedent to any constitutional change, and, so far from more closely associating the Colonists or residents in the Trusteeship of the natives, as foreshadowed in the 1927 White Paper, they definitely withhold these safeguards and refuse that Closer Association by their positive announcement that no change is to be made in the constitution of the Kenya Legislative Council on which the white unofficial community is in a minority.

In other words that "opportunity for local initiative, making use of whatever political experience and capacity are found in the country" insisted on in the Hilton Young Report is denied.

It is very generally felt that the practice of His Majesty's present Government in regard to Kenya affairs, the frequent interferences with the domestic Government of the Colony and the resulting continual delays in the settlement of urgent questions, supports this interpretation of its precept and has accentuated the suspicion to which we have referred. The spirit of the Command Papers strengthens the conclusion to which the facts point.

They contain no statement indicative of any active regard for the interests of the Community which is responsible for the "bulk of the Colony's productive wealth." An unequivocal declaration of intention to promote those interests side by side with those of the African would doubtless have been included had such formed any part of the policy outlined.

The leaders of political thought in Kenya, in common with those of other neighbouring territories, have long visualized a Dominion of East and Central Africa, developed on characteristically and distinctively British lines, as the ultimate future of its white settlement. A constitution based on the principle that native interests are paramount, i.e., are to prevail in the event of conflict with any other interests, would forever preclude the possibility of any such Dominion.

The views entertained on this question by the leaders of opinion in the Union of South Africa and the Rhodesias, whose sympathetic co-operation would be essential to the formation of any such Dominion, are well known and need not be elaborated.

We have endeavoured to show that the principal reason why the white unofficial community of Kenya is unable to accept any form of Closer Union involving constitutional changes—which might be difficult or impossible to revoke, at the present juncture, is that the policy of His Majesty's present Government, as disclosed by their declarations and actions, involves drastic reversals of previous measures and is fundamentally inimical to the ideals of white settlement in Eastern Africa.

Constitutional policy must be of a permanent character and not dictated by ungrounded presumptions, or by academic theories of Government, which fluctuate with successive schools of thought, removed from contact with local problems.

A constitution based upon disregard for the interests of a section of the Community it is designed for, can never be permanent. Consequently, we desire to postpone any constitutional change until our interests are more sympathetically understood and until a reasonable prospect appears of continuity of policy.

Appendix No. 20—*continued.*

Until the conviction we have referred to is displaced by practical, as distinct from verbal, demonstration, that His Majesty's Government has ceased to regard the white citizens of Kenya as a selfish oligarchy whose political aspirations are inconsistent with the best interests of their fellow citizens the native Africans, and can therefore not be trusted with any effective participation in measures of State, except under vigilant and frequently unsympathetic scrutiny, no constitutional change will be acceptable in Kenya.

We wish at this point to record our conviction that this policy of His Majesty's present Government is unjustified, by any apprehension that the ideals of white settlement, and of the leaders of political thought in East Africa, in any way conflict with the interests of the African native.

No arguments or evidence entitled to reasonable consideration have ever been urged to support such apprehension. We would welcome a case to answer before the Joint Committee.

On the contrary it has always been a basic doctrine of the white unofficial community that the essential interests of the two races are complementary and that measures detrimental to the interests of the one will inevitably operate, ultimately or immediately, to the detriment of those of the other.

An exhaustive enumeration of the instances in which the leaders of political thought in all parts of the Colony have initiated or actively supported measures designed to promote native interests would occupy many pages of this Statement. We have however, set out a few typical cases selected over a period of years, in Appendix B.

We would add the following additional reasons which of themselves constitute sufficient argument against the introduction of any constitutional change at the present time.

(1) The opening months of 1931 find Eastern Africa, in common with the whole world facing deep and varied problems as the result of universal depression.

Eastern Africa has not yet experienced the full effects of this depression, nor is it clear what further problems may arise as these effects concentrate and deepen over the territories.

It is however, possible to say that much hard work will be required thoroughly to repair the damage already done, necessitating a complete concentration on economic subjects to the exclusion of all other consideration, by those responsible for the administration of these Territories, and by those concerned in production, trade and commerce.

It is significant to note that it is these reasons which have actuated the Commercial community of Kenya in supporting the contention that consideration of any form of Closer Union should be postponed till the present period of depression has passed, and the economic condition of the world resumes a more stable basis than at present.

The same reasons have actuated the leaders of political thought in postponing their demand for a further advance in the political status of the Colony.

As in all countries, public work in Kenya falls to be performed by a comparatively small proportion of the community, and it is essential at the present time that the energies of public men should be concentrated on the serious and complex economic questions with which they are now confronted, rather than dissipated on the detailed and laborious work entailed by a proper consideration of constitutional changes of a highly controversial nature.

The institution of a Central Authority would indubitably entail heavy extra expenditure on the Territories concerned both with regard to personnel and travel and also to the capital cost of new buildings which

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would necessarily have to be erected at a time when all Governments are striving by every means to reduce expenditure and effect savings, the launching of an entirely new Department with its concomitant expenditure, cannot be justified.

It is possible that some compensating economies may result from the co-ordination of such services as Customs and Post Office, and that increased efficiency of administration would result, but while this may be so, experience has shown that in fact, as opposed to theory, savings invariably work out at less and expenditure at more, than is originally anticipated.

It is evident that the cost of the establishment of a High Commissioner invested with the wide functions proposed in the 1930 Command Paper, particularly as regards supervision of native administration, would far outweigh any possible savings.

(2) We are of opinion that sufficient consideration has not yet been given to the details and machinery of the proposed Central Authority and their implication. Moreover, if any Central Authority were appointed forthwith it would inevitably mean that discord between the various Communities would result, and the Territories be faced with another political agitation which it is so essential at the present juncture to avoid.

We are definitely of opinion that these details and the various adjustments required by local conditions must first be considered on the spot in Africa before any scheme of Closer Union can be framed for the consideration of the local Communities.

That fundamental misconceptions exist among public men in the British Isles as to social, political and economic conditions in Kenya is, perhaps, inevitable, since the matter is a relatively unimportant factor in Imperial policy. It is, however, of most vital importance to the parties directly affected, including the Colonists of Kenya, that policies to be applied in Eastern Africa shall be related to the conditions prevailing there. While these misunderstandings persist we firmly believe that this can only be done on the spot in an atmosphere untainted by prejudice.

These contentions are more than fully substantiated by the conclusions arrived at in the Hilton Young Report Page 145/48.

(3) Before any durable measure of Closer Union can be safely contemplated the difficulties attending the federation of heterogeneous units such as the three Northern Territories of Eastern Africa, must be more closely examined than appears to have been done.

Kenya is a Crown Colony, Uganda a Protectorate and Tanganyika a Mandated Territory. They differ radically in political, financial and racial conditions.

In Kenya there is firmly established a permanent white population and we are confidently of the opinion of Sir Edward Grigg that its destiny is greatly to increase. The tendency of such a population, which is already the driving force in the development of the Colony, must be towards a progressive increase in participation in its Government.

As it is, the elective principle has been in operation for eleven years, with the inevitable result that the unofficial element, though in a permanent minority, and theoretically an opposition, has acquired, by virtue of its practical knowledge of Colonial problems, considerable influence on the Government of the Colony.

This influence has been described as disproportionate to its numbers particularly in the matter of the Annual Estimates, which are reviewed by a select Committee on which the elected members are in a majority. This fact, while it argues nothing as to the merits of the elective principle—except its value in promoting useful co-operation between Governed and Governed—emphasises the distinction between Kenya and the neighbouring Territories.

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In Uganda and Tanganyika the same place in the political and economic development of the Country, has not yet been reached by the white population. In Uganda, since the area suitable and available for permanent white settlement is limited, it may never be reached. In neither territory has the elective principle been adopted; and the prospect of its adoption in Uganda seems remote.

The ultimate goal of Kenya is responsible Government. Nor do we believe that, if the present rate of progress is maintained, it will be possible for any Imperial Government to withhold much longer the grant of a definite step in that direction, namely an unofficial majority—whatever theoretical difficulties the racial conditions of the Colony may present.

In the absence of precedent or reasoned elaboration we are unable to visualise the working of a Federation between a Mandated territory under Crown Colony Government, a Protectorate and a Colony governed by a Legislature with an unofficial majority evolving self-government.

It is not contended that the problem is incapable of solution but that any proposals for a federation of the kind must, before they can be pronounced to be practicable, embody some intelligible solution.

The same arguments apply to the racial differences between the territories which are generally believed to preclude co-ordination of native policy.

The white unofficial community in Kenya therefore is opposed to any constitutional form of Closer Union at the present juncture.

There is however a strong feeling amongst the commercial section of it in favour of Closer co-ordination of essential services for reasons and in the manner set out below and which will be more fully developed by the commercial delegate. This view is shared by the section we directly represent, and the present attitude of the white unofficial community as a whole may be fairly summarised in the following resolution unanimously passed by the Associated Chambers of Commerce of Eastern Africa at Dar-es-Salaam in January, 1931.

“That this Association re-affirms its desire for the earliest co-ordination of essential services, *inter alia*, Customs, Railways, Posts, Telegraphs, Education and Communications, including Aerial, Research and Law and Procedure, in the three territories of Kenya, Uganda and Tanganyika, but realising that everything possible should be done to concentrate, at any rate for the time being, on a policy of economic reconstruction and to eschew political activity, is strongly of opinion that the present is not an opportune time to press for any form of Closer Union which would involve constitutional changes, and that during the period of economic reconstruction, the desired object can be sufficiently attained by the formation of standing advisory Committees appointed by the three Legislatures, and fully representative of the unofficial element, which by consultation and co-operation, will be enabled to present to the various Legislatures ways and means for the better achievement of the desired co-ordination.”

We believe that at the moment the advantages of Closer Union can be largely secured by some such informal machinery without its disadvantages and dangers.

The proposal has been described as an arch without a keystone. We submit that we have not yet the materials for such a superstructure as would justify any arch. Until the foundations of the building are complete arches are premature.

The principal arguments which have been urged in favour of federation or Closer Union are:—

(1) *To knit the East African states more closely together for . . . Imperial reasons, as the first step towards a British East and Central African Dominion.*

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With regard to this it was the situation of Tanganyika and the danger of her secession from the Empire which at the outset of the movement mainly contributed to overcome the reluctance of a large body of opinion in Kenya to Federation.

These fears have since been relieved by the repeated pronouncements of responsible statesmen of all parties in England, that Tanganyika is, and must remain, an integral part of the Empire.

We believe that the informal co-ordination we propose will prove equally effective with constitutional federation as the first step towards the Dominion which is our ultimate ideal. This belief is strengthened by experience of the results achieved by the series of unofficial conferences held during the last six years in different parts of East and Central Africa. Many questions in controversy between the various communities represented, have been discussed at these conferences. In every case unanimity has in the end been achieved, when often conflicting opinions seemed irreconcilable.

2. *To remove the control from a distant authority in London to one on the spot.*—It is very generally felt that the effective transfer of Eastern African affairs from the atmosphere of British politics to the sphere of local conditions and their investment in a genuinely impartial authority, acting upon convictions acquired on the spot, and untrammelled by instructions from London, would be immensely favourable to the development of the Territories concerned.

As we have attempted to show we anticipate no such result from the proposed High Commissioner of His Majesty's present Government. This functionary is variously described as "the local projection" and "the agent" of the Secretary of State, more particularly with respect to native questions, which, since they cut across or may be stretched to cut across, every aspect of the Colony's affairs, peculiarly require for their settlement unbiassed judgment guided by local considerations, as distinct from arbitrary instructions from a principal in London.

The provision that any three members of a racially mixed Central Council may refer any of its measures to the Secretary of State, is of itself sufficient to preclude any prospect of the transfer of the decision of East African questions from London. It would tend merely to foment or intensify racial discord.

3. *To co-ordinate all economic services.*—As we have said there is agreement in general principle as to the advantage of co-ordination and this agreement has already borne fruit, to a marked extent, by means of the institution of the Associated Chambers of Commerce of East Africa, and of the system of unofficial inter-territorial discussions, combined with the existing machinery of the Governors' Conference.

It was only in 1925 that Major Ormsby-Gore wrote:—

"We should like to state at the outset that we are impressed with the need for greater co-operation and understanding, not only between the five Administrations but between unofficial residents in the Territories as well. Few things struck us more than the lack of knowledge in each territory of East Africa regarding its neighbours, in fact, we found not merely a lack of knowledge, but in many cases complete misunderstanding. But, while there is a greater need for mutual understanding, we are of opinion that the day is still far off when such co-operation could be brought about by the imposition of Federal Government over the whole Territories."

So far as misunderstandings and lack of knowledge is concerned the position to-day is completely altered. We would cite as an instance, the Tariff Conference held in Nairobi in January 1930, between the representatives of the three Territories, at which complete agreement was reached on

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the whole of the vexed subject of protection as applied in Customs Tariffs, and country produce rates on the Kenya and Uganda Railway.

The extent to which practical co-ordination has been achieved during the past few years as reflected in measures of State is indicated by the facts set out in Appendix D.

4. *To co-ordinate Native policy.*—On the other hand the opinions of all the people most nearly concerned were unanimously opposed to any attempt at co-ordinating Native Policy. In this respect we would quote from Sir Samuel Wilson's report:—

“As regards the general supervisory power of the proposed High Commissioner over the native policy of the three Territories, I found that there was general agreement with the views expressed by the Hilton Young Commission on the principles which should govern the relations between the natives and the other communities, but, I met no one in East Africa who was in favour of putting the general control of native policy directly under the control of a central authority.”

The opinion generally entertained in this matter in Eastern Africa is endorsed by the Governors of Kenya and Uganda in letters written by them to Sir Samuel Wilson and annexed to his report.

Sir William Gowers wrote:—

“I am accordingly entirely in agreement with the general remarks at the beginning of Sir Samuel Wilson's note, and I consider that the scheme which is subsequently outlined for the establishment of a Central Authority is both practical and acceptable. It has, I think, been laid down by the Secretary of State that no scheme of Closer Union will be imposed on these Territories without some measure of general agreement. If the executive control of native policy and native affairs in each of the Territories by the Central Authority were to be made part of the scheme from its inception such a scheme would most certainly fail to command any general measure of assent. To take one instance only, the Baganda people would be wholly opposed, as they have often stated, to the interposition of any intermediate authority between their local Governor and the Secretary of State. To this point they attach very great importance, whether rightly or wrongly and though such an organisation might be imposed on them, they would, so far as I am able to judge, refuse to give their willing assent to it for many years to come at any rate. I have no doubt that equally strong objections to the immediate unification of, and control of, native policy by a Central Authority are felt by other communities in other Territories.”

Sir Jacob Barth wrote:—

“I have had the advantage of reading the Memorandum of Sir William Gowers of the 4th June, 1929, and, if I may say so, I am in entire agreement with it. The matter has been so well put by Sir William Gowers that I feel I cannot usefully add anything of value.”

“In my view it is essential that native policy, which must affect largely all other matters in territories such as those in the East African Group, should primarily be dealt with by each of such territories under the general direction of the Secretary of State, who can be relied on to apply principles approved by His Majesty's Government. It is important to emphasise the fact that native conditions in the East African Territories vary to a large extent, and what may be possible and advisable in one such territory would not be applicable to another.”

In the absence of any description in any report of any Commission or any publication of His Majesty's Government or any of its agents of the practical operation of a system of co-ordination of native policy, it is generally agreed

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by all sections of the white community in Kenya, that co-ordination of native policy throughout the three territories is impracticable.

These are the more important arguments advanced in favour of Closer Union. We believe that most of the material advantages of Closer co-ordination of essential services, which in our opinion are the objects to be aimed at, at the present juncture, can be attained for all practical purposes at this preliminary stage by some officially recognised development of the existing method of unofficial Conference in conjunction with the existing Governors' Conference.

It is suggested that this might take the shape of a Conference of standing advisory Committees, appointed by the Legislative Councils of the three Territories, containing both official and unofficial representation, meeting together periodically in one or other of the territories under the chairmanship of one of its Members for the discussion and formulation of policy on questions of common interest, which call for decision.

The Conference should be purely advisory and consultative, reporting to the respective Legislatures, whose confirmation would be necessary to give effect to any decisions reached.

If it be urged that disagreement among these Legislatures would obviate finality we would answer that the history of the Governors' Conference and of the series of unofficial conferences suggests that there is no ground for apprehension that, in questions which are genuinely in the interests of the Territories as a whole—and a wide field of such common interests has already been traversed—disagreement would result. Responsible legislative bodies would require good and sufficient reason for rejecting conclusions reached by an authoritative Conference constituted by Committees of themselves.

If disagreement did result, either among the components of the Conference or between their respective Legislatures, we submit that in the present sensitive state of public opinion on this question—while Closer Union is positively distasteful to a considerable section, and at best accepted with suspicious reserve by the rest,—it would be far better and far more conducive to whole-hearted co-operation in the future that the matter in dispute should be held in abeyance, than that a High Commissioner or Central Authority with Executive powers should, on the recommendation of the representatives of two of the territories, over-ride the wishes of the third.

On the other hand we believe that such a system of conference as is suggested might serve to reassure public opinion. It should in any event be of great value as a means to ascertain whether any form of constitutional change were eventually desirable, and if so, should be well qualified by local knowledge and experience gained to advise and assist in creating the means and machinery of its administration.

We are very strongly of opinion that the method above outlined should be given a trial before any form of Closer Union, involving constitutional changes, is put into force. Both are alike experiments to which no parallel can be found elsewhere. But, while the one is expensive, inelastic and unpopular and would be difficult to abolish if it proved a failure; the other would be inexpensive, and more readily adaptable in the light of experience to changing conditions and might well in the fruition of time evolve naturally into an acceptable form of Closer Union. It would meet with general consent, and could be dropped at any moment without sensible dislocation of existing machinery and, what is most important, without any change of constitution.

By the adoption of such a system all the contentious questions inseparable from the constitutional changes entailed by the setting up of a High

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Commissioner and a Federal Council would be avoided, and the Communities of East Africa would be free to devote their whole energies to the urgent economic problems which face them.

We wish to say in conclusion that we rely on His Majesty's Government to respect the repeated declarations of responsible Ministers of the Crown, that no constitutional change will be imposed on Eastern Africa except by consent of the peoples affected; and we would quote a few of the most material of those declarations.

The final paragraph of the Ormsby-Gore Report of 1925 reads:—

“We are satisfied that any further development in the direction of Federation whether it be unification of particular services or ultimately political Federation, will come, if it come at all, as the result of local discussion on local needs and common problems. Federation cannot be imposed from without.

In Command Paper 2904 of 1927, entitled “Future Policy in regard to Eastern Africa,” (appointing the Hilton Young Commission) appears the following:—

“At the same time it will be a fatal error if any step is taken before we have satisfied ourselves that such a step will be received with goodwill by those whose co-operation will be necessary for its success.”

On 13th March, 1929, the Rt. Hon. the Under Secretary of State for the Dominions said:—

“The Government have always maintained that those (East African) Communities have a right to a voice as to whether the recommendations in this Report (Closer Union in East Africa) should be applied at all, and, if they are to be applied, exactly in what way that application should be made.”

Finally the present Secretary of State for the Dominions (The Rt. Hon. Mr. J. H. Thomas) speaking in 1924 as Secretary of State for the Colonies said:—

“I consider the Secretary of State for the Colonies has no alternative but to continue the Pledges expressed or implied which have been given in the past.”

His Majesty's Government and all parties in the United Kingdom have lately given a signal example of respect for pledged undertakings in the case of India. We are entitled to expect that they will keep similar faith with a Community of their own people.

RESOLUTIONS PASSED UPON CO-ORDINATION OR CLOSER UNION.

Convention of Associations.—15th October, 1924.

Resolved.—“That this Convention believes it is yet too early for this Colony to pronounce any definite opinion as to the desirability of a federation between this Colony and other British possessions in East Africa and Central East Africa, but trusts that the Elected Members of the Legislative Council and the Convention of Associations' Executive will watch the trend of events very carefully in order that no gradual amalgamation of Services shall result in a virtual federation in which the interests of this Colony may be jeopardised. Further, this Convention is of opinion that no form of Federation would in any event be acceptable to the Colony which did not preserve the constitutional status of Kenya and leave the way open for its further constitutional advancement and provide that the Federal Capital should be in Kenya Colony.”

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Federation.—A long informal discussion took place on the subject of federation. Although delegates from all the territories felt very strongly that co-ordination and co-operation should be introduced where possible and where it would be to the common advantage, it was felt in regard to federation that without the agreement of the territories concerned no resolution could be passed. The delegates from Northern Rhodesia and Kenya had a mandate which did not allow them to support a resolution advocating federation. In the informal discussion the views expressed by Mr. Moore and Lord Francis Scott helped the delegates and outlined many of the aspects upon which future thought must be directed.

Colonial Office Control.—Mr. Moore thought it right that the Colonial Office should direct foreign affairs, but he objected to interference in local matters. For instance, regulation of the relations between whites and natives from a point six thousand miles distant was intolerable. It was resolved:—

That direct control over the East African territories by the Colonial Office is too great and is in some cases increasing and ought to be diminished.

Livingstone Conference.—3rd September, 1926.

Resolved.—“ That this Conference is of opinion that political Federation between the five East African Territories is outside the bounds of practical politics at present. That Closer co-operation on all subjects of mutual interest is advisable and that the question of Federation between two or more States, should not be lost sight of, in view of possible future developments.

Extract from the Elected Members' Manifesto of December, 1926.

(1) To press by any constitutional means for a European elected majority over all parties in the Legislative Council.

(2) To give favourable consideration to a scheme of co-ordination of the northern East African Territories (Kenya, Tanganyika and Uganda) and possibly Nyasaland; with the hope of a possible co-ordination with the Rhodesias in the future when their position towards each other and between them and Nyasaland is defined by their own acts: Provided that a consideration of any such scheme is conditional on an elected majority having been granted and that the following essential safeguards are included —

(a) Each State to remain a separate entity with its own Constitution and Government.

(b) No hindrance to any of the States advancing towards self-government on constitutional lines.

(c) Each State to have complete control of its own finances through its Legislative Council.

(d) The Seat of the High Commissioner to be in Nairobi.

(e) The Present Protectorate of Kenya to become an integral of the Colony.

It is to be clearly understood that the Colony reserves to itself complete liberty of action and that no change in constitution of Kenya on such lines shall be brought into force unless and until any proposed scheme has been published and submitted to the Electorate with full opportunity of discussion and approved by them through the medium of a General Election.

Nairobi Conference (Unofficial)—1927.

Resolution 1.—“ That this Conference unanimously welcomes the appointment of the Hilton Young Commission to enquire into the question of

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Federation with regard to Kenya, Uganda and Tanganyika, and hope that its labours will result in a scheme which will provide adequate safeguards for the state of civilisation which has been reached and which will prove acceptable to our peoples of these three Territories. This Conference is of opinion that Federation without agreement would be impracticable."

Resolution 2.—"That the delegates of Uganda Protectorate and Tanganyika Territory support the aspirations contained in the Kenya Colony Manifesto of December last though acceptance of the same should not be held to restrict alteration of site of the Federal Legislature at some future date if found desirable. This does not imply that the High Commissioner should not have such residences as may be deemed advisable in Tanganyika and Uganda."

MEMORANDUM OUTLINING THE SUGGESTED METHOD OF INITIATING FEDERATION FOR THE THREE TERRITORIES OF KENYA, UGANDA AND TANGANYIKA.

Presented to the E. A. Commission on Closer Union, 26/1/28.

The subject of federation has for the past two or three years been in the minds of most of those taking part in the public affairs of Kenya Colony. There are many who think that from the purely parochial aspect, it would be to Kenya's interest to refrain from federation with the adjoining Territories and to pursue her own unhampered course towards self-government in the future, but, looked at from the broader and Imperial view point, some form of closer union between Kenya and her neighbours seems desirable.

Lately, since the appointment of the Royal Commission, meetings have been held in all parts of the Colony, and the Convention of Associations had met twice in session in Nairobi, to discuss the subject of federation, and, without exception, the view has been expressed that closer union must be effected in such a way as not to interfere with the white settlement policy established in Kenya, but rather to further and extend that policy wherever practicable throughout East Africa. Further, that federation should be no bar to the natural political progress of Kenya towards self-government, and that the time is now ripe for the grant to the Colony of a new constitution providing for a European unofficial majority of members.

The Commissioners have no doubt seen the Memorandum issued in December last by the Convention of Associations and published in the local press. It should be reiterated, as was pointed out in the Memorandum itself, that the object of the Memorandum was to evoke discussion and elicit opinions, and that it did not embody the considered and final views of any individual or body of individuals. The scheme which it is now proposed to suggest to the Commission is on a different basis from the scheme outlined in the Convention's Memorandum.

It is believed that to attempt to establish a hard-and-fast federal constitution before any experiment at co-ordination is tried would be a mistake and would probably end in failure, even if a scheme could be devised which would meet the views and sentiments of the three States concerned. It is therefore urged that a Federal Council composed on the lines and with the functions hereinafter proposed should be constituted for a period of seven years only, with provisions for a review of the whole situation and a revision of the existing scheme should it be found necessary to modify it in any way or to extend it to a fully developed Federal Constitution.

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It is proposed that closer union be effected by the appointment of a High Commissioner for East Africa and the establishment of a Federal Council, which should be composed of senior officers of the services hereafter mentioned and six unofficial members, two from each of the three Territories. That the functions of the Federal Council should be to co-ordinate the services assigned to it, but that the control of finance (except in the case of the Railway which is hereinafter more specifically dealt with) should be in the hands of the legislatures of the three Territories. In other words, the Federal Council should have control only over such funds as are voted for its purposes by the local Legislative Councils.

The fixing of the unofficial representation of the three Territories on an equal basis is intended to apply to the "interim period" only, and is without prejudice to the right of any of the three Territories to demand an increased representation in the final federation scheme should it be desired to do so.

The subjects with which the Federal Council should deal are those services in which co-ordination throughout the three Territories is most desirable.

These are—

- Railways.
- Customs.
- Posts and Telegraphs.
- Defence (including Military and Police).
- Law.
- Native Affairs.
- Land (including mines and geological surveys).

In addition, the subject of through communications by main trunk roads should also fall within the purview of the Federal Council, though it is not suggested that an officer should be specially detailed to take charge of this subject.

As regards the appointment of the unofficial members, it is desirable that the representatives of each Territory should be elected by their Legislative Councils from among the non-official members of the community.

The appointment of a High Commissioner holding no other office would saddle the Territories with an expense out of all keeping with the experimental nature of the temporary scheme of co-ordination, and it is urged that the Governor of Kenya should act as High Commissioner during the interim period and that the seat of the Federal Government should be at Nairobi.

It is felt very strongly that the veto at present reposed in the Secretary of State for the Colonies should in practice be exercised by the High Commissioner.

The position of the Railway calls for special consideration. At present, in view of the provisions of the Order in Council of January, 1926, its activities are to a considerable extent uncontrolled by the Legislative Councils of Kenya and Uganda. It is proposed that the present system of management should be extended to the three Territories, provided that the procedure set out in the following Resolution is adopted with regard to the passing of the Railway Estimates.

The Resolution passed at a recent Joint meeting of the Elected Members of the Legislative Council and the Executive of the Convention of Association is as follows:—

"That this Meeting is in favour of an extension of the present Railway system of management under the Railway Order in Council of January, 1926, to the three Territories substituting the High Commissioner of East Africa and the Federal Council for the High Commissioner of Transport and (so far as is practicable) the Secretary of

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State for the Colonies. That the procedure on the preparation and passing of the yearly Estimates of Railway Revenue and Expenditure shall be as follows:—The Estimates shall be prepared and laid before the Federal Council and shall, subsequently, be laid on the tables of the three Legislative Councils and that such Estimates shall not be finally passed by the Federal Council until consideration has been given to any Resolutions which may be submitted by the Legislative Councils of the three Territories.

“And further that this meeting does not agree to any alterations being made during the Preliminary Period in the ownership of the Railways.”

With regard to the portfolio for Native Affairs on the Federal Council, it was decided that this subject should be under the charge of the High Commissioner as Commissioner for Native Affairs.

It is considered that so long as the Federal Council is on the basis proposed, the Secretariat attached to it should be no more extensive than the present Secretariat of the Governors' Conference and that the expenses of such Secretariat and the other expenses of the Federal Council should be provided by the three Territories in equal proportions.

One of the Terms of Reference of the Royal Commission is to consider and report as to the desirability of an alteration in the existing constitution of Kenya Colony. The whole country feels the time has arrived when more control of its own affairs should be given to the Colonial community, a control which, for all practical purposes, must be unhampered by racial antagonisms or jealousies. In fact, Kenya is not prepared to enter into any federation scheme unless she is granted a step towards self-government.

It is submitted that a new Constitution should be granted to Kenya providing for her Legislative Council being constituted as follows:—

Chairman: The Attorney-General (with a deliberative and casting vote).

Members: The Colonial Secretary. The Treasurer. The Secretary for Native Affairs. The Secretary for Defence. The Secretary for Agriculture (including Forestry and Veterinary services). The Secretary for Lands and Settlement. The Secretary for Public Works. The Secretary for Education. The Director of Health and Medical Services. The Director of Posts and Telegraphs. The Commissioner of Customs. Twenty-five European elected Members. One elected Arab Member. One nominated Arab Member. Five Indian Members. Two nominated European Members representing Native interests.

It is suggested that it would be inappropriate, that the Governor of Kenya (if the proposal that he should, during the interim period, be High Commissioner for East Africa, is adopted) should be also the Chairman of the Legislative Council of Kenya, and the Attorney-General, is consequently proposed as Chairman in his place. He would probably be a more suitable Chairman than the Colonial Secretary, who is usually entrusted with the conduct of most of the Government Bills introduced into the Council.

It is further proposed that the portfolios for Agriculture and Public Works should be given to elected members, who should be paid for their services and who should retain office only for so long as they remain elected members of the Council.

There remains for consideration whether there should be any power of certification, such as is vested in the Viceroy of India and certain Governors in other Colonies, should the local legislature refuse supplies and so create a deadlock. The view is strongly held that no such power of certification should exist in the case of this Colony. It is submitted that it is only

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necessary in the case of legislative bodies whose elements are largely of mixed races, where a comparatively trivial situation may give rise to unnecessarily obstructive tactics on the part of the legislature. In the case of the Legislative Council such as is proposed the predominating element will be British members, imbued with a strong feeling of responsibility, and it is unlikely that any issue but one of the first magnitude would drive them to take a step which would prevent the King's Government from being carried on.

As regards the Commission's Term of Reference 3. (c).

"To make recommendations in regard to possible changes in the powers and composition of the various Legislative Councils of the several Territories so as ultimately to secure more direct representation of native interests."

It is suggested that the names of the proposed nominated European Members of the Legislative Council for the representation of Native interests should, before nomination, be submitted by the Governor to the Native Councils which have been established throughout the Colony. In this way the Natives would be able to lodge an objection or protest to any person in whom they had no confidence.

For the rest, it is submitted that the direct Association of Natives with political matters is to be deprecated. It is inadvisable that, in their present state of development, a Native should sit on the Council as representing Native interests, and it is undesirable that the Native should have any voice in the election of the members of Council. Apart from all other considerations it is hoped to avoid in Kenya the evils which have been attendant on the "Blanket vote" in South Africa. There is no wish to retard the development of the Native on sound lines, but in the opinion of practically everyone who concerns himself with Native welfare, the political education of the Native can be best achieved through the Native Councils which were established in Kenya some two years ago on a modification of the lines of the Glen-Gray Councils of South Africa.

Cable on Sir Hilton Young Report from Elected Members.

"Conference of Elected Members and convention Executive now sitting expresses profound disappointment recommendations main Report Commission, astonishment at certain of their assumptions more particularly their complete ruling out of responsible Government in future and premature anticipation native participation in Central Government and surprise at their interpretation of their terms of reference and their entire failure to suggest practical scheme likely to find general acceptance. Conference recognising the grave Imperial issues involved reluctant to shut the door to further negotiations but feels that federation prospects with Kenya's consent have been seriously jeopardised and no progress possible unless Imperial Government repudiates main Report's fundamental conception regarding self-government in that portion Churchill's speech 1922 when Secretary of State for Colonies said that "he did not contemplate any system which would prevent British East Africa from becoming characteristically and distinctively a British Colony looking forward to the fruition of full self-government" and implied in White Papers 1923 and 1927 and on many other occasions which has been responsible for adoption by large numbers colonists of Kenya as permanent home and also repudiates the unsustainable assumption that native intellectual development can be so rapid that his direct participation in Central Government will be practicable within a measurable period of time and that our political institutions should be moulded accordingly from outset. The acceptance of the

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above principles is essential to any further useful negotiations. Given this basis discussions in Africa on the spot would appear to give the only change of policy capable of acceptance. In view of the fact that Kenya Elected Members are pledged to a general election being held before any change takes place in the Constitutions and that the Secretary of State has undertaken that any change must be based on consent countries concerned Conference considers High Commissioner's powers should not conflict with above and feel strongly appointment of Special Commissioner without powers execution more suitable preliminary step. Communal franchise formed essential part of settlement of 1923. Reopening the questions of a common roll which Commission itself admits is quite impracticable unless agreement by Europeans obtained must re-arouse inter-racial feeling. Conference unconvinced that its essential interests can be effectually safeguarded other than by elected majority which must also be only reasonably stable repository for the controlling influence legislature. Once official majority set aside any legislature based on nice balance of racial representation bound keep alive for ever racial antagonism and the subserviency of statesmanship to party politics. London Advisory Board considered constitutionally unsound as calculated to undermine authority of Governor-General and jeopardise relations between him and Secretary of State. Far from reassuring local opinion it is considered that it would largely stultify movement Central control from London to Africa. Kenya Colonists have never questioned the present necessity of investing some central authority with powers for holding balance even racial matters but conference considers powers proposed for Governor-General in Report excessive and believes that this matter must be thoroughly investigated locally during period of preliminary step. In any case this must be so as powers of Central Authority so vaguely defined and various references Report so contradictory in effect that it is difficult to understand effect on powers three legislatures without further cause consideration. To sum up Conference feels that the whole of the main report is based on a bureaucratic conception and is definitely opposed to the theory of trusting our own people on the spot which is the essence of the spirit of the White Paper 1927 and the tendency all through to over-emphasise the native interests and to minimise those of the European is bound to accentuate inter-racial feelings and to encourage partisan anti-native policy amongst Europeans which up to date has been absent. In this connection the report unfairly withholds credit from local Government and Colonists for having already initiated many schemes native development and welfare now advanced by Commission as if entirely new ideas. By banging door on any prospect of ultimate responsible Government the Report is sure to bring about more vigorous action on the part of the Colonists to assert their point of view and ambitions. That to propound the theory that the advanced and civilised part of the inhabitants of the country must stand still till the backward races (whom the Report itself describes as twenty centuries behind the Europeans) have reached their standard is an impossible proposition which no virile and governing race could be expected to acquiesce in. Finally Conference repeats it would regard as a violation of the undertaking that any scheme would be based on general consent any partial application of Commission's recommendations until a Conference of official and unofficial representatives of all three Territories have met under chairmanship special commissioner and secured agreement. Delamere Chairman elected Members, Harper chairman Convention; (Message ends).

(Sgd.) BARTH.

Appendix No. 20—*continued.*

5th May, 1929.

Letter to Sir Samuel Wilson by Committee of Elected Members and Convention of Associations.

(1) "That the Commission's Report has created an atmosphere of suspicion in Kenya that makes it extremely difficult to secure impartial consideration of any scheme of co-ordination or federation.

(2) That in consequence, liberal safeguards must be introduced into any scheme now proposed in order to dispel these suspicions.

(3) That no scheme is likely to find general acceptance in Kenya unless accompanied by an unequivocal declaration by the Imperial Government that it recognises the scope for further white colonisation without native interests being jeopardised, and reaffirmation of the policy of complete freedom of development in the political sphere in accordance with British Colonial traditions and,

(4) Our conviction that Kenya has come to be regarded as a thorn in the side of the Imperial Government, solely because our political aspirations are misunderstood.

If a genuine effort were made by all parties to appreciate these aspirations and to recognise that we are not actuated by selfish or sectional anti-native motives but by a strong desire to play our part in building up a new province of the Empire on lines consistent with the complementary development of the native races, many of the problems artificially created by this false atmosphere would solve themselves with the passage of time. Kenya's ambition is to be an instrument of, not an obstruction to, Imperial Policy.

Cable sent to Secretary of State.—June 21st, 1930.

"Attitude of the Imperial Government as now expressed involves breach of previous pledges stop East African Colonists stand on principle that White Race is only people which has proved capacity to govern mixed races stop must challenge doctrine of political and economic paramountcy of Natives as interpreted in these documents and claim the Closer Union Association in Trusteeship foreshadowed in nineteen twenty-seven White Paper stop White Settlers permanently domiciled in East Africa cannot accept designations quote—Immigrant Community—Unquote as applied to themselves or right of Indian Immigrants to participate on same basis as Europeans in Government in East Africa and regards Indian Representation on Local Legislatures desirable only as convenient method of enabling Indian Sectional views to be voiced stop Also consider imperative that Closer Union should be accompanied by Unofficial Majority in at least one Territory stop The principles of a common Electoral Roll and racially mixed Federal Council cannot be accepted stop Although Closer Union involving constitutional changes still desirable Conference regrets retrogressive spirit of New Proposals has definitely antagonised European opinion stop

Comprehensive statement follows:—

Convention Resolution —July, 1930.

(1) That in the opinion of the Convention, the proposals contained in the White Paper on Closer Union and Native Policy are unacceptable on the grounds that:—

(a) They constitute a definite threat to the progress of the civilisation in Eastern Africa.

Appendix No. 20—*continued.*

(b) In particular, they ignore the proposal of the White Paper of 1927 to associate the Colonists of Kenya more closely in the Trusteeship of the native

(c) Their interpretation of the phrase "*The Paramountcy of Native Interests*" is inconsistent with the principle of Imperial Government.

(d) They radically infringe existing political rights and definitely bar the path of normal political development, and further that:—

"This convention relies on the pledges given by responsible Ministers of the Crown that no change will be made without the consent of the Colony"

2. "That this convention asks the convention Executive and Elected Members to investigate the lines on which the sympathy of the Union of South Africa and Rhodesia could be enlisted to maintain White Settlement in Kenya and Tanganyika which is jeopardised by the proposals contained in the White Papers on Native Policy and Closer Union of 1930, and after investigation to take the necessary action."

3. "That this Convention, expressing its fullest agreement with the cable sent to the Secretary of State on the subject of the Government's recent White Papers, also wishes to place on record that though the Colonists of 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 all their main principles that they have no alternative but to withdraw those concessions and to revert to the Status '*quo ante*' until other proposals are put forward by His Majesty's Government for consideration by us in Kenya"

Resolution passed by the Convention of Associations.—February, 1931.

"That this Convention accepts the following recommendation of the Delegation re Closer Union and makes them the cardinal points in the policy to be pursued by any further Delegation appointed by this Convention to appear before the Joint Committee of the two Houses of Parliament.—

(a) "That any form of Constitutional Federation to be opposed as undesirable at the present time.

(b) "That no change in the local constitution be asked for at present.

(c) "That co-operation between the three territories in all matters of vital common interest be sought by the appointment of Consultative and Advisory Committees from the Legislatures of each Territory.

(d) "That the White Paper on Native Policy be withdrawn."

RESOLUTIONS OF CONVENTION OF ASSOCIATIONS

1919 —

(1) That this Convention wishes to emphasise very strongly the urgent necessity of the Government initiating at once a policy of technical education for natives

(2) That a Sub-Committee be appointed to consider fully details and suggestions in connection with native technical education.

(3) That apprenticeship should be encouraged by all possible means.

(4) That the co-operation of Government, Settlers and Missionary Societies is essential to the furtherance of any scheme of technical education

(5) That the Magistrate before attesting an Indenture of apprenticeship should require of employers evidence of the approval of the local Municipal Councils or District Committee of their local township.

(6) That the apprentices to traders should not be under 14.

Appendix No. 20—continued.

Medical Service for Natives.—January, 1919.

“A report of a Sub-Committee of the Convention of Associations—on the need for, and a method of, co-ordinating Medical Services for natives,—was drawn up in January, 1919, and presented to the Colonial Government. Its main proposals dealt with the means of utilising more fully the medical missionaries and including them in the official Medical Service of the Country.”

Hut and Poll Tax.—February, 1920.

“That this Association strongly recommends substitution of Poll Tax for Hut Tax in all Native reserves—amended as follows:—

That Government be asked to go carefully into the matter of whether Hut Tax has the effect of causing overcrowding of huts for the sake of evasion of payment and the effect this has on the health of the natives.

That this Meeting views with grave concern the increase in gambling amongst natives and urges the Government to introduce legislation to prohibit:—

- (1) Card playing by natives.
- (2) The possession of cards by natives.
- (3) The sale of cards to natives.

August, 1920.

1. That in view of the immense amount of time saved by the doctoring of minor ailments of boys by farmers themselves, as against the slow, unpopular, and thoroughly unsatisfactory method of sending boys to the nearest doctor, often 20 miles away, the Convention urges the Government to agree to the system of allowing the Employers of native labour and missions to buy at the discretion of the Government, their medicines, dressing, etc., at cost price for the treatment of their natives.

2. That in the opinion of this Convention the immediate institution of a technical School for natives on a large scale, and with a separate department to control and guide technical education of the natives under the general directorship of a practical man, and that addition to next year's estimate be made of a sufficient amount for this important work.

December, 1920.

That natives shall be exempted from working on Sundays except in cases of necessity.

That this Convention welcomes the announcement of the introduction of measures to compel the natives in the Kyambu area to bury their dead, but requests that these measures should be applied throughout the Colony, should be formulated in a special ordinance and should in all cases be strictly enforced.

That the ordinary criminal law should be rigidly enforced in cases of death resulting from sick and dying persons being thrown out of their huts.

Hut and Poll Tax.—June 27th, 1921.

“That failing the adjustment of the Hut and Poll Tax in conformity with the alteration of the Rupee value, any employer may be authorised to refund to each labourer who works for him for six months of 30 working days in the year, the difference between the labourer's individual tax reckoned at Shs. 2/- to the Rupee and the same tax reckoned at Shs 1/4 to the Rupee.

Appendix No. 20—continued.

Future of Natives.

“As uncontrolled immigration of Indians would deprive the native of his heritage, this Convention urges that before coming to any decision as to the Indian policy to be adopted in Kenya, the Rt. Hon. the Secretary of State should carefully study the wishes and consider the position of the native population who are being raised from a condition of savagery and who in considerable numbers are being trained and educated in accordance with Western ideals, which form the basis of the present scheme of Native Education and Administration, and should ascertain the opinion of the various Societies in the Colony on this point.”

Technical Education of Natives.

“That this convention of Associations most earnestly reaffirms its belief in the vital necessity of the technical education of the natives of this Colony and urges Government to make adequate financial and other provisions for its immediate commencement on a large scale.”

Signing Off of Native Employees—25th August, 1921.

“That, it having been alleged that in certain isolated cases employers of labour have refused to sign off natives when requested to do so on the termination of their contract, this Convention records its emphatic disapproval of such conduct and urges on Government to press for severe penalties in any authenticated case brought to its notice, not only in the interest of the natives themselves but also in the interest of all employers of labour.”

Native Trading.

“That with a view to strengthening the economic fabric of the country, this Convention urges that every effort be made to bring European and native trade into direct commercial communication with European distributors, merchants and markets. That in order to further this movement the Convention urges the support of all European consumers and all European traders, and that the European community be urged to foster the legitimate economic position of the native in the trade of the Colony.”

Native Hut and Poll Tax.—27th March, 1922.

“That, in the opinion of this Convention the present native Hut and Poll Tax is excessive, and more than can be reasonably borne by the natives, this Convention advocates its reduction from the present rate and is of opinion that all District Commissioners should have the power to reduce the amount in individual cases when they are satisfied that genuine hardship exists ”

Native Affairs.—16th October, 1922.

“In view of the right of the African Natives to claim opportunities for advancement, and in view of the increasing numbers of them who have fitted themselves to take advantage of such openings, and in view of the still greater number of them who seek so to fit themselves, this Convention asks Government to announce its adoption of a policy aimed at filling the subordinate ranks of Government Departments including the Uganda Railway, with trained Africans.”

Appendix No. 20—continued.

Native Agriculture.—26th February, 1923.

“ That this Convention wishes to place on record its appreciation of the encouragement the Government is giving to the natives to increase the production of their products, and trusts that necessary regulations will be introduced to ensure that existing industries will be safeguarded.”

Medical Services for Natives.—9th March, 1925.

“ That in view of the necessity of improving the health of natives in the Reserves, an object which can only be equitably and properly achieved by a very substantial increase in Revenue this Convention is of opinion that Government should consider the advisability of imposing a local cess on all natives, if necessary equivalent to the present hut and poll tax except possibly in the case of certain outlying tribes on whom such a cess would impose a hardship.

“ And that the proceeds of such levy should be administered exclusively for the benefit of the natives by the Establishment of medical stations and dispensaries throughout the reserves and additional hospital accommodation for natives in settled areas and by the dissemination of knowledge of hygienic principles.”

Hospitals for Natives.—25th October, 1926.

“ That Government be asked to arrange for increased hospital accommodation for natives in the settled areas.”

Resolution No. 4.—28th January, 1930.

(a) “ That this Convention is of opinion that immediate steps should be taken by Legislative enactment to protect those native girls who do not desire to undergo the rite of circumcision either the major or the minor operation.

(b) “ That the time has come to prohibit absolutely the major operation of circumcision of women.”

Resolution No. 22.

“ That with a view to increasing the industrial efficiency of the natives, this Convention would cordially welcome organised Research in Kenya by the Industrial Fatigue Research Board of Great Britain.”

PLEDGES GIVEN BY FORMER GOVERNMENTS WHICH ARE
THREATENED BY THE PRESENT WHITE PAPER ON CLOSER UNION.

House of Lords.—1923.

The Duke of Devonshire said:—

“ The administration of the Colony will follow the British traditions and principles which have been successful in other Colonies.”

House of Commons.—1924.

The Secretary of State for the Colonies (Mr. J. H. Thomas) said:—

“ I consider the Secretary of State for the Colonies has no alternative but to continue the pledges, expressed or implied, which have been given in the past.”

Appendix No. 20—continued.

House of Commons.—7th August, 1924.

The Secretary of State for the Colonies (Mr. J. H. Thomas) said:—

“I have given careful consideration to the representations in favour of a common roll, but I am not prepared to resist the conclusions arrived at in Cmd. 1922 of July, 1923, that in the special circumstances of Kenya, with four diverse communities each of which will ultimately require elected representation, the communal system is the best way to secure fair representation of each and all of these communities.”

Cmd. Paper 2904.

“At the same time it will be a fatal error if any decisive step is taken before we have satisfied ourselves that such a step will be received with good will by those whose co-operation will be necessary for its success.”

White Paper of 1927 on Closer Union.

“While these responsibilities of trusteeship must for some considerable time rest mainly on the agents of the Imperial Government, they desire to associate themselves more closely in this high and honourable task those who, as colonists or residents, have identified their interests with the prosperity of the country.”

House of Lords.—13th March, 1929.

Under-Secretary of State for the Dominions said:—

“The Government have always maintained that those (East African) communities have a right to a voice as to whether the recommendations in this Report (Closer Union) should be applied to all, and if they are to be applied, exactly in what way that application should be made.”

House of Commons.—29th April, 1929.

The Secretary of State for the Colonies (Mr. Amery) said:—

“It is obvious that any change in the basis of the franchise in Kenya could only come about by agreement whatever Government were in power in this country”; and the main basis was laid down in the White Paper issued in the time of the Duke of Devonshire. In view of all the circumstances of the case no one could suggest that the basis should be altered except by consent.”

[See also Appendix No. 25.]

APPENDIX No. 21.

(Vide Question No. 7578.)

MEMORANDUM FROM MR. P. V. MEHD, REPRESENTING INDIANS IN UGANDA.

I am giving evidence on behalf of Indians of Uganda.

Uganda is divided into four Provinces, namely, Buganda with a native population of 800,000, Eastern Province with a native population of 1,300,000, Northern Province with a native population of about 60,000, and Western Province with a population of about 40,000, totalling to about three and a quarter million. The country is mainly agricultural: the only mineral at present, worked is tin and is worked by a European Company.

Natives are allowed to grow any agricultural produce and are guided by district officers and the Agricultural Department. The main crop is Cotton, and in certain districts like Masaka and Bugishu, Coffee is also an important native crop. Government is encouraging Coffee growing and making facilities for marketing same by regulating quality, etc. Natives also grow secondary crops like groundnuts, sugar-cane, sim-sim. Maize is introduced and the Government is encouraging the same by buying local ground Maize Flour for prisons, etc. Maize is used as a staple food with Bananas in Eastern Province: it is used as prison food and on plantations. Bananas are grown by natives on their own fields and form the staple food of natives. Tobacco is grown in Bunyoro district. Owing to the efforts of the District Officers and demonstration agricultural farms, the cotton rose from 50 bales in 1905 to about 200,000 bales at present. In the Eastern Province natives cultivate their land by ploughs, but in Buganda district ploughs are not used. Cotton is mainly a native crop. There are small European cotton plantations in Buganda whose total yield will not exceed 200 bales. Only cotton plantations in the whole of East Africa are in the Kilosa district of Tanganyika, belonging to Greeks. The Plantation Cotton grown in the Kilosa district is inferior in quality to the native-grown cotton.

The natives of Buganda are superior in many respects to the natives of other provinces. In Lukiko they manage their own affairs and have their own officers. They have entered trade having small shops of their own in districts. They work as carpenters, mechanics, and chiefly as motor and motor van drivers; many natives are employed as cotton buyers in the season. Some of them have savings bank accounts in the Post Office. For the first time a Buganda has entered cotton business by taking a ginnyery on lease.

The native policy adopted by the Government and the encouragement and guidance which the district officers are giving to the natives has resulted in the prosperity and quick development of Uganda. Indians welcome the native policy of H.M.'s Government published in the white paper, and agree that the interests of the natives must be paramount.

There are European and Indian plantations in Buganda and the Western Province. Two sugar cane plantations attached to the factories belong to Indians. There is also an Indian Sisal plantation in Bunyoro district. Coffee is grown by European planters and there is a European Tea plantation. Rubber plantations are not worked at present.

The European population of Uganda is about 2,000, out of which about 500 are officers. Others are mainly engaged in Cotton and plantation as well as in business and professions. Missionaries have played an important part in developing the country.

Appendix No. 21—*continued.*

The Indian population is about 12,000 and distributed throughout Uganda.

Indians in Uganda have played a very large part in the development of the Protectorate. They have opened out the country by marketing agricultural produce especially cotton. In addition they have brought a large amount of capital from India and have invested it in the country. Many Indians have settled in Uganda and consider it their home.

The only two sugar factories in Uganda belong to Indians. These factories turn out about 10,000 tons of sugar per annum, some of which is exported to Kenya and Tanganyika. The sugar factories thus give a considerable revenue to the Railways both by the export of sugar and by the import of a large amount of machinery and other equipment which they purchase.

Out of some 193 cotton ginneries 151 belong to Indians, 36 to Europeans and six to Japanese.

H.M. Eastern African Dependencies Trade and Information Officer reports: "Of the 1930 crop 68 per cent. was handled for export by Indian firms, 24 per cent. by Japanese firms, and 8 per cent. by European firms." European ginneries are selling their lint locally to Indian exporters.

Indians also export local produce (coffee, oilseeds, etc.) to Egypt and Abyssinia as well as to other parts of Africa. Indians likewise handle a large import trade direct from India and England and are also the most important distributors. There are several townships in Uganda with a substantial Indian population where there are no non-official Europeans.

Indian exporters have been able to fetch a better price for Uganda cotton and are thus able to pay a higher rate to the natives which stimulates cotton growing.

No preference is given to Indian. On the contrary, in spite of the large capital which they have invested in the country to develop it and their much larger population than that of Europeans, they have not even equal representations in the Legislative Council.

The Legislative Council of Uganda was constituted in 1921 with six official and three non-official seats. Non-officials are nominated by the Government. Of the three non-official seats the Government offered two seats to the European community and one seat to the Indian community. The Indian community resent this treatment and did not accept the offered seat until 1926.

In 1926, as a result of negotiations between the Central Council of Indians and the Government, the Indian community accepted a seat in the faith that it would not prejudice their case for an equal number of seats in the Legislative Council with Europeans, and that if the Indians co-operated it would advance their claim.

His Excellency the Governor, in his speech in May, 1926, made reference to the services of the Indian community and welcomed the member representing the Indian community.

A representation on the 5th January, 1927, was made to the Rt. Hon. The Secretary of State for the Colonies by the Central Council of Indians, copy of which is enclosed herewith, to which the following reply was received.

"With reference to my letter No. 451 of the 12th of January I am directed by the Governor to inform you that the Secretary of State for the Colonies has received the petition addressed by your Association on the subject of the representation of the Indian community and the Legislative Council.

Appendix No. 21—*continued.*

"2. The Secretary of State has expressed his concurrence with the view held by His Excellency that unofficial appointments to this Council are purely personal and not representative of any particular race or specific interest. The Governor is not bound to offer a seat to an Indian, that he may, if he sees fit, offer more than one seat to Indians; should His Excellency desire either now or at any time to put forward the names of any Indian whom he may consider a fit and proper person to be a member of the Legislative Council, the Secretary of State would be pleased to take H.M.'s instructions as to the appointment."

This was entirely a new version: our demand of equal representation is thus turned down: at no time have two Indians been nominated on the Council. We feel that in spite of our better claims and our greater touch with the affairs of the country, only one Indian is nominated.

We therefore submit that the present Legislative Council be enlarged and that an equal number of seats be given to non-official Indians and Europeans.

We further submit that one Indian and one European non-official be nominated to the Executive Council with a view to associate them more with the administration of the country. Government will thus be in closer touch with the public opinion and the situation such as is caused by the transfer of the Department of Agriculture from Kampala to Entebbe may not arise.

There is a growing public opinion in Uganda that the present system of nomination be now replaced by elective system based on a common roll.

The Uganda Chamber of Commerce has definitely expressed their views in favour of elective system.

We submit that the elective system be introduced provided it is on common roll basis. There should be safeguards such as reservation of seats and franchise based on education and property. Equal number of seats should be given to all communities on the Legislative Council. The official majority should be maintained.

The general opinion in favour of introducing common roll and elective system is reflected in "The Report of the Local Government Committee of 1930."

In August 1929 His Excellency the Governor appointed a Committee consisting of about six officials and two non-official Europeans and one non-official Indian to settle several questions regarding townships of Kampala and Jinja. One of the terms of reference was "To advise whether municipalities should be established on either township and if so, under what conditions." The Committee came to a unanimous conclusion that the municipal council be established in Kampala and they recommended that all the races were eligible for the membership of the Council, and further that the electoral roll was to be on property basis without distinction of race.

We submit that this report be adopted as a preliminary step of introducing elective methods in public bodies.

The idea of political closer union is not liked by any community in Uganda: we have all along opposed such a closer union.

We agree that there should be co-ordination of the essential services such as railways, customs etc. At present there is partial co-ordination of services such as railways etc., between Kenya and Uganda.

The services should be under an independent central authority who may be called High Commissioner for Transport or by any other title. The High

Appendix No. 21—continued.

Commissioner should have an Advisory Council of the type of the present Railway Council which has given satisfaction to Uganda.

The Council should have an equal number of representatives from each territory and the number of officials and non-official representatives should be equal. Of the non-official members there should be an equal number of Indians and Europeans. The period of such nomination of members should be at least two years.

The seat of the High Commissioner should be in Mombasa.

The High Commissioner should not be concerned with the native policy or should not be invested with powers mentioned in 5 (I) A of the white paper.

No other subject should be transferred to the High Commissioner without the agreement of the Government and the Legislative Council of the territory concerned.

The facilities for Indian education in Uganda are inadequate; they are not even up to the level of facilities provided in Kenya and Tanganyika and we urge that this be remedied.

APPENDIX No. 22.

(Vide Question No. 7719.)

MEMORANDUM FROM MR. V. V. PHADKE, A REPRESENTATIVE OF THE INDIANS OF KENYA.

We are opposed to the proposal for a Closer Union between the three East African Territories of Kenya, Uganda and Tanganyika.

The reasons usually given in favour of this Union and the appointment of a High Commissioner for the three Territories can perhaps be grouped under the following heads, and we beg to submit our view on each of them successively:—

- (1) The growth of common Services: (a) Railway, (b) Post and Telegraphs, (c) Customs.
- (2) The growth of common interests.
- (3) The administration of a uniform Native Policy.
- (4) Greater facilities for commercial intercourse.

(1) As regards the growth of common services, we have to point out that this growth has been restricted, as is natural, to the two territories of Kenya and Uganda alone. Occasionally, officers in the service are transferred from one territory to another, but such transfers are no more frequent than transfers from one Dependency to another in the British Empire in the ordinary course of their service. So far as we are aware, the Tanganyika services, perhaps with the exception of one or two, are constituted and maintained as a separate unit.

Tanganyika is a large territory, and in size and population is almost as large as Kenya and Uganda put together. It is sufficiently large and self-contained to form a unit of administration, and in our submission nothing is to be gained by linking it up with the other territories against the wishes of the Government and the vast majority of the population. We apprehend that the desire of Tanganyika European witnesses to have Closer Union is influenced largely by their opposition to the declared Native Policy of His Majesty's Government and their hope that Closer Union with Kenya might mean in the future that the Kenya Policy of reservation of lands for European settlement and other privileges may be extended gradually to Tanganyika.

As regards Uganda, there has been and there exists at present a considerable amount of co-ordination of services. Although the argument against Closer Union is not so strong in the case of Uganda as it is in the case of Tanganyika, we believe that the time has not yet arrived to effect a closer union of the nature proposed. In the case of the Post and Telegraphs Department, no serious difficulties have as yet arisen which call for any Closer Union. Difficulties have arisen in the case of the Railway and the Customs Departments but these are not insuperable under the present arrangements, which, in our submission, should be continued.

(ii) On the question of common interests, we submit that the land and development policies of the two territories are so diametrically opposed to each other at present that Closer Union will lead to confusion. Kenya is a Colony with a large area reserved for White Settlement, whereas in Uganda, which is a Protectorate, the agricultural development is almost entirely in the hands of the Native population. In Kenya, there is as yet no proper or effective system of indirect rule, whereas in Uganda, this system has developed considerably. Kenya has for many years past followed a Protective policy, whereas Uganda believes in the imposition of Customs Duties purely for revenue purposes.

When we come to examine the interests of Tanganyika, we also find considerable diversity of interests. Being a Mandated Territory, which has

Appendix No. 22—continued.

to be administered under the ultimate supervision of the League of Nations, and on lines laid down by the League, Closer Union with Tanganyika will impede the progress of all Territories. Any serious change in the fiscal or political policy of the country may not be possible without the consent of the League of Nations. At any rate, such changes will be subject to revision by the League, and this element will create delay and uncertainty in the carrying out of policies for the benefit of the other two.

(iii) As regards Native Policy, we submit that although the basis of such a Policy is a trusteeship, the different stages to which the various tribes have arrived in the course of development require that in carrying out the intentions of His Majesty's Government, there will necessarily be great diversity in actual administration of the tribes. We do not believe that beyond laying down the goal of their development, it is possible to ascertain or define in any detail the requirements of a Policy that will be suited to all the tribes without any modification. We therefore submit that there will be no advantage in having an Authority like a High Commissioner to carry out the directions of His Majesty's Government. Even in each Territory by itself, the Governor has to lay down different rules for the development of different Native tribes. The regulations that may be feasible in the case of the Kikuyu or Kavirondo will be incapable of useful application to the Masai or the Wanderobo. A High Commissioner will only be faced with a greater diversity than each Governor is at present, and we submit that the unification of Native Policy cannot be a good ground for a policy of Closer Union.

(iv) Regarding the facilities for commercial intercourse, these are in reality dependent upon the question of Customs tariffs. Tanganyika has not like Uganda any policy of Protection and is unwilling to assimilate in its tariff the high protective duties of Kenya, and we submit that until there is some closer approach to a common policy between the Territories, it is advisable to leave the matters as they are at present to be settled by negotiation rather than to have a binding Closer Union.

In conclusion, we submit, as we did to the Hilton Young Commission, that the diversity in the political and economic conditions of the three territories preclude the possibility of any useful Closer Union between them. The disadvantages of such Union far outstrip any possible advantages on the ground of economy and we are by no means certain that the proposed arrangements will result in any appreciable economy.

It follows from what we have said above that we are also opposed to the appointment of a High Commissioner. The powers that it is intended to delegate to him, subject to the control of the Secretary of State, can and should be exercised by the Secretary of State himself. The nature of the powers proposed to be conferred on him will make his position difficult. In matters of ordinary administration, such difficulties as arise between the various territories are solved by exchange of views and in important matters, where there is a serious conflict of interests, the intervention of the Secretary of State will necessarily be sought for to obtain a final decision. In questions of the latter sort, the functions of the High Commissioner will in practice be limited to tendering advice to the Secretary of State on the basis of information as to local conditions. In our view, a more suitable arrangement for obtaining such advice would be to have a small Advisory Committee in London composed of persons who have had considerable experience in East Africa of local conditions. Such members should be expedited and encouraged to pay occasional visits to East Africa.

Appendix No. 22—*continued.*

On the question of constitutional changes in Kenya we are in general agreement with the Conclusions arrived at by the Hilton Young Commission with certain reservations which will be set out later.

It is no longer necessary for us to set out again the arguments in favour of a Common Roll, as the principle has been accepted by His Majesty's Government in 1922. We submit, however, as we did to the Hilton Young Commission, that the question as to whether the Natives should or should not come on a Common Roll does not arise at present and is not likely to arise effectively for a long time to come. Our contention is that there has as yet been no serious demand on their part for such a franchise, which, in our submission, is to be given to those who are reasonably fit for it after they have demanded it and is not to be given as a gift.

We submit that whatever may be the Conclusions arrived at by His Majesty's Government on the question of Closer Union the demand of a Common Roll should now be granted. We have in the past agreed to accept safeguards to allay the fears (to our minds unfounded) of the European Community that they might be swamped. His Majesty's Government have in the past agreed that these safeguards were all that could reasonably be required. We suggest that to lay down a principle that there could be no Common Roll without the consent of any one party that objects to it is to assure that party that it can safely refuse to accept it. We beg to say further that there is no chance of the Indian Community's participating for any length of time in the Legislative and Municipal bodies of Kenya unless the principle of the Common Roll is again laid down by His Majesty's Government and a responsible officer is given instructions immediately to consider the manner in which it should be put into practice. We suggest further, that if considered necessary, the Common Roll should be introduced as a tentative measure for, say, five or 10 years, to see how it works in practice, it being distinctly understood that His Majesty's Government would automatically reconsider the position at the end of that period in the light of the experience of its working until then. We feel that if representatives of the non-official European community would agree to discuss in private with similar representatives of the non-official Indian community under the chairmanship of His Excellency the Governor of Kenya or such other high officer as His Majesty's Government may nominate for the purpose, the problem will be found not to be incapable of solution.

The Indian community is aware that it is suffering considerable hardship by its policy of abstention from the Legislative and Municipal Councils. It believes, however, that such an attitude is justified when it takes into consideration the lasting interests of that community and the country as a whole.

On the question of a non-official majority on the Legislative Council, we are of opinion that for the present the Official Majority should be retained until the experience gained of Councils with elected members on a Common Roll shows that the retention of such a majority is no longer necessary.

As a matter of general principle, we believe that the use of an official majority to put into effect the wishes of His Majesty's Government is less open to objection than the power of Certification. The latter should be reserved as an extraordinary power, and if it has to be used frequently and in the ordinary course, it will fall into disrepute and quickly create a deadlock.

Native Policy.

We are in general agreement with the Memorandum on Native Policy in East Africa with certain reservations as appear below.

Appendix No. 22—*continued.*

While recognising the difficulties and dangers of any attempt to define precisely what the "paramountcy" of Native interests is intended to convey, we submit that one way of interpreting the phrase from the point of view of conflict between their interests and non-Native interests has not been sufficiently emphasised.

Kenya, like the rest of East Africa, is primarily an African territory, but if one were to envisage forthwith a stage of development (which may or may not materialise in some decades) in which the Natives are as capable of running the country as the Nationals of other countries in the world, then it would be the duty of the State to discourage all alien settlement, the existence of which is bound to clog, to a large extent, the full natural development of the original inhabitants of the country, who will have to face in years to come the claims of alien vested interests. On the other hand, if one were to allow a system to grow up, whereby the original inhabitants are to be reduced to mere hewers of wood and drawers of water, the sacred trust of assisting them in their development will be difficult if not impossible to put into effect.

The Commission on Closer Union has attempted to find a solution which is free from objection on either side by defining "paramountcy" partly as the creation of a field for the full development of Native life and making it a first charge on any territory.

Arising out of this interpretation, the question of the extent and character of this "field" becomes a question of relatively great importance, and the divergent opinions expressed so far in East Africa seem to arise from different ideas as to the extent of this field for development that is to be created and preserved. One view is that this "field" could be so limited that at the utmost they may have some kind of minor voice in the administration of the "Native Reserves," whereas at the other extreme are those who hold that such a field should cover the possibility of their administering through elected Councils the whole of the country, and that any arrangements made at present should have this possibility distinctly in prospect.

In this connection, the definite creation by demarcation of Native Reserves is of great assistance not only in making administration less complicated but also in arriving at a closer appreciation of the idea contained in the phrase "paramountcy of Native interests." To our minds, it is a necessary consequence of such demarcation that the area of the country is divided into two sections, Native and non-Native, which can be self-contained, though they are not and cannot in the nature of things be water-tight. In the Reserves, the Natives are to have full scope for their development in all directions, but outside the Reserves there will be a limitation on their activities, namely, that they do not transgress on the established and vested rights of other communities, whether political or territorial. If and when a conflict arises on any important principle between the interests of the whole of the Native communities or a vast majority of them, and a large number of the Immigrant Communities, then the Governor must see to it that the interests of the Natives, provided that he is satisfied of their reasonable and genuine nature, should prevail. In the present state of the country, coupled with the demarcation of the Reserves, with the large field of development still open we cannot imagine any such conflicts in the measurable future.

We must, however, protest against one attempted interpretation thereof in practice by the Administration in Kenya, penalising Indian traders in Native Reserves.

We feel that the only safe course to adopt in order to ensure political justice to the Native communities is one that will encourage them within the limits of their educational and social progress from time to time to

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take an active part in the administration of their Reserves, and to a small extent in the Legislative Council of the country. And in this connection we would take the liberty to observe that in the past owing to political and industrial pressure, often the result of ignorance and indifference rather than any direct or indirect malevolence there has been engendered among some of the Native communities a political consciousness and attitude of resentment unaccompanied by a proportionate amount of political knowledge and political capacity that has of late introduced a very jarring note in the body politic of Kenya.

We may say at the outset in dealing with the recommendations made that our views in this matter as in other allied matters concerning Natives are put forth with a certain amount of reserve owing to the fact that the Natives who have given or will give evidence before the Committee will be the best spokesmen on behalf of their compatriots in these matters. Our views therefore will deserve greater weight in so far as they refer to the reactions on the non-Native communities than to matters which concern the Natives and their capacities alone.

On the question of land reserved for Native development the final recognition by the law of this principle in the Native Land Trust is welcome to us

We may be permitted to refer to a recommendation made as long ago as 1921 by the Land Commission of Kenya that sufficient land should be reserved to the Natives as to make a provision for the needs of the Natives for the time being and the normal increase in one generation to follow. We, however, desire to stress the consideration of the Empire's and the world's needs in this respect and suggest that after this reservation has been made, the Government must follow a forward policy in the sale of the rest of the land to non-Natives (without restricting Natives from bidding for the same) whenever and wherever there may be a demand for it. In this connection, we beg to say that the demand for land from Indians has, as a rule, been dealt with in a niggardly fashion. Administrative officers, having probably to follow a policy which they could not publicly announce or proclaim, have so far obstructed the acquisition of landed interests by Indians on a large scale, although in the last century it was at one time authoritatively suggested by the late Lord Salisbury that these areas offered an opportunity for settlement of surplus Indian population. Instead of following such a policy the Government has since 1903 or thereabouts encouraged European settlement to the practical exclusion of Indians except to a minute extent in a very small area of the country near Kisumu. Frequent applications to the local Government not having met with an encouraging response, the matter still stands where it stood years ago and we would now take the liberty of again urging our point of view for consideration by the Imperial Government.

It will be seen thus that we are in entire accord with the policy that has now caused a definite demarcation of the Native Reserves. Such reservation has, apart from the necessary relief to Native susceptibility on the question of rights, now brought into clearer perspective the actualities and the possibilities of the available chances of the development of land by the Immigrant Communities. We are naturally dealing with this question from the Indian standpoint, without, however, losing sight of the general interests of the country which embrace the interests of all the Communities. We are constrained to say that in this respect the rights and claims of Indians have been consistently belittled and often entirely ignored and that this policy has retarded the real development of the country and the expected increase in its purchasing power in the markets

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of the world. (We are dealing with normal conditions of development and progress and do not pretend to analyse or discuss the present abnormal conditions of the world's markets).

As has been said before, much of this country was in a sense officially demarcated for settlement by the poorer sections of the Indian population, who would find therein a natural outlet for their energies and activities. We again appeal that in large questions of migrations of people within the Empire it is the obvious duty of the Headquarters of the Empire to see that such redistributions of population are made for the benefit of the Empire as a whole. As Empire policy has recently developed, rightly or wrongly, the vast areas of Canada, Australia, New Zealand and South Africa are now definitely closed to Indian enterprise and settlement. For the surplus population of the British Isles, apart from other foreign countries like the United States of America the whole of the areas aforementioned are practically reserved: whereas, for the surplus increase of a population of over 300 millions, even the small chance of an outlet nearer home, namely, in East Africa, is now intended to be taken away for good. It is beyond our province to make any comments, beyond a reference to the repercussions in India of a continuation of such a policy. We feel that the time has now arrived for reviewing broadly the effects of this policy and for making a serious attempt to remove the hardships thereof, without causing any sudden alteration or injury to material vested interests, as apart from purely sentimental or social considerations. It is now apparent that the policy of reserving all non-Native development in Agriculture to the European Community (who are not even all British subjects) has been tried for the last decade or more and has failed to achieve anything like the success that was expected from it, in spite of State assistance by grants of land, protective tariffs and railway rates, and, in the past, by indirect help in the supply of labour.

In our submission the figures of development shown are not the only index as a test of possible growth, which might indeed have been far greater, if non-European settlement had been encouraged and assisted to the same extent. We urge that the growth that has taken place cannot under the circumstances be made an argument in favour of the continuation of this policy. Great facilities have been provided for the growth of European agriculture, some of which are legitimate but others of doubtful justice and equity. For instance, the staple food products of the Colony like wheat and milk and butter and tea are protected by heavy tariff duties. Now the lands on which these industries could thrive are entirely reserved for Europeans. The sacrifice which the whole of the Colony is asked to make for the fostering and growth of these industries gives the non-Europeans no proportionate return, inasmuch as they are in practice prevented from taking a share in the profits of these industries.

Coming to the question of direct State assistance, apart from the fact that land in earlier days was alienated free of charge or at a nominal cost, we beg to point out that as late as 1922 or 1923, the Government of the Colony remitted to European purchasers of land instalments of the purchase price amounting to about one million pounds.

We beg that we may not be misunderstood in what we have said above. We are by no means to be understood as casting any reflections on the settlers, who have taken due advantage of the opportunities offered. We will also readily agree that the great bulk of them are conscientiously working hard in the interests of development. What we mean to convey is that if in spite of all these aids the industry has not attained very great success there must be some factors inherent in the conditions of

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Kenya that retard successful development. (We are again discounting the effects of the present world-wide slump.) We therefore urge that the time has come to allow the Indian community to make an attempt at development on a large scale. The Indians are not hampered by climatic conditions and are not so dependent on Native Labour as the Europeans are. Besides a fairly large proportion of the present population of Kenya come from Indian agricultural classes.

We further suggest that an attempt should be made at the earliest possible date to enquire into the incidence of Native land tenure and introduce wherever possible the system of individual holdings, capable of passing to the holder's heirs and successors. We do not pretend to have any intimate knowledge of the different customs amongst the different tribes but it appears to us that ideas of individual rights to property as opposed to collective ownership have begun to make a strong appeal to the younger generation of Natives. Landholding by the individual will, in our opinion, considerably accelerate the growth of agriculture in the Reserves, besides providing a suitable outlet for the energies of Natives who are chafing under the communal control of their tribes.

Another suggestion that we venture to submit is the establishment of co-operative societies to provide in the beginning the capital for growing crops like coffee or cotton. We cannot, of course, do more than give an outline of such a project. The principle is that a society, which may or may not be partly financed by Government, provides the capital for all initial outlay up to the stage of production. The officers of the Government assist by technical advice and assistance during the period of the growth of the crop. When the crop is ready for marketing the society has the first option of purchasing it on certain defined terms and conditions and recoups its advances with interest gradually from such produce. The moneys thus realised are distributed among the Natives in proportion to the quota of produce brought in by each grower.

On the question of Labour, whatever may have been the circumstances in the past, we note that it has now been recognised once for all, that there shall be no compulsory labour for development by Immigrant races. We trust further that when the policy of intensive Native development in the Reserves is in full swing it does not result in a shortage of labour for European and Indian development. However, in our submission, the policy laid down should not be departed from in spite of any temptations to the contrary.

We are in entire accord with the rest of the statements in the White Paper of 1930 and have no further statement to make on behalf of our community.

APPENDIX No. 23.

(Vide Question No. 7719.)

MEMORANDUM FROM MR. A. B. PATEL, A REPRESENTATIVE OF KENYA INDIANS.

Indians in Kenya.

For many centuries past, Indians have been in touch with Eastern Africa, and for generations their people have been settled there. Eminent British authorities have testified to the valuable work done by Indians as pioneers in East Africa. They pushed forward and opened up Trade long before proper transport and communications existed, and they have penetrated even into territories in Central Africa beyond the limits of British Administration.

At the present time, Indians are playing an important part in nearly every branch of life in the Colony. They are very largely engaged in commerce and industry and are employed in various departments of Government Service. In commerce they have done much to develop both the internal and the external trade of the country. In the internal economic life of the Colony they are playing an essential part both in the development of retail business, mainly with Africans though largely also with the settlers in country districts, and in the purchase and export of African produce.

In the sphere of industry, Indians are widely employed as mechanics, engineers, carpenters, masons, blacksmiths, wheelwrights, watch-makers, printers, sawyers, electric light and power fitters, contractors tailors, etc. Their position in this field is due entirely to their own merits.

As doctors, lawyers, schoolmasters and in other professional capacities they are proving their abilities to hold their own in competition with other immigrant races.

In agriculture, which is the industry followed by the vast majority of the population of India, I am confident that they would have played an equally considerable part in the development of the natural resources of the Colony, had they not been excluded from this sphere of activity in the Highlands. Many Indians have permanently settled in Kenya, and regard it as their Home; almost all Indians invest their savings in Kenya whenever and wherever they find opportunities for doing so.

I desire to impress on the Committee that Indians have played and are playing a vital part at the present stage in the economic progress both of the Colony as a whole and of the African Native, and that, in various ways, no other community is in a position to make the contribution which they are making to the development of the Colony.

Native Policy.

Indians concur in and welcome the broad principles of Native Policy enunciated by His Majesty's Government in the Memorandum on Native Policy (Command Paper 3573). In particular, they whole-heartedly support the paramountcy of Native interests in all its implications, and the principle that the relation of His Majesty's Government to the African population is one of a Trusteeship that cannot be devolved. They desire and will welcome the carrying out of those principles of Native Policy in the letter and in the spirit, and for that purpose will strive to bring the legislation of the Colony into conformity with the spirit of that Policy and to abolish

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the several restrictions and restrictive measures applied to Africans, such as:—

- (a) restrictions on growing of crops;
- (b) restrictions on number of stock owned;
- (c) Native registration (kipandi system);
- (d) unfair system of taxation;
- (e) restrictions on freedom of associations and meetings.

Immigrant Communities.

Broadly, Indians urge that, subject to the acceptance of the paramountcy of Native Interests in all its implications, there should be equal treatment accorded to all citizens of the Colony, and equal opportunities should be offered to all residents to develop and rise in any walk of life without distinction of colour or creed. It must be the aim of the Government to bestow a common citizenship without regard to the accidents of colour or of birth.

Indian Disabilities.

Indians in Kenya suffer from many disabilities, social and economic, as well as political. Chief amongst them are: they are not satisfied with the measure of representation granted to them on the Legislative Council on a communal franchise. They are precluded from holding or leasing agricultural land in the Highlands: residential segregation in townships continues in practice in spite of its formal abandonment by His Majesty's Government in the declaration in Command Paper 1922: a number of public and Government bodies, affecting the general interest, have been created without an Indian being appointed to one of them. In those instances where Indians have been appointed adequate representation is not given: sums granted by the local Government to meet educational and medical needs of Indians are totally inadequate. Unfair discrimination is made against Indians in the public services: and in several other matters Indians suffer various disabilities.

Closer Union.

In any scheme of Closer Union, European Colonists are likely, in the light of past events, to occupy the most important position. Their influence, owing to their aggressiveness, will play a decisive part in shaping the future course of policy, and Tanganyika Territory and the Uganda Protectorate may be infected with the racialism which has tainted the public life of Kenya. Therefore, in the interests of Africans and Indians, Indians in Kenya are strongly opposed to any scheme of Closer Union. They are, however, prepared to consider favourably closer co-operation in economic matters between the three territories, but the past experience of Tanganyika makes Indians outside Kenya apprehensive lest economic co-ordination should lead to a neglect of their interests. The results of such co-operation as has been already brought about regarding the working of railways and the imposition of Customs duties have not given satisfaction to Uganda or Tanganyika or to Indians in general. The present arrangements have been more in the interests of the Kenya Highlands than of Tanganyika and Uganda.

The Native policies of Tanganyika Territory and Uganda are much more favourable to Native development than is the Native policy of Kenya. Both in the interest of Natives and of Indians, therefore, Indians do not desire any change of constitution in regard to the relation of the three

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territories which will make the Native policy in Tanganyika and Uganda less liberal.

After carefully reviewing past history in East Africa, Indians are against the creation of a Central Authority and the appointment of a High Commissioner. But should such an appointment be recommended by this Committee, Indians urge the following conditions in the interests of the non-European communities:—

(i) Special care should be taken to see that the headquarters of the High Commissioner are located now and in the future outside the sphere of influence of Kenya.

(ii) The authority of His Majesty's Government in racial matters should remain unimpaired.

(iii) The High Commissioner should issue no instructions relating to such matters without consulting his Advisory Council, and the members of the Advisory Council should have the right of appeal to the Secretary of State for the Colonies against a decision of the High Commissioner involving racial interests.

(iv) In order that the High Commissioner may take into consideration Indian interests, it is necessary that half the unofficial members nominated from each Territory should be Indian, and that one of the Private Secretaries to the High Commissioner should be an Indian officer belonging to the superior Civil Service in India.

Indians attach great importance to these proposals.

Legislative Council of Kenya.

Indians give their unequivocal support to the following Conclusions of His Majesty's Government contained in Command Paper 3574, namely.—

(a) "The goal of constitutional evolution in Kenya as elsewhere is admittedly responsible government by a Ministry representing an electorate in which every section of the population finds an effective and adequate voice, but that goal cannot be reached at an early date in a community where it has so far been practicable to enfranchise less than one per cent. of the population, and where the idea of any substantial extension of the franchise finds little general support."

(b) The retention of the Official Majority.

(c) That all Councillors, whatever their race, and whether they are or are not Government officials will, of course, be on equal footing as members of the Council and that they will, in particular, be entitled to a proportionate share in the membership of any Committees that may be set up.

(d) That the constitutional right of the Governor to require, in any case in which he may deem it necessary, that all official members should support his policy by their votes, should be retained.

(e) That, with regard to the franchise for the Legislative Council of Kenya, His Majesty's Government are of opinion that the establishment of a Common Roll is the object to be aimed at and attained, with an equal franchise qualification of a civilisation or educational character open to all races.

But Indians desire to impress upon the Committee that the immediate introduction of a Common Roll is essential for securing co-operation between different races in the interests of the peaceful and progressive development of the country as a whole. that the direct representation of Africans by Africans on the Council is essential for the proper safeguarding of Native interests, and that justice demands adequate representation for all communities.

Appendix No. 23—*continued.**Common Roll.*

It was stated by the Majority Commissioners in the report of the Hilton Young Commission:—

“that, inasmuch as the progress of the territory must depend on co-operation between the races, the ideal to be aimed at is a Common Roll on an equal franchise with no discrimination between the races.”

Indians attach the greatest importance to the introduction of the Common Roll. It was then stated by the Majority Commissioners.—

“It is at the same time clear that this ideal can be realised only by consent, and that the consent of the European community can only be obtained if they are given a feeling of security that their interests and institutions are not in danger of being overwhelmed by the mere numbers of the other communities.”

Indians strongly repudiate the theory of the consent of any particular community being necessary to the introduction of any such necessary measure of reform so long as the Imperial Government is of the considered view that a particular step is necessary in the best interests of the country as a whole. I venture to submit to the Committee that the impression given in the past by the course of action adopted by His Majesty's Government and by responsible statements from responsible quarters is that the community best able to make the situation difficult for the Administration is the one most entitled to be heard.

In my submission that is not the consideration which should alone influence the decision of His Majesty's Government: otherwise it leaves no alternative for other communities but to create difficult situations when they do not approve of particular measures or reforms.

Secondly, I venture to submit that in the introduction of an elective principle in the form of the Communal franchise the assent of the Indian community, which opposed its introduction bitterly, was not considered necessary.

Apart from these considerations, however, Indians have always shown their readiness to allay reasonable European apprehension. They have, on more than one previous occasion, agreed to the provision of proper safeguards for European interests. In 1922, when the Wood-Winterton Agreement was negotiated, in return for a Common Roll they consented to a franchise which would have limited the number of Indian voters to ten per cent. of the Indian population, to reservation of seats for the two communities in order to avoid the possibility of inter-racial contests, and to a scheme of representation which would have given them four seats against seven assigned to Europeans. And in 1927 they reaffirmed this position before the Hilton Young Commission, and expressed their willingness to consider any further safeguards which might reasonably be regarded as necessary for the security of European interests.

Apparently the only ground on which the European community rejected the settlement proposed in 1922 was that it gave no guarantee against the predominance of Indians in the electorate in the future. It should, however, be noted that even the present system does not ensure absolute protection to Europeans. Indians are prepared to make great sacrifices in order to establish a system which will lay the foundation of a common East African citizenship, but should the obstinacy of the European community be allowed to stand in the way of the progress of the Colony, there is nothing to prevent them from demanding representation proportionate to their population.

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In my respectful submission, there is not one valid argument advanced by the European community against the introduction of a Common Roll except their fear of their security, and this Indians are willing to meet and safeguard. On the other hand, Indians have advanced unanswerable arguments in favour of a Common Roll, and their view has found support in the report of the Hilton Young Commission, in the Conclusions of His Majesty's Government on Closer Union in East Africa, and in the recommendations of the Donoughmore Commission on the Constitution of Ceylon, which laboured in a different field from that of the Closer Union Commission the Commissioners on Ceylon say:—

“It was generally admitted, even by the communal representatives themselves, that the communal form of appointment to the Legislative Council was a necessary evil, and should only continue until conditions of friendliness and acknowledgment of common aims were developed among different communities. It is our opinion, however, that the very existence of communal representation tends to prevent the development of these relations, and that only by its abolition will it be possible for the various diverse communities to develop together a true national unity As has already been suggested, it tends to keep apart and to send communal representatives to the Council with the idea of defending particular interests instead of giving their special contribution to the common weal Our investigations show that the desire for communal representation tends to grow rather than to die down. In these circumstances it would seem well to abolish it altogether while the number of seats is so comparatively small.”

This condemnation of communal electorates applies with special force to racial electorates such as those which prevail in Kenya.

Separate representation in Kenya is sometimes compared to the communal system of election which prevails elsewhere. The comparison is, however, fallacious. If minorities in other countries were granted the concessions which Indians are prepared to make to Europeans in Kenya it may be taken as certain that the question of separate electorates would find no place in modern political problems. What, however, is more important, is that the system which prevails in Kenya is not communal, but racial. It creates two types of citizenship, one higher and the other lower, and has demonstrably a tendency to make one section of the population regard itself as the governing class.

Land.

Indians submit that all necessary land for the present and future development of Africans should be secured for Africans, and their rights to land made certain and protected in their best interests. After this has been done, the land alienated to immigrant communities should be freely transferable to any resident in the Colony, and, apart from the land secured for Africans, there should be no reservation or segregation in the ownership, transfer or use for residential purposes of any land, either agricultural or township.

Education.

I desire to submit three important points:—

- (1) Adequate facilities for education of all races must be provided without any distinction.
- (2) For promoting education higher than secondary and other technical institutions, it is essential that a mixed educational system at a

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certain stage must be evolved: the earlier the better. Otherwise no community by itself is likely to possess sufficient students to warrant the cost of provision of such education:

(iii) When there is no provision in the country for a higher standard of education than a particular standard, for a particular race, and no provision can be made for want of sufficient funds or number of sufficient students of that race, an exception should be made and students who desire to go in for such higher education should be admitted in the institutions of any other race having facilities for such higher education.

Government Bodies.

It should be provided in the Constitution that Indians should be granted adequate representation on all Government-appointed bodies, committees and Commissions.

Equality of Treatment.

All immigrant communities should be accorded equal treatment in settling, mining, acquiring and possessing land, and should be equally treated in the grant of educational and medical facilities and in all other directions of public privilege and assistance. Any legislation making discrimination between individual immigrant communities in any manner whatsoever should be revised and amended, and the Administration should be given instructions to make no distinction between citizens and citizens in any form in practice.

I have ventured to refer to certain matters not strictly within the terms of reference to this Committee, as I have seen that several witnesses have referred to one or other of them during the course of their evidence

APPENDIX No. 24.

(Vide Question No. 8271.)

MEMORANDUM FROM THE ECONOMIC ADVISORY COUNCIL.

Statement of evidence prepared for submission to the Joint Committee on Closer Union in East Africa by the witnesses appointed to give evidence on behalf of the Economic Advisory Council.

Witnesses.

Sir Walter M. Fletcher, K.B.E., C.B., F.R.S., Secretary, Medical Research Council, and a Member of the Tsetse Fly Committee of the Economic Advisory Council.

Dr. W. Horner Andrews, D.Sc., M.R.C.V.S., Director, Veterinary Laboratory, Ministry of Agriculture and Fisheries, Weybridge, and a Member of the Tsetse Fly Committee of the Economic Advisory Council.

Mr. A. F. Hemming, C.B.E., Joint Secretary to the Economic Advisory Council.

As the result of the experience gained while serving on the Tsetse Fly Committee and other Committees of the Economic Advisory Council and its predecessor, the Committee of Civil Research, we are of opinion that different types of provision require to be made for.—

(a) Research within each Territory, conducted exclusively on behalf of that Territory;

(b) Research of common interest to the East African Territories as a whole.

2 In class (a), we include not only day to day routine investigations, which form a necessary part of the scientific work of the medical, agricultural and similar Departments of every Territory, but also such inquiries into local problems, or into local aspects of general problems, as the Government of each Territory may consider necessary. For this class of research we are of opinion that each Territory should provide for its own requirements adequate laboratory facilities.

3. In class (b), we include scientific problems which cannot appropriately be investigated by every Territory by reason either of their long-range character, involving intensive and specialised work, or of the wide field of investigation to be covered or of the high cost involved. For their successful prosecution it is necessary to enlist the co-operation of the various Territories concerned. We think that among the Research organisations, of the type referred to in (a) above, which are engaged on work for particular Territories, it is desirable to arrange for a limited degree of differentiation of function. By this, we mean that by agreement between the various Governments and on the joint advice of the principal technical officers concerned arrangements should be made by which the several Territories would each undertake the intensive study of some particular problem of common interest to the whole group of East African Territories. This would be of advantage both in the interests of efficiency and economy, and would also secure that particular problems received the advantages of special organisation and equipment and specialised effort by their assignment under agreed schemes to particular institutions.

4. The ends we have in view would not be so readily secured by the creation of a formal co-ordinating authority, with power to impose its

Appendix No. 24—*continued.*

decisions on the various Governments, as by enlisting the active support of their leading scientific officers. We believe that much of the difficulty that has been experienced in the past in securing the financial co-operation of the various Territories in scientific effort has been due to the fact that their chief scientific officers, on whose advice the several administrations largely rely, have held different views as to the scientific merits, and relative importance, of particular problems. We are confident that it would be possible to secure a much wider measure of unanimity regarding the scientific questions involved and of common support for plans for their further investigation, if such problems were considered in joint discussion in the first instance by the heads of the scientific Departments concerned. We should therefore favour the appointment for each scientific group of subjects (e.g., Medicine, Agriculture, Animal Health) of Joint Advisory Committees in East Africa composed of the responsible scientific officers concerned.

5. We contemplate that proposals for scientific research beyond the ordinary scope of a particular Territory would be referred to the appropriate Joint Advisory Committee, but that in addition these Committees would be empowered themselves to survey the state of scientific knowledge in their field and to make suggestions, where they think it desirable, for the initiation of new lines of research or the development of existing work. Individual workers in East Africa should continue to be free to correspond on scientific questions with their colleagues in this country. In addition, we anticipate that the Committees themselves will from time to time desire to obtain the highest scientific opinion in this country by consulting such bodies as the Colonial Advisory Council on Agriculture and Animal Health, the Colonial Advisory Medical Committee, the Medical Research Council, and the Economic Advisory Council. Conversely such bodies should be free to make suggestions for work which appeared desirable to them to be carried out in East Africa. The local Committees should not, we think, have the power to approach such bodies direct, and we consider that communications should be made through the Secretariat of the East African Governors' Conference or through any co-ordinating authority that may be appointed in its place. Where one of the suggested Joint Committees is of the opinion that a particular piece of investigation should be undertaken, we contemplate that it will submit a recommendation thereon to each of the Governments represented upon it and at the same time notify the Secretary of State for the Colonies through the co-ordinating authority referred to above. The Governments concerned would then inform the Secretary of State whether, after consideration of a particular problem in all its aspects, they were prepared to agree to co-operate in carrying it out and to provide a proportion of the necessary funds. The Secretary of State would then be in a position to decide whether effect should be given to the recommendation of the Joint Advisory Committees.

6. We think that such Joint Committees would require to confer once a year. The secretarial arrangements for such Committees could probably be discharged by the existing Secretariat of the East African Governors' Conference and it should not be necessary for these Committees to have any special staff or offices of their own. They would probably find it convenient to meet in the various Territories in rotation. From time to time it would be of advantage if the Secretary of State were to depute his appropriate scientific adviser to preside over meetings of these Committees in East Africa, more especially when programmes of future work are under consideration. We understand that to some extent this policy has already been adopted, e.g., when the Secretary of State recently deputed his Agricultural Adviser to preside over a Conference of Directors of Agriculture

Appendix No. 24—continued.

held at the East African Agricultural Research Station at Amani in Tanganyika.

7. On occasion, problems will arise, e.g., Trypanosomiasis, that are of common interest to two or more of the Advisory Committees and we suggest that the Committees concerned should be empowered and encouraged to confer jointly on such border-line questions.

8. In general, we desire to emphasise the increasing importance of liaison in scientific questions. In our experience, scientific officers in East Africa are anxious to keep in touch with scientific development at home and would welcome any improvements in the machinery by which liaison would be facilitated. Equally, it is of growing importance that scientific workers at home should be able to inform themselves of the progress of scientific work in the Colonial Empire, so that they may be able to take advantage of any opportunities that may arise either of giving it their co-operation or of receiving suggestions from it for their own guidance.

APPENDIX No. 25.

(Vide Question No. 6390.)

MEMORANDUM ON THE INCIDENCE OF TAXATION IN KENYA HANDED IN BY
LORD FRANCIS SCOTT, CAPT. H. E. SCHWARTZ AND MR. J. F. H. HARPER.

(With special reference to the possibility of separation of Budgets between
Natives and non-Natives, and an attempt to show the return given to
the Natives for the taxes which they pay.)

A perusal of the evidence already given by witnesses to the Joint Parliamentary Committee, and the questions asked those witnesses, has made it evident that there is a suggestion that it would be possible to make a clean cut division between Native and non-Native budgets, and it is further evident that this suggestion arises from a very real doubt existing in the minds of many members of the Committee as to whether in fact the native population of Kenya does get a fair return for the taxation it pays. In view of these doubts we ask to be allowed to submit this additional memorandum in which we attempt to show, firstly, that in practice it would be impossible to make a division of budgets owing to the impracticability of allocating the cost of many services between Native and non-Native and, secondly, that in fact the native population does get a full and adequate return in Services for the taxation which it pays.

(1) *Separation of Budgets.*

We submit that in practice this is not possible and we feel that our submission is best demonstrated by setting out the actual expenditure of the Colony for the year 1929 as reflected in the Colony's accounts for that year, together with our comments on the various items. We have selected the year 1929 as being the latest for which the final figures are available. We would, however, point out that each successive year the increase in expenditure is mainly for native services.

Actual Expenditure, 1929.

		£	
H.E. The Governor	...	17,465	Not divisible. Largely Native.
Administration	...	272,772	This might be divisible as between reserves and settled areas. Not only is the cost of administration in the reserves purely for the natives but the greatest part of the work entailed in settled areas is directly caused by and for the benefit of the natives.
Agricultural Department	221,840		The greater part of this is European. According to the Statistical Officer and Accountant of the Agricultural Department a minimum of 34 per cent, is spent directly on the native, but it must be remembered that more than 150,000 natives of their own free will are employed on European farms and benefit accordingly.
Audit Department	...	18,836	Proportional to other expenditure and therefore not divisible.

Appendix No. 25—*continued.*

	£	
Coast Agency . . .	5,585	Not divisible.
Conference of East African Governors . .	1,193	Not divisible.
Customs Department . .	45,628	Revenue Department.
Education Department . .	180,726	European and Indian Education is covered by special taxation on these communities. Native education alone is a charge on general revenues, and under a division of budgets they would lose, since Native Education would become chargeable to Native Revenue.
Forest Department . .	39,014	Revenue Department showing a small profit.
Game Department . .	12,558	Revenue Department.
Interest	9,095	Not divisible.
Judicial Department . .	30,642	Quite indivisible. Largely native.
Legal Department . . .	9,924	Not divisible.
Local Government: Contributions to Local Authorities	116,594	Primarily for settled areas.
<p>(Note.—In practice, with the exception of an amount of roughly £60,000 contributed to Nairobi and Mombasa Municipalities from which Natives derive considerable benefit, this sum is largely devoted to road maintenance and improvement, many of which are roads of access to native reserves and therefore of benefit to the natives concerned.)</p>		
Medical Department . . .	233,758	This item might be divisible but any such division would be to the detriment of natives. At present natives in the reserves are given free medical attention, whereas in the settled areas employers are liable for any medical attention given to their employees. Europeans (other than officials) pay for all services rendered except in a few cases of straitened circumstances and in so far as they benefit by research. Government's admitted policy is that their responsibility is only for the health of the natives and their own officials. In a division of budget this vote would become an almost exclusive charge on native taxation instead of on the whole community.
Military	138,090	Not divisible, but the main expense is the patrolling of the Northern Frontier and for the protection of the tribes living there. Consequently mainly a native service.

Appendix No. 25—*continued.*

	£	
Miscellaneous Service ..	182,575	Some of these are divisible, but in many cases no allocation is possible.
(Of this figure £130,000 is extraordinary expenditure, which is unusually high)		
Pensions and Gratuties	117,285	Not divisible. Largely native.
Police	163,129	Not divisible. Largely native.
Post Office and Telegraphs	173,331	Shows a profit. Consequently a charge on users, i.e., mainly Europeans.
Printing and Stationery	37,418	The only possible allocation would be a departmental allocation.
Prisons	50,369	Obviously a general public service and indivisible.
Public Debt Funded ..	772,495	The bulk of this relates to the Railway, the Colony's proportion being £84,000 which is not divisible.
Public Works Department	520,763	The small proportion of this figure representing expenditure within the reserves can be assessed, but the balance relates mainly to overheads and general public services for the benefit of the community as a whole, and not racially divisible.
Registrar-General ...	5,171	Revenue Department.
Rent and Interest, Sultan of Zanzibar	16,000	Not divisible.
Statistical Departments	20,176	Not divisible.
Survey and Registration Department	39,516	Mainly European but services to settlers covered by fees.
Trade and Information Office	4,955	Not divisible.
Treasury	28,417	Not divisible.
Secretariat and Legislative Council	19,752	Quite indivisible.
	£3,505,072	Reimbursements to the extent of over £800,000 must be deducted from this figure, leaving a net total of £2,700,000.

(Note—In 1929 the estimated expenditure for Native Famine Relief was £59,000.)

We must, of course, point out that where we state that the expenditure on any department is not divisible between Natives and non-Natives, we mean that it is not possible to assess the relative benefits conferred in terms of pounds, shillings and pence. It is, of course, possible to make a purely arbitrary division, but any arbitrary division bearing any relation to the facts would in our opinion be to the disadvantage of the native, since he alone would be called upon to pay the greater part of many services, the cost of which is at present borne by the community as a whole.

A division of budgets must mean greatly increased cost of accountancy, also decentralisation with consequent duplication and waste, and greatly

Appendix No. 25—continued.

increased overheads would be to the detriment of all communities within the Colony

We have attempted to show above the difficulty of allocating the expenditure on a racial basis, and we submit that it would also be a matter of considerable difficulty to allocate items of indirect taxation such as Customs Duties, Profit on Government Services, etc.

The creation of a special native budget would open the door for a demand from other races for a similar procedure, and we should be in danger of having separate budgets for Natives, Europeans, Indians, Arabs, Goans, Somalis, Afro-Asians, etc., an altogether impossible position. Furthermore, even if it were practicable we deprecate any economic measure which tends to promote the disintegration of the community. We believe the material interests of the constituent elements are complementary and that every attempt to separate them into watertight compartments would be against the best interests of all of them.

We must repeat that we sincerely believe that, apart from the difficulties outlined above, the natives would lose under a division of budgets, and in furtherance of this belief, we propose to give some idea of the value of the services rendered to the natives in return for the taxation imposed.

(2) *Services Rendered to Natives compared with Taxation imposed.*

Taxation in Kenya is both Direct and Indirect. Whilst Direct taxation can be readily allocated between the various races, the largest proportion of the Colony's income is furnished by indirect taxation and cannot be definitely allocated.

An elaborate and careful survey was, however carried out by the statistician to the Governor's Conference in 1926, and based on his figures the racial division of taxation by way of Customs Duty, Licences, Duties and Direct Taxation (i.e., excluding other sources of income such as Posts and Telegraphs, Land Sales and other fees for services rendered) was—

	£
Europeans—16,780 at £36 2.59s.	606,253
Asiatics (with Arabs)—54,220 at £6 15.0s.	365,985
Natives—2,930,604 at 6.50s.	952,446
	1,924,684

(Note.—These figures relate to 1925. The average European taxation for the years 1925-26-27 was £41 6s. 0d. We have, however, preferred to take the figures set out which allocate to the native any item which could possibly be in doubt.)

The above figures were based on the assumption that the native paid approximately £300,000 in Customs Duty, whereas the figure is usually given as a maximum of £200,000, so that the figure for native taxation is probably high.

The actual amount paid by natives in Hut and Poll Tax in 1929 was £539,641.

We have shown in the first part of our memorandum the difficulty of properly assessing the proportionate amount of any vote spent directly on

Appendix No. 25—*continued.*

the native. The following departments have, however, given us an actual assessment of the amount:—

	£
Medical Department	186,006
Agricultural Department	44,335
Education Department	91,490
Administration	208,945
	<hr/>
	530,776

No definite allocation can be made for the following heads of expenditure since they apply to the community as a whole and not specifically to any race, but in every case the natives participate largely in the services they represent:—

	£
Judicial Department	30,642
Military	138,090
Pensions and Gratuties	117,285
Police	163,129
Prisons	50,369
H.E. The Governor	17,465
Audit Department	18,836
Miscellaneous Services	182,575
Printing and Stationery	37,418
Public Debt Funded (Net, i.e., less refund from Railway)	84,000
Public Works Department	520,763
Rent, Sultan of Zanzibar	16,000
Secretariat and Legislative Council	19,752
Statistical Department	20,176
Treasury	28,417
Sundry Small Departments, say	20,000
	<hr/>
	1,464,917

We have already accounted for an expenditure of £530,776 directly on Native Services against a total native contribution of £952,446. This leaves a balance of £421,670 to be accounted for to show that the natives are getting an adequate return. This figure amounts to only 28.8 per cent. of the total of the Services detailed above, and there can be little doubt that any strict allocation of those items would have to regard these Services as at least 50 per cent. for the benefit of the natives, and probably considerably more.

June, 1931.

APPENDIX No. 26.

CORRESPONDENCE WITH GOVERNOR OF KENYA RELATIVE TO MEMORANDUM ON THE INCIDENCE OF TAXATION, HANDED IN BY KENYA SETTLERS' DELEGATES (VIDE APPENDIX 25), TOGETHER WITH MEMORANDA BY MR. A. WALTER, STATISTICIAN TO GOVERNORS' CONFERENCE.

Copy 1

16374/30 Kenya.

Kenya.

No. 404.

Downing Street.

12 June, 1931.

Memorandum.

SIR,

I have the honour to transmit to you the enclosed copy of a memorandum on the incidence of taxation in Kenya, which was handed in at a meeting of the Select Committee of Parliament on East Africa on the 8th June, when the representatives of the Kenya settlers came to give evidence before the Committee.

2. It will be seen that the memorandum deals, first, with the suggestion that there should be a separate budget for native services, and, secondly, with the incidence of direct and indirect taxation in Kenya and the services rendered to the natives

3. Lord Francis Scott explained that the memorandum does not claim to be an exact statement, but only an attempt to assist the Committee in considering certain suggestions which have been made to them in the course of their enquiry.

4. Questions were directed, during the examination of Lord Francis Scott and his colleagues, to the elucidation of the memorandum, and I hope to be able to send you shortly copies of the uncorrected record of this evidence but I do not delay this despatch for the record, as the Committee are anxious that the memorandum should be made the subject of official examination, and that they may be supplied with comment upon it at a very early date. In this connection, I would invite reference to my telegram No. 181 of the 6th June, in which I have asked for information as to the figures quoted on page 7 of the memorandum as the average amounts paid by way of taxation by members of different races in Kenya. I should add, as regards the note on that page, that the figures referred to as relating to the year 1925 are those in the second column (i.e., £36 2.59s.; £6 15 0s.; and 6.50s.), the figures for population by which these are multiplied being more recent than 1925.

5. I realise that it is not possible to allocate expenditure as between races with precision and that the subject matter generally lends itself to argument and diversity of opinion, but I should be grateful if you would cause such detailed examination as is practicable to be made, and I hope that you will be able to send by the first air mail after this despatch is received comment and criticism where necessary, on the figures in the memorandum and on the memorandum generally. It would be convenient if any despatch which you send could be self-contained. I should also be glad if you would telegraph the date on which it may be expected to reach London.

6. I enclose for reference a copy of the general statement of evidence submitted by the representatives of the Kenya settlers to the Committee.

Appendix No. 26—*continued.*

7. I regret that only one copy of the statement and one copy of the memorandum on taxation are available for enclosure in this despatch.

I have the honour to be,

Sir,

Your most obedient, humble servant,

(Sgd.) PASSFIELD.

Governor Brigadier-General

Sir JOSEPH A. BYRNE, K.C.M.G., K.B.E., C.B.,
etc., etc., etc

Copy 2.

Kenya.

No. 360.

Government House,
Nairobi, Kenya.
29th June, 1931.

MY LORD,

I have the honour to acknowledge the receipt of your Lordship's despatch No. 404 of the 12th June enclosing a copy of a Memorandum on the incidence of taxation in Kenya, which was handed in at a meeting of the Select Committee of Parliament on East Africa on the 8th June by the representatives of the Kenya settlers.

2. In the fifth paragraph of the despatch Your Lordship requests that any comment and criticism necessary on the figures in the Memorandum and on the Memorandum generally may be forwarded in a self-contained despatch by the first air mail after the receipt of Your Lordships' despatch. In view of the urgency of the matter Sir Joseph Byrne discussed the general lines of this despatch before his departure to Uganda, which he instructed me to send without waiting for his return. He desired me, however, to make it clear that he was personally opposed to any proposal for a separate native budget, particularly at the present time when the question of obtaining expert advice on our whole fiscal system was under consideration.

3. To allocate with precision either expenditure, or indeed indirect taxation, as between races is, as Your Lordship points out, an impossibility. In these circumstances and in view of the fact that Your Lordship has already accepted in Your Lordship's despatch No. 358 of the 8th May, 1930, the classification adopted by Sir Edward Grigg in his despatch No. 202 of the 31st March, 1930, when analysing expenditure on native services in the year 1929, I do not think any useful purpose would be served by my commenting in detail on the possible allocation of 1929 expenditure suggested in the Memorandum.

4. Some comment, however, is perhaps desirable on the taxation figures given on page 7 of the Memorandum, as they have recently formed the subject of a memoir prepared under the direction of the Statistician to the Conference of East African Governors, which is being forwarded under separate despatch in response to Your Lordships' telegram No. 181 of the 6th June.

5. The per capita rates adopted in the Memorandum of the Settlers' representatives are those given in answer to a question in the Legislative Council, when it was explained that such figures could only be allocated on an approximate and arbitrary basis.

It will be observed that their results are arrived at by multiplying the ratios then accepted as applying to 1925 by the estimated population figures of 1930. It will be conceded that results obtained by such a method can

Appendix No. 26—continued.

only be accepted with considerable reserve, as, quite apart from the difficulty to which Your Lordship has referred of allocating with precision expenditure as between rates, it is clear that any such calculations should be based on population and taxation of the same year.

The Statistician in the memoir to which I have referred has adopted as the racial per capita taxation contributions for 1926 the following rates:—

	£	s.
European	41	3.00
Asian	9	9.00
African		5.75

In that year the respective populations were as follows —

European	12,529	(Census)
Asian	41,140	(Census)
African	2,568,999	(approximate)

By multiplying the relevant figures the following results for that year are obtained:—

	£	s.
Total European contribution	515,568	7.00
„ Asian contribution	388,773	0.00
„ African contribution	738,587	4.3
Total	£1,642,928	11.3

The difficulties and intricacies of calculations of this nature are illustrated by the Statistician's memoir, in which he has explained in detail that he has found it necessary to depart from the per capita rates originally arrived at, and he now considers that he has obtained a more accurate figure based on revenue returns for the years 1925, 1926 and 1927. The average for these three years now adopted by him is as follows.—

	£	s.
European	41	6.00
Asian	10	3.00
African		5.76

6. To arrive at results which would inspire any confidence as indicating racial contributions for 1930, an average arrived at by similar calculations would be necessary, for the average for the years 1925 to 1927 cannot be accepted as necessarily accurate for 1930, in view of the very considerable increases in the respective populations and of changes in the Colony's taxation system.

The latest population figures are as follows.—

European	17,285	(Census, March, 1931)
Asian	56,903	(Census, March, 1931)
African	3,000,000	(approximate)

It is not considered that the labour involved in pursuing such investigations would be justified by results which, as I have explained, must be very largely conjectural.

7. A study of the expenditure allocations suggested whether by the representatives of the Kenya settlers or by the Government of Kenya in the correspondence to which I have referred, and an examination, however cursory, of the mass of figures on which the Statistician has based his calculations of racial taxation demonstrate the extreme difficulty of arriving at any accurate estimate of the proportion of Government expenditure directed to the immediate benefit of any particular race or community in relation to its contribution to general Government revenue, and I am doubtful whether the attempt to draw such comparisons is really in the best interests of the different races concerned. I agree, however, that

Appendix No. 26—*continued.*

it is a matter of the first importance, and that it is a very special obligation on this Government to protect the interests of the native populations who are vocal mainly through the representations of their administrative and departmental officers. Other communities are in a position to voice their grievances by a variety of means, e.g. questions in Legislative Council, petitions to the Governor, letters to the Press and personal interviews. Natives are not yet able to make use of any of these means to an appreciable extent. The responsibility therefore on this Government is proportionately heavy and insistent, but none the less I am in agreement with the representatives of the Settlers in believing that the best way of discharging that responsibility is not by the introduction of a separate budget for native races.

8. In the first place, any hard and fast allocation of the cost of services is, as I have already pointed out, impracticable. In the second place, any such attempt would be highly impolitic, for I agree with the view of the signatories of the Memorandum that "any economic measure which tends to promote the disintegration of the community" is to be avoided and that "the material interests of the constituent elements are complementary and that every attempt to separate them into watertight compartments would be against the best interests of all of them." Thirdly, the proposal does not appear to take into full account the presence of a numerous Indian and Arab population in this Colony, and it might be supposed that the problem was confined to a clear-cut issue between the European and the native. I need hardly say that this is not so, and there would in my view be little more logic in a separate budget for natives than for a separate budget for Arabs or a separate budget for Indians. The introduction of one might easily lead to a demand for the introduction of others. Even if a separate budget were established for all native races of Kenya there would still be opportunities for complaint that any particular race was not deriving proportionate benefit, and it is quite conceivable that such a step would be followed by demands for a separate budget for the Kikuyu, a separate budget for the Kavirondo, a separate budget for the Coastal tribes—in fact, a separate budget for every tribe or race that might wish to consider itself a separate entity.

9. The dual policy to which His Majesty's Government is pledged must, I suggest, be interpreted to mean the complementary development of the Colony as a whole to the best advantage of all races inhabiting it. It is idle to pretend that the needs of all communities are identical, or that they can all be met within the Colony's limited resources at one end and the same time to one and the same degree. Where those needs are competing needs it is the duty of the Government to hold the scales evenly, and I have already referred to the very special responsibility in this respect which is imposed upon this Government in safeguarding native interests. But to argue that because in a given year expenditure on arbitrarily defined European, Indian or Native Services is not in exact arithmetical proportion to figures of revenue racially allocated on an empirical basis, one or other of the races must have suffered an injustice is, I submit to cut at the root of the dual policy. Special circumstances may justify special expenditure on the needs of one community one year and of another the next, and the Government's preoccupation is to see that the general balance is maintained in the manner best calculated to promote the prosperity of the Colony as a whole.

10. While I have indicated my reasons for being unable to accept the institution of a separate budget for natives as a solution of the problem of securing to the native peoples full proportionate benefit for taxation I am fully sensible of the desirability of giving the native more opportunity of realising that he is obtaining tangible benefits from the tax he

Appendix No. 26—*continued.*

has paid. This can best be done by the provision of developmental services which, however modest in their original conception, are carried out in the Reserve under his own eyes. It is a problem which requires careful working out and a possible line of development would be for the Government to surrender to Local Native Councils for expenditure on local services a percentage of direct taxation, the percentage to be determined by the degree of advancement and responsibility to which the several Councils have attained. Such a proposal would necessarily have to be considered in relation to its bearing on the present voluntary local cesses from which contributions are made to local services to supplement Government expenditure, but it has to be admitted that no Local Councils are yet to be trusted to spend in the wisest way considerable sums of public money and legislation to amend the Native Authority Ordinance would probably be necessary to secure to Government greater powers over the Councils' finances than exist at present. By the existing law such powers are limited to the right of veto and there is no authority to compel expenditure for any particular purpose however beneficial that purpose may be

I have, etc.

(Sgd.) H. M. M. MOORE,
Governor's Deputy.

The Right Honourable LORD PASSFIELD, P.C.,
Secretary of State for the Colonies,
Downing Street,
London, S.W.1.

Copy 3.

Kenya.

No. 351.

Government House,
Nairobi, Kenya.
26th June, 1931.

MY LORD,

As requested in Your Lordship's despatch No. 972 of the 11th December, 1930, I have the honour to forward herewith two copies of a memorandum on proportionate taxation in Kenya, with which are included tables showing the detailed compilation on which its conclusions are based.

I have, etc.,

(Sgd.) H. M. M. MOORE,
Governor's Deputy.

The Rt. Honourable Lord Passfield, P.C.,
Secretary of State for the Colonies,
Downing Street, London, S.W.1.

MEMORANDUM ON PROPORTIONATE TAXATION IN KENYA, 1925 TO 1927. PREPARED UNDER THE DIRECTION OF A. WALTER, STATISTICIAN TO THE CONFERENCE OF EAST AFRICAN GOVERNORS, AND DIRECTOR OF THE METEOROLOGICAL SERVICE.

Summary.

1. The Revenue derived from Direct Taxation as appearing in the returns of the Administrative and Treasury Officials in the various districts of the Colony is divided among the different classes of the population by the collecting officers themselves, in accordance with the conditions obtaining in their respective districts. The returns were received from about 60 Administrative and Treasury Officials.

Appendix No. 26—*continued.*

2. Indirect Taxation (Customs Revenue) is divided for each individual commodity on which Customs Duty is collected in accordance with the considered opinion of the Customs Authorities concerning the uses to which the various commodities are put.

3. The analysis refers to the three years 1925 to 1927, with the Census year 1926 Central. The population as shown by the Census returns for 1926 is used in determining the per capita contribution for each of the three years 1925 to 1927. The increase in taxation for the three years is not in consequence a real increase, but is due in part to the increase in population figures, which has not been allowed for.

4. The final adopted values of per capita contribution to Revenue shown below, refer to the year 1926 and are based on the average of the three years 1925 to 1927:—

European	..	..	..	..	..	..	..	..	..	£41
Other Non-Native	..	..	..	..	..	..	..	..	..	£10
Native	..	..	..	..	..	..	..	..	..	Shs. 5/76

Memorandum.

A statement showing the proportion of Direct and Indirect Taxation Revenue contributed by the different communities in Kenya was drawn up in the Treasury for the year 1924, the results of which showed the following rates per head for each community:—

<i>Community.</i>	<i>Rate per head per annum.</i>	
	<i>Shs.</i>	
Europeans	..	710
Indians	..	124
Goans	..	417
Arabs and Somalis	..	58
Natives	..	7/3

2. Some doubt was expressed as to the correctness of classification of taxation revenue and the Statistical Department of the Governors' Conference was requested to investigate the matter independently. An enquiry was accordingly undertaken and made to refer to the years 1925, 1926 and 1927. At the same time other enquiries were prosecuted concerning the incidence of taxation and taxable capacity in the three territories, some of which are incorporated in this memoir.

3. The results of proportionate taxation in Kenya were communicated to the Kenya Government each year, but it was not anticipated that they would be communicated to the public until the basis on which they were made to depend could be published in detail. Considerable uncertainty must always accompany enquiries of this nature, especially in countries in which statistical data is not easily accessible.

4. The values derived from the 1926 analysis were communicated to Legislative Council on 15th April, 1930, in reply to a question asked by Lord Francis Scott. Permission was obtained on January 30th, 1931, to include the details of the investigation in a comprehensive memoir embodying the results for the three years 1925 to 1927.

5. The procedure adopted in collecting the information was two-fold. Administrative Officers were asked to apportion the Revenue collected by them for Direct Taxation among the different communities. As returns were received from about 60 different Administrative and Treasury Officials, it seemed very improbable that errors should tend in the same direction. There can be no doubt about the correctness of the proportions in most cases.

6. The Customs revenue was proportioned article by article for Indirect Taxation and was based upon the considered opinion of the Customs

Appendix No. 26—*continued.*

Authorities concerning the uses to which the various commodities were put. An error in one direction in the revenue derived from one article is almost certain to be compensated by errors in an opposite direction for revenue derived from one or more other articles

7. A further effort was made in 1928 to increase the accuracy of the returns for Direct Taxation, by requesting Administrative Officers to indicate the racial classification on the Receipt Counterfoils. These counterfoils were then analysed in the Statistical Department and it was intended to transfer the data to Hollerith cards for machine analysis. The attempt failed as many of the counterfoils were not marked and although an effort was made to classify the races in the Statistical Office, the results were so uncertain as to render them useless and three months work was entirely wasted.

8. Two main difficulties presented themselves in the course of this enquiry. Controversy arose in regard to the inclusion of certain items of Revenue as Taxation Revenue for Direct Taxes; while in the case of Indirect Taxation, not only was there uncertainty in the distribution of the items amongst the various communities, but the enquiry was further complicated by the allocation to Kenya and Uganda respectively, of Revenue derived from each Community, the needs of the Natives in each of these Territories being markedly different, and the conditions under which they live and work widely variant

9. The result of the preliminary enquiry in 1925 gave the following rates per head per annum:—

<i>Community.</i>	<i>Rate per Head Per Annum.</i>
	<i>Shs.</i>
Europeans	621
Indians	119
Goans	32½
Arabs and Somalis	53
Natives	6/75

The Heads of Revenue from which these figures are derived are given in Schedule I, and it will be seen that the results are separated into two categories: one in which the classification is practically determinate—Direct Taxation; the other, Indirect Taxation, in which the classification was considered doubtful.

10. The items of Revenue are numbered in this schedule consecutively, and in dealing with the 1926 returns, the classification of Taxation Revenue which had been adopted in 1925, was reconsidered and modified by the exclusion of —

- Item 1.—Port Dues.
- Item 4.—Game Licences.
- Item 15.—Fines and Forfeitures.
- Item 25.—Fees of the Court.
- Item 28.—Bills of Health.
- Item 30.—Eastleigh Township Fees.
- Item 31.—Fees for the Survey of Ships.

These were considered not to fall under the heading of Taxation Revenue, but under "Revenue for Services Rendered."

11. The Revenue from each head of Taxation for 1926 is given in Schedule 2, together with the resulting "per capita" Revenue. A further classification is given in this Schedule, combining the Indians and Goans, as it was considered that owing to the small numbers of Goans, errors in the allocation of their contribution were liable to be considerable and that any difference between the Indians and Goans on this account was not significant.

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12. The results of the 1926 enquiry gave the following rates per head:—

<i>Community.</i>	<i>Rate per Head per annum.</i>
	<i>Shs.</i>
Europeans	679
Indians	132
Goans	310
Arabs, Somalis and others	57
Natives	6/88
or combining Indians and Goans for the reason stated above:—	
<i>Community.</i>	<i>Rate per Head per annum.</i>
	<i>Shs</i>
Europeans	679
Indians and Goans	147
Arabs, Somalis etc	57
Natives	6/88

13. The results for 1925 and 1926 for Kenya alone were made to depend on the division of the Customs Revenue between the two Territories in the proportion adopted by the Customs in apportioning the Revenue between them; these proportions are published in the Customs Report year by year and are as follows:—

	<i>Kenya.</i>	<i>Uganda.</i>
1925	56.9800	43.0200
1926	64.1110	35.8890
1927	70.4113	29.5887

14. As the enquiry proceeded and knowledge of the conditions obtaining in the two Territories for the Native population increased, it became evident that this division of Revenue was not applicable to individual communities. The total contribution of the European Community must be higher in Kenya than in Uganda by force of numbers, although the "per capita" contribution should be higher in Uganda than in Kenya on account of the differing composition of the European population in the two Territories. The composition of the Asiatic population does not, probably, differ much, but the Native community in Uganda is both numerically greater and individually wealthier than in Kenya.

The values previously obtained for Kenya should in consequence be read as:—X (the value given) or more than X, while that of the Native population should be read as Y (the value given) or less than Y.

15. In the 1927 enquiry a further grouping was made, the whole Asiatic population being combined in one group—Indians, Goans, Arabs, Somalis and Others. To arrive at the figures for Uganda, the Commissioner of Customs very kindly submitted a Schedule (No. 4) in which a classification of the Customs Revenue was made for Uganda, similar to that submitted for Kenya and Uganda combined in 1925, with the difference that only the three racial groups of the 1927 analysis were adopted.

16. It is evident that the Customs proportioning is subject to an indeterminate error for any individual commodity liable to be consumed by all Communities and it is inevitable that there should be differences of opinion as to the proportioning in such cases. Some commodities, on the other hand, are clearly all European or all Native.

17. The complete details of Customs proportionings are given in Schedules 3 and 4—The Kenya and Uganda combined for 1925, and Uganda alone for 1927. Any investigator is in consequence at liberty to readjust these values according to his judgment or personal knowledge of the facts.

On the other hand, it will be noticed that a very large number of commodities has been used and proportioned separately, so that, as already

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pointed out, errors in excess in one item are more than likely to be compensated by errors in defect in others.

18. The final proportioning per head was made to depend on the Census population of 1926, and no attempt has been made to adjust the "per capita" contributions for increase in population between 1925 and 1927, but as the final figure adopted is the mean of the three years 1925 to 1927, the centre year of which is the Census year, it has been thought that any adjustment would merely complicate the results without increasing their accuracy.

19. There is reason to believe that both the European "per capita" contribution and the Native "per capita" contribution to Customs Revenue are greater in Uganda than in Kenya. Although no definite returns are available for 1925 and 1926, the problem of determining the communal contribution to Customs Revenue may be approached by a series of approximations, and the final results compared with 1927 values as derived from estimated allocations made by the Customs authority for that year—(Schedule VI).

20. A "resume" of various methods of dividing up the total Revenue from Customs amongst the various communities in Kenya and Uganda will be found in this Schedule (VI) and it remains to explain the reasons for adopting the final value shown in the summarised table of results.

21. In Table I (Schedule VI) each communal contribution was divided in the same ratio as the Customs divide the Revenue. In Table 2, a division is made on the assumption that the "per capita" communal contributions in Kenya and Uganda are the same. In Table 3, the assumption is made that Uganda European and Native communities contribute twice as much per head as the corresponding communities in Kenya while the Asiatics contribute at the same rate in both Territories. In Table 4, the division is based on the actual Customs Estimates for 1927, with adjustments to meet the difference between 1925 and 1927 in the Native purchasing power in Uganda and in Table 5, the division is made on the assumptions in Table 4, so far as the European community and Native community are concerned, but on the understanding that the Asiatics contribute at the same rate in both Territories in 1925 and 1927.

22. These various methods of arriving at the relative contributions in the two Territories were then submitted to consistency tests, the details of which are given in the following paragraphs, in which the relative merits of these tables are discussed.

23. It will be seen from Table I that on the Customs ratio for the division of Revenue between the two Territories, the European "per capita" contribution in Kenya is only 388s., while in Uganda it is 2,059s.; whereas the Native contribute 2/13s. in Kenya and 1/27s. in Uganda for 1925. For 1926, the corresponding values are: European in Kenya 450s., European in Uganda 1,988s., and the Native 3/78s. in Kenya and 1/6s. in Uganda.

24. This difference between the Kenya and Uganda "per capita" contribution is evidently unlikely and is so great as to dispose of this method of dividing up the communal contributions.

25. If we now combine the European population totals for the two Colonies and divide the estimated total European contribution to Customs by this figure, we get a "per capita" contribution of 593s., for the European, 110s. for the Asiatic, and 1.65 for the Native, which would produce for Uganda the total contribution to Customs Revenue of: Europeans 1039967s., Asiatics 1285414s., Natives 5167611s., giving a total Revenue for Uganda of 7492992s., as compared with the Customs value of 10050543s.

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Similar results for 1926 give: Europeans 1,118,447/-, Asiatics 1,183,046/-, Natives 5,262,705/-, a total Revenue of 7,564,198/-, as compared with the Customs value of 9,163,970/-.

26. The Customs proportioning is certainly not in error to this extent, in fact we may assume that, apart from articles which pass over the land borders of Uganda from Kenya, the Customs proportioning between the two territories is probably very near the truth, as great care is exercised in the allocation of Revenue which is jealously scrutinised by the two Territories.

27. The difference between the total Native contribution—Kenya and Uganda combined—in 1925 and 1927, may be assigned quite reasonably to Uganda, in order to derive a comparative value of "per capita" contribution between Kenya and Uganda to be applied to the 1925 figures. There is no reason to suppose that the purchasing power of the Kenya Native materially decreased between 1925 and 1927, whereas the purchasing power of the Uganda Native was most certainly reduced between 1925 and 1927 owing to the cotton slump. In considering these results, it must be remembered that the figures given in 1927 are Customs returns, and hence do not necessarily represent actual purchases by the public, but merchants' stocks. During periods of great prosperity, there is always a tendency to over stock, and these surplus stocks supply the public wants, often at a loss to the merchant, during periods of trade depression; some of the difference from 2/28 per head in 1925 to 1/26 per head in 1927 in the final adopted values for Uganda is undoubtedly due to this. The final value shown in Table 5 has been considered to represent the actual communal contribution in Kenya and Uganda to Indirect Taxation.

28. There can be little latitude for discussion in regard to the accuracy of the figure for Direct Taxation in Kenya, but the question of Indirect Taxation evidently may lead to considerable controversy. While the Statistical Department does not wish to claim undue accuracy for these figures, the basis on which the results have been made to depend have been placed at the disposal of any individual who cares to take up the investigation for himself.

29. The enquiry was undertaken in the first instance at the request of and for the guidance of the Administration, and it was not anticipated as already stated, that these results would have been given to the public; at the same time, the Statistical Department of the Governors' Conference now publishes the details with a certain degree of confidence as representing the "per capita" Taxation of the three communities—European, Non-Native and Native—with sufficient accuracy for practical Administrative purposes.

30. It should, however, be understood that the enquiry was not primarily a racial one from the point of view of relative contribution to Revenue, although it was realised that it would inevitably be used for this purpose. Such variations as occur are not racial, but economic. It may be assumed that a wealthy Indian or Native of Africa will contribute to revenue for the carrying on of Government in the proportion in which his needs increase, in exactly the same manner as a wealthy European.

31. The enquiry should be looked upon rather as an effort to determine an index of progress, and in this connection the variations in the total contributions under specific heads from year to year are of special interest, but are not strictly relevant to the subject matter of this memorandum.

32. Two Appendices are added: one supplied to the Statistical Department by the Tanganyika Government, shows the Non-Native and Native

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Taxation in that Colony, including Direct and Indirect Taxation; the second is a report throwing the Kenya values into the same form as the Tanganyika values by dividing the population of the two territories into Non-Natives and Natives.

33. The final adopted values as referred to the Census Year population, 1926, are as follows:—

European.

							<i>Shs.</i>
1925	..	.	...	..	.	..	726 55 (£36 6s. 0d.)
1926	...	...	...	...	..	...	823.60 (£41 3s. 0d.)
1927	..	.	...	..	..	...	917.70 (£45 17s. 0d.)

Average over three years per capita £41 6s. 0d.

Asiatic.

							<i>Shs.</i>
1925	.	.	...	.	.	..	178.83 (£8 19s. 0d.)
1926	.	..	...	.	..	...	188 98 (£9 9s. 0d.)
1927	...	...	...	...	...	...	240.81 (£12 1s. 0d.)

Average over three years per capita £10 3s. 0d.

Native.

							<i>Shs.</i>
1925	.	..	.	...	..	...	5.50
1926	...	...	.	..	...	...	5.75
1927	.	...	..	...	...	...	6.04

Average over three years per capita Shs. 5/76.

The increase between 1925 and 1927 is not a real increase in individual contribution to taxation, but is due to an increase in population which has not been allowed for. (See paragraph 3 of Summary.)

(Sgd.) A. WALTER,
 Statistician,
 Governors' Conference.

SCHEDULE I.

NET REVENUE FROM TAXATION FOR THE YEAR 1925.—KENYA.

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	Europeans.	Indians.	Goans.	Arabs and Somalis.	Natives.	Total Revenue.
HEAD II.—	Shs.	Shs.	Shs.	Shs.	Shs.	Shs.
1. Port Dues	331,559	—	—	—	—	331,559
HEAD III.—						
2. Registration of Dhows, Boats, etc.	79	1,467	—	—	1,093	2,639
3. Native Registration	—	—	—	—	37,178	37,178
4. Game Licences	342,305	3,858	1,433	4,676	1,321	353,593
5. Explosives, Guns and Ammunition Licences	19,178	4,120	1,806	694	497	26,295
6. Liqueur Licences	60,664	17,353	26,029	382	25,042	129,470
7. Miscellaneous Licences	19,510	38,759	1,788	6,158	7,772	73,987
8. Coffee Licences	19,172	117	—	11	—	19,300
9. Registration of Documents and Titles	39,844	13,619	838	6,461	5,104	65,866
10. Licences under Motor Ordinance	271,132	43,266	4,793	6,264	7,426	332,881
11. Stamp Duties—various Revenue purposes	964,396	62,118	9,301	9,347	3,925	1,049,087
12. Cattle Traders' Licences	2,046	12,208	546	35,818	43,102	93,720
13. Hut and Poll Tax (Native)	—	—	—	—	10,749,560	10,749,560
14. Non-Native Poll Tax	211,594	253,344	31,938	74,077	—	570,953
15. Fines and Forfeitures	12,726	11,687	950	12,532	474,317	512,212
16. Estate Duty	127,869	43,222	732	2,674	5,402	179,899
17. Traders' Licences	63,632	218,145	9,550	21,107	8,323	320,757
18. Petrol Tax	241,197	38,489	4,264	5,572	6,606	296,128
19. Cotton Tax	17,275	39,000	—	—	—	56,275
20. Beer Ordinance	12,762	905	1,005	—	—	14,672
21. Income Tax	3,174	—	—	—	—	3,174
HEAD IV.—						
22. Fees of Court	37,890	90,303	9,279	36,002	170,037	343,511
23. Registrar Controllers, Official Receivers and Public Trustee fees.	22,550	1,844	300	4,520	2,376	31,590
G Carried forward						

Appendix No. 26—continued.

SCHEDULE I—*continued.*

	Europeans.	Indians.	Goans.	Arabs and Somalis.	Natives.	Total Revenue.
	Shs.	Shs.	Shs.	Shs.	Shs.	Shs.
Brought forward						
HEAD IV.—<i>cont.</i>						
24. Registration of Business names and Companies	15,125	1,876	62	—	20	17,083
25. Registration of Inventions, Designs, Trade Marks, etc. ...	7,766	201	2	—	—	7,969
26. Conveyancing Fees	19,985	6,113	323	—	366	26,787
27. Market and Cattle Pound Fees	4,120	3,255	—	11,720	26,621	45,716
28. Bills of Health	9,004	—	—	—	1,436	10,440
29. Miscellaneous Fees	32,621	4,325	3,456	2,741	38,627	81,770
30. Eastleigh Township Fees	490	6,557	565	480	—	8,092
31. Fees for survey of ships	1,645	—	—	—	—	1,645
Total	2,911,310	916,151	108,960	241,236	11,616,161	15,793,808
DOUBTFUL CLASSIFICATION—						
Customs as per pages 3-7 (Proportioned on Kenya consumption only)	4,870,285	2,253,534	731,476	379,513	5,359,729	13,594,537
Port Dues	—	8,573	—	6,535	21,102	36,210
Registrar of Dhows, Boats, Crews, etc.	—	5,351	—	4,079	13,173	22,603
Miscellaneous Licences	—	561	—	427	1,383	2,371
Total—Doubtful Classification	4,870,285	2,268,019	731,476	390,554	5,395,387	13,655,721
GRAND TOTAL	7,781,595	3,184,170	840,436	631,790	17,011,538	29,449,529
Total from Taxation Revenue	7,781,595	3,184,170	840,436	631,790	17,011,538	29,449,529
Population as per Census 1926	12,529	26,759	2,565	11,816	2,515,330	2,568,999
Taxation per Head	Shs. 621·09 £31 ls.	Shs. 118·99 £5 19s.	Shs. 327·65 £16 8s.	Shs. 53·47 £2 13s.	Shs. 6·76 6s. 9d.	Shs. 11·45 11s. 5d.

Appendix No. 26—*continued.*

SCHEDULE II.

NET REVENUE FROM TAXATION FOR THE YEAR 1926—KENYA.

	Europeans.	Indians.	Goans.	Arabs, Somalis and others.	Natives.	Total Revenue.
	Shs.	Shs.	Shs.	Shs.	Shs.	Shs.
HEAD II— Port Dues	217,886	—	—	—	—	217,886
HEAD III— Registration of Dhows, Boats, etc.	36	571	—	780	604	1,991
Native Registration	—	—	—	—	37,506	37,506
Game Licences	319,692	4,996	1,015	1,484	2,608	329,795
Explosives, Guns and Ammunition Licences	25,636	3,457	537	499	351	30,480
Liquor Licences	59,132	27,623	19,766	370	76,934	183,825
Miscellaneous Licences	7,105	44,577	1,810	5,672	8,904	68,068
Coffee Licences	22,291	79	—	—	—	22,370
Registration of Documents and Titles... ..	60,434	19,440	1,458	7,273	4,742	93,347
Licences under Motor Ordinance	353,765	49,417	5,472	7,152	13,458	429,264
Stamp Duties—various revenue purposes	1,267,486	63,479	3,132	11,070	5,064	1,350,231
Cattle Traders Licences	1,862	7,227	2,081	35,479	38,271	84,920
Hut and Poll Tax—Native	—	—	—	—	11,160,891	11,160,891
Non-Native Poll Tax	275,995	335,256	28,060	122,767	—	762,078
Fines and Forfeitures	14,733	20,654	1,459	12,541	616,430	665,817
Estate Duty	267,090	414,253	964	4,431	8,952	695,690
Traders Licences	54,105	249,313	9,249	28,120	15,376	356,163
Petrols Tax	344,766	48,160	5,332	6,970	13,116	418,344
Cotton Tax	12,350	32,439	—	—	—	44,789
Beer Ordinance	19,394	1,375	1,527	—	—	22,296
Income Tax	743	—	—	—	—	743
Carried forward	3,324,501	1,322,316	81,862	244,608	12,003,207	16,976,494

Appendix No. 26—continued.

SCHEDULE II—continued.

	Europeans.	Indians.	Goans.	Arabs, Somahs and others.	Natives.	Total Revenue.
	Shs.	Shs.	Shs.	Shs.	Shs.	Shs.
Brought Forward	3,324,501	1,322,316	81,862	244,608	12,003,207	16,976,494
HEAD IV—						
Fees of Court	17,808	115,628	10,406	48,182	177,377	369,401
Registrar Generals, Official Receivers and Public Trustees Fees.	6,304	5,319	597	6,311	696	19,227
Registration of Business Names and Companies	21,292	3,778	92	—	—	25,162
Registration of Inventions, Designs, etc.	8,093	360	8	—	—	8,461
Conveyancing Fees	21,555	15,443	1,074	95	88	38,255
Market and Cattle Pound Fees	6,817	2,572	—	10,968	30,112	50,469
Bills of Health	11,803	—	—	—	107	11,910
Miscellaneous Fees	32,693	3,037	1,163	3,119	16,282	56,294
Eastleigh Township Fees	1,582	21,166	1,824	1,549	—	26,121
Fees for survey of ships	1,040	—	—	—	—	1,040
Total	3,453,488	1,489,619	97,026	314,832	12,227,869	17,582,834
DOUBTFUL CLASSIFICATION—						
Customs	5,634,438	2,194,466	711,719	415,169	5,871,678	14,827,470
Port Dues	—	2,612	—	1,993	6,434	11,039
Registration of Dhows, Boats, etc.	—	2,293	—	1,748	5,644	9,685
Miscellaneous Licences	—	518	—	394	1,276	2,188
Total—Doubtful Classification	5,634,438	2,199,889	711,719	419,304	5,885,032	14,850,382
GRAND TOTAL	9,087,926	3,689,508	808,745	734,136	18,112,901	32,433,216

Appendix No. 26—continued.

Total from Taxation Revenue	9,087,926	3,689,508	808,745	734,136	18,112,901	32,433,216
Population as per Census 1926	12,529	26,759	2,565	11,816	2,515,330	2,568,999
Taxation per head	725·35	137·88	315·30	62·13	7·20	12·62
	£36 5s.	£6 18s.	£15 15s.	£3 2s.	7s. 1d.	12s. 6d.
Wines and Spirits Consumption Tax for Education Cost brought into Force, November, 1926. (Not included in proportionate taxation as it is an exceptional tax. See Para. 13 of covering Report).	56,062	15,194	9,993	—	—	81,249

The following are comparative figures for the three years 1924, 1925 and 1926, including Customs and all other Heads of Revenue considered as Taxation Revenue in the Report on the 1925 Returns.

	<i>Rate per Head per annum.</i>		
	1924.	1925.	1926.
	£ s. d.	£ s. d.	£ s. d.
Europeans	35 10 0	31 1 0	36 5 0
Indians... ..	6 4 0	5 19 0	6 18 0
Goans	20 17 0	16 8 0	15 15 0
Arabs, Somalis and Others	2 18 0	2 13 0	3 2 0
Natives... ..	7 3	6 9	7 1

SCHEDULE II—*continued.*

TABLE SHOWING TAXATION PER HEAD OF THE DIFFERENT COMMUNITIES DISTINGUISHING CUSTOMS REVENUE FROM GENERAL TAXATION REVENUE, TOGETHER WITH COMPARATIVE INDEX NUMBERS ON THE EUROPEAN CONTRIBUTION AS BASE.

KENYA—1926.

Class of Population.	Including Customs.		Including Customs less Items referred to in Paras. 4-10 above.		Excluding Customs and Doubtful Classification, but including all other Items.		Excluding Customs and Doubtful Classification and Items referred to in Paras. 4-10 above.		Customs only.	
	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.
—	Shs.		Shs.		Shs.		Shs.		Shs.	
PART I.—										
Europeans	725·35	1000	678·69	1000	275·64	1000	228·98	1000	449·71	1000
Indians	137·88	0190	131·71	0194	55·67	0203	49·50	0216	82·21	0183
Goans	315·30	0435	309·56	0456	37·83	0137	32·09	0140	277·47	0617
Arabs, Somalis and others.	62·13	0086	56·57	0083	26·64	0097	21·08	0092	35·49	0079
Natives	7·20	0010	6·88	0010	4·86	0018	4·54	0020	2·34	0005
PART II.—										
Europeans	725·35	1000	678·69	1000	275·64	1000	228·98	1000	449·71	1000
Indians and Goans ...	153·40	0211	147·26	0217	54·11	0196	47·98	0209	99·29	0221
Arabs, Somalis and others.	62·13	0086	56·57	0083	26·64	0097	21·08	0092	35·49	0079
Natives	7·20	0010	6·88	0010	4·86	0018	4·54	0020	2·34	0005

Appendix No. 26—*continued.*

SCHEDULE III.

NET CUSTOMS DUTY LEVIED UNDER ESTIMATES SUB-HEAD FOR 1925.

FOR KENYA AND UGANDA COMBINED.

	Europeans.	Indians.	Goans.	Arabs, Somals and others.	Natives.	Total.
	£	£	£	£	£	£
CLASS I.—						
Food, Drink and Tobacco, Grain and Flour	4,000	22,561	3,550	2,479	13,026	45,616
Spirits	99,269	29,197	17,518	—	—	145,984
Wines, Ale and Beer	18,886	562	1,722	—	—	21,170
Other food and drink	24,244	15,662	7,074	4,293	28,940	80,213
Tobacco	26,500	5,000	3,500	6,526	67,489	109,015
CLASS II.—						
Raw materials and articles mainly unmanufactured...	3197	672	287	200	572	4,934
CLASS III.—						
Articles wholly or mainly manufactured—						
Cotton yarns and manufactures	21,381	37,875	8,750	6,949	239,447	314,402
Other Textile manufactures	17,011	5,387	1,233	959	3,215	27,805
Oils, fats and resin manufactures	34,890	10,750	2,650	1,812	13,605	63,707
Vehicles	52,044	11,850	2,100	1,300	31,885	99,179
Matches	1,200	1,400	700	300	11,014	14,614
Miscellaneous goods	89,230	34,249	10,575	5,307	50,851	190,212
CLASS IV.—						
Animals not for food	—	—	—	—	—	—
CLASS V.						
Parcel Post	32,000	20,500	3,900	2,600	6,403	65,403
Total	423,852	195,671	63,559	32,725	466,447	1,182,254

Appendix No. 26—continued.

SCHEDULE III—*continued.*

NET REVENUE FROM IMPORTS DURING 1925 FOR KENYA AND UGANDA COMBINED.

	Europeans.	Indians.	Goans.	Arabs, Somalis and others.	Natives.	Total.
	£	£	£	£	£	£
Wheat	—	525	150	75	—	750
Maize... ..	—	—	—	—	—	—
Rice	1,000	1,200	2,000	1,204	8,000	24,204
Other Grain	—	1,400	200	400	542	2,542
Wheat meal and Flour	3,000	8,636	1,200	800	4,000	17,636
Other Meal and Flour	—	—	—	—	484	484
Feeding stuffs for animals	24	20	—	—	—	44
Bacon and Ham	200	—	30	—	—	230
Meat, tinned, canned or otherwise preserved	250	—	40	20	30	340
Cattle lining for food	10	11	—	50	50	121
Sheep and Goats for food	—	37	40	30	30	137
Poultry and Game for food	—	—	—	—	—	—
Aerated Waters	200	—	24	—	—	224
Ale, Beer, Stout, etc.	9,000	—	936	—	—	9,936
Beverages and Syrups	125	150	55	75	150	555
Biscuits, Butter, Cheese and Coffee	2,000	223	750	230	20	3,223
Confectionery	2,000	746	500	500	500	4,246
Fish, salted, pickled or dried	—	—	—	81	400	481
Fish canned	1,500	—	383	—	—	1,883
Fruit preserved	1,869	300	200	100	100	2,569
Fruit fresh	—	—	—	—	—	—
Ghee	—	1,700	—	57	—	1,757
Lard, etc.	43	—	—	—	—	43
Marmalade, Jams and Jellies	849	100	100	50	50	1,149
Milk Condensed, etc.	1,739	1,700	800	150	850	5,230

Appendix No. 26—*continued.*

Provision, other than fresh	4,007	1,500	700	200	600	7,007
Provision, fresh	—	6	2	—	9	17
Salt	412	600	150	150	6,000	7,418
Spices	300	2,048	150	50	500	3,048
Spirits—Brandy, Whisky, etc.	99,269	29,197	17,518	—	—	145,984
Sugar...	2,710	3,000	950	1,050	10,000	17,710
Tea	3,000	2,900	1,900	700	8,651	17,151
Wines	9,886	562	786	—	—	11,234
Tobacco—manufactures	26,500	5,000	3,500	6,500	67,259	108,759
Tobacco—manufactured	—	—	—	26	230	256
Other articles of food and drink	3,000	621	300	700	1,000	5,621
Timber	2,912	450	150	100	300	3,912
Tar and Pitch	35	8	7	—	—	50
Other articles mainly unmanufactured	250	220	130	100	272	972
Earthenware	1,400	650	450	300	1,383	4,183
Glass, Chimneys, Globes, Shades	131	90	60	30	290	601
Glass and Glassware	1,200	500	150	75	524	2,449
Cement and Building	2,000	1,337	600	200	500	4,637
Miscellaneous mining and quarry products	450	100	17	—	—	567
Iron and Steel and manufactures thereof	18,500	7,400	1,260	420	2,120	29,700
Aluminium Holloware	700	875	250	100	5,150	7,076
Brasswire	—	—	—	—	2,832	2,832
Brass Manufactures	294	130	40	10	20	484
Copperwire	—	—	—	—	2,269	2,269
Copper manufactures	25	45	7	4	10	91
Tin and manufactures	90	90	20	10	146	356
Other non-ferrous metals and manufactures	400	560	200	106	65	1,331
Artisan's Tools	1,457	1,250	280	100	750	3,837
Clocks and Watches	225	150	60	20	407	862
Cutlers' wares and hardware	1,000	500	125	75	1,548	3,248
Implements and tools	725	600	50	25	440	1,840
Cameras and razors	280	85	15	10	44	434
Surgical and Scientific Instruments	200	31	20	—	—	251

SCHEDULE III—continued.

	Europeans.	Indians.	Goans.	Arabs, Somalis and others.	Natives.	Total.
	£	£	£	£	£	£
Other hardware, cutlery, etc.	1,350	330	205	115	1,989	3,989
Electrical goods and apparatus	1,000	150	50	11	—	1,211
Machinery and parts	900	200	37	—	—	1,137
Furniture and cabinet ware	1,637	300	100	50	150	2,237
Manufactures of wood and timber	399	150	75	25	100	749
Cotton piece goods :—Gray unbleached	700	8,000	200	100	81,069	90,069
" " " Bleached	2,500	6,500	2,000	1,000	9,055	21,055
" " " Printed	2,500	3,650	1,000	500	179,963	25,586
" " " Dyed in piece	4,500	8,800	1,300	900	41,520	57,020
" " " coloured	4,000	6,500	2,500	3,000	33,308	49,308
Cotton blankets	1,000	3,000	1,000	1,000	53,557	59,557
" thread	480	390	150	80	1,307	2,407
" yarns	185	185	100	69	195	734
" manufactures unspecified	5,516	850	500	300	1,500	8,666
Woollen blankets	1,592	75	60	65	500	2,292
" carpets and rugs	742	150	100	40	60	1,092
" tissues	2,917	350	125	125	650	4,167
" yarns	27	—	—	—	—	27
" manufactures unspecified	600	75	30	16	—	721
Silk Tissues	1,500	2,984	400	200	900	5,984
" yarns	15	—	—	—	—	15
" manufactures	375	525	45	—	—	945
Awnings, Tarpaulins, Tents, etc.	1,647	125	75	—	—	1,747
Coir Mats and matting	60	80	30	20	28	218
Cordage, Ropes, etc.	875	250	—	30	120	1,275
Jute carpets and rugs	21	8	4	—	—	33

Appendix No. 26—continued.

Linen piece goods	150	50	16	—	—	216
Jute piece goods	20	5	5	—	—	30
Linen manufactures	3,350	130	168	100	—	3,748
Sail cloth and canvas	1,120	430	100	288	450	2,388
Textile manufactures	2,100	150	75	75	507	2,907
Boots and shoes	2,488	850	600	400	650	4,988
Haberdashery	419	50	30	20	40	559
Hats, Caps, etc.	700	600	300	150	2,146	3,896
Stockings and Hose	1,346	300	200	100	150	2,096
Other Hosiery	1,800	500	200	100	1,666	4,266
Wearing apparel	4,500	2,250	1,000	597	2,250	10,597
Chemical manufactures and products	1,800	526	300	150	—	2,776
Drugs and medicines, etc.	1,202	600	200	100	300	2,402
Dyestuffs, etc.	75	75	15	5	100	270
Painters' colours and varnishes	987	130	90	50	170	1,327
Candles	90	200	50	22	170	532
Lubricating Oils and Greases	5,526	1,800	200	50	50	7,626
Motor Spirit	23,152	4,500	1,000	500	500	29,652
Mineral Oil, illuminating or burning	3,000	2,400	600	200	8,567	14,767
Soap	2,800	1,700	750	1,000	4,258	10,508
Other oils and fats and manufactures	322	150	50	40	60	622
Leather and manufactures	1,864	640	310	200	850	3,264
Paper—cigarettes	100	200	25	50	1,623	1,998
Paper, other, stationery and manufactures of	9,100	800	300	150	150	10,500
Cycles (not motor)	3,600	1,400	900	600	30,235	36,735
Marine engines and machinery	—	—	—	—	—	—
Motor Car parts and accessories	35,382	9,000	800	500	900	46,582
Motor Cycles, Sidecars, tricars and parts	8,671	1,000	200	100	100	10,071
Other vehicles parts of, and accessories	4,391	450	200	100	650	5,791
Tyres and Tubes—Motor cars and cycles	7,000	2,500	350	150	527	10,527
Rubber manufactures	950	200	125	75	1,546	2,896
Ammunition (Sporting)	1,855	100	75	25	—	2,055
Beads	350	1,350	160	100	8,158	10,118
Guns, Rifles, revolvers, etc.	2,200	70	100	—	—	2,370

SCHEDULE III—*continued.*

	Europeans.	Indians.	Goans.	Arabs, Somalis and others.	Natives.	Total.
	£	£	£	£	£	£
Fuses, Explosives	—	—	—	—	—	—
Gold and Silver plated wire	500	60	49	20	40	669
Lamps and Lanterns	450	300	150	100	3,080	4,080
Matches	1,200	1,400	700	300	11,014	14,614
Musical instruments	2,230	250	400	100	1,000	3,980
Perfumery and perfumed spirits	1,901	900	350	300	650	4,101
Typewriters	400	325	75	25	132	957
Toys, games and sports goods	650	250	150	50	86	1,186
Miscellaneous goods manufactures	10,000	5,000	950	604	4,800	21,354
Parcel Post	32,000	20,500	3,900	2,600	6,403	65,403

Appendix No. 26—*continued.*

Appendix No. 26—continued.

SCHEDULE IV.

NET CUSTOMS DUTY LEVIED UNDER ESTIMATES SUBHEADS FOR 1927.

UGANDA.

	Europeans.	Asiatics.	Natives.	Total.
	£	£	£	£
CLASS I.—Food, Drink, Tobacco—				
Grain and Flour	1,550	3,205	551	5,306
Spirits	26,189	2,961	50	29,200
Wines, Ale and Beer	3,600	387	—	3,987
Other food and drink	4,746	2,987	8,495	16,228
Tobacco	3,187	4,000	50,775	57,962
CLASS II.—Raw materials and articles Mainly unmanufactured.	234	156	135	525
CLASS III.—Articles wholly or mainly manufactures :—				
Cotton yarns and manufactures	6,168	10,947	104,854	121,969
Other textile manufactures ...	5,852	3,858	3,019	12,729
Oils, fats and resin manufactures	8,866	8,249	4,349	21,464
Vehicles	6,868	4,004	5,668	16,540
Matches	250	750	3,927	4,927
Miscellaneous goods	15,404	9,809	13,775	38,988
CLASS IV.—Animals not for food	—	—	—	—
CLASS V.—Parcels Post	12,000	5,000	1,101	18,101
Total	94,914	56,313	196,699	347,926
	27·3 per cent.	16·2 per cent.	56·5 per cent.	

NET REVENUE FROM IMPORTS DURING 1927.

	Europeans.	Asiatics.	Natives.	Total.
	£	£	£	£
CLASS I.—				
Wheat	—	105	—	105
Rice	50	698	300	1,048
Millet	—	31	10	41
Other Grain	—	54	10	64
Pulse	—	23	20	43
Dhall	—	306	—	306
Wheatmeal and flour	1,500	1,908	200	3,608
Pulse meal and flour	—	80	11	91
Bacon and Ham	49	—	—	49
Meat, tinned, canned or otherwise preserved.	80	23	10	113
Cattle	50	—	503	553
Aerated Waters	50	7	—	57
Ale, Beer, Stout, etc.	2,000	203	—	2,203
Beverages and syrups	80	120	23	223
Biscuits	550	91	—	641
Butter	8	—	—	8

Appendix No. 26—*continued.*SCHEDULE IV—*continued.*

	Europeans	Asiatics.	Natives.	Total.
—	£	£	£	£
CLASS I.—<i>continued.</i>				
Cheese	30	4	—	34
Confectionery	300	150	30	480
Dates	—	15	—	15
Fish, salted, pickled or dried ...	—	3	6	9
Fish, canned	200	20	—	220
Fruit, bottled, canned or otherwise preserved.	288	50	—	338
Garlic and Onions, not preserved	20	266	20	306
Ghee	—	400	50	450
Lard and its compounds ...	8	—	—	8
Margarine, marrowfat, butter substitutes, etc.	15	4	—	19
Marmalade, Jams and Jellies ...	163	40	20	223
Milk, preserved, condensed, etc.	262	200	500	962
Provisions, other	1,700	500	73	2,273
Salt, table	12	2	—	14
Salt, other	100	318	5,000	5,418
Spices	100	594	50	744
Spirits—Brandy	3,000	992	—	3,922
Gin	2,504	500	—	3,004
Liqueurs	585	—	—	585
Whiskey	20,000	945	—	20,945
Sugar	100	4	—	104
Tea	613	750	2,250	3,613
Wines	1,600	184	—	1,784
Other Food	68	20	10	98
Tobacco—Cigarettes	1,000	1,000	6,107	8,107
Cigars and Cigarillos	187	—	—	187
Tobacco manufactures	2,000	3,000	44,649	49,649
„ unmanufactured	—	—	18	18
Snuff	—	—	1	1
Total—Class I. ...	39,272	13,540	59,871	112,683
CLASS II.—Raw materials and articles mainly unmanufactured				
 Total	234	156	135	525
CLASS III.—				
Earthenware, etc.	600	200	55	855
Bricks and Tiles	20	7	—	27
Glass chimneys, globes and shades.	50	40	100	190
Glassware, domestic and fancy.	30	10	11	51
Mirrors and looking glasses ...	10	10	11	31
Glass and Glassware unspecified	105	50	150	305
Asbestos, manufactured ...	20	7	—	27
Cement, building	1,000	400	130	1,530
Slates, roofing	20	5	—	25
Mining and quarry products, manufactured, unspecified	8	—	—	8

Appendix No. 26—*continued.*SCHEDULE IV—*continued.*

	Europeans	Asiatics.	Natives.	Total.
CLASS III.— <i>continued.</i>	£	£	£	£
Bars, rods, angles, etc	30	30	30	90
Bedsteads and finished parts thereof.	200	43	—	243
Buildings, complete	250	145	—	395
Galvanized sheets, corrugated ...	2,000	886	250	3,136
" " flat	6	—	—	6
Girders, beams, joists, etc. ...	3	—	—	3
Holloware, enamelled	211	400	900	1,511
" not enamelled	19	20	80	119
Nails, screws, rivets, etc. ...	200	150	89	439
Plates and sheets, not galvanized	4	—	—	4
Stoves, grates and ranges (domestic).	54	—	—	54
Safes	50	100	23	173
Wire cable and rope, not electrical.	6	—	—	6
Wire, iron, other sorts	—	—	344	344
Wire, steel other sorts	2	—	—	2
Wire mattresses	15	—	—	15
Iron and Steel manufactures unenumerated.	245	100	100	445
Aluminium holloware, domestic	200	500	727	1,427
Aluminium wire	—	—	1	1
Brass sheets, plain or perforated	—	1	—	1
Brass wire	—	3	90	93
Brass manufactures, unenumerated	20	22	80	122
Copper wire	—	—	469	469
Copper manufactures, unenumerated.	29	20	—	49
Lead, bar and sheets	2	—	—	2
Lead manufactures, unenumerated.	10	3	—	13
Tin manufactures, unenumerated	10	10	19	39
Metal, bar, blocks, etc.	1	—	—	1
Other manufactures, not elsewhere specified.	30	6	—	36
Artisans' tools	200	400	88	688
Bioscopes, magic lanterns, etc....	10	8	—	18
Clocks, complete	20	20	28	68
Cutlers' wares not elsewhere specified.	100	100	277	477
Hardware, other than holloware	200	200	608	1,008
Locks, fastenings, etc.	50	100	186	336
Implements and tools, and parts thereof.	100	100	40	240
Knives other than machine knives	25	26	100	151
Cameras	40	7	—	47
Razors	20	40	35	95
Shovels, spades, axes, etc. ...	—	—	2	2
Stoves, Primus and other oil ...	20	28	10	58

Appendix No. 26—*continued.*SCHEDULE IV—*continued.*

	Europeans	Asiatics.	Natives.	Total.
CLASS III.— <i>continued.</i>	£	£	£	£
Watches, complete	10	8	—	18
Electrical goods, not enumerated	15	7	—	22
Electric bulbs	15	7	—	22
Machinery and parts thereof ...	61	30	—	91
Furniture and cabinet-ware ...	253	75	25	353
Builders' woodwork (window-frames, etc.)	4	2	—	6
Manufactures, not elsewhere specified.	40	20	—	60
Cotton Piece goods :—				
grey unbleached	500	1,500	40,080	42,080
Bleached	1,000	1,500	7,625	10,125
Printed	750	500	4,258	5,508
Dyed in the piece	2,000	4,000	27,408	33,408
Coloured	1,000	2,000	15,317	18,317
Blankets, cotton	—	741	9,000	9,741
Thread, cotton	165	200	1,000	1,365
Yarns, cotton	3	6	—	9
Manufactured, unenumerated ...	750	500	166	1,416
Woollen blankets	67	30	—	97
Carpets, rugs, etc.	150	50	10	210
Tissues	750	250	643	1,643
Yarns, woollen	2	—	—	2
Manufactures, unenumerated—woollen.	5	2	—	7
Silk Tissues	500	750	397	1,647
Silk manufactures, unenumerated	6	6	—	12
Awnings, Tarpaulins, etc. ...	100	60	4	164
Coir mats and matting	20	20	18	58
Cordages, ropes and twine, etc.	50	32	10	92
Jute carpets and rugs	15	8	—	23
Linen piece goods	40	12	—	52
Linen thread	1	—	—	1
Sail cloth and canvas	100	22	10	132
Textile manufactures, unenumerated.	700	500	331	1,531
Boots and Shoes	396	400	100	896
Haberdashery	750	350	261	1,361
Hats, Caps, etc.	300	100	504	904
Stockings and Hose	100	25	28	153
Linen manufactures, unenumerated.	200	241	200	641
Hosiery, other	600	500	312	1,412
Wearing apparel, second hand for sale.	—	—	20	20
ditto. unenumerated	1,000	500	171	1,671
Carbonic Acid Gas	2	1	—	3
Chemical manufactures unenumerated.	400	99	—	499
Prepared medicines	300	299	—	599
Dyestuffs	10	10	3	23

Appendix No. 26—continued.

SCHEDULE IV—continued.

	Europeans	Asiatics.	Natives.	Total.
CLASS III.—continued.	£	£	£	£
Painters' colours and varnishes	100	75	24	199
Candles	20	30	50	100
Lubricating Oils	719	600	300	1,619
Lubricating Greases	30	30	3	63
Motor Spirit	7,000	6,000	399	13,399
Mineral Oil, illuminating or burning.	750	1,250	3,198	5,198
Soap, common	200	300	399	899
Soap, toilet	7	—	—	7
Turpentine	80	19	—	99
Manufactures, unenumerated ...	60	20	—	80
Leather, dressed	200	200	97	497
Saddlery and harness	9	—	—	9
Leather manufactures, unenumerated.	52	75	100	227
Paper, cigarette	25	393	2,000	2,481
" printings	100	54	—	154
" packing	50	50	205	305
" other	4	—	—	4
Playing cards	21	20	20	61
Stationery	1,250	550	70	1,870
Paper manufactures, unenumerated.	66	50	—	116
Cycles (not motor)	49	450	4,000	4,499
Motor Cars	4,000	2,000	143	6,143
Motor car parts and accessories	1,750	1,050	99	2,899
Motor cycles	600	400	26	1,026
Motor sidecars	200	23	—	223
Motor cycle parts	200	40	—	240
Other vehicles, not mechanically controlled.	10	8	—	18
Ditto parts of and accessories	50	33	1,400	1,483
Wheels, parts thereof for wagons and carts.	9	—	—	9
Motor Car tyres	2,000	1,000	30	3,030
Motor cycle tyres	150	78	—	228
Bicycle tyres	53	300	3,000	3,353
Rubber manufactures, unenumerated.	100	30	9	139
Ammunition	189	—	—	189
Basket-ware	1	—	—	1
Beads	—	92	800	892
Blacking and polishes	200	58	—	258
Brooms and brushes	75	20	—	95
Felt, ruberoid, etc.	50	8	—	58
Films for bioscope and cinematographs.	20	20	10	50
Guns, rifles, etc.	289	—	—	289
Electro plated ware	13	—	—	13
Gold and silver plated ware ...	30	7	—	37
Jewellery	50	150	38	238

Appendix No. 26—*continued.*SCHEDULE IV—*continued.*

	Europeans	Asiatics.	Natives.	Total.
<i>CLASS III.—continued.</i>	£	£	£	£
Lamps and Lanterns	95	200	700	995
Matches	250	750	3,927	4,927
Methylated spirits	6	—	—	6
Musical instruments	87	150	200	437
Perfumery cosmetics and toilet preparations.	400	232	100	732
Perfumed spirits	151	10	—	161
Pictures and Engravings ..	12	—	—	12
Rockets and fireworks	38	300	—	338
Sewing machines... ..	50	150	149	349
Typewriters	100	59	—	159
Spirits, rectified (including absolute alcohol).	30	2	—	32
Starch and blue	50	50	72	172
Toys, games, etc.	100	50	45	195
Toilet preparations, essences, tinctures, etc.	30	2	—	32
Umbrellas	3	80	800	883
Personal and household effects...	300	39	—	339
Miscellaneous goods, manufactures not elsewhere stated.	1,500	500	245	2,245
Total—CLASS III. ...	43,408	37,617	135,592	216,617
<i>CLASS IV.—</i>				
Animals not for food.—Total ...	—	—	—	—
<i>CLASS V.—</i>				
Parcel Post	12,000	5,000	1,101	18,101
Total Revenue Class I.	39,272	13,540	59,871	112,683
„ „ Class II.	234	156	135	525
„ „ Class III.	43,408	37,617	135,592	216,617
„ „ Class IV.	—	—	—	—
„ „ Class V.	12,000	5,000	1,101	18,101
GRAND TOTAL	94,914	56,313	196,699	347,926

NOTE.—Minor Items not included represent a total duty collected of £1,300 which does not affect the statement above in respect of Revenue allocation over the different races.

SCHEDULE V.

TABLE SHewing TAXATION PER HEAD OF THE DIFFERENT COMMUNITIES DISTINGUISHING CUSTOMS REVENUE FROM GENERAL TAXATION REVENUE, TOGETHER WITH COMPARATIVE INDEX NUMBERS ON THE EUROPEAN CONTRIBUTION AS BASE.

1927.—KENYA.

	Including Customs.		Including Customs less Items at foot.*		Excluding Customs but including Items at foot.*		Excluding Customs and Items at foot.*		Customs only.	
	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.
PART I.—	Shs.		Shs.		Shs.		Shs.		Shs.	
Europeans	853·06	1000	820·28	1000	260·68	1000	227·90	1000	592·38	1000
Indians	152·19	0178	146·14	0178	58·10	0223	52·03	0228	94·11	0159
Goans	397·62	0466	392·49	0478	66·84	0256	61·73	0271	330·76	0558
Arabs, Somalis and others ...	61·53	0072	58·55	0071	27·19	0104	24·21	0106	34·06	0058
Natives	7·04	0008	6·73	0008	4·96	0019	4·65	0020	2·08	0004
PART II.—										
Europeans	853·06	1000	820·28	1000	260·68	1000	227·90	1000	592·38	1000
Indians and Goans	173·66	0204	167·67	0204	58·86	0226	52·87	0232	114·80	0194
Arabs, Somalis and others ...	61·53	0072	58·55	0071	27·19	0104	24·21	0106	34·06	0058
Natives	7·04	0008	6·73	0008	4·96	0019	4·65	0020	2·08	0004

* Items referred to in Paras. 4–10 in Report on Proportionate Taxation Revenue, 1926. It is debatable if these items should be regarded as *Direct Taxation Revenue*: Game Licences; Bills of Health; Fines and forfeitures; Eastleigh Township fees; Fees of Court.

Appendix No. 26—continued.

SCHEDULE V—*continued.*

TABLE SHEWING TAXATION PER HEAD OF THE DIFFERENT COMMUNITIES FOR THE YEARS 1925, 1926 AND 1927, DIVIDING UP THE CUSTOMS REVENUE BETWEEN KENYA AND UGANDA ON THE BASIS OF THE RATIO PUBLISHED IN THE CUSTOMS REPORT.

KENYA.

	Europeans		Indians.		Goans.		Arabs, Somalis and others.		Natives.		Indians and Goans.	
	Taxation per head.	Index Number.	Taxation per head.	Index Number	Taxation per head	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.	Taxation per head.	Index Number.
Taxation Revenue including Customs—	Shs.		Shs.		Shs.		Shs.		Shs.		Shs.	
1925	621·09	1000	118·99	0192	327·65	0528	53·47	0086	6·76	0011	137·25	0221
1926	725·35	1000	137·88	0190	315·30	0435	62·13	0086	7·20	0010	153·40	0211
1927	853·06	1000	152·19	0178	327·62	0466	61·53	0072	7·04	0008	173·66	0204
Including Customs, less debatable Items—												
1925	562·37	1000	114·47	0204	326·79	0581	47·99	0085	6·49	0012	132·50	0236
1926	678·69	1000	131·71	0194	309·56	0456	56·57	0083	6·88	0010	147·26	0217
1927	820·28	1000	146·14	0178	392·49	0478	58·55	0071	6·73	0008	167·67	0466
Excluding Customs, but including debatable Items—												
1925	232·37	1000	34·24	0147	42·48	0183	20·42	0088	4·62	0020	34·96	0150
1926	275·64	1000	55·67	0203	37·83	0137	26·64	0097	4·86	0018	54·11	0196
1927	260·68	1000	58·10	0223	66·84	0256	27·19	0104	4·96	0019	58·86	0226
Excluding Customs and Debatable Items—												
1925	173·65	1000	29·72	0171	37·71	0217	15·87	0091	4·36	0025	30·71	0177
1926	228·98	1000	49·50	0216	32·09	0140	21·08	0092	4·54	0020	47·98	0209
1927	227·90	1000	52·03	0228	61·73	0271	24·21	0106	4·65	0020	52·87	0232
Customs only—												
1925	388·72	1000	85·22	0219	285·17	0734	32·12	0083	2·13	0005	101·79	0262
1926	449·71	1000	82·21	0183	277·47	0617	35·49	0079	2·33	0005	99·29	0221
1927	592·38	1000	94·11	0159	330·76	0558	34·06	0058	2·08	0004	114·80	0194

Appendix No. 26—*continued.*

Appendix No. 26—continued.

SCHEDULE VI.

TOTAL CONTRIBUTIONS AND PER CAPITA CONTRIBUTIONS COMPUTED ON THE BASIS OF VARYING ASSUMPTIONS AS TO DISTRIBUTION BETWEEN THE DIFFERENT COMMUNITIES.

1.—Dividing each communal contribution in the same ratio as the Customs divide the Revenue.

	Contribution.			Per Capita contribution.	
	Kenya.	Uganda.	Total.	Kenya.	Uganda.
	Shs.	Shs.	Shs.		
1925—					
European ...	4,870,285	3,606,755	8,477,040	388·72	2,058·65
Asiatic ...	3,364,523	2,474,577	5,839,100	81·78	213·09
Native ...	5,359,729	3,969,211	9,328,940	2·13	1·27
Total ...	13,594,537	10,050,543	23,645,080	—	—
1926—					
European ...	5,634,438	3,482,309	9,116,747	449·71	1,987·62
Asiatic	3,321,354	2,052,729	5,374,083	80·73	176·76
Native ...	5,871,678	3,628,932	9,500,610	2·34	1·16
Total ...	14,827,470	9,163,970	23,991,440	—	—

2.—Assuming equal per capita communal contributions in both Kenya and Uganda.

	Contribution.			Per capita Contribution.	
	Kenya.	Uganda.	Total.	Kenya.	Uganda.
	Shs.	Shs.	Shs.		
1925—					
European ...	7,437,073	1,039,967	8,477,040	593·59	593·59
Asiatic ...	4,553,686	1,285,414	5,839,100	110·69	110·69
Native ...	4,161,329	5,167,611	9,328,940	1·65	1·65
Total ...	16,152,088	7,492,992	23,645,080	—	—
1926—					
European ...	7,998,300	1,118,447	9,116,747	638·38	638·38
Asiatic ...	4,191,037	1,183,046	5,374,083	101·87	101·87
Native ...	4,237,905	5,262,705	9,500,610	1·68	1·68
Total ...	16,427,242	7,564,198	23,991,440	—	—

Appendix No. 26—*continued.*SCHEDULE VI.—*continued.*

3.—Assuming that Uganda European and Native communities contribute twice as much per head as the corresponding communities in Kenya while the Asiatic are the same in both Territories.

	Contribution		Total.	Per Capita Contribution	
	Kenya.	Uganda.		Kenya.	Uganda.
	Shs.	Shs.	Shs.		
1925—					
European ...	6,624,389	1,852,651	8,477,040	528·72	1,057·44
Asiatic ...	4,553,686	1,285,414	5,839,100	110·69	110·69
Native ...	2,677,933	6,651,007	9,328,940	1·06	2·12
Total ...	13,856,008	9,789,072	23,645,080	—	—
1926—					
European ...	7,124,289	1,992,458	9,116,747	568·62	1,137·25
Asiatic ...	4,191,037	1,183,046	5,374,083	101·87	101·87
Native ...	2,727,212	6,773,398	9,500,610	1·08	2·17
Total ...	14,042,538	9,948,902	23,991,440	—	—

4.—Based on Actual Customs Estimates for 1927 with adjustments to meet the difference between the Native purchasing power in 1925 and 1927.

	Contribution.		Total.	Per Capita Contribution.	
	Kenya.	Uganda.		Kenya.	Uganda.
	Shs.	Shs.	Shs.		
1925—					
European ...	6,927,265	1,549,775	8,477,040	552·90	884·57
Asiatic ...	3,930,135	1,908,965	5,839,100	95·53	164·38
Native ...	2,998,608	6,330,332	9,328,940	1·19	2·03
Total ...	13,856,008	9,789,072	23,645,080	—	—
1926—					
European ...	7,450,021	1,666,726	9,116,747	594·62	951·33
Asiatic ...	3,550,870	1,823,213	5,374,083	86·31	157·00
Native ...	3,041,647	6,458,963	9,500,610	1·21	2·07
Total ...	14,042,538	9,948,902	23,991,440	—	—

Appendix No. 26—continued.

5.—Based on the assumption that the Asiatics contribute at the same rate in both Territories for 1925 as in 1927.

	Contribution.		Total.	Per Capita Contribution.	
	Kenya.	Uganda.		Kenya.	Uganda.
	Shs.	Shs.	Shs.		
1925—					
European ...	6,927,265	1,549,775	8,477,040	552·90	884·57
Asiatic ...	3,930,135	1,109,390	5,039,525	95·53	95·53
Native ...	2,998,608	7,129,907	10,128,515	1·19	2·28
Total ...	13,856,008	9,789,072	23,645,080	—	—
1926—					
European ...	7,450,021	1,666,726	9,116,747	594·62	951·33
Asiatic ...	3,550,870	1,002,318	4,553,188	86·31	86·31
Native ...	3,041,647	7,279,858	10,321,505	1·21	2·33
Total ...	14,042,538	9,948,902	23,991,440	—	—

Based on Actual Customs Estimates
without making Allowance for Change of Purchasing Power.

	Contribution.		Total.	Per Capita Contribution.	
	Kenya.	Uganda.		Kenya.	Uganda.
	Shs.	Shs.	Shs.		
1927—					
European ...	8,642,540	1,898,280	10,540,820	689·80	1,083·49
Asiatic ...	4,230,980	1,126,260	5,357,240	102·84	96·98
Native ...	3,504,840	3,933,980	7,438,820	1·39	1·26
Total ...	16,378,360	6,958,520	23,336,880	—	—

Comparative Figures for Non Native and Native in the Three Territories work out as follows for per capita Contribution to Customs Revenue.

(Tanganyika figures were derived from a Memorandum supplied by the Treasurer, Tanganyika).

	Kenya.	Uganda.	Tanganyika.
	Shs.	Shs.	Shs.
Non-Native ...	205·0	200·0	321·0
Native ...	1·2	2·3	1·1

On a general 20 per cent. Customs Duty this means that the Non-Native consumes approximately the following values of imported goods per head inclusive of Customs Dues.

Kenya ... £62 Uganda ... £60. Tanganyika ... £96

Appendix No. 26—*continued.**Addition I.*COMPARISON BETWEEN PROPORTIONATE TAXATION IN
KENYA AND TANGANYIKA, 1926.

In the following paragraphs a comparison between the proportionate taxation in Kenya and Tanganyika is made by throwing the Kenya results into the same form as those received from Tanganyika.

2. In the Memorandum on the 1926 Kenya returns, figures had been given excluding certain items from Taxation Revenue. In the Tanganyika Memorandum some of these discarded items were included. The necessary adjustments have been made in the comparative statement below. The items omitted from the Tanganyika returns are :—

	<i>Non-Natives.</i>	<i>Natives.</i>
	Shs.	Shs.
1. Municipal Taxes	93,800	24,000
2. Fines and Forfeitures	40,000	55,400
3. Departmental Fines	—	1,480

With these adjustments the figures are as follows :—

	<i>Taxation Exclusive of Customs.</i>	
	<i>Kenya.</i>	<i>Tanganyika.</i>
	Shs.	Shs.
Non-Natives	4,529,517—28 per cent.	1,933,960—12 per cent.
Natives	11,431,347—72 per cent.	14,342,740—88 per cent.
	Shs. 15,960,864	Shs. 16,276,700

The Non-Native contribution in Kenya is made up as follows :—

	Shs.
Europeans	2,868,944—18 per cent.
Indians	1,327,175—8 per cent.
Goans	82,322—½ per cent.
Arabs, Somalis and others	251,076—1½ per cent.
	Shs. 4,529,517

INDIRECT TAXATION THROUGH CUSTOMS ONLY.

	<i>Kenya.</i>	<i>Tanganyika.</i>
	Shs.	Shs.
Non-Natives	8,955,792—60 per cent.	6,413,900—57 per cent.
Natives	5,871,678—40 per cent.	4,838,560—43 per cent.
	Shs. 14,827,470	Shs. 11,252,460

The Non-Native contribution in Kenya is made up as follows :—

	Shs.
Europeans	5,634,438—32 per cent.
Indians	2,194,466—16 per cent.
Goans	711,719—4½ per cent.
Arabs, Somalis and others	415,169—2½ per cent.
	Shs. 8,955,792

Appendix No. 26—continued.

COMBINED TAXATION REVENUE.

	<i>Kenya.</i>	<i>Tanganyika.</i>
	Shs.	Shs.
Non-Natives	13,485,309—44 per cent.	8,347,860—30 per cent.
Natives	17,303,025—56 per cent.	19,181,300—70 per cent.
	<u>Shs. 30,788,334</u>	<u>Shs. 27,529,160</u>

The Non-Native contribution in Kenya is made up as follows :—

	Shs.
Europeans	8,503,382—28 per cent.
Indians	3,521,641—11½ per cent.
Goans	794,041—2½ per cent.
Arabs, Somalis and others	666,245—2 per cent.
	<u>Shs. 11,485,309</u>

3. The composition of the population in the two Territories is indicated below :—

	<i>Population of</i>	
	<i>Kenya.</i>	<i>Tanganyika.</i>
Non-Natives	53,669	20,000
Natives	2,515,330	4,500,000
	<u>2,568,999</u>	<u>4,520,000</u>

The Non-Native population of Kenya is made up as follows :—

Europeans	12,529
Indians	26,759
Goans	2,565
Arabs, Somalis and others	11,816
Total	<u>53,669</u>

From these figures we calculate the taxation per head and an index number on the Non-Native rate as follows :—

	Kenya.		Tanganyika.	
	Taxation per head.	Index Number.	Taxation per head.	Index Number.
Non-Natives*	Shs. 251·3	1000	Shs. 417·4	1000
Natives	6·9	0027	4·3	0010

* (Separate figures for Europeans, Indians, etc., are given in the Memorandum of the 1926 Kenya Returns).

Appendix No. 26—*continued.*

TAXATION REVENUE EXCLUSIVE OF CUSTOMS.

	Kenya.		Tanganyika.	
	Taxation per head.	Index Number.	Taxation per head.	Index Number.
	Shs.		Shs.	
Non-Natives*	84·4	1000	96·7	1000
Natives	4·5	0053	4 2	0035

REVENUE FROM CUSTOMS ONLY.

	Kenya.		Tanganyika.	
	Taxation per head.	Index Number.	Taxation per head.	Index Number
	Shs.		Shs.	
Non-Natives*	166·9	1000	220·7	1000
Natives	2·4	0014	1·1	0003

4. The higher rate of Non-Native Taxation in Tanganyika depends almost entirely on the Customs and I am inclined to the opinion that this is due to the different constitution of the Non-Native population in the two Territories.

5. Development in Kenya has demanded a fairly extensive influx of the artisan type and commercial and industrial assistant class which has not apparently been required yet in Tanganyika. The larger proportion of this class in the Kenya population, as well as the presumably larger proportion of women and children in Kenya, may tend to lower the average *per capita* contribution to Customs revenue as compared with that of Tanganyika.

6. Apart from this difference the similarity of the results from the two Territories based on an analysis of returns which are admittedly subject to cautious interpretation is remarkable.

(Sgd.) A. WALTER,

Statistician,

Conference of East African Governors

*(Separate figures for Europeans, Indians, etc., are given in the Memorandum of the 1926 Kenya Returns).

Appendix No. 26—continued.

Addition II.

TANGANYIKA.

REVENUE SYSTEM, BASE OF TAXATION.

MEMORANDUM BY THE TREASURER.

The Treasurer's Annual Report shows the actual revenue collections in previous years. The revised estimates of revenue for the year 1927-28 and the estimates of revenue for 1928-29 are shown in the Draft Estimates for 1928-29. The figures are therefore available for the East African Federation Committee and there is no point in repeating them in this Memorandum.

2. Annexure A to this Memorandum shows the incidence of taxation as between Natives and Non-Natives. The percentage in the case of Customs Duties are calculated on the collections in 1926 as shown in Annexure B. The percentages as regards direct taxation are calculated on the actual receipts in 1926-27.

3. In considering the incidence of taxation it is necessary to bear in mind that the population of the Territory according to the Census in 1921 was as follows:—

<i>Natives.</i>		<i>Non-Natives.</i>
4,106,000	Europeans	2,447 (of whom 1,598 were British).
	British Indians	9,411
	Goans and Portugese Indians	798
	Arabs	4,041
	Baluchis	352
	Unclassified—Non-Natives ...	339
<hr/> <u>4,106,000</u>		<hr/> <u>17,438</u>

Since 1921 there has been a considerable increase and the Report to the League of Nations, 1926 (page 17), states that the European population is estimated at about 4,200; similarly trade development has brought into the country a number of Asiatics as storekeepers, clerks and artisans. The total native population is estimated in the Report at 4,319,000. It can be assumed that at present there are $4\frac{1}{2}$ million natives and 20,000 non-natives.

4. The 1921 Census total of 4,106,000 natives consisted of:—

Men	1,169,300
Women	1,281,400
Children	1,655,300
	<hr/> <u>4,106,000</u>

and, using this proportion, the figure of $4\frac{1}{2}$ millions would be made up as follows:—

Men	1,281,797
Women	1,404,328
Children	1,813,875
	<hr/> <u>4,500,000</u>

Appendix No. 26—*continued.*

5. On the basis that $4\frac{1}{2}$ million natives pay £963,109 and 20,000 non-natives pay £424,083 (Annexure A), the former pay 4s. 3d. a head and the latter £21 4s. 9d.

6. I do not, however, attach much importance to these figures. In the first place the amount paid in indirect taxation (Customs Duties) by natives and non-natives is only guess work, and as regards the direct taxation of natives there are many circumstances which prevent an accurate figure being arrived at. In the case of the main native tax, the Hut and Poll Tax, it must be remembered that Hut Tax is paid by the owner (male or female) of a hut, but in certain townships House Tax is paid instead. If House or Hut Tax is not paid, a Poll Tax is paid, but only by able-bodied males of 16 years of age and over. There is a further complication that if the male owner of a hut has living with him more than one wife an additional tax is paid in respect of each wife after the first. There are numerous exemptions (King's African Rifles, Police, etc.).

7. There are no statistics available which show the average percentage of his income which is paid by a native, as compared with the non-native, in the form of taxation. A large number of natives pay little in the form of Customs Duty as they live largely on the country, and the same can be said as regards quite a large number of non-natives. I am collecting information in this respect which I hope will be available for the Commission by the time they arrive here.

(Sgd) R. W. TAYLOR,

Treasurer

The Treasury,
Dar-es-Salaam

7th December, 1927.

Annexure A.

Schedule showing the incidence of taxation as between natives and non-natives in Tanganyika.

A.

<i>Item.</i>	<i>Amount collected 1926-27.</i>	<i>Paid by non-natives.</i>	<i>Paid by natives.</i>
1. Customs Duties ...	562,623	320,695	241,928

These figures are obtained from the assumed percentages of consumption shown in Annexure B, i.e., 57 per cent. non-native ; 43 per cent. native.

Appendix No. 26—continued.

B.

<i>Item.</i>	<i>Amount collected 1926-27.</i>	<i>Paid by non-natives.</i>	<i>Paid by natives.</i>
1. Licences, Firearms ...	1,588	1,438	150
2. Licences, Game... ..	16,680	16,680	—
3. Licences, Entertainment	363	100	263
4. Licences, Liquor ...	7,159	4,159	3,000
5. Licences, Vehicle ...	5,483	5,283	200
6. Licences, Other... ..	2,425	2,425	—
7. Taxes, Non-Native house	14,317	14,317	—
8. Taxes, Native house ...	10,341	—	10,341
9. Taxes, Hut and Poll ...	682,106	—	682,106
10. Licences, Trade ...	38,512	23,512	15,000
11. Taxes, Profits	4,898	4,898	—
12. Taxes, Municipal ...	5,890	4,690	1,200
13. Taxes, Estate Duty ...	1,256	1,256	—
14. Taxes, Salt	6,337	630	5,707
15. Fines and Forfeitures ...	4,770	2,000	2,770
16. Fines, Departmental ...	74	—	74
17. Stamp Duties	22,370	£2,000	370
	824,569	103,388	721,181

Proportions, Non-Natives ... 12 per cent. ... Natives ... 88 per cent.

The allocation as between non-natives and natives of items 2, 5, 6, 7, 8, 9, 10, 11, 13, 16 and 17 is based upon known facts and is very nearly accurate. The items of which the allocation is uncertain amount to £26,000 only, so that the liability of these percentages to error is small.

C.

Summary.

<i>Item.</i>	<i>Amount Collected 1926-27.</i>	<i>Paid by non-natives.</i>	<i>Paid by natives.</i>
A.—Customs duties ...	562,623	320,695	241,928
B.—Direct Taxation ...	824,569	103,388	721,181
	1,387,192	424,083	963,109

Proportions, Non-Natives ... 30 per cent. ... Natives ... 70 per cent.

Appendix No. 26—continued.

Annexure B.

DUTIES 1926.

ROUGH ESTIMATE OF AMOUNT COLLECTED ON GOODS FOR NATIVE CONSUMPTION.
(Not financial Year 1926-27).

Article.	Duty Collected.	Estimated percentage for Natives	Proportion.
	£	per cent.	£
Rice	12,376	33·1/8	4,125
Other Grain	1,632	10	163
Maize	90	90	81
Beverages and Syrup	883	10	88
Fish Cured or Salted	1,851	75	1,288
Provisions Fresh	2,707	5	135
Salt	2,691	90	2,422
Spices	1,777	50	889
Sugar	14,108	20	2,222
Tea	3,849	10	385
Cigarettes	19,628	60	11,777
Tobacco	24,871	60	14,923
Earthenware	2,107	50	1,053
Holloware	394	50	197
Holloware Enamelled	2,282	50	1,141
Nails, etc	13,573	5	678
Brass Wire	777	80	621
Copper Wire	2,008	80	1,606
Tin Manufacture	298	10	30
Artisans Tools	1,292	5	65
Clocks and Watches	555	10	56
Cutlers Wares	829	10	83
Hardware	1,972	25	493
Implements and Tools	662	10	66
Knives	644	50	322
Razors	99	10	10
Sewing Machines	1,283	10	128
Cotton piece Goods—			
Grey Unbleached	93,092	100	93,092
White Bleached	10,569	25	2,642
Printed	26,110	90	23,499
Dyed	38,401	90	34,560
Coloured Piece Goods	24,938	25	6,235
Blankets, Cotton	10,434	70	7,304
Cotton Manufactures	3,652	50	1,826
Thread	2,455	30	737
Yarns	312	50	156
„ Woollen	239	10	24
Silk Manufactures	1,518	5	76
Cordage	651	15	98
Textile Manufactures	200	5	10
Apparel	3,152	15	473
Boots and Shoes	2,778	20	555

Appendix No. 26—continued.

Article.	Duty Collected.	Estimated percentage for Natives.	Proportion.
	£	per cent.	£
Brought forward ...			
Hats, Caps, etc. ...	3,210	50	1,605
Hosiery etc ...	4,016	20	802
Painters colours, etc. ...	499	5	25
Lamp Oil ...	7,875	25	1,969
Soap ...	1,692	25	423
Leather Manufactures ...	932	10	93
Playing Cards ...	461	50	230
Cycles ...	2,718	15	408
Tyres and Tubes ...	2,676	15	401
Beads ...	4,619	90	4,157
Jewellery ...	712	30	214
Lamps ...	2,240	10	224
Matches ...	13,220	25	3,305
Musical Instruments ...	1,255	5	63
Perfumery ...	932	10	93
" ...	1,054	10	105
Starch and Blue ...	381	50	190
Toys and Games ...	410	10	41
Umbrellas ...	885	10	89
Other Goods ...	32,503	10	3,250
Balance ...	129,689	—	—
Total ...	545,718	43·1	234,721
Natives ...	234,721	43·1	
Non-Natives ...	310,997	56·9	

APPENDIX No. 27.

NOTE BY SIR DONALD CAMERON, GOVERNOR OF TANGANYIKA TERRITORY,
REFERRING TO HIS EVIDENCE

When, in giving my evidence before the Joint Committee, I introduced the question of local government I did so solely in order to indicate that, in my opinion, in the circumstances of Tanganyika as a Mandated Territory, the principle of a common roll must be accepted for local government purposes, and, consequently, thereafter if an elective element were introduced in constituting the Legislature. I gave my reasons for this view and stated that it was shared by unofficials with whom I had discussed it. Local government, as I visualised it, is concerned entirely with roads and hospitals—possibly also schools for Europeans—and will not, of course, satisfy the aspirations of the non-natives for political power in the larger sphere of the Legislature. It will not remove from the Council Chamber those large questions of general concern out of which friction between the Executive (as representing the native population) and the unofficials may sometimes arise. This is somewhat contrary to the views expressed in the report of the Hilton Young Commission, who, in my opinion, overdrew the importance of local government from the point of view of appeasing European political aspirations. (I have already expressed myself in this sense to the Secretary of State on more than one occasion.)

There is another point, arising out of my evidence to which I desire to allude. I suggested a Native Council for the whole of the Territory as the probable form of political evolution on the native side, with a parallel non-native Council on the other side, the British Government, as the Mandatory, preserving through all this time its functions as the Chief Executive. Up to that point in time the constitution would be balanced and neither side would prevail. I said that by that time the natives would be able to stand by themselves, and that any further step in the political evolution of the country would have to be taken in consultation between the African, the European and the Indian communities, and, as far as possible, in accordance with their wishes. It is from that point in time that, in my opinion, the African is bound to prevail, in the same way that he would prevail if a Western democratic system of government were introduced. There is a clear point of departure in my mind, which was, perhaps not made quite clear in my evidence. Until the native can stand by himself, and the Mandatory, in consequence, retains full powers as the Chief Executive, no community will swamp the other; but when the native can stand by himself and a constitution must be framed to meet that position—if the native demands such a step—then the natives, educated largely as they must be by that time, must on account of their numbers swamp the other two communities.

APPENDIX No. 28.

MEMORANDUM FROM CAPTAIN J. E. T. PHILIPPS, M.C. (DEPUTY PROVINCIAL COMMISSIONER, UGANDA).

1.—(a) The possible 1 per cent. of literates and race-conscious Africans appears to be genuinely nervous of any closer union which might bring them into any closer relationship with the Colony of Kenya.

Stories of Kenya land-alienation, exaggerated accounts of race-differentiation in the Courts, of which they hear with astonishing if garbled rapidity, and the vast difference in personal attitude towards Africans which appears to them to distinguish resident Europeans of (South Africa and) Kenya from those of Tanganyika, Uganda and French and Belgian territories, are distinguishable factors in this feeling of apprehension.

(b) A small but curious example of one kind of manifestation of this uneasy native feeling is appended as an annexe. It is by constant attempts to chafe weak links of chains which bind colonies to Europe, and by exploitation of ubiquitous misunderstandings between black and white, that Moscow, still clumsy in Africa, is busily engaged.

Opinion of Native Councils.

2.—(a) Most Native Councils consist only of Chiefs, that is, paid Government servants.

At present these are often either of the dominating caste whose principal ambitions are large herds, landed estates or motor cars, and who have been used to consider the peasant as a chattel, or of smart anglicised young men, who are apt nowadays to become less Chiefs than tax-collectors and petty officials, who sometimes shirk the imagined odium of representing to the Government the needs, hardships or over-taxation of their people.

(b) In some places the people tend to regard them as merely the white man's tools, and conceal things from them, so that the average Chief is ignorant, for instance, of the latest activities of secret associations or of "trouble" brewing.

(c) This is an increasingly important point since the African workman and the peasant of 10 years ago had far easier access to his District Officer, who passed leisurely along village paths on bicycle or on foot, than to the same official to-day, who (harrassed by increasing paper-work) has nowadays to "tour" by rushing through by car to visit several Native Councils in a day.

Native Councils, in the presence of European Officials, are tempted to speak smooth words and the peasant needs courage (which he does not *always* lack), to speak his mind.

(d) Modern conditions are making it increasingly difficult for an Administrator to have direct contact with the *people* and to learn vernaculars.

Members of these native "parliaments" often represent Rotten Broughs. Their views as conveyed to European Government are not *necessarily* those of the people whom they purport to represent. Thus it is not only increasingly difficult for the European administrator, often through no fault of his own, to know native opinion, but also at the same time the Native administrator, by personal interest or by European education, is in some parts drawing further from the native and nearer to the European, as either the source of his income or the final arbiter of his fate.

Appendix No. 28—continued.

Meanwhile, the mass of the people is slowly awakening and remains, in the process, largely inscrutable. To see below the surface of native life, really to know and to understand, one needs to visit the villages with colloquialisms, simplicity (and a smile), free from all signs of proselytism or officialdom.

(e) As regards Closer Union and Indirect Rule, among the Christianised races, as opposed to animist or Moslem areas, one must be at least *prepared* to see Native Courts cease within 20 years to work on those parallel lines which we associate with that part of Indirect Rule which is administration of Native Customary Law.

3.—(a) Native opinion in Uganda and North-Western Tanganyika is generally more enlightened than elsewhere. Opposition to Closer Union has chiefly reference to Kenya, the land-fear and an unfortunate suspicion of the white man's motives.

(b) In the Western Districts, the African by tradition regards fire, land, air and water, or their usufruct, as designed by divine providence for the use of all.

(c) The proposals for an alteration of status in British Eastern Africa have reached parts of French and Belgian territories in oddly perverted forms and, at one time, caused some suppressed excitement.

Some curious communications were received about the same time from Africans outside Africa

4.—(a) With certain notable exceptions, the *salus publica* has usually been conceived by the majority of Africans only from the aspect of union for armed defence, and *public service* chiefly only within the excellent but narrow mutual benefit society of the clan.

(b) One would be lacking in sense of proportion to expect of them, at this stage of development, more than, for instance, another Empire expected of the natives of their latest overseas dependency, the *ultimos in orbo britannos*.

(c) One can safely say that, in the west of East Africa, the vast mass of the people who do the manual work, produce directly or indirectly the country's revenue and are, in short, the basis of government, are only vaguely and suspiciously aware of the proposal and are therefore without any clarity of opinion on the question of Closer Union.

The majority of those who are at all informed are definitely inclined, as yet, to be opposed to it.

ANNEXE to APPENDIX No. 28.

A curious and somewhat disturbing rumour is again and more strongly abroad among the lower rank and file of natives round the larger centres between Kampala and Kitale. If challenged as to the credibility or even existence of the belief, the casual native often shows signs of alarm, and at first blandly denies knowledge of it. There is, however, no doubt that the sinister story has steadily gained ground and credence.

It was in existence in a vaguer and milder form in August, 1928, so is presumably long since known to local officials.

The gist of the story is that "disappearances of women, men and children are occurring (not on a large scale but) in increasing numbers. Men, for instance, leave a distant home to work on casual labour in a big centre. One day the employer, friends or fellow-workmen notice their non-appearance; from curiosity or friendship, enquiries are made after a few days.

Appendix No. 28—continued.

Usually the individual has left his lodging in the evening and has not returned. His mat remains uncalled for. In time, their distant families presume them dead. The highest number of disappearances occur in the first month of the dry season (December) when cross-country movement is easiest to arrange for some months ahead. Natives believe abductions to be operated in lorries by Europeans, not necessarily all English, from Kenya. Solitary individuals are seized at nights between eight and midnight, or on quiet country roads by day. Two or more people together are never molested. The gang in charge of the lorry, whether white or black agents, carry metal gags and drugs enough to keep victims in a dazed condition for several days. They are then transported to Kenya overland by side roads; where there is only one road, for instance, across a border (and controllable) they travel through the Bush. The victims are, according to age and sex, set to work on distant farms or sold into Abyssinia. The coming census is designed to see how taxes on Africans can be increased and how many human beings can be spared for exportation."

The point obviously does not lie in the absurdity of the story, but in the fact that considerable numbers of African peasants and workmen firmly believe it.

APPENDIX No. 29.

COPY OF A LETTER AND ENCLOSURES RECEIVED FROM THE COLONIAL OFFICE
WITH REFERENCE TO THE FAILURE TO NOMINATE AN INDIAN DELEGATE FROM
TANGANYIKA

Downing Street,

29th April, 1931.

SIR,

With reference to the letter from this Department of the 9th April, I am directed by Lord Passfield to transmit to you, for the information of the Joint Select Committee on East Africa, the enclosed copy of a despatch from the Officer Administering the Government of the Tanganyika Territory forwarding a copy of a letter from the Honorary Secretary of the Indian Association, Tanganyika Territory.

2. I am to add that at a Tanganyika Indian Conference, held at Dar-es-Salaam on the 28th and 29th December, 1930, the following resolutions in regard to Closer Union were passed:—

“ This Conference is strongly opposed to the inclusion of Tanganyika in any scheme of Federation or Closer Union with Kenya and Uganda.—Proposed by the Honourable Mr. M. P. Chitale (Dar-es-Salaam), seconded by Dr. S. B. Malik (Dar-es-Salaam), and carried unanimously.”

“ This Conference selects the following gentlemen to go to London to give evidence before the Joint Parliamentary Committee and to make other necessary representations on behalf of the Indian Community of Tanganyika:—

- (1) Mr. Tayabali, Bar-at-Law.
- (2) Mr. Abdulla M. A. Karimjee (Tanga).
- (3) Mr. K. A. Master, Bar-at-Law (Dar-es-Salaam).
- (4) Mr. Framroz Patel, Bar-at-Law (Tabora).

The powers of the delegation will be limited to the terms of reference given to them by the Central Indian Council.—Proposed by Mr. D. K. Patel (Dar-es-Salaam), seconded by Mr. Durga Das (Dar-es-Salaam), supported by Mr. A. U. Shah (Dar-es-Salaam), and carried unanimously.”

I am, Sir,

Your most obedient Servant,

(Sgd.) A. C. O. PARKINSON.

The Secretary,

Joint Select Committee on East Africa.

325.

3rd April, 1931.

MY LORD,

No. 103/31
25th March,
1931.

With reference to my telegram No. 105 of the 3rd April, I have the honour to enclose a copy of a letter from the Honorary Secretary of the Indian Association, Tanganyika Territory, with regard to the failure of the Indian Community of this Territory to select a representative to give evidence before the Joint Committee on Closer Union.

Appendix No. 29—*continued*.

2. I have no doubt that Your Lordship will accede to the request of the Association that the resolution quoted in their letter may be placed before the Committee.

I have the honour to be,
My Lord,
Your Lordship's most obedient humble servant,
S. B. B. McELDERRY,
Governor's Deputy.

The Right Honourable Lord Passfield, P.O.,
Secretary of State for the Colonies,
Downing Street, London.

The Indian Association,
P.O. Box 46,
Dar-es-Salaam.
28th March, 1931.

Ref. No. 103/31.

The Hon. the Acting Chief Secretary,
Dar-es-Salaam.

SIR,

With reference to your letter No. 19443/221 dated 20th March, 1931, on the subject of witnesses to give evidence before the Joint Parliamentary Committee I have the honour to inform you that the Managing Committee of this Association are now able to state that it is not the intention to send our delegate on behalf of the Territory to give evidence before the Joint Parliamentary Committee as a protest as per following resolution, which I have the honour to request you to forward to the Colonial Office that the same be placed before the Joint Parliamentary Committee:—

“That in view of the fact that the representations made to the Colonial Office re: appointment of an Indian member to give evidence before the Joint Parliamentary Committee to represent Indian Commercial interests have been turned down and in view of the fact that it has been expressed by the Joint Parliamentary Committee that the Indians in East Africa have only Commercial interests as distinct from political or settler interests* it is resolved that no Indian representative should be sent to give evidence before the Joint Parliamentary Committee under the circumstances.”

I have the honour to be, Sir,
Your obedient servant,
(Sgd.) DURGADAS,
Hon. Secretary.

* This refers to following telegram sent by Colonial Office to Governor of Tanganyika at the instance of the Joint Committee.

“Joint Committee on Closer Union have now considered message from Indian Association as to additional Indian witnesses. Committee regret that they cannot now contemplate additional expenditure of bringing more witnesses from East Africa and in the circumstances they are unable to entertain any request for extra witnesses. They feel sure however that the representation of Indian interests in East Africa which are almost entirely commercial will be adequately met by the provision which they have already made for four Indian witnesses.”

APPENDIX No. 30.

MEMORANDUM FROM THE INDIAN ASSOCIATION, DAR-ES-SALAAM, WITH WHICH ARE AFFILIATED ALL OTHER INDIAN ASSOCIATIONS IN THE TANGANYIKA TERRITORY.

Indians in Tanganyika.

Indian influx to the East African Territories dates far back to the beginning of the 19th century since when they have been carrying on trade. They purchased products of the country for export and sold to the African natives such commodities as cotton piecegoods, wire, glassware, etc. Their importance in the economic fabric of this Territory forced an admission even from Dr. Schnee, when he officially said that "the Indians are indispensable as middlemen between large European firms and the producing and consuming natives."

It is needless to recall in detail the most important part played by the Indian army in the East African theatre of War. Indians generally fought shoulder to shoulder with the British army in the interest of the British Empire and for all that Great Britain entered into the War. Thousands of Indian soldiers laid down their lives bravely on the bosom of this Territory that British ideas of justice and equality for all civilised people may be vindicated. It may be pointed out that the British Cabinet had in mind to hand over the administration of this Territory to the Government of India which, however, did not eventuate for reasons best known to the then conditions. The suggestion had appeared in press at the time from such persons as His Highness the Agakhan and Sir Theodor Morrison and was strongly sponsored by Lord Curzon.

The numerical strength of Indians in this Territory has been increasing rapidly since after the War. The nearness of India and the ancient affinity between India and East Africa has naturally played an important part in making the trade out here so brisk and flourishing. They used to ply sailing vessels between India and the East Coast of Africa long before the steamships came to be built. At the present moment the Indian Community has taken to more important functions of settlement. In spite of lack of propoganda for inviting Indian settlers to this Territory, many enterprising people have staked their all in this Territory and the process of settlement might have advanced most probably on a more systematic basis if political conditions in India had been more sympathetic and favourable. In Great Britain, propoganda to attract settlers takes various forms such as advertising, exhibitions, lectures and state aid pamphlets, etc., for which this Territory contributes materially from the general revenues to which the Indian Community of this Territory contributes a much larger share than the Europeans. Such a propoganda is altogether absent in India. In spite of this, there are about 2,000 Indians engaged in various forms of agricultural production and industry. One single firm of Indians namely Messrs. Karimjee Jwanjee & Co., owns estates extending to over 80,000 acres and employs about 20,000 native labourers. At the last Agricultural and Industrial Exhibition in Dar-es-Salaam Indian producer was the recipient of many a distinguishing certificate of merits and sisal particularly obtained the first prize as usual. In commerce, Indians continue to hold conspicuous control over the market, as much as that most of the export to and import from India, Britain and other foreign countries passes through their hands. Exports to and imports from India bear about 25 per cent. of the whole trade of this Territory which can be substantiated from the Blue Books. More than a thousand Indians are engaged in official posts, thereby making their contribution to the carrying on of the King's Government in this

Appendix No. 30—*continued.*

Territory. Apart from these three phases of their importance, Indians are engaged in other valuable professions of lawyers, doctors and school-masters, etc. In short the whole of the Indian population in this Territory which may be roughly estimated at 20,000 usefully forms the main section of the immigrant races and have proved their indispensability in furthering the civilising influences on the African inhabitants. The impact of Eastern civilisation has now a tremendous bearing on the confluence of Western civilisation and the African mode of life. The climatic conditions in this Territory warrant that greater encouragement should be given to Indian settlement which is bound to be of greater economic value for the benefit of this Territory. The Ormsby-Gore Commission has stated so pointedly in their report at page 7 that "on account of climatic reasons the greater part of East Africa is, and will continue to be, a native country." It has therefore, to be specifically stated that the Indian Community by virtue of its economic importance in various spheres of activities besides its largest numerical strength has come to attain political interest in this Territory commensurate with their acquired status.

Closer Union.—On the 28th and 29th December, 1930, a Conference of the Indians of the Tanganyika Territory was held at Dar-es-Salaam at which the following resolutions were passed among others:—

1. This Conference is strongly opposed to the inclusion of Tanganyika in any scheme of Federation or Closer Union with Kenya and Uganda.

2. *Native Policy.*—This Conference generally approves of the Imperial Government's Native Policy enunciating the paramountcy of native interests in so far as it is not inconsistent with the terms of Mandate under which the Territory is administered and in so far as its execution does not unnecessarily involve the sacrifice of the rights and interests of the Indian Community.

3. *Jails Visiting Committees.*—This Conference urges upon the Government to appoint the Presidents of the local Indian Associations to be members of the Jails Visiting Committees in terms of the Prisons Ordinance.

4. *Local Boards.*—That this Conference urges upon the Government to give adequate representation to Indian interests on the following local Boards:—

Water Boards;
Cinematograph Licensing Boards;
Road Boards;
Dar-es-Salaam Port Advisory Board;
Dodoma and other Township Authorities.

5. *Higher Services.*—This Conference urges upon the Government the necessity of associating the Indian Community more closely in the administration of the Territory and to that end to give them an adequate share in the various higher Government services.

6. *Passport Discrimination.*—This Conference strongly resents the fact that passports are issued to Indians for a visit to India instead of the issue of general passports as are granted to all other British subjects.

7. *Arms Licences.*—This Conference strongly resents the invidious distinction made by the Government in granting arms licences to Europeans and Indians and asks that the same be removed.

8. *Hospital Facilities.*—This Conference deplores the absence of suitable hospital accommodation for Indian indoor patients and urges upon the Government the necessity of rectifying that omission without loss of time.

Appendix No. 30—continued.

9. *Legislative Council.*—This Conference is emphatically of opinion that the Indian representation in the Legislative Council is grossly inadequate in view of the importance of Indian interests in this Territory and urges an immediate increase of Indian representation.

(b) This Conference urges the Government to nominate in future Indian members from amongst the names that may be suggested by the Central Indian Council.

10. *Commercial Indian Representation.*—This Conference resents the invidious distinction that the Colonial Office has made in not inviting the Indian commercial interests to send their representatives to give evidence before the Joint Parliamentary Committee as it has done in case of European commercial interests and demands that this distinction be immediately removed.

11. *Ginnery Sites.*—This Conference protests against and strongly urges the repeal of the amendment to Section 14 of Land Ordinance as passed in the Legislative Council on 25th April, 1930, especially the portion empowering the Governor to grant without auction the right of occupancy in respect of cotton ginneries and cotton buying posts in view of the fact that instances have occurred where such grants have not been made in an impartial manner.

In this section the question of Closer Union is desired to be discussed. The main objections to this matter were laid down in our memorandum on the Hilton Young Commission Report presented to Sir Samuel Wilson under the heading "Resolution No. 1" (a copy of that memorandum is attached herewith for ready reference). It has been found necessary to supplement those facts with the facts arising after the visit of Hilton Young Commission. The recent developments in Kenya—political and administrative—even after the issue of the two White Papers by the Macdonald Government of His Majesty have been of a highly disquieting nature not only to the Indians of Kenya, but to Indians all over East Africa. The Rt. Hon Shrinivas Shastri alluded to these happenings in his report which he presented to the Government of India on East Africa. He stated, "before leaving the subject of situation in Kenya I would revert briefly to the question of disabilities suffered by the local Indians in respect of educational and medical facilities and of their representation in the public services of the Colony." He also wrote that "Tanganyika, too, would give cause for pessimism if the general attitude of some of the White settlers, approximating as it does to that of their conferrers in Kenya, were not counteracted by the Mandate of the League of Nations and by the high-minded and courageous character of the present Governor" (Sir Donald Cameron, since transferred). The recent judgment of the Privy Council in re Kaderbhai v. Land Commissioner of Mombasa has shattered the last hope of the Indian Community in Britain's desire to do justice to the Indian Community in Kenya by administrative policy. The verdict of the jury in several cases before the High Court of Kenya acquitting European accused for shooting down Indians and the judgment of Mr. Gamble, Resident Magistrate of Nairobi, in Rex v. Armital for awarding 12 strokes of canes to a 13 year old Indian child for the offence of driving an unlicensed motor cycle and other severe sentences of like nature, have for once fondered all hopes of getting impartial justice in the Colony of Kenya. The flamboyant and almost violent attitude of the Kenya Britishers in collaboration with the Europeans of Tanganyika and their boisterous demands for Self Government in Kenya, which latter Colony they have made as the "Sheet Anchor" of their civilisation and their future in these East African Territories removes the little doubt that remains in the Indian

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Community of Tanganyika of a square and fair deal when Tanganyika would become only an administrative province in the framework of a Federation in which the East African Europeans are bound to have a dominating voice. The attitude of the East African British Europeans is specially significant since after the issue of the two White Papers in May, 1930. Having found that the achievement of Self Government in Kenya is an impossible ideal under the Labour Government, they have changed their front by opposing Closer Union or Federation. This gives a clear indication of their mentality which is to prevail on the realisation of Self Government in Kenya coupled with Closer Union or Federation with other East African Territories. Sir Edward Grigg's malicious statement about Indians before the Joint Parliamentary Committee on East Africa is only a part of the evidence of the anti-Indian psychology that has been developed in East Africa under his patronage. He is reported to have said in reply to Mr. Hudson's question, "What the Indians can do amounts to nothing at all, provided those ideas are not supported here," which means to say that the discontent of Indians need not be removed as a deliberate act of policy. We wonder whether what the Europeans could do amounts to anything at all provided those ideas are not supported at home. In reply to a question by Lord Passfield the same witness said, "If you will give the native a vote for anything, he will want it for everything." Do these remarks not betray a die-hard mentality which is capable of fostering racial antagonism? The whole situation has thus become highly suspicious and to be guarded against jealously for all future times. The essential thing is to get the Whites, the Coloured and the Blacks to work as fellow men.

Native Policy.—This also has to be elucidated in our memorandum which we presented to Sir Samuel Wilson (a copy annexed herewith) under the heading "Resolution 11 and 111." In fact Native Policy is the sole criterion of what is to become of the East African Territories as a unit. If the Native Policy, as it stands at present in Kenya, is continued to be pursued in Kenya, the basis of creating East Africa a single unit will be lost for ever. For, after all, it is in the interest of the millions of indigenous population of these Territories that His Majesty's Government holds a trust either as a sovereign state as in the case of Kenya, or as a Mandatory Power as in the case of Tanganyika. If the object of the trust be at any rate frustrated, now or hereafter, through the influence of the European Britishers seeking dominance, the whole political fabric is likely to be developed into a volcano of which Mr. Hill speaks so plainly by asking to benefit in East Africa by the benefit gained in South Africa. Political dominance by a handful of White settlers (they are bound to remain handful for climatic reasons and as compared with Indian and Native populations, with India opposite its shores to send out her surplus population in the future), the entire economic development of East Africa, as is at present in Kenya, will be subordinated to the interest of the few to the lasting disadvantage of the major section of the population.

In Tanganyika.—Something need be said about the Tanganyika Territory at this juncture. The virus of racial discrimination is fast penetrating into the Territory from its northern borders. Attempts were made in the Dar-es-Salaam Chamber of Commerce and in the Tanganyika Flying Club, the latter being subsidised by the local Government, to place racial barriers against the Indian Community, viz., the Chamber brought on its agenda an item for discussion that the offices of the President, Vice-President and Secretary should be restricted to the European members only; the Flying Club made it a rule that no Indians could become its ordinary member. After some agitation in the local press both the barriers were withdrawn.

Appendix No. 30—continued.

It is, however, still believed that the decision not to have a Flying Club House is mainly due to the device on the part of the Europeans to keep away from the Society of the Indian members. Furthermore, Superintendent of Police of Tanga trespassed upon the Bohora Mosque of Tanga on the night of Mohorrum prayers with a band of armed native constables with fixed bayonets. In Lindi, the Police were responsible in having Indians with dhotei prevented from going on the beach. On board the ships calling in the harbours of Tanganyika, racial discrimination is practised by the Police on duty. In short there is a tendency to fall a prey to making invidious distinctions against the Indians. Resolution of the Tanganyika Indian Conference No 3 *re* Higher Services, No. 4 *re* Jails Visiting Committee, No 5 *re* Passports, No. 6 *re* Local Boards, No. 9 *re* Arms Licences, No. 11 *re* Hospitals, and No. 17 *re* Legislative Council give a rough idea as to what extent the Indian Community has to fight even for the elementary rights which civilised people should possess, particularly Indians as the subjects of His Majesty the King. The decision of the Joint Parliamentary Committee in direct defiance of the demand of the Indian Community embodied in Resolution No. 18 of the said Conference came as a shock with the result that fortunately or unfortunately counsels to refuse to send our witness before the Joint Parliamentary Committee ultimately prevailed. This is the climax to which the events led until now.

White Papers.—The official Indian opinion on the White Paper on Native Policy and the other on Closer Union issued by His Majesty's Government was transmitted by cable to the Secretary of State for the Colonies and is reproduced hereunder for ready reference:—

(1) The Indian Association is glad to notice that the Imperial Government have clearly recognised that native interests in these Colonies shall be paramount but the Association desires that those of non-natives should not be sacrificed.

(2) This Association is also glad to notice that the Imperial Government have fully accepted the principle that the relation of His Majesty's Government to the native population in East Africa is of trusteeship which cannot be devolved and from which they cannot be relieved.

(3) Further this Association is glad to notice that it has been definitely recognised that native interests may be represented in Kenya Legislative Council by members of any race which leaves the door open to Indians to take their share in this responsibility.

(4) This Association firmly reiterates that Tanganyika Indians have no wish to be linked with Kenya Whites in any shape or form of Government whether restricted to economic services or otherwise and that Tanganyika Territory must remain absolutely separate from any of the Colonies obsessed with the sense of White settler predominance.

(5) This Association is further of opinion that time has not yet arrived for any kind of Closer Union involving the appointment of a Council with legislative and executive powers especially as the Governors' Conference, etc., have not yet been fully tried and a basis for a voluntary co-operation between the Territories of Kenya, Uganda and Tanganyika has not been explored.

(6) This Association is glad that the preposterous claims of the European settlers of Kenya that there should be White unofficial majority in the Kenya Legislative Council and thereby to virtually dominate the Kenya and the East African Governments has been definitely turned down.

Appendix No. 30—continued.

(7) This Association feels that the safeguards provided in the constitution proposed for the High Commissioner's Council are not sufficient to protect the interest of the Indian Community from the predatory tendency of the White settler Community.

1. *Some Objections Answered.*—The Kenya White Paper of 1923 laid down that "in the administration of Kenya His Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust." This is not compatible with the newly invented dictum of the "increasing association of the immigrant races in the discharge of that trust." The legislative and administrative history of Kenya points to at least one outstanding fact that the Government of Kenya under the influence of the European unofficial members of the legislative Council, dwindled into more or less the White settlers' institution. The Government of Kenya is responsible for placing anti-native and anti-Indian laws on the Statute Book, such as, Land Ordinances, Hut and Poll Tax Ordinances, Pass laws, Labour laws, etc., against the natives and Penal Code, Criminal Procedure Code, Segregation laws, Conscription Ordinances, etc., against the Indians. Even the Hilton Young Commission was constrained to regretfully make an allusion to this feature. They even found that "the control of the Secretary of State has not been effective in the past." No wonder then that the High-lands were reserved for the White men, best land was expropriated from the native inhabitants and alienated to the Whites. What percentage of the alienated land is under cultivation by the White settlers? On the answer to this question will the bar of public opinion give its judgment. The White settlers of Kenya have not proved trustworthy, nor will they if power is given in their hands.

2. East Africa for all time to come, unless the millions of native races are exterminated like pests, is bound to be primarily a native country. The Imperial Government must make a definite statement of native policy upon which the future structure ought to be faithfully built. The policy of political segregation of the natives and keeping them in the watertight compartments of the native chiefs' administration, while on the other hand, the Governor's Legislative Council being developed to put the general administration of the Territory into the White settlers' hands, is a policy which is bound to create a colour problem the magnitude of which cannot be measured to-day. It would be like a Vesuvius which on eruption will upset order of things. It is, therefore, of utmost importance, not only for the benefit of the future of the native, but also for the benefit of the Empire, that once for all a definite policy be laid down in respect of the relation between the immigrant communities *inter se* particularly Indians and Britishers—both subjects of His Majesty. The administration must be carried on for the greatest good of the greatest number. The British settlers should be treated as much the dear children of the Empire as the Indian immigrant and the native inhabitants. No other policy is calculated to promote racial harmony in a country inhabited by mixed people. The aim must be the development of the native races primarily for the native races themselves and secondly for the benefit of the Empire and the World. It is not entirely the co-operation of the White settlers which can always make the local administration run smoothly, the co-operation of the Indians and the natives is equally essential. There must be assent and good-will of all and not merely of a section of the whole community. Indians under a fair and just administration are bound to be of much more value than they are to-day and will prove to be the best friends of the Europeans as they were when the War was fought in the East Africa theatre for the solidity of the Empire.

Appendix No. 30—continued.

3. The question of "security" is very much trumpeted. There can be no more security to White settlers' interests here than there ever has been to the Indian or the native interests in these colonies. Yet the natives have not migrated away from these colonies, the Indians continue to come in and the pursuits in which they are engaged, have not been curtailed. It is all a foolish cry to say that the White settlers' interest in Kenya will be in danger if the Indian and native communities are treated as equal partners in the East African Commonwealth. The talk of clash between the White settlers and civil servants is as much a nightmare as that the real interests of Tanganyika are the interests of the White man alone.

Sir Edward Grigg has made an important admission before the Joint Parliamentary Committee when he said in reply to a question by Mr. Amery. "In Kenya, as in most new countries, farmers are burdened with the amount of land which they hold. Farmers all over Kenya are willing to sell part of their land, but since there are no buyers the State is compelled to give credit on very small security." Indians who could pay handsome prices in competition have been debarred from bidding at auction sales and acquiring lands in the Highlands of Kenya. It is a double loss to the country—a heavy sacrifice for the economic and political dominance of the White man.

It will have also to be laid down in unambiguous terms whether the future policy in East Africa will be the policy of handing over the administration of these territories to the White settlers, as in South Africa, or will it be like Ceylon,

Public Services.—A special reference to what is actually happening as regards racial discrimination against the Indians in the public services of this Mandated Territory has been condensed in the following from specific instances that have occurred and always occur in the administration:—

(1) The European officers in charge of the Customs stations at Tanga, Bukoba, Kigoma and Landi are paid on the scale of £. 425/- to £ 720/- per annum and are styled "Supervisors of Customs" while the Asiatic officers in charge of the stations at Mwanza, Mikindani, Moshi, Arusha, Pangani, Bagamoyo, etc, draw a salary of £. 126/- to £. 306/- per annum and are styled "Clerks in charge of Customs." They have not had the courtesy of the address "Officers in Charge, Customs" even.

(2) The head master of the biggest Indian Central school in the Territory, irrespective of his qualifications and the responsibility of his post, is paid a salary considerably lower than that of the European storekeeper of the Education Department in charge of the Book-Store, who is assisted by Asiatic clerks.

(3) Indian School Masters may be University men with degrees in art, science and law but still they will be paid less than half of European Superintendents of Education some of whom are undergraduates.

(4) An Asiatic in the Police Department may pass his law examination with distinction but still he will remain as an Assistant sub-inspector of police with no prospect of promotion than that of a sub-inspector in due course.

(5) An Indian in the Medical Department may possess equal English medical qualifications in addition to what he secured in India, but he will still have to be content with a sub-assistant surgeon's post while the European has the privilege to be a Medical Officer on the scale of £. 600/- to £. 1000/- per annum.

Appendix No. 30—continued.

(6) An Indian, qualified as civil engineer, may hold a responsible post of an officer in the administration of this Territory, yet the local Government is too parsimonious to give him a salary compatible with his rank and status while an European incumbent possessing the same or lesser qualifications becomes the recipient of a generous salary.

(7) A graduate in law possessing highest educational qualifications could not even within 10 years of service doing all the work of a responsible European officer under this administration aspire to a grade of salary commensurate with his duties, experience and education simply because he is an Indian.

(8) In the administration of the Tanganyika Railways, both Europeans and Indians are employed as Drivers of engines for various purposes. Their duties are the same, and the standard of efficiency required is the same, but their pay is very different. The starting salary of the Indians is roughly Shs. 210/- and that of Europeans is Shs. 500/-. The mileage allowance of the Indians is 2/3 of that of the Europeans. The same observations apply to the position of Indian guards.

This shows to what depths racialism has been arrived by His Majesty's Government against the Indians—the subjects of His Majesty. This is only disparity and treatment at a glance which any civilised Government should never practice against its own subjects.

The Choice.—The choice that the Indian Community of this Territory very reluctantly made not to send its delegate to give evidence before the Joint Parliamentary Committee has been made with the fullest sense of responsibility following upon the turning down of the Indians' claim by the Joint Parliamentary Committee to equal treatment with the Whites in the matter of giving evidence before the Committee. The following is a copy of the resolution which this Association has confirmed with the approval of all other up-country Associations and in the discharge of which resolution no delegate has been sent:—

That this Association resolves that in view of the fact that the representations made to the Colonial Office *re* appointment of an Indian member to give evidence before the Joint Parliamentary Committee, to represent Indian commercial interests, has been turned down and in view of the fact that it has been expressed by the Joint Parliamentary Committee that Indians in East Africa have only commercial interests, as distinct from political or settler interests,* it is resolved that no representative should be sent to give evidence before the Joint Parliamentary Committee under the circumstances.

* This refers to the following telegram sent by the Colonial Office to Governor of Tanganyika at the instance of the Joint Committee.

"Joint Committee on Closer Union have now considered message from Indian Congress as to additional Indian witnesses. Committee regret that they cannot now contemplate additional expenditure of bringing more witnesses from East Africa and in the circumstances they are unable to entertain any request for extra witnesses. They feel sure however that the representation of Indian interests in East Africa which are almost entirely commercial will be adequately met by the provision which they have already made for four Indian witnesses."

APPENDIX No. 31.

MEMORANDUM FROM MR. M. R. R. PILLAI (AN INDIAN IN TANGANYIKA).

The advantages which a federal system could offer and the mutual benefits likely to accrue from some form of financial and economic union of smaller units of administration into larger federations, have been engaging the attention of statesmen all over the world, and the idea has of late become so popular in Europe, India and some Colonies under British administration that the broad principles which led to the conclusions of His Majesty's Government as regards Closer Union in East Africa, published in the White Paper of June, 1930, would be acceptable to all far-sighted people of political genius and imagination.

Race Problem.

2. Most of the objections to any sort of closer union could be traced to inter-racial mistrust and jealousies which would best be allayed by the earliest appointment of the proposed High Commissioner, who should be a British statesman of outstanding qualities, character, courage and personality and with sufficient moral authority for carrying out the declarations of the Imperial Government and for enforcing inter-racial justice in an impartial spirit. The High Commissioner, by virtue of his detached position will be free from local influence and as an impartial arbiter will be in a better position than the Governors of the territories to utilise his good offices for merging the unfortunate racial antagonism now existing, in a community of interests by placating the reasonable and moderate opinions of the different communities. His instrument of instructions should lay due emphasis on the above points.

Headquarters.

3. The fundamental principles of Imperial Policy for the administration of British Dependencies are the same as the standards prescribed for the mandated area of Tanganyika and which are more or less followed in practice there, and as such it is the policy obtained in Tanganyika that should influence the other two territories. For this purpose, it will be advisable to have the headquarters of the High Commissioner situated in Tanganyika, wherefrom he could better direct his policy and ensure the application of Imperial declarations. It is also desirable that his headquarters should be located at a centre free from racial animosity. For the present, Dar-es-Salaam will be found to be a suitable headquarters, but when accommodation is available Arusha would be more satisfactory from climatic considerations and its central situation.

Central Council.

4. The High Commissioner should have complete freedom in the choice of the members of his Council to advise and assist him in the discharge of his high Imperial duties. Although he will find it convenient to consult the Governors of the different territories concerned, he should not be bound by their recommendations or nominations. The number of non-official members to represent each community should be specifically laid down, leaving, of course, the method of the choice to the discretion of the High

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Commissioner. At least one of the executive officers of the High Commissioner should be an Indian of standing who will command the respect of the Indian community in East Africa.

Common Roll.

5. The Indian question in East Africa has become acute since the introduction of the principle of elective representation for Europeans in the Kenya Legislative Council. As a concomitant of the co-ordination of policy in the three territories, the same privileges will have to be extended to the other two territories, sooner or later, which is likely to arouse the same controversy over Common versus Communal electorates, as in Kenya, and mar the better relations now existing among the different communities of Tanganyika and Uganda. It is therefore highly important that one of the first duties of the High Commissioner, when appointed, shall be to inaugurate the enquiry contemplated as to the most practical method for the establishment of a common roll which has been declared by his Majesty's Government as the object to be aimed at and attained.

Indian Grievances.

6. The Indians in East Africa demand that their numbers, wealth, magnitude of interests and contribution of taxes, entitle them to an equal share, if not greater, in the representative institutions and Government Services. The present disparity, with the complete absence of Indians in Superior Services are naturally interpreted as assigning them an inferior status in the country. They should be allotted their due share in all representative institutions, including the Central Council. Indians of sufficient qualifications and capacity should be encouraged to enter higher services and the present restriction imposed on Indians competing for the Colonial Civil Service in England should be abolished as regards East Africa. Their disabilities in respect of medical and educational facilities should be removed and all suspicions of indifference by the local governments to their well-being should be dispelled. If an earnest endeavour is made for remedying the various Indian grievances, and the good faith of the Imperial Government shown, their fear that any scheme of closer union is a political coalescence for establishing a White Dominion on the lines of South Africa, reducing the position of the Indians to that existing there, could be destroyed and their co-operation secured for the economic and political development of the East African Territories. The question is grave from an Imperial standpoint, as any unfair treatment of the legitimate claims of the Indians in East Africa would strengthen the agitation of the extremists in India for complete Independence.

Federation.

7. If the High Commissioner by his personality and tact succeeds in creating a healthier atmosphere among the different communities, it would be desirable that he should at the earliest possible opportunity evolve into a Governor-General with a constitution more or less like that of India, maintaining, of course, the autonomy of Tanganyika under the Mandate. Since great statesmanship is needed in the proper guidance of the destinies of a mixed population as is seen in Africa, the Governor-General and the Governors should be chosen from the ranks of British statesmen with initiative and imagination and the present practice of promoting as Governors, Civil servants whose outlook are generally dwarfed, initiatives cramped,

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crippled and crushed, and hearts hardened, in the harsh routine and the steel frame of the Civil Service, should be discontinued. A Supreme Court will be found advisable for centralising the High Courts in the three territories and for co-ordinating law and procedure.

Advisory Council in London.

8. During the period of political evolution there is bound to be considerable controversial opinions, the value of which the Secretary of State will be able to test only with the assistance and advice of experienced men with first-hand knowledge of the circumstances in East Africa. For this purpose, the Secretary of State should have an Advisory Council, drawn from retired administrators and public men, both European and Indian, of sufficient experience and detailed knowledge of the affairs in East Africa.

Native Policy.

9. In any scheme of Closer Union, the Native Policy should constitute the dominant factor. The High Commissioner will be in a position better to ensure and supervise the application of the Native Policy and advise the Secretary of State on any modifications in Native Administration than the Governors of the Territories who are invariably more interested in the smooth running of their administrations by reconciling conflicting interests and yielding to considerations of administrative expediency. To elaborate and perfect the Imperial Policy on Native affairs, the High Commissioner should also undertake a thorough investigation of the System of Native Administration started in Tanganyika and suggest what improvements could be effected for the speedier realisation of the ideals of material, moral and social progress enunciated in the Memorandum on Native Policy and how the Native Policy of the three Territories could be co-ordinated and harmonised in accordance with the fundamental principles laid down by His Majesty's Government and which correspond with the standards prescribed by the League of Nations.

Indirect Administration.

10. The idea of Indirect Administration is as old as the early days of the East India Company in India, when through paucity of officers they found it convenient to hand over some of the countries that come into their possession to Native Chiefs. The Company did not bother much about the administration of the Chiefs as long as the amounts prescribed as tributes were regularly paid and the men required for fighting their battles were forthcoming. In places where they could not find traditional chiefs and where the collection of revenue was difficult they appointed headmen called Zamindars, who were to give the Company fixed amounts in annual cess, whatever they collected and in whichever manner. In their endeavour to find strong men, the Company was obliged, in some cases, to appoint heads of bandits as Zamindars. It is an admitted fact in India that portions directly administered by the British Government have progressed considerably, while those under the Indian rule have lagged far behind.

11. In a country like East Africa inhabited by diverse tribes of primitive peoples, with tribal organisation as the basis for social and political organisations; paternal autocracy may be appreciated and rule by their own chief may be found expedient in the early stages of their development. But the Chiefs who have their instincts inherited from the days of the slave trade, are apt to degenerate into tyrannical despotism unless a very vigilant

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watch is kept over them by the British Administration. The policy of the British Government being the gradual relaxation of the control over the Chiefs, the administrative officers will be reluctant to interfere with Native Administration as long as the amount fixed as Hut and Poll Tax are paid into the treasuries and the men required for labour are supplied. Under such a system forced labour in some form or other is bound to exist and this disguised slavery is more difficult to deal with. The interests of the chiefs will be paramount and the people will remain underlings and slaves unless sufficient check is exercised on the Native administration. The sacred trust for the mental moral and material advancement of the people could hardly be delegated to the chiefs who are still of the slavemaster type. The quality of justice meted out to the people by the Native judiciary is also a matter for investigation.

Political Segregation.

12. Wise statesmanship is to lead the natives on a course of steady mental moral and material advancement and they should be protected from the extremist ideas of the West and the East. The Native Councils with the tribal tradition kept intact, and free from outside influences may be found a great administrative convenience. But the broad facts of history show that the nations, cut off from the stimulus of external contact and advanced civilisation were slow in their development. Humanity is the same all the world over and the African native has shown that he is not much different from the rest. The detribalised natives who had the opportunity of coming into contact with the civilisation of the immigrant communities have shown the tendency for rapid advancement under the pressure of external influences. The European and Indian communities have been potent factors in civilising the African and their capital, initiative and enterprise will always be found necessary for exploiting the natural resources of the country and to give stimulus to the vast potentialities of native production. It will be disastrous in the long run if the political segregation now in force through the native councils is continued and natives and immigrant communities kept in water-tight compartments without contact with each other. The High Commissioner should inaugurate enquiries as to what reforms could be introduced in the Native Policy, in the light of the above, for the fulfilment of the sacred trust of the Imperial Government in the development of the people.

APPENDIX No 32.

LETTER FROM THE REPRESENTATIVES OF THE MUSLIMS IN KENYA.

SIR,

With reference to the cable sent by us on the 15th August and the answers from your Committee dated 24th and 30th August, 1931, we the undersigned representing the various tribes of Muslim Africans of Kenya Colony are desirous of placing on record before the Joint Committee the following:—

In the absence of any complete census and authentic statistical figures giving the accurate population of Muslim Africans in Kenya Colony and the adjoining Territories, it is impossible to make any definite statements as to our numerical strength and while it is the belief of many that the African Muslims in Kenya Colony outnumber the Christian Africans, we would, to be fair, content ourselves by stating that African Muslims in Kenya Colony are not less in numbers than their Christian brethren.

Notwithstanding the fact that this Territory was, at any rate, theoretically considered to be under the influence of the Sultanate of Zanzibar and there was an overwhelmingly large number of Muslim Africans in the three Territories of what is now known as Kenya, Tanganyika, and Uganda long before any Christians or Christian Missionaries had come to this part of Africa, we have never been organized in the form of a definite institution or body according to the practice of Western organisations

We do not wish to recapitulate here the unhappy and tragic history of Uganda to show how Islam, which was almost up to the beginning of the present century a predominating religion, has been obliterated prior to that Territory being taken over by the British Government. But we do wish to emphasise the fact that with the continuance of the present policy, even under the British Rule, Islam has no chance of surviving in East Africa. We are not pessimistic when we say that within two or three decades or, at the latest, by the end of the 20th century, any mention of Muslim Africans in Eastern Africa will only be traced in the past history in the same category as species of big game or animals which are also being exterminated from the regions with the same speed as Islam itself. Indeed even the wild game in three Territories are protected by the Game Wardens of well established Game Departments; but the African Muslims have none as their protection but God himself..

Fabulous sums of money are being granted to the Christian Missionary Societies from public funds of all the three Territories to which funds, we the Muslim Africans and also the Arab, Indian and European Muslims contribute in no small measure; but the Government in all the three Territories remains a silent witness to the gradual process of discouragement of Islam and its death by a deliberate policy of denying to it any opportunity of surviving, while every possible encouragement and preference is being given directly to Christianity to sweep the whole of Eastern Africa.

One European politician declared it as their definite policy to establish a "Western Christian Civilisation" among the indigenous population of Eastern Africa; and this policy is merely a part of the plan to extend the same policy all along the Coast of Africa from Abyssinia to North Africa.

In support of this statement we beg to quote the following from among a multitude of similar declarations by local politicians.—

Major Grogan in a public speech delivered by him on the 18th December, 1918, as President of the Pre-Poll mass meeting of the Europeans in Nairobi, held in Theatre Royal, said: "It is our Western Civilisation that we are imposing in principle on the African Native and adapting in particular to his and our needs."

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“The issue is that for good or for ill we are imposing ours, (Civilisation). We alone can and shall define policy; we cannot and will not concede any part in the decision of policy to other.”

Mr. Hunter on behalf of Lord Delamere, on account of the latter's illness, made a statement in the Legislative Council on the 9th December, in 1918 in moving a motion standing in the name of Lord Delamere, during the course of which statement he said:—

“The first point is that the British Empire comprising though it does many creeds and many races stands for Christianity and for Western Civilisation. In Africa the task of the Empire is the gradual uplifting of the Native inhabitants by contact with the civilisation of the West and not the imposition of the Civilisation of the East.”

In a petition by Europeans under the leadership of Lord Delamere to the Secretary of State for the Colonies in 1919, it was stated *inter alia*: “And whereas our national ideas of enlightenment progress are crystallised in our Western Civilisation, and it is our duty to make sure that the best contained therein is readily available for the needs of awakening Africa.”

We cannot believe that such a policy, which is so predominant amongst the very few but very social White politicians of Kenya Colony, can be approved or even countenanced by any British Government; but we fear that with the Closer Union of the three Territories, the activities of the politicians and Christian Missionaries of Kenya Colony will be speedily extended to all the adjoining Territories; and this is one of the grounds on which we are opposed to the Closer Union of the three Territories. During the Great War, the British Government captured and circulated certain letters and circulars from the Kaiser of Germany which were said to have been found in the activities of the officers of the German District Commissioners of what was then German East Africa. These Circulars enjoined the German Administrative officers to discourage Islam by all possible means and among other suggested plans, was the prohibition of circumcision among Native Muslims and the encouragement of pig industry among pagan and Christian Natives as a means to drive Muslim Natives away.

The publications of such German Circulars naturally aroused the feelings of all Muslims in Eastern Africa against the German during the War. Although such methods cannot be attributed to the British Government, there is no doubt that other indirect methods, equally fatal in their results, have been tacitly acquiesced in by the Government in all the three Territories whereby every encouragement has been given to Native Christians and Missionaries and the Muslims have been discouraged in every possible manner. As an instance, we would mention that a certain Christian Missionary in Nairobi has successfully carried on a system of terrorism for a considerable period by flogging some and confining others, including men and women, systematically in a prison made by themselves whenever such men and women renounced Christianity and embraced Islam. A few of the glaring instances of flogging and wrongful confinement were brought to the notice of the Authorities and eventually the District Commissioner held a Baraza (a gathering) in the Memorial Hall of the Pumwani Native Location on the 15th August this year and explained to all present that every one had the freedom of choice of religion in the British Empire and that no one but the Government Courts were authorised to inflict corporal punishment or imprisonment. This was a compromise to avoid the unpleasantness of a public prosecution against the Missionaries in question.

The preponderance of Muslims at one time in Uganda has gradually disappeared owing to the policy of direct and indirect encouragement of

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one and discouragement of the other religion. Instances of religious persecutions in Tanganyika Territory are not wanting where some mosques have been burnt down and Muslim Missionaries deported at the instance and through the influence of the Christian Missionaries.

We wish to state here definitely that as Muslims it is part of our religious duty to be loyal to the sovereign under whose rule Providence has placed us for the time being, to support the established Government and to be peaceful to our neighbours whatever their religion may be.

We have the fullest confidence in British justice and sense of fairplay and we believe that, while other materialistic means such as armaments, money and men form the strength of the British Empire, the two main pillars on which this Great Empire rests are really justice and perfect freedom of religious choice to all its subjects and the impartiality of the State to all religions within the Empire. It is due to this belief and our confidence in British justice that we are forwarding this Memorandum to a Committee constituted entirely of Christian gentlemen. Notwithstanding the complete absence of a Muslim member on the Committee, we are fully confident of receiving justice from the Committee.

When the Joint Committee on Closer Union was appointed and African witnesses were invited from the three East African Territories to London, unorganised as we were and are, we fully expected that the Muslim Africans would be invited to send their representatives to give evidence. But in the absence of any invitation, we took it for granted that the Chief Native Commissioner, who accompanied the African witnesses, will not omit to place our view-point before the Committee in his capacity of a disinterested party entrusted to watch the interests of all sections of Africans in East Africa. We have watched with eagerness from day to day the proceedings of the Committee in London, as reported in the local press, and find that not a word has been mentioned by any of the witnesses about the vast African Muslim community which exists in East Africa and the impression which naturally must have been created on the minds of the Members of the Committee must be that there are only two sections of the Africans in East Africa, i.e., the Christians and the pagans; and that there are no Muslim Africans in existence in these regions at all.

We wish to lay stress on the point that as soon as an African embraces Islam he becomes automatically detribalised. He no longer wishes to remain subject to the Native authority and the primitive customs and it is the unanimous desire of our vast community that we should be governed by the British Law in all the worldly affairs and Mohammedan Sharia in all religious and—matrimonial affairs and matters of inheritance. This practice is in vogue at the Coast and there is evidence to show that the Government is making an effort to recognise the same principle in the hinterland; but we have also heard rumours of tribal laws being imposed on all detribalised Africans including Muslims in townships. This would be in direct opposition to the very fundamental principles of our religion.

The system of Kipande (Registration Certificate), which all natives of the Kenya Colony are forced to submit is a product of the brains of the Immigrant politicians of Kenya. This system is not in vogue in Uganda, Tanganyika and Zanzibar; and we verily believe that, with the proposed Closer Union of the three Territories, this oppressive measure, which is really a modern substitute of the primitive ring of slavery, will be executed to the adjoining Territories.

In addition to the Registration Certificate, which every native is compelled by law to bear on his body day and night, another equally harsh system has only recently been introduced in the township of Nairobi,

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whereby every native within the township of Nairobi is required to obtain a Resident's permit. No Native is exempted from this law by reason of the length of his residence or by reason of his having been born and brought up in the township of Nairobi or by reason of his permanent employment or ownership of a house in the town. While we fully appreciate the eagerness of the Government to rid the town of undesirable characters and unemployed persons, the indiscriminate application of this kind of law is a distinct hardship and is, again, one of the peculiarities of Kenya Colony which may easily be extended to the adjoining Territories as a result of any Closer Union.

Some of us have resided in Nairobi for more than 35 years. We have been assigned different Locations at different periods and have been compelled to move from one place to another on various occasions to make room for the European and Indian Immigrants. The present village Pangani, within the township of Nairobi, has a large Native population mainly consisting of Muslims who have three mosques in it. This village has been in existence for more than 35 years. Every owner of a house in this village pays Shs. 6s. per month to the Municipality without having any lease or title to the land even in the shape of a temporary occupation licence.

After having peacefully lived in this village for 35 years, we are now being threatened with removal from this village to make room for the Indian immigrants. We will probably be compelled to shift to some other remote Location only to be shifted from there again in the course of a few years. We are desirous that we should be allotted plots of land in a suitable place with a definite lease for at least 33 years to ensure that we will not again be shifted peremptorily. We would prefer a suitable site being set aside for native Muslim location; but we request that in fairness there should be no legal bar to an African bidding at a public auction or acquiring any property anywhere in the town or the Colony.

As we have explained above, we after embracing Islam become detribalised and consequently lose claim to the cultivating land of our ancestors and are compelled to go to townships and seek our living by employment or trade. We have been driven to this unenviable position primarily by:—

- (1) reason of our religion;
- (2) lack of any organisation; and
- (3) the omission of the Government to set aside tracts of land where we could, as an originally Agricultural community, follow the occupation of our forefathers and take over due part in the Agriculture and other developments of the country.

We respectfully submit that in all the three Territories Native Muslims, as a distinct community, are entitled to adequate areas of agricultural land being set aside for them and also for allotment of suitable areas of land for Muslim Missionaries where religious and technical education could be imparted to Muslims on lines parallel to those of Christian Missionaries.

We also respectfully submit there should be no legal disability in the way of any African and especially the Muslim Africans, who have no longer any Native reserves to go to, in purchasing agricultural land anywhere in the Colony. Such acquisition of land may perhaps not be in view now; but, if it is intended to uplift the African to enable him to take his due place along the progress of civilisation, then, it is only fair that there should be no legislation debarring him from acquiring proprietorship of land anywhere if and when he is able to do so.

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We finally come to the question of representation of our community in the Legislative Council of Kenya. One seat has been allotted to a Christian Missionary to represent presumably, the interests of Christian Natives: the other Natives being theoretically represented by the Chief Native Commissioner.

In the White Papers recently issued by His Majesty's Government, it is proposed to increase the representation of Natives by another seat without necessarily the condition of such representative being a European. We respectfully submit that the Muslim Natives are entitled to at least one representative in the Legislative Council.

Such representative should be elected or selected by the Native Muslims with the aid of the Authorities, if necessary, and should we be unable to put up a suitable Muslim Native from among ourselves, a European or Indian Muslim selected by us should be given a seat in the Legislative Council. This is the first, the least and the most immediate step which we implore the British Government to take to help us, to save us from the disabilities we have suffered in the past.

In conclusion, we wish to submit respectfully that we have hastily had this Memorandum drawn up without having had the advantage of consultation with our brethren in Uganda, Tanganyika and Zanzibar, because of the shortness of time at our disposal as the Committee required this Memorandum to reach London before 1st October, and although our humble submission may appear to emanate from an apparently insignificant, unorganised and helpless section of the community in East Africa, we appeal to the Committee in the name of the good and happy relationship that exists between the British nation and millions of our Muslim brethren in other parts of the world in and out of the British Empire to give due consideration to us as a community in the report that will be presented to the Parliament.

We beg to remain,

Sir

Your obedient servants,

IBRAHIM BIN ALI (Leader Kikuyu).

MALIM HAMIS (Leader Kikuyu).

OMARI BIN SHAREEF (Leader Mkamba).

SALEH BIN KHOMBS (Leader Kavirondo).

APPENDIX No. 33.

MEMORANDUM OF THE ADVANTAGES OF UNIFIED CONTROL OF RAILWAYS IN EAST AFRICA, FROM MAJOR H. BLAKE TAYLOR, C.B.E., M.INST.C.E., M.INST.T., LATE GENERAL MANAGER, KENYA AND UGANDA RAILWAY, AFTER 30 YEARS' SERVICE ON INDIAN STATE RAILWAYS. REVISITED INDIA AND AFRICA 1927-28 INSPECTING RAILWAYS AND HARBOURS.

The necessity of some form of central control of Railways and Harbours in the three territories is very rightly and clearly expounded in the Reports of the several Commissions dealing with East Africa, and it is endorsed by the General Manager of the Kenya-Uganda Railway, who states in his last Annual Report—

“ With further expansion bringing contact with the neighbouring Territory of Tanganyika it is already evident that a still wider outlook must be adopted. Transportation problems must now be examined from a broader East African point of view. For this purpose suitable machinery must be provided by means of a central authority by whom East African policies can be discussed and decided.”

Want of
Central
Control.

A controlling Authority seems to me to be a present necessity even if actual amalgamation of the two railway systems under one management, which is not essential, await closer physical connection. Such physical connection while, of course, desirable on several grounds, which will be touched on later, is not necessary at the moment and should not be a primary consideration in planning new lines. It will in all probability come naturally in due course, but meantime some central controlling authority is necessary to remove transport matters from local control to the higher plane of the general development of East Africa.

Both systems have much in common in gauge, methods of working and character of traffic and both serve in places the same areas. It has already been laid down as a general principle that there shall be no wasteful competition in regard to rates by the two administrations in areas served by both, and the principle that “ railway policy in the various territories under British administration in East Africa should be regarded as a whole ” is generally accepted. While considerable progress has been made towards this end by conferences between the chief executive officers of both systems, there are a number of points on which the absence of a central controlling authority is felt.

The advantages of a single control were very ably summarised by the Hilton Young Commission following a Memorandum submitted to them by the late Sir Christian Felling as follows:—

- (1) The adoption of a considered, comprehensive and definite policy in new railway construction.
- (2) The avoidance of competition between different railway lines for traffic to or from the same area.
- (3) The development of ports to the extent necessary to serve the territories efficiently and concentration of large development schemes on selected ports, rather than on a multiplicity of small ports; the prevention of wasteful competition between ports.
- (4) The assimilation as far as practicable of the railway and port charges for services rendered.
- (5) The unification of methods of management and working and the avoidance of duplication of work in departments.
- (6) Gradual standardisation in track, equipment, vehicles, workshops, etc., etc., so as to ensure economic inter-Colonial working when the railways are physically connected.

Advantages
of Central
Control.

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- Policy. With regard to (1) the advantages are obvious. A comprehensive scheme for main trunk lines should be drawn up, to which all new lines other than those to purely local areas such as mines, should conform. In this connection the matter of lines of access to the Congo is one that requires careful consideration by a central authority to determine at how many points from the East side this traffic can economically be tapped, and from what points on the existing transport systems connecting lines should be built. Similarly the outlets from Southern Tanganyika, Northern Nyasaland, and Northern Rhodesia require to be studied by a central body to determine the most advantageous routes on the widest considerations of the general development of the territories. Local prejudices are very strong in the matter of railway construction and the controlling body must be strong enough to over-ride local pressure in the interests of the territories as a whole.
- Congo Traffic.
- Southern Development.
- Australia. In this connection, although the circumstances are not quite analogous, Australia is the horrid example. Every State its own gauge (unification being estimated to-day to cost £50,000,000)—unlimited construction of un-economic Railways and Ports sanctioned by the Political parties in power in the several States.
- Rates. (2) This implies uniformity of rates at competing points and in this matter a larger measure of agreement has already been reached by the two administrations, but the general tariff policy of the Kenya and Uganda Railways of cheap rates for exports counterbalanced by high rates on imports is considered in certain quarters in Uganda as unsound in certain directions and the matter of preferential rates on local products has given rise to a very considerable discussion in all territories to the extent that "in transit" rates to Uganda have been introduced on certain commodities.
- Transit Rates. Another question that requires consideration is the "in transit" rates to the Congo, granted by the Tanganyika Railways which are at present giving rise to discussion. The whole principle of such rates should be reviewed from the standpoint of securing Congo traffic, and if found justifiable and necessary the question of their extension to the Kenya and Uganda system might have to be considered.
- Ports and Shipping. It is desirable that rating policy should be reviewed in its broad aspects by some central authority, taking a wider view than purely local interests and the main principles laid down.
- (3) This, like (1), is sufficiently obvious. Funds for port development should be concentrated rather than dissipated over a number of smaller ports. This point may have an important bearing on sea freights as reducing the number of ports of call of ocean steamers, and better facilities for discharge and loading where they call.
- (4) This follows naturally on the same lines as (2) so as to eliminate competition between ports serving the same hinterland.
- Unification of Methods. (5) and (6) May be considered together and aim at the unification of methods on two systems which are operating under very similar circumstances and towards very similar ends. It is obvious that each system should benefit from the experience of the other and the full benefit of this exchange of ideas and experience cannot be obtained until forms of account, working rules, equipment, etc., are brought as far as possible on to a uniform basis. Here again much can be done by conferences between executive officers, but the process would be greatly accelerated and results more carefully watched if a single central authority were established to impose the necessary pressure from above.
- The Central Authority, in view of the ultimate physical connection of the system, would induce the gradual assimilation of methods of working,

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staff, conditions, standardisation of track, equipment, locomotives, and rolling stock, workshop methods, etc., this policy leading not only to economy in capital construction but to economical working, the full advantage of which will only be reaped when physical connection be actually made, when engine power and passenger and goods stock can be worked to the advantage of the railway as a whole.

This advantage will be reaped in two ways, by the pooling of engine power and stock distribution being made as traffic demands and by the concentration of workshops at one main centre. Pooling of Stock.

It may be advisable to explain that there will be no difficulty in keeping the charges against each system separately, so that the working expenses of the railways in mandated territory be clearly known. Mandate no Obstacle.

If a central place in East Africa can be found, much is to be gained by concentration of work as much as possible at one main centre, and this can be arranged for a United Railway System at shops laid out for economical working and furnished with all the newest labour-saving machinery. Central Workshops.

On the North-Western Railway in India a system of over 6,000 miles, the erection of, and big repairs to locomotives, passenger and goods stock is all carried out at Lahore, 800 miles from the Coast, the large shops at Karachi and at Rawalpindi being now practically closed down. This policy has resulted in very great economy both in time and money. North-Western Railway, India.

This question of the economy of central workshops may influence the matter of physical joining-up of the systems, as it is understood Tanganyika has to consider construction of new shops, there being little room for extension at Dar-es-Salaam.

Another important matter and outstanding factor which awaits assimilation is, the brake equipment. The Kenya and Uganda Railway has the Westinghouse and the Tanganyika Railway the vacuum brake. Other railways in Africa have the vacuum brake. This matter, on which a central authority would have to adjudicate, is important as the full advantage of pooling of power and stock will not come until a uniform system of braking be introduced. Brakes Question.

In India we have periodical inspection of railways, both "open line" and under construction, by members of the Railway Board and by Government Inspectors, and these latter "pass" new works as fit for opening to public traffic. There is no such inspection in East Africa, and it is a sad want which a Central Expert Authority would remedy. Periodical Expert Inspection.

My conviction, for above reasons, is that Unified Control under a Central Authority will lead to definite Economies in Revenue and Capital Expenditure and to the better development of the country, and advantageously lift Railway Policy out of the Political arena of the several States. Conclusion.

APPENDIX No. 34.

MEMORANDUM BY SIR GEORGE SCHUSTER, K.C.M.G., C.B.E., M.C. (MEMBER OF THE HILTON YOUNG COMMISSION).

1. In view of what has happened since the publication of the report about the East African Commission, of which I was a signatory, I wish to restate my views on two important points, viz., the Kenya Constitution and the plan for Closer Union. The recommendations made in our report represented a complete scheme to be considered as a whole. If it had received general acceptance and been interpreted in the spirit in which it was recommended, I think that the scheme would have been worth a trial. But its merit depended upon its acceptance as a whole. It was in some respects—particularly as regards the Kenya constitution—in the nature of a compromise. It has met a fate which is not uncommon for compromises, for it has proved acceptable to none of the interests concerned. I am convinced now that no compromise on the main issues is possible.

2. *As regards the Kenya constitution*, the only sound course for the present is the maintenance of a strong official Government. I do not suggest that this will provide a final solution for all time, but the proper course is to let the constitution develop in adaptation to local circumstances, under the protection of a strong official Government and with that Government holding the scales of justice between the various communities. It is not possible now to define exactly what will be a suitable form of constitution for Kenya in the later stages of development, but I am myself firmly convinced that no system of Parliamentary democracy is likely to be suitable for a country containing such divergent communities. It is because an evolution of the existing Legislative Assembly towards an unofficial elected majority would inevitably commit the country to a system of Parliamentary democracy that I feel such a development at this stage to be wrong. This view is in the best interests, not only of the natives, but also looking further ahead of both the immigrant communities—British and Indian.

3 *As regards Closer Union*, while adhering to all the views expressed in the Commission's report as to the necessity for a co-ordination of policy as between Kenya, Tanganyika and Uganda, I should not now recommend the immediate appointment of a High Commissioner for the three territories. Such an appointment would only be justifiable as a first step towards a more ambitious scheme of union, and in all the circumstances I do not think it would be wise to accept any commitment at present to a more ambitious scheme. Moreover, I believe that the appointment of a High Commissioner may lead to friction and to an undesirable detracting from the responsibilities of the three Governors. The needs of the case can be adequately met by a continuance of the Governors' conferences subject to one proviso—that the Governors' conference should be *presided over by an independent chairman who would carry sufficient authority and be the representative of the Secretary of State*. In order to satisfy this condition I suggest the creation at the Colonial Office of a new post equal in status to that of the permanent Under-Secretary to be filled by a man of the necessary prestige and experience who will be able to visit East Africa annually to preside over the Governors' conferences. His services would incidentally also be available for making tours to other territories under the administration of the Colonial Office. I believe that such an appointment would in any case have great value as providing a link between the Colonial Office and the various British territories in Africa. A permanent Chairman for the Conference of Governors of the East African territories is necessary in order to provide an independent

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arbiter to compose differences and by his advice to the Secretary of State, to ensure that any policy decided upon at the Governors' conference is effectively carried out with a consistent interpretation throughout the three territories—always of course providing for differences in local conditions.

4. The arrangement which I have proposed would have the advantage of securing proper co-ordination of policy without interfering with the responsibility of the several Governors and without enforcing a union for which public opinion is not yet ready. It would, for example, avoid giving ground for those fears which have been expressed in certain quarters that Kenya might prove to be the strongest of the three territories in any Closer Union, and thus force what is regarded as the "Kenya policy" on the other two territories.

5. I believe further that even the economic problems will best be dealt with in this way and my opinion on this point is reinforced by the following considerations—

(a) Having regard to the limitation of communications and the great distances, each of the three territories in question is of sufficient size to be allowed to deal with its problems on its own account and to carry full responsibility for this, subject only to the general supervisory co-ordination which will be provided in the plan which I have suggested.

(b) Recent experience has shown that there may be a danger of economic development in primitive African territories being pushed on too fast. The danger is twofold; on the one hand, of failure to pay due regard to world conditions as regards a market for primary agricultural products; and on the other hand, of failure to appreciate the reactions of sudden changes in the economic conditions of these primitive communities. Nothing can be worse than to subject such communities to violent economic upheavals. To illustrate my meaning, it may easily occur that an intensive campaign to stimulate the growing of a product like cotton is undertaken. If this succeeds the natives in the early stages may earn wealth which, measured according to their standards, is enormous, and for the proper use of which they are not prepared. As a result they may acquire extravagant and demoralising habits. Then, owing to causes at work in the outside world, there may be a sudden slump in the price of cotton, so that the natives find their commodity unsaleable at any reasonable price. They are prepared neither for the prosperity nor for the reaction. The results may well be disastrous.

For this reason economic development should be in the hands of men who are in close touch and sympathy with the natives, but should be subject to the regulating advice of men who are in close touch with the main business centres and the economic circumstances of the world outside.

I believe that this condition will be best satisfied by the plan which I have proposed. This, as I have said, would leave the Governors of each territory (who can maintain close contact with their people) responsible for plans within their own territory, but at regular intervals they would have the opportunity of consultation with the independent chairman of the Governors' conference who could himself maintain close touch with the best economic and business opinion in London. A High Commissioner permanently resident in East Africa would fail in both respects.

6. The framework of the plan which I have proposed will provide elasticity for such further evolution as may be dictated by circumstances from time to time

APPENDIX No. 35.

MEMORANDUM FROM GEORGE O. ISHMAEL.

I am opposed to political federation or union in any form between Uganda and Kenya or Uganda and Tanganyika, but I consider the early union and co-ordination of the essential and economic services of the three territories, would be to their benefit and therefore heartily advocate such a union.

2 It is incorrect to say that Uganda is not concerned with the future of Tanganyika or that it wishes to be left alone. It is my opinion that Uganda would welcome economic co-operation with Tanganyika, and there has never been any doubt that Uganda desires that Tanganyika should be retained and become an integral part of the Empire. Such were the views of the Uganda Chamber of Commerce when I gave evidence *qua* its President before the Hilton Young Commission, and I am certain these views are unchanged and that they are shared by every section of the community in Uganda.

3. It is generally admitted that the Inter-Colonial Railway Council which advises the High Commissioner for Transport on all matters affecting the Railways in Uganda and Kenya has functioned satisfactorily. I would recommend a constitution similar to the Railway Council for any inter-territorial services which may be united with this, in my opinion, very important addition. Certain bodies in Uganda and Kenya are asked to submit to their respective Governments names of persons to be appointed as non-official members of the Railway Council. The Governor of Uganda has always appointed the gentlemen whose names have been submitted to him, and I believe the same procedure was adopted in Kenya until last year when Sir E. Grigg refused to appoint the two gentlemen whose names were sent to him and made his own appointments. This action was in my opinion entirely wrong and it gave grave offence to the non-officials of Kenya and Uganda. I consider that the constitution of a Board or Council should make it compulsory for the Governor to appoint to that Board or Council such persons as are chosen by the non-officials as their representatives unless such person or persons suffer from disqualifications similar to those which would debar a man from sitting in the House of Commons.

4 There has been union between the Uganda and Kenya Customs and Posts and Telegraphs departments for some years past. The heads of these departments are answerable to the Governors of Uganda and Kenya, and their budgets of revenue and expenditure must be passed by the Legislative Councils of the two territories. This system has not proved as satisfactory as it might have done had the heads of these two departments been answerable to one authority only. The Commissioner of Customs and the Postmaster General both reside in Kenya and their visits to Uganda are not frequent. There has been dissatisfaction in Uganda with the Post and Telegraph Department owing to the fact that Kenya has been favoured with cheaper telephone rates etc.

5. I believe that the early appointment of a Central Authority vested with powers of control over the co-ordinated services (and of such other subjects as might from time to time be brought under his control) who would be stationed at some place equally accessible to the three territories is the ideal to be aimed at, and I would urge the making of such an appointment if the Imperial Exchequer would defray the expenses attendant upon the creation of this office. but if the East African Territories are to bear the whole or part of such expenditure, then this appointment will, of

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necessity, have to be deferred until such time as these territories are in a very much better financial position than they are at present.

6. I must say I cannot agree that a Central Authority would interfere with treaty or other rights of natives in Uganda or elsewhere. Treaty rights will, as always, be honourably observed by the Local and Imperial Governments and as the Legislature of each territory would be functioning with undiminished powers it would not agree to the cancellation or alteration of any treaties or agreements unless both controlling parties were agreeable to such cancellation or alteration.

7. If we are not to have a Central Authority then we must make use of the existing machinery with such modifications as may from time to time be found necessary or expedient.

8. I think the Governor's Conference should be continued, but with a changed procedure. I feel that the country has not derived that benefit from the past Governor's Conferences as it might have done. To begin with we are still without a full report of the deliberations and decisions arrived at so far, and we are therefore unable to say what decisions, if any, have been enforced. The great weakness of these Conferences is that there is no sanction behind them. There is no one, as far as we know, who has enforced any policy upon which all the three Governors were not agreed, and even when an unanimous decision was arrived at there was no authority, except of course the Secretary of State, to force the Governors to put such a decision into practice in the three territories.

9. I would suggest that future Conferences should be held at regular intervals, that agendas of subjects to be discussed should be published, that the public be given opportunity of attending and giving evidence on any subject to be discussed and that all sessions, except when the Conference goes into Committee, be open to the public. I think it is essential, if these Conferences are to be of any real value, that their decisions should be published with as little delay as possible, and where purely native interests are affected thereby translations should be made and sold to natives at cost price.

NATIVE POLICY.

10. The use, in the 1930 White Paper, of the word "paramount" in connection with native interests has led to much controversy, but, anyone who has lived in Uganda and is *au fait* with its policy, cannot pretend that this word has been used for the first time in a White Paper or that it has a meaning other than that assigned to it in the White Paper of 1923 and reaffirmed in the 1927 White Paper and the Hilton Young Report at page 40.

11. In Uganda native interests have been very jealously guarded by the Government, but one cannot say that this has been done to the prejudice of other interests.

12. I must disagree with one of the witnesses when he says that in Uganda the native comes first, then the Indian, and then the European. My experience has been that all races have been justly and equitably treated without discrimination as to race, colour, or religion.

13. My views on the various White Papers issued on the subject of native policy are identical with those expressed by the Uganda Chamber of Commerce, and need not be reproduced here.

14. While it is not necessary or practicable that each tribe should be governed in exactly the same way as another tribe in the same or another territory yet it would, I am sure, lead to efficiency and it would be in the interests of the native if the main principles of policy were made the same in all the three territories and only such modifications as were necessary to suit different tribes were permitted.

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15. Members of the same tribe should be kept together and administered by the same government irrespective of treaty or artificial boundaries. Nothing leads to detribalisation as rapidly as the splitting up of a tribe, and I consider it is the British Government's duty to take every precaution possible to prevent this evil.

16. I consider it is essential in the interests of the natives as well as of the progress of the territories concerned, that natural and ethnographical boundaries only should be observed and that transference of administration of the Bukoba Province and the Kavirondo Reserve to the Uganda Government, should be effected as soon as possible.

17. There is no true elective system among the Baganda (except in the case of the election of the head of a clan) and "they have not complete freedom to maintain and develop their own administration" as is stated in the Hilton Young Report. Chiefs are in practice appointed by and removed at will by the British authorities, and the native has little or no say in the matter. This is a cause of complaint which is voiced openly by all sections of the Baganda.

18. As an instance that the native has little or no say in the choice of his representatives, I may mention the case of the native witnesses from Uganda who gave evidence before your Committee. Two are Baganda, one a Munyoro, and the other a Musoga. They are not the real representatives of their respective tribes, in that they were chosen by the British Government and not by their tribes. Thus four witnesses from three tribes only have given evidence; the thousands of the other tribes in Uganda are "unrepresented" even by Government nominees.

19. I think it must be admitted that none of the territories will make any real progress unless or until all the communities pull together. One must also admit that the native must be allowed to progress and, in due time, take his proper place in the affairs of his country. It is impossible to say at what rate he will progress and when he will be fit to take his place on the higher Councils, but we shall not know of his capabilities unless we put him to the test.

20. I believe the Synod of the Native Anglican Church is one if not the most representative body in Uganda. It has some three hundred members and only a third of these may be clergy—European and native. The two hundred laymen (who include women) are elected by communicants from all over the diocese of Uganda and all members sit together and vote on equal terms. I have been informed that this body works harmoniously and efficiently and that it commands respect. Natives must be encouraged to choose their own leaders, and I venture to recommend to our Government to introduce an elective system whereby the natives of Uganda will be able to appoint their own chiefs and leaders.

21. There is no native representation on the Legislative or the Executive Council. This, I consider, is wrong. I advocate the appointment of, at least, two persons directly to represent native interest on the Legislative Council. It is not correct, and it would be accusing them of partiality, to say that the official members of the Legislative Council directly represent native interests. The official members should represent all interests and not that of one section of the community only. I doubt if any native of Uganda is at present fitted to sit on the Legislative Assembly of the Protectorate.

22. I know for a fact that the native of Buganda is not satisfied with his own Courts of Justice and that he prefers to have his cases tried by a British Judge. He complains of the very long delay in obtaining a decision

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and of the longer delay in obtaining execution of a decree. Beside in a native Court he has to conduct his own case whereas in a British Court he can have the assistance of Counsel.

23. Another cause of complaint is that in a case between Buganda he is debarred by law (the Court Ordinance) from appealing to any Court higher than the High Court of Uganda. He cannot see why when it is a case say between a Somali or an Abyssinian and a Muganda the case can go to the highest Court of the Realm while a case between Buganda should end before a single Judge, however important the issue or large the monetary value of the suit.

NATIVE LAND.

24. No native reserves have as yet been created in Uganda. In the Buganda Province individual ownership of freehold land was created by the Uganda Agreement of 1900, and there is now a large and increasing number of freehold owners. In Ankole and in Toro certain chiefs have recently been granted land with limited titles; but in the other parts of the Protectorate neither chief nor peasant is recognised by the Government as the owner of any land and he is liable to be moved from the land he occupies at but short notice and with small compensation. There can be no doubt, to repeat the words of the Hilton Young Commission, "that uncertainty of tenure and unequal treatment has led" and is leading to much discontent.

25. To quote an instance, the Mukama or Paramount Chief of Bunyoro, is not recognised by the British Government as owner of any land as a private individual. In order that he should have some place to which he and his family could retire when he ceased to be the Mukama he recently purchased a piece of freehold land situate in Bunyoro from an Armenian who had originally purchased it from the Crown. Did the Mukama of Bunyoro have any land prior to British Rule and have the chiefs and people of Bunyoro, Busoga, etc., who were not far behind the Baganda in their system of Government, any rights to any land?

26. Even the usufructuary right of occupation of the natives of Uganda do not appear to have been recognised by the Crown in the same manner as has been done in Canada, New Zealand, Lagos, etc.

27. As I have mentioned above the Baganda were allowed to acquire large tracts of freehold land, while other tribes who have rendered excellent services to the old Imperial British East Africa Company and to His Majesty's Government do not possess a single acre of land either collectively or individually. There is thus no equality of treatment between the Baganda and other natives of the Protectorate (anyway not as regards ownership of land), and this is a matter which I respectfully submit should be enquired into and adjusted without delay.

28. I consider it necessary that adequate areas should be reserved in perpetuity for natives, and that they should have the right as in other parts of Africa to settle outside native areas if they so wish. It is also my considered opinion that every encouragement should be given to the individual ownership of land by the natives. To own a piece of land, however small, is a great thing in the eyes of a native, and I would, if I had the power, reward deserving natives by giving them plots of land as is done in India.

POLITICAL DEVELOPMENT.

29. One must agree with the views of the Hilton Young Commission that "the aim in every constitution that seeks to preserve liberty must

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be that power should be so equitably diffused as to afford equal security to all" and that the "surest foundation for a stable constitution is community of interests and the ultimate good of a country as a whole." There must be no discrimination against any class of British or British-protected subjects and there must be a proper balance of interests in the community as a whole. It is unjust that one section of the community should be empowered to impose its will on other sections.

30. There is no proper balance of interests or powers in the Uganda Legislative Council and it certainly cannot be called the legislature of a democratic state. To leave the appointment of the unofficial members of this Council, or for that matter of any other Council, to the arbitrary discretion of the Governor is, with all respect, wrong. The Governor is absolute. He does not even ask for nominations from any of the public bodies in Uganda, he appoints any person or persons whom he chooses, and he has gone so far as to say that the unofficial members of the Legislative Council and the Inter-Colonial Railway Council do not represent any section of the Community.

31. I regret I cannot agree with Dr. Hunter when he says that the present system is satisfactory. This archaic system is a negation of democracy and the right of the taxpayer to have a voice in the affairs of the country in which he lives. Neither can I agree with Dr. Hunter when he says that elections to our legislature will create an Indian or native question in Uganda. This may be his private opinion, but it is not the opinion of the Uganda Chamber of Commerce on whose behalf he gave evidence.

32. It is submitted that the principle "no taxation without representation" applies to Uganda as well as to any other country, that the Uganda taxpayer has the same right as any taxpayer to choose his own representative on any council; and that the postponement of the consideration of the mode of representation would be begging a most important, perhaps the most important, question in Eastern Africa and will, with all respect, lead to trouble and endless Commissions and Committees in future.

33. Local Government affords a wide field in which responsibility can be made real and within defined limits complete, and to preach responsibility and not to allow a person to undertake it is, to my mind, an inconsistency.

34. I entirely disagree with the Hilton Young Commission when they say that no change in the composition and method of choosing members of the Legislative Council in Uganda should be effected. We claim partnership in the Government of the country and we do not intend to relinquish that claim.

35. I agree with the views expressed by the Hilton Young Commission on pp. 183 (last paragraph), 184 (end of third paragraph), 195 (end of last paragraph), 196 (end of second paragraph) and 202 (regulation of expenditure).

36. I am in entire agreement with the views expressed by the Uganda Chamber of Commerce in their Memorandum on this subject.

RAILWAYS AND HARBOURS.

37. I advocate the fusion of the railway and harbour services in the three territories under a Central Authority. There should be a Board or Council as at present and each territory should have equal representation on it.

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38. The allocation of revenue and expenditure between the Kenya-Uganda and Tanganyika systems could be effected on the lines recommended by the Hilton Young Commission at page 225 of their report, and as is being done at present by the Belgians in their administration of the Ruanda-Urundi Mandate.

39. It is most important that railway policy should be considered before land policy. To build railways to non-productive areas because of demands by a vocal section of the community is entirely wrong. It would not be difficult to find examples of the construction of such railways in East Africa.

40. Railways should be run on purely business lines, and railway tariffs should not be manipulated so as to assist any particular industry in any one of the three territories. Tariffs should be adjusted so as to give every class of the community the cheapest and most efficient service possible. Where the Government of any territory considers it necessary or advisable to foster any industry or enterprise that Government should provide the necessary financial assistance out of its own exchequer and there should be no manipulation of railway tariffs to serve this end.

41. It is most inequitable that any class of country produce or of import should be burdened with an absurdly high rate in order that the railway should be enabled to carry some other class of produce at a rate on which it has been making and still makes a loss. Compare Uganda cotton with Kenya maize and freight on, say, Americani with agricultural implements. (See page 59 of the Hilton Young Report.) The native is badly hit by heavy freights on imports, but he is not sufficiently educated to realise this. I consider it is necessary that the finances of the railway should be outside the jurisdiction of any of the three legislatures. They should, in my opinion, be put under the control of an independent authority. Although railway estimates are now passed by both the Kenya and Uganda legislatures this is in effect nothing more than a mere formality, and all expenditure, tariff rates, etc., are governed by the Inter-Colonial Advisory Council and the High Commissioner for Railways, etc.

REVENUE AND EXPENDITURE.

43. Poll Tax is, I submit, a primitive form of collecting revenue, and some other form of taxation must be looked for. For example, a chief in Buganda owning hundreds of acres of land and having a fat rent roll pays the same Poll Tax as one of the peasants on his land, and the Governor of a territory pays the same Poll Tax as the most junior of his Indian clerks.

44. I consider the native in Uganda is over-taxed. Relief should be found for him in reduction of indirect taxation such as import freights on the railway and Custom duty. A native of Buganda earning, say, £5 per annum, has to pay as much as £2 in direct taxation to the Government and to his landlord for rent.

45. I consider that our expenditure is out of proportion to our revenue, and that a number of savings could be effected.

To give a few instances—

(a) I think Uganda is too small a country to have such an expensive Headquarters staff as it has at present, and a reduction in salaries and allowances could be made without impairing efficiency.

(b) I have often asked myself and others the question as to whether Provincial Commissioners are necessary. I have nothing but good to

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say of the holders of that office in Uganda, but I do believe a comparatively large saving would be effected if the office of Provincial Commissioner were abolished, and that District Commissioners would welcome and would respond to the greater responsibility placed on them in consequence.

(c) To be quite frank, I cannot see the necessity for a Native Affairs Department. Why should there be an independent department or body to deal with purely native affairs? How far can one, in a country like Eastern Africa, separate native affairs from our other affairs or interests? I say they are so interwoven that a separation is well nigh impossible.

I agree with the Hilton Young Commission when they say that it is dangerous to allow it to be supposed that the understanding of natives is a business for a special department or for experts, and that the main channel of contact with the natives must be through the Administrative Officers, and it is they who must be regarded as chiefly responsible for studying and gaining the confidence of native opinion. The existence of a Native Department looks well on paper, but in effect it can do little or nothing without the Secretariat, of which it is part, and with which, under the present system, it frequently finds itself in conflict.

It therefore follows from what I have said that I do not agree with the recommendation of the Hilton Young Commission for the formation of an Advisory Committee on Native Affairs, for to use their own words, "such a body would be like a fifth wheel to a coach."

My observations with regard to the Native Affairs Department apply equally to the Labour Department in Uganda. It is a comparatively expensive department, and I have not yet heard a single reason for its existence

(d) A saving would also be effected if the number of troops were reduced. A few aeroplanes should be able to quell disturbances of importance, and the police, who have a semi-military training, could deal with minor outbreaks.

AGRICULTURE.

46. I entirely agree with the observations made by the Hilton Young Commission on pages 58 and 73 of their report.

47. I am of opinion that the native is not being taught to make the most use of his land or to market his crop. The native's methods of agriculture are still most primitive, and I consider the Government is doing very little to help him in the introduction of more modern methods.

48. Cotton production in Uganda is always held out as an example of what the native will do if he is properly guided by an efficient Agricultural Department. While the last thing I desire to do is to belittle our Agricultural Department, which has, without a doubt, done some good work, I must in all fairness say that the Administrative Officer is the person who has done the most for the production of our cotton crop, and public opinion in Uganda is inclined to blame the Agricultural Department for the smallness of yield per acre as compared with other cotton-growing countries. The quantity of cotton produced in Uganda is not showing an increase, and much anxiety is felt that unless the native is given *practical* lessons in every branch necessary in the growing, harvesting and marketing of cotton, the yield may even get smaller than it is at present. It certainly will not increase.

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49. I am inclined to the opinion that the Government must educate the native to grow his cotton in larger plots than he has been doing in the past. I have advocated mechanical ploughing by the Government for the native at a rate which will just cover costs, and the marketing of crops on a communal system is well worth a trial. The changes advocated should reduce planting, weeding, handling and transport charges.

50. It was against the interests of and the expressed wish of every section of the community to remove the headquarters of the Agricultural Department to Entebbe, and we all fervently hope that the powers-that-be will see the folly of this move and order the return of the headquarters of this department to the commercial centre of the Protectorate at as an early a date as possible.

LABOUR.

51. There can be no doubt that there is an immense wastage and deplorable inefficiency in the use of native labour. This state of affairs is bound to go on as long as the present system of importing inexperienced youths and putting them into labour using departments and in charge of labour is maintained. I am convinced that if we were to import a certain amount of men who have had to work in countries where labour is not so easy to obtain as it is in East Africa much of the work done to-day by manual labour will be done by machinery to the benefit of the native and the finances of the country. I can give a number of instances if required to do so. Native labour is not really cheap, the quality is not good, and it will not improve if we continue our present methods.

NATIVE EDUCATION.

52. One must ask oneself, after contact with the native of Uganda for over 30 years, the question: "Are our methods of education suitable for natives?" I am afraid the answer must be in the negative.

53. The missionaries have had the education of the natives for many years past, and the Government College at Makerere has been in existence long enough to enable the non-official employer of the educated native to pronounce on its product. I am sorry to say the result has been disappointing. The system has, doubtless, turned out some boys who excel in the field of sport and can be employed in certain Government offices, but, to be perfectly honest, I must say that I have not as yet found a single boy whose education has fitted him for a post in a professional or commercial office, and the commercial morality of the average educated natives leaves much to be desired.

54. The Indian is still the merchant and petty trader in Uganda. Is the native ever going to do anything in the commercial world?

COMMERCE.

55. No department of Government appears to concern itself with the commercial progress of the country—native or otherwise. Bankruptcies, fraudulent and otherwise, frequently take place, and the Courts deal with these on their merits, but as I say, we do not appear to have any official whose duty it is to watch the commercial barometer and encourage the importation of British goods. A branch of His Majesty's Trade Commissioner's Office was formed in Kampala and was doing good work in giving information and in collecting statistics, etc., but as the Secretary of this branch happened to be a member of the staff of the Agricultural Department and was moved to Entebbe with the headquarters of that Department

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in January last, against the wish of the peoples of the Protectorate, the commercial bodies feel that no good purpose will be served by continuing to serve on this branch of the Trade Commissioner's Office. Entebbe is 25 miles from the commercial capital of Uganda, and no one has the time or money to journey to Entebbe unless it is absolutely necessary that he should do so.

56. I would strongly recommend that either a representative of the Trade Commissioner's Office should be stationed in Kampala or an official of the Protectorate with commercial experience and training be appointed to study and report on the commercial activities and possibilities of the country.

57. I cannot help feeling that the tendency in East Africa is to do everything possible to encourage agriculture, and to give little attention to other industries one or more of which may in time prove to be the making of the country. Mining may change the history of Uganda if it receives the support it deserves. I wish to make it clear that I am not oblivious of the assistance this industry has received from various Government departments and that I am not attempting to minimise the excellence of the work done by our Geological Department, but I think there is no justification for the increase of prospecting rents nor for the increase made in the railway freight and harbour dues on tin at a time when the price of that commodity was falling heavily. All power oils used in agricultural machinery get a rebate from the Government, no such assistance is given to the mining industry. I bring up this question as it affects the native vitality. The mining industry in Uganda pays out hundreds of pounds to the natives every month, and there would be a fall in revenue if mining operations were to be suspended.

SETTLERS.

58. We have a few settlers, or, as we call them, "planters," in Uganda. I have had the benefit of discussing the question of European settlement with a number of men with wide experience of the country, and I say, without hesitation that quality and not quantity should be the guiding factor in settlement, and that every precaution should be taken to keep out the wrong type of European, whatever be his trade or profession. A bad type of European does incalculable harm to the native, is a curse to his own countrymen and a source of great worry to the administrative and police authorities.

59. There is little doubt that land suitable for European plantations could be found in Uganda, but until we discover some crop that will pay, I do not consider it wise to encourage European planters who will have to be put on dole or be State supported as is being done in an adjoining territory to-day.

APPENDIX No. 36.

MEMORANDUM FROM PROFESSOR JULIAN S. HUXLEY, KING'S COLLEGE,
UNIVERSITY OF LONDON.

It is with some diffidence, after only a few months in East Africa, that I venture to submit this Memorandum. Nevertheless, what I saw in Tanganyika, Kenya and Uganda was sufficient for me to obtain a very definite impression as regards certain matters of policy, and this impression has only been strengthened by subsequent reading, reflection, and discussion. I feel that it may perhaps have some value, since I went out with a perfectly open mind; and, having been officially sent out on behalf of the Colonial Office Advisory Committee on Native Education, I was enabled to see a great deal of certain important aspects of native life and the contact between white and African.

It very soon forced itself upon me that native policy was the most important question in East Africa, and since then this view has only been strengthened, notably by the proceedings of the Committee on Closer Union itself.

Before proceeding to specific questions of policy, I would like to make a few general observations. First, I was considerably impressed by the rapid progress being made by a number of native tribes. This is largely due to education in the strict sense of the term, but largely also to judicious encouragement of native production, native institutions and social services; work along these lines stimulates the native authorities to think ahead, to assume responsibility, and to feel pride in their roads, schools, courts, hospitals, etc.; and eventually the whole tribe is affected.

The Wachagga, Wasukuma and Wanyamwezi in Tanganyika afforded examples of this, and of course the Buganda have long shown much of this same spirit. I am of opinion that most people, both at home and in Africa, and, among those on the spot, not only settlers but many administrators, much underrate the rapidity of the transformation which the African is undergoing, and also are prone to be too sceptical of the results which will be attained through his progress. The effects of systematic education and widespread native interest in western ideas and methods will, I am sure, be visible on a large scale in the next generation.

As corollary of this, it appears to me very important that governments should take the natives into their confidence as much as possible. On the one hand, paternalism, even of the most efficient and benevolent description, will not continue to work satisfactorily; still less, on the other hand, will measures calculated to arouse suspicion or alarm in native minds.

One of the best means for attaining a greater unity in our East African territories will undoubtedly be propaganda in the good sense of the term. It is possible and desirable to tell the native much more about what you are doing and why you are doing it; this can be accomplished not only by word of mouth from administrators and others, and by proclamations from headquarters, but also by vernacular newspapers and books, cinema, and eventually wireless. Native public opinion is, in fact, rapidly becoming an important factor to reckon with in African Government. A further factor which is, I believe, very insufficiently recognized is the effect which our medical services are exerting. At the moment, the average expectation of life among natives is much lower than among ourselves, the infant mortality is enormous (1 in 3, 1 in 2 or even higher, and the prevalence of chronic parasitism and disease, notably Malaria and hookworm, means that the great bulk of adult natives are permanently below par without their realizing the fact. Medical treatment, sanitation, maternity and infant

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welfare work, and general health-education are now beginning to operate on a large scale. At the same time, determined efforts are being made to raise the natives' general standard of life. When the results of these movements become apparent, we shall find first of all that the average physical and mental energy of the African is markedly raised, and secondly that the native population, instead of remaining approximately stationary, will begin a rapid increase. Once this has started, it appears to me in the highest degree unlikely that the natural increase of whites in Africa will keep pace with that of the natives.

Coming to more specific questions, it is obvious to the most casual traveller who has visited the East African territories that Kenya is the crux of the problem. This is not only borne out by the historical course of events in the past, but by the evidence presented before the Closer Union Committee. Allegations of oppression or cruelty have from time to time been made, but these can be left on one side, for even in their total absence, the essential problem would remain the same.

For the problem is simply this: that in a territory where there exists a compact area and powerful body of white settlers, as in Kenya, the general attitude towards native policy and native development will be quite different from what it is in territories where white settlers or planters are fewer and more scattered and the promotion of native development is regarded as the foremost task of government, as in Uganda or Tanganyika.

I regard the present situation in East Africa as undesirable for several reasons. (1) The existence in contiguous territories of very different attitudes and policies towards the natives is unsettling; and as native public opinion develops and grows more unified, any such difference of policies will begin to loom large in the native mind, which is quick to recognize inequalities, and will be a permanent potential source of trouble in cases of native unrest. (2) Whether the grievances of some of the Kenya natives be real or no, their state of mind, with its sense of grievance and suspicions, is a real fact. As result of this state of mind, they are looking for safeguards. And since their affairs are regulated by a Legislative Council to which a powerful body of unofficial members of non-native communities are elected, their thoughts are turning in the same direction, the direction of western political institutions. (3) This is dangerous for the white community in Kenya. If the idea of popular election of native representatives on the Legislative Council once takes firm hold on the native mind, they are likely to make it a cardinal point in their demands. If this demand is not granted, they will suffer from a permanent sense of grievance and be much more difficult to deal with. If it is granted, then quite apart from the real possibility of bitterness and friction which might arise in the Legislative Council and elsewhere from political cleavage following purely racial lines, the native is committed to political development along the path followed in western civilization, the path which leads to the ballot-box and generates the professional politician. And almost all authorities on Africa agree that this is not the most desirable path for the native, for it means an almost complete break with his traditional ideas, methods and organization. It is a very real danger for the African, that the idea of the vote should lure him away from the ideal, as envisaged in Tanganyika, for instance, of development on a foundation of his existing institutions, along lines consonant with his part history and the interesting social ideas which he has evolved for himself.

It is, I think, fair to say that where this system has been properly tried out, the chiefs and other leaders in native affairs come to have a very practical objective—they wish that their tribes should be allowed

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to continue the process of self-development on which they are already embarked. They see that with their own money, they are able to effect tangible improvements, and they are beginning to realise that there is no necessity limit to the extension of the process.

The contrast between the results of this method and of other methods has been well brought out in the evidence tendered by native witnesses before the Joint Committee. The main tenor of those from Tanganyika and Uganda was that they wanted to be left alone in their present conditions to carry on with the constructive work in which they were absorbed. Those from Kenya on the other hand often seemed not to know what they wanted, but only to have a sense of restlessness or grievance, which they imagined could be remedied by the grant of the vote, of education on European lines, or other specifics of Western civilisation. Having had little responsibility for constructive work assigned to them, they had acquired little sense of the positive realities of progress which, under the right system, would be within their grasp, but were much more concerned with somewhat Utopian ideas, often of a purely political nature.

Further, if direct African representation on the Kenya Legislative Council were granted, this would also be a danger to the white community. For if, as is probable, in the future the native population increases proportionately faster than the whites, the latter will run the risk of being politically swamped, even if the device of communal registers were to postpone this for a time.

As preliminary to a consideration of the Kenya problem, I would affirm the following two premises. First, that the white colonisation of the Highland area is an interesting and valuable experiment, which we are not only morally pledged to support, but which deserves our support and encouragement until such time as it is firmly established, or, as is still quite possible, it peters out through economic or physiological reasons. And secondly, that for predominantly native areas, the ideal is to encourage native production and to promote native development on a basis of existing native institutions with the eventual aim of a native African civilisation with a character of its own. The present state of affairs in Kenya appears to me to jeopardise the prospects both of the whites and of the natives.

Accordingly I find myself driven to the idea, already put forward with minor modifications by several authorities, that it is desirable to establish a sharp functional delimitation between the white area of Kenya and the rest of the territory. The simplest way would appear to be to continue with a single Governor, who would be High Commissioner for the native area. The Legislative Council would legislate for the white area, but legislation for the native area would be promulgated by decree of the Governor. The two areas would, of course, have separate budgets. There would be certain obvious difficulties in this proposal, notably the delimitation of the boundaries of the white area, and the position of natives in the white area, but none of them appear to be insuperable or at all to outweigh the advantages. It is perfectly possible to have a few native enclaves in the white area, or white enclaves in the native area; administrative problems of this type have been successfully met in other parts of the world. It might also be necessary to readjust some of the present boundaries of native reserves and land reserved for white settlement; but this again is essentially a matter of detail. With regard to the position of natives within the white area, careful regulations would be necessary. On the side of living accommodation, hygiene, diet, and medical services, the native locations established in connection with the

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Katanga mines would afford a valuable model. Some measure of local self-government for native townships would be required; and in place of the irregular squatter system, some arrangement would be needed by which native labourers on white estates could have assigned to them a certain amount of land with reasonable security of tenure. But adequate regulations can undoubtedly be thought out, and in the long run would certainly be in the interest of the white settler, by ensuring that an adequate supply of natives willingly entered the white area to work and live.

One of the present causes of trouble is the difficulty of appreciating the fact that the two areas in point of fact have their own different but valuable tasks. It is hard for the white settler, confronted with the difficulties of pioneer farming and of recruiting an adequate labour supply, to take much interest in the development of the native communities in the reserves along their own lines. It is equally difficult for the native in a reserve to see in the white settler anything else but a powerful inter-loper who is exploiting the country, or to take an interest in the development of an outpost of white civilisation in Africa.

But once the division was established, it would be possible for the two areas to concentrate on their respective tasks. The natives would no longer have their thoughts covetously fixed on the vote, and could be encouraged to develop along those lines similar to those in vogue in Tanganyika. The white community would no longer be harassed by responsibility for the native reserves nor by the fear of native unrest; the only native problem left to them would be the definite one of making conditions of labour in the white area attractive enough to encourage natives to come in and work for wages. The vexed question of paramountcy of one or other race would disappear; each would be paramount (if we want to continue the use of the word which has given rise to so much trouble) in its own sphere.

The simplest method of carrying out the general policy of differential racial development would be by applying it in separate territorial areas. It appears to me that on any other general policy we shall be faced, especially if the African natives increase rapidly in number as I believe is probable, with the alternatives either of constant friction between the two races, or oppression or exploitation of one by the other; or the swamping of the whites by the natives; or the blending of the two races. And none of these appear to me to be desirable.

Even if a sharp territorial segregation be deemed impossible, it is to be hoped that effect will be given to two essential principles. (1) That native affairs, at least so far as concern natives living in the Reserves, shall be decided not by a majority vote in a Legislative Council (whether with official or unofficial majority), but by an Arbitral Authority. The Arbitral Authority in the case of closer union would be the Governor-General; in existing circumstances, the Governor. (2) That principles should be laid down whereby all or most of the revenue from taxation of natives should be applied to native development (notably health, education, agriculture, and transport).

On any scheme, whether native affairs are to be decided in Legislative Council or by an Arbitral Authority, it is important that the natives should have more, and more adequate, spokesmen or representatives. The time does not appear yet to be ripe in Kenya for natives to act in these capacities, though it is to be hoped this will occur later. Knowledge of the local languages by white officials is at present a great bar to the proper representation of native interests by them, and missionaries have their time

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already too fully occupied to devote adequate attention to this important duty. The retention of a number of administrative officers within each area inhabited by tribes belonging to a single language-group, and insistence on their becoming acquainted with the local languages, would go far to establish native confidence in the representation of their interests by white officials.

It may finally be pointed out that the adoption of such a scheme in Kenya would be, if not a step towards unification, at least a step towards the possible unitary handling of the East African problem: for all the large native areas would then be organised on somewhat similar lines. For this reason, and also because of the rapid development of native public opinion, which will assuredly be puzzled and disappointed by a purely negative report, I hope that this and similar partial schemes will be considered by the Committee to fall within its terms of reference.

With regard to specific questions of unification in subjects on which I have some technical knowledge, such as the educational and scientific services, I do not feel I have much to add. The inter-territorial conferences on Education already serve to correlate educational policy in an adequate way. It might be suggested that an inter-territorial committee or council on Native Development and Education would be very valuable, and would serve to focus attention on the broad aspects of educational policy in its bearing on the more inclusive problem of native development.

Co-ordination is perhaps more needed in science and medicine. The multiplicity of independent departments—Medical, Agricultural, Game, Fisheries, Geological, Survey, Tsetse Research, Forestry, Veterinary, etc.—is so great, and yet the way in which their problems interlock is so intricate, that without some central organisation, considerable overlap, waste of energy, and lack of co-ordination is almost inevitable. Here again it might be possible to set up a central inter-territorial board or council on scientific and medical policy, analogous to a combination of the Medical Research Council, the Development Commission, and the Department of Scientific and Industrial Research in this country, or to the Imperial Agricultural Research Council in imperial affairs. Close co-operation with any similar bodies at home which might be concerned with co-ordinating scientific ideas and policy for Africa and the Empire is also desirable.

This raises the question of co-ordination at home as well as in Africa. The valuable work done by the Colonial Office Advisory Committee on Native Education demonstrates the value of such central co-ordinating and advisory bodies, which meet in an atmosphere unvitiated by local issues and departmental jealousies, and shows further that they can profitably co-exist with inter-territorial co-operation of the sort already undertaken in the educational field of East Africa. I would therefore strongly urge that a similar Advisory Committee on Science and Medicine should be established. The short-lived Advisory Committee on Medical Work in the Colonies showed that such a body could be satisfactorily constituted, and could achieve useful results.

Its influence, however, would be much greater if its scope were enlarged as here suggested to include pure and applied science as well as medicine. Scientific policy is becoming increasingly important in colonial administration, and the simplest way of obtaining satisfactory co-ordination and coherence in scientific policy would appear to be by the establishment of a body of this description.

APPENDIX No. 37.

MEMORANDUM FROM J. A. CABLE, B.A., LL.B., BARRISTER-AT-LAW, SOMETIME AN ADVISER TO THE GOVERNMENT OF SIAM; FOUNDED "TIMES OF EAST AFRICA," AND EDITED IT IN 1928-29. SETTLER IN KENYA 1925-31, AND ASSOCIATED WITH LARGE FARMING INTERESTS.

Principles to be applied.

I assume that the British Government intends to honour its solemn pledges to regulate its conduct of East African affairs in conformity with the principle of Trusteeship for the native races of Africa.

Nature of the Pledges given.

Covenant of the League of Nations, Article 22.—“To those colonies and territories which as a consequence of the late war have ceased to be under the Sovereignty of the States which formerly governed them, and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.”

White Paper, 1923. Cmd. 1922.

Acceptance by the British Government of the principle of Trusteeship as applicable to Kenya and Uganda . . . “As in the Uganda Protectorate so in the Kenya Colony the principle of Trusteeship for the natives, no less than in the Mandated Territory of Tanganyika, is unassailable.”

Again from the same White Paper . . . “Primarily Kenya is an African territory, and His Majesty’s Government think it necessary definitely to record their considered opinion that the interests of the African natives must be paramount, and that if and when these interests and the interests of the immigrant races should conflict, the former should prevail”

White Paper, 1927. Cmd. 2904.

Suggests the possibility of associating members of the immigrant communities with the exercise of the Trusteeship . . . “In any such changes it will be essential to maintain the principle that the administration of the Eastern and Central African territories is based on the exercise by His Majesty’s Government of a trust on behalf of the African population, and that while they may now be prepared to associate with themselves the members of the resident immigrant communities, they are still under an obligation to ensure that the principles of the Trusteeship shall be observed.”

Deductions from the Principles Formulated

The Trusteeship is a trust for the advancement and well-being of men and women; not merely for the development of their lands and possessions. The British Government has solemnly undertaken the task of teaching and guiding the native tribes of Africa and developing among them a civilisation suited to the genius of their race, such as will enable them to face the strenuous conditions of the modern world.

The experience of centuries has demonstrated that for the honest performance of such a trust the trustees must be disinterested, independent, and intimately acquainted with the subjects and objects of the trust.

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From the special pledges quoted above it follows that:—

(1) The building up of a native civilisation is a "sacred trust" and a worthy end in itself to which the political ambitions and economic interests of immigrant races must be subordinated. A possible clash of the interests of Africans and the immigrant races is foreseen . . . "if and *when* those interests . . . should conflict." When such a clash of interests takes place the interests of the Africans are to prevail. Examples of such possible conflict of interests are: 1. European demands for native wage-labour to the detriment of the home life in the Reserves; (b) Combinations of settler-employers to reduce native wages or to prevent them from rising, as against organised attempts by natives to raise wages. There is a strong feeling among European employers against allowing natives to form trade-unions although they themselves commonly combine to arrange district rates of wages. (c) Competing claims of settlers and Africans for unalienated Crown lands.

(2) The principle of trusteeship with its implications is applicable to Kenya and Uganda, that is to say those territories are to be governed as if they were subject to the pledges that we have taken for Tanganyika. Hence it follows that the *forms of government* adopted in those territories must be such as to satisfy the principles of Trusteeship.

(3) The British Government contemplates associating with itself the immigrant races in the Trustee for the natives. It can effect this association in two ways.—(a) In a legislative capacity; (b) in an advisory capacity. Clearly the immigrant races ought not to be given effective legislative control over native affairs unless it can be shown that they can act as independent and disinterested trustees for native interests. On the other hand it is both possible and desirable to associate the immigrant races in the trusteeship for native policy in an advisory capacity. The Imperial Agents for carrying out the trust can then make use of their experience while giving due weight to the effect of self-interest.

Paramountcy of Native Interests.

The phrase in the White Paper of 1923 stating the considered opinion of His Majesty's Government "that the interests of the African natives must be paramount," though accepted by the Kenya politicians in 1923, was violently attacked by them when it was reiterated as the considered opinion of the present Government in its White Paper on Native Policy of 1930. They admit now that they swallowed the doctrine without making grimaces in 1923, though it was a bitter pill to them, in order to dish the Indians, but that under the combined irritants of the Report of the Hilton Young Commission and the White Paper of 1930 their gorge rose in pondering the phrase, and they suddenly realised how it imperilled every white man and woman in Africa. Though by temperament I have not been liable to the sudden and excitable conversions and perversions which so frequently follow the political revival meetings of the Delamere Party and the Kenya Convention, I do think that the phrase is unfortunate though its intention is clear. His Majesty's Government has pledged itself to act as Guardian towards the undeveloped and ill-organised native tribes of East Africa; it cannot therefore expose them to the unrestricted competition of the highly-developed and well-organised immigrant races. Hence in any conflict of interests between the Africans and the immigrants His Majesty's Government must take its decisions with especial reference to its protective duties towards its native wards. This conception would be suitably expressed by an explanation of Paramountcy of Native interests in some such way as the following:—"His Majesty's

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Government interprets Paramountcy of Native Interests to mean that its accepted obligations as Trustee to secure the well-being and development of the backward races of East and Central Africa, not yet able to stand by themselves in the strenuous conditions of the modern world, set a standard by reference to which any competing interests of immigrant races must be judged."

The phrase "immigrant races" has been formally objected to by the Kenya politicians. This is another two-year-old grievance dating from the publication of the Hilton Young Report. Up to that time the phrase was unobjectionable and was used by Kenya elected members themselves in the Legislative Council. The phrase is accurate and convenient and the objections are puerile. When, instead of being thirty years old, Kenya's origins are hidden in the mists of antiquity then will be the time to claim mythical origins for early pioneers coming *de la mer* and suckled by lionesses on Mt. Kenya. Until then emergent sensitivenesses about origins are premature.

Applications of the above Considerations.

The territories with which this Memorandum deals are Kenya, Uganda and Tanganyika.

The Governments of Tanganyika and Uganda do not by their organisation infringe the principles of a trusteeship. They make mistakes, no doubt, but the mistakes are those of properly constituted Trustee Governments. The nominated members of the Tanganyika Legislative Council are in effect associated trustees from the immigrant races giving their advice in public.

The Government of Kenya is not organised as a Trustee Government nor has it acted as such. It has been essentially a white-settlers' government which has tacitly assumed that the future of the natives of East Africa is to be wage-earning under white supervision, for the advantage of both White and Black. This is not the ideal of Trusteeship that the British Government has accepted.

For the purpose of this Memorandum we may consider Kenya as consisting of:—

- (1) The *Settled Areas* in which the agricultural land, outside the limits of the coastal area, is owned almost entirely by whites. To these areas alone can the word "Colony" be properly applied, seeing that colonisation is not permitted in the Native Reserves, and the Northern Frontier Provinces are said to be unsuitable for colonisation.

	<i>Sq. Miles</i>
Approximate area	11,000
Approximate populations—	
Whites	16,000
Arabs	11,000
Indians and other Asiatics .. .	31,000
Natives	125,000

- (2) The *demarkated Reserves* for native occupation—
- | | <i>Sq. Miles.</i> |
|------------------------------|-------------------|
| Approximate area | 48,000 |
| Population (estimate) | 2,800,000 |
- (3) *Other territories*:—
- | | <i>Sq. Miles.</i> |
|--------------------------------------|-------------------|
| Northern Frontier Province | } 100,000 |
| Turkana | |

- (4) *Remainder*, including limited areas (2,000 to 3,000 square miles?) of unalienated Crown lands suitable for agricultural development, 30,000 sq. miles.

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These areas and populations are under a single government consisting of a Governor, Executive Council, and Legislative Council all of which are, and have been in the past, subject to the paramount influence of white colonists, in spite of the official majority.

The Governor is subject to great political and social pressure by the white community of Kenya. His position is one of exceeding difficulty. If he acts as Member-in-Chief for the settled areas he is hailed with satisfaction; if he devotes his energies to encouraging the development of the almost unrepresented native reserves, he runs the risk of being denounced as pro-native. Few, if any, Governors have been able to withstand organised white pressure, and native rights have been violated, and native interests neglected. [See particularly p. 29 of the Ormsby Gore Report for some references to the ways in which native rights have been sacrificed by Governors. Precisely the same influences that led Governors to neglect their duties to natives in the past are operative to-day.]

Legislative Council.

The Legislative Council consists of:—

1. *Official Members:*

Appointed <i>ex-officio</i>	11
Nominated British officials	8
Nominated Arab official .. .	1
	<hr/>
	20
	<hr/>

2. *Unofficial Members:*

Elected Europeans	11
Elected Indians	5
Elected Arab	1
Nominated to represent natives	1
	<hr/>
	18
	<hr/>

(a) At present only one elected Indian member sits owing to the Franchise controversy.

The official members are under the orders of the Governor, who can not only order their votes, but can silence their public criticism on legislative measures. This is a most important matter for it gives a weak Governor, amenable to the heavy political and social pressure to which he can be subjected in Kenya, an opportunity to put through the Legislative Council legislation contrary to native interests, and claim for it a unanimous vote of the Council, which in fact means no more than the solid vote of the only political group, for which the village population of Whites, numbering a fraction of one per cent. of the population, can find men of leisure, and the official puppet vote ordered by the Governor.

The Elected European Members

The eleven European elected members represent whites only, and exercise large control over general legislation and Budget expenditure. Though in a permanent minority in the Council they are given considerably greater actual powers than their numbers would normally warrant. (See Hilton Young Report.) The first duty of the Elected Members is to their white constituents. They have little if any knowledge of the languages, customs, and home life of the Native Reserves, and are chiefly interested in the native as a present or prospective wage-earner. Most settlers treat the

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natives humanely and even generously, but my own experience is that they regard the idea of trusteeship in the sense of building up a civilisation for the natives, irrespective of such advance as they may make from contact with white employers, as an idle dream of unpractical sentimentalists.

The European elected members are obviously interested to obtain as large a share as they can from the Common Budget. [Refer to the Ormsby Gore Report, 1925, p. 187, for an example of what can occur when the expenditure from a common budget is in the hands of a legislature on which natives are virtually unrepresented, and to the attempted appropriation in 1930 of £9,000 from the Native Vote for the arming of white settlers.] It is wrong in principle and wrong in practice to rely on the white elected members and the tied vote of an official majority under the orders of a Governor who may know nothing of native requirements, to secure equitable financial treatment for the Kenya Native Reserves.

The Elected Members are clearly disqualified to act as associated trustees in legislating for the Native Reserves of Kenya because they are neither independent, disinterested, nor have they sufficient knowledge of the subject matter of the Trust.

The Official Members.

The official members of the Legislative Council are emphatically not, as is sometimes suggested, virtually representatives of native interests. The majority of them know even less of the Native Reserves than the settler members, and in any case their vote is under the orders of the Governor. A striking example of how little the official members are able to do in protecting native interests was furnished by the debate on the Native Lands Trust Bill in 1928. This was admitted to be the most important measure ever brought forward for the protection of native interests. Colonel Watkins was sitting as an official member of Council. He rose during the debate on the second reading of the Bill and made some very moderate but very effective criticisms of the Bill. By common consent he is one of the greatest living authorities on the Kenya natives. His attempt to remedy a clear injustice to native interests in the Bill earned him the severe displeasure of the Governor. It was pointed out that he had an opportunity of expressing his views privately in Executive Council where they were overruled. That is true. But it is also true that a system is radically bad under which it is possible, on a critical occasion, for the rights of millions of Africans to be sacrificed in deference to alleged niceties of official department.

The same occasion provided an interesting commentary on the working of the veto of the Secretary of State. Kenya politicians assert in favour of the continuance of the present system that there is always the final authority of the Secretary of State to prevent injustice and that they agree that this is necessary. When he did intervene to hold up the Native Lands Trust Bill for further examination the Elected Members treated the intervention as an outrage on their dignity and threatened to walk out of the Chamber.

I am not referring to events of past History in order to expose past mistakes, but because I believe that past evils are a natural result of the thoroughly bad political system in which Kenya is enmeshed. The comparative absence during the last five years of the grosser violations of native rights and the greater attention paid to native development is in my opinion not due to the emergence of the Kenya political system from its dark ages but to the fact that during this period Kenya has been almost continuously under the shadow of Commissions casting their shadows before or behind them and has been compelled to walk delicately.

Appendix No. 37—*continued.**Native Representation.*

Two and a half million natives are represented by one missionary. The missionary belong to a subsidised mission, and this fact must, I submit, affect his independence. Quite apart from this a missionary is not a fit and proper person to represent native interests in a Legislative Council. He has, it is true, some knowledge of the people whom he represents, but he suffers under the fatal handicap that he is first and foremost a Christian missionary who naturally feels very loth to identify his and other missions with one side or the other on a political issue where feeling is running high. It is, however, just on the issues between Black and White that feelings do run high, and where the intervention of the missionary member is apt to lead to the cry that the Church is meddling in politics. Perhaps the first requisite for a representative of native interests in the Kenya Legislative Council is that he shall be a resolute and fearless fighter, willing to be a pro-native in the best sense of the word, and represent Africans with just the same energy and vigour as he would represent a constituency of his own fellow-countrymen.

The Kenya Administration and the Africans.

The Administration is subjected to exactly the same influences in favour of the white areas as the Governor and Legislature. Heavy indirect pressure can be brought to bear on Heads of Departments in the Legislative Council, by the Convention of Associations, and the Press, to devote their main energies to furthering white development. In that direction lies their path of advancement, appreciation and popularity. Work done for the native carries but little appreciation and reward.

General Criticism of the Present System.

Imagine Ireland under the legislative control of a Parliament located in Edinburgh composed of Scotch officials and a powerful group of Scotch employers of Irish labour. Two or three of the officials have a close acquaintance with Ireland; the remainder have only paid it casual visits. The Scotch employer-members derive their knowledge of the Irish from their contact with the Irish labourers who come over to work at gathering in the grain and potato crops. The Scotch employers and the Irish employed cannot speak each others language, but both know a pidgin French in which they communicate with one another. A Scotch Governor is selected from Nova Scotia every five years, who has never yet visited Scotland or Ireland, and has a not unnatural desire to secure the goodwill of his brother Scots, and enjoy the social amenities of Edinburgh. It is his privilege to undertake the high and honourable task of associating with himself the Legislative Council of Edinburgh in securing the well-being and development of the people of Ireland and their fair share in a common budget, seeing that they are as yet unable to fend for themselves in the strenuous conditions of the modern world.

This is no mere imaginative flight in Wonderland political systems, it is a Looking Glass reflection of the main features of the actual Kenya system. The idea that such a system could secure satisfactory home rule for Ireland would be scouted as a disordered political fancy, yet such a system is still believed by some to be a suitable basis of government for securing the well-being and development of the millions of Africans in the Kenya Native Reserves.

In view of the repeated and solemn pledges taken by the British Government in regard to the natives of East Africa I am unable to understand how

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it can contemplate leaving legislative powers for the Reserves in the hands of the Kenya Legislative Council, with the knowledge that in a few years there may be an unofficial, if not a European elected majority, and in face of the explicit declarations of the European Delegation that they do not wish to see, nor do they believe possible, the participation of the millions of natives in the co-called democratic system which they expect to control in ever-increasing measure. If this system be perpetuated in the pretended belief that under it the freedom of development of the native tribes of Africa can be adequately assured, that will add one more to the long list of crimes committed in the name of Liberty:—

1. It will continue a system whereby the forms of democratic government, which should be the weapons of freedom, will be used to entrench the political power of a minority of less than one per cent. of white employers not only over the white occupied areas, but also over associated black areas on which this minute minority relies for the labour on which its economic existence depends.

2. This white minority is profoundly ignorant of the languages, aspirations, customs, and modes of life in the Reserves. The European Delegation furnished the Committee with a striking example of this when they gave the Committee to understand that they were not aware of any particular feeling among natives on the subjects of native registration and land, and their admission that their means of communication with the natives was through the medium of bad Swahili.

3. On the plea that there are administrative difficulties in the way of removing the administration of the native reserves from that of the settled areas, millions of natives whose upbringing is a sacred trust of the British Government are to be dragged up in a political system for which the very European Delegation declares its belief that they are unfitted, and in which they will not be welcomed. Administrations are made for men and not men for administrations.

The developments looked forward to by the Delegation are a prostitution of Democracy and are the path towards the ultimate enthronement of an employer oligarchy decked out in the trappings of democratic freedom. This is no mere rhetoric it is the truth.

In making these observations I wish it to be clearly understood that I am attacking an evil political system and not Kenya settlers, who are a fine body of men among whom I count many friends. Perhaps the best tribute that can be paid them is that with all the temptations to which their privileged position has exposed them, and the opportunities of exploiting it offered them by certain venal Governors, there are any native rights left to protect. The pious industrialists of the middle of the nineteenth century would have done far better for themselves. I say none the less that it is wrong, and has always led to injustice in Kenya and elsewhere, when large political influence has been given to an employer-minority, especially when that minority lives in a world apart from the worker-majority, and the majority are economically unorganised and politically helpless.

The cry is raised in favour of keeping the natives under the legislative control of the white settled areas that you must trust the "man on the spot." This queer apothosis of "the man on the spot" is peculiar to the tropics. The assumption is tacitly made that any white man who merely resides in the tropics absorbs knowledge of the native life around him so as to be entitled to express dogmatic opinions on all political, social, and economic questions affecting natives. The truth is that the great majority of Kenya settlers, whether in town or country, have no more knowledge of natives and their affairs than employers elsewhere have of the home life of the class from which they draw their workers, and probably a good deal

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less, because they neither speak the mother tongue of the natives nor do they belong to the same race. There are, of course, men in Kenya who do know the natives and understand them, but they are officials, missionaries, or, in a few cases, settlers who do not associate with Kenya politicians.

Another strange slogan used to justify settler control over the native areas, which are the reservoirs of native labour, is that the native must be taught the dignity of labour. The view is very widely held, however, that the full measure of this dignity can be laboriously acquired only when the native works for a white employer, when he is too proud or too submissive to fight in combination for raising the district rate of wages which it has pleased God and his white employers to arrange for him; when he sticks to his tribal blanket in preference to an open shirt, khaki shorts, stockings, and shoes; and when he remains ignorant of English, which is apt to make him independent and "cheeky." The average Kenya settler regards the native as a lower type of human being to be kindly and firmly treated, but not educated except as a competent worker. I think that these remarks fairly convey the usual opinions expressed by settlers to one another as perhaps contrasted with the window-dressing sentiments displayed by politicians before Commissions. The political stock-in-trade of home and colonial stores are necessarily somewhat different,

White Representation in Kenya.

One of the most fruitful sources of trouble in the recent history of Kenya has been the premature granting of electoral representation to the white community. A minimum population is required for the support of any kind of representative government in a country; that minimum is even to-day far from being reached in Kenya. At the 1927 elections the aggregate votes cast for all candidates at all contested elections in Kenya did not number 1,000, and at a by-election in 1929 in Lord Delamere's constituency—the Rift Valley—the joint vote of the two candidates numbered only 150. I have not yet seen what fraction of the fractional one per cent. white population of Kenya went to the polls recently to express the irresistible will of the "Colony" as expounded by the present Delegation. The member returned for Mombasa the most important town in East Africa fought and won his election on political views similar to those held by the present writer. Mombasa's slogan is "sea-level and sanity."

Kenya would have developed far more quietly and successfully if each race had participated in the government through members nominated to represent various interests and the granting of representative institutions had been deferred until the white population had reached 50,000, say, and had shown its willingness and ability to work in harmony with the other races. An irreducible minimum population for the support of representative government irrespective of the character of the population is defined by the smallest number that can furnish two political parties and maintain at least two newspapers. The absence of an organised Opposition in Kenya distorts and perverts political life; minority views have no recognised channel for their regular expression. The present politicians owe their position less to any positive approbation by the few hundred people who take any interest in politics than to the impossibility of finding any other men with leisure willing to touch politics at all. Only some three years ago there was a by-election for Nairobi North, and the utmost difficulty was found in getting anyone to stand. Finally a candidate was obtained who frankly warned his supporters that he would be away from Kenya a good deal of his time and said he would not stand if he were opposed. Although his reluctance was finally overcome the circumstances indicate

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something of the utter farce to which elective representative has been reduced in Kenya. In the provincial constituencies it is very common to hear the remark: "After all, what's the good of criticising X? We can't get anyone else to stand. He's the only man who'll give the time to the job." The great majority of the village-sized population of Kenya are indifferent and apathetic to politics and want, as they put it, "to get on with their jobs."

Public opinion in Kenya is difficult to ascertain, as difficult, according to the late Governor, as to "spot the lady." The present politicians solve the difficulty by declaring that it is unanimously with them; it is a convenient fiction. Even on a matter such as Daylight Saving, which concerns the every-day life of the farmer, the Convention of Associations, which claims to be a representative body, changed its mind four times in a few years and twice unanimously. Finally a Bill was passed in the Legislative Council establishing it, but was afterwards repealed at the instance of the Convention.

The Chairman of the present Joint Committee referred the Delegation to evidence Kenya's representatives had given before the Hilton Young Commission, and I understood them to say they now repudiated that evidence. It may astonish the Committee, but it is none the less true, that Kenya's representatives have always refused to publish the evidence they gave before the Hilton Young Commission, and no doubt described as the opinion of the Colony. We have now, therefore, the singular spectacle of Kenya's Delegation repudiating before a Committee in England evidence which they and others gave on behalf of Kenya before the Hilton Young Commission, of which the people of Kenya know nothing. This is what I have called in Kenya blank-cheque representation. Within the last three years Kenya's political caucus has reversed its policy on most important topics except that of retaining a hold over the Native Reserves, where they admit continuity of policy is of the highest importance.

The most serious feature of this deformed embryonic democracy is that it has placed a small caucus in power which adopts the slogan, "We must all speak with one voice" on most important occasions. The Colony seldom knows the *pros* and *cons* of legislative measures, since they are not discussed in public. Hence the Colony is deprived of the material for forming continuous political judgments and is being positively diseducated for self-government. The consequence is seen in the contemptuous apathy towards political questions. Most settlers are far too indifferent to politics to wish to incur social disfavour or damage to their businesses by attacking the dominant political clique. The almost unvarying unanimity which the political clique claims is not, as unkind critics might infer, due to the mental paralysis of settlers, but is due to their lack of knowledge of the other side of the picture in political questions and consequent entire lack of interest. This accounts for the ease with which hysterical political outbursts can be engineered. The delegates at a Conference are told, for example, that the doctrine of paramountcy of native interest in the 1930 White Paper is a threat to their hearths and homes. The tocsin sounds; the men rattle their sabres; the women rend their hair; then after a few weeks some gallant soul reminds them that the Colony accepted the doctrine years before in order to "dish the Indians"; they recollect that their home fires are still burning; the excitement dies away without leaving a trace other than a few fiery epistles to the Colonial Office.

The retort may be made that the damage the settler suffers from his apathy will teach him by experience. I agree; and if the community which tolerates the present political caucus was the only community which suffered from their 'prentice hands I should be the last to advocate a

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change. The reason why I have dealt at some length with some features of European electoral representation is because the European elected members are striving for power to juggle with the future of the native tribes of Africa—a matter of life and death.

Solution of the Problem.

I have tried to indicate in the briefest possible compass that the Government of Kenya, which attempts to run in double harness a Trustee Government for the African territories of Kenya, and a type of Government adapted to the immigrant races, has failed to carry out and is unsuitable for carrying out our obligations to exercise a trusteeship for the Africans. The failure is due to defects and vices inherent in the system. The African territories need a "close time" for two or three generations and protected homes; the colonised areas are striving for self-expression through the medium of democratic institutions.

The solution of the problem of East Africa in general and of Kenya in particular is to be found by faithfully applying the doctrine of Trusteeship to which we are pledged. Honesty is the best policy.

I would make the preliminary observation that Kenya, as at present constituted, is not "primarily an African territory" in any but a statistical sense. The settled areas, mainly owned and occupied by Europeans, are primarily non-African territories, and in them European interests are unquestionably paramount. The remainder of Kenya is African territory, and questions of primary and paramountcy do not arise.

My first proposal, therefore, is to deal with the problem of Kenya, by reducing it to its simplest terms. The Kenya problem is a racial problem. That problem arises only in the settled areas; the remainder of Kenya is occupied by Africans and can and should be administered in conformity with Mandatory policy in the same way as Tanganyika.

Hence, the present territory of Kenya should be given two distinct administrations, adapted to the entirely different needs of the populations they are designed to serve: one for the mixed colonised areas including the Coast Protectorate, in which non-African capital has been heavily invested, and the economic interests of the immigrant races are overwhelmingly predominant; the other for the purely African territories of Kenya.

Each administration would have and control its own budgets, but would make agreed contributions to common services. There seems to me to be a convincing case against the pooling of taxation revenues in a common fund when 6 per cent. of the population is a mixed population located in certain areas, and the remaining 94 per cent. is an entirely African population located in demarcated reserves. It is abundantly clear that a very great deal of the expenditure from the common fund gives practically exclusive benefit to one or other of the two territories, and it should not be left to vague guesswork whether an equitable division of the common fund is made between them. Extreme accuracy of assessment of what is due to each territory may and probably will prove impossible, but a deliberate, though perhaps somewhat arbitrary attempt to do justice is preferable to groping blindly in the dark. The type of problem involved in assessing revenues and expenditures to two such contiguous areas has been frequently solved in national federations and in international arrangements.

An objection to separate administrations, which is often quoted by opponents of the proposal as insuperable, is that the boundaries of the demarcated Reserves frequently jut out in an inconvenient manner into the colonised areas, and that isolated islands of Reserve occur here and

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there. My reply is that administrative boundaries must, in case of need, be adjusted accordingly, and small patches of reserve be administered as part of the colonised areas and *vice versa*. Problems of adjusting administrative boundaries constantly arise all over the world and are successfully solved.

The settled areas would progress under the forms of government now applied towards greater powers of local control. Those powers and the consequent responsibilities would, however, be limited to the areas effectively colonised so that they could be exercised with knowledge and intelligence.

This separation of administration would solve many difficult and thorny problems. Two principles of action are accepted by all political parties, (1) that colonies of British subjects shall be given ever-increasing control over their own affairs and destinies as soon as they are fitted to assume it, and (2) that a free field must be assured the backward native tribes of Africa for a continuous and harmonious development of a civilisation consonant with the genius of their race. In other words, we are pledged to give the backward races of Africa equality of racial opportunity with our own race. These two objectives cannot possibly be attained under the present scheme of government in Kenya, but both become attainable under separate schemes of administration. A sane educationalist would not attempt to run classes composed of 99 per cent. first-form boys and 1 per cent. sixth-form boys under one curriculum and one set of masters. If such an attempt were made, either the big boys or the small boys or both would be sacrificed. Kenya politicians bitterly ask the British Government whether they must await the grant of further political power until the African millions have advanced far enough to participate in their political institutions. The obvious reply is to ask whether the obligations of the British Government to its backward wards are adequately met by dragging them at the chariot wheels of a democratic system of which they understand nothing. If the idea is that they shall be in the scheme, but not of it, the breach of duty is still more flagrant. The manifest solution is to have two administrations and not to prejudice the question of what mould is best fitted to receive and shape the natural political aptitudes of Africans.

I am by no means persuaded that all political roads lead to the ballot box; that humanity is bankrupt in evolving means for giving expression to the communal needs of races differing profoundly in character from our own; and that all primitive social organisations must of necessity disintegrate into a welter of competing individuals before new social organisations can be created suitable to a new environment. I like to think of native tribal organisations being transformed by easy stages into a social system developing on co-operative lines and able, by means of social groupings for mutual service, to face the "strenuous conditions of the modern world" without fear.

Under the present system of government in Kenya it is essentially impossible for the British Government to do justice either to Black or White.

Moreover, under the present system it is impossible for the White settler to do justice to himself. Interest and duty constantly conflict. The European elected members have to express their opinion on the allocation of Budget expenditure between the settled areas and the Reserves. They have a duty towards their white constituents to get what funds they can for roads, schools, hospitals and other public works, and yet have to take into account the needs of the native areas. They are placed in an ambiguous position.

Again, suppose that the elected Members urged the introduction of some increase of taxation for the natives on perfectly sound and proper grounds. Once again the ambiguity of their position strikingly betrays itself.

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Increased taxation brings out more labour into the white areas, and critics can, with a good show of reason, attribute to the white employers interested motives in using their weight to secure the imposition of higher taxes. All such difficulties immediately vanish if the Reserves are given their own budget.

White settlement is and has been of great benefit to the native tribes of East Africa, and it is a matter for keen regret that incompetent political leadership and the ambiguous position in which elected European members find themselves in the Kenya Government have provoked criticism which tends to mask the kindnesses, the hard-working lives, and the splendid example set by hundreds of settlers in Kenya, who never dabble in politics, but who deserve well of their country. Though I myself have been a keen critic of Kenya's politicians I wish to record my admiration and affection for the splendid and lovable body of settlers, among whom I have passed more than five years of my life. That their true character may be able to express itself through a less distorting medium than their present type of government is not the least of the reasons for which I have for three years urged a separate administration of the Native Reserves. They can then concentrate their attention on their own affairs.

The proposals of the Hilton Young Commission to give an unofficial majority to the Kenya Legislative Council ought not to be adopted unless the Governor is given powers of certification and veto with especial reference to questions affecting Railways, Customs, Defence and Research; a separate Administration and budget are given to the Native Reserves; the Indian Question is satisfactorily solved; and provision is made for the adequate representation of the native population living in the Settled Areas.

The natives living in the Settled Areas are either detribalised natives who may be described as domiciled in the Settled Areas, or natives retaining their tribal attachments to the Reserves, who might be described as a migrant population. The latter have strictly no right to representation in the Kenya Legislative Council, but form so large a population that it would be well to assign them two nominated members from the immigrant races. The former should also be given representation by nominees, but with the distinct understanding that these nominees should be replaced by natives at the earliest opportunity.

The Native territories would be administered by a special service which would be devoted to realising the ideals for which Trusteeship stands. Officials appointed to this service would dedicate their careers to the establishment of a native civilisation adapted to native capacities, aptitudes, and needs. They would learn the native languages, study native customs and modes of life, and develop, in conjunction with Native Councils, a true native Home Rule. The homes of the natives would be protected by an independent administrative system providing continuity of policy and development and not merely by the personalities of a succession of Governors or High Commissioners. I know of no better protection for the childhood of developing native races than a picked service of British Officials.

The Chief Native Commissioner would be primarily responsible for the good government of the African Territories under the Governor of Kenya in his capacity as High Commissioner.

He would be assisted by a Council for Native Affairs, composed of past and present Provincial Commissioners, native delegates from the local Native Councils, two members representing the immigrant races in the

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Kenya Legislative Council, two representatives of the natives living in the Settled Areas, and two missionaries. This Council would discuss all legislation proposed for the Reserves. The proceedings would be in Swahali. A good deal of legislation might be simply adopted from the Kenya Legislative Council, other legislation would be enacted specially for the Reserves. The chief object of the Council is to give the natives full freedom of opportunity to hear and discuss legislation to be applied to them after first discussing it in their local Native Councils.

Legislation for the Native Reserves would be promulgated by Proclamation by the High Commissioner.

The Council would be the first step towards educating natives of various tribes to take part in intelligent discussion of their own affairs, and would help in developing a sense of African nationality. The presence of members from the Settled Areas would enable the Council to hear the views of employers and natives in the Settled Areas on legislation that might affect them.

The African territories of Kenya would be represented on all inter-territorial Councils or boards.

No restriction whatsoever would be imposed on the free movement of Africans in and out of the Reserves. If natives wished to dissociate themselves permanently from the Reserves and domicile themselves in the Settled Areas they would come under Colonial control and take their places as members of a small British Colony run on the usual Colonial lines. Natives remaining in the Reserves would be members of a native State developing naturally in a direction congenial to their modes of life.

The essence of this part of my proposals is that the legislative control of the Kenya Council over natives must be restricted to those natives in the Settled Areas where it can be exercised with knowledge and intelligence.

Native Lands Trust Ordinance.

The recent Lands Trust Ordinance after assuring the demarcated Reserves to the natives for ever, provided means under elaborate safeguards for the granting of concessions in the Reserves. I think the Ordinance in the form it took was a mistake. The Boards of Officials and unofficials which will make recommendations on the granting of concessions leave a loophole for the entry and influence of the interested trustee. Perception of this danger has led to the introduction of complicated conditions in the Ordinance as attempted safeguards against any abuse in the granting of concessions. I hold to the opinion, which I expressed before the Bill became law, that the demarcated Reserves should have been vested in the Chief Native Commissioner in virtue of his office on behalf of the Crown. Then when an independent Imperial administration had won the confidence of the natives the Chief Native Commissioner with the consent of the Native Councils, and the consent of the Council on Native Affairs and the Secretary of State could introduce schemes such as the Sudan Plantations Scheme or Co-operative Schemes to assist native development and for the consequent benefit of the wards. This seems to be more in keeping with the spirit of Trusteeship than the actual Native Lands Trust Ordinance

Unalienated Crown Lands.

Unalienated Crown Lands should on no account be alienated for white occupation or settlement for longer than one generation. It is certain

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that the Kikunya Reserve will require further accessions of land within the next fifty years, and it is probable that the medical and sanitary measures we are taking in the Reserves will lead to a rapid increase of the native population in the near future. The permanence of white settlement is problematic. The native deprived of his land is like a bee lost from the hive. If we create a landless native population in East Africa we shall sow the seeds of unrest and revolution.

The Indian Question.

In view of the actual political and economic circumstances of Kenya, I am of opinion that the best course to adopt is to maintain the Communal Roll.

British traditions of government have been introduced into Kenya and the maintenance of these traditions is of great importance for the Africans both inside and outside the Settled Areas. Englishmen are born and brought up in these traditions; at the best Indians can apply them only secondhand. Mere attainment of certain educational standards does not serve to bridge the gulf between Indian and European so as to enable the one race to enter into the spirit of the traditions of the other. Mr. Wedgwood Benn may meet and discuss a wide range of subjects with Mr. Gandhi on terms of understanding and equality, but he will not, clothed in a loin cloth urge his constituents to cure unemployment by destroying machinery and returning to cottage industries. Indians ought not by mere force of numbers to be allowed to make a peaceful conquest of the government of Kenya through the vote. The Indian leaders have frankly admitted this and say that they repudiate any claim to political predominance in Kenya, but want adequate representation of their interests through a Common Roll, with Reservation of Seats, and a property and educational test.

Since they are willing to accept the undoubted political disability of permanent minority representation it is difficult to understand why they so passionately reject representation of European and Indian alike on Communal Rolls seeing that a Communal Roll provides the most direct and vivid possible means for the representation of minority interests. The prejudice exists, however, among Indians that Communal representation is a slur on them and therefore an attempt might be made to adjust in compromise between settlers and Indians on the basis of (1) a Common Roll with (2) Reservation of Seats and (3) Educational and property qualifications, provided that no alteration in future shall be made in any settlement reached on the proportionate Indian representation agreed on without the consent of the unofficial European and Indian members of the Legislative Council, that is by a majority vote of 11 Elected Europeans and 5 Indians. This proviso ought to allay the fears of settlers that the introduction of a Common Roll would be the prelude to the domination of the Colony by India.

In my opinion the Communal Roll is a most useful electoral device in a community composed of races of widely different civilisations, such as Kenya, for gradually bringing the various communities to realise one another's aims and aspirations until the time when they approximate sufficiently closely to enable them fully to understand one another. It would be through a Communal Roll that the African would naturally take his place in the Legislative Council. He would begin by representing his own people and their views as no European could possibly do and at a later stage might be able to represent the views of the whole community.

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I wish to make perfectly clear that my proposals in regard to the solution of the Kenya political problem are attempts to suggest the best practical methods for dealing with a situation which has been reached by paths that cannot be retraced, but which should never have been followed.

The creation of native Reserves provides no final solution of the native problem. Reserves are well adapted to prolong the existence of ethnographical curiosities mouldering to decay; they will not serve permanently to provide for the maintenance of the fertile native tribes of Africa. We have dedicated them to native use for ever; but it is certain that they will serve only as a temporary shelter and training ground in which the natives will rightly have an opportunity of showing whether they are capable of adapting themselves to fit in an everchanging and ever more complex world. More than this we cannot be expected to do for them.

Closer Union.

Closer Union was one of the chief planks in the programme of the Delamere Party in 1927, coupled with a demand for a European majority in the Kenya Legislative Council. They have now reversed their policy and desire no changes in present arrangements.

Both in evidence before the Hilton Young Commission, and since then, I have always opposed political union between the three East African territories, but am in favour of arrangements for promoting the closer economic union of the territories.

The appointment of a Governor-General, without the provision of the usual apparatus of Federal Government, would be a political freak. The appointment of a Governor-General with the usual apparatus of Federal Government would reproduce in East Africa, on a vast scale, precisely that conflict of opposing racial interests, which vitiates the Kenya political system, and makes trusteeship for the natives impossible. Moreover, I do not think it would be easy to find a man who would be a "projection of the personality of the Secretary of State," nor is it desirable that the Secretary of State should confer great executive powers on a second-hand copy of his personality, and yet burden the original with all the responsibility. In practice a High Commissioner coming new to East Africa would, if he were a man of strong character, be apt to take decisions on his own without sufficient knowledge; if he were a weak man he would be apt to become a "projection of the personality" of the strongest of the three East African Governors.

To secure the furtherance of closer economic Union the present Annual Governors' Conference should be continued. The Agenda of forthcoming Conferences should be sent to the Secretary of State three months in advance, so that he could, at his discretion, send one of his officials as a delegate to represent his general attitude towards any questions of great importance down for discussion, and to listen to the arguments both official and unofficial put forward in debate. He would return and report to the Secretary of State. I think such a delegate would be very useful in removing some of the grievance alleged by settlers that they were governed from Whitehall, 6,000 miles away, which knows nothing of local conditions. It is a great solace to a truculent politician to speak his mind before someone whom he believes will report what he said to G.H.Q. After the Conference the delegate should make a point of mixing for a few weeks with men of all races in East Africa as a listener. I believe the practice of sending out such delegates would have very considerable effect; it is so much more preferable to speak to a man than to figure in a dispatch. The

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delegate himself would derive both profit and advantage from periodical visits to the territories with which he was accustomed to deal in the Colonial Office. Those of us who know the officials of the Colonial Office are frankly amazed at their wonderful knowledge of the Colonies with which they deal. Opportunities of coming into touch with the men and circumstances which they have hitherto had to visualise mentally must be of value to them.

The Governors' Conferences would be assisted by a Consultative Economics Committee and a Consultative Committee on Native Affairs. The Economics Committee would chiefly deal with questions of Customs and Railways. Competent men would be chosen to serve on the Committee and not merely members of Legislative Councils. The utmost freedom should be shown in co-opting men to the Committee on special occasions to assist in the discussion of topics on which their help might be valuable.

Recommendations on Customs, Railways, Defence or Research of the Governors' Conference, formally approved by the Secretary of State, would be put through the Legislative Councils of the three territories as Government measures with the help, if necessary, of the official majorities. By this method executive effect would be given to the decision of the Central Authority on matters of primary importance to East Africa. This is essential.

The Committee on Native Affairs would contain representatives of the Native Affairs Departments of all territories, missionaries, ex-officials, settlers, and men who had special knowledge of the natives. Politicians would not have most-favoured treatment. The Committee would provide opportunities for friendly discussion of practical administrative difficulties, frontier questions, and so on. Much good work might be done, especially in securing more uniformity in the general treatment of native affairs.

In addition to these Committees frequent informal meetings should be arranged by the Secretariat of the Governors' Conference, with the consent of the Governors, between departmental chiefs of the different territories. Many friendly agreements might be reached in this way for co-operative technical working, and disagreements would by friendly agreement be put down on the Agenda of the Economics Committee for further consideration.

Closer economic union must be a natural growth, accomplished so far as possible by friendly and not forced co-operation between officials and non-officials of the three territories.

Political and racial issues of first-class magnitude are not many in East Africa, and those that there are must be decided by the Secretary of State. A Central Authority is needed to provide a forum for the discussion of inter-territorial questions, to attain agreement where possible, in which case the respective Governors can make the agreement effective in their territories, and in default of agreement to resolve matters in dispute to their simplest terms for final settlement by the Secretary of State.

A convenient centre for the holding of Governors' Conferences would be Moshi or Arusha at the foot of Mt. Kilimanjaro. The surroundings are more restful to the eye and mind than those of Nairobi.

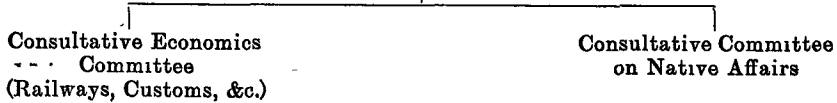
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ANNEXE 1 to APPENDIX 37.

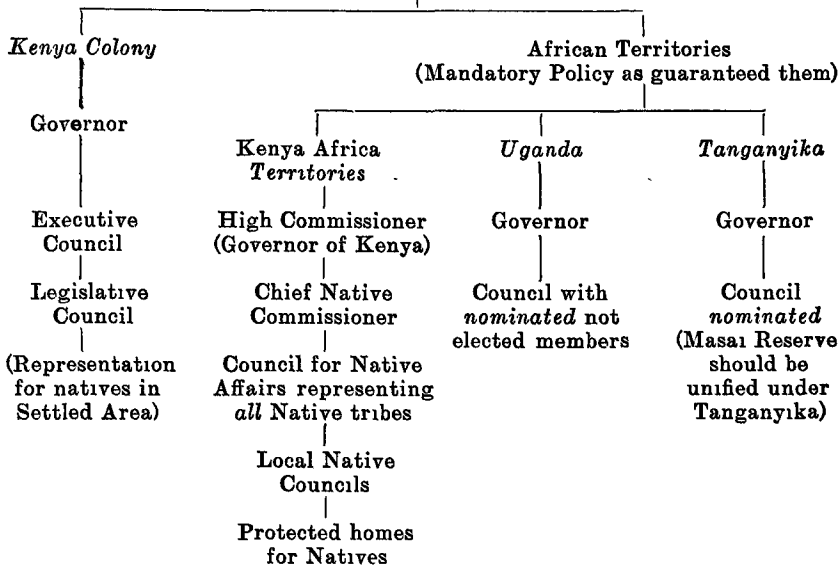
CENTRAL AUTHORITY,

Annual Governors' Conferences.

Attended by Delegate from Secretary of State and assisted by



Recommendations of the Central Authority when approved by the Secretary of State to be put through the Legislative Councils as Government Measures



ANNEXE 2 to APPENDIX No. 37.

A good deal of use has been made of Agricultural Statistics in evidence before the Committee. I suggest that enquiries be made as to the methods of collection of these statistics, especially those relating to Native Agriculture, before much use is made of them. The newspaper article produced below, though written for popular consumption, deals accurately with published figures and illustrates their unreliability and the biased use made of them.

REFLECTIONS OF "THE TRAMP" (J. A. CABLE) ON AGRICULTURAL STATISTICS (FROM "THE TIMES OF EAST AFRICA," 23RD MARCH, 1929).

I have always been profoundly interested in the study of statistics; they are most illuminating when properly used. Last night, after finishing an exciting detective story, I felt that I needed a little light literature to soothe me to sleep, so I began to read the Agricultural Census for 1927.

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I saw that an area of 4,737,920 acres was occupied in Kenya by 1,902 Europeans, and that they had brought under cultivation 512,543 acres, or 10.8 per cent., of this area. I think that at this point I should have gone off to sleep, haunted by the thought that this amount of development was not very large, had I not suddenly recollected with a start that I was on holy ground, the scene of a statistical battle royal between Major Leonard and Mr. O'Shea in which Mr. O'Shea pointed out to Major Leonard that he had taken account of only a trifling part of the total development effected by white Colonists. My interest in the Census Report was thoroughly aroused, and I pursued my reading. The Report goes on to say that on a basis of 6 acres per head of cattle, and 3 acres per head of sheep and goats, the development per occupier on account of live stock is 681 acres and 338 acres respectively. On these assumptions I calculated that 2,544,347 acres, or 53 per cent., of the total white occupied area had been developed; a most remarkable achievement. The Eldoret David had indeed slain the Nairobi Goliath.

The Report had now become fascinating, and I read on until I came to the statistics of Native Live Stock. The estimated stock in possession of natives, other than those on European holdings, is as follows.—Cattle, 3,260,000, Sheep, 2,600,000, Goats, 3,600,000; Horses, 200; Mules, 300; Camels, 60,000; and Asses, 35,000. I resolved to apply the approved and irreproachable official statistical methods to the examination of the question of how far the under-development of the native reserves had been over-exposed by our politicians. The Hilton Young Report tells us that the native reserves cover an area of 48,297 square miles or 30,910,080 acres. A large but unknown area of the reserves is under cultivation. On a basis of 6 acres per head of cattle, and 3 acres per head of sheep and goats, the development per native on account of live stock is 9 acres and 8 acres respectively. On these assumptions I calculated that 38,160,000 acres, or 123 per cent., of the native occupied area, had been developed on account of cattle, sheep and goats, exclusive of land under cultivation, and of animals which also ran. This eclipses anything approached by white settlers. I felt greatly troubled about the fate of the 35,000 asses, the proletariat of the reserves, who had been given Braytonomy and nothing besides under the official statistical scheme, but I comforted myself with the reflection that they had not read the Hilton Young Report, and therefore would not make an asinine rebellion.

I am a simple and trustful soul and believe everything that the Government tells me. I must enquire from the Department of Agriculture how the natives manage to carry on this intensive development of their super-charged reserves. I can only conjecture explanations. It may be that native animals are ascetics, or that, like leguminous plants, they absorb nourishment from the air by means of nodules; or perhaps they feed on one another's ticks; or it may be that native herds of cattle contain a vast number of Irish bullocks which maintain their fertility by drawing on their own reserves of meat and milk. There is a flaw in the argument somewhere, for we know from our politicians, who are never inaccurate, that the natives have been given reserves which are far too big for them. But if the possession of cattle, sheep and goats is to be counted as equivalent to the development of the quoted number of acres per animal the reserves are already over-developed. The explanation must be that the possession of animals is counted as development of acreage only to help settlers to escape an undeveloped land tax. I must at once appeal to the Agricultural Department to assess the development in acreage that they are willing to assign to me on account of 2 dogs, 2 full-grown cats, 3 kittens and a cockatoo. I must also appeal to them to lease unalienated Crown lands for the support of those 35,000 asses.

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These nocturnal mental calculations nearly exhausted me, and I fell asleep. In reflecting on them the next morning I felt very humble, because I mentally compared my powers of work with the gigantic intellectual effort of Mr. Conway Harvey in reading the Report of the Hilton Young Commission ten times over in two months. The Report contains 354 pages, so he must have read on an average 60 pages a day. This means that at two minutes a page he must have read the Report on an average for two hours every day between the time that the Report appeared and his visit to Mombasa in order to discover that the British Government had banged the door on Responsible Government. Any ordinary person who had followed the antics of the irresponsible Elected Members and the Convention during the past year would have concluded that the Almighty and not the British Government had rendered *Responsible* Government impossible.

APPENDIX No. 38.

MEMORANDUM FROM DR. J. B. ORR, DIRECTOR OF THE ROWETT RESEARCH INSTITUTE, ABERDEEN.

I understand that the Joint Committee is considering general administrative issues affecting the interests of native races and white settlers in East Africa. This memorandum is submitted for the purpose of bringing to the notice of the Joint Committee the importance of research work which has been carried out in Kenya during the past four years, and is still in progress, with reference to the stock industry and the improvement of the health of the native races.

The investigations referred to arose from requests made by some of the white settlers, particularly by the late Hon. Galbraith Cole, and were set on foot in consequence of consultations held with the Director of Agriculture, and the Director of Medical and Sanitary Services, for the Colony. With the approval of the Governor, a report on certain aspects of stock farming and of the health and physique of the natives was made to a Sub-Committee of the Civil Research Committee (now absorbed in the Economic Advisory Council). Following upon the recommendations of that Committee, and the approval of the Prime Minister, investigations were undertaken by research workers of the Rowett Research Institute and by workers seconded from the Kenya Medical Service.

The investigations proved to be most successful, and the information obtained appears to have a direct bearing on the welfare of the native races in East Africa and on the development of stock farming both in the interests of the native tribes and of white settlers. The results of the work are in course of publication by the Economic Advisory Council, and may be obtained on application to the Secretary of the Council.

The two reports in question are:—

(1) The Influence on Animal Health of Minerals in Diet (The Mineral Deficiencies of Pastures in Kenya Colony and their Effects on Grazing Animals).

(2) Health and Physique of Two African Tribes.

The Joint Committee will observe that attention is drawn in the reports to the investigations as an example of successful Imperial Co-operation in research. The workers included the members of the Sub-Committee of the Economic Advisory Council, the Colonial Office, the Empire Marketing Board, settlers in Kenya who provided animals and facilities for feeding experiments, research workers of the Rowett Research Institute, and officers of the Departments of Agriculture and Medical Services in Kenya. These bodies, acting together for a common purpose, have achieved results of benefit to the Colony and rendered possible only by concerted effort.

This investigational work, which is regarded by many of us as of major importance in connection with the development of the native races and the settlement of immigrant races, has been carried out with the help of white settlers and, with their help, it is being continued. My object in submitting this statement, for the information of the Joint Committee, is to emphasize the necessity for maintaining the existing facilities for research work in any new policy that may be deemed expedient for the regulation of political rights in British East and Central Africa.

APPENDIX No. 39.

MEMORANDUM FROM MISS M. F. PERHAM (HOLDER OF TRAVELLING FELLOWSHIP AWARDED BY RHODES TRUST).

Qualifications of Writer.

1. I am a Fellow of Saint Hugh's College, Oxford, and have for some years been Tutor there in Modern History and Modern Greats. A year spent in British Somaliland turned my attention to the question of native policy and I began the study of that subject and gave University lectures upon it. The Rhodes Trust awarded me a Travelling Fellowship and are financing two years of travel and study, mainly in tropical Africa. I have spent the last year working in the three Eastern territories, following visits to South Africa and the Southern Congo. The three Governments concerned gave me special facilities for the study of their administrations, both at headquarters and by visiting the provinces. I was able to travel through a large number of Districts with local officers and spent much time in Courts and Councils, European and native, listening to their proceedings. I also met many unofficials and visited their farms and factories. Although it was impossible at such a moment in East African history not to study all sides of the present issue, I wish to offer my evidence from the standpoint of native administration, which was my special subject.

2. Although the Committee probably considered a detailed enquiry into the three administrations to be outside their terms of reference, yet the official documents before them contain proposals based upon assumptions about native administration which seem to need much further support and investigations. The Committee is hearing evidence upon these points from natives and political officers. My evidence is secondhand and general in contrast with theirs, and I offer it mainly on the ground that it is comparative, and is that of an unofficial who has had rather special and recent opportunities of studying the position of the natives in East Africa, and because I think there are certain points that have not yet been sufficiently emphasised. (I might add here that I have attended all meetings of the Committee since my return from Africa towards the end of March).

3. The Hilton Young report speaks of the difference of policy and practice between the three administrations, and gives the urgent need of co-ordinating them as an important reason for Closer Union. These differences have been frequently referred to in the evidence, and some of them made clear, but a short summary of them might be useful if only to show how far co-ordination in this sphere is desirable and possible.

4. The administration of Uganda can only be understood in the light of history. In Uganda our first contact was with the kingdoms of the West, and the circumstances of that contact led to our accepting and crystallizing much that we found. Buganda, with its high degree of organisation and its tradition of something like a civil service, was taken as a model by the Government, which, as it spread North and East over the less coherent Bantu and Nilotic groups, introduced with the help of Baganda native agents, the Baganda forms. This similarity in form may tend at first sight to be misleading since, as the distance East and West of Mengo extends, the spirit of the administration tends, to become more direct. Taken as a whole, however, the degree of responsibility granted, especially upon the judicial side of government, is great. The long experience and the wealth of the native administration have resulted in a high standard of efficiency. In the absence of a Commissioner (or Secretary) for Native Affairs, the four provincial Commissioners have wide initiative, and little attempt has been made to define principles and objects, but the small size of the Protectorate,

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the freedom from difficult problems and the comparatively long traditions of the administration have combined to produce confidence among the personnel of the service and continuity in practice,

5. Kenya presents at least two striking contrasts with its neighbours. One is the invention of Local Native Councils, artificial bodies in each district composed partly by nomination and partly by election. They have limited legislative and no judicial powers. In the absence of any rebate of taxation, their revenue is formed of such rate as they decide to raise from their districts. The second difference is the rather unfortunate separation between the three branches of government, executive, judicial, and legislative. Generally speaking, the spirit of the native administration is more direct than that of her neighbours and less responsibility is allowed to the natives. With a smaller population than that of Uganda, Kenya has ten provinces as against four, with a probable loss in the concentration of responsibility.

6. Tanganyika, while much nearer in character to Uganda than Kenya, has a striking individuality of its own. The singularity is the immense and prolonged effort that has been made to fit the forms of government to those of native society. The result is seen in the rich variety of the size and form of the units and their continual adaptation in accordance with out growing knowledge and their own development. This sympathetic pliability in the application of policy is accompanied by very full guidance from headquarters as to methods, principles and ultimate objective, which has noticeably stimulating effect upon the administrative personnel.

7. This summary cannot, however, convey the differences in individuality between the three administrative services, which are vividly felt upon passing from one to another and which are fostered by that ready British growth, *esprit de corps*, with results largely but not wholly good.

8. Co-ordination might be of three kinds. It might be limited to the assimilation of legislation in such matters as land (excluding, of course, the question of special native tenures), labour, registration and other matters where anomalies may be inconvenient or unpolitic. But this kind of co-ordination has already been begun by the Secretary of State, and could probably be continued all the more easily when a final pronouncement has been made upon the East African issue.

9. Co-ordination, to go to the other extreme, might be dictated from above in such a way that a rigid uniformity would be attempted where variety is to a large degree essential and the vitality and character of the three administrations ironed out of them. This would be so generally regarded as disastrous that it need be feared only if, the office of High Commissioner having been created, an unfortunate choice should be made in filling it.

10. There is, between these two, a middle course and a necessary one. The differences in conditions are clearly not enough to account for all the differences between the three systems and there can be no doubt that each territory would gain by taking the best from the common stock of experience wherever the best is applicable. To give one or two examples: Tanganyika might well learn something from the excellent organisation in Uganda against famine as well as from the system of native prisons as soon as their introduction into Tanganyika is considered desirable. Kenya has, in my opinion, much to learn from both her neighbours, but it has, upon its side, certain valuable features to show in its educational system and medical work. Kenya, and even Uganda, would do well to study the patient and sympathetic efforts by which local government in Tanganyika has been based upon the institutions and wishes of the people. The communication of experience is difficult to-day because there is a barrier between the administrations, composed of a great degree of ignorance and a certain amount of prejudice.

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11. It is possible that in this kind of co-ordination a High Commissioner might succeed where a Secretary of State has failed. His attempt would, however, be attended by risks that are grave at this stage of native administration. He might weaken the local governments by impairing their responsibility, an almost certain result of the proposals in the "Conclusions of His Majesty's Government." Secondly, he would be obliged to act without that close contact possessed by the territorial governments. My experience in travelling constantly between headquarters and districts convinced me that this point, which was referred to by Sir Donald Cameron in his evidence, is fundamental. This essential contact is hard enough to achieve under present circumstances. In Tanganyika, with its vast surface and vulnerable communications, it would certainly have been lost had the difficulty not been met by the activity of the Secretary for Native Affairs, whose constant travels have kept headquarters in living touch with the districts and communicated to the remotest officer the support and guidance of the central government. Those who know Africa will appreciate the psychological effects of such liaison.

12. These points are intended to show that the necessary co-ordination cannot be easily achieved by Closer Union but they are not a counsel of despair. The co-ordination can be developed in other ways which are more in accord with our administrative genius. To detail these here might, however, add unduly to the length of this memorandum: I will merely give the three headings under which they could be discussed:—

(1) Judicious transfers of officers between the three territories.

(2) The publication of a common Journal dealing with native affairs, on the lines of the Native Affairs Department Annual in Southern Rhodesia.

(3) Conferences of officers upon special subjects and border problems.

13. The second assumption is one advanced from all sides in the discussion and forms the foundation for constitutional structures of very different styles but designed mainly for Kenya. It is the assumption that the natives will or can be made to develop on their own lines in their own reserves. It is unnecessary to enlarge upon the importance of this idea which increasingly dominates thought in Southern Africa and is put forward as the one way in which full native development can be made compatible with the survival of European societies. The European has, however, hitherto shown himself too little inclined to face the difficulties and make the sacrifices that this solution demands if it is to be anything more than a pretence to lull immediate fears. Happily, in East Africa the policy is still possible to a very large degree—it can never be complete—but only if the two main difficulties in its application are recognised and provided for.

14. Firstly, it can never succeed unless the highest attainable standard of native administration is maintained in the native areas. It is doubtful if those who set the task to the officers fully realise its difficulties. I cannot think it irrelevant to consider these difficulties for a moment.

15. Throughout a great part of East Africa the administrative officer works, if not in darkness, at least in the half-light. He may have as many as two or three hundred thousand natives in his charge and it is the exception rather than the rule for him to stay for as much as two years in one station, while six months is only too frequently the period. He does not know the native language. There is a wide variety in the institutions of different tribes. Under these circumstances, even were the natives willing and able to inform him, his knowledge is bound to be very inadequate, as experienced officers are the first to admit. In many cases, however, the natives are either unable or unwilling to help him, though

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they may keep him in a fool's paradise by what has been called their docility, but which is really a quality peculiar to themselves of putting up a façade of the kind we appear to want, behind which they quietly maintain as much as they can of the ancient structure of their own society. This has been strikingly illustrated in Tanganyika during the application of Sir Donald Cameron's policy. In some parts the real forces of tribal life are only now emerging from the obscurity they have sought ever since European occupation. Yet no sooner does the district officer feel that he at last understands native society than he must strive to follow and direct the rapid changes that are affecting it. It is possible for the administration of large areas to have an appearance of working with smoothness and success over a long period when the whole basis is faulty and the people in no kind of partnership with their government. I would especially like to point out how little the needs of African women can be understood and provided for under present conditions when all branches of the European service are almost exclusively staffed by men, and when the native women are further handicapped in making contact with the administration, owing to their general ignorance of Ki-swahili. The district officer naturally does not fill his annual report with his difficulties and failures even when he realises them and by the time those reports have passed through a summarising process at provincial and territorial headquarters and reached this country, the tentative character of native administration tends to be obscured.

16. To approach success in such kind of work demands not only officers of the highest possible equipment but also their responsibility to seniors who are free to learn as well as dictate, and to take the long views and make the inconvenient adaptations that the evolutionary nature of their work requires. Native administration, in fact, in its present stage in East Africa is a task for the trained and independent official and one that it is not always easy for him to interpret to the uninitiated.

17. The conclusion seems to be (and it is one that I had the opportunity of checking in other parts of Africa and, indeed, outside Africa) that the quality of native administration suffers in proportion to its exposure to local political control or influence expressed through institutions which have developed to suit completely different political conditions. This is not, as the Hilton Young Commission pointed out, necessarily a reflection upon the colonists.

18. It is probable that the administration of Kenya has already been impaired by the degree of influence attained by the unofficial element. I am deliberately excluding here the different question of the possible injustices committed in discriminatory legislation, or in the distribution of services, though it is important to remember the constant possibility of such injustice (which may be illustrated even to-day by such examples as the posting of veterinary officers and the staffing of the Labour Department). It is difficult for those heads of departments at Nairobi who are more specially concerned with native affairs to take long views or give a strong lead to their services when they are distracted by the controversies of the capital, obliged to pass every penny of their estimates through the Finance Committee as at present composed, and run the gauntlet of criticism which may be well-intentioned, but which, since the un-officials' knowledge of the native is largely confined to the latter's most artificial and least favourable aspect as wage-labourer, cannot be very well-informed. The Press contributes its daily quota of criticism partly in the form of letters, mostly anonymous, and by its continuous accounts of the needs or opinions of "the farmers" or "the people" or even "the taxpayers

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of this country " so that it needs officials with very clear heads to remember the relative importance of the different interests in the colony. The embarrassment at the centre is naturally passed on to the provinces in lack of leadership and support and the provincial officers themselves are subject to the same influences in their own fields. As a recent example of such criticism I would mention the strictures in the Press upon Government servants for not joining the Defence Force and for not subscribing to the unofficial delegation to England, while there has been a good deal of discussion lately of what is called their pampered conditions as to leave and allowances. Unofficial influence upon officers is all the stronger owing to the policy of the Kenya Government in drawing the provincial boundaries so that the provinces include both settled areas and reserves, while some of the districts are also mixed. The reason for this is a good one and commends itself to many experienced officers. It is that the matters that arise between a settled area and its neighbouring reserve such as squatting, labour and stock-thefts, cause less friction when they can be settled locally by an officer responsible for both. Good though this reason is, I believe that in the circumstances of Kenya, there is a better one against it. Indeed, the same experienced officers often go on to give it themselves by saying that where their work is "mixed" they find it difficult to concentrate adequately upon the native side, a point that can be confirmed by anyone who has worked in their offices. The white man knows both what he wants and how to get it. The native in many cases knows neither. The white man writes and must be answered or calls and must be seen. The native, if he gets as far as the office will sit outside it for hours and even days. On the other hand, pressure in the office makes it increasingly difficult for officers to get away to tour their districts in the old leisurely way so necessary for establishing contact with the native.

19. I wish to make it clear that this is not to be taken as a criticism of the political officers in Kenya. Their individual standard is exceptionally high, and it is due to this that their work has not suffered more from the difficulties that I have mentioned. But there is no reason why these difficulties should not be removed so that work may be carried on upon more co-ordinated lines and under less distracting conditions and the organised study of native institutions, that should have accompanied the establishment of local government, may be begun before it is too late. How necessary this last undertaking is may be seen from the frank admission which concludes the recent Report upon Native Land Tenure in North Kavirondo, written by the Chief Native Commissioner, a District Officer and a missionary:—

"In the first place it is clear that in the past, in the absence of any systematic investigation into the history of the tribes, their social organisation and their system of land tenure, unfortunate mistakes have been made in the selection of official headmen, the fixing of location boundaries and in allocation of duties. Administrative Officers have, of course, acted in good faith, but without sufficient knowledge of all the circumstances."

If, as seems the case, the native administration of Kenya stands in need of reform based upon research, conditions of freedom and security are all the more necessary to the political officers.

20. These are some of the difficulties of native administration, some common to East Africa, some peculiar to Kenya. It is hard to say which is the more difficult of the complementary tasks set to the political officers, that of discovering the vital forces in native society, or that of developing them in the right direction and at the rate pace. Upon the success of

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the attempt during the next 50 years depends all hope of this differential political development which is necessary for both races. My investigations in East Africa convinced me that this success cannot be obtained unless the native administrations are freed as far as possible during that period from local unofficial influence and control. As far as Kenya is concerned, that means administrative separation to the degree necessary to attain the object in view.

21. Administrative separation is necessary, not only for maintaining the right kind of administration in native areas, but as the only way of making a harmonious dual development possible at all. It would be the choice of the natives. Every expression of their opinion has been an emphatic refusal of local political control and an assertion of confidence in the rule of the Imperial Government. This is far more than the opinion of the educated minority. I believe that the vast majority of natives, even when they are unable to reason about it, feel this distinction and know the advantage of being governed by an administration affected neither by economic nor political fears towards them, and whose members cannot be accused by the most unreasonable agitator of occupying their lands or exploiting their labour. Basutoland is not generally regarded as one of the best examples of British administration, yet, as far as the psychology of the natives is concerned, to cross from the Union into that territory is to pass from depression and distrust to that pride and confidence which are the only sure foundation for separate native institutions. It is a striking fact that in South Africa the only native area that shows any signs of progress is the Transkei, where the tradition of British administration to some extent survived the loss of Imperial control and where there has been the largest measure of administrative separation. Even so, at their last session, the Bunga, a general council composed half of magistrates and half of responsible natives, passed a resolution calling upon the Union Government to allow the territory to be governed directly by Great Britain like the three Protectorates.

22. It is not a satisfactory answer to these points to say that there is no intention of doing more than continuing the association of the un-officials in the trusteeship for the natives, or that such and such limitations will be placed upon Legislative Council or this and that balance of representation made within it. So long as that institution functions as at present for the whole country, its parliamentary form must perpetually invite the British representative element to increase their power in it, exciting a complementary uneasiness among the natives which will distract their leaders from the opportunities offered them in the reserves. Such uneasiness will open their ears to the propagandists who will tell them that political segregation is the white man's trick to keep them in a state of barbarism lest they should learn to challenge his domination. Pan-African propaganda of this kind has hardly begun; it is inevitable and will develop with great speed if conditions favour it and with stimulus from several interested centres outside the continent. If there is one point more than another that I would wish to emphasise in this memorandum, it is my conviction that the growth of political consciousness among the natives is going to be far more rapid than we are willing to realise and that there is only one way by which we can insure that it will not take the dangerous form of a movement against the colonists.

23. I have not spoken of the European interests because I wanted to concentrate upon that aspect of the problem which I have mainly studied. I would not like it to be thought, however, that in supporting this solution

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I am thinking only of the interests of the natives. The European as much as the native needs security and the utmost scope for development consistent with his peculiar position in East Africa. I believe that once he had got over the initial shock of the constitutional change he would realise that he had all the powers that could legitimately be given to so small a community and also, for that distant future he so often refuses to contemplate, security against economic and political submergence. When the time comes for closer union in East Africa, the European will be far readier to co-operate with the African upon a federal than upon an individual basis, and his security will have the constitutional guarantees that only a federation can give to the small community.

24. The degree of administrative separation must depend upon the degree of development which is anticipated upon the European side. The natives will not believe their interests to be safe, nor, in fact, will they be safe, so long as all their affairs pass through the hands of a central assembly where the influence of the Europeans must, in proportion to their ability and experience, exceed any numerical limitations, and will naturally be used to advance the interests of their own constituents. The second line of defence for native interests, the arbitral power of a Governor or High Commissioner, is not one in which the natives can be expected, under present conditions, to have much confidence. He derives his strength in this capacity firstly from his own ability and resolution, a source at the mercy of the hazards of selection; secondly, from his knowledge of native interests, which is hard to come by under Kenya conditions; lastly, from the support of the Secretary of State, itself ultimately derived, through Parliament, from a British public opinion whose attention is far from constant, and which can only be stimulated and instructed upon such special occasions as the present. Certainly the Colonial Office has largely failed to protect and develop native interests in Kenya in the past, and can only be expected to do so in the future if it has in some measure the clear field, constitutionally fenced, which it has in predominantly native countries.

25. Administrative separation will not solve all Kenya's racial problems for all time, but it will solve three quarters of them for half a century, and it will enable the levelling-up process necessary for the native areas to be carried out under proper conditions. It is not necessary here to go into much detail about the exact form of separation, and the following paragraphs contain only certain essential features and considerations.

(a) *The Governor of Kenya* should be given separate commissions as Governor of the Colony and High Commissioner for the reserves, and unalienated territory. He would legislate for this area by proclamation.

(b) *The Legislative Council in Kenya* would remain much as at present, though it would be necessary to improve both the quantity and quality of the representation of native interests which would be that of natives within the colony or settled area.

(c) *Central Services*, i.e., customs, ports, railways, harbours, defence and air services, for Kenya and Uganda should be legislated for by a body composed of representatives from the Legislative Councils with special representatives for the native areas of Kenya, and, perhaps, similar special representation of Uganda native interests also. *Tanganyika* could either be represented in the same way or could send a delegation to watch and report with the object of assimilating her legislation and policy in the matter of central services. This body could meet once a year at the same time as the Governor's conference, and both could be presided over by a special

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Commissioner whose powers would be confined strictly to presiding, advising, and reporting to the Secretary of State.

(The following paragraphs refer to Kenya alone.)

(d) *The Native Areas* would develop freely under the most expert and sympathetic kind of government that it is in our power to give them. It is neither necessary, nor possible, to forecast their political future at this stage, though we may guess at the emergence of tribal Councils, leading towards a general native Council. The High Commissioner would administer them through a Chief Native Commissioner. The unallotted lands of the territory would be held in reserve for a future which cannot now be foreseen, and for immediate minor re-adjustments between native and European areas.

(e) *Finance.*—The question of a fair separation of revenue is clearly not one for amateur guess-work. Having attempted enquiries in Nairobi, I presume to doubt whether the materials have yet been obtained for a satisfactory analysis. If, however, Sir Edward Grigg is right in thinking that the whole of native taxation could be put into the High Commissioner's budget, the arrangement would have the great advantage of simplicity. It must be remembered, however, that the European's main contribution to revenue is through customs, and that some proportion of this would probably have to be subtracted for his local government before it were handed over for central services. The allocation, however, is a matter for expert enquiry, and, perhaps, for periodic revision.

(f) *The Departments.*—There could be a progressive separation of the work of departments as revenue allows and experience suggests. There is no reason why for many years the two areas should not build up their systems of education, medical services, public works, agriculture, etc., under the co-ordinating guidance of central departments as in Great Britain. They have, indeed, already begun to do so, to an extent that is, perhaps, not generally realised. European schools are already partly financed by special taxation and work under the guidance of one central and several local Education Committees. The Road Boards working under the District Councils supervise that part of the Public Works activity and allocate the revenue allotted. (This revenue, however, is in the form of grants from the Treasury). On the native side of Local Councils are already building dispensaries and schools, and carrying out Public Works through their own employees, all financed out of their own rates. With a rebate of taxation such as is allowed in Tanganyika and Uganda these activities would instantly assume far greater scope and importance, and there seems no reason why the European on his side should not express his political genius more in the responsible and constructive sphere of local government rather than in the irresponsible, undefined and rather negative manner which alone is possible under the present unreal Constitution. Once he does, administrative separation is there in all but name.

26. *Arguments against Administrative Separation.*—The main argument against administrative separation is that it cuts up a country which has become economically one at the very time when it can least bear such an operation, or carry the increased burden of overhead charges.

The answer is:—

(a) That though the separation sounds formidable and elaborate on paper—as does the definition of any federal constitution or our own division of local and central government—yet it is quite simple in practice, and is in force elsewhere, while the economic unity of the country will be unaffected by it since it sets no barriers to trade, transport, or the free movement of labour.

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(b) There is no reason why the overhead charges of Government should be increased at this stage except, perhaps, very slightly in the salaries of the one or two new officials who may be necessary for the bifurcation of departmental activities. This would cost far less than the High Commissioner and his staff. Moreover, there can be little doubt that the stimulus of spending their own money in their own way would cause Europeans and natives to raise more revenue in the form of direct Taxation at the first moment that such increase proves possible.

Another argument is the danger of stagnation under a system of reserves.

The answer to this is that such stagnation as may be ascribed to a territory in the position of Basutoland is due to special reasons which would not apply to Kenya. The native areas in Kenya, being close to European settlement, would, under this system, keep the valuable stimulus and criticism resulting from that neighbourhood while eliminating the fear and the friction which is so marked at present. Moreover it must be part of administrative separation to open a new chapter in the history of Kenya's native administration with the appointment of officers who will concentrate upon the native side, learn the native languages, and so be in position to revise and develop native local government. It may be remarked that once distrust and uncertainty is dispelled by the constitutional measures it will be far more possible for the native administration to make use in various ways of the experience of unofficials.

27. The inauguration of the new system should be accompanied by certain measures:—

(a) An enquiry into the whole position of squatters, large numbers of whom are being quite unnecessarily detribalised, embarrassing the Europeans, and complicating the future political situation.

(b) Without too detailed a scrutiny into past complaints, some attempt should be made to meet the needs of the Southern Kikuyu as to land, and so remove a sense of grievance that time is going to exaggerate into a source of serious embitterment.

(c) The natural disappointment of the Europeans at seeing the end of the hope they have been allowed to harbour of gaining "normal colonial self-government" should be met in part by the strongest possible guarantee of their legitimate interests, i.e., their security in the highland area and their predominance in the government of the settled areas. It might be wise to give them a good start under the new system by some generosity in the conditions of future loans or the settlement of past ones.

28. It may be objected that this Committee is concerned only with the question of Closer Union and that all other matters mentioned here can best be dealt with by the Secretary of State. I beg, with all respect, to point out:—

(a) That this Committee is the climax of a long series of commissions and reports.

(b) That it has taken in very wide evidence and it is impossible to hope for any other body commanding greater or even equal information and authority.

(c) That the proposed changes are of a kind which, in view of their importance and the history of Kenya, it would be difficult and very inadvisable to put through without the support of all parties.

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(d) That if the Committee confines itself to a purely negative report there will be widespread disappointment not only among British opinion at home and in Kenya, but still more through all the native peoples of East Africa, who have been interested as never before in this issue by the appearance of members of their own race before this Committee, and who will be quite unable to appreciate the reasons which the Committee might put forward in explanation.

29. In conclusion, I will summarise my points:—

(a) The forms and traditions of native administration in the three territories are so different that co-ordination by a High Commissioner would be difficult and might be attended by a dangerous loss of local responsibility and vitality.

(b) The differential native and white political development which is advocated from all sides can only be achieved if the administration of the native areas is of the highest standard. This administration is, at its present stage, of such a difficult and tentative nature that the officers entrusted with it will require, for the next fifty years or so, a degree of independence from local political control that only administrative separation can give. This is illustrated by some of the difficulties that have already affected the administration of Kenya.

(c) If the native is to be content with a long period of separate development he must be assured the absolute freedom from local political control which he already, in East Africa and elsewhere, distinguishes sharply from that of the Imperial Government.

(d) This separation, which is so necessary from the point of view of native administration will, in the long run, prove the best security for the European.

(e) A summary of the main features of administrative separation as applied to Kenya, shows that it is neither impracticable, nor prohibitive in cost. A suggestion is made for a body to legislate for Central Services.

(f) Reasons are urged why the Committee should make a wide interpretation of their terms of reference.