
*
* REPORT OF SIR SAMUAL *
* WILSON, *
* ON HIS *
* VISIT TO EAST *
* AFRICA, *
* 1929. *



REPORT OF

Sir Samuel Wilson, G.C.M.G., K.C.B., K.B.E.,

ON HIS

Visit to East Africa, 1929

*Presented by the Secretary of State for the Colonies
to Parliament by Command of His Majesty,
September, 1929.*

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*NOTE BY THE SECRETARY OF STATE FOR THE
COLONIES.*

This report is issued at the earliest possible date for the information of Parliament.

The late Secretary of State for the Colonies explained to Parliament in March last that it would be Sir Samuel Wilson's task to ascertain on what lines a scheme for closer union in East Africa would be administratively workable and otherwise acceptable and to report the outcome of his consultations. At the same time Mr. Amery made it clear that Sir Samuel Wilson could not commit His Majesty's Government or Parliament in any way and that any proposals for action arising out of his Report would be submitted to Parliament before any final decision was taken. On the 10th of July the Parliamentary Under-Secretary of State for the Colonies reaffirmed in the House of Commons on behalf of His Majesty's Government the undertaking given by Mr. Amery.

Publication of Sir Samuel Wilson's Report is not therefore to be taken as in any way committing His Majesty's Government to acceptance of the proposals or to agreement with the views expressed therein. The matter is engaging the consideration of His Majesty's Government who will, in due course, submit their conclusions to Parliament before any final decision is reached.

PASSFIELD.

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To the Right Honourable LORD PASSFIELD,
Secretary of State for the Colonies.

2nd July, 1929.

MY LORD,

I was asked by your predecessor in March last to visit Kenya, Tanganyika, and Uganda with a view to discussing with the local governments and the communities there the recommendations of the Hilton Young Commission.

The following instructions which were given to me by your predecessor were approved by the then Cabinet :—

“ You are to proceed to East Africa in order to discuss the recommendations of the Hilton Young Commission for the closer union of Kenya, Tanganyika and Uganda (and such possible modifications of these proposals for effecting the object in view as may appear desirable) with the governments concerned and also with any bodies or individuals representing the various interests and communities affected, with a view to seeing how far it may be possible to find a basis of general agreement. You are to ascertain on what lines a scheme for closer union would be administratively workable and otherwise acceptable, and to report the outcome of your consultations.”

It was explained to me that I was in no sense being sent to East Africa as a plenipotentiary empowered to conclude any agreement on the spot, but only as a responsible agent conducting negotiations on behalf of the Secretary of State. From the outset, therefore, I made it clear to all with whom I discussed matters that this was the position and that I was visiting East Africa in the capacity of a *rapporteur* rather than a negotiator, and that I had no power to commit His Majesty's Government in any respect.

I left London on the 9th April and travelling via Marseilles reached Mombasa on the 29th April. I spent a month travelling in the three territories of Kenya, Tanganyika and Uganda, and interviewing such bodies and individuals as wished to see me. I returned to Nairobi on the 27th May where, between the 1st and 5th June, I held meetings with the Acting Governor of Kenya and the Governors of Tanganyika and Uganda. I subsequently proceeded to Mombasa where, after spending two days, I embarked for Marseilles on the 12th June, reaching London on the 1st July.

Mr. Sastri, who, on the invitation of your predecessor, was appointed by the Government of India to help the Indian communities in East Africa to present their views to me, did not owing to unforeseen circumstances reach Mombasa until the 10th May. He then proceeded via Nairobi direct to Entebbe, where he met me on the 13th May. After discussing matters between ourselves and hearing the views of the Indian community in Uganda Mr. Sastri

returned to Nairobi to await me there, and I proceeded to Dar-es-Salaam. Mr. Sastri was anxious that Mr. Kunzru, the Vice-President of the Servants of India Society and President of the East African Indian National Congress, who had been in East Africa since the first week of April, should be at Dar-es-Salaam while I was there. I accordingly invited Mr. Kunzru to travel with me on the special steamer and train which the administrations concerned had kindly provided to take me to Dar-es-Salaam. I met Mr. Sastri again at Nairobi when I returned there on the 27th May. Subsequently Mr. Sastri and I left Nairobi together for Mombasa on the 12th June, and, after spending two days with me at the latter place, Mr. Sastri left for Bombay on the 12th June, the same day as I sailed for Marseilles.

Section (ii).

General Position on Arrival in East Africa.

I had not been in East Africa for long before I realised that no little doubt and anxiety had been caused in the minds of most sections of the community by the Report of the Hilton Young Commission.

As far as I could ascertain, the atmosphere of suspicion, and in some quarters resentment, at the terms of the Report was attributable, at any rate in so far as Kenya was concerned, to the fact that although His Majesty's Government had in 1923 laid down the policy to be adhered to in East Africa (a policy re-affirmed in 1927 on the appointment of the Hilton Young Commission) little had been done, between 1923 and 1929, to give effect to that policy; and it would appear that the suspicion aroused on this account as to the *bona fides* of government had gradually grown while the issue of the Hilton Young Report was awaited. The publication of the Report itself instead of allaying suspicion and controversy had had the exact opposite effect. The general feeling of the European community of Kenya, as I found it, was as described in a telegram dated the 30th January, 1929, from the elected members of the Kenya Legislative Council to the Secretary of State for the Colonies, *vide* Appendix I (a). The elected members rightly or wrongly regarded the Report as implying the condemnation of the whole policy of white settlement in East Africa; and the European communities in Kenya and Tanganyika strongly resented the implication, which they regarded as running through the Report, that the white communities in East Africa could not be trusted in their dealings with natives and could not be treated in the same way as the white communities in other parts of the Empire.

A letter dated the 5th May addressed to me by the representatives of the Elected Members of the Kenya Legislative Council and of the Convention of Associations is printed in Appendix I (b).

All communities viewed with alarm the prospect of a High Commissioner being appointed who was to be given " wide executive powers " and was at the same time to have no statutory body to assist him.

I was told that the Report, in reviving the hopes of the Indian community of Kenya as regards the common roll, had neutralised the effect of the Conferences held in 1928 between the European and Indian communities, with the result that the Indian community was disinclined to consider proposals for closer union of any kind unless their demands were met.

In Uganda the publication of the Report appears to have resulted not only in the European and Indian communities demanding elected representation on their Legislative Council, but in the Indians asking not only for an increase in their representation but also for the adoption of the common roll. Some of the demands made to me were, I was told, put forward for the first time.

As an example of the atmosphere of suspicion and mistrust that existed on my arrival at Nairobi, I cannot do better than describe an incident that took place at one of my first meetings with the representatives of the Europeans in Kenya. I was told that the recommendations of the Hilton Young Commission appeared to be a complete negation of the policy laid down by His Majesty's Government in 1923, and reaffirmed in 1927 : and it was suggested that my own visit to East Africa was the last move on the part of His Majesty's Government before putting a final stop to white settlement in East Africa. I could but reply that so far as I knew there was no intention whatever on the part of His Majesty's Government to depart from the policy laid down in the White Paper of 1923* after exhaustive consideration of the matter.

With a view to explaining in greater detail and at the same time as briefly as possible the views held by the different communities in East Africa on the recommendations of the Hilton Young Commission, I do not think I can do better than to enumerate *seriatim* the more important of the points raised in my initial discussions with representatives of the local communities.†

These may be said to be :—

Closer Political Union.

(a) All communities, with the exception of some in Tanganyika, appeared to be frightened of any idea of closer political union.

* Cmd. 1922.

† There are in East Africa, as elsewhere, independent individuals who hold views which do not always accord with those of the accredited representatives of the different communities. One or two of the Europeans whom I interviewed in Kenya were at pains to impress on me that the opinions expressed by the Elected European Members did not necessarily represent the views of the European community in general. In framing my Report, I have been guided generally by the views expressed by the accredited representatives whom I interviewed.

(b) The European element in Kenya took the view that political union would in the long run entail the abandonment of the "Dual Policy" and the interests of the white settler of Kenya being sacrificed in order to bring the policy of that Colony into line with a policy suitable for Uganda and certain parts of Tanganyika.

(c) Owing to the delay in Mr. Sastri's arrival in East Africa the representatives of the Indian community in Kenya asked to defer seeing me until I returned to the Colony at the end of my tour. I was led to believe, however, that, as the result of the Hilton Young Report, the Indian community were so deeply imbued with the idea of obtaining the common roll that they were unlikely to consider any proposal for closer union until they had gained their main object.

(d) The Indian communities of both Tanganyika and Uganda were not prepared to consider any form of closer political union. They argued that political union of any kind would in the long run lead to their interests being put at the mercy of the Kenya settler.

(e) The natives of Uganda were strongly opposed to any scheme of closer political union, because for some reason or other they feared that it would entail the control of their destinies being transferred to Kenya and that if a Governor-General, or High Commissioner, were appointed it would deprive them of their right of direct access through their Governor to the Secretary of State for the Colonies.

(f) One of the Kilimanjaro Chiefs whom I met at Moshi expressed fear lest any scheme of closer union might involve a change in the native policy in Tanganyika in order to bring it into line with that of Kenya.

Closer co-ordination of economic services.

(g) With the exception of the commercial communities, most of the bodies whom I interviewed were at first averse to any proposal for centralising the control of the essential economic services, not because they did not realise the advantages from a purely economic point of view of doing so, but because they were generally suspicious of the recommendations of the Hilton Young Report and of any proposal for closer union of any kind. Moreover, they had a natural fear that the transfer of the control of the important economic services would only be the "thin end of the wedge" towards the local legislatures being asked to relinquish other powers and political control eventually passing into the hands of a Governor-General.

(h) The commercial communities were, as was to be expected, in favour of putting the essential economic services (with certain safeguards) under the control of a central authority.

Control of Native Policy.

(i) Everyone was agreed that no exception was likely to be taken in any quarter to the views expressed in the Hilton Young Report on the general principles that should govern the relations between the natives and other communities. On the other hand, I met no one during my tour who was in favour of making a central authority directly responsible for "the co-ordination of policy on 'native affairs' and all matters concerning the relations between natives and immigrants." (*Vide Report of Hilton Young Commission.*)

Assurances asked for by Europeans in Kenya.

(j) The representatives of the European Community whom I met in Kenya asked for definite assurances from His Majesty's Government:—

(i) That His Majesty's Government had no intention of departing from the policy laid down in the White Paper of 1923.

(ii) That His Majesty's Government did not regard white settlement as prejudicial to native interests.

(iii) That the political development of Kenya would be allowed to proceed on normal lines, and that, whatever might happen in the future, the door would not be regarded as closed to responsible government.

(iv) That the Hilton Young Commission were correct in their view that general consent would be an essential factor in any proposal to adopt the "common roll."

Wrong ideas suggested to natives.

(k) It was contended that the Report of the Hilton Young Commission had put into the heads of native agitators ideas that had not been there before. Various stories were "going the round" as to natives refusing to continue working with their European employers, and as to natives saying that the alienated lands were to be handed back to them.

Legislative Councils of Tanganyika and Uganda.

(l) The Indian communities of Tanganyika and Uganda objected to the statement in the Hilton Young Report that no changes were necessary in the composition of their respective Legislative Councils. In each case they demand increased representation of the Indian communities, and in Uganda they ask in addition that members should be elected, not nominated, and that the common roll should be adopted in that Protectorate.

Advisory bodies in London.

(m) On all sides the greatest anxiety was expressed in connection with the proposal in the Report of the Hilton Young Commission that advisory bodies should be appointed in London to advise the Secretary of State for the Colonies on East African affairs in general. It was argued that it would not be possible

to select men to serve on such bodies who would "command the confidence not only of the local communities but also of all British political parties" (*vide* Report of Hilton Young Commission). Further, it was contended that the plan would open the door to the influence of intriguers, and that it would make for delay in decisions being arrived at.

Abandonment of official majority in the Kenya Legislative Council.

(n) It was assumed by all the representatives of the European community in Kenya with whom I discussed matters that in return for the local legislature handing over important powers to a central authority it would follow as a matter of course that the official majority in the Kenya Legislative Council would be abandoned, as recommended in the Report of the Hilton Young Commission.

(o) I met no one who took any objection to the proposal in the Report of the Hilton Young Commission that in return for the abandonment of the official majority in the Kenya Legislative Council, the High Commissioner or Governor-General should be given special powers of veto, and also powers to enact legislation contrary to the vote of the majority of the Council.

(p) I was informed* that the Indian community in Kenya was strongly opposed to any change in the constitution of the Kenya Legislative Council which would give to the unofficial European section of that Council more power. The Indian community in Uganda regarded with some anxiety the proposal of the Hilton Young Commission to substitute for a number of officials in the Kenya Legislative Council an equal number of unofficials to represent native interests. Their reason for offering an opinion on what may be said to be purely a Kenya question was that a policy adopted in Kenya was not likely to be confined to that Colony, and that Uganda was a near neighbour.

Kenya Native Lands Trust Board.

(q) No one in Kenya appeared to think that, if desired, there would be any objection to a High Commissioner being authorised to act Chairman of the Kenya Native Lands Trust Board.

Responsibility for carrying out the terms of the Mandate for Tanganyika.

(r) The view appeared to be widely held in Tanganyika that it was the local authorities who would be held responsible by the League of Nations if the conditions of any scheme of closer union were to infringe the terms of the Mandate: and everyone seemed to overlook the fact that the Governor is responsible to the Secretary of State and that the responsibility to the League of Nations rests with His Majesty's Government and not with the local authorities.

* As already mentioned, owing to the fact that Mr. Sastri was delayed in arriving in East Africa, the Indian community asked to defer discussing matters with me until I returned to the Colony.

The Indian community in Tanganyika argued that Tanganyika being a mandated territory, equality of status was guaranteed to all sections of the community, and that any form of federation or closer union was bound to affect the autonomy of Tanganyika, and in particular the status of Indians resident there. For this and other reasons they were opposed to any proposals for closer union of any kind.

Desire to close discussions.

(s) The hope was freely expressed in Kenya that my visit might lead to some immediate settlement which would obviate any further discussions for some time to come and leave the local government free to devote its undivided attention to the enactment of the legislation urgently required for the development of the Colony.

Control of Imperial Government.

(t) I met no one in East Africa who was in favour of any powers being delegated by His Majesty's Government to a High Commissioner (even if such a procedure were constitutionally possible) and no one who took any exception to the view expressed by me that, whatever the circumstances, the Secretary of State for the Colonies must, on behalf of His Majesty's Government, retain full control and full responsibility for the direction of policy in East Africa.

Section (iii).

Discussions as to the Lines of a Scheme of Closer Union which would be Administratively Workable and Generally Acceptable.

In discussing the recommendations in the Report of the Hilton Young Commission, I did not attempt to ascertain the views held on the detailed recommendations of the Commission as regards future policy. I took this course because I submit that the important point to ascertain for the moment is what changes, if any, should be made in the existing machinery of government in East Africa; and I suggest that if and when a High Commissioner or other central authority is appointed it must be left to him after consultation with the Governors of the different territories to make recommendations to the Secretary of State for the Colonies (or in other words His Majesty's Government) as to the actual policy to be adhered to.

For this reason, coupled with the fact that each of the territories concerned is, comparatively speaking, in the initial stages of its development, I endeavoured, without trying to look too far into the future, to take conditions as they exist to-day and to ascertain in what respects, if any, the existing machinery of government might be advantageously reorganised in order to effect the closer co-ordination of the work of the three administrations

and to ensure the political, economic and technical development of East Africa being energetically pushed forward on sound and far-seeing lines.

As I have already explained, I had not been in East Africa for long before. I realised that everyone was frightened of any idea of political federation. I accordingly confined my discussions as far as possible to what may be termed the three main issues contained in the recommendations of the Hilton Young Commission, viz. :—

(a) The general supervisory power of the proposed High Commissioner over the native policy of the three Territories.

(b) The closer union of the three territories in respect of such common services (mainly economic) as customs, railways, ports and harbours, posts and telegraphs, defence and fundamental research.

(c) The question of the abandonment of the official majority in the Kenya Legislative Council.

As regards (a) 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, as already indicated, 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 view widely held is that the peoples, circumstances and history of the three territories are so different and the conditions so diverse that to attempt to lay down a uniform and consistent native policy which could be applied in the three territories would be neither possible nor desirable ; and that in the circumstances the control of such policy should be left as at present in the hands of the Governors of the three territories.

As regards (b), I have already called attention to the fact that, although the commercial communities naturally looked favourably on the suggested co-ordination of the essential services, everyone else was suspicious at first of any proposals for closer union of any kind. All were doubtful as to how any suitable machinery could be created and all were strongly opposed to giving any executive powers to a central authority which did not include a statutory body composed of representatives from each territory.

At the same time no one was blind to the advantages from an economic point of view of such services as the Customs, Railways (including Ports and Harbours), etc., being put under one control : and no one was prepared to dispute the advantages of adopting any scheme which would take the place of the existing Railway and Customs agreements and obviate the friction and jealousy between the different administrations which have unfortunately existed in the past.

It was argued that to take away the control of the more important economic services from the local legislatures would be tantamount to turning these bodies into "debating societies": and that it was not possible to divorce the control of the Customs and Railway Services from the general political control of a territory. It was further contended, and I think with good reason, that if a central authority were to be set up with full control of the important economic services, the natural tendency would be for that authority to get more and more control in other respects. The Indian community in Kenya laid special stress on this point. While the force of this argument is strong, I submit that if a central authority is set up the responsibility must rest with His Majesty's Government for seeing that its control is not extended until such time as it can be proved that it is desirable to do so, and that even then it should only be done with the consent of the local legislatures.

In this connection I give in Appendix II the terms of a cablegram which I received at Port Said on my journey home from the Associated Chambers of Commerce of East Africa, which met on the 13th June after my departure from East Africa.

After discussion with the different bodies interested I think that I can say that the great majority of people in the three territories were agreed as to the desirability of putting the essential economic services under the control of a central authority, always provided that :—

(a) A legislative body to be called the Central Council forms part of the organization of the Central Authority.

(b) The powers of the Central Council are strictly limited to the transferred subjects and the present freedom of debate on these as well as on the non-transferred subjects is preserved to the members of the local legislatures.

The proposals for setting up a central authority to control the essential economic services are given in detail in Section (iv) of this Report.

As regards (c), it is assumed in Kenya that the acceptance of the recommendation of the Hilton Young Commission concerning the abandonment of the official majority in the Kenya Legislative Council will be a *sine qua non* in any scheme of closer union that may be agreed to: and all my discussions with the European communities in Kenya were carried out on this assumption.

With the power reserved to the High Commissioner or Governor to veto legislation and to enact legislation contrary to the vote of the majority of the Council, no one, except the Indian communities, disagreed with the view of the Hilton Young Commission that it would be both safe and advantageous to relinquish

the official majority in the Kenya Legislative Council. Apart from the well-known arguments for the adoption of such a course on the ground that under existing conditions debate is unreal, there can be no question that, if only for practical reasons, there is everything to be said for doing as has been done in a great many other Colonies and making a very material reduction in the abnormally large number of officials now serving on the Kenya Council.

Further, some weight must be given to the argument that, if His Majesty's Government decide to agree to an unofficial majority, they should give effect to their decision in no mean spirit.

The question of the actual composition of the Council must obviously be a very controversial one. The matter is dealt with in greater detail in Section (vi) of this Report.

Broadly, the result of my discussions in East Africa shows:—

(a) That, while no one is in favour of political federation, there is to all intents and purposes general agreement as to the desirability of appointing a High Commissioner to have full control, both legislative and administrative, over the essential economic services.

(b) That the European community in Kenya will not willingly agree to any scheme which does not, as a *sine qua non*, include the abandonment of the official majority in the Kenya Legislative Council.

Section (iv).

Proposals for the appointment of a High Commissioner with full control, legislative and administrative, of the essential economic services.

My instructions from your predecessor were to ascertain on what lines a scheme of closer union would be administratively workable and generally acceptable.

So soon, therefore, as I had gauged the general trend of local feeling I followed what appeared to me to be the only practical way of carrying out my instructions and I made definite proposals as to the lines of a possible scheme, so that they could either be agreed to or shown to be unsound.

It was in this way that during my discussions with the representatives of the local communities in the three territories I came to the conclusion that a scheme on the lines I describe below for putting the essential economic services under the control of a High Commissioner would be administratively workable and generally acceptable.

I would go further and say that, as far as I could ascertain, the proposed scheme not only fulfils the above conditions but, except so far as the Indian communities are concerned, would be generally welcome.

I submitted the scheme for the consideration of the Governors and Acting Governor who met me at Nairobi in the first week of June, and they were in agreement as to its being administratively workable and generally acceptable.

Further, the Acting Governor of Kenya and the Governor of Uganda took the view that the sooner the scheme could be put into operation the better. The Governor of Tanganyika was not prepared to go so far; and for the reasons I explain in Section (vii) would prefer to postpone the adoption of any scheme of closer union until it has been possible to hold a further enquiry into the relations between the natives and the other communities in East Africa and to formulate a native policy.

In describing the proposed scheme I have added explanatory foot-notes to show why certain provisos have been embodied, the inclusion of which might not otherwise be easily intelligible.

Proposed Scheme.

1. *General.*—Broadly the Scheme involves the appointment of a High Commissioner who will be a King's Representative, will rank senior to the Governors of the three territories, and will exercise complete control—legislative and administrative—over certain common services, viz. :— Customs, Railways (including Ports and Harbours), Posts and Telegraphs, Defence and Fundamental Research. (a)

In exercising his legislative functions the High Commissioner to be assisted by a Central Council. The powers of the Central Council to be limited to the transferred subjects, all other matters being left to the local legislatures : and the present freedom of debate on all subjects being preserved to the members of the local legislatures. (b).

(a) There are other services such as Aviation and Wireless which obviously lend themselves to being under one control. Owing, however, to the objections raised in some quarters to the proposed scheme on the ground that the local legislatures were being asked to hand over too much power to the High Commissioner, I refrained in my proposals from suggesting the transfer of any but the really essential services.

(b) Considerable discussion took place in connection with allowing the Central Council to debate other than the transferred subjects. That they should have the right to do so would, I submit, be wrong, in view of the fact that the High Commissioner, as President of the Council, would not have the power to give effect to any Resolution that might be adopted. Moreover, nothing but friction might arise if a member of the Council representing one territory could persuade the Council to adopt a Resolution criticising or censuring the action of the Government of another territory. On the other hand, there appear to be no similar objections to leaving local legislatures free to debate and pass resolutions on all matters. Indeed there is much to be said for doing so.

The High Commissioner also to be assisted by special Advisory Boards on Customs and Railways composed of officials and un-officials, at least half of whom to be members of the Central Council.

2. Functions of High Commissioner.—The functions of the High Commissioner to be :—

(i) To have full control (with, in the legislative field, (c) the advice and consent of a Central Council) of certain common services viz. :—Customs, Railways (including Ports and Harbours) Posts and Telegraphs, and Fundamental Research.

(ii) To act as President of the Central Council.

(iii) To convene and to preside over conferences of the Governors of the three territories, and any inter-colonial conferences, official or unofficial, that may be convened.

(iv) To act if desired as President of the Kenya Native Lands Trust Board.(d)

(v) To keep himself generally in touch with all important questions of policy under discussion in the different territories, and for this purpose to be furnished with copies of all important despatches that pass between the Secretary of State and Governors and vice versa.

3. Staff at Central Headquarters.—The actual staff required by the High Commissioner is a matter which will have to be finally decided by the Secretary of State for the Colonies.

It was suggested, however, that the Personal Staff should comprise one Private Secretary and one Aide-de-Camp and that the non-personal Staff at Central Headquarters ought to include :— a Chief Secretary and Legal Adviser(e), a Financial Adviser(f),

(c) This qualification was inserted in order to emphasise the fact that the Central Council is to be a legislative and not an executive body.

(d) This has been inserted in order to meet the views of those who think that the Kenya Native Lands Trust Board should be presided over by someone from outside the Colony.

(e) The Governors and Acting Governor meeting at Nairobi were of opinion that a Chief Secretary would not be necessary and that at the outside there should be the combined post of Chief Secretary and Legal Adviser. Personally, I am of opinion that it will be necessary to appoint a Chief Secretary as well as a Legal Adviser.

(f) The Governors and Acting Governor doubted the necessity of having a Financial Adviser. If a Director of Railways is to be appointed at once, I am inclined to agree as to a Financial Adviser not being necessary, but not otherwise.

a Chief of Customs; a Director of Railways (g), and a Postmaster-General, with the necessary subordinate staffs, which will include the existing Secretariat of the Governors' Conference.

4. *Central Council*.—The Central Council, on which there must be an official majority, to consist of:—

High Commissioner (President).

Three of the officials at Central Headquarters.

Seven(h) representatives
of Kenya.

Seven representatives
of Uganda.

Seven representatives
of Tanganyika.

Three officials and four un-
officials in the case of those
territories with an unofficial
majority in the local Legis-
lative Council and four offi-
cials and three unofficials in
the case of those territories
with an official majority in
the local Legislative Council.

The expenses of the Council(i) to be paid for equally by the three territories.

The representatives of the different territories to be nominated by the High Commissioner on the recommendation of the Governors concerned, who should consult the unofficial members of the Legislative Councils in regard to the names of the unofficial representatives to be submitted to the High Commissioner.(j)

(g) The opinion was expressed that a Director of Railways will be required from the start. I personally, however, agree with the Hilton Young Commission that until such time as there is physical connection between the two railway systems it would not be wise to attempt complete unification of executive management and if in the meantime there is to be a railway man at Central Headquarters I submit that his title should be "Railway Adviser" and not Director of Railways. But in this connection see Explanatory Note (o).

(h) It was originally proposed that the total number of Representatives from each territory should be four or six, half being officials and half unofficials.

(i) There was considerable discussion as to how the Central Government should be financed. It was suggested that it should be paid for from the Central Fund, or in other words in proportion to the customs revenues; but eventually everyone was agreed that each territory should have the same representation on the Central Council and that the cost of the High Commissioner's establishment and the Central Headquarters should be shared equally between the three territories.

(j) A good deal of discussion took place as to whether or not the nominated members should always be members of the local legislatures. The general feeling was that, although in actual practice it would be desirable that this should be the case, it would be preferable in the terms of the Constitution not to tie the hands of the Governors and the High Commissioner.

The official members of the Central Council to be, whenever possible, allowed freedom of voting power. (k)

So far as can be conveniently arranged a Conference of Governors to be held at the seat of the Central Government concurrently with the sessions of the Central Council.

The Secretariat of the existing Governors' Conference to be transferred to the High Commissioner.

5. *Financial aspects of proposals.*—The Central Government to be financed by hypothecating a certain percentage of the total customs revenue of East Africa, and the postal and telegraph revenues.

The actual percentages of the customs revenues to be hypothecated each year to be calculated on the estimated revenue of each territory and a margin above this of two per cent. to be allowed in order to provide for the cost of the High Commissioner's establishment and the Central Government, and at the same time to allow of minor adjustments in the accounts between the Central Government and the different territories. (l).

(k) The words "whenever possible" were inserted to meet the views of those Governors who said that occasions might arise when Governors would have to insist on their representatives voting as they (the Governors) instructed them. My personal view is that the official members of the Central Council should have freedom of voting power after they have heard the question debated, and that their hands should not be tied beforehand by their local Governments. Further, I am not in favour of the High Commissioner having the power to call on the official members of the Central Council to support his views. For, if in a Council with an official majority the High Commissioner cannot by his own personality and the arguments of his official advisers obtain a clear majority of free votes, it is, in my opinion, much better that his view should not prevail.

(l) Considerable discussion took place as to how the Central Government should be financed. The extreme views expressed were on the one hand that the Central Government should collect all the customs revenues, and after having paid the cost of the Central Government and the administration of the transferred subjects hand back each year the surplus balance to the local governments in the proportion of their customs revenues; and on the other hand that the local legislatures should each vote annually just sufficient money to pay for the High Commissioner's establishment, the Central Headquarters and the administration of the transferred subjects.

The proposal embodied in the scheme is a compromise between the two extremes. I would personally have preferred a margin of more than two per cent., but in view of the suspicion shown as regards possible extravagance on the part of the High Commissioner, I did not press the point. I think, however, that it is a matter which requires full consideration by the Secretary of State before a final decision is reached.

A note which shows approximately the financial aspect of the Scheme is printed as Appendix III. This note was agreed to by the Governors and Acting Governor who met me at Nairobi in June.

It will be observed that the only new expenditure will be the actual cost of the High Commissioner's establishment and the Central Staff : and further that it is anticipated that the economies effected will in course of time be considerable.

6. *Customs*.—The full control (with certain safeguards) of the Customs Services to be under the High Commissioner, who will be advised by a Chief of Customs and a Customs Board, at least half of the members of which will be members of the Central Council.(m)

In the event of any one of the territories wishing to impose a protective tariff on its own, this can be done by the local legislature imposing a surtax which can be collected by the Central Authorities on behalf of the territory concerned : similarly if a local legislature wishes to reduce the import duty on any particular article, this can be done by refunds made by the Central authorities.(n)

(m) A certain amount of anxiety was expressed as to the setting up of independent Boards of experts and it was suggested that "Select Committees" of the Central Council should take the place of such Boards. Since the High Commissioner must be free to appoint such experts and business men as he sees fit to serve on the Boards in question, the objections to substituting "Select Committees" of the Central Council are obvious. The fact that all legislation in connection with the transferred subjects must be debated in the Central Council, coupled with the proviso that half the members of the Railways and Customs Boards must also be members of the Central Council, would, it was agreed, be a sufficient safeguard to ensure control being retained by the Council.

(n) Considerable discussion is taking place in the three territories as to the continued maintenance of the additional duties now imposed in order to protect the farm produce of Kenya ; and there was considerable opposition especially on the part of Kenya to giving a High Commissioner a completely free hand as regards the fixing of tariffs. Although realising that one of the main objects of closer union is to ensure a uniform tariff and to get rid of tariff restrictions on the inter-territorial boundaries, the advocates of a policy of protection for Kenya were nevertheless not prepared to agree that a High Commissioner could be trusted not to sacrifice the interests of one territory in the event of their clashing with those of the other two, and it was evident that they would only willingly come into any Customs union provided that they were promised certain safeguards.

It is my personal view that if a High Commissioner is appointed it will soon be realised how great are the administrative disadvantages of varying the uniform tariffs, and I feel confident that the right reserved to the local legislatures to impose surtaxes or to reduce the import duties on specific articles would seldom be exercised.

7. *Railways (including Ports and Harbours).*—The two Railways and all the Ports and Harbours, which at present serve the three territories, to be put under the full control of the High Commissioner.

The Railway finances to be kept quite separate from the other finances of the Central Government, and the accounting to be on a commercial basis, each local Government being charged for services rendered. Separate statistics to be kept for the Tanganyika system for the purpose of the annual report to the League of Nations.(o)

The High Commissioner to have on his staff a "Railway Adviser" or "Director of Railways" (p). A "Railways and Harbours Board" or a "Railway Board" and a "Harbour Board" also to be available to advise him. At least half of the members of the Board or Boards to be also members of the Central Council.(q)

In the case of railway extensions and new connections the responsibility for providing funds to rest primarily with the territory in which the new construction is located.

8. *Posts and Telegraphs.*—The full control of the Posts and Telegraphs Services of the three territories to be under the High Commissioner, who will be assisted by a Postmaster-General at Central Headquarters and a Deputy Postmaster-General in each territory.

The existing Posts and Telegraphs Services to be grouped as soon as possible to form a unified service with accounting on a commercial basis.

Expenditure on postal and telegraph stations in each territory to be charged against the territory concerned: and expenditure on services common to all three territories to be debited in proportion to the postal revenue of the territory in question.

9. *Defence.*—The King's African Rifles now serving in all three territories (as well as those in Nyasaland) to be put under the direct control of the High Commissioner.

(o) (p) I agree with the Hilton Young Commission that, until such time as there is physical connection between the two railway systems, it would not be wise to have complete unification of executive management. I would therefore in the first instance merely put the full control of the two railway systems under the High Commissioner, leaving it to him and his advisers to say when the psychological moment has arrived for the unification of the executive management and an amalgamation of the accounts. During the interim period each system would continue to be managed by its existing General Manager, who would be directly responsible to the High Commissioner who might have a "Railway Adviser" (not a "Director of Railways") to assist him. The accounts of the two systems would be kept quite separate, and the appointment of a Director of Railways at Central

The Inspector-General has prepared a scheme for grouping the units of the King's African Rifles into Northern and Southern groups. The Northern group to be at the disposal of Kenya and Uganda: and the Southern group at the disposal of Tanganyika and Nyasaland.(r)

The cost of Defence to be divided broadly according to the number of troops at the disposal of each Territory: the actual proportion in which the cost of each group is divided to be settled by agreement between the respective Governments.

It is anticipated that, if the Scheme referred to above is adopted, there will be, as compared with existing expenditure, savings of £25,000 and £35,000 per annum effected on the Northern and Southern groups respectively.

10. *Fundamental Research*.—All Fundamental Research work to be under the control of the High Commissioner.

The Central authorities to take over and be responsible for the financing of the Amani Institute: and also of the Human Trypanosomiasis Institute at Entebbe, so soon as agreement is reached as to this Institute being regarded as a Central Research Institute.

Headquarters would not be necessary in the first instance. The view was, however, expressed that there was no reason why the accounts of the two railways systems should not be amalgamated at once (provided that separate statistics were kept for the Tanganyika system), and it was argued that it was not necessary to await physical connection between the two systems before having one budget, one Stores Account and so on. It was accordingly felt that a Director of Railways at Central Headquarters would be desirable from the first.

I submit that a Director will be unable to direct unless he has at his disposal a proper office with records, etc.; and if he tries to direct while the two systems are more or less distinct there will be continual friction with the General Managers, when it should be his aim to work with them and win their confidence. It should also be the purpose of the High Commissioner not to secure uniformity by interfering in details of management but by his influence to secure uniform policy and to prevent disputes (e.g., over rates) between the separate systems. If it is left to the High Commissioner to say when the psychological moment has arrived for the unification of the executive management, I submit that it must also be left to him after considering the matter in detail to decide whether any practical purpose will be served by attempting at any time to amalgamate the accounts inasmuch as the statistics must be kept separately.

(g) See Footnote (m).

(r) The adoption of the Scheme prepared by the Inspector General is not necessarily dependent on the appointment of a High Commissioner and can be brought into force at any time that it is agreed to by the Governments concerned: but Defence naturally lends itself to central control and from every point of view it would be desirable to place the units of the King's African Rifles serving in the three territories directly under the control of one authority.

All new expenditure on Fundamental Research to be undertaken only with the consent of the local legislatures.(s)

The proposals outlined above for putting the essential economic services under the full control of a High Commissioner do not deal with:—

(a) The question of where the Headquarters of a High Commissioner should be located.

(b) The question of the setting up of a Central Court.

As regards (a), I have not referred to the question of the location of the Headquarters of the proposed High Commissioner because, except at the meeting I had with the Governors and Acting Governor, I cannot fairly say that there was any unanimity on this matter amongst those with whom I discussed the question of closer union.

Places as far apart as Mombasa, Nairobi, Entebbe, Arusha, Dar-es-Salaam, and Zanzibar were all suggested.

The Governors and Acting Governor with whom I discussed the matter at our meeting in June held the view that from a purely practical point of view there could be no question that Nairobi was the most suitable place. I cannot help concurring this view when one takes into account questions of accommodation, climate and communication facilities. At the same time I must admit that the political reasons for not selecting Nairobi are very strong

(s) I found during my tour that there was considerable difference of opinion as to the kinds of research work which should come under the heading of "Fundamental Research" and also a feeling that it was necessary to curb the tendency on the part of research enthusiasts to recommend more central research institutes in East Africa than were really necessary.

The proviso that all new expenditure on "Fundamental Research" must be subject to the approval of the local legislatures was included to meet the objections of those who contended that there would be no check on extravagant expenditure, unless the local legislatures of the territories responsible for providing the funds were given some control.

A suggestion that appealed to me was that the Indian organization for Fundamental Research work might be to some extent copied in East Africa; that there might be a "Research Board" composed of technical officers drawn from each territory to advise the High Commissioner and that instead of central laboratories there should be merely a central staff employed *ad hoc*, and that this staff should work in the existing laboratories in each territory, or in temporary field laboratories; or, to explain it as it was described to me, that the Central Staff responsible for fundamental research work should not be tied to "bricks and mortar." However, the question as to how work on fundamental research should be carried out is a matter of policy and therefore, as I have already pointed out, one which should properly be left to the High Commissioner to decide, if one is appointed.

indeed; and there is no question that, rightly or wrongly, its selection as the Headquarters of the High Commissioner would be very unpopular amongst various sections of the communities in the other territories. I think wrongly, because, provided that a High Commissioner was selected who was fit to hold the appointment and who travelled about as much as he would have to do, I cannot personally subscribe to the widely-held view that he would soon come "under the spell" of the Kenya Highlands.

As regards (b), I have not in the above proposals referred to the setting up of a Central Court because it was only towards the end of my tour that I was reminded that the creation of a Central Council with legislative powers would involve the establishment of a Central Court with original as well as appellate jurisdiction; and I cannot claim to have discussed it in the same way as the other matters. I can see no reason, however, why the jurisdiction of the existing Courts should not be extended to cases arising out of the legislation passed by the Central Council.

Section (v).

Position of Indians in East Africa.

That the Indian question is as acute in Kenya as it is to-day may be said to be mainly due to the resentment felt by the Indian community against the adoption in that Colony in 1923 of a communal system of representation.

As pointed out in the Report of the Hilton Young Commission, the Indian community do not claim representation in proportion to their numbers, but merely demand effective representation of their interests. At the same time, they ask for equality of political status, their main objection to the "communal roll" being sentimental in so far that in their view it conveys the implication that they are politically inferior to the European community, an implication that is naturally very galling to their self-respect.

The situation was complicated by the publication of the majority report of the Hilton Young Commission, which appears to have been interpreted by the Indian community to mean that the whole question of their position in Kenya would be re-opened and that it was only a matter of a short time before a change from the "communal roll" system would be approved.

It appears to have been entirely overlooked that the majority report of the Hilton Young Commission took the view that general agreement locally would be an essential factor in any scheme of settlement.

The situation as regards the position of Indians in Kenya has no counterpart in Uganda and Tanganyika, where there is no system

of elective representation and where the different communities have been accustomed to live amicably side by side and to work together in the closest harmony for the common good.

The views held by the Indian communities on the proposals for a Scheme of closer union have been dealt with elsewhere in this Report. These communities ask also :—

(a) That if a Central Council is at any time created one half of the unofficial members representing each territory on the Council should be Indians, and that this should be provided for statutorily.

(b) That, whether a central authority is created or not, the Indian communities should be given a greater share than is the case to-day in the responsibilities of government, and that Indians should be appointed to some of the higher posts in the administrative, judicial, medical, agricultural and scientific services.

(c) That, if advisory bodies are set up in London to assist the Secretary of State for the Colonies, Indian interests should be adequately represented.

(d) That, if the post of High Commissioner for East Africa is created, one of his Private Secretaries should be an Indian belonging to one of the superior Civil Services in India.

(e) That the attention of the Committee which has been set up in London to consider the conditions of entry into the Colonial Office and the Colonial Services should be drawn to the claim of Indians for equal rights with other British communities.

On the other hand, I have been informed that Indians in East Africa do not seek a dominating position and that what in general they desire is :—

(a) For the purpose of establishing their equality of status, a change in the system of the " communal roll."

(b) Adequate representation of local Indian interests in the Council.

(c) A fair share for the Indian community of the medical, educational, and other facilities provided by Government.

(d) To see an end to the prevailing atmosphere of political controversy and inter-racial distrust.

When I met the representatives of the Indian community in Kenya, Mr. Sastri and Mr. Kunzru being present, I suggested that since there appeared to be no likelihood at the present time of getting local agreement on the question of the " communal roll " it might be desirable to explore other avenues of approach which might eventually lead to such agreement. My suggestion

met with no response from the meeting and, rightly or wrongly, His Majesty's Government, the Government of Kenya, the Secretary of State for the Colonies, and I myself came in for a certain amount of criticism on the grounds that no one had made any move with a view to bringing the European and Indian communities together.

On the other hand, judging from the discussions which I had with some of the leading Indians in Kenya, I would not exclude the possibility of the Indian community being prepared to accept nomination to the Legislative Council instead of election, always provided that certain undertakings were given.

These would be :—

(a) That His Majesty's Government should give an undertaking that the door was not closed to a "common roll."

(b) That the Kenya Government would miss no opportunity of using its good offices to bring the European and Indian communities together.

If these undertakings were given, I believe that there is a possibility that the Indian community of East Africa might accept nomination to the Council so that they could have an opportunity of proving their good faith and showing that they were genuinely ready to work for the good of the Colony, while not aiming at political domination.

Section (vi).

Reconstitution of the Kenya Legislative Council.

Recommendations of the Hilton Young Commission.

The Hilton Young Commission in their Majority Report recommend four of the official members of the existing Legislative Council being replaced by four unofficial members nominated to represent native interests, or in other words, that the Council should be changed as follows :—

		<i>Existing Constitution.</i>	<i>Proposed Constitution.</i>
Ex-officio officials		11	9
Nominated officials		8	6
Nominated Arab		1	1
Elected Europeans		11	11
Elected Indians		5	5
Elected Arab		1	1
Nominated to represent Natives		1	5
		38	38

Sir Hilton Young himself, in a minority report, recommends that the constitution of the Council should be altered in one of the two ways shown below:—

	<i>Existing Constitution.</i>	<i>Proposals.</i>	
		<i>Alterna- tive.(a)</i>	<i>Alterna- tive.(b)*</i>
Officials	19	9	10
Elected Arab	1	1	1
Nominated Arab	1	1	1
Elected Indians	5	5	6
Nominated to represent general interests (Indian)	—	1	1
Nominated to represent general interests (Euro- peans)	—	2	2
Nominated to represent native interests (Euro- peans)	1	5	5
Elected Europeans	11	11	13
	<u>38</u>	<u>35</u>	<u>39</u>

Views held locally.

The views held locally on the question of the reconstitution of the Council may be said to be:—

(a) The European community do not favour the adoption of any of the alternative Schemes suggested in the Report of the Hilton Young Commission, the reason being no doubt that they hoped for something more akin to an elected European majority.

(b) The Indian community are opposed to any scheme which entails substituting unofficials for officials to represent native interests, unless it is definitely laid down that half of the members so nominated are to be Indians.

(c) Strong and very convincing arguments are used to show that there is no justification for assuming (as some people do in considering the recommendations of the Hilton Young Commission) that the unofficials nominated to represent native interests will always vote on the same side as the elected Europeans.

(d) While the European community are ready to agree that the present political conditions are such as to make it useless

* This alternative proposal is made by Sir Hilton Young because he agrees that the time is not far distant when as a matter of convenience it will be necessary to increase the number of constituencies in Kenya.

to discuss an elected European majority, I was unable to get them to agree to anything less than 15 elected Europeans on the Council.

(e) The European community ask that effect be given to the recommendation of the Hilton Young Commission that one or more of the unofficial members of Council should be appointed ministers responsible for departments, and that in future two unofficials should be appointed in this capacity.

(f) I was informed by Mr. Sastri that the Indian community would view with dismay any re-constitution of the Council which would lead to the officials plus the Indians being in a minority.

(g) The European community are strongly opposed to any suggested constitution of the Council which would mean the interests thereon being so divided as might often lead to the Indians having a controlling vote.

(h) Strong doubts are expressed as to the desirability of laying down (as is done in Sir Hilton Young's own scheme) the nationality of the unofficials to be nominated to represent certain interests and it is generally agreed that the nominated members should be grouped together in one block and nominated to represent "general, including native interests."

(i) Strong arguments are used for a substantial increase in the number of elected Europeans on the ground that so much of the work of the Kenya Council is now done by Select Committees and that the present number of elected members is insufficient to provide the personnel for such Committees.

Freedom of voting for nominated official members.

With a view to encouraging free debate, the re-institution was suggested of the rule which until a few years ago had held good in the Kenya Council and left nominated official members normally free to vote as they pleased unless they were instructed by the Governor to support the official view. Personally I see no objection to this proposal: and, from my experience as the Governor of two Colonies, I am inclined to think that it is a procedure that might well be adopted in all Colonial legislatures which include nominated official members.

Feeling generally.

Broadly, the position may be said to be :—

(a) The European community are not ready to reduce their demand for increased elected European representation on the Council below fifteen members; and they are strongly opposed to any addition to the number of Indian representatives now included in the Council.

(b) Many members of the Indian community are opposed to any change which does not include the abandonment of the system of communal representation, and also to any scheme which gives increased elective representation to the European community. On the other hand, if my personal opinion is correct, the members of the Indian community who take a moderate view might be prepared to agree to the same representation of the Indian community as now on a nominated instead of an elected basis, but on the understanding that no revolutionary change is made in the constitution of the Council, such as the granting of an elected European majority; that the door is not closed to the re-consideration of the question of a common roll; and that the Government agrees to miss no opportunity of bringing about a friendly understanding between the European and Indian communities.

Conclusions arrived at and suggested alternative Schemes.

I do not think that I can explain better the conclusions I have arrived at than by giving what appear to me to be three alternative schemes that might be possible solutions of this controversial question.

The three Schemes are as follows :—

	<i>Scheme 1.</i>	<i>Scheme 2.</i>	<i>Scheme 3.</i>
Ex-officio Officials	5	5	5
Nominated Officials*	7	6	7
Elected Europeans	13	13	15
Elected Arab	1	1	1
Elected, or nominated, Indians	5	6	6
Nominated unofficials to represent general, including native, interests	7	7	8
	—	—	—
	38	38	42
	—	—	—

I submit that all these Schemes have the following merits :—

(a) They provide for a decrease in the abnormally large number of officials now serving on the Council.

(b) They provide for an increase in the number of elected Europeans, but only a very small one as compared with the demands made in the past.

* In each case the nominated officials to include Sir Ali bin Salim, as long as he is able and willing to act as such, since no provision has been made for a nominated Arab.

(c) They so divide the Council as to make it impossible for the elected Europeans with a full Council voting to carry any measure against the views of the Government supported by the Indians, unless they can get seven nominated unofficials or six nominated unofficials and the elected Arab to support them.

(d) The Governor is left complete discretion as to selecting for nomination the best men (irrespective of race) to represent general, including native, interests.

Section (vii).

Final Remarks.

The importance from a purely economic point of view of centralising the control of the essential services is great. It would, however, only exceed slightly, if at all, the importance of having a high official in East Africa, who could, if he had the necessary personality and tact, exercise, even without the "wide executive powers" envisaged by the Hilton Young Commission, a co-ordinating influence of far-reaching value over the work of the three administrations. In fact he would be in a position to do much of the work recommended by the Hilton Young Commission and would, as Chairman of the Governors' Conference, play a very leading part in shaping the future policy and destiny of these great territories.

That this must be one of the functions of a High Commissioner is no doubt the reason why the Governor of Tanganyika made a proposal to me that in order to regularise the position of the central authority it would be desirable to give him full executive control over the three territories, even though the exercise of this control were limited, by instructions from the Secretary of State, to matters directly connected with the transferred subjects. I discussed this proposal with the Governors and Acting Governor when I met them at Nairobi in June, when it was urged that there would be strong objection taken in some quarters in East Africa to any constitution which would permit of full executive control being given to a High Commissioner at any moment if and when the Secretary of State for the time being might choose to cancel the instructions restricting the use of that power to the transferred subjects.

I have already mentioned that the Governor of Uganda and the Acting Governor of Kenya are of opinion that the scheme outlined in Section (iv) of this Report should be put into operation without undue delay, while the Governor of Tanganyika would prefer to postpone any such action until it is possible to formulate a native policy for East Africa. With this object in view Sir Donald Cameron suggests the setting up of "a highly authoritative Committee or Commission" in London, which is apparently to

examine witnesses and give those who are not in agreement with the principles advocated in the Report of the Hilton Young Commission an opportunity of stating their views. (See a Note by Sir Donald Cameron which I found awaiting me at Mwanza when I arrived in Tanganyika Territory, reproduced as Appendix IV (a).) The matter raised in this Note was discussed at my Meeting held with the Governors and Acting Governor early in June and Notes by the Governor of Uganda and the Acting Governor of Kenya on the same subject are printed as Appendices IV (b) and (c) respectively.

I am unable to support the view of the Governor of Tanganyika to the effect that the adoption of any scheme of closer union (even though confined to the purely economic services) should be postponed pending a further inquiry into the question of native policy in East Africa: and I concur in the view held by the Governor of Uganda and the Acting Governor of Kenya as to the desirability of putting the Scheme of co-ordination proposed in Section (iv) of this Report into operation at an early date.

Lastly, I suggest that the setting up of an authoritative body in London to institute yet another inquiry into the question of native policy would not be at all favourably received in East Africa itself, where as far as I could ascertain many people are tired of Commissions and Committees of Inquiry and hope above all else for an early termination of the discussions that have been in progress now for over two years.

I have, etc.,

S. H. WILSON.

2nd July, 1929.

APPENDIX I.

(a)

Telegram from the Acting Governor of Kenya to the Secretary of State for the Colonies, dated 30th January, 1929.

Have been requested send you following with hope that publication England be deferred pending receipt of news of publication here. (Message begins.) 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 future and reasserts its attitude as definitely stated in that portion Churchill's speech 1922 when Secretary of State for Colonies 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 above principles is essential to any further useful negotiations. Given this basis discussions in Africa on the spot would appear to give the only chance 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 Constitution and that the Secretary of State has undertaken that any change must be based on consent countries concerned Conference considers High Commissioners 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. Re-opening the question of a common roll which Commission itself admits is quite impracticable unless agreement by Europeans obtained must rearouse 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 in legislature. Once official majority set aside any legislature based on nice balance of racial representation bound keep alive for ever racial antagonism and the subservience of state-manship 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 close 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 that the tendency all through to overemphasise the native interests and to minimise those of the Europeans 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.)

BARTH.

(b)

Letter from the representatives of the Elected Members of the Kenya Legislative Council and of the Convention of Associations to Sir Samuel Wilson, dated 5th May, 1929.

THE MEMORIAL HALL,
NAIROBI,

5th May, 1929.

BRIGADIER-GENERAL SIR SAMUEL WILSON, G.C.M.G., K.C.B.
GOVERNMENT HOUSE,
NAIROBI.

Sir,

Further to our interview with you we have the honour to submit the following points we wish to emphasise:—

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.

We have, etc.,

(Signed) CONWAY HARVEY,

T. J. O'SHEA.

H. H. HARPER.

APPENDIX II.

Cablegram from President of Associated Chambers of Commerce of East Africa to Sir Samuel Wilson, dated 15th June, 1929.

As promised following resolutions unanimously passed present session Association Chambers Commerce Eastern Africa begins 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 further that the following essential service viz. customs railways ports and communications including aerial communication defence central research law and civil procedure posts telegraphs and telephones should be immediately transferred to a central control (stop) Further that the central authority when established shall in collaboration with local governments consider what further services can profitably be co-ordinated or transferred (stop) 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 (stop) 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 (stop) 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 (stop) 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.

PRESIDENT.

APPENDIX III.

Note showing approximately the financial aspect of proposed Scheme of Closer Union.

The Central Government will be financed by hypothecating a certain percentage of the total Customs revenue for Eastern Africa and the whole of the postal and telegraph revenue. The percentage of Customs revenue to be hypothecated will be such as, with the postal revenue, will be sufficient to cover the cost of administering the Customs services, the cost of defence, the cost of administering the posts and telegraphs, and the cost of research, and to allow a sum calculated at 2 per cent. of the total Customs revenue to cover the cost of the High Commissioner's establishment and Central Government and at the same time provide a small surplus to meet unforeseen circumstances and to allow of minor adjustments in the accounts between the Central Government and the different territories.

2. In addition, the Railways will pay towards the cost of the High Commissioner's establishment and Central Government a joint contribution of £10,000 per annum calculated as a percentage of the gross revenue of the two systems. The salary and expenses of the Railway Adviser or Director of Railways will be provided for in the same manner.

3. Accounts will be kept by the Central Organisation showing separately the amount of revenue contributed by each territory and the amount of expenditure on central services to be charged against that revenue according to given proportions. These proportions will be:—

Customs.—In the proportions determined by Customs revenue.

Defence.—According to the number of troops at the disposal of each territory.

Posts and Telegraphs.—Expenditure on postal and telegraph stations in each Territory will be charged against the territory concerned; expenditure on services common to all three territories will be charged in proportion to the postal revenue of the territory concerned. (This is the basis now in operation between Kenya and Uganda and no difficulties are foreseen in applying the same basis throughout East Africa).

Fundamental Research.—On the basis of existing contributions to the Amani Institute. Each new research institute brought under the control of the Central

Authority will be paid for in proportions to be determined and will be subject to the approval of the local legislatures.

Central Organisation.—In equal shares.

4. Estimates on these lines will be prepared each year and the excess of revenue shown as contributed by each territory over the expenditure charged against the territory in the accounts will appear as an item in the Revenue Estimates of each territory as "Repayments from the Central Authority."

5. The question of provision for Fundamental Research presents a difficulty because this service is not yet fully organised. It seems at this stage better to deal with facts as they exist than to take into account possible future extensions of research services: and it should be noted that for this reason the cost of the Amani Institute is the only item now taken into account.

6. In regard to *Buildings*, there is no suggestion that the Central Authority should be equipped with a separate Public Works Staff.

7. Maintenance and repair of all public buildings will be carried out under the direction of the Public Works Department of the territory in which the building is situated and at the expense of the territory concerned.

8. Rent will be paid to each local Government for any existing or new building belonging to or erected by that Government which is taken over by the High Commissioner's establishment and the Central Government. This rent will be calculated so as to take the cost of repairs into account.

9. In the case of any new buildings being required for the development or proper administration of the common services, such as Customs, Posts and Telegraphs or Defence, the responsibility for providing funds will rest primarily on the territory in which the building is to be erected except in such cases as the establishment of new military headquarters for the Northern group, or Amani, where responsibility would be divided between the territories concerned in proportions to be determined.

10. Extraordinary departmental expenditure will be dealt with on the following lines:—

Customs.—Such expenditure is unlikely to be large. It will be included in the amount shown in annual estimates as required for Customs Administration.

Defence.—The extra cost of any military operations will be divided between territories as agreed at the time.

Posts and Telegraphs.—Capital expenditure on new construction will be paid for by the territory concerned. This will entail a vote in the local Legislative Council before the work can be carried out.

11. The staffs of common services will be under the Head of the Department, and eventually of the High Commissioner, for purposes of discipline. Medical services will be rendered by the territory concerned and the regulations in force in the territory will normally apply, e.g., in the case of allowances of furniture and local leave privileges, which are not the same in all territories.

12. The financial effect of the proposals along these lines is worked out in the accompanying schedules.

13. It is anticipated that, apart from greater efficiency, the cost of administering the transferred services will eventually show a decrease. In the figures given it has been anticipated that savings will occur to the extent of:—

	£
Customs	5,000
Defence	*60,000
Posts and Telegraphs	5,000

No account has been taken of economies which may become possible in the Estimates of each territory as a result of the creation of a Central Authority. These might eventually be considerable.

14. On the figures given, i.e., the figures for the current year, 25 per cent. of the Customs Revenue for East Africa would have to be hypothecated to the Central Authority. Unless different percentages are to be hypothecated by each territory it is not possible under the proposed scheme to avoid repayments of a somewhat large amount in the case of Kenya. Practically the only new expenditure

* Approximately £10,000 of the savings effected on the cost of the Southern Group will be credited to Nyasaland.

will be the cost of the High Commissioner's establishment. In fact the net financial result for the current year of the adoption of the proposals would be approximately as follows:—

Kenya.—About the same.

Uganda.—About the same.

Tanganyika.—A net gain of about £25,000 per annum.

15. It will be observed that the Railway finances are not dealt with in this statement, as they will be kept quite separate from the other finances of the Central Authority.

SCHEDULE I.†

Skeleton Budget of Central Authority.

<i>Revenue.</i>		<i>Expenditure.</i>	
	£		£
25% of Customs Revenue in East- ern Africa.	507,000	Central Organisation ...	50,000*
Postal Revenue (Total for East- ern Africa).	315,000	Customs	81,000
Contributions from Railways...	10,000	Defence	274,000
		Posts and Telegraphs ...	266,000
		Research	10,000
		Repayments to:—	
		Kenya	130,666
		Uganda	10,667
		Tanganyika	9,667
			151,000
Total	£832,000	Total... ..	£832,000

* This figure includes reserve for unforeseen contingencies.

SCHEDULE II.†

Calculation of Repayment.

(a) *Calculations affecting revenue.*

	<i>Kenya.</i>	<i>Uganda.</i>	<i>Tanganyika.</i>	<i>Total.</i>
	£	£	£	£
25% of Customs Revenue	232,000	103,000	172,000	507,000
Postal Revenue	186,000	50,000	79,000	315,000
Total	£418,000	153,000	251,000	822,000

(b) *Allocation of expenditure.*

	<i>Kenya.</i>	<i>Uganda.</i>	<i>Tanganyika.</i>	<i>Total.</i>
	£	£	£	£
Central Organisation	13,334	13,333	13,333	40,000
Customs	37,000	16,000	28,000	81,000
Defence	108,000	63,000	103,000	274,000
Posts and Telegraphs	127,000	48,000	91,000	266,000
Research	2,000	2,000	6,000	10,000
Total	£287,334	142,333	241,333	671,000

(c) *Repayments due.*

	<i>Kenya.</i>	<i>Uganda.</i>	<i>Tanganyika.</i>	<i>Total.</i>
	£	£	£	£
Revenue credited	418,000	153,000	251,000	822,000
Expenditure allocated	287,334	142,333	241,333	671,000
Repayment due	£130,666	10,667	9,667	151,000

† Round figures have been taken, based on the Estimates for 1929 of Kenya and Uganda and the Estimates for 1929-30 of Tanganyika.

SCHEDULE III.*

Effect on Estimates of each Territory.

				Kenya.	Uganda.	Tanganyika.
				£	£	£
<i>Revenue.</i>						
Decrease in Customs Revenue	...	...	...	232,000	103,000	172,000
Decrease in Postal Revenue	...	...	...	183,000	50,000	79,000
Total Decrease in Revenue				418,000	153,000	251,000
New Item of Revenue :—						
Repayments from Central Authority	...	...	...	130,666	10,667	9,667
Net Decrease in Revenue				£287,334	142,333	241,333

Expenditure.

The following Heads and Items of Expenditure are deleted from the Territory's Estimates :—

				Kenya.	Uganda.	Tanganyika.
				£	£	£
Governors' Conference...	...	...	...	2,000	2,000	2,000
Customs...	...	...	...	31,000	17,000	38,000
Defence ...	...	...	...	123,000	73,000	128,000
Posts and Telegraphs ...	...	...	...	129,000	49,000	93,000
Research ...	...	...	...	2,000	2,000	6,000
				£287,000	143,000	267,000

The net result is therefore† :—

Kenya : About the same.

Uganda : About the same.

Tanganyika : A net gain of about £25,000 per annum.

APPENDIX IV.

QUESTION OF PUTTING PROPOSED SCHEME OF CLOSER UNION INTO OPERATION.

(a)

Note by the Governor of Tanganyika, dated 10th May, 1929.

The Government of Tanganyika, proceeding always from the standpoint of its obligations, as the Mandatory Power, to the natives under Article 22 of the Covenant of the League of Nations, agrees generally with the principles enunciated by the Commission in their earnest endeavour that some settled policy to govern the relations between the native and the Immigrant Communities and the political development of the three northern territories should be laid down and adopted. It points out, however, as it pointed out to the Commission, that it is impossible to segregate the natives in Tanganyika by forming reserves. The Government is aware, however, that other views may be expressed on the general conclusions of the Commission and it considers that a highly authoritative Committee or Commission should be set up in England in order that those persons who are in opposition to the principles recommended by the Commission, or the manner indicated for safeguarding their due execution, should have an opportunity of stating their views publicly before such an authoritative body, of enunciating their own principles and of explaining definitely the manner in which, in their opinion, effect should be given to those principles. An earnest attempt should be made to put an end to the days of generalisation and consequent drift for lack of a policy. It considers that a greater measure of agreement than otherwise might be secured if this method was followed. It feels most strongly

* Round figures have been taken, based on the Estimates for 1929 of Kenya and Uganda and the Estimates for 1929-30 of Tanganyika.

† If the cost of Defence were to be excluded, the net result in each case would be :—Kenya, a loss of about £15,000; Uganda, a loss of about £10,000; and Tanganyika about the same as now.

the paramount importance of the issues, not only to East Africa but to the whole British Empire, and that the attempt to solve them should be made only after investigation in this public and independent manner. If, finally, His Majesty's Government accept the principles enunciated by the Closer Union Commission it agrees that a Chief Executive is advisable in order to co-ordinate the affairs of the three territories in accordance with approved policy. He should be a Governor or Governor-General in the ordinary sense of the term, created in the ordinary way by Letters Patent or Order in Council; he could not be a "delegate" of the Secretary of State. He should study on the spot the difficult problem of the "common services," with all the implications, financial and otherwise. It is a very difficult problem and requires deep study and full consultation with all the interests affected; it could not be settled in a few weeks or indeed in a month or two,

(Signed) DONALD CAMERON.

10th May, 1929.

(b)

Note by the Governor of Uganda, dated 4th June, 1929.

The Report of the Hilton Young Commission has not caused me to modify materially the views I expressed in the correspondence with Sir Edward Grigg, which took place before the issue of the Report, of which Sir Samuel Wilson has a copy.

The Hilton Young Report considers that the need for a common policy of and a common direction of Administrative Services is of minor importance compared with the need for a common policy in dealing with all matters affecting the present position and future development of the natives in their relation with the immigrant communities. While the truth of this proposition may be conceded it appears to me that whereas the former is a matter of practical politics to-day, the latter is not.

It is suggested that a High Commissioner who is to be appointed should spend from a year to eighteen months in formulating this native policy which is considered the chief need of the Territories and the chief justification for a Central Authority. I am inclined to think that after the proposed High Commissioner had spent from a year to eighteen months in investigating all the facts of the problem he would not be much further advanced as regards laying down a general native policy which would at the same time be capable of application in detail to the administration and development of the extremely diverse tribes which inhabit East Africa than we are to-day. At any rate if this is the High Commissioner's first concern he will be involved during the whole of his term of office in a sea of controversy and controversial opinions, the value of which he will have no first-hand knowledge to enable him to test.

The Commission says "Conditions in all the Territories are still uncertain and fall short of any approximation to equilibrium. Progress must be tentative and the time has not yet come for bold experiments. It is enough to take one step at a time, leaving the exact nature of succeeding steps for decision in the light of experience thereby gained. But even before the first step is taken some idea must be formed of the general direction to be followed, and for this and all succeeding steps the guidance of definite principles is necessary."

It seems to me that such definite principles could very well be laid down by His Majesty's Government. Many such principles are formulated in the Report and most of them would command general assent. It is possible that the presence of a High Commissioner in East Africa, even without executive control for native policy in the first instance, may be of great value in co-ordinating opinions and policies in conditions which have admittedly not yet reached a state of stable equilibrium.

I am convinced, however, that the need of a co-ordination and central control of the economic and Administrative Services is of great importance at the present stage of their development, and that steps can be taken at once to ensure their direction by a Central Authority. It would, I consider, not be in the best interests of administration and progress to postpone this step pending the extremely difficult question of the laying down of a common native policy for the three Territories. The appoint-

ment of such a Central Authority for such a purpose need not in any way prejudice its future development on the lines foreshadowed by the Commission. Indeed I consider that it will be considerably facilitated thereby.

Co-ordination of native policy can be best effected for some time to come subject to the directions of the Secretary of State by free discussion in Conferences of Governors under the Presidency of the High Commissioner.

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.

I trust that it may be found possible to bring into existence the scheme outlined in Sir Samuel Wilson's Note with the least possible delay.

(Intld.) W. F. G.

4th June, 1929.

(c)

Note by the Acting Governor of Kenya, dated 8th June, 1929.

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.

The limited federation now proposed of common services under a High Commissioner should, in my opinion, be put into operation without delay. There can, I think, be nothing controversial in such a federation and no useful purpose would be attained by appointing committees, commissions or individuals further to discuss it. There is no doubt that the High Commissioner under the proposed scheme will exercise by the methods outlined by Sir William Gowers a very considerable influence in guiding native policy along acceptable lines although he will in the first instance have no executive control over it.

The case for the federation of these services dealt with by Sir Samuel Wilson's memorandum is so strong that there cannot be any reasoned opposition to the suggestions made. I understand that Sir Samuel Wilson has obtained an unprecedented measure of agreement to his scheme by all sections of the local communities and I think that immediate steps should be taken to put the scheme into practice.

(Signed) J. W. BARTH.

8th June, 1929.

* Not reproduced.