

KENYA NATIONAL ARCHIVES

PHOTOGRAPHIC SERVICE

Description of Document LEGISLATIVE COUNCIL DEBATES. VOL. LXIX.

Covering Dates 17th April to 22nd June, 1956.

Reference No. From Central Government Library.

The following reproduction(s) of document(s), the property of The Kenya Government. have been made by the Photographic Service of the Kenya National Archives solely for the purposes of research, and must not be quoted or otherwise reproduced by any means, either in whole or in part, without the express permission of the Chief Archivist, Office of the Vice-President, P.O. Box 30520, Nairobi, Kenya, to whom all communications respecting this film should be addressed.

Date of Reproduction 11th January, 1966.



COLONY AND PROTECTORATE OF KENYA

**LEGISLATIVE COUNCIL
DEBATES**

OFFICIAL REPORT

**10th COUNCIL INAUGURATED
JUNE, 1952**

VOLUME LXIX

1956

**FIFTH SESSION—FOURTH MEETING
17th April, 1956, to 22nd June, 1956**

List of Members of the Legislative Council

President:

H.E. THE GOVERNOR, SIR EVELYN BARING, G.C.M.G., K.C.V.O.

Vice-President and Speaker:

THE HON. SIR FERDINAND CAVENDISH-BENTINCK, K.B.E., C.M.G., M.C.

Ministers:

CHIEF SECRETARY (THE HON. R. G. TURNBULL, C.M.G.).

MINISTER FOR LEGAL AFFAIRS (THE HON. E. N. GRIFFITH-JONES, Q.C.).

MINISTER FOR FINANCE AND DEVELOPMENT (THE HON. E. A. VASEY, C.M.G.).

MINISTER FOR AFRICAN AFFAIRS (THE HON. E. H. WINDLEY, C.M.G.).

MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (THE HON. M. BLUNDELL, M.B.E.).

MINISTER FOR INTERNAL SECURITY AND DEFENCE (THE HON. J. W. CUSACK, O.B.E.).

MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (THE HON. W. B. HAVELOCK).

MINISTER FOR EDUCATION, LABOUR AND LANDS (THE HON. W. F. COUTTS, C.M.G., M.B.E.).

MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES (THE HON. D. L. BLUNT, C.M.G.).

MINISTER FOR COMMERCE AND INDUSTRY (THE HON. A. HOPE-JONES, C.M.G.).

MINISTER FOR WORKS (THE HON. I. E. NATHOO).

MINISTER FOR COMMUNITY DEVELOPMENT (THE HON. B. A. OHANGA).

EUROPEAN MINISTER WITHOUT PORTFOLIO (THE HON. L. R. MACONOCHE-WELWOOD).

ASIAN MINISTER WITHOUT PORTFOLIO (THE HON. A. B. PATEL, C.M.G.).

Parliamentary Secretaries:

PARLIAMENTARY SECRETARY TO THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (THE HON. J. JEREMIAH).

PARLIAMENTARY SECRETARY TO THE MINISTER FOR EDUCATION, LABOUR AND LANDS (THE HON. WANYUTU WAWERU).

PARLIAMENTARY SECRETARY TO THE MINISTER FOR COMMERCE AND INDUSTRY (THE HON. C. B. MADAN).

PARLIAMENTARY SECRETARY TO THE MINISTER FOR WORKS (THE HON. SHERIFF ABDULLA SALIM).

Nominated Members:

THE HON. T. F. ANDERSON, C.M.G., O.B.E., M.D. (Director of Medical Services).

THE HON. D. W. CONROY, O.B.E., T.D., Q.C. (Solicitor General).

THE HON. M. H. COWIE (Director of the Royal National Parks).

THE HON. HON. C. W. A. G. HAMLEY, O.B.E., R.N. (RETD.).

THE HON. SHEIKH MBARAK ALI HINAWY, O.B.E. (Liwali of the Coast).

THE HON. S. D. KARVE, O.B.E., M.B., B.S.

THE HON. R. B. LARBY (Acting Director of Education).

THE HON. N. E. LUYT (Commissioner for Labour).

THE HON. K. W. S. MACKENZIE (Secretary to the Treasury).

THE HON. JONATHAN NZIOKA.

THE HON. SIR EBBO PIRBHAI, O.B.E.

THE HON. J. L. RIDDOCH, O.B.E.

THE HON. G. M. RODDAN (Director of Agriculture).

THE HON. G. A. TYSON, C.M.G.

THE HON. A. M. F. WEBB (Acting Solicitor General).

LIST OF MEMBERS OF THE LEGISLATIVE COUNCIL—(Contd.)

European Elected Members:

- *THE HON. M. BLUNDELL, M.B.E. (Rift Valley).
- GROUP CAPTAIN THE HON. L. R. BRIGGS (Mount Kenya).
- THE HON. S. V. COOKE (Coast).
- THE HON. W. E. CROSSKILL (Mau).
- LT.-COL. THE HON. S. G. GHERSIE, O.B.E. (Nairobi North).
- LT.-COL. THE HON. E. S. GROOMAN, D.S.O. (Nairobi West).
- THE HON. N. F. HARRIS (Nairobi South).
- *THE HON. W. B. HAVELOCK (Kilambu).
- *THE HON. R. C. J. LETCHER (Trans-Nzolia).
- *THE HON. L. R. MACONOCHE-WELWOOD (Uasin Gishu).
- THE HON. SIR CHARLES MARKHAM, Bt. (Ukamba).
- THE HON. MRS. A. R. SHAW (Nyanza).
- THE HON. H. SLADE (Aberdare).
- §THE HON. C. G. USHER, M.C. (Mombasa).

Asian Elected Members:

- Central Electoral Area:* *East Electoral Area:*
- *THE HON. C. B. MADAN. THE HON. S. G. HASSAN, M.B.E.
 - THE HON. CHANAN SINGH.

- Eastern Electoral Area:* *West Electoral Area:*
- *THE HON. A. B. PATEL, C.M.G. *THE HON. I. E. NATHOO.

- Western Electoral Area:*
- THE HON. J. S. PATEL.

Arab Elected Member:

- THE HON. SHEIKH MAHFOOD S. MACKAWI

Representative Members:

- African:* *Arab:*
- THE HON. W. W. W. AWORI. *THE HON. SHERIFF ABDULLA SALIM.
 - THE HON. M. GIKONYO.
 - *THE HON. J. JEREMIAH.
 - THE HON. E. W. MATHU.
 - THE HON. D. T. ARAP MOI.
 - *THE HON. B. A. OHANGA.

Clerk of the Council:

A. W. PURVIS.

Clerk Assistant:

H. THOMAS.

Reporters:

- MISS S. I. WESTCOTT.
- MRS. S. E. WAKELIN.
- MISS I. V. BUCK.

Editor:

MRS. E. TUNSTALL.

- * Also included in list of Ministers.
- † Acting Chief Secretary vice Mr. R. G. Turnbull, C.M.G., from 16th June, 1956.
- ‡ Minister for Legal Affairs vice Mr. E. N. Griffith-Jones, Q.C., from 16th June, 1956.
- § The Hon. C. H. G. Coventry acted for the Member for Mombasa from 5th June, 1956.



COLONY AND PROTECTORATE OF KENYA

LEGISLATIVE COUNCIL DEBATES

TENTH COUNCIL

FIFTH SESSION—FOURTH MEETING

Tuesday, 17th April, 1956

The Council met at thirty minutes past Two o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentinck) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

GIFT OF BIBLE FROM THE BRITISH AND FOREIGN BIBLE SOCIETY

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): I have to announce that I have accepted, on behalf of the Council, the gift of a very nicely bound Bible from the British and Foreign Bible Society. The presentation was made by the Rev. Frank Bedford, the Secretary for East Africa of the Society.

On your behalf I have thanked the donors for their gift. (Applause.)

TIME-GLASSES

I further wish to announce that Messrs. Day-Impex Ltd., of the United Kingdom, have very kindly presented two time-glasses to the Council, similar to those used in the House of Commons.

I have accepted these time-glasses on behalf of the Council and have thanked the Company for its useful and generous gift. (Applause.)

PAPERS LAID

The following Papers were laid on the Table:—

Department of Immigration Annual Report, 1955.

Sessional Paper No. 78 of 1956. Immigration Policy.

E.A.H.C. Report of the Department of Economic Co-ordination, 1954/55.

E.A.H.C. Report of the Commission on the Desert Locust Control Organization, 1955.

E.A.H.C. Memorandum on Report of Commission on Desert Locust Control Organization. (Sessional Paper No. 1/1956.)

E.A.H.C. Financial Statements and Reports thereon by the Auditor-General and Acting Accountant General, 1954/55.

E.A.H.C. East African Railways and Harbours Annual Report, 1955. (BY THE CHIEF SECRETARY (Mr. Turnbull))

Emergency Expenditure. Statement of Account, October, 1952, to March, 1956.

(BY THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey))

Report of Committee of Inquiry into the Dairy Industry, 1956.

(BY THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell))

Report of the Commissioner for Local Government for the years 1953 and 1954.

(BY THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock))

Education (Fees in Government African Schools) Rules, 1956.

(BY THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts))

ORAL NOTICE OF MOTION

IMMIGRATION POLICY

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, I beg to give notice of the following Motion:

That this Council approves the terms of Sessional Paper No. 78 of 1956.

ORAL ANSWERS TO QUESTIONS

QUESTION No. 57

THE SPEAKER (Sir Ferdinand Cavenish-Bentick): May I suggest that the second word in your question should be "intention" and not the word "policy" in order to accord with Standing Order No. 30.

MR. SLADE (Aberdare): Yes, Mr. Speaker, with pleasure I will alter that.

MR. SLADE asked the Chief Secretary to state:—

- (1) The intention of Government with regard to reduction of Emergency Establishments for Administration, Police and other Services, at Provincial and District Headquarters respectively?
- (2) When, and how, and to what extent, has such policy already been put into effect?
- (3) When, and how, and to what extent, may future reductions be expected?

THE CHIEF SECRETARY (Mr. Turnbull): It is the intention of the Government to reduce all Emergency establishments as and when the security situation permits.

Emergency establishments, including Provincial and District Headquarters establishments, are reviewed by Ministers in consultation with the Treasury at regular intervals and reductions are made wherever these can be done without prejudice to the general situation.

The Government will continue to reduce Emergency establishments as the situation permits.

MR. SLADE: Arising out of that reply, Mr. Speaker, could the hon. the Chief Secretary be a little more specific as to when, how and to what extent this intention has already been put into effect?

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, I think the hon. Member will have an opportunity of acquiring

all the information he requires in that connexion when the Estimates are debated very shortly.

QUESTION No. 62

MR. SPEAKER (Sir Ferdinand Cavenish-Bentick): (Question No. 62. (Mr. Chanan Singh, not being present, this question was not here taken.)

QUESTION No. 64

GROUP CAPTAIN BRIGGS (Mount Kenya) asked the Minister for Internal Security and Defence to state, in view of the improved Emergency situation, does Government propose to review the present "Call-up" arrangements especially so far as those engaged in agriculture are concerned.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE (Mr. J. W. Cusack): Government completed last month an extensive review of manpower policy in the light of the needs of the Emergency and of the economy of the country, including agriculture.

This review led to the conclusion that it is operationally necessary to retain for the present the obligation for compulsory national service, reduced in January of this year to 18 months, as Kenya young men are particularly suited by knowledge of language and of the country for certain important aspects of operations.

The Release Advisory Committee has, however, been asked to weigh carefully the particular, operational usefulness of individuals against their economic usefulness and personal circumstances, and currently this will result in an increased flow of men being released to agriculture and other industries and occupations.

It is, moreover, intended that the April call-up will be the last for compulsory national service, and that the normal statutory obligation of 168 days initial compulsory military training will be restored in January, 1957.

LT.-COL. GHERSIE (Nairobi North): Mr. Speaker, arising out of that reply, in particular regard to agriculture, would the same answer apply in regard to those wishing to undertake academic training with a view to studying for a profession?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE (Mr. Cusack): I do not

[The Minister for Internal Security and Defence] to answer the question which think that arises out of the question as framed. The intention is to release to agriculture and other industries in the country. This is quite a separate issue.

QUESTION No. 68

MR. MATHU (African Representative Member) asked the Minister for African Affairs to state the extent to which land consolidation has taken place in the Central Province and the method used to consolidate the holdings now ready.

THE MINISTER FOR AFRICAN AFFAIRS (Mr. E. H. Windley): Pilot schemes for the consolidation of land already completed, in the Central Province cover approximately 5,000 acres in each of the districts of Kiambu, Fort Hall and Nyeri and 3,000 acres in Embu. Work is already in progress for the consolidation of much larger acreages in all four districts.

The method adopted is basically the same in all districts. Full publicity is given locally for a period of three months before consolidation is started and the Administration must be satisfied that there is a genuine desire for consolidation on the part of the inhabitants of each area. The fragmented holdings are then measured by a team from the Agricultural Department. The total area is calculated and a consolidated holding is demarcated equal in value to the total of the fragments.

The interests of rightholders are safeguarded by adjudication committees consisting of a district officer, an agricultural officer, and a panel of local elders. All concerned are invited to state their claims before these committees. Where an interested party is absent he is either sent for or a member of his family is nominated to represent his interests in accordance with Kikuyu law and custom.

MR. MATHU: Mr. Speaker, Sir, arising from the first part of the reply, would the hon. Minister say what steps Government has taken to release titles to those who have already accepted consolidation of their holdings to ensure security of tenure?

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): The question of titles, Sir,

is a much more difficult one requiring rather lengthy and involved legislation which is being closely studied now. A conference has recently been held at Arusha between the East African and Central African territories to study this particular project, as a result of which we are now proceeding to draft the necessary legislation, although I think this may well take some time.

MR. COOKE (Coast): Mr. Speaker, can the hon. gentleman give any indication of the minimum size of these consolidated holdings? Is there any particular minimum?

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): Well, the minimum size will vary area to area. In the Kikuyu districts the project at the moment is to allow near villages areas which will be used virtually as village allotments, which may be perhaps in the region of half an acre, or even less in certain cases. Otherwise the aim is to have in certain areas three acres and in certain areas it may be more, as a rough minimum. But this is being worked out as a process on the ground experimentally.

MR. SHAW (Nyanza): Arising out of that supplementary, Sir, is there any obligation on the part—

THE SPEAKER (Sir Ferdinand Cavenish-Bentick): You may only ask a supplementary on the original reply to the question.

MR. SHAW: I beg your pardon, Sir.

THE SPEAKER (Sir Ferdinand Cavenish-Bentick): If, of course, you can word your supplementary so as to apply to the original question, then you can ask it.

MR. SHAW: I only wanted to know from the individual holdings, is there any obligation on the owner to indulge in good farming practice?

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): Yes, certainly, Sir, but under separate legislation, not under the process of consolidation. My hon. friend, the Minister for Agriculture has it under constant review.

MR. SLADE: Mr. Speaker, Sir, pending legislation with regard to permanent titles which the hon. gentleman has described, can we be assured that there is clear-cut record of the area to which the holder will eventually receive title when that legislation goes through?

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): I would say, Sir, that is certainly an integral part of the proposals which are now under consideration. I could not really be definite about this yet.

QUESTION No. 69

MR. SLADE asked the Chief Secretary to state:—

(1) If it is a fact that payment of salaries to some civil servants, European, Asian and African, particularly in Emergency appointments, are very much in arrear?

(2) If so, what measures are being taken to remedy this state of affairs?

THE CHIEF SECRETARY (Mr. Turnbull): (1) There has been delay in some cases in the payment of salaries to police officers and civilian staff in the Police Department. These delays are largely a result of the rapid expansion of the force which, combined with the frequent necessity of transfers of staff under Emergency conditions, has created administrative difficulties. The Commissioner and the Civil Secretary are aware of these difficulties and the following steps have been taken to overcome them:—

(i) Last year, authority was obtained for an additional post of Accountant in the Police Department. This officer will be in charge of all police and K.P.R. pay under the Senior Accountant. To date, it has not been possible to find a suitable person to fill the post.

(ii) A police officer has been posted to headquarters with the principal duty of dealing with all pay queries received in headquarters from individuals or police formations, and to liaise between the uniformed branch and the pay section.

(iii) An investigation of the problems is being carried out at the present time by the Organization and Methods Unit of the Treasury with a view to eliminating overights and delays.

(2) No other delays in the payment of salaries to civil servants are known to have occurred.

MR. SLADE: Arising out of that reply, do I understand that henceforward any

civil servant who is himself aggrieved by the delays in payment of salary, will be able to refer direct to headquarters and get a reasonably prompt reply?

THE CHIEF SECRETARY (Mr. Turnbull): Yes, Sir, he will be able to refer to headquarters through the normal channels.

MR. COOKE: Arising out of the answer, is the hon gentleman prepared to pay interest on these arrears of salary?

THE CHIEF SECRETARY (Mr. Turnbull): No, Sir.

QUESTION No. 70

MR. SLADE asked the Minister for Internal Security and Defence to state when will the Bill referred to in paragraph 62 of Sessional Paper No. 24 of 1954 (The Implementation of the Recommendations of the Kenya Police Commission, 1953) be published.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE (Mr. Cusack): The most urgent, though not the most important matter of implementation has been dealt with by Ordinance No. 55 of 1954.

In Sessional Paper No. 24 of 1954 the Government reserved a number of the recommendations of the Police Commission for further and more detailed consideration. Some of these recommendations, including those concerned with retirement and injury pensions, have required very careful and extensive examination.

It is the Government's intention to introduce a new Police Bill. The preparation of this comprehensive measure, however, involves many problems both of principle and detail. The close and deliberate study and planning which the project demands is now well advanced, despite the interruptions and distractions of the Emergency. The Bill will cover some matters which were not mentioned in the Police Commission Report but which experience has shown should be included. However, certain other matters, either covered in the present Police Ordinance, or the subject of recommendations by the Police Commission, are considered to have place more appropriately in a revised Public Order Ordinance, or elsewhere in the statute law of the Colony.

I hope the necessary legislation which, as I have explained, is likely to consist

[The Minister for Internal Security and Defence]

of more than one Bill, will be ready for publication within a few months, but at this stage I can give no undertaking about an exact date.

QUESTION No. 71

MR. TYSON (Nominated Member) asked the Minister for Local Government, Health and Housing to state when the legislation referred to in Sessional Paper No. 13 of 1955, covering the guarantee of excess loans made by building societies for house purchase is to be introduced.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Have-lock): It is not proposed to introduce the legislation referred to in Sessional Paper No. 13 of 1955 covering the guarantee of excess loans made by building societies for house purchase until sufficient experience has been gained from the operation of the Nairobi Scheme which has been set up for an experimental period.

Since the approval of the scheme by this Council there has been a great deal of work to be done in the way of detailed preparations, including the devising of a model form of guarantee and the examination of detailed items in the Schedule thereto.

The City Council has now accepted the proposals for one year, subject to the inclusion of a suitable arrangement whereby the Council can ensure that property guaranteed is suitably maintained. In this respect the Council is now in correspondence with the building societies and it is expected that final agreement will be reached and the scheme launched in the very near future.

MR. TYSON: Arising out of that reply, in view of the delay which is taking place over these negotiations so far as Nairobi is concerned, will the Minister consider putting the scheme into operation so far as other areas are concerned as visualized in paragraph 8 of the Sessional Paper?

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Have-lock): Mr. Speaker, I have given consideration to this. The first thing

is, I would like to see an experimental period in Nairobi, and secondly, I understand that, although a certain amount of interest has been shown by other local authorities, the building societies themselves have not got the capital to meet their demands.

MR. USHER (Mombasa): Sir, arising out of that reply, will the Minister state whether the experimental period is for a year or is for some lesser period?

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Have-lock): The experimental period, Sir, will be at my discretion.

MR. HARRIS (Nairobi South): March 31st or later?

QUESTION No. 72

MR. LETCHER (Trans Nzoia) asked the Minister for Internal Security and Defence to state:—

(a) What a sergeant in the Kenya Police receives by way of pension after say 29 years' service with the force.

(b) How do the rates compare with those of serving members of the King's African Rifles?

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE (Mr. Cusack): (a) A sergeant in the Kenya Police after 29 years' service and if over 50 years of age would be eligible for a pension of £97 8s. 7d. a year.

(b) This rate compares with the pay of a serving African sergeant in the King's African Rifles of £84 7s. a year, plus rations, clothing and accommodation valued at approximately £57 10s. a year giving a total of approximately £141 17s. per annum. King's African Rifles engagements are normally for a maximum of 21 years.

QUESTION No. 74

GROUP CAPT. BRIGGS asked the Minister for Internal Security and Defence to state the overall cost per mile for the operation of aircraft of the K.P.R. Air Wing and the corresponding cost per mile for the operation of road transport under the control of the police. Both figures to include "write-off" of aircraft or vehicles.

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE (Mr. Cusack): The average overall cost per mile of operating all K.P.R. aircraft is estimate at one shilling and 77 cents. The average overall cost per mile of operating all vehicles in the police fleet is estimated at one shilling and eight cents.

QUESTION NO. 75

SIR CHARLES MARKHAM (Ukamba asked, the Minister for Works to state:—

- (1) The original estimated cost of the bridge over the Athi on the Kajjado Road.
- (2) The actual cost of the bridge to date.
- (3) The estimated total cost of completing the bridge.
- (4) The date of completion of the work.
- (5) The reasons for the delay in completion.

THE CHIEF SECRETARY (Mr. Turnbull) (on behalf of the Minister for Works):

- (1) The original estimated cost of the bridge over the Athi on the Kajjado Road, including approaches, was £18,000.
- (2) The actual cost of the bridge and approaches to date is £12,182.
- (3) The estimated cost of completing the bridge and approaches is now £19,500.
- (4) The estimated date of completion of the work is November, 1956, though it is hoped to complete the work somewhat before this date.
- (5) The reasons for the delay in completion are due to the fact that steel bought through the Crown Agents was found to be unsatisfactory for a highly stressed bridge of this nature.
- (6) The original steel after cutting and bending had to be abandoned and a second lot of steel was ordered, cut and bent. This steel also was not entirely satisfactory and work had to be held up pending various tests, as it was considered unsafe to incorporate this steel in the bridge without considerable testing. The steel in question is from continental sources and no suitable steel to

British Standards was available for purchase locally.

- (7) Following the testing and certain redesigning, work will recommence in the next few days.

SIR CHARLES MARKHAM: Mr. Speaker, while thanking the hon. Minister for his reply and hoping the subject will not embarrass him, could I ask the reason, Sir, as to why the steel was unsatisfactory? If it was to B.S.S. or to British Standard Specification?

THE CHIEF SECRETARY (Mr. Turnbull): I apologise, Sir, for not being in a position to reply to the supplementary question. Perhaps the hon. Member will put down a subsequent question.

MR. HARRIS: Could the Minister state, Sir, who will stand the cost of buying two lots of steel where one would have done?

THE CHIEF SECRETARY (Mr. Turnbull): I shall have to have notice of that question.

MR. SLADE: Mr. Speaker, Sir, do I understand that now the Crown Agents have nothing more to do with supplying materials for this particular project?

THE CHIEF SECRETARY (Mr. Turnbull): I am afraid that question too, Sir, will have to await the return of my hon. friend.

Question No. 62 not recalled.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): As Mr. Chanan Singh is not here, I do not propose to recall Question No. 62 as the matter is now the subject of a Motion of which notice has been given and which will be debated next Tuesday.

BILLS

FIRST READINGS

The Pharmacy and Poisons Bill—(The Minister for Local Government, Health and Housing)—Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow.

The Laibons Removal (Amendment and Extended Application) Bill—(The Minister for African Affairs)—Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow.

The Supplementary Appropriation Bill—(The Minister for Finance and Development)—Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow.

REPORT

THE PERSONAL TAX (AMENDMENT) BILL—Consideration of Bill as Amended by a Committee of the Whole Council.

MR. MACKENZIE (Nominated Member): Mr. Speaker, I beg to move that the Report by the Committee of the Whole Council on the Personal Tax (Amendment) Bill be adopted.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. E. A. Vasey) seconded.

Question proposed.

The question was put and carried.

THIRD READING

The Personal Tax (Amendment) Bill

MR. MACKENZIE: I beg to move that the Personal Tax (Amendment) Bill be now read the Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read the Third Time and passed.

ADJOURNMENT

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): That concludes the business on the Order Paper. Council therefore stands adjourned until tomorrow, Wednesday, 18th April, at two-thirty p.m.

Council rose at fifty-six minutes past Two o'clock.

Wednesday, 18th April, 1956

The Council met at thirty minutes past Two o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentinck) in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—

The Employment of Juveniles (Arabs and Africans) (Amendment) Rules, 1956.

(By THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts))

ORAL NOTICE OF MOTION

INTEREST ON LOAN TO LAND AND AGRICULTURAL BANK.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT this Council do approve, in accordance with the provisions of subsection (2) of section 23 of the Land and Agricultural Bank Ordinance, that the rate of interest on the loan of 750,000 granted to the Bank in June, 1954, be fixed at 4.02 per cent per annum from the date of issue of the loan until 1st June, 1961.

BILLS

SECOND READINGS

The Pharmacy and Poisons Bill—Order for Second Reading read.

DR. ANDERSON (Nominated Member): Mr. Speaker, I beg to move that a Bill entitled the Pharmacy and Poisons Bill be now read a Second Time.

This Bill has become necessary owing to the many changes that have taken place since 1943 when the last Pharmacy and Poisons Ordinance was enacted. These changes have necessitated tightening up the law governing the sale, possession and distribution of drugs; also to ensure that the conduct of trade in drugs should be largely guided and controlled by professional people who are properly qualified to do so, namely, registered pharmacists.

Now, Sir, of the new changes which have occurred during this period, perhaps

[Dr. Anderson] the most important is the introduction of new and powerful drugs of which I will mention just two important groups, namely, the anti-biotics and the sulphamides. These drugs require new techniques for their handling and storage and they should be handled by people who are fully qualified to do so. They are to some extent harmful to the individual, but perhaps not so harmful as some of the older drugs with which we are familiar, such as arsenic and the alkaloids. But a new phenomenon has arisen in connexion with these new drugs, which renders them, unless they are properly used, very definitely harmful to the community at large. This new phenomenon is known as "drug resistance" and what happens is roughly this; if they are improperly used, that is to say if they are used in too small dosage, or if they are used infrequently, the infecting micro-organism which caused the disease and these may multiply and infect the whole community which is then incapable of being treated by these new preparations.

Another thing which has happened during this period is a very great increase in advertising in these drugs and new preparations generally. Advertising methods are used by commercial firms which employ every known means of propaganda; visual and auditory, which are known to commerce and, as a result, the unsuspecting public may be misled.

Now, Sir, the indiscriminating public I would divide into two main groups. They are, on the one hand, those who read the *Reader's Digest* and there are, on the other hand, those who do not. Now, the people who read the *Reader's Digest* are very apt to go along to their doctor with the paper open at page 47, or whatever it is, and demand the latest new wonder drug, and they are apt to use it in an indiscriminating manner. But the great majority of people in this country are, of course, illiterate and they are the people who, in an astonishingly short space of time, get to know about some new preparation which is on the market and are determined to get it by any means. That is why you may still find in some native markets, tablets of sulphamide sold illegally at as much as

one shilling a tablet. It is this kind of traffic that is one of the objects of this Bill to stop.

Another change which has taken place since the war, is that there is now a very great increase in the number of pharmacists in Kenya. Before the war they were few; nowadays every major town has several, and most towns have at least one. The pharmaceutical profession has been very active. They have formed their own association—The Pharmaceutical Society of East Africa—and this society is, as I say, very active in a number of directions. First of all, they do a lot to maintain high professional standards and a high code of ethics. They have taken upon themselves considerably increased responsibilities. They have, for instance, played a considerable and important part in the drafting of this Bill. Perhaps it would be appropriate for me to mention at this stage, that the Pharmacy and Poisons Board, which has upon it a number of pharmacists, will, if this Bill is passed into law, have an increased number of pharmacists, the increase being from three to five.

I think I should mention that a great deal of the detailed work of the Pharmacy and Poisons Board, is now carried out by a sub-committee appointed by the Board and consisting entirely of pharmacists. They have done a great deal of hard and useful work on a voluntary basis, and I would like to take this opportunity of paying a tribute to these gentlemen for the hard work and the little-known work that they have put in which is of very great benefit to the community at large.

Some four years ago, the Medical Department appointed an Inspector of Drugs and, as a result of his activities, a great number of illegal practices have been uncovered. Many of these are due to ignorance, but some of them are due to a definite attempt to evade the law and, as a result of his work, it has become very obvious that there are a number of loopholes in the law, and it is one of the objects of this Bill to stop these loopholes.

As a Customs Union exists in East Africa, produce and merchandise can be sent from one country to another without let or hindrance. Also, many of the

[Dr. Anderson] firms and businesses, which are concerned with pharmacy, have branches with ramifications throughout the three East African territories. For these reasons, it has become very necessary that the law relating to pharmacy and poisons should be uniform instead of, as at present, being rather chaotic in that each territory has its own Ordinance which differs from the others.

Accordingly, some three years ago, consultations were started between the Medical Departments of the three territories, and between the Pharmacy and Poisons Boards of the three territories, with a view to achieving such uniformity. A great deal of discussion and a great deal of correspondence took place, in which the Pharmaceutical Association of East Africa, as I have already said, took a prominent part; the Medical and Veterinary professions were also consulted. But after a draft Bill had been prepared, it was sent of course to my hon. friend, the Attorney General who, not unnaturally, hacked it about a bit, and the same thing, of course, was done by his colleagues in the other territories which meant more consultation; but finally, after a very long period of gestation, some three years, this rather formidable document has been born, or, perhaps I should say, is now in the process of gestation. As a result of this we have, I hope, achieved very largely except for very minor differences, uniformity in the law in the three territories.

Now, Sir, this is a long Bill and I do not want to go through it clause by clause, but I would like just to mention one or two of the clauses which, I think, are of importance.

First of all, clause 3 provides for certain changes in the composition of the Board. The most important one, as I have already mentioned, increases the number of pharmacists from three to five.

Part II, Pharmacy, deals with the registration of pharmacists, the qualifications which it is necessary for pharmacists to have, and keeping the register under constant supervision so that it is always up to date.

Clause 12 deals with misconduct and discipline. This is largely new matter and it follows closely the United Kingdom

practice. It also provides for reinstatement of any pharmacist who for reasons of professional misconduct has had his name erased from the register.

Clause 13 holds the employer, in certain cases, vicariously responsible for the acts and omissions of employees.

Clause 14 provides for appeals in disciplinary cases to the Supreme Court.

Clause 17 is a new clause and provides for the erasing of the name of a pharmacist from the register in this country; if he has been struck off in one of the neighbouring territories.

Clause 23 deals with the registration of the premises and clarifies the previous Ordinance which was rather vague.

Part 3 deals with poisons. Now this section has been very largely reorganized. The law with regard to the possession and sale of drugs is to a very great extent clarified. It also clarifies laws relating to Part 1 and Part 2, poisons.

Clause 27 deals with wholesale dealers and lays down that pharmacists must be in control of distribution and that the pharmacist must be registered in one of the East African territories.

Clause 29 widens the group of persons to whom wholesale dealers may sell. Formerly they were only permitted to persons mentioned in sub-section (1) (a) and (b) and now they may sell to group (a) to (f) inclusive. At the end of this section, unfortunately, there has been an omission in that the penal clause has been omitted, and I shall move, in Committee, that the penal clause be inserted here.

Clause 30 is a new clause and makes provision for the sale of drugs by post which, I think, will be of considerable convenience to people living at some distance from a town. Part 4 contains a number of miscellaneous provisions.

Clause 37 prohibits advertisements for remedies for certain formidable diseases for which it is expected that medical advice should be sought. Hon. Members will note, perhaps with rather mixed feelings, that the only people, apart from the professions concerned, who can legally be circularized with these advertisements, are hon. Members, themselves.

Clause 39 has invented a new offence, that of publishing misleading advertisements with extravagant claims for

[Dr. Anderson.] preparations which they do not possess. Now, this is very important in a country like this where there is a large and glibble public who, I think, ought to be protected from the consequences of their own ignorance of medicines.

At the end of clause 44 there is an important innovation; all rules which are made by the Minister on the advice of the Board must be submitted to Legislative Council which, I am quite sure, will be popular with hon. Members opposite who have always objected to Government by regulation.

Clause 45 deals with powers of entry. A search warrant is now required, and may be dispensed with only if, not against the objects of the Ordinance.

Clause 46 deals with the disposal of drugs seized and for forfeiture on conviction.

Well, Sir, perhaps I should apologize for the length of this Bill, but I do feel that although it is long, the new Bill has very greatly clarified the law in regard to pharmacy and poisons and that in future it will be very much easier to administer the law.

Mr. Speaker, I beg to move.

THE PARLIAMENTARY SECRETARY TO THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. J. Jeremiah) seconded.

Question proposed.

MR. SPEAKER. Mr. Speaker, Sir, in welcoming this Bill, I have one or two comments to make. The first is to confess to some disappointment that opportunities do not seem to have been taken to deal comprehensively with the question of anti-biotics and sulphonamides. I can see that there was some embarrassment perhaps caused by the existence of Emergency regulations controlling the supply and possession of these drugs. Nevertheless, I should have thought it possible to establish and control within this Ordinance, which would have enabled the Government to deal realistically with the situation as it is to-day. It is not for me to say whether it is still necessary to deny these drugs to terrorists. We may have got beyond that stage, that I cannot say. Nevertheless, we are frequently told that the indiscriminate use of these drugs may even cause death and that surely should

be no undesirable thing if it is applied in a certain direction. The continuation of the control as it is at the moment, affecting a very large number of drugs, is really a nuisance to the public and it puts an almost impossible task upon the pharmacists themselves. It is a real burden to have to maintain the registers which they are required to maintain and one would have thought that really the way to tackle the difficulty was to arrange somehow that there should be a closer control over all stores. In that I include, of course, the Government Medical Stores as well as those held by the pharmacists themselves. It has been represented to me, and I am suggesting to the Government, that it might be possible to reduce the schedule of these drugs to something like six items. As it is, of course, we cannot, when we have a sore throat, as I have to-day, even go and buy ourselves a simple cough lozenge.

I should like to take this opportunity of congratulating the promoters of the Bill on the ban on advertising of those elixirs which, as in the case of Faust are sent, to convert elderly citizens into youths. Perhaps hon. Members will remember that in any case Faust got up to no good.

There is one further matter I wish to mention and that is, the issue of licences of a certain class to sell drugs which are not on the poisons list, but which may be dangerous if taken in quantity. I am referring particularly to that very common drug, veganin, which contains codeine. I have been told—I do not know with what truth—that if you happen to have a pretty bad heart, and instead of taking the two every four hours or what it is that the physician directs, you take four; your end is quite likely to occur on the day in which you carry out that programme. Yet, I know, from my own experience, that if I am short of it and want it for some reason or other, after the shops have closed, I can go in Mombasa down Salim Road and purchase this drug from a shop which sets out to purvey beauty preparations. Now, you see, the possession of it, in fact, is so widespread that it might constitute a danger and I should like to be assured that this matter is under control.

Sir, I beg to support.

Dr. KARVE (Nominated Member): Mr. Speaker, Sir, while supporting this Bill, I would like to make a few comments for the consideration of the authorities.

The first comment that I am going to make is about clause 21, section (b) and that says that such business is under the management of the superintendent who is a registered person and a member of the board of directors of the body corporate, etc. Now, I can quite understand the necessity of a registered qualified pharmacist to be in control of that part of the business which deals in poisons; it is absolutely natural that it should be so, but I do not see the reason why he must be made a director of that particular body corporate which is running that business or taking the financial responsibility of control. This very often leads to considerable difficulties and getting round legal technicalities as it happens when, for certain reasons, the particular pharmacist that that particular company might have employed or might have imported turns out to be a bad fellow and has to be sacked. In most of these limited liability companies, a member of the board of directors has to have a certain number of shares and in order that this pharmacist can be made a director he has very often got to acquire or has got to be given those shares, and if the fellow is sacked in the end, he may make quite a great number of difficulties for the other directors. I really do not see any necessity for that clause in any case, because, after all, if he is a manager and a superintendent who is controlling that part of the business, he is a responsible party and if the directors then do anything which is against the Pharmacy Act or the Poison Law, he naturally says to the director, "that it is against the law and I am not going to do it", and if he does it under pressure he is liable to expulsion from being a pharmacist and his name will be erased from the register. As a matter of fact that will not give the Government any more power over those directors, if they do really intend to do underhand business, because if that particular company has got many branches, say ten or 20 or 25, or whatever it may be, they will need only one man as a pharmacist on the board of directors and all the others are worked simply by managers. If a company

really wants to do underhand business in the matter of these pharmacists, they have their main office in Government Road and open a small branch in Victoria Street where the ordinary pharmacist can be put to do exactly the same thing as the main man in the main shop. Under the circumstances, I really do not see any necessity for that particular pharmacist to be a member of the board of directors. That is one of the things I would suggest.

Clause 22 also gives the power to this board to allow a company to carry on business by engaging a pharmacist up to a period of five years if the original pharmacist dies. After all, even the board has thought about circumstances in which it will be necessary for them to allow the companies to run their businesses under the superintendence of pharmacists, who will not necessarily be members of the board of directors.

The second point I would like to make is about the description of the drugs on the label. It is true that in many countries there is a law that every drug has to have the complete description of it printed on the label; but that is not carried out, either in England or here. Quite a lot of ordinary preparations which are in common use do not give complete descriptions or the complete formulas on the bottle. I would allude to ordinary things like Eno's Fruit Salts and Andrews' Liver Salts. The formulas are very long and they are given in certain books describing these secret remedies, and they are called secret remedies, but they are so commonly used that nobody ever bothers about it.

This law in particular, can be very difficult to maintain. It has either got to be one or the other. You cannot allow some drugs to escape the law while others are prejudiced in being kept out.

I came across an example of such a thing recently. There is a drug which was used for high blood pressure in India for a considerable length of time which is known as Serpena. This drug was so effective that experiments were done in India and they were found so effective that they were published in the medical papers there. This drug was taken over in America and England, and the medical profession accepted the drug, and now other drugs are being prepared in

(Dr. Karve)

America and in England made from this drug. The name of that drug is *Serpina rowfolia* or some botanical name like that. Preparations are now being made in England and used in this country, but the original drug which used to come into this country for quite a long time—for the last twenty years and used in my profession—was suddenly stopped under this clause because Serpina has not got the label in Latin, or whatever it is.

I do not think it is really good to have a law making every drug have a complete formula printed on it and that it should be carried out to the letter. If it is so carried out there are quite a large number of drugs which are really good and are not included either in the British Pharmacopoeia or in the Codex, which are being used by doctors of all countries and in all countries. I do not see why they should be prohibited. There are certain drugs used in India, remedies which are superior to other drugs which are used and experiments on them are being carried out, and I do not see why there should be a prohibition on them, as long as the name is printed clearly in English or in Latin of what that drug is.

There is only one more point I would like to make, about the keeping of registers by dispensing doctors. Their position is peculiar. The chemist has got to keep a register and has got to have a prescription written by a doctor which can be kept while he is entering the register. The dispensing doctors use these poisons or drugs in very, very small quantities indeed, compared with a chemist or druggist. They themselves can write a prescription, which is necessary to make the register square. I think it is really ridiculous to make them keep the necessary registers for nothing at all. After all, if any bad doctor wants to give these drugs away he can write any prescriptions that he wants and make them up himself and certain prescriptions he can give to be compounded by the other pharmacists and write certain ones for himself and cover up his work.

If it is suspected that certain doctors are actually carrying on a large trade in these anti-biotics or these poisons, it would be a different matter. I am quite sure that the medical authorities here

would never agree to that particular proposition, and I think it would be a good thing to allow the doctors not to keep these registers.

As a matter of fact, in the early days when I came here and when I asked about this matter it was told that doctors need not keep registers and the first time that I heard that these registers had to be kept under the law was when the Inspector of Drugs was appointed and he came round finding out whether doctors did keep these registers or not. None of them did and they had to keep them after that particular visit of the inspector. But I do feel it is unnecessary work for an Inspector and is of no importance at all. If a doctor does really want to cheat it is easy enough. I beg to support.

LT.-COL. GROGAN (Nairobi West): Mr. Speaker, there is only one point that I would like to direct the attention of the hon. Member to, and that is clause 37, and the relative Schedule which deals with advertisements for these drugs. The purpose, and the very laudable purpose of this law is quite obvious, but it seems to me that it might very seriously affect the revenue of that very excellent publication, the *East African Medical Journal*. I think there should be some sort of exception which would make it possible for a very excellent publication of this nature to carry on as it does to-day for the illumination of ignorant laymen like myself. Perhaps that has been covered; if the hon. Member would explain the position as it arises, I would be duly grateful, Sir.

MR. COWIE (Nominated Member): May I ask the hon. Member to give me some information on the question of native poisons—by that I mean poisons made from indigenous vegetation. Under the existing Ordinance there were provisions to take action against certain people who manufactured and sold arrow poison, but in reading this Ordinance I cannot find any particular provision that makes it possible to apply its provisions to a locality or district.

I realize that under section 25, the Board can approve of a list of substances, but it does not seem to me to imply that that list can then be applied in certain areas. I cannot imagine that one of the people manufacturing arrow

(Mr. Cowie) poison down in the Lower Niyika country would deliberately use the poison book and ask the buyer to affix his signature when he wants a few pounds of arrow poison. What I am trying to point out, Sir, is that these provisions do not seem to relate to the use and manufacture or possession of native poisons. As one of the most potent forms of destruction to wild life I would like the hon. Member, if he could, to give me some information on how these provisions may be applied in that particular sphere, otherwise I beg to support.

THE SPEAKER (Sir Ferdinand Cavendish-Bentley): If no other member wishes to speak I will ask the hon. Member to reply.

DR. ANDERSON: Mr. Speaker, Sir, the Member for Mombasa raised the question of Emergency regulations in relation to antibiotics and sulphonamides. Well, it is perfectly true that these regulations are rather irksome to the people who deal in them, but at the time they were introduced the whole question was considered very carefully, and it was considered that if effective action was to be taken a good deal of additional clerical work would have to be put on to people who sold drugs.

Now that the Emergency seems to be coming to an end, the whole question is under review and in fact steps are now being taken to recommend to the Minister that some of these regulations should be done away with, although I think it will be necessary to keep a few of them going for a bit longer.

He also mentioned the importance of a closer control of medical stores, by which I expect he includes hospitals. Now, in these Emergency regulations, steps were taken to ensure that as far as could possibly be done, there should be no leakage from medical stores or hospitals.

He also mentioned the question of Niyika. Now Niyika contains codeine, it comes in the Part II, Poisons list and therefore can be sold by a licensed seller in Part II, Poisons. It is perfectly true that the number of such shops is rather large and I have no doubt that the hon. Member went into one of the shops which was in fact

licensed to sell these poisons. But the whole question of the issuing of these licences is under consideration at the present time, and I think as a result the number of small shops which are permitted to sell this kind of thing will be very considerably reduced.

The hon. Nominated Member, Dr. Karve, mentioned clause 21 and brought forward the argument that a pharmacist should not be made a director of a company dealing in drugs. Now this is not really a new provision, it was in the old Ordinance, although in rather a different form, and the same applies to clause 22, that also was in the old Ordinance.

The reason for this provision is that if a pharmacist is a member of the board of that company, then he is in a position to control the policy of the board of directors. He is in a very much stronger position in influencing that board against taking any action which he may consider to be unethical. Now I think the hon. Member should put himself in the place of, shall we say a young, newly qualified pharmacist who comes from, let us say India, and is engaged by a firm which has a board of directors. It may be that that firm will want to do something which he cannot approve of. It is very difficult for him and there may be very great pressure put on him, perhaps to do something unethical. But if he is a member of the board then he is in a very much stronger position to direct policy. It is perfectly true, of course, that if he does anything unethical, he may have his name erased from the Register of Pharmacists. That is a very long and cumbersome process and it is in practice a thing which is very seldom resorted to. So I think that the present clause as it stands gives a very definite safeguard.

The hon. Member also mentioned disclosure of formulas. Well, it is perfectly true that there are preparations being sold in this country on which the formula is not disclosed, but the law requires that this shall be done and in due course it may be possible to enforce it. The law, in this respect, of course, very closely follows that in the United Kingdom.

He also mentioned the difficulty of obtaining, I think it was *Serpina*. Well, any substance such as this which has a botanical name, would

[Dr. Anderson] if that botanical name was printed on the bottle, be perfectly reasonable and would allow that preparation to be bought and sold. Actually, of course, the drug in question, the botanical name is, I think, *Rauwolfia Serpenilla*. That, I am sure, even the hon. Member for Mombasa would agree, is good Latin.

If the hon. Member has any difficulty in getting a preparation of this sort which seems to me to be all right, if he would let me know later on, I will do my best to see that it is obtainable.

The hon. Nominated Member, Mr. Cowie, spoke of arrow poisons, and said that he did not find any reference in this Ordinance to arrow poisons. In point of fact, what has happened is that arrow poisons have now been placed in Part I list under the term *Aconitina*, which is the alkaloid in question. It has not been applied to certain specified localities but as far as I know this is a matter which could be dealt with under the rules if necessary.

The hon. Member for Nairobi West mentioned advertisements in the *East African Medical Journal*. That, I think, is quite clearly covered by the section which mentions "Members of the Governing Body of a Voluntary Hospital, (c) duly qualified medical practitioners, etc."—those are the people who normally read the *East African Medical Journal*.

I think, Sir, that I have answered all the questions that have been asked, and I beg to move.

The question was put and carried. The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

The Laibons Removal (Amendment and Extended Application) Bill
Order for Second Reading read.

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): Mr. Speaker, I beg to move that a Bill entitled the Laibons Removal (Amendment and Extended Application) Bill be now read a Second Time.

The object of this Bill, Sir, is quite simple, it is to give us powers to control and to supervise the Laibon clan among the Nandi people, such as we already

have to control and supervise the Laibons among the Kipsigis.

There is little doubt, Sir, from the reports that I have seen and the information available to us, that the malign influence of these Laibons has been on the increase during the last year, both in the use of their occult power to prey upon their own people, and also as a threat to law and order. Indeed, Sir, both the Nandi people and the Government are at one in wishing to have these powers to exercise the necessary control.

We visualize the first step in this control as concentrating these Laibons into one location of the Nandi district, so that we can control their comings and goings from this location and give them greater supervision.

I do, Sir, strongly commend this Bill for the approval of hon. Members. I will not enlarge further on the objects and reasons which were fairly clearly stated in the Memorandum to the Bill, Sir, but if any hon. Members wish for further information, I will endeavour to give it.

I beg to move, Sir
THE MINISTER FOR COMMUNITY DEVELOPMENT (Mr. Ohanga) seconded.

Question proposed.

MR. MATHU: Mr. Speaker, I should like information on one point in supporting the Second Reading of this Bill and it is whether it is the intention of the Minister to remove the Laibons from Nandi to a particular place with their families. That is, with those who are married—to live together with their families, and if they have children whether he is proposing to make provision that these children should be educated. After all, this is a cult and unless the children of these families are educated to change their cult, in modern methods, I think that to move them into isolation alone will not solve the problem. I would like, Sir, the assurance of my hon. friend, that that is definitely the intention of Government. I would like to say, Sir, that I have my doubts as to the future, because if they are isolated, logically, they will brood over this. I happen to know, Sir, that there was that difficulty with regard to the Kipsigis when we removed them from the Kericho

[Mr. Mathu] district to the Tanganyika border, and we had to bring them back to Kericho. I took part in that matter myself many years back, so I have some experience in the matter, and I should like, Sir, to ask the Minister to give us the assurance I seek in this regard.

MRS. SHAW: Mr. Speaker, I would like to support what the hon. African Representative Member says very strongly, because I remember the difficulties when the Kipsigis Laibons were removed from Kericho and I, too, remember the assurance the Government gave that no Laibons should come back over the age of seven, eight or nine years of age, and if they were to come back into civilization again and to live amongst other Africans, then they were to come back below the age of ten. In actual fact what happened was that Government did bring back young Morans of 16 and 17, which was not a success, because by then, as my hon. friend has just said, they had been inculcated with all the cult of the witch-doctory of the Laibons. The Laibons have been for years the evil geniuses of the Kipsigis—I lived amongst them, I lived through the Laibon Rising and I know what I am talking about, they could put a spell on anybody they like in the Kipsigis tribe and I am only sorry that the Nandi have had to suffer them so many more years than the Kipsigis did. But it is very important that if you are to bring them back, if they must be brought back as children, when they can be re-educated morally, rather than wait until they become Morans and young warriors having been inculcated completely, because the son of a Laibon becomes a Laibon automatically.

MR. GIKONYO (African Representative Member): In supporting what the previous speakers have said, I just want to find out from the Minister, whether he can tell us the number of these Laibons, secondly, I would like to make a suggestion for the Minister's consideration, whether it is not a good idea that as soon as the young boys become of school age, whether they could not be separated from their parents and be educated away from home, because the longer they are together, it is difficult not to have the influence of their parents, and if we want to control these Laibons,

the only way is to remove their youngsters and get them to school somewhere else.

MR. ARAP MOI (African Representative Member): Mr. Speaker, Sir, I would like to support what the Minister has said, for recently I visited the area where the Laibons stay and what I heard from the Nandi; in particular, is that they do not want these people to move without a pass from the District Commissioner, for once they go to the reserves or in the settled area, they demand something—either money or food from the ignorant, the primitive people living in the reserves, in the remote areas where the district administration headquarters is far away.

So I think the Nandi district as a whole is fully aware and everyone is conscious about it, and they would like these Laibons to stay in one particular location, and at the moment they have—there is one location for these Laibons and schools are being provided for their children, where they are educated, and I do not think there is any fear in Nandi, because they have got a chief, and everything is available. They are contributing themselves, some money to build more schools for their children, and therefore, I beg to support the Motion.

LT.-COL. GROGAN: Mr. Speaker, if they are going to move into isolation camps, subject to the alleged principles of the non-differentiation of religion, would it be possible for the hon. Mover to arrange for the reservation of a plot and a hut for the Dean of Canterbury?

THE SPEAKER (Sir Ferdinand Cavendish-Benliček): If no other member wishes to speak, I will ask the hon. Mover to reply.

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): Mr. Speaker, Sir, I welcome the support given by hon. Members opposite to this Bill. I would also like to say that I am grateful to hon. Members for drawing out the particular difficulties in handling a problem of this sort—the difficulties relating to their families and their children and the education of their children. We do intend to move their families and their children, and we do also intend to give special consideration and to study the problem of the education of their children which one may be able to do within special schools in this

[The Minister for African Affairs] location, or it may prove to be more desirable to educate them in other schools in other locations. The hon. Member Mr. arap Moi did draw attention to one aspect of the handling we propose to give to this particular Ordinance among the Nandi, as against the Kipsigis, is that we propose to keep these Laidons within their own district; and that I think will make it very much easier to handle this problem of the education of their children and the handling of their families, because that was the great difficulty in having to move those among the Kipsigis to some distance away. It has been a constant problem ever since. But we do appreciate the need for giving special attention to this aspect, and I trust, Sir, that we shall be successful in so doing.

I hesitate to comment unduly on the remarks—the *obiter dicta* of my hon. friend, the Member for Nairobi West, I could make a number of suggestions as to what we could do with the Dean of Canterbury, were he a Nandi; but perhaps I should refrain, Sir, I beg to move.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

The Supplementary Appropriation Bill Order for Second Reading read.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Mr. Speaker, I beg to move that a Bill entitled the Supplementary Appropriation Bill be now read a Second Time.

Sir, the Bill presents the expenditure in excess of the Estimates for the Financial Year 1954/55, which has already been covered by Supplementary Estimates placed before this Council in the past. But it is necessary that the expenditure in excess of that provided by the Appropriation Ordinance No. 28 of 1954 should now be authorized by a Supplementary Appropriation Ordinance.

The Bill covers supplementary expenditure on the Colony's Vote to the amount of about £9,680,000, of which £8,000,000 was caused by additional contributions to the Emergency Fund in excess of the amount originally voted.

The Bill also provides for the authorization of the additional expenditure on

the Swynnerton Plan inside the Development Fund amounting to some £422,000.

As stated in the Memorandum of Objects and Reasons, Sir, this is a matter of legalization. I would just say one thing more, Sir, and that is I hope before very long, that we shall arrive at a process whereby each supplementary estimate when considered and passed by this Council will be followed at a very early stage by a Supplementary Appropriation Bill, so that this late authorization will not occur in future, Sir, I beg to move.

THE MINISTER FOR COMMUNITY DEVELOPMENT (Mr. Ohanga) seconded.

Question proposed.

The question was put and carried.

The Bill was read a Second Time and committed to a Committee of the whole Council to-morrow.

MOTION

AFRICAN PRIMARY AND INTERMEDIATE EDUCATION

MR. MATHU: Mr. Speaker, Sir, I beg to move:—

BE IT RESOLVED that in the opinion of this Council Government should state what action, if any, it proposes to take to avert the disturbing situation resulting from the present policy for African primary and intermediate education.

Mr. Speaker, Sir, I should like first of all to say that the thing that has permitted us to bring this Motion before the Council must not be interpreted as it might, from certain quarters, as our lack of appreciation of what the Government of this country has done to develop the education system of the African people from nothing to what they have achieved at the present day. I would like, therefore, to pay tribute to all those who have been connected with the Department of Education, from the latter part of the 19th century to 1911, when the first Education Department was set up, and from then on until the present day, in between which we have men and women who have progressed from the lowest standards of education to the highest that the British can offer in this country and in their own country, the United Kingdom.

33 Motion—

[Mr. Mathu] I do suggest, Sir, that that is a sentiment which is shared by most of the African people in this country. But that, Sir, should not deter us—prevent us from looking at the whole system and to find out whether there is not room for further improvement in order to make sure that all those who desire education should have it in our own system which we have established in this country here. It is for the latter reason, Sir, that we have thought it proper that we should bring this Motion before the Council, that one of the most important justifications of the civilization of Africa by Europeans and others from outside Africa is the extent to which they educate the people of Africa. It is only through proper education that the masses of this and any other part of Africa can make a worthy contribution economically, socially and politically, for the good of Africa and the good of the world.

Now, Sir, the present policy of Government was passed by this Legislative Council after a three-day debate in August, 1950. In that debate there were 34 hon. Members present on both sides of the Council. Thirteen of them spoke and their speeches were recorded in 130 columns of HANSARD. There were three Government speakers who supported the Motion, of course, and there were three African speakers who opposed the Motion, five European unofficials who supported the Motion, two Asian unofficials who opposed the Motion, and after a division the Motion was carried by 24 votes in favour, seven votes against, and three votes were not recorded.

Now that debate, Sir, marked, I think, a very important stage in the development of African education. The Council was asked to debate the report which had been produced under the chairmanship of Bishop Beecher and the recommendations had been modified by Government Sessional Paper No. 1 of 1950.

I had the honour, Sir, to serve on that committee, and what I am saying now in moving this Motion is not in any way a criticism of the very hard work that the committee produced and laid, I think, a firm foundation for a healthy system of African education. Any defects that have appeared now were defects that the

committee knew would happen; but they covered themselves in their Recommendations 42, as I shall mention in due course.

In winding up the debate, Sir, my hon. friend, the then Acting Chief Secretary, Mr. Thornley, said this: "Finally, Sir, this report is not intended to be a hard and fast blueprint from which there can be no departure. It is intended that in time schools should be developed in a flexible manner." And that, Sir, was a point on which the Government were supported by Unofficial Members, who spoke in favour of the Motion. With your permission, Sir, I would like just to refer to a few of these speeches which supported the principle that if anything was required to be looked into there will be an opportunity for review.

The first Unofficial Member to support this was my hon. friend, Mr. Havelock, Member for Kiambu, who is now the Minister for Health and Local Government. He said, Sir, in column 251 that: "There is that one recommendation in this report which I think we should all take note of, and that is that this is not a rigid scheme, this scheme can be revised from time to time, and I hope that if this country prospers, as I am sure it will, if we are not interfered with by outside influences, that before the plans visualized in this report come to its conclusion, we may be in a position to extend the plan and, provided we have the resources, we certainly shall do so."

Now, my hon. friend, the then Minister for Local Government, who is now the Minister for Finance, also supported the Government in that regard. I would like, Sir, to quote one small paragraph of his speech from the HANSARD from 25th August, 1950, column 268. Now he said: "Education and educational plans cannot and must not be regarded as static. If this economic age makes certain demands on man, then our educational philosophy has to be revised time and time again to meet that situation." There you have again the same attitude towards the future of the reviewing of future plans.

My hon. friend, the Member for the Coast, also joins the refrain and says very briefly this: "It is not as we say, appropriate, not to be altered under any circumstances. But it contains these valuable principles, and the details, as I

[Mr. Mathu] understand it can be modified. Our system is susceptible to modification if and when the occasion arises."

The final speaker was a member of the committee, my gracious lady, the Member for Ukamba, who also said that she thinks that if anything appears which is not proper there should be some revision. She says: "The committee realized just as well as anyone else that the thing was not a blueprint, that it must be subject to variation."

Now that was mainly the attitude of Government and their supporters in regard to their reply to the strong opposition that the three African Members who were on this side of the Council at that time put to the acceptance of the Motion.

Now, Sir, as I mentioned earlier, I was a member of this committee and, although as I say the African members did a very, very strong battle to oppose the Motion, and I think if they read their speeches they will think—they will be very proud of themselves because the fears they expressed have come true to-day, and I invite them to look at their speeches, because I think they would be called prophets, more or less, because everything they said, I think, has come true.

Now, as I said, Sir, on page 21 of the Government Sessional Paper No. 1 of 1950, Recommendation 42 of the Beecher Committee, they say this: "That the adequacy of the proposed programme for African education and the resources available for its further expansion, is to be subject to periodical review, and that adjustments be made accordingly."

Now, that, Sir, was the Government policy in 1950 and in 1951, Government said that they did not think that the Beecher Plan was really a plan, a development plan, it was a reorganization, because in the African education system of policy which the Government published in 1951, they have in paragraph 6 the following sentence: "The Government's present policy is not so much a development plan as a reorganization of the present education system as a foundation for even greater expansion in the future." And there, Sir, I would like to draw the attention of this

Council to when we are going to suggest modification or even an overhaul of the present education system; the Government admitted that it was not a blueprint, a hard and fast plan, which cannot alter.

In any case, Sir, this world-wide concept of planning for everything is quite a new affair; but you can plan and put on paper many things which you like to do after ten years or after five years—the five-year plan or the ten-year plan—but then it refers to a developing country and developing human beings like the Africans. They are growing up. You can be sure, Sir, that before your ink is dry signing the plan, that it is already out of date, and this has been, Sir, the case now. The African society is emerging with terrific pains from a society of subsistence economy to a society of money economy and international commerce, and I do not think we can talk in terms of a five-year plan in respect of the development of their education.

Now, Sir, what has been the result of the Beecher Plan? It has shown since 1951 good points. There have been, I think, for once laid down a logical, systematic plan for the development of African education. There has been administration set up from the lowest level in the way of district education boards to border areas in the way of regional boards, and that, I think, Sir, is something that has never been done before. The framework was established at that time, and I suggest, Sir, that that is, I think, one of the best features of the Beecher Plan; but the facts have shown themselves very prominently that masses of children who desire to join schools at Standard I cannot have accommodation. Every class in the primary school can have not more than 40 children. It is laid down by the Education Authorities that no class should have more than 40 and therefore, if 40 children arrive in the morning at the beginning of a term—or rather, if there are 80 children arriving at the beginning of the term in the new year, to start school where there are no recognized terms, 40 will be accommodated, and the other 40 will be told "Well, you can go home." And that is, Sir, the defect that has shown itself very prominently during these five years.

[Mr. Mathu]

Not only that, but those who gain admission at the age of seven can only get to Standard IV; at the age of eleven plus—that is only 20 per cent, Sir, can ever proceed to the intermediate school. Eighty per cent of eleven plus are told "That is the end. You can go and do what you like." And that was, Sir, the main criticism that my hon friend in 1950 made against the plan and, if I may say, Sir, very briefly, if there were only 100 children in the whole of Kenya—African children in the whole of Kenya—and if there was only one school, 100 children will get there at the beginning of the year. They will get at the top of the school at the age of eleven plus. Eighty will have to remain behind; 20 will move to the intermediate school; and assuming that they will complete the four-year course, those who get out of that—you divide by five and then you find, Sir, there are only four that go to secondary school, and if you want to get ahead to your university, you divide by four and you have four-fifths of the children who reach the university. That is the mathematical calculation of the whole thing, and remembering that there are roughly in my own estimation—guesswork, I admit, but I have no reliable figures—there are roughly 2,000,000 perhaps 2,000,000 African children of school-going age and there were in 1954 roughly 348,000 children in primary and intermediate schools.

Now, you can see, Sir, the magnitude of the problem. So we think that there are some aspects of the present policy which must be reviewed and adjusted as a matter of the greatest urgency, and if I may, Sir, at this stage just quote a few remarks made by my hon. friends who opposed this Motion to support their contention that four years was just an insufficient period to train a child and put him into the world to fend for himself, because physically, mentally and spiritually he is still undeveloped and, in fact, he becomes only a potential social problem. My hon. friend, Mr. Ohanga, who is now Minister for Community Development—I am glad he is on that side because he will be very much more powerful, to influence his colleagues in the Government now than I would be, because he has developed since the time he was on my side, and now I hope he

will be successful. This is what he said, Sir. He led the Opposition in a most able manner in those days, when he was, of course, on the best side of Council, than he has ever done since he crossed the Floor. Now, he said:—

"I refer to the proposition, or to the recommendation, that is here, that the African primary school courses should only last for four years, and after that impose an examination on the children and throw the bulk of them away. The thought to an African having a child of eleven years old and having it thrown into the streets of Nairobi is really killing. We can never bear the feeling of a situation of that kind. A child of eleven—moreover, it is absolutely contrary to the main report, namely, purposeful education, complete in itself, fitting a man for life."

I can go on, Sir. It is a long passage, but it is a very convincing one which my hon. friend put at that time. Now that language can be used to-day, Sir, with greater force, because we have seen it in actual fact happening—children thrown away—80 per cent in our primary schools at the age of eleven or eleven plus.

Now, he was supported very ably also by my hon. friend, Mr. Chemallan, although he is not in this Council—he is a member of the Government now. He is the Parliamentary Secretary to the Minister for Agriculture, and I do appeal to him when he reads this speech to use his influence to change the Government's attitude in regard to this matter after these ideas. Now, he says that he opposes the whole question of shortening the life of the child in the primary school from six years—as they were then—to four; and he said: "First, it shortens the primary education received by the African child to-day. This is indeed a big loss to the country because a child of seven, being in school for four years, only gives him an education of four years up to the age of eleven. That kind of person will not be of any use at all to himself and, later, never to the community." I cannot agree with him more.

And, finally, Sir, my hon. friend, the Parliamentary Secretary to the Ministry of Local Government, Mr. Jeremiah, also threw himself against the Government in

[Mr. Mathu] opposition to this principle of a four-year course. He says:—

"Now, Sir, I come to the most vital opposition of ours with regard to Recommendation 8, where it is proposed that the primary school should go on up to Standard IV, only, Sir, I feel very much worried on that point. I have seen parents worrying very much about their children who have been sent out of school after the age of twelve or thirteen because they have failed to gain admission to higher schools, and that is to Form I or Form II."

Now, Sir, I am sorry I have to quote these, Sir, but I do think that it is important to look at the picture as it was in 1951, so that we can put it in the proper perspective, and therefore, Sir, our suggestion, Sir, is, first of all, in order, to remedy this situation—which we think is extremely disturbing—that the Government should see to it that no child who offers himself to attend a school in Standard I—in any school—should be turned out. No one at all. It is entirely Government responsibility that this should be so, and there should be no other word about it.

Now, the second thing is, after entering Standard I, Sir, in a primary school, the Government should see to it that that child is kept in school uninterrupted up to the age of 15: that is to say, he will be in school for eight years uninterrupted. At the present moment there is a competitive entrance examination at the age of 11 plus, and as it is Government policy to have only 20 per cent of the children going to intermediate schools they must, of course, adopt the strictest measures possible to make sure that only the 20 per cent can go to the intermediate schools, and therefore the examination takes effect: 11 have seen quite a few of them, Sir. To children of 11, to say the least, they are harmful to young minds. It is almost, in fact, like giving a paper in trigonometry to a child of four, and I do suggest, Sir, that that is a point. We are suggesting that there should be no examination at all at Standard IV—that it should be Government policy, and it should be implemented, that every African child who enters the class should go on until he finishes eight years in the school.

Short of that, Sir—as I shall point out in due course—it will be landing this country in terrible social problems.

Now, at the examination, Sir, at the age of 15—that is in Standard VIII or Form II—every child who reaches that stage, I agree, Sir, there should be an examination set; and all those who can therefore be selected—because at that time it is possible to set a selective examination, because the experience the children have had for eight years in schools should be sufficient to enable them to show in what category of their intellectual capacities they should be placed, and therefore some of them should perhaps be qualified for a grant for sending to a grammar school, some would go to teacher-training courses, others to technical training courses and given some vocational training when they must be placed in employment to earn bread in the right way.

I realize, Sir, that all this will mean repercussions to higher education, and secondary education. I appreciate that, but I do say that, although my Motion only refers to the first eight years of education, I certainly do not mean it is likely to end in an abrupt practice, without continuation of growth. That I appreciate, Sir, but I think the emphasis we want to lay on this matter is the policy for the first eight years of the child's life.

Now, Sir, we suggest that it is the wrong policy to prevent a child to go to school as he pleases, and I think he should be kept there for five years. Now, at that time, Sir, in this debate, there were proved and produced by my hon. friends—African Members who spoke—to show that a child of 11 cannot really do very much, either to himself, to his parents, to the community or to Kenya as a whole, and, as I say, I should like my hon. friend, the Director of Medical Services, perhaps to take an interest in this matter to give us, Sir, from a medical point of view—even the bones, a child of 11 is unable to do anything. As I say, I am not an expert in this matter, but my own feeling is that muscular development is not complete, mental development is not complete, and intelligence is not complete at the age of 11, but I invite him to invite the Council when it pleases to do that.

[Mr. Mathu] Now, what are we landing ourselves into? The children that have been put out at the age of 11 are thousands, Sir, in the whole of the country. When you know 80 per cent of the children who go to school do not go beyond Standard IV, you can appreciate the large number of them that move about everywhere, and the African Affairs Department Annual Report in 1954—which, if I may, Sir, congratulate the department for producing the report in a most logical manner—I think has the answer of the social problem, for this system is producing—and, with your permission, Sir, I should like to quote what the Provincial Commissioner, Nyanza Province, said in the course of his report in reference to these children:—

"The major problem in education in Nyanza is how to cope with the vast number of children who never go beyond Standard IV. In 1954 in North Nyanza there were 17,000 children in aided Standard I's and probably another 7,000 in unaided Standard I's. By the end of the present period of development the intake into intermediate schools may be as high as 5,200. Hence, no more than two children out of ten will go to Standard V. With the average age of entry into school dropping, 23,000 children of the age of 11 or 12 will be roaming North Nyanza, too young to work and with only a flimsy literacy which too often will be lost within a year or two of leaving school. This must have undesirable social repercussions in the future and any schemes of training are a waste of time, partly because no training can be built on the academic standards which these children have reached, and partly because any form of training envisaged is almost certainly more expensive than sending the children to intermediate schools. But to send every child in North Nyanza to an intermediate school would cost £1,500,000 a year or six times the total expenditure of the North Nyanza African District Council. The solution of this problem will tax everybody's resources during the next 15 years, and on its successful solution will probably depend the satisfactory development of education."

As I say, Sir, I think there are some good qualities amongst some of these administrators, because they can very well put matters as truly as they can, without any prejudices or partiality, but to speak nothing, but the truth—and this Provincial Commissioner has spoken the truth—and I would pay my tribute of drawing the attention of Government in this form—and of the country—to a situation that is worrying the African parents, and some of them may go to Mathari Mental Home because of the trouble that they are suffering in this matter. Not only that, Sir, but if those social problems apply and ignore the recommendations of the Beecher Committee that education should be based on a sound Christian principle, now surely, after four years, these fellows roaming in the streets would not be Christians, because they will be thieves. As I say, in due course they will indulge in crime and vice, and the morality that it is intended to teach them will have gone—in fact, it is not there. When children are born I think they are amoral; and it has to be developed by education.

Now, Sir, I have already mentioned, Sir, that we do not want examinations at Standard IV, and we would like, Sir, that the children should go on to Standard VIII. I have also mentioned, Sir, that at Standard VIII there should be proper tests, so that these children can be drafted to various schools where they can be trained to become useful citizens of our land. Now, that suggestion I did to be formal education: informal education would not found these people in character development and intelligence, so that they can economically contribute something to the benefit of our own country. What they want is a form of proper discipline—formal education—so that they will come out with proper skills which will enable them, as I say, to make their worthy contribution to our country.

Now, what are we going to do about it? Now, first of all, Sir, the policy I have been speaking on does not allow for the opening of unaided schools. All schools must be within their approved plan. The approved plan has not filled the need. It is cracking—it has cracked. Now, what are you going to do? I suggest that one way is to allow the opening of unaided schools, provided that

[Mr. Mathu] Government can provide sufficient inspection and financial control, and that there should be also supervision of these unaided schools; but, if there are a group of persons or a society, like the societies of the Churches, who have some money and would like to put up a school outside the approved system, why should they not be allowed to, if the children are there and not being educated. Further, if there is a local authority, like an African District Council, which would like to open a school outside the aided system, now why should we prevent them from doing so? If we do, the taxpayer—the African taxpayer—of this country will come to the Government and say, "Take the whole system of education. You are responsible. We pay taxes to Government, and you are responsible for our education."

Now, Sir, the next point I would like to refer to, which I think requires adjustment—again as a matter of urgency—is in regard to teachers. I think, Sir, that it is very important that you should secure the best teachers we can recruit—we can find among our own men and women in this country for the teaching service—and I do suggest, Sir, that at the present moment, it is said in the Government Report, there is some diffidence on the part of students to offer themselves for teacher training, but that report will not suggest why the African youth does not come forward. I suggest to you, Sir, that there are quite a number of things which the African teacher thinks should be put right, and the students in the secondary schools and teacher-training schools look and see how the teachers are being treated. They are not happy about the teaching service. They think they should belong to the service of the country—that is, the Civil Service—but, at the present moment the African Teaching Service Board is a separate organization, which deals with conditions of employment, and I am given to understand—and I have no reason to doubt it—that they feel that that should not be the proper way of doing it. They would like to be members of the Civil Service. There is also, of course, one defence—that, in the teaching service, they have to contribute to pensions, whereas the civil servant gets

free pensions, and they think that is a discrimination they should not like.

There is also, Sir, I am given to understand, room for improvement in the relationship between the African teacher and his colleague, the European teacher, in these schools—the European inspector and the European supervisor—that the attitude of some of these non-Africans to educated Africans requires to be changed, and I do think, Sir, all I can do is to appeal to those in the service to search their hearts and see whether they could not associate among their own colleagues in a more friendly and respectable manner.

There is also the question of the fees we charge in teacher-training schools. I was a great supporter in the Beecher Committee that we should charge fees in the teacher-training schools, but apparently this is serving as a deterrent to young students who want to come to the training, and Government perhaps can look into that and see whether they cannot waive this in these places.

Now, finally, on the points about teachers, there is the question of the young people coming from Makerere or from the Teacher Training Colleges in the Colony to join schools. Now, they will think the chances of promotion are not very great, particularly when you have dead wood, and a teacher who has done really good service for many years, and you cannot come at once and put a young fellow on top of him because of his long service, and I suggest, Sir, that there might be a case for the Education Department to look into the staff and see whether some people could not be removed with advantage to encourage the young people to come to be trained as teachers.

Now, I should like, Sir—before I talk about the African teachers—to say that a great number of our people, although they see these defects, they appreciate the difficulties under which some of these teachers work, and, in fact, it is surprising that they are able to produce the results they really produce, and I am not therefore having an appreciation of what has been done in this regard.

The other matter which we think should be looked into and adjusted is

[Mr. Mathu] the question of who is to be the Education Authority. At the present moment, Sir, we have the district education boards as being the local education authorities on a district basis, and the regional boards on a regional basis. Now, at the moment I am only dealing with the authority on a district basis, and we suggest, Sir, that now the time has come that the African District Councils be made the local Education Authorities responsible to the Director of Education in all matters of education in their own area. We realize, Sir, that there are interested parties—there are Christian Missions under Christian Churches who are doing wonderful work among the African community; and we suggest, Sir, that it is not impossible to find definite room for their membership in an education committee of a local education authority, where they can be co-opted in order to continue to serve the people in the way they are doing at the present moment.

Now, the other matter which we think should be gone into in regard to local education authorities, Sir, is for Government to consider whether the time has not come to permit an amendment to the African District Council Ordinance—No. 12 of 1950—which would empower the African District Councils to make by-laws which would enable them to make compulsory primary education in their own areas. I think that is a step, Sir, that would be in the right direction and, in order to show that it is not talking without reason, not very long ago—I think in 1953 or 1954—the Kipsigis African District Council were faced with this question and, if I may quote again from the able report of the African Affairs Department of 1954, the Provincial Commissioner—or rather the District Commissioner—reported the following:

"Chief arap Kirui, as a result of his visit to the United Kingdom, was the instigator of a movement to raise the African District Council rate and give free primary education to all, compulsorily if possible. The rest of the African District Council and many Kipsigis seemed to support this, and it was only with the greatest difficulty that Council were dissuaded from pressing the matter further."

I do not know why they were dissuaded, and I do not know by whom, because I think that is the genuine desire of the people; and I think that is the kind of thing I should like to see encouraged. I do not think we should have uniformity of education throughout the Colony. Some district councils feel they would like to go a step further than another. I do not see why you should tie strings around their legs not to move forward, and there is an example, Sir, and I put it to my hon. friend, the Minister for Education, and the Minister for Local Government, to see whether it is not possible to make such an arrangement so that anybody who does that should be able to have compulsory education in the area.

Now that, Sir, of course leads me to our usual battle about the compulsory education for African children in Nairobi. I did not want to labour that, because we have said it too often, but I think the time has come, particularly when these youngsters are getting out of hand, it was in the Press only the other day—there was an account of a gang of children between six and ten. It was a proper gang and they had a "General". This "General" was ten years old, and a whole part of the local paper tells us the story. The "General" was about ten years old but for the past few months he had been leading a gang of about 40 other children—in age between six and ten years. They were largely responsible for the terrific number of thefts from cars in Nairobi. He said they had no parents, no money, and no food. They were cold at night and hungry, so he worked out a plan for putting them right. He told the police in Kisumu, and it was a plan, that the "General" by common consent directed operations planned by him, and carried out in sections employed throughout Nairobi. Their job was to wander about parked cars and, when they found one unlocked or with the windows open, they made a quick grab for anything inside. Now, that kind of thing to have occurring in Nairobi is going to be a very dangerous thing in the coming years.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): This is the usual time for the fifteen minutes break. Council will suspend business for fifteen minutes.

47 Motion—

Council suspended business at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. MATHU: Mr. Speaker, Sir, when Council interrupted business I was referring to the social problem that resulted from these youngsters in urban areas—particularly in Nairobi—not being put in school so that they are disciplined and removed from mischief, and I have, Sir, two other matters, before I sit down, to which I should like to refer.

In what I have said, Sir, about primary and intermediate education, I was referring to children of both sexes—boys and girls—but I do think, Sir, that there should be a special mention of girls' education, because I have been a believer for many years that the education of the woman without the education of the man—we are only doing half the battle. I think it is very important not only that culturally, through education, men and women should live together happily but, at the same time, I think a woman, in addition to that, has a tremendous value in the development of the country, because she can play her part in school, in hospital, in business and in a profession. I should like, Sir, to say here that the strides that African women's education has taken since 1944 seem to suggest in my Motion in this Council that there should be compulsory education for African children in towns, and that education for African girls should be given the highest priority have been very impressive, and I should like, Sir, to pay a tribute to the European men and women's girls' schools throughout the country. The results, I think, have been extremely encouraging but, as I say, we can only deal with those that come to them, and we think there are very few under recent policy and we suggest there should be expansion in such a way that they will be able to be increased in large numbers for reasons that are well known to everybody.

And finally, Sir, this is the question of finance. It is, I know, Sir, Government's declared policy that it is their intention to give African children education for the first eight years. They say, of course, provided that money, buildings and teachers are available. We are suggesting to them, Sir, that the African parent at

the present moment is bearing such a financial burden to educate his child that I think it will be unfair to tax him beyond his capacity. At the present moment the African parent, Sir, contributes to education as a ratepayer to his African District Council, as a taxpayer to the Central Government, and as a school fee payer, and, of course, as a member of what is called the local community. Local communities, Sir, under recent arrangements, are responsible for the erection, equipping, and maintaining of all primary and intermediate schools, and that, I think, Sir, is a colossal business. Some are of temporary materials, but now quite a number are being put up in stone and in permanent materials, and the money is paid in spent in that way out of their own pockets, and is not reflected in the annual reports and the columns of the Education Department. I suggest, Sir, that we should start doing that, then we shall have a clear picture of the expenditure that the African parent incurs in the education of his child. I do suggest that that is a very important matter.

I should also like to suggest, Sir, that in this policy Government accepted the responsibility for secondary education but, at the same time, of course, bursaries and scholarships to secondary schools, including Makerere, should be borne by the parents and, in 1954, Sir, the African District Councils paid in the form of a scholarship to secondary schools, and to Makerere, a sum of £36,000, while the Government paid £46,000 in respect of scholarships for students who were not in areas which are under the jurisdiction of African District Councils. We suggest, Sir, as it is Government's policy, that secondary schools are their responsibility, we should like to see that they take over the question of scholarships and bursaries to those secondary schools. It is logical, Sir. We cannot see how else it can be done. I suggest, Sir, that the position has become inequitable, and in one area—that is, referring to the Nyeri District Council, Sir—the report of the African Affairs Department for 1954 is this, Sir:—

"A committee was appointed to examine the complex relations of the financial responsibilities between Central Government and African District

48 Motion—

10th APRIL, 1956

—African Education 50

[Mr. Mathu] Councils. The placing of the payment of bursaries upon the African District Council has resulted in an inequitable position, especially with regard to Makerere bursaries. A poor district, as Nyeri, has many pupils attending secondary schools and Makerere, compared with say, Meru, a much richer district. In 1953, an upper limit on the amount of money to be paid was placed by the Nyeri African District Council, and is shared out proportionately to needs. Hence, the Nyeri bursaries are lower than in other districts. In its estimates for 1955, no provision has been made for Makerere bursaries by the Nyeri African District Council. In 1954, £950 was made available, of which some £800 was spent on 27 Makerere students, leaving £150 for pupils at secondary schools."

I think it a situation which is anomalous, and I think should be remedied by Government taking over the responsibility for these bursaries. I should like to say that we know that, as far as the relationship between the African District Councils and Government in 1954 is concerned, the figures that are available to me, the Government did pay just over £5,000 in respect of services in primary and intermediate schools, but the African District Councils paid more. They paid £5,000 and £5,040, taking into account the bursaries they paid for those intermediate and primary schools. I should like to suggest, Sir, that when I am not suggesting that the African parents should not continue to play a very important part in financing the education of their children, but the major responsibility must lie on the Government from the financial point of view, and we are asking them, Sir, to consider their financial allocation in relation to education—to see whether they could not be more generous to African education, in order to preserve the situation from the position which I have endeavoured to indicate in the Council to-day.

I should like to go further, Sir, and suggest that when the Minister for Finance visited the United Kingdom not very long ago, in conjunction with the money for the Swynnerton Plan, he also raised the question of loans for African

education, and I think the Colonial Secretary at that time said that of course it will create a precedent—we cannot do that—in the country's education, but it is not quite the same. I should like to put to the Minister for Finance once again, and the Government collectively, and to ask whether it is not possible to go to the United Kingdom, or any other borrowing market, to ask them whether they could not lend £5,000,000, say, for five years, and we put that to posterity to pay, because I do not think, Sir, that the situation which we see now must be allowed to drift any further, but I do think, Sir, it is going to be a heavy burden to every man and woman in this country if this policy continues longer than it has done now, and I think it is for the interests of the country that this matter should be looked at, with all seriousness, with the definite intention, Sir, to take action.

Now, Sir, I should like, before I sit down, Sir, to say that all I have been saying is that we want primary education to be for eight years immediately; there should be no competitive examination entrance for Standard IV; Government should empower African District Councils to make by-laws to make primary education compulsory, if they so wish, for children between the ages of seven and fifteen; that Government should institute compulsory primary education for African children of the ages between seven and fifteen in Nairobi to start off with; and that local communities—that is, the African parents—should be relieved of some of the financial burden of erecting and equipping and maintaining intermediate and primary schools in a very expanding system, and that children who reach the age of eight—reach Standard VIII—should transfer to some other form of education—some in grammar schools, some in training centres of all sorts of vocations—so as to make sure that these have an economic value as well as other value for the whole Colony.

I should like also to suggest, Sir, that intermediate schools be permitted to be opened whenever there is local initiative and the desire to provide education for the children. I must say here, Sir, that I do not suggest that there should be any 'unaided system' which is not subjected to Government control. There must be

[Mr. Mathu] Government control, inspection and supervision definitely, but, on the other hand, we cannot close the door for the children—for those who want to help, and we realize that Government cannot meet the whole need.

I should like also to suggest that the teaching conditions—conditions of the training of teachers and of their employment should be made very attractive by modifying the present scheme in the way that I outlined earlier on, and that, Sir, African District Councils should be made local education authorities, and that the highest priority should be given to the education of African girls; and, finally, Sir, that finances be made available, both locally from the Government and the people, and also if consideration could be given from the United Kingdom.

Before I sit down, Sir, I do just want to make two matters which I have not really laboured sufficiently; it is this. It is the question of educational standards. I, personally, Sir, have been a school teacher for many years and there is nothing that I insist on more than a high standard of achievement in education. But, that can be taken, I think, too far, particularly in a growing country that we are in at the present moment, and as long as the education is of a reasonable standard, I do not think we should go to paragon at a time when most of our children go without education. As I say, Sir, it is that British system of education—they are very particular about standards—that I am talking about. It is the only system that I know, and I have the highest regard for it, because I do think, Sir, it is the system that has the highest record in the whole world. That I know, Sir, is the desire of this Government, to provide that to our own people—the African people here in this country. All I am warning them of, Sir, is that the United Kingdom conditions are entirely different from ours, and here we can be a bit unconventional in order to save the situation which, I think, is getting out of hand.

Finally, Sir, the question of training calibre among our own people. There, again, I do believe the Christian principle should be inculcated in our schools, but I do not think, Sir, that it is always

remembered—and I have never understood—that if a system is a social system, it should necessarily, therefore, be un-Christian. I do suggest, Sir, that that should not blind us in the way of building character, ability and discipline of our people in this country and that we should let go the situation which, in fact, defeating the very objective we have set ourselves, to produce a sound education based on moral standards.

Mr. Speaker, I beg to move.

MR. ABRAHAM MOY: Mr. Speaker, Sir, I second the Motion and reserve my right to speak later.

Question proposed.

MR. SLADE: Mr. Speaker, Sir, there is one matter in which I should like to support the hon. Mover and in doing so I would like to compliment him on a very eloquent speech covering practically the whole field.

The matter in which I wish to support him, Sir, is with regard to the provision of teachers, because without enough teachers of adequate calibre, we can talk as much as we like about the quantities to be educated, the number of schools to be provided, and get nowhere. I understand, Sir, that, in fact, it is the greatest difficulty of our Education Department at the present time, even with the number of schools which we can now provide with our limited financial resources. It is, I suppose, Sir, the case in every walk of life, or almost every walk of life, that quantity matters more than quality. Certainly that is so in the teaching profession. It would be better for us even to have fewer teachers of really high quality, than a larger number of mediocre quality. We should be wise to be patient, on that footing, that whatever teaching we have must be of the best quality obtainable.

To that end, Sir, I agree with the hon. Mover that we have got to make the teaching profession more attractive for the African, for it does appear that, at present, the most promising Africans who emerge from their own education are attracted away to other spheres of activity.

The need, Sir, I know from my own experience, is particularly pressing in the settled areas, and perhaps more than anywhere else in those that are or have been the troubled areas. There, also,

[Mr. Slade] their need at the moment is particularly urgent. We are just embarking on a new period in those areas, following a time when the children of Africans employed there had seen little but horror and repression in their lives. We have, at this moment, a great opportunity, to give them something positive on which to build their characters before it is too late. We can do it, if we have adequate teachers now. The enthusiasm is there among the employers and among the Africans alike, but we cannot get the teachers.

I understand that one of the reasons why we are so particularly short of teachers is that most men qualified to teach among the Africans have their homes in the reserves, and, naturally, they prefer to teach near their homes, rather than go far afield to the settled areas, without some special inducement. There is no special inducement at the present time, so far as I am aware. I would urge the hon. Director to consider that aspect, to see whether he cannot make it worthwhile for a due proportion of good African teachers to come into the settled areas and help us in time.

Sir, there is one further aspect, and it may override all the others. It is essential that we teach Africans in the course of their education the meaning of the word "vocation"; that we help them to understand that the choice of a career that will satisfy you for the rest of your life, does not depend merely on the money it will bring you. The thing that matters most in the long run, is finding a job which will give you satisfaction as well as keeping you alive. Now, if that could be brought home more clearly to Africans during their own education, I believe we should then have a real chance of seeing the best possible men in the teaching profession; because we would then see the men who are doing it for the love of the job, rather than what they get from it.

I want to close, Sir, by pointing out that although we may need, in fact I believe we do need, to offer greater material inducements to Africans to join the teaching profession, in order to get the best, we shall only get the very best if we teach them also that teaching is a very honourable vocation; and if we can

only teach them that, they might be content to join it without so much regard to material inducement.

Sir, I beg to support.

MR. CHANAN SINGH (Central Electoral Area): Sir, there are two factors which limit the expansion of education: the shortage of teachers and the shortage of buildings. Both require money. Ultimately, it comes to shortage of funds. Given time, Sir, more teachers can be trained. So far as buildings are concerned, I am a strong believer in the cheaper construction. So long as buildings are erected sufficiently high from the ground to keep clean, there is no reason why cheaper materials should not be used.

I think the cost of construction can be halved. That is one matter that should be given further consideration. I know, during recent months, cheaper buildings have been constructed, but that is a matter that needs to be followed up.

I give my support to the Motion.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. COVATTS): Mr. Speaker, Sir, while complimenting my hon. friend, Mr. Mathu, on the excellence of his speech, I am afraid I am unable to accept the Motion in the form in which it stands, and I will later on, having, I hope, covered a few of the points which he has raised, move an amendment to the Motion.

First of all, Sir, I want to say that the Education Department has kept pace with the annual targets which were laid down by the Beecher Report, and I think one might quote a few figures to show, in fact, what has been accomplished during the last five years in African education in Kenya.

The Beecher Report in aided primary schools aimed at having 2,000, whereas, to-day, there are in existence 2,287. In intermediate schools, the Beecher Report aimed at 270, whereas there are now in existence 337. As regards girls' boarding intermediate schools, the Beecher Report aimed at 30, and there are now, in fact, 34 in existence, so it can be seen that the aim, and the target, of the Beecher Report have, to a large extent, been carried out, and I feel that is a great

[The Minister for Education, Labour and Lands] compliance to those people in whose charge this matter has been laid during the last five years.

Indeed, the hon. Mover paid tribute to this when he said that his own Motion was no criticism of the Beecher Report, but, in fact, it had provided a firm foundation.

I would like also to mention that with the other matters, such as secondary education, teacher training, the figures are comparable to the ones which I have given. One of the main objects of the Beecher Report, was to improve teacher training; as, indeed, it should be our aim and object at all times.

The figure in this regard, is that between 1950 and 1955, untrained teachers fell from 54 per cent of the total to 35 per cent of the total, which I also feel is a considerable achievement. I agree, however, to this extent with the Mover, that the whole situation does now require something of a re-examination. If my friends of the Press want a banner headline to-morrow from the hon. Mover, they would probably say, "African Education is at the Crossroads." I personally would not go as far as that myself—I would only say that this is another phase, "a phase in African education has been completed, and we are entering another one". I, therefore, agree with the hon. Mover that we should inquire into this matter, and see what can be done to improve the existing situation in so far as it concerns the entry to Standard I which is the beginning of the primary course, and also, the entry into intermediate schools.

As regards the first point, my hon. friend said that there were large numbers of children who were not getting education in Standard I and were being turned away. Now, hon. Members that is only partly true. In certain parts of the country, it is a fact that local District Education Boards have limited the number who are to enter Standard I to 45 per class and, in some places, a great many more children than that are anxious to enter, but it is by no means general throughout the country.

To my mind, the more serious problem at the present moment is the lack of space in intermediate schools and the

fact that we should, if possible, provide more of them. That is, to my mind, the crux of the matter, but I would like to mention that this problem, which is the question of children entering into schools, also of children having the education which they feel that they need, does not only happen in this country. It happens in many other countries of the world.

Now, Sir, I do not want to spread myself, as the hon. Mover has covered practically the whole field of educational policy, as I, no doubt, will have to make a few remarks on this when the Budget comes up for debate. But, I would like just to deal with some of the immediate difficulties.

The two main troubles that have already been stated from the other side of the Council are money and the lack of teachers. Now, Government, as the hon. Mover has said, has promised virtually to provide eight years of education for every African child as soon as possible; that is, within the limits of finance, buildings, teachers and everything else. We have recently been studying this matter as to whether we could do so, say, in a certain period, and we find that the cost of doing so, to take into account the increase in population in the next few years, would be approximately £21,000,000 per annum. Now, as the hon. Member knows quite well, the present Budget for the Education Department for all races is approximately £4,500,000. Therefore, for African education alone, if we wish to bring it into immediate line, we would have to expand that five times. Not only so; the £21,000,000 is very nearly the total income of this Colony excluding the expenditure which we get from the United Kingdom. We are up against, therefore, a considerable financial problem.

He said also, I think, that now the African is paying as much as he possibly can in taxes, in cesses and fees and in every other way possible, therefore, it appears to me, although I believe he has said in the past that Africans could contribute more, it appears to me as though he was saying that, in fact, the African can contribute no more to this figure and the whole £21,000,000 will have to come out of the Government's pocket. Well, Sir, I think you will agree with me that that is virtually impossible.

[The Minister for Education, Labour and Lands]

I wonder if I could interpolate here a small extraneous matter as regards the size of families? If, in fact, the hon. Member is saying every African child must be educated by the State, then, surely, the size of the family must be considered. Are we, in fact, going to be able to educate every child that is born, every child that is brought along?

MR. MATHU: Yes.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coultis): I hope so!

I now turn to the question of teachers which, to my mind, is the crux of the problem and, in this particular regard, I would like to say that I agree wholeheartedly with the statement made by the hon. Member for Aberdare who, I think, has put his finger on this. If we are going to have a sound educational policy, we must have good teachers. At the present moment, there are spaces in the teacher-training colleges which are not full, which means that there are, or could be, Africans who should come forward for further training in order to assist with the instruction of their own children. I am perfectly aware, in all walks of life, about the difficulties of incentive of pay and of the various things which make life worth living, and I agree that in some walks of life it is easier to get on and better to live, than in others and, in some respects, the life of a teacher is not a happy one—rather like the policeman. But I do feel that if the hon. Mover is sincere in what he says about his real desire to get his own people educated up to a reasonable standard, then I feel that there is a bounden duty upon his people to provide the people who are going to teach them.

Now, Sir, as regards teacher training, the hon. Member mentioned that fees were paid. I would like to correct this misapprehension. In fact, they pay, when they enter, Sh. 20. Now, this Sh. 20 is not a fee; it is a deposit and they receive the equivalent in books or, if by any chance they happen, during the course of their stay in the institution, to break windows, or do something else of that nature, then it is deducted from this Sh. 20, but it is not fees in the normal sense of the word.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. A. Hope-Jones): It is caution money!

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coultis): It is caution money; as my hon. friend says.

He also mentioned the question of the introduction of compulsory education by district education boards. Well, once again, gentlemen, I can only say what I have already said, and that is that compulsory education, as I think the hon. Mover himself mentioned, would cost £1,500,000 in North Nyanza, that is that compulsory education is a matter of hard cash and it is up to him, as well as to ourselves, to decide where that money is going to come from.

I do not want to take up the time of this Council any further in this matter, I have tried to answer as best I can the various points the hon. Mover has brought forward, and I would like to end by saying that I have considerable sympathy with this Motion, because I do feel, as I said earlier, that a phase of African education has ended, and it is up to us to examine what we are going to do for the immediate future. But, Sir, I suggest that the Motion might be framed as follows:—

"BE IT RESOLVED that in the opinion of this Council, Government should now inquire into the situation resulting from the present policy for African primary and intermediate education which presents some disturbing features."

Sir, I beg to move this amendment.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havlock) seconded.

The question of the amendment proposed.

MR. CROSSKILL (Mau): Mr. Speaker, I beg to oppose the amendment. Mr. Speaker, I am rather shocked at Government's attitude in refusing to accept the original Motion. The original Motion proposes to us that there exists a great social problem. It does not say in what manner it should be solved, and I think Government have taken the rather narrow attitude that this problem can only be solved by further academic education. This problem has been posed to

[Mr. Crosskill] us. Government have not argued that it does not exist, and I think we can presume, Sir, that it does.

At this very moment, Sir, a ten-year-old gangster may be ransacking my car outside this Council chamber. I suggest this is a problem which must be solved.

Mr. Speaker, it may be that the hon. Chief Secretary may decide to deport these undisciplined children; it may be that the Minister for Legal Affairs may decide to imprison them, but there must be some solution. I hope, on the contrary, that my hon. friend, the Minister for Community Development, opposite, may produce some more humane constructive solution to this problem; such a solution, Sir, we must find.

The problem is one of indiscipline among the youth of a certain age group in the African community, due to the fact that primary education at present cannot provide the education which is needed. Now, quite obviously, Sir, there are limiting factors which have been mentioned. The first one, of course, is that of finance. It is quite impossible at this present juncture for the country to provide universal primary education for all the African children, much though it is desirable. It is an objective for the future. A further limiting factor, is the provision of teachers. Quite obviously you cannot, in the short time in which we have been administering the country, provide sufficient teachers by a wave of the wand, to provide all the education—even if we could find the money to put up the buildings. There is, of course, a third limiting factor which is the ability of the African child to digest further education at this present time. As this country grows, as education becomes more customary, so will the capacity of the child to absorb further education increase. But, Sir, I contend that academic education is not the only solution to this real problem, that does exist to-day. It is a problem which is not only for African children, but for our own. How do we deal with their indiscipline, with their amorality? Our own children, Sir. They are not all little paragons of virtue by any means. They are natural rogues. We have to inculcate into them a sense of discipline and a sense of what is right and proper for a citizen; what is the right kind of behaviour. How do

we do that? Not only by academic education, but by means that we have for instilling discipline into them which are, unfortunately, debarred from us in many cases on account of regulations against physical punishment. But, also, we have other ways of doing it and I submit, Sir, that these are open to us and available to us and possible for us, in spite of the financial stringency for the African children to which the hon. Mover was referring.

I believe, Sir, that we should have systems of national service; we should have camps in which African children, particularly from urban areas with whom we can make a start, could have lectures on hygiene, citizenship, agriculture and other practical demonstrations which would help them in their future life. Then, Sir, if we adopted that, we should not require tremendous finance, or buildings, nor should we require teachers of a very high mental calibre. We could very soon instruct people to teach them the simple forms of discipline, simple forms of citizenship to which I have been referring. We could find people with that easily within their capacity, and I believe that the solution lies in such forms of national service, the extension of the system of the Boy Scouts and similar systems for girls. I believe in those ways we can, and should, find the solution to this problem.

I therefore, Sir, wish to support the original Motion of my hon. friend, Mr. Mathu, and oppose the amendment.

Mrs. SHAW: Mr. Speaker, Sir, I did not mean to intervene in this debate, but arising out of what the previous speaker, my hon. friend, the Member for Mau, has just said, I would absolutely agree with what he says about indiscipline being largely the cause of this trouble. I should just like to go one further and say I do not believe discipline starts in the school; it should start in the home, and it is spoiling the child in the African home which is the cause of most of the indiscipline to-day amongst the African juveniles.

THE SPEAKER (Sir Ferdinand Cavendish-Bentley): Mrs. Shaw, are you speaking to or against the amendment?

Mrs. SHAW: I am speaking against the amendment.

MR. ARAP MOI: Mr. Speaker, Sir, I rise to oppose the amendment and support the original Motion.

A well-informed citizen, Sir, created out of ignorant citizens, unless the citizens are useful to the society, can never be appropriate. The African view at the moment, as Mr. Mathu has suggested, I am of the same opinion, Sir, is that a standard for a child who, after only four years' schooling, cannot be of any use to a society or to the parent. The parent has entrusted the Education Department to handle his child and the child has lost his tribal education which the parent used to handle. At this stage, the parent looks forward to seeing the educator—that means the Education Department—shaping the character and training the minds of these children to be good citizens. With this changing world, Sir, a properly planned education for African children should be set up or else in 10 years or less, there will be a very dangerous situation in this Colony. The tribal system of education which Africans used to have, the parent now thinks that the former was better than the present, because after the child having completed Standard IV and when he is sent back to his home, he will be of no use to his parents, he will be of no use to the State and he will be roaming either in the streets or doing some other things which affect the whole country. After listening to the able speech made by my hon. friend, Mr. Mathu, I felt that this is becoming a very worrying problem; because those who sat for last year's common-competitive entrance examination were so many that they were left out without employment and the present system of employment in the Labour Department is that no one should be employed under the age of 13. Those who leave Standard IV are only 11 or 12, which means they are out. Well, they will go back to their homes and will not do any valuable work or join any employment. They will be useless, and there are so many. In Nyanza last year there were more than 20,000. Those who got places in the intermediate were just over 2,000, which means over 15,000 had no places and they had nowhere to go, only to roam about. Well, it is up to the Government now to decide either to build more ap-

proved schools for delinquents or pursue a policy of more extensive and effective primary and intermediate education which will enable and facilitate the growth of a stable, progressive and well-informed society. Sir, unless the present defects in the present policy of education in Kenya are remedied, a grave social problem will be forthcoming. A desire for essential and better education is necessary to commodious living.

Mr. Speaker, Sir, I would like to say that the problem in Kenya should be solved. In England you have so many different types of schools, modern schools, grammar schools, and technical schools, where each child is sent to a particular school where his capabilities are suited. Therefore, in Kenya there should be more trade schools, more agriculture schools and academic schools as well to cope with this pressing problem. We look upon the Emergency as something serious and this, too, will be very serious in the near future.

I should like, Sir, to quote, with your permission, from a philosophically minded man who lived a long time ago. He said: "It cannot be hoped that they will grow strong and straight if they are reared amongst images of vice as upon unwholesome pastures, culling much every day by little and little from many places and feeding upon it until they insensibly accumulate a large mass of evil in their inmost souls." This is true in that sense that unless we take very serious steps to change the present system of education, there will be a very grave danger to everybody in the Colony. Sir, as we have said, there should be a better system planned by the Education Department. It is not a matter of four years or three years but it is a matter of urgency.

Now, Sir, there is one thing which I would like to say with regard to teachers which is this. First, I should like the Minister for Education to tell us, now, as to how many of those who passed school certificate examination in 1st grade, 2nd grade, joined teaching, and secondly, Sir, the Binns Report suggested the following, which I would like to seek permission from Mr. Speaker to quote: "The factors affecting recruitment to the profession adversely were generally agreed to be: (1) The unequal

[Mr. arap Moi] treatment of teachers in training in comparison with other professions. (2) Unsatisfactory terms of service. (3) Unsatisfactory salary scales and pension schemes. Other Government Departments offering training to students of similar ability usually offer in addition pocket money of the order of Sh. 50 a month. As a result there is danger that able students are attracted to other professions."

Now, you will find that previously other hon. Members stated that they wanted quality. Well, this quality cannot come out of the third grades or those who failed the School Certificate. The first grades are the ones you want. In fact, I do not think and I doubt whether last year, or in the previous years, any of the first grades joined teacher training or even the second; they preferred joining other professions where they were provided with pocket money, however small the money was, but they had something. As I know, after training teachers for many years, I found that teachers preferred to have something small as pocket money. If we think that training teachers is becoming a very important matter then why not attract these youngsters to join the teaching profession?

As I said, Sir, the most important thing is to attract girls and boys to join teacher training, for there is no other problem which is as urgent as this, and we must urge many to join this profession. It is a noble job, I quite agree, and, therefore, it must be supported.

With regard to finance, Sir, in the areas I visited last time, many parents were interested in contributing towards the cost of education of their children. They value the education of their children more than anything else, and therefore they want to see that their children get better education. With regard to that, I stress that the eight-year education should come in now and we should not wait for another two or three years.

Bishop Beecher's plan has received five years' grace, and, therefore, a more comprehensive plan should come in now.

With these points, Sir, I beg to second the original Motion and I oppose the amendment.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): I did not intend to interrupt the Member but I must point out that what we are trying to do at the moment is to dispose of an "amendment", which, if agreed, becomes the substantive Motion, and if turned down leaves us free to continue the debate on the original Motion. We shall then know precisely what Motion we are debating. At the moment I am afraid Members are speaking comprehensively and at great length on this proposed amendment which is what is now before Council.

MR. HARRIS: Mr. Speaker, Sir, in opposing the amendment I would like to say that there are a great many things in the hon. African Member's introduction of this matter with which I thoroughly disagree. There are almost as many things, Sir, in the Minister's moving of this amendment with which I agree. It, therefore, probably sounds illogical for me to oppose the amendment. But, Sir, it is not half so illogical as the amendment itself. May I draw the attention of the Council, Sir, that the Motion which has been amended is asking the Government to state what action, if any, it shall take to avert a disturbing situation, I can only presume, Sir, that it is the expression, "the disturbing situation" to which Government takes exception. But they have already given us the answer, Sir, by proposing an amendment which says that they would like to investigate the situation which has disturbing features. So, Sir, we now know that Government, in fact, has not only voted for this Motion, it has accepted it by telling us exactly what it intends to do, namely, to investigate the situation. But, Sir, it seems to me yet another example of the peculiar tactics of Government who have had put to them a reasonable Motion, reasonably moved, and because of some little matter of pique, and it can only be pique, they decide that they must move an amendment which, in fact, means the same thing. They hate to think, Sir, that Members on this side have got sufficient sense to put a Motion which is acceptable to the great team of brains on the other side of the Council, and, Sir, I do not intend to go into the finer details of African education. We have some examples of what African education has done as Members of this Council and I think,

[Mr. Harris] Sir, they are very worthy examples. I have never considered myself an expert on African primary or intermediate education, Sir, but I do know something about debating procedure and this amendment seems to me most extraordinary and should be opposed.

MR. J. S. PATEL (Western Electoral Area): Mr. Speaker, I rise to oppose the amendment. In fact, I myself do not understand the meaning of the amendment at all. I very strongly support the previous speaker and I am of the opinion that the Government should now reply to this Motion as it stands, and state what steps they are taking. They have not told us as to what steps they are taking to meet the present situation. They want to inquire into it. To me, African education means, as my hon. friend, Mr. arap Moi, said just now, either take them away from their family life and give them really true education which leads them to a vocation for life and make them useful citizens, or leave them where they are.

MR. GIKONYO: Mr. Speaker, I rise to oppose the amendment and to support the original Motion.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): Mr. Gikonyo, if this amendment is accepted, you will have another opportunity of speaking to the substantive Motion. If it is turned down, you will equally have another opportunity to speak to the original Motion. What I wish to do now is to dispose of the amendment.

MR. GIKONYO: I am grateful to you, Sir.

I oppose the amendment. In doing so, I first of all, want to thank the hon. Members on this side of the Council for the support they have given to this Motion. I think they have done so because they have got insight which the Government fails to have.

Now, it is a serious problem that is facing us very quickly and, as Members know, the African Members from the very beginning of the Beecher Report they opposed the plan because they could see that it would not meet with the African desire for education. It is true that African parents, just like other parents of other races, have a great desire for the education of their children, and they would like to see a chance given to

their children to have that education which they so very much desire. I feel, and many African parents do, that that service is not given to all African children, in fact a very large number of them go without that chance and I feel it is the duty of this Government to give that chance without further delay.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): You will have another opportunity of discussing education generally, but I am now trying to dispose of the amendment.

MR. GIKONYO: In that case, Mr. Speaker, I just oppose the amendment and then I will have my right to speak later on the main Motion.

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, it gave me considerable pain and embarrassment to see the hon. Member for Nairobi South flogging around in his little private mental whirlpool. The reason the Government is not prepared to accept this Motion, is that it is not in a position to state what action it proposes to take. It will study the problem and then decide what action it will take. Therefore, it opposes the Motion.

Sir, I beg to support the amendment. MR. MATHU: Mr. Speaker, I should like to oppose this amendment and to join my hon. friend, the Member for Nairobi South, in the interpretation he has put to this amendment. I entirely agree with him because that is what I was about to say, but having said it I think I had better support him and oppose this amendment very strongly.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock): Mr. Speaker, there does seem to be an advantage to the other side, in that the Government having proposed this amendment, everybody is being able to speak twice or will do. I would like to suggest, Sir, that it is not only what is in the Motion that the Government, or anybody, has to take into consideration, but what is said to it. I suggest, therefore, Sir, that the Government have every right, and is quite logical, in moving the amendment in view of the debate which has gone on so far and I beg to support the amendment.

The question that the words proposed to be omitted stand part of the Motion put and negated.

The question that the words proposed to be inserted be inserted—put—and agreed to.

The SPEAKER (Sir Ferdinand Cavendish-Bentley): We will now continue debate on the Motion as amended.

CAPTAIN HAMLEY (Nominated Member): Mr. Speaker, I should like to say a few very brief words on this Motion. I cannot see that there is any real disparity between either side. They both agree that the time has again arrived to take stock of African education, and that is what is going to be done. But I do want to support the hon. and gracious lady opposite in what she said just now; I am very sorry to see that the hon. Member has brought the extraneous matter of thieving on the streets of Nairobi into an argument on education. I could not support the hon. and gracious lady more; that the running about on the streets of Nairobi is a matter of lack of discipline; I do not want to be pedantic and I do not want to be patronizing, but I would ask whether the African Members of this House cannot do something about it. They must know that on the conduct of their children depends the future of their race, and it is up to the parents to see that there is some discipline, and that their children are brought into a state where they are fit to receive education. I put it to you, Sir, that these little children who run about the streets of Nairobi and make themselves up into gangs, are not even fit to go to school. If they go to school, I doubt very much indeed if they will get any benefit at all from it.

I have not spent my whole life in Africa, but all the literature I have read and all the things I have been told, have always impressed on me what an exemplary parent the African is, and how well he disciplines his children, but I must say that, in the 12 years that I have been in Africa, it has been brought home to me that in general the reverse is the case, and I would like to see some sort of a revivalist meeting among the Africans to regain control of their children, so that there will be some future for them and they will be suitable candidates to go to school.

I support the Motion.

MR. GIKONYO: Mr. Speaker, I oppose the Motion. I want to continue my argument where I stopped.

First of all, I want to bring to the notice of this Council that the African parents, as taxpayers, demand that their children be given the chance for education. This, as it has been stated, is not the case. A lot of African children, although they are desirous for education, there is no chance for it. I feel that it is a check on this country. We can realize the difficulties, but I do feel that where there is the will, there is the way. Difficulties are there, but they can be overcome and I do feel that it is time that the Government took quick action to bring about a new education policy for the Africans.

The Minister for Education wanted to know that, with the rapid increase of the African population, whether it is our intention that every African child shall be educated and I say, "Yes, why not?" If the children of other races have every right for education, why not the African children? I feel that it is a function that this Government, or any Government, cannot shirk. According to figures that are available from the Department of Education, this is the position as at last year, that there are 58,000 African children who completed the primary course, the four-year course, and out of those only 15,000 got admission into intermediate schools; 11,000 were allowed to repeat their primary course, but 32,000 of those children went without any opportunity for further education. These 32,000 cannot be employed and the law of this country would not allow anybody to employ them. Therefore, they go about high and dry and if anybody opposite say it is not a disturbing feature, I would like to know what is. It is a very serious matter and I would like those Members opposite to put themselves in the place of the African parents of these 32,000 children and tell us what they would feel about the Government, when they pay their taxes and they see their children are not educated. What do you think they are feeling about the Government? I think there is reason to take very quick action before this goes beyond that point.

I would hate for any hon. Member opposite to think that perhaps the African Members here are staging a political case; it is not so. Our intention is to bring to the notice of the responsible Ministers the seriousness of the situation and I feel it is our duty

[Mr. Gikonyo] to do so. We feel very strongly about it, and as it has been suggested we feel that there should be an eight-year course from Standard I to Form 2, without interruption; that is, the competitive examination, in Standard IV should be removed. The effect of that will be that after eight years' education, a child will be 15 years of age. At that age he can be employed; not only that, he can be absorbed into technical schools and thereby acquire a skill and when he comes out he can be a useful citizen. But in Standard IV, when he is 11, he is economically useless; he is of no use to anybody and if we can make the Government realize that, then I think we shall have done our duty. Difficulties are there; we realize that, but with a broad policy, things are not absolutely impossible. We have got to face the difficulties as they arise, but it is no use chucking the responsibility just because difficulties are there, and I think by refusing to accept this Motion, that is exactly what this Government is trying to do.

With regard to the point which was raised by my hon. friend, the Nominated Member, Captain Hamley, I feel that he is quite wrong. He must realize that times are changing. We are living in a changing world. You have got to remember that most of the parents in Nairobi here go every morning to work. They have got very little time to stay with their children and unless you hand them over to a teacher during the day to look after them, nobody can control them. The father has a duty to report every morning, leaves the child behind; the mother, in most cases, also goes to work in the town and therefore the child is left alone without care and that is why we are saying: "Remove all these children; send them to school; the teacher will look after them; they will teach them; they will discipline them"; but if you put the whole responsibility on to the parents, it is wrong. You must realize that times are changing. You cannot compare the present Africa with what you found it. You have got to realize this.

Mr. Speaker, I beg to oppose this Motion.

SIR CHARLES MARCHAM: Mr. Speaker, I have been listening with growing alarm to some of the speeches being made. I

regret to say, from this side of Council, because it seems to me that certain people want everything, but are prepared to pay nothing, and when there is the Budget coming very soon, I am extremely frightened of what we may get put before us if some of the suggestions that have been made to-day go forward. I am glad to see the Minister for Finance is not here at the moment.

Sir, if, during speeches from the hon. African Members, I had heard one single suggestion that they might pay a little more towards education, then I think I would have given them my support, but not a single speech from the African Members, Sir, has even suggested they should pay anything more. Who is going to pay them, Sir? It seems to be quite obvious who is! Everybody, except the Africans.

Now, Sir, we want education, but if education is the A and B all of the future of this country, I think, Sir, although a lot of what my hon. friend Mr. Muthu said, I support, I think, Sir, later on, the case has been grossly exaggerated and I am frightened, particularly, at this demand for a kind of Utopia welfare state where everything is free and a small minority pay.

Sir, it is almost word for word some of the dogma put out in the 1945 General Election in England, and I think it is quite wrong for me to advocate a similar course in Kenya to-day.

I thought the point made by my hon. friend the Member for Aberdare was the correct one, on the subject of teachers. He did say quality, rather than quantity, and that is a point, Sir, which I think is extremely vital and I was so glad the Minister for Education supported that view when he spoke.

Sir, I shall never be a party to agree to mass education costing, as the figure will give, £31,000,000, if it results in the country being bankrupt, unless the Africans themselves are prepared to accept some responsibility towards their children. I thought the hon. Nominated Member spoke real good sense, as did my hon. friend, the gracious lady Member for Nyanza. It is about time, Sir, that people did face their responsibilities in this country, and not expect the State to do everything for them for nothing.

With those words, I beg to support.

Mr. Awori (African Representative Member): (Mr. Speaker, Sir, I beg to oppose very briefly the present amended Motion.

Now I am surprised, before I go ahead, that the last speaker, the hon. Member for Ukamba, spoke very harshly about the African Members, that we do not appreciate or did not suggest about the African paying anything towards his education. Now that is not the policy and it is untrue. If he could be able to look at the Budget of the African District Councils, he will be able to know and he will be able to see the figures of the amount of money that comes out of the African pocket, and, Sir, I am amazed to hear that we never suggested Africans paying more money. If he could go to the HANSARD he would be able to know, since we have been talking about education, and particularly when we moved a Motion about compulsory education in towns, we say that the African public are prepared to pay extra money towards the cost of education, so I do not see any reason why we should go on repeating the same thing over and over. So that, I think, answers the points raised by my hon. friend, the Member for Ukamba.

Now the other Member—the hon. Nominated Member, Captain Hamley—I think my friend, Mr. Gikonyo answered him properly and I do not think I should be able to repeat. You will find most of the Africans who have got families—they have to go to work, and some of them their wives also have to go to work. Now who has to look after these children? Nobody has to discipline them, so that, I think, is also clear.

Now the hon. Minister for Education mentioned a point about reducing African size. Now, Sir, with the present cost of living which has gone very high with the income tax—which African among those who are here is going to marry three wives and produce 20 or 30 children? Can he afford it? Sir, I do not suggest we should practise birth control, but I know that no African will want to have 15 children whom he cannot educate, because it is going to be a social problem for his family and to the African public as a whole.

I was very glad, Sir, that the majority of the European Members on this side of Council came in support of the

original Motion moved by my friend, Mr. Mathu, and that was because they realized the social problem in this country and that is why they felt that it is a duty of Government to accept something which is really urgently needed. But as my friend, the hon. Member for Nairobi South mentioned, I think they only tried to avoid the issue. They did not like to face the facts. It has been a practice in this Council, whenever a Motion is moved by any Member on this side of Council, whether the Government accepts it or not, they must accept it in an amended way. Whether our grammar is bad, I do not know. Maybe their grammar is much better than ours, so they accept the thing but they want it amended.

There is also one point which the hon. Minister for Education raised. Now that was on the question of the Beecher Report. It is true that, as he mentioned the figures, we have gone a bit ahead of the estimated cost of the number of schools to be built, but what I feel is that the Beecher Report did not visualize far enough; they did not realize that in due course there will be a greater demand for more schools for African children and more wealth, so I think, although I do not blame the Beecher Report, I think that it was a wrong way of estimating the future of African education.

The main point which made my hon. friend, Mr. Mathu, raise this question, is a social problem, and this social problem, whether it is on the African alone, it is going to affect the whole African and the whole public in Kenya—Europeans, Asians or Africans. As my friend, the hon. Member for Mau, mentioned during the course of his speech, that with all these juveniles around, he might have his car ransacked, and so it is not the African alone who is going to suffer now and in the future, but the whole masses of the people in Kenya. So it is a problem that all of us have to handle, even if it means that others who can afford have to sacrifice on behalf of others who cannot be able.

Finally, Sir, there is one more point that I would like to mention before I sit down—the question of the amount of money we have spent on the Emergency. The hon. Minister for Finance mentioned the other day that already £39,500,000 had been devoted towards this Emergency. Now if you go into detail of the

[Mr. Awori] causes of this Emergency you will find that mainly it is through illiteracy. You find half-baked people leading the illiterates, preaching all sorts of subversive stuff. Now, where else can you go? You cannot be able to convince people who are illiterate by using those who are half-baked as their leaders. Then if we continue in this country by having year after year more illiteracy, eventually we shall have more trouble. After getting trouble then more money has to be spent and I am sure that this money which has been spent on the Emergency—part of it, if it had been devoted earlier towards education of African children—maybe there would not have been this Emergency. You will realize, Sir, that at the beginning of the Emergency there were many schools in the Central Province—those which were called K.I.S.A. schools. There were many people who were Mau Mau adherents who came from these schools because they were taught subversion. Now the reason why these schools were started was because Government would not cater for African education, so people wanted to have self help, but by having wrong leaders, bad teachers, what else could they do? There was no supervision; the Government did not supervise; and so in the end we have had all this trouble.

I should like to support the hon. Member for Aberdare about the question of inducement for African teachers from the reserves. This is a very important matter, which the Government should go into, because you will find that many teachers whose homes are in the reserves, and they can live and teach there, they are not prepared to come into the urban areas where they will have to spend more, without an inducement, and that is a matter which the Government should look into.

With those few words, Sir, I beg to oppose the present Motion.

MR. LARBY (Nominated Member): (Applause.) Mr. Speaker, Sir, I knew at some time or other I should have to ask the indulgence of this Council to listen to my maiden speech, but I never imagined that it would be on a subject as complicated as this and to cover practically the whole field of African education.

In the first place, I should like to say that I have a very great deal of sym-

pathy with much of what the hon. Mover of the original Motion said. Like him, I was a member of the Beecher Committee and I also had, in a way, the unenviable task of attempting to carry out its recommendations as Assistant Director in charge of African education. But I feel, Sir, that it has been very largely because of the merit of that plan and the way it was carried out, that we have to face this problem to-day. It has inspired the African and has built a foundation of firm education for him, which I think has encouraged him to demand so much in the speeches we heard from the other side of Council to-day.

The Department of Education is well aware, Sir, of the problems that we have to face, and we have put those problems to the Advisory Council of African Education and I think the memorandum we have sent to that council has inspired a great many of the speeches that we have heard to-day, because, in point of fact, a great deal of it has been repeated. The Education Department is really working to its maximum capacity, both as far as finance and staff is concerned. We have been told by my hon. friend, the Minister for Education, that eight years of education will cost £21,000,000 if it is provided for every African child. But, Sir, that is only half the picture; that is what primary and intermediate education will cost; and if we estimate that there will be 1,500,000 taxpayers in 25 years' time, which was our target figure for this programme, it will mean a special cess or school fees from the people concerned amounting to £14 from each taxpayer. But, as I said, that is only half the picture. Sir, we also have to provide secondary education, and the rate of education that we provide is something like 20 per cent of those who complete the intermediate course. That will cost us, Sir, another £16,000,000, and in order to provide teachers for this scheme it will cost another £5,000,000, and for good measure we have got to provide inspection and supervision and all the ancillaries of education and that will cost, I think, approximately a further £3,000,000 in a total of £24,000,000 which will be the Government's responsibility.

At present African education absorbs something like 74 per cent of the expenditure of this Colony, not counting Emergency expenditure. If we lifted that up

[Mr. Larby] to say, 10 per cent, we should then be faced with a budget of expenditure amounting to £250,000,000. Well, Sir, I am not an economist and that may be possible within 25 years, but it is some task.

Well, Sir, going on to other points that have been raised, I think we must admit that one of the good things the Beecher Report produced, was eight years of education. I think any scheme for producing an extension of the present primary course without completing the full eight years of the intermediate, together with the primary course, would be useless. I am sure the hon. African Representative Member, Mr. Mathu, will agree with me, when the whole of the evidence given to the Beecher Committee, both from employers and from the Administration, was that a child who had not completed eight years of education was not a suitable child, either for employment or for further education, and I think any proposals that divert us from providing that eight years' course would be a tragedy.

As I have said, we have also the problem of teachers. We have heard quite a few speakers say "Let us train more teachers". That is all very well, but to train teachers you first of all must have students, and secondly you must have staff to train them. We are, I think, at the moment training as many students of suitable capacity and integrity as are coming forward. We cannot really expand our teacher training system to any great extent until we have more schools. All educational development must be a spiral: we want more schools for more students for our training colleges and we want more teachers for more schools, and those two things must go step by step. If we expand beyond our teacher training capacity, there will be a very marked falling off in the quality of the education that we give, because we shall have to rely very much on untrained teachers, and I think here I should like to quote from the experience on the Gold Coast, which we have had held up to us as an example of imaginative planning because it aims at providing universal primary education for all African children. They have had to rely on untrained teachers, and last year I understand that the wastage between Standard I and Standard II in a great many parts of the

Gold Coast had risen to between 30 and 40 per cent, and that was because the African is a sensible person; he has to supply, in the Gold Coast, his own books and stationery and they decided it was not worth it while they had untrained teachers to teach them.

We were asked a question about the number of students with the School Certificate who went into training as teachers, I am afraid I cannot give the exact answer to that question, but we must realize that there are two very large centres of higher education to which students with good School Certificates inevitably go; that is, Makerere and the Royal Technical College. And no person, whatever race, is going to refuse a chance to get a university education in order to take a course of inevitably lower grade. But I will tell the hon. Member the exact figures he asked me to-morrow.

One question was raised also about the possibility of providing some form of activity for the student who could not go into school, and I think it was the hon. Mover of the original Motion who said he would like to know what informal education is. Well, informal education is any form of organized activity outside a classroom that leads to the mental and physical development of the child or person taking part in that activity. It covers a large field—from nursery schools to adult literacy, Boy Scouts, Girl Guides, study circles and the like, and that is a problem which we are investigating and we hope to co-ordinate the various bodies that work in this field so that we do not overlap and can provide some out-of-school activities for the people who desire them.

I should like to return one moment to finance on a point of inquiry, and it has now been decided that the Government should take all responsibility for bursaries to Makerere and the Royal Technical College, which will relieve the local authorities of some burden of their financial cost of education.

Sir, I beg to support.

THE SPEAKER (Sir Ferdinand Cavendish-Bentley): If no other Member wishes to speak—Mr. Mathu, you have the right to reply. Let there be any misunderstanding due to the situation regarding the amended Motion being obscure, I will read out the Motion as

[The Speaker] The Motion before the Council reads as follows:

It is resolved that in the opinion of this Council Government should now inquire into the situation resulting from the present policy with African primary and intermediate education, which presents certain disturbing features.

MR. MATHU: Mr. Speaker, I shall endeavour to reply briefly to the main points raised in the debate, and say that I am disappointed that the Government did not find it possible to accept the Motion as I moved it. However, I think, Sir, that if nothing else, this debate has been extremely useful to ventilate the problems, which I think is appreciated by the majority of hon. Members in this Council.

My first task, Sir, which I should like to do, is to thank the Unofficial Members on this side of the Council for the support that they have given to me in my Motion. I do think, Sir, that in an issue such as this, a matter of that kind is significant, particularly when we all know that we are in a hopeless position as an Opposition. When the Government moves an amendment, however it looks like, it has to be steamrollered. What ever goes on record they have always got unanimity on the part of a very small Opposition in a very strong Government, including those who have been received, like my hon. friend, the hon. Nominated Member, Captain Hamley.

But having said that, Sir, I should like to support my hon. friend, the Member for Aberdare, for what he said with regard to teachers and the educational needs in the 'settled' areas. I think he is absolutely right and I do think, Sir, that the Government should take note of what he did say, because it is a matter that requires looking into.

I should also like to support him on this question of quality. I mentioned that, Sir, in my speech and I stated that it is not because I wanted it just for quantity's sake; I want facilities to be there so that all those who like to avail themselves of proposed education facilities should do so, and I do think, Sir, when you just look at quality—and this is how I look at it—and I hope my hon. friend, the Member for Aberdare,

will appreciate this—now think, that the 20 per cent that go to the intermediate schools are the angels, and the 80 per cent are the devils, and there is a tug-of-war: Do you mean to tell me that they are all of the same weight—that the angels will win that tug-of-war? It is very unlikely. It may be that that is a very bad simile, but that is the idea—that if we have too many feeble-minded men and very few intelligent men, the angels will be swamped, and that is exactly the reason why I want to emphasize the other side of the picture.

My hon. friend, the Minister for Education, said that he was not going to range over the whole field of education policy, as I did in my Motion, and therefore he would say a few words and introduce his amendment. And I could see my hon. friend, the Chief Secretary, when two speakers; on our side spoke in my support, that he got the elbow to get up quick; otherwise they may lose the bus. That was a very good point from our point of view, because we saw that the hon. Leader of the Council, the Chief Secretary, thought that the Government did not have a chance unless they put a Motion which they are going to steamroller, and therefore he got his colleague to stand up quick, and my hon. friend also said he would not range over because I do not think he had very much to dispute about the very many points I put across, and he had no case. If he had he would have attacked them point by point on the points we raised. Therefore I do say that although I agree with him in some of the problems about the Beecher recommendations being kept as they were by the Education Department, and that I appreciate and I recognize and record it that that was the case, I also agree with him in regard to the teacher training and the problems, but as far as the children are concerned I had in mind paragraph 451 of the Beecher Committee Report, Recommendation 105, and paragraph 453 of the Beecher Report, which suggested that there should be some fee, and that is why I mentioned that. We did make some recommendations on it and it was in my mind at the time.

Now, Sir, on the question of large families, my hon. friend, the Minister, has been answered by Members on this side, but I am telling him this: that the

(Mr. Mathu)

way of reducing families is not the way of allowing this country to continue with a large illiterate young population, because it is by education that you get the women and the men to know that they cannot produce children *ad infinitum*. It is only by education and knowing the responsibility of a standard of living and the cost of education—that is the way to reduce families. In the whole world the people with the largest families are the very lowest educated. Is that not true? In Northern Asia they have large families; in America; in Europe; in Asia, but the top notches, you see, want to have a good time—and so on. That is a fact.

Now, I do not, Sir, agree. I am not frightened by the Minister's figures about £21,000,000; and his colleague, of course, even worse. He went as strong as to quote figures of something that I have never heard of—£16,000,000 in 25 years; £24,000,000; £21,500,000; £3,000,000 for this and that. That is frightening. I would not look at that.

That is not a bogey we can accept. If you have a will to educate the citizens of the land, the money—like my hon. friend, the Member for Mau, did say in regard to the Swynnerton plan and as a result of planning—the problem here is about money; you think about the money—£24,000,000 in 25 years. We shall all be dead in 25 years—but this is a problem which you must solve right now. All of us will be dead in 25 years' time, of course we shall. (Cry of "Question.")

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): Has the hon. Member finished? The time for termination has come.

MR. MATHU: I have two or three minutes more.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): In that case, perhaps you could leave it until to-morrow. The time has come for the interruption of business. Council will stand adjourned until 2.30 p.m. to-morrow, Thursday, the 19th of April.

ADJOURNMENT

Council rose at fifteen minutes past Six o'clock.

Thursday, 19th April, 1956

The Council met at thirty minutes past Two o'clock.

(Mr. Speaker (Sir Ferdinand Cavendish-Bentick) in the Chair)

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—

The Cotton Lint and Cotton Seed (Powers of Supervisors) Regulations, 1956.

(BY THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell))

ORAL NOTICE OF MOTION

EAST AFRICAN INDUSTRIAL LICENSING ORDINANCE, 1953

AMENDMENT OF FIRST SCHEDULE

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): Mr. Speaker, Sir, I beg to give notice of the following Motion:

That the First Schedule to the East African Industrial Licensing Ordinance, 1953, be amended by the deletion of the following items therefrom:—

Woollen yarn.

Glazed articles of pottery.

Cautic soda other than caustic soda manufactured by way of recovery from a residue resultant from the use of caustic soda in any process.

ORAL ANSWERS TO QUESTIONS

QUESTION NO. 78

MR. SLADE asked the Chief Secretary to state what precautions are taken to ensure that immigrants have no record of crime or insanity?

THE CHIEF SECRETARY (Mr. Turnbull): It would not be practicable to inquire into the record of every intending immigrant. But when there is reason for doubt and suspicion concerning an applicant's past the necessary inquiries are made.

No inquiry is made into the mental health of intending immigrants.

SIR CHARLES MARKHAM: Mr. Speaker, arising out of the reply, would the Chief Secretary agree that perhaps it might be

(Sir Charles Markham) desirable to change the present Immigration form to give the former name—if there has been a change of name—of the applicant?

THE CHIEF SECRETARY (Mr. Turnbull): I should be happy to look into the point, Sir.

MR. COOKE: Would it be possible, Sir, to have a retroactive investigation?

MR. SLADE: Mr. Speaker, I understand there may be difficulties in investigation before an immigrant arrives; but I would ask the hon. Chief Secretary whether it is not possible for people who are on a temporary employment pass, or given permanent entry permits, to have their back history investigated after they arrive here and the permit conditional on the investigation being satisfactory?

THE CHIEF SECRETARY (Mr. Turnbull): That is done, Sir, if there is any reason for doubt or suspicion as to the man's previous history.

SIR CHARLES MARKHAM: Mr. Speaker, Sir, in the absence—in the unavoidable absence—of my hon. friend, the Member for Trans Nzoia, may I, Sir, ask Question No. 73 on his behalf?

QUESTION NO. 73

SIR CHARLES MARKHAM, on behalf of Mr. Letcher, asked the Minister for Agriculture, Animal Husbandry and Water Resources to state what steps are being taken to prevent a recurrence of the recent outbreaks of foot-and-mouth disease throughout the Highlands.

Will the Minister investigate the possibility of reducing the cost to the stockowner of the necessary vaccine?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): The Veterinary Department takes all possible steps to obtain the earliest intelligence of foot-and-mouth disease in the African areas where it is frequently mild and difficult to detect, and to publicize this information by broadcasting, Press notices, and through district veterinary officers so that farmers wishing to do so may protect themselves in time by vaccination. Weekly statements of the foot-and-

mouth disease position in the Colony are given to the Press and all district veterinary officers.

The first essential in the control of the disease is undoubtedly the maintenance of a high level of immunity throughout the farming areas. This depends on the willingness of the great majority of farmers to vaccinate all their cattle, which in turn depends very largely on the cost of the vaccine.

A fact-finding commission was sent to the Argentine, America and Europe in 1955 and its report is being considered at the moment. This report recommends the preparation of foot-and-mouth vaccine in the Colony and holds out the hope that vaccine so prepared might be cheaper than the one at present available. The Government, however, is not yet in a position to give any assurance on this point.

Meanwhile vaccine is being imported by air from Europe. The necessary funds and staff are available for this purpose and the officers of the Veterinary Department have worked with the greatest energy to assist farmers to obtain vaccine and to immunize their cattle.

SIR CHARLES MARKHAM: Mr. Speaker, Sir, arising out of that reply, would the Minister state whether he would be prepared to inaugurate a system of compulsory vaccination through the farming areas?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Sir, I cannot answer that question with a categorical assurance "yes". Much must depend, I think, on the cost of the vaccine; but I am prepared to consider compulsory vaccination in any area where the great majority of the farmers express the wish to have it.

MR. AWORI: Does that include the African areas also?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, there would be no distinction in the matter between the African and European areas. I would very much welcome vaccination in the African areas if the African stockowners can afford it.

LT. COL. GHERSIE: Mr. Speaker, arising out of the previous reply from the Minister, when he stated that vaccine was flown out to this country, will he inform us what steps are taken to retain adequate stocks of vaccine in order to meet an emergency epidemic?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, it is a technical subject, but it is not possible to maintain adequate emergency supplies of vaccine here. When an outbreak occurs, the type of the outbreak has to be ascertained and it may vary over a wide range of varying types. As soon as the type is ascertained, then the requisite supplies are flown in. The process is, Sir, a speedy one and, so far, we have had no difficulty in delay.

MR. MATHU: Arising out of the original reply, Sir, what is the price of the vaccine which my hon. friend feels that the African stockowners cannot afford? I thought he was appointed in order to increase wealth?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Sir, the present price of the vaccine is around Sh. 3 to 3/50 per dose. If two types are prevalent in the area, two inoculations have to take place; the material lasts from four to six months; which means, for a year, two to three inoculations, which comes to something like Sh. 20 a head. If the animal being inoculated is mainly for beef purposes, that eliminates any profit from the animal, so the factor of price does loom very largely in the matter.

If the hon. Member will continue to give me his support for a number of years, no doubt I shall be able to increase the wealth in the African agriculture areas and then they will be able to afford it.

MR. SLADE: Arising out of the original reply, Sir, would the hon. Minister give us an undertaking that Government will reach a decision and publish a decision on the report to which he refers at the earliest possible date?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Most certainly, Sir.

MOTION

SUSPENSION OF STANDING ORDERS

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, I beg to move—

THAT under Standing Order 168 the Standing Orders be suspended to the extent necessary to enable Council at its rising to-day to adjourn until 2.30 p.m. on Tuesday, 24th April, 1956.

The purpose of this Motion, Sir, is self-evident. I would like to take this opportunity of informing hon. Members that it is proposed to take the debate on the Immigration Sessional Paper, on Tuesday and Wednesday, and that the hon. Minister for Finance will be making the Budget Statement at 4 o'clock on Thursday, the 26th. I propose on Wednesday to ask the Council to agree to the suspension of Standing Orders so that the Immigration debate may be concluded on that day, even if it entails sitting beyond the normal hour.

I beg to move.

MR. HARRIS seconded.

Question proposed.

The question was put and carried.

MOTION

AFRICAN PRIMARY AND INTERMEDIATE EDUCATION

(Continuation of 'Debate adjourned' on 18th April, 1956)

MR. MATHU: Mr. Speaker, Sir, I have a few points I should like to reply to and I was, when Council adjourned, Sir, dealing with some of the points raised by the Minister for Education and my hon. friend, the Assistant Director of Education, in the course of their speeches.

There are two points, Sir, that I should like to refer to, which were made by my hon. friend, the Minister for Education. The first was that he said that if I was sincere in suggesting that we should have proper teachers in our primary and intermediate schools, indeed in our whole system of education, the African people have a bounden duty to produce the men. The African people have a bounden duty to produce the men, Sir, and I would say, Sir, that had not the African people known they had a bounden duty

[Mr. Mathu] to produce the men, African schools would have gone unstaffed from 1899 to 1956. But, the question is this, that the African people have no executive responsibility in these matters; that the people who are responsible for making sure that the services are staffed, are the Government of that country, and that Government is not an African Government. It is a Government staffed almost exclusively by the British people who are in this country, and we say, Sir, they know better than ourselves in Africa how they can attract teachers. They have experience in their own country—in the United Kingdom. But I can assure my hon. friend, the Minister for Education; that they should have no fears on that score. If he co-operates with the desire of the African people in these matters, by producing necessary inducements—one of which was mentioned by my hon. friend, the Member for Aberdare—I do not think, Sir, that there should be any difficulty whatever of producing the necessary manpower to staff these schools.

The responsibility is his entirely in the first instance and that is why I want to place it on him entirely and there should be no half-way house in this matter. He also, I think, like my hon. friend, the Member for Ukamba, misunderstood me when he said that I have said in this Council before that the African people would be prepared to pay more than they are paying now for the education of their children. I think what I said, Sir, I may not have expressed myself more clearly in a very complicated subject such as this, was that I did say that at the present moment the African parent is contributing to the maximum of his capacity in education and so on, but, even with that he would go further and make necessary sacrifices to himself, as a parent, to make sure that his child is educated. Now, that, Sir, I am sorry my hon. friend, the Minister for Education, did not quite catch me and my hon. friend, the Member for Ukamba. I understand the Member for Ukamba would have voted against the Government Motion if that was clear to him and I would suggest to him, Sir, that he might revise his view so that this side of the Council can be solidly against the Government in this matter and I can

assure my hon. friend, the Member for Ukamba, that if he wants any further assurance in that matter that we will pay anything we can, even to a pint of our blood, to get our children educated we shall do so, and there should be no other word in that matter. He should not say, therefore, that only a minority are paying for services. There is no minority paying for services, Sir. We are here and the African people contribute as much as the Government lays legislation for us to pay. They make this legislation for us to pay taxes, and we pay. Those who do not pay go to jail. We cannot make legislation on our own to pay taxation; but the Government does not make legislation for us to pay it, can we? It will be wonderful then, it would be the only country in the world where the man in the street makes law for himself to pay taxes and if the Government does not want to, of course, that is their responsibility.

My hon. friend, the Member for Mau, who made, if I may say so, an excellent speech yesterday, I would like to assure him that everything he said I entirely endorse. I feel very ashamed, Sir, that all due to the policy laid down for the education of the African child that there is such indiscipline of the African youths. But, I would like to suggest to him, Sir, and I would like to suggest to the man on the floor over there, the Nominated Member, Captain Hamley, that Teddy boys are in London, cowboys are in the United States, and I can give you more names in Bombay and Karachi, what about those parents? Have they not taught their children discipline? This is a legacy of civilization and the African is not alone in this matter. As I say, Sir, my hon. friend, the Member for Mau, in his suggestion of national service in the way he did, I would like to say to him, Sir, that I have had words with my hon. friend, the Minister for Education, and his predecessor, about national service for the African people and I have brought up this matter in this Council many times before. The one we have suggested to the Government is that there should be a Cadet Corps in the senior secondary schools as indeed, that exists in European schools in this country. They have not got the men to train them, they say. Can they blame us then because we are entirely with the

[Mr. Mathu]

Member for Mau that our people should be disciplined in the proper manner so that we can conduct our affairs in this country without fear of being stabbed in the back when we go around the corner in the streets and this is clearly the responsibility of the Government and nobody else, not the African parent, if I may say so, Sir.

My hon. friend, the gracious lady for Nyanza, spoke on the same thing and I entirely agree with her and I support her in the way she does speak in this matter. All I would like to ask her is to use her influence to influence this Government to do what it is saying in this Motion and then her wishes will be met, but not until. Because this system we have here, my hon. friends on this side and my hon. friends on the other side want labour. In the Nyanza Province alone more than 75 per cent of the able-bodied men are outside in employment. There is a separation of families. Now, if we say, as my hon. friend, the Nominated Member from Mombasa, Captain Hamley said, that we now say well go back to tribal society, I would say he is not alone in this matter. Some of my own community cry over this matter, because they want to go back to the traditional system because this one seems to be not working properly, but we are crying over spilled milk. We cannot do that, and I am afraid I am not going to be a party to reviving, as he suggested revival meetings, reviving old tribal customs when the British are here. If they walk out, that is another matter, then we should hold the reins, but we do not hold the reins now and, therefore, Sir, I go forward, having put my hand on the plough and I go forward on the British line and the British people are responsible to put their house in order because they are responsible and I put the blame entirely on them and not on anybody else.

My hon. friend, Mr. arap Moi, supported his idea and, I would like to tell him, that that is my view, to talk about 50 years ago how the African brought up his child when there were no factories, no sisal factories, where they had to worry about desertion. You read about the recruiting in Uganda for labour and in Tanganyika for the sisal industry. We did not have that. But as

long as that goes on, the Western civilization must look after their affairs. The suggestion we are making is that the children must be kept in school for at least eight years continuously without interruption so that they can be disciplined and can become worthy citizens of this country.

My hon. friend, Mr. J. S. Patel, in support of our Motion, said the same thing. He says, leave the Africans where they are. Well, I think my hon. friend had a definite, a very good intention in making that expression, but you cannot leave the Africans where they are when the Asian is in Kenya, and the European is in Kenya, and the Arab is in Kenya, and leave the Africans where they are. It is impossible. It is an indictment on the African intelligence that we can watch you going ahead and we sit back with a stick looking after our cattle. Now, we are not going to do that. We are going to follow your ways and you are responsible to see that we follow the right ways and that is the reason why I moved this Motion to put this thing quite in order. Our children must be educated exactly as you educate your own children. Not to herd the cattle, we have none, foot-and-mouth disease has wiped them out, so the children have no herd to look after, and therefore they must go to school instead.

My hon. friend, the Minister for Local Government, Health and Housing, it was, I think, most unfortunate that he intervened in the debate in the way he did, because I have always thought, he was a very sensible man but this time I think he got off a bit, because if the constituents in Kiambu to-day, who found their children 11 plus, were told once and for ever they will never have any education, would the Minister for Health and Local Government be sitting on that chair there now? What would he do?

THE SPEAKER (Sir Ferdinand Cavadish-Bentlick): Mr. Mathu, I must ask you to respect the Chair.

MR. MATHU: I apologize, Sir, but my hon. friend did intervene in the debate in the manner that suggested I should ask him that question. We are doing it badly, we are in the same position, but we are representing our own people, and they say this is a most important matter. Our children are angels like the children

[Mr. Mathu]

of any other community and they must not be left loose in the streets for lack of education. That is why, Sir, my friend, the hon. Minister for Local Government, Health and Housing—this matter particularly concerns him in one aspect—because he deals with local authorities—and he can demonstrate to the African people that he can be one of the governors of this country, who governs impartially for the interests of the whole country and not for the interests of any racial group. Here is an opportunity, Sir, for him to do that.

I have already, Sir, dealt with my hon. friend, the Nominated Member, Captain Hamley, but, you see, he is a man with a very broad chest, Sir, and he has been on the float for many years. He has lived in an artificial society on the float. Now, we on the terrestrial ball keep our feet on the ground and that is the way we do it that the State must care for the future of the children and the parent helps in this matter, and his language, Sir, in one way I appreciate it and in another way I think he was living in the world of *Alice in Wonderland* and *Alice Through the Looking Glass*.

My hon. friend, the Member for Ukamba, I think I have already replied to his fears. I think we are suggesting that we shall be patronizing our State. He knows very well that we are not, because we contribute handsomely towards education and social societies through direct and indirect taxation and, therefore, there is no question of myself or the African people expecting, Sir, that this Government should give us on the plate without our contribution, either in money or in manpower. We are with them 100 per cent. All we want is a framework of policy through which we can give our contribution to the best of our capacity and that is what is lacking as far as education is concerned.

I referred yesterday, Sir, to my hon. friend, the Assistant Director for Education's remarks about astronomical figures with which he wants to frighten the African community and the taxpayers of this land that if the Africans get what they want the Europeans will have no education because all will go to African education and in any case there will be no money for this purpose. I am appeal-

ing to him, Sir, to change his attitude towards this matter, because he has been responsible for African education. I think it is right and proper that this Motion should come when he is in this Council in order that he should answer to his stewardship in this matter. I do know, Sir, that he has done a gigantic task towards the promotion of better education for the African people and I am entirely grateful to him. I have known him for many years, in fact I knew him when he was the principal of the African school in Mwachakos. In 1928, when I had just left school myself, and I know him now. So he is not a stranger to me, Sir, and he has done a wonderful job, but he must not be led away by purists in this matter on education. We are practical men, and he is, I know, and he must not bring this £20,000,000 story in this Council because that is frightening. What he should say is, "I can educate your children if I have got the money." Have you said that? He said, "I have no money. I cannot educate." I want him to reverse his approach to the problem and, therefore, that is the appeal I should like to make to him, Sir, in this matter. Unfortunately he quoted the Gold Coast against a point of mine, what the Gold Coast has done. I think hon. Members on this side will agree with me. I do not want to have any examples of the Gold Coast. The Gold Coast has an African government, an entirely African Government. This is a European Government, which is better, of course, than any African Government in the world. Now then, therefore, you should not give the Gold Coast as an example, you cannot, and I suggest, Sir, that it was unfortunate that he gave that example and I want to refute that because what we are asking is eight years' uninterrupted education, no Standard IV examination, and this Government is entirely responsible for that education. Not the Missionary Societies, they are not the Government; not the district education boards, they are not the Government; not the African district councils, they are not the Government; not even the parents, it is this Government, and I charge them to discharge that responsibility, and if they do not discharge that responsibility, it is theirs and theirs alone. If they would discharge their responsibility and put their minds to it I know they can do it. If

[Mr. Mathu] they would put their whole mind to it I know they can do it. There is nothing to prevent this Government doing what I have suggested in this Council.

Informal education, my hon. friend, the Assistant Director of Education, defined to me. I know it, but I wanted him to state that. I have nothing against informal education, bringing girl guides, boy scouts, the St. John Ambulance Brigade to camps. I have no objection to that at all, it is a worthy objective. There is the Outward Bound, climbing Kilimanjaro, all these things are worthy and acceptable and part of the development of the country, but that is not what we are asking. Sir, we are talking of 11-year-olds, who cannot climb Mount Kenya, they are not ready for that, or for being girl guides or boy scouts. That is the difference. Bring them up to 15, then you can recruit them for the Boy Scout Movement. That is exactly what we are suggesting to you, Sir.

Now, finally, may I just say what I said very briefly before. First of all, we, on this side of the Council, have opposed the Government amendment, partly because—one of the reasons anyway was when one of my hon. friends, the Leader of the Council, the Chief Secretary, was replying to my hon. friend here, the Member for Nairobi South, said "Of course we have not thought about this problem, we want time to investigate it, we have not thought about it, Sir—"

THE CHIEF SECRETARY (Mr. Turnbull): I did not say that at all.

MR. MATHU: I am most delighted, Sir, to hear my hon. friend say so. And why does he support an amendment which wants to "inquire into"? If he had thought about these problems, why amend my motion and "inquire into"? "Government should now inquire into the situation". I do not inquire into the water if water is here, I know it is here. Therefore if my hon. friend denies that he did not say what he actually said, the actual amendment suggests what I said, that they knew nothing about it. They want to inquire! If they know, they should take action now, and they have responsibility in this matter.

Therefore I say, Sir, that the Government and the Government only—this

Government—have responsibility for the execution, for all races, of educational policy in this country, and you cannot leave the Africans out. I have avoided, Mr. Speaker, all along to bring in any racial matters in this debate, because I know what there is for the education of the other races. I know them backwards. I know the arrangements for the children of the European community in this country. I know backwards the arrangements for the education of the Asian community, but that was not my purpose. They can go on having those benefits and privileges, I am not attacking them, but could we not have the same arrangements for our own children?

I do think, Sir, that this Government has certain responsibilities and particularly so when they call themselves a multi-racial government. This is a multi-racial issue that the African people should have equal opportunity for the education of their children. If they can deny that, Sir, then the world will know. As I say, Sir, that if they fail to fulfil their obligations in the way that I am suggesting because of the astronomical figures of my hon. friend here, they will pay in other ways, they will build more prisons (that costs money, does it not, Sir) and the staff of the prisons, approved schools, cost money—Sir, because they fail to do it in a constructive manner. Now why pay more for police, prisons and approved schools? It is to avoid that, that we are suggesting that you build schools.

Finally, Sir, the African people have confidence in this Government. I do think I should say that right now, and it is because we have that confidence we think we should act promptly with what used to be a favourite phrase of my hon. friend the Member for the Rift Valley, then, who is now the Minister for Agriculture, with the greatest urgency—this is a matter of urgency and can be, in his capacity as Minister, urge the Government to act urgently in this matter?

We ask that there should be a full eight years' course for the African child before he can then become a proper citizen of this land. We know that the Government and the parent—the African parent can achieve this within the shortest possible time and we say that ourselves, if we can give any help, any

[Mr. Mathu] support—the African Members in this Council—to assist the Government along those lines, we shall do it with all the energy that we are able to muster.

Therefore, Sir, thanking all those who have supported us in this matter, and thanking the Government, because I think they do support us since they have not shown any case against this matter, just because they did not want to accept our Motion as it was, they wanted an amendment of theirs, reluctantly, Sir, I have to oppose the Motion which is now before the Council as amended, and to support the original Motion which has been supported by the Members on this side of the Council.

DIVISION

The question was put and Council divided.

The question was carried by 27 votes to 9. (AYES: Dr. Anderson, Messrs. Blundell, Blunt, Group Captain Briggs, Messrs. Conroy, Coutts, Cusack, Lt.-Col. Gherste, Mr. Griffith-Jones, Captain Hamley, Mr. Havelock, Sheikh Mbarak Ali Hinawy, Messrs. Hope-Jones, Jeremiah Larby, Luyt, Madan, Jonathan Nzioka, Ohanga, A. B. Patel, Riddoch, Turnbull, Tyson, Usher, Vasey, Wanyutu Waweru, Windley, 27; NOES: Messrs. Awori, Cooke, Crosskill, Gikonyo, Dr. Hassan, Messrs. Mathu, Moi, J. S. Patel, Mrs. Shaw, 9.)

MOTION

RULES OF PROCEDURE FOR COMMISSIONS OF INQUIRY

MR. SLADE: Mr. Speaker, I beg to move—

THAT Government be requested to introduce Rules of Procedure for the regulation of proceedings of Commissions of Inquiry with particular regard to the protection of all whose conduct or character may, during such proceedings, be called into question.

Sir, I think, I must start by declaring an interest at any rate so far as this Motion refers to the recent inquiry into the Affairs of the City Council of

Nairobi. In that respect I have a whole variety of interests to declare. At one stage a legal opinion that I had given, for better or for worse, came into question; at another stage a company of which I am a director came under fire. At another stage, or perhaps throughout I would say more nearly, I was giving legal advice to a city councillor, and in the concluding stages I was privileged to be a witness before this Inquiry.

Sir, I should like to assure hon. Members that these various interests have not influenced me, I believe in what I have to say.

Mr. Speaker, hon. Members will be aware that there is, in existence, an Ordinance governing commissions of inquiry. That is Chapter 40 of the Laws of Kenya. Under the terms of that Ordinance as it now stands, the Governor issues a commission for the purpose of any inquiry that he thinks necessary, and he can, by the terms of that commission, direct the particular commissioners concerned as to how they ought to conduct their proceedings. But in practice he has not often done so in the past, beyond, of course, defining their terms of reference, and, in so far as there is no express direction in the terms of the commission, the commissioners are empowered by section 9 of the Ordinance to make their own rules. To make such rules for their own guidance in the conduct and management of the proceedings for them as they may from time to time think fit.

I think I am right in saying that the only restriction—or the only two restrictions—on that absolute discretion of the commissioners, as to how the proceedings are to be conducted, are contained in sections 12 and 13. Section 12 lays down in a final proviso that no person giving evidence before the commission shall be compelled to incriminate himself, and section 13 lays down that any person whose conduct is the subject of inquiry, or who is implicated or concerned in the matter of inquiry, shall be entitled to be represented by an advocate at the whole of the inquiry, and any other person who may consider it desirable that he should be so represented may, by leave of the commission, be represented in the manner aforesaid.

[Mr. Slade]

Apart from those two sections, Sir, there are at present no rules of procedure governing in general the proceedings of commissions of inquiry under this Ordinance.

Mr. Speaker, it is arguable that such a great degree of elasticity is desirable in matters of this kind. It is arguable that one of the purposes of an inquiry, as opposed to a prosecution or other form of trial in a court of law, is to avoid the rigidity of strict legal technicalities and to probe into matters which may not be capable of strict legal proof or susceptible of legal proceedings. It may be assumed, I think, Mr. Speaker, that the reason for there being no general rules of procedure, and for the commissioners being given such a wide discretion as to how they do proceed, is that inquiries of this kind are safe enough in the hands of responsible people, given for instance a chairman of judicial experience, and an experienced and balanced lawyer to conduct the proceedings before the commission. I say experienced and balanced, Sir, because they are not necessarily the same thing, at any rate in my profession.

Mr. Speaker, I should have said just that myself a year ago. I should have said that it is better to be elastic in these matters, and that it is quite sufficient to rely on the responsibility of the commissioners and any counsel who may be entrusted with the conduct of the evidence. Indeed, Sir, only a little over two years ago I moved in this Council a Motion for summary justice in times of emergency—actually on the 25th February, 1954—in which that kind of argument was the basis of my contention. I argued then that in times of emergency you must cut out the procedural trappings of your system of justice which you are struggling to preserve, in order to preserve the substance. You must entrust the substance of the law, without those trappings, to responsible people who can be trusted to act according to the substance.

It might not be out of place, Mr. Speaker, if I just quoted from what I said in that Motion by way of indicating what I meant by the expression "substantial justice". I said then, Sir, "By substantial justice I mean the principles to which we all adhere. I mean the prin-

ciple that a man is innocent until he is proved guilty. I mean the principle that you cannot convict a man without giving him a chance to speak and call evidence in his defence. I mean the principle that you do not convict a man on mere rumour. Again, that you watch out for false evidence based on malice or *fitna*. Those are the principles of substantial justice, by which I stand, and I do not accept that specialised rules of evidence are an essential part of substantial justice or that the accused must always, in all circumstances, have the right of qualified lawyers to defend him. Nor do I admit that the right of appeal is an essential part of justice."

That Motion, Mr. Speaker, was lost because Government maintained, in effect, that the procedural trappings of British justice are an essential part of its glory and substance, even in times of emergency.

I still believe, Sir, that they were wrong in that particular matter of law related to the State of Emergency. I still believe that there may yet be another occasion in the future history of this Colony when those who opposed the Motion may have to think again.

However that may be, I no longer believe to-day that the procedure of commissions of inquiry, particularly public inquiries, can be left to the utterly uncontrolled discretion of the commissioners, whether or not they have the aid of an *amicus curiae*. I no longer believe that commissioners of this kind can in all circumstances be trusted uncontrolled to adhere even to those basic principles to which I referred in that Motion of two years ago.

Mr. Speaker, I and a large number of leading lawyers with whom I have been privileged to discuss this matter, and other members of the public, have been shocked, and I might even say appalled, by the procedure adopted in the recent inquiry into the City Council of Nairobi with reference to corruption and malpractices. And I have to say, Sir, because that is the reason for my change of view with regard to rules of procedure for commissions of inquiry.

It is held by us in the legal profession, Sir, and I hope by all laymen with a sense of justice, that respect for personal reputation is an essential element of

[Mr. Slade]

society in any free country. It is a fact that the greater the freedom of society, the greater the liberties of the Press, liberties of free speech, the greater the need for protection of individual reputations. Hence it is that we have what I can only term a magnificent system in our law of defamation, unequalled for wisdom in any other country in the world, built up not by statute or a stroke of the pen, but by the wisdom of judges supported by public opinion, over centuries. The splendour of that system is founded on a deep respect for the reputation of the individual.

Now, Mr. Speaker, the law of libel and slander cannot reach everywhere. It cannot reach certain august bodies such as this Council, or courts of law or commissions of inquiries. Therefore, in such places, personal reputations have to be protected in another way. They have to be protected in such places by partly the responsibility of the people concerned, and partly by rules of procedure.

Sir, in this matter of personal reputation there are certain essential principles of justice. They are—roughly—those that I stated in that debate of two years ago, but I would like to elaborate that a little further, with particular reference to reputations as opposed to other matters. These principles of essential justice such as the right of the individual who is attacked to be present and to answer, cannot be applied to this Council, with regard to people who are not members of this Council; for which reason we have a special responsibility not to attack their characters or even their performance without overwhelming cause. But these principles are always applied in courts of law, and they must be applied in commissions of inquiry.

Well, Mr. Speaker, what are they? I put them under four heads. My first head is that no person's conduct or character should be called in question by the evidence of any witness without due warning to that person of the general nature of the allegations made against him or to be made against him, and an opportunity for him or his lawyer to hear the evidence and cross-examine the witness.

There is a precedent already for that, Mr. Speaker, or there was in my time in the army, in Rule of Procedure under the Army Act 125A, Paragraph B, where that very rule is laid down. I would point out, Sir, that that is not the same as section 13 of the Ordinance as it stands, section 13 does provide indeed that any person whose conduct is the subject of inquiry, or who is in any way implicated or concerned, may be represented by an advocate at the whole of the inquiry. Of course that is provided that he knows what is coming up; and that is not enough if the person concerned only knows that he is implicated when he reads in his morning paper what was said about him the day before.

So much, Sir, for the first principle. The second principle is that no hearsay evidence whatsoever should be entertained to the detriment of any personal reputation, and hon. Members will know what I mean by that. There are fine points, sometimes as to what amounts to hearsay and what does not amount to hearsay. But what we must exclude from all commissions of inquiry so far as affecting personal reputations is the kind of evidence one gathers from the coffee house, the street corner or the knitting club.

The third principle, Sir, is that no witness should be permitted to express any opinion on the thoughts or motives of another. Mr. Speaker, it is accepted in law that witnesses, other than expert witnesses, are simply called to state facts, and that it is for the court to make their deductions from the facts, with regard to the thoughts or motives of the people concerned. But even then, it is accepted that the mind of man is untriable.

The fourth principle is one with which all hon. Members are familiar, that is that all are deemed innocent until proved guilty.

Mr. Speaker, along with others I had assumed that those principles would be applied in any inquiry in this Colony, but particularly in a public inquiry. The recent inquiry into the City Council affairs shows only too clearly that that assumption was not justified. For the reasons I have given, Sir, it is not right for me here in this privileged Council, to attack any member of the Commission, or any counsel appearing before the

[Mr. Slade] Commission, for they are not here to answer. But I must criticize certain features of the procedure.

To explain why I say that the essential principles were not observed, I must show how far this inquiry fell short of those principles. First, Sir, referring back now to my first principle, I will say that not once, but time after time during this inquiry which lasted over a period of months, there was daily evidence given against individuals and the first that that individual knew of it was after it had been given, either from a friend or, as I said just now, from reading the happy news in the morning paper, which of course, everyone else had read too. It is true, Sir, that after protest, some warning was in most cases given to individuals that on a particular day there would be some unpleasant evidence about him. Even so, to the best of my knowledge, there was little or no warning of the nature of the evidence that he was to meet on that day. It is true that eventually in every case, every one who thought himself injured by evidence that had been given was given the opportunity to appear before the Commission, with his lawyer or without, as he liked, to refute what had been said about him. I think in a number of cases, admitted by the Commission at the time of the proceedings and therefore, not still *sub judice*, refuted with complete success. Of course, that, Sir, is not the same thing as being there to tackle the witness the same day that he gives his damning evidence, particularly when it is a public inquiry. I am referring here, Sir, to such things as allegations of a certain meeting which had taken place with certain motives, and subsequently proved to the satisfaction of the Commissioners, declared in open court, that those things had been proved completely untrue.

Coming to the second of my principles, Sir, not once but time after time, there was hearsay evidence admitted before this Commission; rumour, gossip, not just fortuitously, not just by a slip through the witness having let it out unexpectedly before anyone could stop him, but deliberately. Sir, deliberately many cases quite unsupported by any first-hand evidence whatsoever. I must

refer to one specific example, although I will omit the name, Sir.

There was one very serious allegation against a city councillor, which amounted to a statement that he had attended a certain meeting with certain people for the purpose of, in effect, compounding a felony. Now, the witness who gave that evidence stated quite openly: "It is only hearsay. I do not know whether that happened, but I believe it did because so many people have told me so—but it was only hearsay". Counsel was asked if there was any further supporting evidence following that hearsay, and answered: "I think there may be further evidence in support of this. I am not sure"; and, in fact, Mr. Speaker, there was none, and there—published for all to read—was this hearsay of the city councillor having attempted, in effect, as I say, to compound a felony.

Third of my principles, Sir—evidence given not only of facts, but of opinions—opinions of motives and character. So many instances of that, too, in these proceedings—not merely one little mistake, but many. The sort of question deliberately asked—deliberately asked of witnesses: "What sort of chap do you think so-and-so was?"—And the most interesting answers. "Oh, I think he is the sort of chap who would dip his hand in the till", or, the sort of chap, "who will go out of his way to ingratiate himself with his superiors"; or, "Why do you think so-and-so did what you have heard it said that he did?" "Oh, I am sure it is because of his extraordinary outlook, and his desire at all costs, at all times, to cover the European, regardless of right or wrong".

These are examples of what, Mr. Speaker, cannot be allowed by anyone with any sense of justice.

And the last point, Sir—that men are innocent until proved guilty. Well, I am not suggesting that the Commission—or anyone before the Commission—had any other thought in mind but, in public inquiries, the wrong impression can very easily be conveyed to the public simply by leading suggestions and innuendoes, and leaving the victim to prove that they were unfounded.

Now, that happened, Sir, also in this inquiry. There was evidence by way of

[Mr. Slade] rumour and hearsay and opinion only, which could be denied and utterly disproved by first-hand evidence, and in too many cases, Sir, notice was given to the appropriate quarter that there was such absolute proof by first-hand evidence, before that evidence or hearsay or rumour was ever led at all, and those circumstances show it should never have been led. Because, as I say, the fact was that, the man who was in a position to show how wrong it was had to come and prove his innocence when there was no evidence of guilt.

I have avoided any more specific reference, Mr. Speaker, for the reasons I have given, but I am sure my hon. and learned friend, the Attorney General, will confirm that there is full justification for all that I have said. I am sure that hon. Members who enjoyed their morning paper day after day, reading the very accurate and detailed account of this inquiry, will also confirm the accuracy of what I have said, and they will remember instances exemplifying how those four principles have been ignored.

Well, Mr. Speaker, I say that rules of procedure are now manifestly necessary for commissions of inquiry. They are necessary for various things. I think we have seen through this experience that they are necessary—or at least desirable—to guide people who are not as experienced as we think they are, or thought they were. For instance, to make it clearer, what is the precise function of a person conducting the proceedings before an inquiry? To make it clear that he can be there as an impartial *amicus curiæ*, in which case his function is to be impartial; or he can be there in the role of a prosecutor, in which case he must declare his role and, even then, act according to the rules by which prosecutors are guided in courts of law, which is not always, at all costs, to secure conviction.

I think, Mr. Speaker, we could do with rules of procedure to make sure that commissions of inquiry stick to relevant evidence, not only as affecting character but generally, for the reason that we should thereby save a great deal of expense—be saved a great deal of expense, both of public and

of private persons. I shudder to think what this commission has cost! And how much money has been wasted by exploring avenues based on irrelevant evidence, hearsay, opinion and other forms; but it has not only been a cost to the public—it is the cost—the very heavy cost—to individuals who have to employ lawyers to deal with their defence against irrelevant evidence.

But the last, and biggest, reason—as emphasized in this Motion—is to protect individual reputations. Now Sir, I would make it clear that I am particularly concerned with public inquiries here, and with public inquiries affecting personal reputations, because in those inquiries the trial—for it is a trial—a trial of a kind—a trial of a man's conduct and character, taking place before the whole public—a public jury and, I fear, Sir, not always a very well informed or charitable jury; but a jury that, in matters of reputation, has power not only to convict, but also to sentence.

In this recent inquiry, Sir, the chairman said—or implied—more than once: "Never mind hearsay, opinions and so on. Trust us to come to the right conclusion". Trust us—the Commission—to come to the right conclusion, and of course he meant that, and I am sure that we can trust that Commission to come to the right conclusion—Doubtless he believed it was the final report of the Commission alone that mattered, and indeed, Mr. Speaker, that may well be so with this Commission—and with other commissions of inquiry—except as affecting personal reputations; but there it is not a question of the Commission's findings being the conclusive answer—not in a public inquiry, fully publicized—because many members of the public will have heard very damning evidence and, to make up their minds, they may never see the ultimate report, or even be interested to see it at all.

Mr. Speaker, Socrates said, when he was on trial for his life, by his fellow citizens: "It is not the accusers who appear in this court against me of whom I am afraid. It is that multitude of unseen accusers who will bring me to my death." And so it was. He defended himself with an overwhelming success against the actual charges brought against him by those who appeared against him, but

[Mr. Slade] his unseen accusers saw to it that he was sentenced to death. It is the unseen accusers with whom we are concerned in all public inquiries. Rumours and opinions, insinuations and accusations—they can all be answered in the fullness of time; and in yet fuller time the Commission may find, and report, that they have been answered. As far as personal reputations are concerned, the damage has been done. If there is any material injustice at any stage of the inquiry, people read a passage from their conclusions, their conclusions stay. They do not read the rest—they do not care. We all know the saying "No smoke without fire," and to paraphrase Shakespeare: It is too true, I fear, "that the evil that men say lives after them."

These things must never be allowed without the most rigid safeguards, to see the glare of public scrutiny. Mr. Speaker, hon. Members will understand I am not asking for the suppression of truth, or the hiding of the errors of men in public affairs. I am only asking for fairness—due protection—due protection against the unseen accusers.

Well, Sir, I end as I began. We had hoped that that protection was to be found in the responsibility of all concerned—all concerned in these commissions of inquiry. We now know otherwise. There must, in my submission, be rules of procedure governing all future commissions for these purposes—to guide inexperience, to save expense through irrelevant evidence, to protect reputations with particular reference to the four principles I have enumerated. I say, Sir, that in this matter our honour, our dignity and our pride, in true justice of which we have heard so much in this Council over the past three years—our pride, our dignity and our honour in this Colony are all at stake.

I beg to move.

Mr. USHER: Mr. Speaker, Sir, as a layman I should not perhaps be seconding this Motion, and yet, there are perhaps certain aspects of the subject to which a layman can contribute a little. I was myself associated in a commission of inquiry many years ago, into Customs frauds, and the first thing we had to decide was whether to hold the inquiry in public or private. We decided on the

latter, and if anybody could now read evidence which was brought before us, I think they would have little doubt that our decision was a right one. In point of fact, the report which I drafted myself never saw the light of day, for the reason that it would not only have caused great offence to a friendly nation, but it would have involved the reputations of witnesses, and others who were not witnesses, in a manner which would have been altogether undesirable and utterly unfair.

To the arguments which my hon. friend, the Mover, has brought, I have nothing at all to add. He seems to me to have dealt with the matter in his usual comprehensive manner, and I have been much impressed by his statement of the case, but there is one aspect of it to which I hope hon. Members will pay some attention. I think it is well known to hon. Members who have read their newspapers in the past—and particularly to those who have read the records of famous trials—that the Bench in the United Kingdom has on more than one occasion adverted to the evil that may result from the publicity arising from the earlier stages of trials.

This, in fact, Sir, appears to me to be another of those cases in which it is possible that a man will be tried three times. We all know that, where there has been a death, there may be what corresponds here to a coroner's inquiry. That inquiry is given publicity, and it may be followed by an inquiry in the magistrate's court, which gives more publicity to the matter, and it ends up with a trial in the Supreme Court.

Now, Sir, if that, on account of the fact that it may influence the public, who will supply the jury, is true in the United Kingdom, it is all the more true in a country whose population—European population—is equivalent to that, I believe of Wigan. Everybody knows about these cases, and it is there that the danger lies, and it is because of that that we do require the protection of such rules as my hon. friend has suggested should be made.

May I point the matter by quoting from section 2 of the Ordinance and, again, on this subject of whether the inquiry shall, or shall not, be held in public, the law is that, in the absence of

[Mr. Usher] the contrary, the inquiry shall be held in public, but the Commissioners shall nevertheless be entitled "to exclude any particular person or persons for the preservation of order, for the due conduct of the inquiry" whatever that may mean—or for any other reason."

Now, Sir, the trouble with which the commission itself will be faced is that evidence of the objectionable kind is almost bound to arise *ex improviso* and, if the commission is not conducting the inquiry behind closed doors, I do not see how it can avoid the very difficulties which we are seeking to remedy, because although a witness—as my hon. friend reminded the Council—cannot be required to criminate himself, he may, whether by inadvertence or of necessity, in answering a proper question, incriminate others; and it is there that the damage may be effected.

Sir, I have nothing to add to this and I beg to second.

Question proposed.

THE MINISTER FOR LEGAL AFFAIRS (Mr. E. N. Griffith-Jones): Mr. Speaker, Sir, may I say at the very outset that—as I think my hon. and learned friend, the Mover, will concede—I have throughout the course of this recent inquiry been concerned to ensure two things. One, that nothing should be done to prevent the discovery of the truth of the matters inquired into, and, secondly, that nothing should be done to attempt—if I may be permitted a colloquialism—to pin anything on any person or individual, or to do any injustice to any individual, the main purpose and object being the ascertainment of the truth.

Now, it is necessary to consider the circumstances in which the recent inquiry arose—circumstances in which there had been a great deal of public talk, speculation and most unhealthy canvassing of rumour, to an extent which certainly, threatened—even if it did not actually reach—and I believe it did in the ultimate stage—a loss of public confidence in a considerable degree in the workings of the City Council.

That was one circumstance which I think we must bear in mind, and we must bear it in mind, I believe, in par-

ticular reference to some of the remarks of the hon. Member for the climate at the time was not such as would have permitted any inquiry into the City Council to have served the public interest by being held *in camera*. There was a fear—whether or not justified—that the inquiry would be a "whitewash". Well, it has not been. Whatever else it has been, it has not been a whitewash.

There is another circumstance which it is necessary to bear in mind, and that is this: that the main source, either of confirmation or of refutation of the main body of rumour and speculation and allegation and counter-allegation—the main source of confirmation or of refutation of that body of rumour, et cetera, was the staff of the City Council.

Now, Sir, again I am not going to express an opinion—let us have no opinion evidence in this debate—as to whether or not the staff had justification and ground for their fears, but, as a fact, the staff were in a wide degree—in a wide degree—extremely apprehensive of victimization. That degree of fear of victimization was very real and very widespread and, in fact, was represented to me on more than one occasion by responsible representatives of the staff—so much so, that at one stage, it became extremely doubtful whether there would be, indeed, any disposition—any appreciable disposition—and willingness on the part of the staff to come forward and testify to matters of an unsavoury nature in the working of the affairs of the City Council.

Now, Sir, with that background, one also has to remember that one of the major factors in regard to the staff was the fact that there would be publicity which would afford in considerable and—it was hoped effective measure protection against any attempts at victimization. I do not wish to elaborate these particular circumstances, because I think it is well known that they are very unhappy circumstances—they were then—and I only hope that the climate of confidence between the staff and the Council will be fully restored—as it must be if the Council is to perform its public functions; and if the staff is to serve the public as it is their function to do. I believe that that degree—that necessary degree—of mutual confidence and respect is being—and is being rapidly—restored.

[The Minister for Legal Affairs]

Now, Mr. Speaker, let me say at once that I am fully aware that there was evidence led, there was evidence given, in some respects in this inquiry which it would have been better that it should not have been led or given. This inquiry, however, has been a very lengthy one, and a very intricate one. It has involved an enormous amount of investigation, of sifting—an enormous amount of preparation, quite apart from the actual hearing of evidence in the inquiry before the Commission. It must be obvious to hon. Members, I think, that for every hour and for every day of the hearing of evidence in the inquiry before the Commission, many hours and many days had to be spent on preparation and on sifting; and, while I think it is entirely right that we should direct our minds to instances where the works went slightly wrong, I think we should not lose sight of the fact that, despite the magnitude of the undertaking, there was a great deal—in fact, by far the greater part of the inquiry—in which the works did not go wrong, and, in fact, in which the works went thoroughly right. I agree, in general, that persons' conduct or character should not be called in question without prior notice and without opportunity to be present, and/or to be represented, and to cross-examine if so desired, and I think it will be conceded that, except for the early part of the inquiry, that desideratum was met.

THE SPEAKER (Sir Ferdinand Cavendish-Bentley): Shall we have the break now? Council will suspend business for fifteen minutes.

Council suspended business at twenty minutes past Four o'clock and resumed at thirty-five minutes past Four o'clock.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): Mr. Speaker, Sir, dealing still with the hon. Mover's first principle regarding the imputing of a person's character without prior notice to him, and without opportunity to him to be present, I feel it would be difficult—it may not be impossible—but I feel it would be difficult to devise a rule of procedure of general application in regard to this matter, as indeed, as I was explaining, in regard to subsequent matters. As the hon. Member has said, so often evidence adverse to an individual arises *ex improbita*,

and it is not therefore possible, when it does so arise, to ensure that proper notice of it has been given to the individual affected. The damage is done when the evidence is led. The individual is not present. He has not had previous notification, and it would seem that the remedy there is to ensure that he is given the opportunity to be present, and to deal with the allegation, at a subsequent stage, not having been present when it was actually made.

I would agree that, in general, it is desirable that persons whose characters are impugned should be present, should have prior notice and should have the opportunity to cross-examine, but I am not convinced that it is possible to legislate for it substitutively in every case, and if one legislates for it otherwise than positively, then one might just as well leave it to be dealt with as it arises, because that is, in effect, what would happen under a rule of procedure which is not absolute.

Now, in regard to hearsay evidence, again I agree in general that hearsay evidence—particularly hearsay evidence implicating a person's character adversely—is undesirable, but again in a commission of inquiry directed, let us remember, to ascertaining the truth, I am not convinced that it is possible to legislate substitutively and positively in respect of all circumstances that might arise. May I give one example where I think a difficulty would present itself? This is a purely hypothetical illustration. One might have a witness testifying in regard to a matter in which he is himself under some suspicion. He might be asked why he failed to report to his superior a particular corrupt practice which he may have admitted to knowing existed, but in which he may have disclaimed any personal part. Now, if the true reason is—as it might be—that he did not report to his superior because it was commonly believed—that is to say, hearsay—that the superior was implicated in the particular corrupt practice, is that witness to be denied the right to give his reason—assuming it is a perfectly honest and genuine reason—to explain his own conduct? If he therefore to be precluded from impugning the conduct of another person in those circumstances at the expense of his own character—at the possible expense of his own character?

[The Minister for Legal Affairs]

That is why I think one must be most cautious before one attempts to generalize on these matters, however unfortunate the results of individual instances may be; and if one is to make exceptions, it is indeed practicable to reduce one's definition of those exceptions to a form of express rules of procedure?

I ask hon. Members to consider how they would frame their rules and their exceptions when they consider these particular matters because, having given some thought to it myself, I can assure them that—as I am sure my hon. friend, the Member for Aberdare, will agree—it is not as simple as it may appear at first sight.

I would agree, again, that in general circumstances a witness should not be permitted to express opinions on the thoughts or motives of others, but again there may be circumstances in which, in justice to that individual, or indeed in justice to the individual whose motives are in question, it might be not only justifiable but, indeed, desirable that that form of evidence be led.

And in respect of the fourth principle, I would not dream of contesting for a moment that all persons who are implicated should be presumed to be innocent until they are proved to be guilty. That is a cardinal rule of the system of law which we enjoy. But, it is a rule of law, and my friend's complaint, is not, as I understand it, in regard to the law but in regard to public opinion; it is in regard to what he terms the unseen multitude. Now, just as, in criminal trials which attract publicity in the Press, one can legislate that in the application of the law and in the trial of a person charged with a crime, the presumption of innocence shall be maintained until it is positively rebutted by proof, but one cannot legislate, and it would be futile to attempt to do so, for that presumption in the mind of man. Every Member of this Council will, no doubt, recollect occasions in which there have been *causes célèbres* in the form of criminal trials which have attracted the interest of the public. Every Member of the Council, if he is honest, will have to admit to himself that on occasions, when he has read the evidence, he has formed an opinion, long before the final conclusion of the trial, that the man is guilty. Now that, it seems

to me, is not a matter which one can legislate and I would very strenuously refute any implication, if implication there be, that in the recent inquiry in which we must remember, the report has not yet been issued, there has been any presumption that any person, or any presumption by the deciding authority, that is to say the Commission, that any person has been guilty of anything, unless, and until it has been so established to their satisfaction. I do not see, therefore, how it is possible to legislate for that form of presumption in general terms in regard to commissions of inquiry.

Now, in regard to the question generally, whether it is possible, or desirable, to frame Rules of Procedure to govern all Commissions of Inquiry, I think it is necessary to bear in mind that the potential field of inquiry is virtually unlimited, although in the Ordinance a number of specific examples of possible subjects of inquiry are quoted, the residual words are, "any matter in which an inquiry would, in the opinion of the Governor, be to the public welfare". That means, in effect, that one could have inquiries into almost any subject, any matter, the only qualification being that it should have some effect, or implication, affecting the public welfare. Bearing in mind, therefore, the infinite diversity of subjects which might be inquired into, we have to consider whether we are wise, or indeed, whether we might not be presumptuous, in attempting to legislate in a general sense to cover all inquiries. When we come to consider that, we find that there is, so far as I am aware, no precedent in any country—certainly not in the United Kingdom—for general Rules of Procedure to govern Commissions of Inquiry in the United Kingdom, under the Tribunals of Inquiry (Evidence) Act, 1921, for instance, which replaced an earlier Act of 1873; there has been provisions for the last 73 years or so for power to make rules relating to these Tribunals of Inquiry; none has been made. And when we come down to examine just this one instance that I have here—the Report of what was termed, the Lynskey Tribunal in 1949—we find that in that Tribunal there was clearly hearsay and similar evidence led, there were clearly persons' character and reputation impugned by that or other

[The Minister for Legal Affairs]

evidence, with the adverse reflection on the person's character not being established or carried to a conclusion.

May I just read, with your permission Mr. Speaker, two paragraphs of this report. The first is, "Much of this evidence would not be admissible in the case of an individual witness in proceedings against him or in litigation in which he was concerned. In coming to a conclusion as to the conduct of any individual witness, and, in particular, whether any allegation made in reference to him has been justified, we have had regard only to such evidence as would properly be admitted in a case, in which he was a party and his conduct was in question". Now, that, it seems to me, is the manner in which the Lynskey Tribunal—which consisted, may I remind the Council, of Mr. Justice Lynskey, G. Russell Vick and Gerald Upjohn, both Queen's Counsel dealt with that point.

The second paragraph, "Some of the witnesses in the course of their evidence referred to other alleged transactions in which other persons were involved and their names were mentioned. It was quite outside the terms of our appointment to deal with such alleged transactions and we make no findings thereon. No inference, therefore, ought to be drawn that such transactions took place; as alleged, or that the persons named in the reference thereto had any part therein. Such persons should not be the subject of adverse comment". That is the manner in which the Lynskey Tribunal dealt with that particular point. But, the fact remains, that these criticisms, which have been raised in this debate, are not peculiar to the recent inquiry; it may be that they are inevitable in all forms of such inquiry, and, realizing that they have occurred elsewhere and on other occasions, and realizing that they have not given rise even to the introduction of general rules of procedure, again I ask would it be wise or, indeed, might it not be presumptuous, if we were to attempt to attempt before.

There is provision, as the hon. Member pointed out, in section 2 of the Ordinance, to prescribe in the commission of a particular Commission of Inquiry, for the manner in which it should be conducted. It seems to me that that may be

the best answer in that one can then relate one's prescribed procedure to the nature of the inquiry in question, in other words, one bears in mind the dangers and the pitfalls and one attempts, without in any way inhibiting the Commission from discharging its proper function of discovering the truth, one attempts to set a pattern for the procedure of that particular Commission. That may be the best answer; it may be the reason, again, why elsewhere there has not been an attempt at generalization in these matters.

I think that, to a certain extent, one has to acknowledge that these Commissions of Inquiry are unpleasant affairs, they arise in unhappy circumstances and they are usually directed to the discovery of unsavoury things. To some extent, therefore, there is bound to be, in the course of these inquiries, some impugning of reputations, some personal embarrassments and some measure, perhaps, of unfairness to the individual in pursuing the greater object, that is to say, the general interest of the public. Any such consequences must be minimized, but, in some measure, they may be, indeed, inevitable.

Now, in regard to the nature of evidence which is led, I think it right to say, and I think that one can take the Lynskey Tribunal as an illustration from elsewhere, that the evidence which is led and which comes out at a public inquiry of this nature, is not really in the control, in the effective control, of the Commission. It is much more and, possibly, entirely, within the control, the effective control of counsel, but, even in so far as counsel is concerned, it is not possible, and never has been possible and never will be possible, for any counsel to guarantee what his witness is going to say in the witness box. A witness may fail to come up to proof; a witness may exceed his proof, and particularly is that so where in the form of inquiry such as we are discussing, one has the counsel who leads the evidence, one has one, two, three or more commissioners, each possibly asking questions and developing tangents and different lines of thought, and one has other counsel representing other interests doing the same thing. It is never possible, therefore, to ensure that

[The Minister for Legal Affairs]

a witness will, or will not, say a particular thing in the course of his evidence. It is, therefore, virtually impossible for the Commission in such circumstances, or, to a large extent, for counsel in such circumstances, to ensure complete control of the evidence, and the nature of the evidence, which comes out in the course of the hearing. And, of course, when evidence which, for one reason or another, may be objectionable, is led; it can be disregarded. It will be disregarded. We lawyers have developed an extra sense of being able to disabuse our minds of matters which should not be given any force in our deliberation. I trust that some of my colleagues, my hon. colleagues in this Council, may have also succeeded in developing that extra sense or, possibly, if they continue to try hard enough, may do so in the future.

However, the point is that when such evidence is led, particularly when it is led in a public inquiry, there is the damage done and, so far as publicity, public opinion, is concerned, there is really no practical answer, though I believe the Americans have sought to devise one in their practice of ordering certain pieces of evidence to be "stricken from the record". Well, now, it may be stricken from the record, but, having been said, nothing can strike it from the minds of those who hear it.

I would like to refer, Mr. Speaker, to the hon. Member's analogy with criminal proceedings. He referred to judicial comment on the evil of publicity in the early stages of a trial. That is so. It is an evil, but it is an evil which is again inevitable, because we still have it. It is one of our fundamental principles that proceedings to be carried on in open court—they are open, therefore, to the Press and to the public; unless, for a very limited class of very cogent reasons, it is necessary in the interests of justice for the court to exclude the public.

Now, the point of analogy is here, that you get that publicity; you get the early stages of criminal proceedings published, but what is not permitted is public comment which might prejudice the outcome of the trial. Now that accepts that the individual cannot be

prevented from forming his own conclusions, but what is not permitted is the comment which might suggest to the individual a particular conclusion to which he, or someone else, has come or might come. If one applies the analogy to a commission of inquiry, one gets the publicity of the unpleasant evidence which is led, but one has not had, and very properly one has not had, from the Press, comments and attempts to assess the evidence or to persuade public opinion to one view or another. We have had in one case, if I may say so, accurate and objective reporting, just as accurate and objective reporting of criminal proceedings, is entirely permissible. We have not had comment or criticism or accusation or presumptive conclusions published which, as in the case of criminal proceedings, would not be appropriate or, indeed, permitted.

Now, in general, in regard to commissions of inquiry, I think the principle should be that the best evidence of any particular matter, the best evidence available, should be led; that the introduction of evidence other than direct evidence, should be conditioned by the consideration whether its evidentiary value is such as to warrant its introduction notwithstanding the possible prejudice which it may do, or create, to another interest. When one says that, one has said something which is really true. That sort of thing is not a matter which it is appropriate to incorporate in a rule of procedure. It is not a rule of procedure in effect. Therefore, Mr. Speaker, I believe that we should proceed in these matters by way of *ad hoc* consideration for each commission and, God willing, there will not be many, so that we relate the form of procedure and the requirements of procedure, which we have in mind, to the particular nature and form of inquiry in question.

However, I do not wish to be dogmatic on this subject, and I think it is a matter in which possibly greater consideration might be given to the definition, if that be possible, of general rules of procedure which would contain sufficient latitude, without completely emasculating the rules, sufficient latitude to meet peculiar circumstances which are very difficult to anticipate in advance and to foresee, and I think we

[The Minister for Legal Affairs] might possibly consider whether a project of that nature is practicable and, indeed, wise.

I, therefore, Mr. Speaker, beg to move an amendment to the Motion, namely, that the Motion be amended by substituting for the word "introduce" the words "consider the introduction of". Now, in case any wit from the other side of the Council should suggest that I move this amendment for fun, I would ask them to consider first, before they inflict their wit upon us, the significance of this amendment which, I feel, should be self-evident.

I, therefore, only wish to conclude, Mr. Speaker, with the observation that I do not wish to oppose or, indeed, to endorse anything in the form of injustice, which is unjustifiable. There are certain matters and certain occasions in which injustices to individuals are justifiable by reason of a greater interest, and I do not wish to give an undertaking that something will be done in respect of general rules of procedure, when, despite the lucidity and potency of the argument adduced by the hon. Mover and Seconder, I still remain unconvinced that it is either wise or desirable.

Mr. Speaker, Sir, I beg to move my amendment.

Mr. CONROY (Nominated Member) seconded.

The question of the amendment proposed.

MR. HARRIS: Mr. Speaker, Sir, I accept the amendment.

MR. SLADE: Mr. Speaker, Sir, knowing how much hon. gentlemen opposite enjoy their amendments, I do not begrudge them this one.

The question of the amendment put and carried.

THE SPEAKER: (Sir Ferdinand Cavendish-Bentley): No other hon. Member wishing to speak, I will call on Mr. Slade to reply if he wishes to do so.

MR. SLADE: Mr. Speaker, I do not think I need be very long in replying to this debate. I am grateful to Government for accepting the spirit of this Motion, even if they could not accept the precise wording. Nevertheless, Sir, I am also very

seriously disappointed in the attitude of my hon. and learned friend to my contention that there is a lot to worry about. I had the impression throughout his speech that he was really telling us that what has happened over the last few months, is something that is bound to happen in every inquiry and there is not very much one can do about it. If that really is his attitude, and the attitude of others who are going to be entrusted with inquiries of this kind, we are in a bad way.

Sir, before dealing with the more specific issues, I would like to clear up one or two points. First, with regard to something that the hon. Member for Mombasa said in seconding this Motion, which I think was rather misunderstood by the hon. the Attorney General. That is that the hon. Member for Mombasa was not suggesting that this particular inquiry should have been held in private; very much the reverse. He was acknowledging that there are occasions when you have to have inquiries in public, and that this was one of them; but he went on to point out that it is on those occasions that the trouble is likely to arise.

Now, my hon. and learned friend pointed out that there was fear that this inquiry might develop into a whitewash, and I am sure that is so; but I would suggest that mere recognition of a fear of that kind should not frighten the organizers of an inquiry into the opposite extreme of mud-slinging; and there is danger of that, if you are too anxious to satisfy those who fear a whitewash.

There is one further incidental point on which I must challenge my hon. friend, where he said that this inquiry had to be public because of the staff of the City Council having been apprehensive of victimization, and that apprehension having been widespread. Well, Sir, I am quite certain that there are many outside this Council who would like me to challenge that statement; both City Councillors and members of staff who would like me to challenge that statement that fear of victimization was widespread on the staff. Maybe one, two or three members of the staff perhaps had this fear, but "widespread" I am not prepared to accept Mr. Speaker.

Then, my hon. friend went on to point out how complex this inquiry had been

[Mr. Slade] and how many hours of sifting there had been in relation to every hour of actual hearing. There is some excuse, he said, if the works sometimes go wrong. But if there are to be so many hours of sifting, Sir, I would suggest that just one extra hour, to make sure that you are not bringing a mass of irrelevant, unsubstantiated, unfair evidence, might be worthwhile, and might, in fact, save many hours.

And then, Sir, and this is the crux of the debate really, and the reason for the amendment which has been accepted, my hon. friend says, "Is it practical to make rules of procedure on these subjects?" and, point by point, showed why he thought it was not practical. First of all, he agreed that everyone whose character was going to be impugned by evidence in one of these inquiries, should have notice and the chance to appear, cross-examine and defend himself. He said it is difficult to devise a rule of procedure. Well, Mr. Speaker, I question that. In fact, there has already been an attempt to devise a rule of procedure in section 13 of the Ordinance. It is there. The legislature, at the time this Ordinance went through, thought it was a suitable matter for a strict rule and thought it was a necessary matter for strict rule. The only trouble is that their strict rule, devised by section 13 of this Ordinance, does not go quite far enough. It does not provide for the persons concerned being given notice of what is coming along.

Now, my hon. friend says that you cannot always give notice. Sometimes you get criticism of a man thrown out by a witness *improvisit*. That is true, but you can still provide that if that occurs, he is to be stopped until the person concerned is warned and has a chance to come and hear the witness. That is what is done in a court of law.

My hon. friend laughs rather at the American scheme of "striking off the record", but, really, it is worth a great deal, and it is equivalent to what happens in our courts of law. If a witness begins talking out of turn, he is stopped, and the public hear him stopped; and because he has been stopped they know that that is not the sort of evidence that ought to be entertained or considered by anyone.

They get their warning straight away, at the same moment as they read the evidence, if it still gets into the newspapers in the hands of a responsible Press. So it is worth quite a lot, and quite possible; I do suggest, Sir, to anyone who is really trying to devise a rule of procedure in amplification of section 13, something to the effect that no evidence to the detriment of any person's character shall be entertained, until he has been given reasonable notice and opportunity to come and hear it. By using the expression "shall be entertained" I think, Sir, you cover it; because the chairman of the Tribunal would refuse to entertain what the witness is trying to tell him; and would say so.

So much for the first point. On the second point, my hon. friend agrees that we do not want hearsay evidence, particularly when it affects characters. But I do suggest, Sir, that we have got to make sure we do not have it. He said it is difficult to legislate because of the odd case—the ingenious example he gave. A man in his own defence might have to say what he had heard about someone else and that might, or might not, be relevant. But the point is, Sir, first of all that hard cases make bad law; secondly, that there is a very good law, a very good law of evidence, in our courts, a whole body of evidence which covers this question of hearsay and which could be applied, by the stroke of a pen to the particular question of hearsay affecting personal character.

Now, the Lynskey Tribunal, which my hon. friend quotes, put the very words that we need into our mouths. They said, I cannot remember the exact words he quoted, but it was to the effect that they had only had regard to evidence reflecting on an individual which could properly have been admitted in a case to which he had been a party. Now if that was all they had regard to, and that was the principle they worked on, what on earth is to prevent us embodying that principle in a rule of procedure and saying just that, and going a step further and saying that the commission shall not only limit their regard to evidence of this kind, but they shall limit the evidence itself to evidence of this kind? If we did the latter, it would

[Mr. Slade] make all the difference. A rule of procedure which directly imported the ordinary rules of law and hearsay, as affecting personal character, not in any other aspect, would be simple and, I suggest, Sir, not only desirable but absolutely necessary in view of what has occurred.

As regards the third point, my learned friend says, yes he agrees that you do not want opinions about other peoples' motives and so on, but there are exceptions. Well, to the best of my knowledge, Mr. Speaker, there are no exceptions in a court of law where a man's liberty or his life are at stake. Why should there be exceptions when his reputation is at stake in a court of inquiry? Why cannot we here also import that particular section of the law of evidence that matters so much to all of us?

On the fourth point, as regards presumption of innocence, I thought I made it very clear, Sir, in moving, that there was no question of this commission, or any counsel appearing before this commission, presuming guilt. What I did say was that evidence was led in such a way as to create a presumption of guilt in the minds of the public. My hon. friend said you cannot help that. Indeed, you cannot help the public being biased, to some extent, by first-hand evidence, proper evidence led against a man and published before the public have heard his defence. You can prevent, and should prevent, innuendoes, rumours, unsubstantiated stuff being thrown to the public for them to enjoy, when you know very well, yourself, at the moment you do it that the victim has a complete answer, by first-hand evidence, and that is what I was talking about.

It is, indeed, depressing, Sir, to hear such a defeatist approach from Government on a matter of this kind. Suggestions, such as, "really this sort of thing is inevitable in all forms of inquiry", really, perhaps, it would be best to deal with it on an *ad hoc* basis so far as it may be necessary at all, and the implication that "commissioners cannot control evidence". Indeed they can, Sir, just as much as a judge can. The chairman of a commission can say at any moment,

even now under the existing law, "We are the men who make the rules and we say that under the rules we are operating with, we will not listen to evidence of this kind. It would be utterly unfair to bring evidence of this kind. Stop it. Do not do it again." Cannot control the evidence! Indeed, Sir, it is true, as my hon. friend said, that it rests even more in the hands of counsel conducting the inquiry, because he is the man who decides what evidence is ever going to come before the commission at all and he can ensure that not even a wrong word will be brought deliberately before the commission.

Indeed, it is true, Mr. Speaker, as my hon. friend said, you cannot sometimes help a witness giving you a surprise. I have learnt that to my own cost. But that is not what we have been talking about to-day. The hearsay evidence and the rumours, the opinions on character and motive, to which I referred in moving this debate and to which, I think, hon. Members all knew I referred were clear-cut cases of such evidence having been deliberately led, quite deliberately. Counsel knowing very well that the witness was going to say that very thing. Often the chairman knowing it too. Often the commissioners actually inviting it, encouraging it. And that is the complaint here, Sir, and yet we are given to understand that really there has not been anything to worry about. I hear no admission from the other side that the facts were as I alleged them in moving, the facts of this recent inquiry. I hear not regret that they should have occurred beyond the suggestion that that they are inevitable. I say, Sir, if that is the attitude, all the more necessary to have rules of procedure, who else is going to feel like that? How many more commissioners are going to feel, "Oh, we cannot help evidence of this kind coming before us and being published all over the country. It is just inevitable in an inquiry of this kind." No, Sir, we have got to have rules of procedure to ensure that this sort of thing does not happen again; and it rests, as the responsibility of my hon. and learned friend, to devise such rules of procedure, in spite of the difficulties that he anticipates but which are not to me so clear.

I beg to move.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): Mr. Speaker, Sir, on a point of personal explanation. My hon. and learned friend challenged a statement of fact which I had made. I accept responsibility for that statement of fact, Mr. Speaker, and I feel that I should so confirm. I did explain in my speech that I had had representation from responsible representatives of the staff, and in explaining why I accept responsibility for that statement, I may be permitted perhaps, to explain that those representatives came from the responsible office bearers of the Staff Association.

The question was put and carried.

COMMITTEE OF THE WHOLE COUNCIL

Order for Committee read. Mr. Speaker left the Chair.

IN THE COMMITTEE

[D. W. Conroy, Esq., O.B.E., T.D., in the Chair]

THE PHARMACY AND POISONS BILL

Clauses 1 to 28 agreed to.

Clause 29

DR. ANDERSON: Mr. Chairman, Sir, I beg to move the following amendment. That after the word "offence" in line three of sub-section 4 add the following words:

... and shall be liable on conviction to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment."

The reason for this Motion, Sir, is that it was omitted in the printing of the draft Bill.

Question proposed.

The question was put and carried.

Clause 29, as amended, agreed to.

Clauses 30 to 52 agreed to.

Schedule agreed to.

Title and enacting words agreed to.

The Bill as amended to be reported.

THE LAIBONS REMOVAL (AMENDMENT AND EXTENDED APPLICATION) BILL
Clauses 1 to 3 agreed to.

Schedule agreed to.
Title, Preamble and Enacting Words agreed to.

The Bill to be reported.

THE SUPPLEMENTARY APPROPRIATION BILL

Clauses 1 and 2 agreed to.

First Schedule agreed to.

Second Schedule agreed to.

Title, Preamble and Enacting Words agreed to.

The Bill to be reported.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock): Mr. Chairman, I beg to move that the Committee do report back to Council its consideration of the Pharmacy and Poisons Bill with amendment and the Laibons Removal (Amendment and Extended Application) Bill and Supplementary Appropriation Bill without amendment.

Question proposed.

The question was put and carried.
Council resumed.

[Mr. Speaker in the Chair]

REPORT

MR. CONROY: Mr. Speaker, Sir, I beg to report that the Committee of the whole Council has gone through the Pharmacy and Poisons Bill, 1956, and has made amendment thereto:

REPORT

MR. CONROY: Mr. Speaker, Sir, I beg to report that a Committee of the whole Council has gone through the Laibons Removal (Amendment and Extended Application) Bill, 1956, and directed me to report the same without amendment.

THE LAIBONS REMOVAL (AMENDMENT AND EXTENDED APPLICATION) BILL

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock): Mr. Speaker, I beg to move that the Laibons Removal (Amendment and Extended Application) Bill be now read the Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read the Third Time and passed.

REPORT

MR. CONROY: Mr. Speaker, Sir, I beg to report that a Committee of the whole Council has gone through the Supplementary Appropriation Bill, 1956, and has directed me to report the same without amendment.

THE SUPPLEMENTARY APPROPRIATION BILL

MR. MACKENZIE: Mr. Speaker, I beg to move that the Supplementary Appropriation Bill be now read the Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read the Third Time and passed.

MOTION**INTEREST ON LOAN TO LAND BANK**

MR. MACKENZIE: Mr. Speaker, Sir, I beg to move:

That this Council do approve, in accordance with the provisions of subsection (2) of section 23 of the Land and Agriculture Bank Ordinance, that the rate of interest on the loan of £750,000 granted to the Bank in June, 1954, be fixed at 4.02 per cent per annum from the date of issue of the loan until 1st June, 1961.

The purpose of this Motion, Sir, is that on 4th July, 1954, this Council agreed that a loan of £750,000 should be made to the Land Bank. Under section 23 of the Land Bank Ordinance, it is necessary to obtain the approval of this Council to the rate of interest. The purpose of the Motion is to obtain that approval. The normal rate of interest for this loan is 4 per cent, but it is also necessary to add 0.02 per cent, which is the proportionate cost of raising and managing the loan, and therefore the total amount is, as stated in the Motion, 4.02 per cent.

Sir I beg to move.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coultis) seconded.

Question proposed.

MR. TYSON: Mr. Speaker, Sir, may I ask why the rate should be fixed at such a low rate as 4.02 per cent. The hon. Financial Secretary to the Treasury referred just now to what he called a normal rate, but my recollection is that the last loan raised by the Kenya Government carried interest at the rate of, I think, 5 per cent per annum, and if that is so, does it not prove that the Government of the country is subsidizing the Land Bank to the extent of the difference between approximately 5 per cent and the rate of 4.02 per cent, which is to apply, incidentally, until 1st June, 1961? With interest rates tending in the direction they are, it seems to me that the subsidy may steadily increase and I would like the hon. Member to give us some explanation.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): If no other hon. Member wishes to speak, I will call on the Secretary to the Treasury to reply.

MR. MACKENZIE: Mr. Speaker, Sir, I am glad that my hon. friend raised this point. The position is that this loan was originally approved, as I mentioned in moving the Motion, it was originally approved in July, 1954, when, of course, the rate of interest was not nearly so high as it is at the present time, and the agreement with the Bank was made at that time and quite clearly it would be wrong to fix a higher rate of interest at this stage, when all their arrangements have been made on the assumption that they were borrowing at 4 per cent. That is the reason why, although the present rate is more of the order of 5 per cent, this loan, in fact, will merely bear interest at the rate of 4 per cent. Had this Motion been brought before the Council at that stage, it would have been generally accepted that 4 per cent was a reasonable rate.

The question was put and carried.

ADJOURNMENT

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): In accordance with the Resolution passed to-day, Council will stand adjourned until 2.30 p.m. on Tuesday next, April 24th.

Council rose at fifty-five minutes past Five o'clock.

Tuesday, 24th April, 1956

Council met at thirty minutes past Two o'clock.

(Mr. Speaker (Sir Ferdinand Cavendish-Bentinck) in the Chair)

PRAYERS**PAPERS LAID**

The following Papers were laid on the Table:—

The Employment (Provident Funds and Superannuation Schemes) (Amendment) Rules, 1956.

Annual Report and Audited Accounts for 1955 of the Higher Education Loans Fund.

(By THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coultis).)

ORAL NOTICES OF MOTIONS**LIQUOR BILL—SELECT COMMITTEE**

THE ASIAN MINISTER WITHOUT PORTFOLIO (Mr. A. B. Patel): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT a Select Committee be appointed to examine and report on the Liquor Bill (Bill No. 27) consisting of:

The Asian Minister without Portfolio (Chairman).

The Minister for African Affairs.

The Parliamentary Secretary to the Minister for Education, Labour and Lands.

The Hon. T. F. Anderson, O.B.E., M.D. (Director of Medical Services).

The Hon. D. W. Conroy, O.B.E., T.D. (Solicitor-General).

The Hon. Sir Charles Markham, Bt.

The Hon. H. Sjåde.

The Hon. J. S. Patel.

The Hon. E. W. Mathu.

LEGISLATION TO PROTECT TENANTS

MR. CHANAN SINGH: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT the Government be requested to consider the introduction of permanent legislation for the protection of tenants and landlords by guaranteeing to tenants security of tenure on payment of reasonable rent.

REPORT

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock): Mr. Speaker, I beg to move that the Council do agree with the Report of the Committee on the Pharmacy and Poisons Bill.

The Pharmacy and Poisons Bill

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock): Mr. Speaker, I beg to move that the Pharmacy and Poisons Bill be now read the Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read the Third Time and passed.

MOTION**EAST AFRICAN INDUSTRIAL LICENSING ORDINANCE—AMENDMENT OF FIRST SCHEDULE**

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): Mr. Speaker, I beg to move—

THAT the First Schedule to the East African Industrial Licensing Ordinance, 1953, be amended by the deletion of the following items therefrom:—

Woolen yarn.

Glazed articles of pottery.

Caustic soda, other than caustic soda manufactured by way of recovery from a residue resultant from the use of caustic soda in any process.

Mr. Speaker, these items have been on the First Schedule of the East African Industrial Licensing Ordinance for a number of years. Unfortunately, nobody has applied for licences and none have been granted. It is, therefore, thought fitting, by the Governments concerned, that these items should be deleted from the Schedule, if there were any demand for protection of this kind, then, Sir, I, and my colleagues in the other territories, would come to the Legislatures with the appropriate Motion.

I beg to move.

THE PARLIAMENTARY SECRETARY TO THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Madan) seconded.

Question proposed.

MR. TYSON: Mr. Speaker, may I ask the hon. Minister if he can say why he has not included in his list of items to be deleted the question of glass bottles in view of developments which have recently taken place?

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): If no other Member wishes to speak, I will ask the hon. Mover to reply.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): In replying to the hon. Member, he may well be aware, or he may not be aware, that there were two factories making glass bottles. One is in Mombasa, one was in Nairobi. Needless to say, those lines that are no longer manufactured in Nairobi will, of course, come in freely, but it would not be appropriate to remove the item from the Schedule for the reason I have given.

The question was put and carried.

MOTION

SUSPENSION OF STANDING ORDERS
Order for Motion read.

The Motion appearing on the Order Paper reads as follows:—

That it be ordered that the debate on the Motion "That this Council approves the terms of Sessional Paper No. 78 of 1956" be exempted from the provisions of Standing Order No. 10 to the extent necessary to enable it to be completed before Council rises on Wednesday, 25th April, 1956.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): Hon. Members, under existing procedure, which I submit, requires some rectification, I do not see. Orders of the Day until they are printed, Under Standing Order No. 41 (c), this particular form of Motion to suspend Standing Rules and Orders can only be moved with the permission of the Speaker. For to-day, at any rate, I am withholding my permission.

One of the many important duties which rest on any Speaker is that of safeguarding the interests and rights of minorities. In any House or Assembly, all Members have equal rights and this Motion, I submit, suggests to some extent curtailment of the right of debate—possibly unintentionally but it does. In this particular Assembly, Government has a big majority and, naturally, it is

not for me to hinder the Government from using that majority to pass through any practical measure it sees fit to pass. This proposed Motion however is of a different category and if I allow this Motion, I then possibly allow a precedent to be established under which it might be assumed that Government can use its majority to deprive individual Members of the right of expressing their views by forcing through a Motion to suspend Standing Orders in order to curtail the time which is given to discuss what might be a controversial Motion. I submit that if I allowed that precedent to be established I should be failing in my duty.

If later, hon. Members decide, which I think may be necessary, to establish a system of curtailing the time taken by debate on various Motions, then that system must be carefully thought out and must be provided for in our Standing Orders. At the moment there is no such provision, so to-day, at any rate, I do not allow this Motion. If to-morrow the debate still continues, which it may not, and there is a question of one more speaker or something of that kind and the Council thinks it right to prolong the sitting for half an hour or so to allow the debate to terminate, then that is another matter, but I will not allow this Motion to-day.

THE CHIEF SECRETARY: If I may explain, Sir, I would like to say, and I think I here speak for all Members of the Sessional Committee, there was no intention of curtailing debate or interfering with the rights of minorities. Our sole purpose was to control prolixity. But we accept your ruling and we will take such steps as are possible to meet your wishes.

MOTION

IMMIGRATION POLICY

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, I beg to move:

THAT this Council approves the terms of Sessional Paper No. 78 of 1956.

The purpose of the Sessional Paper, Sir, is to present to hon. Members the modifications in the policy and procedure connected with Immigration Control which the Government considers are in the best interests of the Colony. The Paper has been drawn up in general

[The Chief Secretary]

terms and has been made as short as possible. I propose to amplify it, first by describing the problem which faces us, then by referring to the present methods of control, and finally by explaining the manner in which the Government considers these methods can be improved. I will be as brief as I can, but, in the light of the many misconceptions that are current, I feel I have no alternative but to deal with the matter at some length.

May I say first of all, that there is no intention of changing the basic principles of immigration policy. The variations which the Government has put forward in this Paper, are, as I say, modifications and variations in emphasis and procedure. There is no great innovation in policy.

Sir, when Mr.—now Sir—Stafford Foster Sutton moved the Second Reading of the present Ordinance, he gave some impressive statistics which showed the growth of Kenya's population between 1926 and 1946 and, when I say Kenya's population, I mean, of course, all those of whatever community whose homes are in this country. With these figures as a background, he spoke of the great social and economic danger that the country would have to face, if steps were not taken to ensure that the rising generation of local people had a proper chance to take up employment. This is what he said, "I think it is vital for people to appreciate the fact now that as time goes on there are going to be more and more children leaving school who will have to find a place and find a living in this country. They are born here. They regard it as their home and are entitled to look to Government for protection. They are entitled to expect Government so to regulate its affairs that when they are ready to come out into the world and earn a living, not every single job that would otherwise be open to them is occupied by aliens from abroad. I say aliens, meaning, of course, from any country, whether it happens to be a country of the British Empire or anywhere else. I do feel that the people who have made this country their home are entitled to expect proper protection from the Government."

This the Government regards as the basic principle of the Ordinance; and it

is upon this principle that our immigration policy will continue to be based.

I will try to quote as few figures as possible, but it is my duty to acquaint hon. Members with the extent to which the problem referred to by Sir Stafford Foster Sutton has increased since he spoke towards the end of 1947. In 1948 the number of African lads leaving school each year, at the end of the primary course, that is to say after four years of education, was about 3,000. In 1954 it was 21,000 and four years hence, it is likely to be 60,000. In 1948 the number of Africans leaving school each year at the end of the intermediate course, that is to say after eight years of education, was about 1,500. In 1954, it was 5,500. Last year, it was something like 9,000. In 1960, it is likely to be 25,000. Now the Government does all it can to find employment for these intermediate school-leavers. They are employed, in so far as it is possible, in departmental training schemes, in teacher-training establishments and in the Government's trade and technical schools. But, the best that the Government can do by way of finding employment for these lads will not touch more than a proportion of the total. Many will return to their shambas and their villages. Some will find low-grade industrial and clerical employment. But, what is to happen to the remainder of them? A lad with eight years' education has the background and the general basic equipment to enable him to play some kind of a part in the economic life of the Colony and first and foremost in the various employments open to him are the skilled trades. But, he cannot walk into a skilled, or even a semi-skilled job. Here, as in every country in the world, he has got to be trained for it; and as in every other country of the world, it is up to the various trades to do most of this training. To achieve this end, the Government does, and will continue, to offer all the encouragement and help that it can. The Government has accepted the responsibility of providing a basic eight years' education as soon as its resources permit; but after those eight years, agriculture, industry and commerce must play their part.

If these young men are not absorbed into the economic life of the country, they are likely to turn into a canker of

[The Chief Secretary]

semi-educated unemployed, lacking in self-respect, disgruntled and embittered and ripe for any kind of agitation. The problem of the 9,000 who left in 1955 is big enough, but if we are to cope with the increase in the future leading up to the 25,000 in 1960, we have got to make a fairly radical change in our thinking.

I do not propose to deal with the question of secondary school-leavers. For the time being their absorption presents no serious problem. Of the 250 or so who passed their School Certificate last year, all but a score have been absorbed in employment, and as far as we can see this is likely to be the case for many years to come.

The Asian picture is rather less alarming, because the numbers are smaller, but it gives us no cause for complacency. The number of Asian boys who leave school each year with seven years of schooling behind them, that is to say at the end of the Asian primary course, and who do not continue their education in secondary schools, has increased from less than 1,000 in 1948 to 1,500 last year. The increase is less startling than in the case of the African because we are only dealing with a natural growth of population. We are not dealing with an enormous expansion in educational facilities such as is taking place in the African sphere. All the same, in the next five years we can expect to have to find employment for something like 8,000 local Asian lads for whom there will be no room in the secondary schools. Some will get jobs as shop assistants, and as low-grade office workers; but there is no doubt that larger and larger numbers of these young men will have to take up artisan employment, and they too will have to be trained.

The future of Arab youths presents an equally pressing problem. This community has made great strides in the past few years and they must be helped to play a responsible and adequate part in the development of the country.

Well, Sir, this is one aspect of the problem. To find employment now and in the future for the increasing number of local young men who are coming on to the market. We could, of course, attempt to solve it by clamping down on all immigration and adopting a policy of

local self-sufficiency based upon our own unskilled and semi-skilled men; but, this would not do at all. Here, if I may quote, I would like to quote what is said in paragraph 16 of the Sessional Paper. "In a comparatively undeveloped territory it is essential to encourage the introduction of capital and of people who possess special knowledge, ability, experience or skill. Without such an addition to the resources of the country, the rate at which economic development can take place is bound to be very slow; this must in turn delay a rise in the standard of living and in the provision of increased social services." The basis of any immigration control is to lay down a policy which will enable us to distinguish between those that we wish to encourage to come into the Colony, either on a permanent or temporary basis, and those whose presence will not, in our opinion, benefit us; and this control must be operated by some suitable machinery. The present policy which is largely one of protecting local interests was enunciated in great detail in the Second Reading of the present Ordinance.

Now, for the operation of this policy, we have two distinct machines. The machinery used to deal with those people who wish to enter the Colony under an entry permit granted in accordance with provisions of section 7 of the Ordinance is that of the prescribed authority. The authority deals with persons who seek a permanent right to enter the Colony and their judgments are, of course, based on fairly long-range criteria. The machinery for dealing with persons entering on permits issued under the Immigration Control Regulation is controlled by the Executive. This type of immigrant does not seek anything more than a temporary right, and in exercising its discretion the Immigration Department is guided by relatively short-range considerations. The prescribed authority which is responsible for assessing the suitability of intending permanent immigrants is the Immigration Control Board. It is a Statutory Board established under the Immigration Control Regulations. It consists of both official members and representatives of the various communities. It exercises a quasi-judicial function; its constitution and the sphere of its responsibilities is explained in the Sessional Paper. Temporary entry

[The Chief Secretary] is controlled by the Principal Immigration Officer, he is the Executive authority responsible for the operation of the Immigration Control Regulations.

For two main reasons this method of dealing with the problem of immigration is not as effective and as efficient in the circumstances of to-day, as it should be. First, the use of this Statutory Board as the prescribed authority under section 7 does not grant that flexible and close integration of economic policy and immigration policy which is of such profound importance in a country like ours in its present state of development. Secondly, as has been pointed out in the Royal Commission Report, we have thought too much about the protection of local men from competition and not enough about the development of their skill.

Now, Sir, I hope that what I have said about the Immigration Control Board will not be regarded as in any way ungrateful. The Board, since it was first appointed in 1948, has proved itself a model of impartiality, good sense and courtesy. But one cannot appoint a Statutory Board with a quasi-judicial function and then turn round and tell it what policy to adopt. For the Government to attempt to impose its wishes upon the Board would be most improper, and the Board has, therefore, been given a fairly free hand; and despite the very heavy burden including decisions on economic problems, which has been placed upon it has acquitted itself with the utmost credit.

If we were still operating under the old Colonial Office system of Government, there would still be a need for an Immigration Control Board of this sort. But the constitutional changes of the past two years have put a very different complexion on matters. The Government itself now contains representatives of the European, African and Asian communities, and, in addition, has the benefit of the counsel of my hon. friend, the L'wali, in his capacity as the Governor's adviser on Arab affairs. In these circumstances the Government feels that the time has passed when it should stand on one side and allow these responsibilities to be executed by a Statutory Board, however distinguished its members may

be; especially as this Board is designed to represent the various interests in the territory and as these interests are now contained within the Government. It is, therefore, proposed that the control of this aspect of immigration policy, that is to say entry under the provisions of section 7 of the Ordinance, should be transferred to the Executive; and that the Principal Immigration Officer should become the prescribed authority responsible for the grant of certificates under section 7.

When I say the "Executive", I mean, of course, the Governor in Council of Ministers, not some vague tyrannical fellow known as the "Executive Officer". The executive authority under the new arrangements will be advised, just as the Immigration Control Board is at present advised, by the various authorities, which are appointed under the Immigration Ordinance. They are set out in paragraph 6 of the Sessional Paper.

In exercising this authority, the Principal Immigration Officer will, of course, act within the ambit of the Ordinance and of the supplementary legislation; and will be further guided by regulations and directives from the Governor in Council. These regulations will be laid on the Table of the House.

The Government is of the opinion that two major advantages will flow from these changes. The policy to be followed, within the principles of the Ordinance, will be framed by the Executive in accordance with the general needs of the Colony—the needs of the time—and the operation of the policy can be modified from time to time in relation to current requirements. Secondly, there will be a full co-ordination of policy between the machinery used to assess the merits of persons who wish to enter under an entry permit under the Ordinance, and the machinery for those who wish to enter under a pass, in accordance with the regulations.

With regard to entry permits under Class B to F of section 7, hon. Members will see from paragraph 15 of the Sessional Paper that two changes are contemplated. The first dispenses with the requirement that the intending immigrant should be in possession of some specified sum. The reason is that it may well be that the intending immigrant, although

[The Chief Secretary] lacking the capital resources laid down, may have technical experience, or qualities of initiative and drive which would make his presence in the Colony a great asset to us.

The second change is the application of a positive criterion, to the effect that the immigrant's engaging in business or farming, or whatever it may be, will be to the general benefit of the country. This will replace the present negative criterion, which says that the Control Board must be satisfied that his presence will not be prejudicial to the inhabitants of the Colony generally.

This is rather more than a mere juggling of words, for it is the intention of the Government to assess the full benefit which will be produced by a man taking up employment or going into business; and we shall consider not only the economic desirability and the question of unemployment, but social development of all communities in its widest sense.

A change has also been made in the requirements laid down in connexion with section 8. It is proposed that instead of prescribing two sets of assured incomes, one for Europeans and one for non-Europeans, there should be one single set of these incomes. In view of the increase in the cost of living and the general changes over the past eight years, the intention is that the range to be adopted be the higher of the two.

I mentioned that the second unsatisfactory feature of the present handling of immigration control concerned the facilities available for local men to develop a skill as artisans. Here I must return once more to the conflict referred to in the Royal Commission Report, and in the Seasonal Paper, the need to protect the expectations of employment of local people, versus the need to maintain the speed of economic development. I repeat here what I said earlier, that we clearly cannot go in for a wholesale policy of protection, for if the economy of the country is to be expanded, we cannot do without the skilled immigrant man. On the other hand, if employers continue to find no difficulty in obtaining cheap skilled men from abroad, there will be no incentive for them to ensure that their local Asian and local African

employees are given every facility for increasing their knowledge and their output, and their ability generally; and those Africans who receive training at the Government Training School are likely to find themselves unable to enter employment on the completion of their courses.

A policy of unselective immigration is, therefore, Sir, impossible. True, it would be easy and cheap and might solve a number of immediate problems. It might open a few additional avenues of employment, but it would not be to the general good of the country. It would not offer any prospect of worthwhile employment to the Africans of the intermediate school standard, and to the Asians of the ex-primary school standard, who would find it hard to get into jobs above the level of the ordinary unskilled worker. This is a matter in which we must consider the social implications as well as the economic ones, and the need to develop our resources in manpower in addition to our need to develop our local resources in material. We shall not get far if we develop our industry on imported skill and in doing so drive the local man—the local African and the local Asian—into levels of employment which are really below his capacity, while at the same time the immigrant does the job which the local man feels he should be enabled to fit himself to do.

This brings me to the major issue in the Seasonal Paper. What should our attitude be towards the semi-skilled man or the unskilled man of this country, in relation to the skilled man from overseas? The latter will inevitably be a rival to the former, but if our industry is to develop and our economy is to expand we must have him. The Government's answer, Sir, is this. First to exclude from permanent immigration those who will fill jobs which, in the opinion of the Government can be taken up by local men in the next dozen years or so. Secondly, to lay down conditions for temporary entry which will ensure that wherever practicable the temporary entrant will be required to play his part in the training of local men. This is the object of the three classes of temporary entry referred to in paragraph 22 of the Seasonal Paper.

If I may, I will take them back to front. The specialist category requires no

[The Chief Secretary] explanation. The policy is in accordance with present practice. By specialized employment the Government has in mind persons required to work on a specific project for a limited time, such as extensions to the docks or the establishment of electronic equipment in the new airport. There are a dozen such cases.

The executive category is intended to apply to qualified and professional men. It would include farm managers, works managers, plant engineers, business executives and so on. If there is no suitable local man available and if the work is such that it is beyond the scope of any industrial training scheme to impart the skill required, the Government would have no hesitation whatsoever in granting this temporary permit. But if it seems that the job is one which can be learnt and that the skill is a skill which can be imparted by training in industry, then the Government would demand that the entrant comes in under the general class of temporary entry, and that he plays his part in giving trade training.

As far as entry is concerned under the general category, there is no question of compelling employers to cease the importation of skilled men from outside and to take on local men, for we recognize that at present the Colony can neither provide the skill nor the numbers to meet the demand. But if a man has to be imported, we want to be certain that in addition to his skill as a tradesman, he will be able and willing to take a hand in the training of the locals. He will be given a couple of years in which to find his feet and to accustom himself to local conditions; he will in accordance with present practice be required to undergo a trade test at the end of that first year, but if he is to stay longer than two years, he will have to satisfy the Principal Immigration Officer and the Labour Commissioner that he is playing a genuine and effective part in the training of local youngsters. I should explain here that the conditions referred to in the Seasonal Paper for the issue of the general class of entry permits will not replace the conditions already in regulation 22 of the Regulations, they will be superimposed upon them. In addition, item C of regulation 21, which now requires the Principal Immigration Officer

and the Labour Commissioner to be satisfied that "the taking up of such employment will not be prejudicial to the interests, whether economic or otherwise, of the inhabitants of the Colony," will be amended to require that "the taking up of such employment will be in the interests, whether economic or otherwise, of the inhabitants generally of the Colony." The reason for this superimposition is, I think, obvious. There would be no point in bringing a master craftsman from Bombay or from Birmingham to run apprenticeship classes in trivial employment such as, say, the making of toffee apples.

As far as this business of training goes, it is important that we should not underestimate the difficulties. They are legion. In the first place it is extremely expensive, both for the employer and the employee. We have the problem of the small family business and the difficulties created by constant changes in employment; and above all, there is the tendency of the learner as soon as he thinks he can earn a few more shillings, outside his apprenticeship, to cast aside the years devoted to his tuition and to push off into the market and take some other job. But let nobody doubt that the capacity is there. There is no doubt whatsoever that the young African of intermediate school standard can be trained up into a praiseworthy standard of skill. It requires careful instruction and understanding on the one side; and it requires patience and discipline on the other. I speak of the African, for the Asian's position is, of course, well known. His standing in the world of the artisan is well established and his general capacity is too well known to require any further explanation.

If any hon. Member has feelings of uncertainty, I do advise him to visit one of the trade and technical schools run by the Education Department. They are at Kabete, Thika, Sigalagala, and Kwale. There he will find not only skilled teaching but a most impressive response in the way of industry and enthusiasm and pride in achievement. The officers of the Education Department who run these schools are really worthy of the highest praise and the Government is most fortunate to have them in its employment. The total output from these schools is now nearly 200 a year, by 1960 it will

[The Chief Secretary]

be nearly 400 a year. Hon. Members can compare that figure with the size of the problem before us. Our aim is to produce local artisans who after a couple of years of training in industry—for one clearly cannot equate conditions in a school with those in a workshop—will be able to compete with a reasonable prospect of success with the average imported man. Those who pass through the schools now are assured of a decent income and a livelihood of which, if they have any sense, they can feel extremely proud.

Although the Government's trade and technical schools are laying down the standard, they cannot deal with the whole problem. For numbers we must rely upon industry. Much has already been done, the Kenya and Uganda Railways and Harbours have a most admirable scheme, so have the British-American Tobacco Company, Messrs. Hughes and Company, the *East African Standard*, the Magadi Soda Company and many others, they have set a fine example. But so far we have only touched the fringe of this problem. We need an immense increase in the number of these apprenticeship schemes, and if we are going to achieve this we require the services of men of any race who are themselves craftsmen and are at the same time able and willing to impart their knowledge to the local people.

Before I leave the question of apprenticeship, may I emphasize that if any real advantage is to be obtained by the young African from these schemes—from this kind of training—he must recognize from the start that he has to apply himself to five long and not very well-paid years to acquire the mastery of a trade. He will require immense patience and discipline, and during those years he will still be, to all intents and purposes, a pupil and will be under the discipline of his employer. I hope we shall not hear any nonsense about an apprentice having the right to a wage which will support himself, and a wife and five children. There are real problems in this apprenticeship business, but they have been solved in other countries, and our economic future depends upon their being solved here.

Hon. Members opposite will, I think wish me to indicate what effect these adjustments of policy are going to have

on the conversion of temporary entry permits into Class G Entry Permits under the Ordinance. As I think most hon. Members know, the majority of those who get Class G Entry Permits are those who, having been in temporary employment in the Colony for some three or four years, have represented to the Principal Immigration Officer that they have been offered permanent employment and that the Immigration Control Board has provided them with a certificate, to the effect that they are taking up employment which will not be to the prejudice generally of the inhabitants of the country. In future they will have to satisfy the Executive, that will be the Principal Immigration Officer, acting on the instructions of the Governor in Council of Ministers, that their taking up of employment will be in the interest generally of the inhabitants of the country. In other words, that they can make some specific and substantial contribution to the social and economic life of Kenya.

I am also likely to be asked from what sources these artisans, executives and specialist employees are to be expected to be drawn. I will reply in the terms of paragraph 30 of the Sessional Paper, "As a British Colony, it is natural and proper that Kenya should look chiefly to the United Kingdom for the provision of external capital, organizing ability and skill, and the Government wishes to make it clear that it regards Great Britain not only as the exemplar of the way of life, but also as the primary source of immigrants of the kind the Colony needs. It is the intention of the Government to turn elsewhere only to the extent that the country's needs cannot reasonably be met from the United Kingdom."

Let me add that as long as Kenya has to import artisans and that will be until she herself can produce men of the required skill in the necessary numbers, it is quite certain that the great majority of imported men will come from the Indian sub-continent. But we shall also welcome skilled men from Europe, provided that they have the qualities which we think will benefit this country, and provided of course there is no security objection.

As far as managers and executive category are concerned, it is natural for employers and business houses to seek

[The Chief Secretary]

their servants from the communities to which they belong and the Government would not wish to interfere with this arrangement in any way. The only criterion, apart from the security considerations to which I have already referred, is the contribution which the immigrant can make to the social and economic life of the country. The source of specialist workers will, of course, depend on the associations of the engineers or the contractors who are concerned.

Sir, I feel I have been intolerably wordy and repetitive, but this is not a matter which is easy to condense, and there has been so much ignorant criticism, that I sought to put my thoughts into words of as few syllables as possible.

In conclusion, may I summarize what has gone before? The circumstances of 1948 are very far removed from those of to-day; there have been changes in the constitutional, social and economic life of the country and it is clear that the time has come for some survey and revision of immigration policy and procedure. It is the intention of the Government to encourage immigration for economic development, and for the purpose of fitting local men to play a bigger and more responsible part in that development. We shall continue to import special skills and organizing ability until such time as the local men can play a full part. We shall expect immigrant artisans to take a hand in developing the potential wealth of the Colony in the form of skilled manpower.

These changes we hope to bring about in three ways. We shall put the policy into effect by adopting a positive criterion of benefit instead of the old negative one of no prejudice; we shall grant a greater discretion to the prescribed authority concerning the amount of money which an applicant for an entry permit must have in his possession, and we shall make the test of the suitability of the artisan not only the degree of his trade skill, but also his ability as an instructor. The Executive will assume control of immigration policy, both as regards permanent entry under the Ordinance and temporary entry under the Regulations.

These changes, if agreed by the Council, will be embodied in a redraft

of the Immigration Ordinance. The opportunity will also be taken of correcting a number of flaws in the Ordinance and of removing various anomalies.

Hon. Members will recognize that in the light of these changes, especially that which concerns procedure, there will no longer be a complete uniformity of operation throughout the three East African territories. But this is inevitable and was accepted as being by the Royal Commission. The political, economic and social circumstances of the three territories are becoming daily more different and uniformity has regrettably become not possible. Nevertheless, although we shall be working under our different procedures, we shall be operating a common policy and I need hardly say that the closest liaison will be maintained. Sir I beg to move.

THE MINISTER FOR LEGAL AFFAIRS
(Mr. Griffith-Jones) seconded.

Question proposed.

Mr. CHAMAN SINGER: Mr. Speaker, Sir, may I, at the outset, express satisfaction with the various assurances given by the hon. the Chief Secretary. It is gratifying to learn that no basic changes in the principles of the immigration policy are intended. But, Sir, I feel that paragraph 30 of the Sessional Paper is capable of being misunderstood. It is not known at this stage how it is intended to make the basis of future policy, whether it will be incorporated into law or will remain as an instruction to the officers who will be responsible for the administration of the law of immigration.

Anyone, Sir, who goes through the White Paper, cannot help having the feeling that the problem of immigration has some special relationship with the immigration of Asians. I think, Sir, that there is now, after seven or eight years of the operation of the 1948 Ordinance, no justification for saying that the immigration of Asians offers any special problems. Sir, in 1948 the European population formed about 30 per cent of the Asian population. To-day it forms a little more than 36 per cent, so that the balance of population is turning in favour of Europeans.

I have no complaint to make, I am not against the immigration of Europeans into this country. I have no right to be. All I say is, that there is no justification

[Mr. Chanan Singh] for continued fears with regard to Asian immigration. In fact, Sir, the figures in page 22, Appendix VII, do not give the correct picture of the operation of the Immigration Ordinance. The net immigration of Europeans was 4,000 in 1955, for example. The actual immigration was double that figure. If a large number of Europeans come to this country and then go away, it is not the fault of the law of immigration. So that when we consider the effect of the working of the law of immigration on various groups, we have to bear in mind that the figures of actual immigrants are different from those given in Appendix VII which as it stands gives figures for net immigration only, immigration minus emigration.

Sir, before I come to the main principles of the Sessional Paper, there are one or two things which I wish to mention for the consideration of the Government. I think these should be borne in mind when drafting the new Ordinance. After all, I feel it is better to say what we want to see in the new Ordinance than to criticize it after it has been drafted and is before us.

There is one basic concept of the law of immigration which needs, I feel, consideration. We use the term "permanent residence". Most Dominions still work on the concept of domicile. I think it is worthwhile reconsidering this matter, with a view to seeing whether or not we can adopt the concept of domicile instead of permanent residence.

The second matter that I want considered, Sir, is with regard to the status of locally born children, whether a locally born child is a permanent resident depends on the status of the mother. I think, Sir, the status of the child should be related to the status of the family, that is, the status of the father and the mother. If a family has its permanent home in the Colony then the child should be regarded as a permanent resident. It does happen quite often that a family is in Kenya permanently, the father is in permanent employment, or is in business on a permanent basis, but nevertheless the mother may not have been here five years before the birth of the child, and there are difficulties experienced. So my suggestion is, Sir,

that the status of locally born children should be related to the status of the family as a whole.

It has been pointed out, Sir, that one of the provisions in the Sessional Paper is that different figures of income for the two racial groups, European and non-European may now be the same. I have no objection to that suggestion, Sir, but I do feel that figures now laid down for the Europeans are on the high side, and, after all, we must try to be realistic. The level of incomes amongst the Asians is, generally speaking, lower. I think a set of figures midway between the present ones would be more representative.

Then, Sir, the next matter which is of considerable importance is that of the issue of temporary employment passes. It is intended in future to issue temporary employment passes for one year only in the first instance and the new immigrants are expected to take a share in the training of local inhabitants. Well, Sir, so far as the principle of this is concerned, no one can have any objection to it, but we must bear in mind that not all immigrants are likely to be such as can be instructors. And then is it the intention that all contractors, for example, who employ artisans will be expected to have training schemes for local inhabitants? I personally think, Sir, while the Government should encourage employers to have training schemes and apprenticeship schemes, the Government itself should undertake the responsibility of training artisans and other craftsmen. I do acknowledge that the various Government trade and craft schools are doing very valuable work, and the Government should consider whether or not it is possible to increase the number of such schools.

I think, Sir, it would be unfair to tie up an immigration permit with the capacity of an employee to undertake training of local inhabitants. Of course, if an employer has a training scheme his application for entry permits or temporary employment passes should be given preference. I agree also that if there are two employees who wish to come to Kenya, the one who is capable of teaching local people should be given preference. But I do not think it is right to expect all artisans who come to the

[Mr. Chanan Singh] Colony to be capable of acting as instructors.

In any case, Sir, I feel the period of one year is much too short. If we know that an employment pass is being issued definitely on a temporary basis, then we might make the period a little longer, make it reasonable. An employer has to pay the expenses of transport of an artisan to Kenya and, if the immigrant has to go back after a year, then the cost of transport and other expenses will be disproportionate. Sir, while the idea is to import these people on a temporary basis, I think the period should be increased and should, if possible, remain at four years, and in any case I should be obliged if the Government will tell us how they intend to work this scheme in connexion with the families and children of immigrants.

At the present time the rule is that only the immigrants are allowed to bring in their families who have a pass for at least three years. This scheme allows the issue of a pass in the first instance for one year, and it can be extended for another year, and the last extension can be for another two years. Although the total period will be for four years, but I do not know how this can be worked in relation to the admission of families and children of these people.

There is one anomaly in the existing Regulations which I think in the new Ordinance and new Regulations should be cleared up. That is in relation to the status of the wife and children of a local resident. If the local resident himself goes on leave and has the names of the wife and children endorsed on his entry permit they come in on a permanent basis. Whereas, if he remains here and wants his family to follow him, then he gets only dependants' passes. Now dependants' passes are naturally not so satisfactory. I think, Sir, that so far as the wives and children of the permanent residents of Kenya are concerned, they should be treated as though their names had been entered on the entry permits.

There is also need, Sir, to simplify the procedure with regard to interterritorial travelling. At the present time if a man goes to Tanganyika or to Uganda, he has to present himself at the Immigration Office and have his passport stamped.

When he comes back he has to get his passport stamped again. So long as a person is a permanent resident in one of these territories, he should be allowed to go from one territory to another for temporary purposes. If he wants to take up employment in other territories, then of course he should have a pass or an entry permit, but I think these irritating formalities for temporary travel should, if possible, be abolished.

The most important matter, Sir, that occurs to anyone in connexion with immigration is the question of providing employment facilities for Africans. Well, Sir, there I must say that so far as we are concerned, the Asian community, we do not in any way want to stand in the way of the African community progressing and getting the fullest opportunities for employment. I am convinced that the Africans are as capable of learning trades as members of other races. I am also convinced that they deserve as many opportunities for learning various trades as the Colony can give them. As long ago as 1928 in a Memorandum which the East African National Congress submitted to the Hilton Young Commission, they advocated that the chances for Africans in employment should be increased, even though that might hit the Asian community. That Memorandum, Sir, while complaining about the replacement of Asians by Europeans went on to say "that the gradual replacement of Indians by Africans in posts which can be held efficiently by the latter is not of course, open to objection." So that it has always been taken for granted that as Africans come up, some of the employment opportunities will have to be given up to them.

What I would suggest, Sir, is that there is need for periodical surveys of employment to take place. At the present time if somebody applies for an entry permit, I believe the advice of the Labour Department is sought, and some officer in the Labour Department gives his opinion as to whether or not the applicant will be beneficial to the country. I think, Sir, that is unsatisfactory. We should have regular arrangements for surveys of employment from time to time and surveys should be carried out by a group of people, who can be representative of the

[Mr. Chanan Singh]

big departments of State, big contractors and the Labour Department; and this group in my opinion should say what deficiency exists in the labour market on a temporary basis and on a long-term basis. If the deficiency in numbers offering themselves for employment and the need of industry and trade is likely to last only a short period, a period of the next dozen years or so, as the hon. Chief Secretary stated, then I think there is a clear case for the issue of temporary employment passes to those who are required to fill up the gap. But if the deficiency is not likely to be met in that period, then full entry permits should be issued. What I regard as important is, Sir, that that sort of thing should not be left to the discretion of one or two officers. It should, if possible, be done by a number of officers and others. I personally have no fear as regards employment opportunities for Africans. We are living in a developing country. The number of jobs is increasing day by day. If we look at the record of employment of one big department of State, the Railways, we find in 1949/1955 the number of clerical posts available to Africans increased by 1,300 and the number of posts of such craftsmen as surveyors, inspectors, overseers, foremen, workshop chargehands and similar categories increased by 1,600 during this period of seven years. There are similar increases in other classes of employment, so that I have no fears with regard to the employment of Africans, but I am prepared to agree that we should do everything that we can to make sure that there is no unemployment among Africans who have some skill.

One important proposal in the Sessional Paper is that the Immigration Control Board and the Immigration Appeals Tribunal should be abolished. Sir, I support that proposal. I do hope that the new executive officer who will carry out the instructions of the Governor in Council of Ministers will be more amenable to reason than the Board and Tribunal have been. We do hope the administration of the law in future will be fair. It is well known that the membership of these boards has been weighted in favour of one racial group.

There is one other important matter, Sir, on which I wish to make a few comments. At the present time there are some cases in which the right of appeal to Court is allowed. In the case of a permanent resident, an appeal is allowed to the Supreme Court. There are one or two other matters in which an appeal to a first class magistrate is allowed. Sir, I think in future the right of appeal should be allowed in the body of the Ordinance—the Ordinance should lay it down: To keep the costs down, I think the appeal should be to a first class magistrate, although in the case of permits in the "A" class appeals to the Supreme Court should continue to be allowed. The Paper does say that there will be the right of appeal to the Minister in charge of Immigration. Well, Sir, that appeal will be granted in any case, because the officers of the Immigration Department will be working under the orders of the Minister. I think, in addition, there should be a right of appeal to the Court.

Now, Sir, I come to the most important part of the Sessional Paper. I mean paragraph 30. Paragraph 30 says that future immigration policy will be "based on economic considerations." The test will be "the contribution which the immigrant can make to the economy of the country." Naturally there can be no objection to this. I think that is the proper basis of immigration policy of any country, but the Sessional Paper does not stop there. It goes on and says that it is "natural and proper" that Kenya should look chiefly to the United Kingdom for capital and immigrants. It is "natural" in so far as persons who are likely to be in control of the Immigration Department also come from the United Kingdom. It is natural for them to have sympathetic feeling for their own kin and kin, but can we call it "proper"? Sir?

It is well known that the Queen's subjects come from several countries and from several races. How is it proper to discriminate between subjects who originate from countries other than the United Kingdom? Then, the Government regards Great Britain as the exemplar of the right way of life. Well, Sir, we accept that statement, but we insist that that way of life itself should be allowed to come into the Colony. It should go

[Mr. Chanan Singh]

longer be regarded as prohibited immigration as in the past. The way of life of the British people in Britain has nothing to which anyone can take objection. You look at any sphere of life in the United Kingdom and you must approve the behaviour of the people. In the political sphere, they have democracy, they have universal franchise, they have the rule of law, and elections are held on merit. I know people from India—at least a few—have been Members of Parliament, Indians have been mayors of towns, Indians have been town councillors in the United Kingdom.

In the social sphere, the main policy is non-discrimination. There are no separate schools for non-Britons—no separate hospitals for them—and the tolerance in religious matters of the British people is really an example for the whole world to follow. I can say without fear of contradiction that we Asians, and Africans, accept those principles without any reservation. I only wish that members of the European race could also accept them without mental reservation.

Now, Sir, the question is, what exactly is meant by referring to this matter in the White Paper? Is it going to be used only as an excuse to discriminate against non-Britons? In 1948 we were told by the Member in charge of the Immigration Bill then that the main criterion of the Immigration law would be the "British way of life." Now it seems to be something different. Sir, according to a report in the *East African Standard* of the 16th January, 1948, the Attorney General, Sir Stafford Foster Sutton, was reported as saying this:—

"Kenya's Immigration Bill, when it becomes law, will be administered in such a way that only those of cultural or economic value to the country and devoted to the 'British way of life' will be allowed to immigrate." An undertaking to this effect was given in Legislative Council yesterday, during the debate on the Select Committee's Report on the Bill, by the Member for Law and Order (Mr. S. W. P. Foster Sutton).

"And," he added, "it was the intention of Government that the new legislation should be administered in such a manner as to maintain British pre-

dominance in the balance of immigrant populations." By British, he explained later, he meant British subjects throughout the Commonwealth.

AN HON. MEMBER: Not subjects of Republics?

MR. CHANAN SINGH: The Republic is part of a Commonwealth. "Commonwealth" is the word, Sir, that was used, and even subjects of republics are British subjects to-day under British law. Is it now intended to change that conception and, in any case, what are the exact implications of this paragraph?

If we look at figures of immigration during the last seven years, we find that the British people have not been treated unfairly at all. The number of entry permits in classes B to G granted to the people from Britain was 2,504. During the whole period of these seven years, only 28 permits were refused. Similarly, the number of temporary employment passes granted to people from Britain was 15,092. Only four applications were refused.

Well, Sir, if the idea of paragraph 30 is that the people from Britain should be given the fullest opportunities of coming to Kenya, they already have those opportunities. We see from the number of rejections that almost all applications are granted. Any person from Britain who wishes to come to Kenya is already free to do so, and there are no obstacles in his way. What then is the significance in now saying that preference will be given to the people of the United Kingdom? Because already they have no complaint—they have no reason for complaint. Then, Sir, while considering this paragraph, we must also bear in mind that since 1948 we have evolved a multi-racial Government. We also have a multi-racial Commonwealth to which various nations and races belong. I think the spirit behind the multi-racial Commonwealth and multi-racial Government demands that the people of the countries other than the United Kingdom need not be unfairly treated or differently treated from the people of the United Kingdom.

Well, Sir, as I have tried to show, the British people already are in a position to come here by making formal application. What then do we mean by referring to a way of life which is stated to be peculiar to the British people, and which,

[Mr. Chanan Singh]

I say, we accept unreservedly? Is it that you intend to make the control of immigration still more unfavourable to the non-Britons? The Britons already can come as they like.

Well, Sir, in view of that I move an amendment, I move that at the end of the Motion that is before us there should be added these words: "subject to the deletion from paragraph 30 of all the words after the word 'country' in the fourth line".

Sir, I beg to move.

MR. J. S. PATEL: I beg to second the amendment, and reserve my right to speak.

Question of the amendment proposed.

MR. HARRIS: On a point of order, Mr. Speaker, I think the Secondor mentioned he was reserving his right to speak. Is that in order on an amendment?

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): It is not usual on an amendment. But he is in order and he can speak, of course, on the main Motion.

MR. HARRIS: Having seconded, Sir?

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): On that point of order, Sir, having seconded this amendment, I submit that strictly speaking he has exhausted his right to speak on the main Motion, because the only question before the Council was the main Motion.

MR. HARRIS: Mr. Speaker, Sir, in opposing the amendment, I would like to make a few comments on the remarks made by the hon. Member who proposed this amendment. He seems to have forgotten in his general thesis that this happens to be a British Crown Colony and, as a British Crown Colony, the Government which derives its power from Britain has, in my submission, a complete right to ensure that the continuance of this territory should be on the lines of a British territory.

Sir, immigration policies—I would have thought the world over—in those countries where immigrants are attracted, are designed to protect, firstly, the rights and liberties of existing residents, to protect the culture of the country as determined by those people

already in the country and to protect the economy of the country. The Mover of the amendment, Sir, made great play of a one-time Attorney General's mention of the British way of life, but the hon. Mover of the amendment, Sir, seemed to forget that there was a fundamental part of the British way of life which he omitted. He mentioned those things which were attractive, democracy, the right of free elections and so on, but he forgot, Sir, that the whole of the British way of life stems from the monarchy. Therefore, Sir, I believe that this Government has an absolute right to ensure that the continuance of this Colony should be on the basis of a British Colony, and that it is right that immigrants should be attracted in the first place from the fount of the development of this country—which is British—and, as the White Paper so rightly says, Sir, only after attempts have been made to attract immigrants from Britain unsuccessfully, then will immigrants be attracted from elsewhere. But I believe, Sir, that it is essential for the development of the African, and all of us in this debate—both before this amendment and after the amendment has been disposed of—will pay a great deal of lip service to the development of the African, because that is an integral part of any immigration policy. But, Sir, if we are to develop the African, it is our responsibility to ensure that it is not just development for the sake of development—that it is not just development for the sake of some political achievement, but it is true development economically, socially and also hygienically—and it is our responsibility to see that that trust is fulfilled.

Now, Sir, the hon. Mover of this amendment mentioned that during recent years—he said that the British had not been dealt with unfairly. Perhaps that is true, Sir, but, if he would add up in the Sessional Paper the number of pupils who have left school over the last eight years, he will see that in those eight years 1,635 Europeans have left school and 13,180 Asians have left school. So, Sir, I would throw this remark back at him and say, as this is a British Colony, I do not consider that the Asians have been unfairly dealt with either, and when one thinks that we have got to find over the course of the next eight years employment for 13,000 Asians, and when those

[Mr. Harris]

Asians get to breeding stage over some eight years in the sixth or seventh decade of this century, that will probably have become 26,000. I cannot for the life of me understand why there is this emphasis on the desire for competition with indigenous Asians' own children for employment, and, Sir, I believe that the whole basis of the Government immigration policy is bound up with the very clause which the hon. Member has sought to amend, namely that what we want in this country is people who will teach indigenous people, and also, Sir, the young Europeans and Asians, how to earn a proper living economically; and to try to make excuses for letting in people who will only be competing with the existing population of this country, to my mind, Sir, seems very shortsighted, and I can only assume is strictly political.

I beg to oppose.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): Before I call the next speaker, I would point out that as hon. Members will have noticed I did not reverse the ruling I gave, which was that Mr. Patel has not forfeited his right of speech. But as it was my hon. and learned friend, the hon. Attorney General who intervened, I wanted to make sure, so I looked up Standing Rule and Order 74, which says: "When at any time Mr. Speaker shall inquire who seconds the Motion or an amendment, a Member may do so by rising in his place and bowing his acquiescence, without speaking, and such Member shall thereby reserve to himself the same rights of speech as he would have had if some other Member had seconded such Motion or amendment."

Mr. Patel therefore still has the right to speak. We are suggesting an amendment to this Standing Order later, I know.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): May I say, Mr. Speaker, Sir, that I apologize and withdraw my remarks? I have been working on the redrafting of the Standing Rules and Orders and I was anticipating what I believe will be a reversion to logic. THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): The amendment is before the Council.

THE CHIEF SECRETARY (Mr. Turnbull): The Government does not accept this amendment. The concept behind paragraph 30—and I will be brief—is this: that we have a single, complete and unreserved loyalty to the Crown. That is the meaning in paragraph 30.

I beg to oppose.

MR. J. S. PATEL: Mr. Speaker, Sir, in rising to support the amendment, may I draw the attention of this Council that at no time in the history of the British Government have British people at home ever sought favoured treatment for the settlement of its people outside Britain. I think it is fundamentally wrong for this Government to assign a motive to the Government of the United Kingdom that the reason is to pursue a policy whereby Britain will have favoured treatment in respect of the entry of immigrants to Kenya. As we all know, Sir, whenever a policy is brought forward by any British Government outside Britain, in international circles, it is always assumed that Britain wants to pursue such a policy, and I think personally that it is ungrateful to Her Majesty's Government, who have made so many sacrifices without attaching any strings whatever. One wonders when the Financial Minister went so many times to England in order to get loans and assistance—that strings were ever attached to such a policy which our Government now seeks to propound.

I therefore, and with due respect, and in fulfilment of that respect to Her Majesty's Government, second this Motion for the removal of the conditions in clause No. 30.

MR. AWORI: Mr. Speaker, Sir, if I may reserve the right to speak later on the main Motion, I would just like to register my strong opposition to the amendment, otherwise the whole meaning of the immigration policy will have been lost.

I beg to oppose.

MR. MATHU: Mr. Speaker, Sir, I also would like to oppose this amendment, and to say that—as some of my colleagues will say later—that the grievances we had in this immigration policy were removed because of the provisions of section 30, and if my hon. friend on my

[Mr. Mathu] right here seeks to amend it in the way he proposes, he may find the whole African population against not only the Asians in this country, but also against the Asians who may come back—who may come into this country—because the feeling on this matter is very strong. Sir, and I do suggest to my hon. friend that he will be better advised, in order to bring better temper to the African population, if he removes this amendment to the Paper. Government has produced, because we feel very strongly, Sir, that the Government must protect the local population and—as my hon. friend, the Member for Nairobi South pointed out—the Asian is not doing very badly as to numbers in this country, and the conditions under which they can grow and develop, where thousands and millions, in fact, of my own people are living in conditions which require a person to see in order to believe. His community has done extremely well and, in fact, if he suggests therefore that, because other countries in the Commonwealth should be given free entry to this country, it will endanger the high standard of living of his whole community which they have established here since they started digging the railway coming across to Kiambu.

Sir, I most strongly oppose the amendment.

MR. GIKONYO: Mr. Speaker, I would like also to appeal to the hon. Member, the Mover of the amendment, to think and put himself in the African position, and feel whether he could justify his amendment. The record of his people in this country has not been such as to move some of us to agree with his amendment, and I feel, therefore, in his own people's interest, he should withdraw his amendment.

THE SPEAKER (Sir Ferdinand Cavenish-Bentinck): Perhaps this is a suitable moment to take the customary break for fifteen minutes. Council will suspend business for fifteen minutes.

Council suspended business at fifteen minutes past Four o'clock, and resumed at thirty minutes past Four o'clock.

DR. HASSAN (East Electoral Area): Mr. Speaker, Sir, I rise to support the amendment. I had no intention to speak on this amendment, but because of some

of my African friends, particularly the leader—he put up a very spirited opposition, for no reason to my mind. It appears to me that he never understood the wording of the White Paper which the hon. Member for Central Area wanted to be removed.

With a view to giving him the details of the wording, I would like to read it to him:

“Nevertheless, as a British Colony it is natural and proper that Kenya should look chiefly to the United Kingdom for the provision of external capital, organizing ability and skill; and the Government wishes to make it clear that it regards Great Britain not only as the exemplar of a way of life but also as the primary source of immigrants of the kind the Colony needs. It is the intention of the Government to turn elsewhere only to the extent that the country's needs cannot reasonably be met from the United Kingdom.”

I do not think the hon. Member for Central Area ever suggested that the Asians want free immigration to this country. During his speech he made it very clear that he wanted, with a view to assisting the Africans in developing in this country that all opportunity should be given to them, and that they should not be deprived of the possibilities which should rightly fall to their lot.

The objection in this particular form of the White Paper was that the Government of Kenya should chiefly look to the provision of external capital. Capital we want in this country, from whatever source we can get it—preferably from the United Kingdom, and the British Commonwealth and Colonies. There is no doubt that we shall get very much larger capital from the United Kingdom than we are getting already, but if capital, however small it is, coming from sources where the British subjects are living in Colonies and the Commonwealth—there is no necessity to debar that capital from coming into the country because capital we need for the economic development of the country.

The second was organizing ability. Nobody denies that the Britons are far better in organizing, and they have much better organizing ability than other communities, and nobody denies that a Briton can certainly be more useful with

[Dr. Hassan] his organizing ability, and be of very much use in this country than others.

We want skilled people in this country, and if we can get skilled people from the Commonwealth and Colonies and the United Kingdom, we should not prevent their entry to Kenya for the benefit of this country, when we are laying down that anyone coming to this country is to be tested for their skill, and see that he has the skill to the economic benefit of this country. Surely from the United Kingdom we shall get it. There is no doubt about it, but instead of looking elsewhere, why not the Commonwealth and the Colonies where the British subjects are living and the British Government has offered equal treatment to their own nationals according to the Charter? The other question comes that Great Britain is always the exemplar of the way of life. Now this matter—for all we know—we only read in the Press—that this point is put up by the extremist politicians that the British way of life is one of the most important things in the Colonies, but, Sir, it would be just as well for us to know the definition of that way of life which is expected of the people of Kenya. It is something very important in this country—the way of life that has been displayed by the Briton. I do not think the United Kingdom Government would like us to follow that way of life in its entirety. There are a large number of people who say that everything that is best in the country should be specially reserved for them—that we should have the complete control of the Government and govern ourselves, and we do not want others to have a share in it, and that any community who is rising and trying to compete with them—that all types of legislation should be promulgated to strangle them and force them to quit this country.

Surely this is not the way of life that is expected to be introduced into this country? What we know about the way of life—the British way of life—that is, to have unswerving loyalty to Her Majesty, the Queen, to be honest, sincere and of the highest educational standard, to help and assist the people of the country of their adoption, to co-operate with them to unite and work for the benefit of the country where they are living; to assist the backward people and

to have sympathy with them. That is what we consider is the way of life which the Britons would like all British subjects to follow, and I would like to know whether that particular way of life is to be followed by us, or the way of life which is now being advertised in the local papers by some of the British nationals.

What the objection of this particular amendment was—that we wanted the United Kingdom that is co-operating with the Commonwealth countries in all the major affairs of the world, that they should in their Colonies, and in their units—should not try to pass legislation by which they should exclude them from the benefit of their units, where the nationals of that Commonwealth have taken a major share in the development of the country—they should not be forgotten.

We know very well whenever we want any specialists—any highly educated gentlemen—we always look to the United Kingdom. We have always been getting them from the British Isles. We have never objected. Nobody would ever object to it. There is no earthly need to put this thing into the White Paper, because we never objected to it. Why make a law of it? It is an unwritten law already. The British who own this Colony—they have a perfect right to come in as and when they like, in any method they like. We have never objected to it.

Therefore this was one of the points on which this amendment was raised—not with a view to ask the Britons not to come here, or not to have any advantages here. The Mover never meant that, and I would request the Government that, merely to make a law of this nature is to support some of the extremist people who have been writing in the papers that we will not have anybody coming into this country but the people from the United Kingdom, which was far from the object of the British Government, which they did not want and acceptance of this policy to-day—this particular general remark in the policy means that it will give a strength to the Controller in the Immigration Department not to allow any Asian to come into this country.

The question of the amendment was put and negatived.

MR. SLADE: Mr. Speaker, Sir, I support this Motion because I agree with the substance of the Sessional Paper to which it refers, although there are one or two points on which I wish to comment.

First, Sir, I should like to state those points with which I do agree, and they do go to the substance of the paper. It appears to me, Mr. Speaker, that the basis of the intentions of Government, as declared by this paper, rest in a decision to move from rigid legislation on immigration to a more elastic control by executive policy. That is expressed quite clearly in paragraph 17, where we see the abolition of the Immigration Control Board and the Appeals Tribunal, which, I take it, means the abolition of the very rigid rules by which that Board and that Tribunal were bound, and instead Government will decide in its own wisdom who are desirable and who are not desirable for admission as immigrants. Now, Sir, that is absolutely correct, and it is something, I might say, many of us have urged for some years past; that immigration policy must be a matter of executive discretion as opposed to rigid law. It cannot be anything else, because no one but the Government of the day can decide, according to the circumstances of the times, what the Colony needs by way of immigrants, and it is manifestly absurd to provide by law, for instance, that any stranger, whatever his quality, shall have a legal right to enter the Colony. I do not know of any other country where such is the case, but under our existing immigration laws, it is the case that unless there is proof of the proposed immigration being extremely objectionable from some personal failings, he has the right to enter provided he has enough money and intends to do a certain thing. I understand, Sir, that that will no longer be the case. From now on, Government will say whether or not that man, intending to do that thing, is in the interests of the Colony. That is how it should be, and it is how it should be in any country, but particularly in such a young and growing country as this, where opportunities of exploitation abound, and where national character, traditions and, indeed, nationality itself, are only in process of formation.

In the reverse, Mr. Speaker, I agree entirely with this Paper, and with what

the hon. Mover said, that the lack of money is not necessarily a bar, should not be a rigid legal bar, for the entry of an immigrant who is otherwise desirable. For those reasons, Sir, I fully support paragraph 17 of this paper, which as I said, appears to be a *stratum* of the whole Paper.

I agree also, Sir, with the basic principles stated in paragraphs 16 and 19 of this Paper, which begin to describe the way in which the Government will exercise its discretion. Paragraph 16 points out the necessity of encouraging the introduction of capital and those people who possess the knowledge, ability, experience or skill with which to develop the country.

Paragraph 19, adopts a somewhat newer approach, and a much better approach, which is on the basis of positive contribution from the proposed immigrant rather than the negative attitude of the past, "Will he damage those who are here already?"

Now, with all that, Mr. Speaker, I agree wholeheartedly, but here, at the same time, is my first quarrel; that these paragraphs, these principles, are based on economic considerations alone. There, Sir, seems to me a great mistake. They seem to ignore the equally important factors of integrity, health, traditions. Those matters, Sir, are quite as important; on any consideration of an immigrant, as his capacity to contribute purely on the economic plane. Indeed, Sir, I would go so far as to say that capital and skill without integrity, health and traditions may be capable of doing more harm than good in a country such as this.

For that reason, Mr. Speaker, I do urge that however much we need new immigrants, there must be continual insistence on quality as against quantity and, by quality, I mean not only money and skill, but those other things to which I have referred. There must be, Sir, the strictest possible check on all immigrants, preferably a positive check, a requirement of some positive evidence of the integrity and traditions that we demand. But, at any rate, if they are not mere visitors—I am not concerned with them in this debate, Sir—they are coming here to take a part in the life of the country as employees, or in any other way, as part of the society of this country. There

[Mr. Slade] must, at least, be a negative check, a negative check upon criminal record, upon insanity, mental deficiency and disease. Otherwise, Sir, if we do not have rigid checks of that kind, we risk bringing into this country ruddy apples that are rotten at the core, which will rot the other apples with which they come into contact. We just cannot afford that risk. Sir, Mental deficiencies; they seem harmless enough, Sir, but they are almost more dangerous than any, not only because of their personal weaknesses in their own lives, but because of their capacity to breed without inhibition. It might almost be likened, the damage they do; to the rabbits we introduced into Australia. Once you bring them in they increase so in numbers that you do not know how to control them any more.

Sir, we do already militate against disease in the Immigration Regulations of this country and other countries—smallpox, yellow fever and other diseases—but I would suggest that, important as that is, it is the least important of the categories I have enumerated. It cannot be such a serious matter, in my submission, as criminal record, insanity or mental deficiency. They are far more insidious and malignant enemies. I would refer, Sir, at this point to an answer which the hon. Mover gave to me in this Council a few days ago when I asked what check is made on immigrants. That answer was most disappointing. The effect of it was that if we have cause to suspect that there is something wrong, then we go into it, but otherwise apparently we do not bother to look; we like to assume that this man is all right. We have seen, Sir, already what happens when you make those assumptions. We had a most regrettable incident in this country only a month or so ago of an immigrant who had a disastrous criminal record and who committed an appalling crime when he got here, but just because no one had had any suspicion of him, he was let in and allowed to do this.

Now, Sir, it is possible, and absolutely necessary, to make inquiries about every immigrant who comes here otherwise than as a visitor. There are sources where criminal records can be ascertained. Other countries do it. Why cannot we? If we cannot do it before the immigrant

arrives, we can do it very soon after he arrives and we can make his employment; or other activity here and his right of staying here, conditional on a satisfactory return to that inquiry.

As regards insanity, or mental deficiency, inquiry can be made likewise. In that case, it should be by personal, medical examination, which would cover also, in a wider field, the question of physical disease. Why should not every immigrant be required to submit to a medical examination just like every proposer for an insurance, or everyone who wants to join the army. Why should there not be a medical examination which would very quickly find out if we are inviting into our midst a madman, or a mental deficient, or a man with a loathsome disease?

Again, Sir, on this question of strictest control of those who come into this country as regards quality, it is vitally important that those who employ immigrants recognize their responsibilities too; their responsibility to report to the Immigration authorities if they find anything wrong with the new immigrant that they have employed. It is already required by law that if an employer takes an immigrant on a temporary employment, pass, and the employee leaves him, the employer has got to report straight away to the Immigration authorities and is required, I think, to say why. Now, if employers would observe that law, we should soon find out which of the immigrants are turning out bad, and their passes would not be renewed and we should see them out, but if employers lie low, then, indeed, we cannot blame the Government if undesirable people stay amongst us. So there is a responsibility on both sides, Sir, for Government to insist on certain inquiries and checks, and for the public to make sure that undesirable immigrants are seen off again.

Well, Sir, I would say again how frightfully important this is. We need immigrants desperately for the reasons given by the Royal Commission and in this paper, but we need them just as much for spiritual, social and cultural development, as we need them for economic development.

Now, Sir, the Royal Commission dwelt on the economic aspect alone. They were

[Mr. Slade] quite right to do so. Their terms of reference were limited to standards of living, and they made that very clear all through their report that they were having strict regard to the limits of their terms of reference—standards of living. But, Mr. Speaker, standards of living are not the beginning and ending of life. They are not of the essence of things. Indeed, when it comes to the question of immigrants, they should be almost the last consideration. I have been criticized, Sir, for advocating a reduction in our standards of living in this country, as being utterly inconsistent with my request for increased immigration. But I say not so, Sir. Indeed, maybe some immigrants, or prospective immigrants, will be put off by a lowering of our standards of living, but those are not the kind of immigrants we require. The kind of immigrants we require in this Colony are those who come with some zeal to achieve, some urge to do something for themselves and for the Colony, not those who come to drop into ready-made high standards of living. We are better without them, Sir.

I do, Sir, regard the matter of settlement in a British Colony as something almost parallel to the choice of a vocation. It is the same difference between those who are looking for high standards of living, and the difference between a man who chooses his profession because he feels an urge to do it rather than because it is going to carry a high salary. It maybe an idealist approach, but I believe, Mr. Speaker, we need to be idealists in these matters. We have such a great responsibility.

Well, Mr. Speaker, following on, we find in paragraph 22 of this paper, proposals concerning the temporary entry of skilled personnel. I am somewhat troubled, Sir, by the suggestion that when we want a man sufficiently badly to let him in for temporary employment of skilled personnel, we are still only going to allow him to come for two years, because I do believe that that will militate against the need for quality which I have spoken about. What types are you likely to get, if you only offer them a two-year contract? Surely, Mr. Speaker, you have little hope of getting men who are both skilled and of the integrity and other qualities which we demand. I would suggest, Sir, that it would be better to make

the period longer once you have chosen the immigrant, and to be more fussy how you choose him. There, I believe, we shall be on firmer ground. I do maintain, Mr. Speaker, that if an immigrant is good enough to be allowed a share in the building up of this Colony, then, speaking generally, he should be entitled to stay. That, Sir, has been the view of some of us always with regard to the Asian community that we have with us now.

I am among those who believe that because they came into this country when it was young and dangerous, because they helped us to build our railway and to develop commerce in the remote parts of the reserves, they, and their children, have a right to be here, and to stay here.

That, Sir, brings me to the racial aspect of immigration which I do not think we can avoid. I do not think we should avoid it, Sir. I was glad that it was raised by the amendment which was defeated just now. I think, Sir, while trying to give as little offence as possible but we have got to be quite frank in matters of this kind. We have got to face that however much we aim towards non-racial disposal of our problems, there are matters in which there are still clear cut racial distinctions; and this is one of them.

I am very glad, Mr. Speaker, to find, as I interpret it, that paragraph 30 of this paper, and as other hon. Members have interpreted it, Government is at last being frank too. There has been too much hide and seek in past years; too much pretending one thing and intending another in the hope that this race or that could be deceived. That way leads to disaster.

Now, in this matter of immigration policy, we must all speak our minds—Government included—and I am convinced, Sir, that it is European immigrants that we need and the reasons that we need them are not only for the capital and skill in private enterprise that they may bring, or the contribution they may make to the public services. It goes deeper than that. We need them to establish and consolidate here the one civilization that is suitable for a British Colony—that is the civilization based on Christianity and Western thought. You cannot, in any country that tries to grow

[Mr. Slade] up as a whole, have more than one civilization competing with each other. There can be no question what civilization it is to be, but it has a long way to go yet in establishment and consolidation, and we need more Europeans to do it. We need more European immigrants, Sir, as a hardcore of loyalty to the British Commonwealth. Times are showing very fast how important this Colony is and is going to be to the British Commonwealth. It is essential for this Colony that there is a solid nucleus of people of unwavering loyalty to the Commonwealth. We need more Europeans, Sir, as a hardcore in aid of Government during emergencies. The last three years have shown what that hardcore, however small, is worth. Experience in other Colonies and other Protectorates that were held by Great Britain in the past, has shown how helpless the Government is without that core of people who have made the place their home, as opposed to being merely planters or exploiters; how much they have to be people who not only make it their home, but still look back to Great Britain as their former home. We need more Europeans, Sir, in the same way as a hard economic core during emergencies, during strikes, during any upheaval. Someone has got to carry on to keep the wheels going round, with absolute determination. You need Europeans to do it, Sir.

Last, but not least, you need more Europeans to help in training Africans, and by training them I mean not only teaching them the trade, but teaching them the ethics of the trade, teaching them, in fact, how to be good as well as useful citizens. We all know, I think, from experience, how much a European can help an African if only he will work with him instead of just standing over him, and that is what we need in the way of more Europeans. In every case, Sir, they must be, must be, of high quality; they must be men of the type I have described. As this Paper says, preferably they should come from the United Kingdom. That is right, Sir, but I fear that the fact the United Kingdom is a security state, may sometimes force us to look elsewhere.

I have spoken to one or two prospective immigrants within recent months;

young men, most of them thinking of leaving the army and staying in Kenya. Too often the question they asked was simply, "What are the advantages of settling in Kenya?" By advantages they meant standards of living, an easy life. Now, if that is what the security state does in the United Kingdom, Sir, we have to face the necessity for some levels of employment anyhow to look for Europeans elsewhere. I need hardly remind hon. Members of those Europeans of other nationalities who have been in this country for many years past such as the Scandinavians and the contribution they have made to the development of this country even, though, in many cases, they have insisted on retaining their original nationality. What happens usually in those cases is that eventually their children, being British born, tell the old man that it is time he became British and he does, but in all those years before that he has made his contribution and we are grateful to have had it.

But, against that, Sir, this is what we must face. We do not need more Asians in this Colony. I have made my position clear, Mr. Speaker, as regards those who are here already and their children. I want to make it equally clear about new immigrants. I do not see how, apart from capital and skill, they can contribute any of those other vital factors which I have mentioned, as ground for introducing more Europeans.

MR. J. S. PATIL: Question

MR. SLADE: Indeed, with some of them there is danger. I fear of their militating against those factors. I heard a question asked so I will have to answer. I think there is likelihood, by and large, of Asians militating against the establishment and consolidation of the kind of civilization that this Colony requires. I fear that, with the divided loyalty of a Republic, there is danger of their militating in some cases against the loyalty to the British Commonwealth that a British Colony requires. I fear that, in many cases, never all, but in many, the Asian artisan who comes to this country is not disposed to teach the African who works with him. So that is the answer to the question which was asked just now.

Apart from that, Sir, we have to consider the interests of the people who are

[Mr. Slade] here already and as has been pointed out by the hon. Member for Nairobi South and by the hon. Mover, it is difficult to understand how those Asians, who are here already, with the figures before them in this Paper, and as stated by the hon. Mover this afternoon, as to the number of Asian children who will be looking for work in the immediate future, how they can contend that it is in the interests of their own community, apart from the rest of the Colony, to bring in a lot more. Just as I have tried to be frank in this debate, I would ask the Asians to be frank, too, on this particular point.

Well, Sir, I am grateful to Government for having made their position clear; because I believe that though they use more diplomatic language than we use on this side of the Council, that is what this Paper means and nothing else—that we are going to have more European immigration of the quality that we must have and we are not going to encourage further Asian immigration.

There is only one remaining point, Mr. Speaker, and that is the question, what action does Government propose to give effect to this policy? We have this policy now where immigration is a matter of executive discretion. It is going to be based on the needs of this country for more capital, skill and so on. It is going to be related, I hope, to quality more than quantity. It is going to look primarily to the United Kingdom. Having got that far, and having admitted the need—the urgent need—of further immigration on that basis, what is Government going to do about it? What schemes are on foot positively to encourage and finance immigration of that kind? Is there any project for aided passages? And how far have we got in establishing places to which prospective immigrants can come, even before they are assured of employment, so that they can find employment on the spot? What are we doing about propaganda, not only in the countries from which we want to attract new immigrants, but propaganda among our own people? Propaganda to make it clear to people in this Colony how much we need more employees of the right type to be brought into this country. How much their own undertakings will prosper if only they will face the initial

expense of doing so. Mr. Speaker, without some description of the action to be taken, this is really only half a policy. It is plous thoughts without final determination how to give effect to those thoughts. I do hope that, in replying, the hon. Mover will give us some assurance on this question of action.

Subject to those comments, Mr. Speaker, I would like to support this Motion and commend this new policy to Council and congratulate the hon. Mover in the way in which he moved this Motion.

I beg to support.

GROUP CAPTAIN BRIGGS: Mr. Speaker, I support the Motion but there are two or three matters on which I would like to comment which have not been referred to by other speakers so far as I am aware.

The first one is, the hon. Mover, in his speech, referred to a number of commercial enterprises which were making a considerable contribution to the training of Africans, but, he omitted to make any reference—and I am quite sure that it was an accidental omission on his part. He omitted to refer to the daily contribution which is being made by the ordinary European farmer in this country. Day in, day out, year after year, the European farmer spends a very large part of his time training Africans, because it is only in that way that he can increase the efficiency of his farm and improve the standard of knowledge of the Africans he employs. Foremen, fundis, truck drivers, tractor drivers and so forth and so on. They are taught personally by the managers or the owners of these farms and I do suggest that they are making a very considerable contribution to the training of Africans in this country and, of course, indeed, on most farms they also provide educational facilities, so that they are helping in that direction as well.

The next point I would like to refer to is this. My hon. friend, the Member for Aberdeen, mentioned a list of diseases which, in his opinion, should exclude immigrants from entry into this country. I would like to add another disease on that list and that is the disease of Communism and I believe that there should be some form of screening to ensure that people who are members of the Communist Party, who are fellow travellers,

[Group Captain Briggs] in or in other ways undesirable, should also be excluded from entry into this country.

With those comments, Mr. Speaker, Sir, I beg to support.

MR. GHONVO: Mr. Speaker, I rise to support this Motion, because I do feel that it is an improvement on the 1948 Immigration Ordinance. In doing so, I fully realize that it is a very controversial Motion and at the same time I feel it is my duty, speaking as an African, to express my very frank views on this matter. As my hon. friend, the Member for Aberdeen said, it sometimes becomes very difficult not to be racial on such matters as this one. I do feel that it is my duty to tell this Government that we do not want further immigration, either from the East or the West, except two types. Those who can help us in bringing new capital for the development which we so much desire in this country and on the other, those who can bring new skills to train our people here. In saying so, I want to be very frank and say we would very much prefer to have people from the United Kingdom and not from the whole of Europe as my hon. friend, the Member for Aberdeen, seems to suggest. I do not think we need people from other European countries; than we do need people from Asia. I would like to make that very clear. If we can draw our requirements from the United Kingdom, we would very much prefer that.

At the same time I would like to make one point that when we do so, we must do so on contract basis. The emphasis of the whole thing should be made on training our local people, we have them, all that we want is for them to bring in these skills that we desire. It is true that in the Immigration Law in any country in the world is always very controversial, and I do say in most cases when there should be bias, the bias should be in favour of the inhabitants and surely Kenya cannot be an exception. I say that if there is any bias, it should go in favour of the Africans. The Africans are here to stay, just like any other people who are here now. We do not mean to say that anybody who has made his home in Kenya should go, but it is surely very important that we should make sure that the people who are here, particularly the Africans, should be protected against the

menace of uncontrolled immigration. I would, therefore, suggest that the Government should see to it that we do not have any further immigration from the Asian countries. I know, I can see the feelings of my friends, the Asian Members; but I do not think from past experience we have anything to benefit from these. Their record here has not been very creditable to the African people, they have been an economical handicap to the Africans, nobody would deny that, and I do not think they have made any contribution to bring the African up to standard. On the contrary they have suppressed Africans in every walk of life, and I think even their existence here, those who are here, should depend on their behaviour and their future contributions.

Mr. Speaker, as I say, it is very difficult for one to refrain from racial feelings on a matter of this description, because they are very far reaching and I do feel that we should make an immigration law in such a way that it will protect those who are in the country. At the same time I am not suggesting that we should close the door completely for those who can bring benefit to us, but anybody who just makes the problem complex should not be allowed to come in, because I fear danger of more Asian immigration; because unless it is controlled it is going to present us with a very serious problem. Look at the rate of their production. Well, if they go on much like this in another 10 or 20 years it could be a problem and I feel it is better to take steps now when it is not too late. I feel, Sir, like my friend, the Member for Aberdeen, that the spirit of this Paper will be carried into action, because if it is not carried into action, it will be an eyewash. I hope that is not what the Government intends to do.

Mr. Speaker, I beg to support.

DR. HASSAN: I regret, Sir, that first of all such an important Paper was brought in only about eight days ago and we never got an opportunity to study its implication thoroughly, neither were we given an opportunity to bring this matter of very serious importance to the notice of our constituents all over the country. I feel the position of my friends on the opposite benches is extremely awkward to-day in Kenya on

(Dr. Hassan) This issue. Although they are Government Members and under the whip, I think it would be very fair on the part of the Government, at least to allow them to speak their minds out without, in any way, committing the Government.

Now, Sir, I am going to speak on behalf of the Muslims that I represent, because I have seen that several of my friends, both Africans and Europeans, have made no bones about showing their annoyance at the increased production of the Asian people and that we have given no contribution in helping the Africans and all that sort of thing.

With a view to putting up a case for the Muslims I represent, I would like to give a short history of the Muslim immigration into this country because I feel that this is probably my last opportunity to refresh the memory of some concerning Muslim immigration and to inform those who do not know anything about it. Of course, it is a very well-known fact that the Muslims came to this country in 1811 and they were not one or two, they were in thousands.

In 1895, when Sir George Whitehouse landed in Mombasa, he gave the figures of the population of Mombasa. For your information, Sir, I will just give you the figures. In the Mombasa Island there were 20 Missionaries, Government Officials 24, Railway employees 29, private European firms' employees 24, Goans and Eurasians 169, Punjabi Muslims 4,799, Baluchi Muslims 494, soldiers, predominantly Muslims 300, merchants, predominantly Muslims 800, Arabs 596, Swahili 14,574, and Africans, including slaves, 2,890. That gives us the grand total of 24,719 people in the island of Mombasa.

Sir, it was during that year that a mutiny broke out in the Coastal belt and it was a regiment of Baluchis who came from India and dealt with it. The 300 soldiers who were in Mombasa were not enough to deal with the situation—it was very widespread—and the Baluchi Regiment, predominantly composed of Muslims, came to this country and brought peace and defeated those rebels.

Sir, in 1895 further immigration of Muslims started in this country. About 35,000, predominantly Muslims during the following five years came into this country. They were mostly labourers,

and accompanied by doctors, overseers, clerks, accountants, skilled artisans and so on. They completed the railway line in the quickest possible time and by 1901 the first train steamed into Kisumu. But, Sir, the hardships the Muslims went through there is historical record. Six per cent of them died; 28 of them were eaten by lions and quite a number of them were killed by my friends! 18 per cent of them were invalidated with sickness and out of 35,000, only 16,000 were repatriated, 6,000 of them were kept by the Government to run the railway, maintain it and also to supply the needs of the Civil Department.

Along with that, Sir, our merchants, predominantly Muslim merchants, brought in the supplies during railway construction and opened up shops in the remote corners of Kenya to maintain supplies to the civil stations. In this connexion, an incident, as reported in history, indicates that 70 dhows laden with foodstuffs for the construction stall with all hands perished in a storm and hundreds of thousands of pounds worth of foodstuffs was sunk, but, with all these disabilities they maintained the supplies.

Now, Sir, the Muslims here were 9,000 to 10,000 when the railway was completed in 1901, Sir, from that time until to-day, nearly 61 years, if you compare it what the population of Muslims to-day, you will find we are in the minority to all communities in Kenya. The percentage of increase during the last 61 years, will indicate that Muslims never tried to rush into this country and deprive the indigenous population of any means of their livelihood. We came here merely to engage in trade and help and assist the Government.

In 1948, Sir, we accepted and wholeheartedly supported the Government for restricted immigration, because we knew it was essential for this country, and we have no intention of going back on it, but on the proviso, and the Government accepted that proviso, that the Muslims' susceptibilities would not be ignored and would be respected.

Now, as regards what the Government has done by enforcing the Immigration Ordinance during the last seven years, and how they have respected the susceptibilities of the Muslims. I would like to say a few words on that, Sir.

(Dr. Hassan)

First of all, by an amendment to the Immigration Ordinance, they interfered in our Muslim religious law and made it illegal for marriage by proxy, which was permitted by Islam under most exceptional circumstances. This amendment was chiefly against the Muslims' susceptibilities. According to the Muslim law and custom, we consider a girl is legally able to marry when she reaches the age of puberty, which is 16 years, and the Immigration Ordinance made it illegal for a girl, in case she had to marry overseas among her own relatives and not to marry until she reaches the age of 20 years. The Muslim parents are called upon to hold the girl here for four years before they can go to Pakistan and India and marry. The principle that we wanted to follow under restricted immigration was merely to protect the indigenous population and the permanent residents of this country. I would ask the Government did it affect the interests of the indigenous population or the permanent residents of this country to debar a girl to go and marry before she reaches the age of 20 years? It was merely placing restriction on the Muslims and, further, it was laid down that the girl must go to Pakistan and marry there. Now, which of the community was going to benefit by this law, that the parents—permanent residents of Kenya—should spend colossal sums and take their daughter to India and Pakistan and marry there instead of making use of that capital that they had in their possession for the benefit of their families here? It is the usual custom amongst all the prominent people, all the families and respectable Muslims all over the world, that it is the boy who comes to the girl's house and marries, but the Kenya girls have been deprived of that privilege and they are told, "You go to the boy's house and marry," which is considered to be very, very degrading to a prominent Muslim family.

There are a large number of professions in this country that are almost completely managed by the Muslims, like tinmiths, barbers, to some extent goldsmiths, butchers; these are the professions for which there are professional Muslims among our own community. These categories have not been included in the prescribed professions and, therefore, they are not allowed to get any

help and assistance to maintain their established businesses, which they are carrying on, in some cases, for the last 30 to 40 years in this country. It affects no other community. I do not think there are communities who can provide barbers here. I do not think there are any Africans who can provide goldsmiths here, but yet it is a hardship to the established businesses which is making things absolutely impossible for the Muslims in this country. One fears, when going to a barber's shop, that one has got to stand in a queue, a long queue and one has got to waste two to three hours before one can get one's turn with the barber.

In this case, I would like to mention a case which is well known to the Chief Minister—regarding a Muslim goldsmith. A goldsmith who was carrying on business for 50 years in this country had seven people to help him. Due to certain disabilities and accidents one or two of them died, one went blind, others had to go for domestic reasons to India and he said, "I am going to be left with nobody so I should get permission to have temporary employment passes for three trained goldsmiths, carry on my business." The man started business in Zanzibar and then he was here for the last 40 to 45 years. Unfortunately, his application was turned down, considered, reconsidered and finally turned down. He is faced now with the position of either carrying on uneconomically and going solvent, or he must close down his business.

With a view to satisfying my African friends that the Muslims never came in numbers to be annoying to them, I would give them the figures of the Temporary Employment Passes issued to them: The Britons—13,960 during the last six years; other Europeans—2,847; Goans—489; Seychelles and others—327; my friends, the non-Muslims—1,734; and Muslims 276. The smallest number of immigrants, almost 50 per cent of Goans who came to this country.

I am afraid I have not been able to get statistics of Muslims for permanent residence and other, but I might mention here that in the Temporary Employment Passes list which is given in the Immigration Department, Asians are shown altogether Asians—5,377; it includes 327

[Dr. Hassan] Seychelles—I do not know when Seychelles became Asians—and also 489 Goans.

There is a great deal of alarm shown about the children; but, Sir, if you look up to the statistics of the Immigration Department, you will find, when this Restricted Immigration Ordinance came into force in 1948, in view of these changes of the Immigration Restrictions Ordinance, the number of families and children that came from India and Pakistan (how many of them were Muslims I do not know, but they must be a very small number) was very excessive indeed and it was all due to the fact that they were not going to get Permanent Residents' Certificates unless they were quick enough to reach here, so that the last seven years the statistics show—I think in this instance I should also like to mention how equal the number of the wives and the husbands among the Europeans; for seven years the wives came 7,027; children 6,766; mothers 244; fathers 55; brothers 4; sisters 49; and other relatives—411; and other dependants 62. That is a total of 14,618 of the European community. Asian community: 11,560 wives; 14,066 children; mothers 988; fathers 325; brothers 82; sisters 111; and there is also an item of other relations 319. That brings the total to 27,552, but in this 27,000 there are 14,000 children. That indicates that the number of children is more than the wives; and it is being claimed that they are more productive. I do not know why should they be more productive, because my African friends must be having more than one wife—a very large number of them—they ought to have competed with them. But an average of a child or two children or three children in a family is not large or excessive by any means.

There is one more point about rejections. It is necessary to mention as it is very important. The Europeans—215 rejected out of 16,317; non-Muslims—1,904 rejected out of 17,044; Muslims—266 rejected out of 276. So that the Muslims have also been very unfortunate. A community which never tried to create a problem in this country by coming in large numbers and the community which opened Kenya by the railway line, which is an indisputable fact that it created

Kenya—that community never tried to break the Immigration Regulations and always co-operated and were loyal to the country and to the Government—they have been treated in such a way, in spite of the fact that the Government had promised that they would respect their susceptibilities.

I do not want that there should be any new Immigration Ordinance for Muslims—I do not want it—but surely in immigration law there is some such thing as discretionary powers given to the Immigration Officers, as well as to the Chief Secretary, and those discretionary powers are to be used for the community who have not been evading Immigration Regulations and who have always been loyal and faithful and never tried to rush into the country. This has not been done, Sir. To the great annoyance of the Muslims—now the poor Muslim community in Kenya to-day feels that only due to the previous restricted immigration we have done so badly during the last six years, now these further restrictions being imposed, that means complete elimination of the Muslims coming into this country. Although it was never our intention to have any free immigration, it was merely under the regulations—that if a businessman wants somebody to come and help him in a certain line as an artisan, as a clerk, as a shop assistant, it was that type of people who were applied for, and now Government must realize that the Muslims and other Asians who have suffered in this country engaged in a permanent business—if their business interests are being jeopardized for want of hands, is it going to do any good to the economic development of this country?

Now I would like to touch on a few points from the speech of my friend, Mr. Slade. He says that the people coming into this country—every investigation should be made for their capital, skill, integrity, health and traditions, but he added further that also the community they belonged to—the race they belong to. As far as I know, the Immigration Department is very strictly investigating every case and if he wants to see how it is done he should meet the incoming steamers—bringing most of the Asians. They look up all known papers regarding the health of the person and it must be in perfect order before the man is declared healthy. Second, the

[Dr. Hassan] Immigration Department see his papers if the man is genuine, and the Immigration Department has certain arrangements by which they find out whether the person is not a criminal; but I know, to my knowledge, so far as India and Pakistan are concerned, a person has got to go and get a clean sheet from the police before he can get his passport signed, so there is no possibility of a criminal coming from those places. It is a different matter if a person, on arrival in Kenya, becomes a criminal.

The community he spoke about, we do not want Asians in this country. Of course it will not help him to say so, because the Asians in this country are almost 120,000 to 130,000 strong and if the number is alarming, I am positive they will increase—they will increase like anything in this country. They know how to produce more, so he should not worry about the number because there it does not need to increase their numbers by getting any more people from India and Pakistan. What we are worrying about—we want highly qualified teachers to come and take up the teaching profession in our schools, where teaching is very, very defective. We want to educate youngsters of ours in such a way that they should have a real modern education to fit into the modern society of this country, and if the Government was to go and offer a one-year contract to a qualified and trained teacher, naturally he would turn it down. He would never come to this country. This is a very important thing for which the Muslim community particularly were worried, that in the absence of highly qualified and trained teachers—for which I asked the Education Department if they could provide Europeans to give education to our children and they said they cannot get them. And if that is the position, why should the door be closed from India and Pakistan and suggestions be made that they should only come for one year if that is the source of the supply where we can get it from? We only wanted trained people to come up to help establish interests of the permanent residents on temporary employment passes which should not be less, under any circumstances, than four years. I do not mind if they are sent back after four years, but as long as we cannot have enough

teachers locally here, neither can we get them from the European community, it is certainly the greatest hardship inflicted on Muslims.

He also questioned the loyalty. Well, this is a catchword in the mouths of some of my friends; they always talk of loyalty. I challenge anybody that we are not more loyal to Her Majesty the Queen than any one of you and we have proved our loyalty by living in this country for the last fifty years.

The second he said—Christianity. We have nothing to say against Christianity, but any religion in which it is essential for a person to believe in God—that is what we want in this country. We do not like to hear that we should have Christianity here; the religions of Islam and Christianity—there are a lot of good points in it—but the people when they do not follow, whether they are Christians or whether they are Muslims, they are a nuisance. Islam, after all, is a religion where nobody can be a Muslim unless he believes in Christianity. They should thank Islam and they should welcome that religion in this country, which will fit into the African way of life very well indeed.

I quite agree with him that when a larger number of people are immigrating into this country from any source, whether it is from the United Kingdom or elsewhere—whether it is only the United Kingdom because there is nowhere else they will come from—much greater care is to be taken that the right man is brought into this country to help and assist the indigenous population. I do not think it is possible for any of those to come and train these Africans, but at least by contact with them he ought to act and behave in a way that it should be an example to them to follow. The question in the White Paper that we should only allow the trained artisan to come and train the Africans; and that too on the temporary employment pass—I hope it is not left at that, Sir, because I doubt if you will ever get enough trained people to come and train Africans. Government ought to have opened institutes and trained these people. In every part of the world we have got population institutes where the indigenous population is trained, and

(Dr. Hassan) Government ought to pay for that training. That is a very speedy process and to expect that somebody will come from overseas and undertake to train them for two years, knowing full well that he is to go back after two years, will never be a successful project.

Regarding this going away with the Immigration Board and Appeal Tribunal, although I have changed my opinion quite a lot after hearing the Chief Secretary to-day, but still I feel that in a multi-racial Government, multi-racial Boards and Tribunals were the ideal bodies to fit into that. We had the control transferred from the Government to the multi-racial Board, and it is not a very good compliment to the multi-racial Board that they have not been able to do things well and it is taken over by the Government again. It did not look very reasonable to me. The only thing we found, that we had members of all communities on that Board, although the result, as stated by me regarding the permanent residents and temporary occupation licence and dependant licence passes—so far as the Asian communities are concerned—I am sure the Board did extraordinarily well—the number of rejections indicate that they kept their eyes open and they did very well. I do not know whether they did well for the Europeans, but the number of Europeans coming into the country was considerably increased. So the Europeans should have no objection to it; the only community that could object was the Asian, and we were satisfied that our members were fighting at all levels, in spite of the fact that they failed in some several cases; yet we were satisfied that we had somebody who is looking after the interests of the community. But as the new policy suggested that it will change the whole situation and probably things will get better, but the policy statement, unfortunately, does not indicate that. If the new Board appointed is to act on the policy statement, then the question of temporary employment passes will probably never arise, because I do not think there will be any Asian coming on one year's pass to this country.

Of course, if this policy is to be followed, that no person—it does not matter whether he comes from Europe, whether he comes from Asia or whether

he comes from Timbuctoo—is to be allowed to enter into Kenya if he is likely to compete with the indigenous population and permanent residents of this country; but, Sir, it does not appear that policy has been followed in the past, and probably there may be some change in the new policy that the Government intends introducing.

Unless some changes are made and the attitude is changed to help and assist the Muslims in this country, I think they are very bitter about it, and I must oppose this Sessional Paper.

MR. TYSON: Mr. Speaker, Sir, while supporting the policy as set out in the White Paper, I cannot help feeling that it is a great pity that it has not been possible to make this an interterritorial affair, rather than a territorial policy. I realize the difficulties to which the hon. Member has drawn attention, and one can only hope that, as the Committee of the Nairobi Chamber of Commerce which considered the Royal Commission Report pointed out, "while it is obviously desirable from the commercial angle that a uniform immigration policy for the territories should be adopted under the aegis of the High Commission, we feel that this development should be a natural growth when Kenya has clearly demonstrated to the other territories the value to all races of a balanced immigration policy". One hopes that the policy which is about to be introduced into Kenya will set that example.

What I think we must keep in the back of our minds, Mr. Speaker, is that from a commercial point of view, a trading point of view, East Africa must be regarded as one big internal market, and, as has been pointed out over a very long period by the commercial community, the future development of these territories, at any rate so far as the commercial side is concerned—industrial development—does depend to a very large extent on treating these three territories as one big internal market.

Now, I do not regard this matter as a racial problem at all. I regard it, subject to certain qualifications, as an economic question, and when you get down to fundamentals, so far as the young people are concerned, it is a matter of their future self preservation. These youngsters of all communities are

(Mr. Tyson) growing up; here in Nairobi considerable sums are spent in evening classes, in training the youngsters of various races; the Royal Technical College is about to start functioning. What is to be the future of these young people after that training, unless there is some restriction on immigration into the territory?

The figures are set out in paragraph 15 of the White Paper and give some idea of the numbers for which we have got to make provision over the next few years, and it would be grossly unfair, in my opinion, if the chances of these youngsters who are being trained here, to whatever community they belong, are to be jeopardized by the immigration of outsiders, except under very strict regulation.

There is another aspect of it which I think must be kept in mind, and to which allusion was also drawn by the Nairobi Chamber of Commerce, arising out of the Royal Commission Report, where they say that "what does not emerge from these paragraphs, is that a continued importation of skill, without a greater inclination on the part of the existing second generation immigrants, European and Asian, to work hard to acquire those skills, may tend to create a problem of its own in a large body of unemployable permanent residents". That is a warning. I think, Sir, to which serious attention should be given, particularly by parents, because the facilities undoubtedly are available here for training in various directions, but the facilities are not being taken advantage of to the extent that they should. As an example—here in Nairobi, where our evening classes are catering for the Africans and teaching them English in order that they can read textbooks and profit by that training, we have at the moment some 1,500 Africans attending these classes. On the other hand, so far as the other communities are concerned, considerable difficulty is experienced in getting a class of even 20 in the many technical classes which are being organized and run.

I think what we must also keep in mind, is that the days of importing skilled staff—skilled staff of any type—teachers, chemists, engineers, and so on—from Great Britain, are rapidly coming to an end. All the big commercial and

industrial undertakings in Great Britain are to-day providing their own training facilities by which they take youngsters from elementary schools, and from the secondary schools, from the "public schools and from the universities, training them to fit into their own organizations, and I doubt very much whether our prospects of getting skilled staff from home are going to be very rosy in the future. That should be all the more encouraging to the youngsters of all races who are receiving their training in this country.

With those remarks, Sir, I support the Motion.

ADJOURNMENT

THE SPEAKER (Sir Ferdinand Cavendish-Bentley): The time for suspension of business is at hand, Council will stand adjourned until 2.30 p.m., to-morrow, Wednesday, 25th April.

Council rose at fifteen minutes past six o'clock.

Wednesday, 25th April, 1956

The Council met at thirty minutes past two o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentley) in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—

Report of the Select Committee on the Local Government (Rating and Valuation) Bill, 1956.

(By THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock))

ORAL ANSWERS TO QUESTIONS

QUESTION No. 79

MR. SLADE asked the Minister for Legal Affairs to state what is the position with regard to prosecution of the former rebel-leader Mbaria?

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): The terrorist Mbaria s/o Kaniu was captured on 6th January, 1956, in the course of Operation "Bulrush" in the area of Lake Naivasha. He was charged and tried for the offences of consorting *contra* Emergency Regulations 8c (2) and membership of an unlawful society *contra* section 71 of the Penal Code. He was on 16th February convicted of both these offences and sentenced to life imprisonment and seven years' imprisonment respectively, the sentences being concurrent.

QUESTION No. 80

GROUP CAPTAIN BRIGGS asked the Chief Secretary to state whether Members of this Council, recognizing collective responsibility of the Council of Ministers, are to accept the views expressed by the hon. Asian Minister without Portfolio at the meeting held at the Desai Memorial Library, on 12th April, as representing the views and the intentions of Government, particularly in regard to the Highlands, to multi-racial education and to the Common Roll?

THE CHIEF SECRETARY (Mr. Turnbull): The Asian Minister without Portfolio

enjoys the fullest confidence of his colleagues.

(2) The Lyttelton Agreement laid down the principles of policy which form the basis of coalition government established thereunder. The Government adheres to those principles of policy.

(3) The Lyttelton Agreement subsists until 1960, unless modified by unanimous agreement before that date.

(4) It is in no way inconsistent with the coalition principle of the Lyttelton Agreement that communal representatives participating in the Coalition should represent the long-term aims of their respective communities, to be pursued in due course. It does not follow that such aims commend themselves to the Government immediately, nor that they will necessarily commend themselves to the Government at any particular time in the future.

All Ministers have accepted and adhere to the idea of a coalition Government and therefore of a joint approach to the problems of the country.

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, arising out of that reply, is the Minister aware that a letter dated 9th March, 1954, was addressed to the leaders of the racial groups by the then Secretary of State in the following terms:—

"Dear Mr. Blundell,

I refer to a number of conventions which it will be necessary for Ministers to enter into between themselves or between themselves and the Governor before the Governor can come into being. They will include undertakings concerning collective responsibility and will involve Ministers in undertaking to support the Government in the Legislature, to vote with it and to support its policy in public and in private. If a Minister is not in agreement with the Government's policy, he must resign.

There will be a further convention which will require Ministers not to propose legislation concerning the special rights of racial communities in those areas established for their respective use by Treaty or Order in Council.

Legislation on these subjects will not be introduced in the period before the elections of 1960. Such a convention is

[Group Captain Briggs]

considered essential if a period of political stability is to be established in which the economic and social life of Kenya can be re-established after the Emergency."

Those are the more important parts of that letter. Now, will the Minister state whether the formal documents referred to in the last paragraph of that letter were, in fact, signed by the Asian Minister without Portfolio, and, if so, will they say how they can reconcile his membership of the Council of Ministers with the statements which have been attributed to him in a public speech?

THE CHIEF SECRETARY (Mr. Turnbull): Sir, it is rather a convoluted kind of question. The Government is aware that such a letter was written and the Government is aware that those terms were accepted. The Government does not agree that there has been any contravention of the accepted policy of the Government by the hon. Minister.

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, in view of the unsatisfactory nature of the reply, I beg to give notice that I will raise the matter on the adjournment.

MINISTERIAL STATEMENT

NOTICE

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): Mr. Speaker, Sir, I have been desirous of making a short statement by arrangement with hon. African Representative Members opposite concerning African political associations, but the information that I had expected to have ready has not yet come to hand, and I would be grateful if I might be allowed to make it later this afternoon, Sir.

THE SPEAKER (Sir Ferdinand Cavendish-Bentley): Yes, you can make it after Order No. 7 before we resume the main debate on Order No. 8.

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): Thank you, Sir.

MOTION

SUSPENSION OF STANDING ORDERS

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, I beg to move:—

That under Standing Order No. 168 the Standing Orders be suspended to the extent necessary to enable Council at its rising to-day to adjourn until

4 p.m. to-morrow, Thursday, 26th April, 1956.

Sir, this Motion I think is self-explanatory.

MR. HARRIS seconded.

Question proposed.

The question was put and carried.

MOTION

THE LIQUOR BILL—APPOINTMENT OF SELECT COMMITTEE

THE ASIAN MINISTER WITHOUT PORTFOLIO (Mr. Patel): Mr. Speaker, Sir, I beg to move:—

That a select committee be appointed to examine and report on the Liquor Bill (Bill No. 27) consisting of:—

The Asian Minister without Portfolio (Chairman).

The Minister for African Affairs.

The Parliamentary Secretary to the Minister for Education, Labour and Lands.

The Hon. T. F. Anderson, O.B.E., M.D. (Director of Medical Services).

The Hon. D. W. Conroy, O.B.E., T.D. (Solicitor General).

The Hon. Sir Charles Markham, Bt.

The Hon. H. Slade.

The Hon. J. S. Patel.

The Hon. E. W. Mathu.

Sir, after the Second Reading of the Bill was taken during the last sitting, very important representations have been received in regard to this Bill and, therefore, the Government thought it would be advisable to refer this Bill to a select committee.

I beg to move.

THE MINISTER FOR COMMUNITY DEVELOPMENT (Mr. B. A. Ohanga) seconded.

Question proposed.

MR. MATHU: Mr. Speaker, Sir, I rise to support this Motion, but I should like to get an assurance from the hon. Asian Minister, without Portfolio that out of those representations he refers to, there is no intention, or rather he is satisfied, that there is no intention of delaying tactics from those who made those representations to remove the very important matter of discrimination against Africans in regard to this legislation?

THE ASIAN MINISTER WITHOUT PORTFOLIO (Mr. Patel): Mr. Speaker, Sir, there is no such intention at all. In fact, one of the intentions is to bring this law into operation as early as possible by incorporating in this Bill certain provisions in regard to the manufacture of liquor which were omitted from this Bill in the hope that a certain new Bill with these clauses was to be published soon. So there is no intention either to omit the clauses removing the discrimination or to delay the Bill.

The question was put and carried.

MOTION

THE LOCAL GOVERNMENT (RATING AND VALUATION) BILL

Report of Select Committee

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havemann): Mr. Speaker, I beg to move that the Report of the Select Committee on the Local Government (Rating and Valuation) Bill be adopted.

Mr. Speaker, the report has been circulated to Members. It is quite a full one and there are one or two passages in it which I would like to emphasize and possibly expand.

With regard to clause 1, the alterations that your committee suggested really, as it says in the Paper, clarify and clearly set out the actual application of the Bill. In fact, what it amounts to is that it makes it quite sure and certain that the Bill could be applied, and shall be applied, to all local authorities as is suitable.

The next important amendment that is suggested, Sir, is an alteration to the time of valuation. Now, Sir, what this really amounts to is the alteration is to ensure that when a supplementary valuation roll is made, that it shall be made and the values shall be so valued on the basis of the main valuation roll which may have taken place, which may have been agreed to and accepted three or four or even five years previously. In other words, it is to ensure that when supplementary valuations take place there is no discrimination between the owners of the rateable property which is valued at that supplementary valuation roll time as against the owners of rateable property valued when the main valuation roll was brought in.

The next amendment is also an important one, Sir, which refers back to another clause, a new clause 27 which your Committee has inserted: It is to clarify the position with regard to the High Commission and the intention and, indeed, the results of the recommendations of the Committee are that High Commission land will be dealt with in exactly a similar manner to Crown land.

In clause 3, there is nothing of any great importance, but clause 4, the Committee has redrafted the clause, to try, again, to make it more definite and clearer and in the discussion on this particular clause, I would like it put on record that the Committee had certain doubts about the word in clause 4 (1) (d), the word, "particular". The sub-clause reads, Sir, "Any rateable property which is subdivided or consolidated with other rateable property; or any rateable property which from any cause particular to such rateable property arising since the time of valuation, may be revalued".

Now, Sir, the Committee wanted to establish, and did so to their satisfaction, that that word "particular" meant in particular to the individual property and not particular to any group of properties. I think hon. Members who have studied the Bill will see the importance of having established that, but your Committee was satisfied and so no amendments were suggested.

In clause 5 and 7 we were merely drafting amendments.

Clause 8, Sir, again, it was a matter of making clarification and here I would like to say that throughout the Bill, the Committee have recommended the insertion of the word "draft" before "rolls" or "supplementary valuation rolls" until the period where the town clerk signs the roll, in fact, the roll does not become the valuation roll until that happens, previous to that it is a draft valuation roll which can be altered by the valuer. We felt it was necessary, therefore, to make a number of amendments but all consequential having accepted that principle.

Clause 9 is a very important clause and one which, was especially referred to in the debate on the Second Reading.

[The Minister for Local Government, Health and Housing]

This is the matter of the valuation. Originally, the following words were included in the clause, in both sub-section (1) and sub-section (2), the words were to the effect, that the valuer would have to take into consideration, when valuing, "any restrictions imposed on the land, being restrictions which either increase or decrease the value of the land". Now, this particular clause, Sir, gave your Committee very considerable thought, and it has been agreed by the Committee, as seen in the report, that the restrictions which the Committee feel the valuer should take into consideration are those of planning restrictions which it covered—such restrictions are covered we consider—by the alteration of the word "position" to the word "zone". The word "zone" is a planning term, and, therefore, if any particular property is in any particular zone then the planning restrictions put on that zone will be taken into consideration in the valuation, but other restrictions we considered should not be taken into consideration. We felt, Sir, by deleting those words which I referred to just now that it would lead to a fairer valuation of property and also, as is stated in the report, to less litigation which in itself is a great advantage.

Clauses 11 and 12, Sir, there is nothing of any real importance, except drafting alterations, but clause 13 we accepted the recommendations by witnesses that the local authority would be able to set up a valuation court before they had actually received objections to the valuation roll. The reason for that is really merely administrative and it was proved to our satisfaction that by giving the local authority that authority it would definitely lead to speeding up the appeals to the valuation court and appeals to be dealt with more quickly. In fact, what it amounts to is the valuation court will be in existence to deal with any appeals as they come forward.

Clauses 14 and 15, Sir, there is nothing, there is no report on them.

Clause 16, as is in the report, we have suggested that we make it quite clear that the chief valuer of a local authority is the man responsible for the valuation roll and not the people who helped him, his assistants. The responsi-

bility must be pinned on one man and the recommendation of your Committee makes that quite clear.

There is nothing more of great importance until one gets to clause 25 which has been renumbered and is now 26; and that is a matter of when the Government, or the Crown, pays contributions in lieu of rates or not on land which is being made available to local authority for a public purpose. The original clause of the Bill was rather obscure as to the actual moment when the contribution in lieu of rates may cease to be paid, and now it has been clearly defined, so your Committee thinks, by the alteration which states when the agreement is reached, when the Government agrees to make the land available, that they cease to pay the rates or the contributions in lieu of rates on it.

There is a new clause 27 to which I referred to previously clarifying the situation with regard to High Commission land and here I would point out, Sir, that High Commission land includes that land occupied by the Postmaster General and the Commissioner for Transport. That means really, in fact, that all land occupied by High Commission Services is covered.

We have also made an amendment to clause 29 which is now 31, to allow for a certain amount of elasticity with regard to the levying of rates; that is that rates can be varied at the discretion of the Minister only within a local government authority area. They can be varied from one area to another.

Now, it is certainly not the Government's intention to apply this in many cases. It is much righter and a much better basis that the actual percentage rate should be the same over the whole of the local authority area; but there may well be and, in fact, there is in existence today, in one area justification for variations. The particular area where it is now in existence is the differential rate between the Mainland of Mombasa and the Island and there is certain justification for that to continue anyway for some time; I hope not too long.

Clause 31 is also an extremely important clause, Sir, and a very important amendment has been suggested. Old clause 31, I hope I have got the right

[The Minister for Local Government, Health and Housing] clause, no I have not got the right clause. clause 31 is dealing with the matter of exemptions and there was considerable discussion in the Committee as to whether local authorities should be able to exempt places, such as places for public worship, crematoria, burial grounds, sports grounds, etc., where they should be able to exempt them from paying rates if they were being conducted for profit or not. We considered that, of course, they should not be exempted if they were being conducted at a profit, but it should be left in the hands of the local authority who, after all, represent the ratepayers, as to whether they should exempt them or not. We should not try to tie it down in rather obscure phrases exactly what was meant by conducting for profit. So, therefore, we have made certain alterations in that clause.

Turning now, Sir, to clause 35 which, I think, is the next very important point, new clause 37. This particular one gave your Committee very considerable trouble. If hon. Members will remember that in the original Bill the local government authority was given a first charge, or the authority to have the first charge, on property belonging to those who had not paid their rates. Well, there are, of course, reasons why the collection of rates should be made more easy for local authorities, who, again, I stress, after all do represent a number of ratepayers, therefore, if they do not collect all the rates that are due from a certain number of ratepayers the other ratepayers who do pay up suffer in the long run. On the other hand, your committee felt, Sir, that it was not right that the local authority should have a first charge on a property over and prior to any other charge which already may be in existence and it is set out in the report the reasons for and against this particular clause, or this particular measure. I think one of the most important of the reasons against allowing the local authorities to have a first charge is set out in (b) of the comments on this clause in the report; there it says: "It is now permissible to invest trust funds on the first mortgages, such investments might be prejudiced if they became postponed to subsequent charges in favour of local authorities." That, Sir, I think, is

one of the very important reasons indeed. Therefore, your Committee has recommended that there should not be a first charge levied by the local authority, but the local authority should be authorized to have a charge on the property that that charge shall rank in priority with previous charges. It is felt, Sir, and although there are, we know, a number of people, ratepayers, who have not paid their rates, and from whom it is extremely difficult to collect rates, especially those owners of property who do not live here, absentee landlords, it is still felt that the numbers of those people are not sufficient to justify creating such a very important precedent in allowing the local authority a first charge on properties. We feel, Sir—the Committee felt—that the local authorities themselves will know, they must know, who are the ratepayers from whom it is difficult to collect rates, they will know from past performance, and then they can take immediate action with regard to the registering a charge on the property although it will not necessarily be a first charge, unless it is the first one registered. So, Sir, we have recommended—the Committee have recommended a quite considerable amendment to clause 35, which, as I say, is now clause 37.

Clause 36, now 38. The method of serving summonses has been extended, and clarified, again with a view to helping the local authority to collect rates from those who do not seem very keen to pay them.

Also Sir, a small thing as it may seem, but quite important to a number of local authorities is the alteration of the amendment to clause 40, now 42, with regard to the method of serving notices. We have widened the methods very considerably, we were told on one occasion in Committee that some notices in some areas had to be served by canoe and that there were no provisions to enable this to be done. So that is one reason, but not the only reason why we have widened these provisions.

Clause 43, now 45. We also suggested an amendment which is quite important with regard to the administration, especially from the point of view of my department, the Local Government Department, and that is that the Minister may prescribe the form of valuation rolls.

[The Minister for Local Government, Health and Housing] Also, another important factor, I think, is that the amendment we have suggested will provide that the Minister may be able to make regulations which can be limited to limited areas within a local authority, or to any particular matters within an area within a local authority's restrictions. Again, it is merely a matter of providing for elasticity, Sir, for the Regulations, and I am sure that all hon. Members will recognize that in this country the conditions in different local authority areas vary very considerably indeed and, therefore, the more elasticity provided, the better.

Then, Sir, there are important amendments, consequential amendments, to the schedules which have been suggested. As I say, they are consequential on the amendments to the Ordinance, and also there has been a simplification to the Fourth Schedule to allow for the enactment, or the implementation of the provisions of this Ordinance, and the change-over from the old Ordinance to this in certain local authority areas. That is going to be slightly complicated, because some local authorities have a new valuation roll every three years, some every five, some have just completed a new valuation roll, some are just at the moment compiling one, and so, again, the conditions vary very considerably from one area to another. So it was a bit difficult to try to provide for all these conditions, but the amendment suggested to the Fourth Schedule your Committee believes will simplify the implementation in all areas.

Sir, I do not think that there is anything of great importance other than that I have mentioned arising out of your Committee's Report, and I beg to move.

THE PARLIAMENTARY SECRETARY TO THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Jeremiah) seconded.

Question proposed.

The question was put and carried.

THE LOCAL GOVERNMENT (RATING AND VALUATION) BILL

Third Reading

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havock). I beg to move that the Local

Government (Rating and Valuation) Bill be now read a Third Time.

Question proposed.

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

MINISTERIAL STATEMENT

AFRICAN POLITICAL ASSOCIATIONS

THE SPEAKER (Sir Ferdinand Cavendish-Bentick). Mr. Windley, are you prepared to make your statement?

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley). Mr. Speaker, Sir, in response to a request from the hon. African Representative Members, I am grateful for your permission to make a short statement on the position with regard to African political associations. So far, Sir, four such associations have applied for registration, one in Nairobi, the others in Nakuru, Mombasa and Central Nyanza. Certain amendments to their constitutions had been required in order to make them suitable for registration in conformity with the law at present in force.

One association, that in Nairobi, Sir, has amended its constitution in accordance with these requirements, and therefore all formalities of registration have in that case been completed and a formal act of registration only awaits the payment of a registration fee, which they have expressed an intention to pay to-day.

In respect of the other three applicants, the nature of the amendments to be effected to their constitutions, in order to make them acceptable for registration is the subject of discussion between the associations and the Registrar. No difficulty is anticipated and it is expected that appropriate amendments will be made and registration will be completed in the near future.

MR. MATHU: Mr. Speaker, Sir, we are grateful for the statement that my hon. friend has made, but does he appreciate, Sir, that the African Members on this side are in a difficulty, particularly when my hon. friend, the Minister for Finance, is going to lay his Budget to-morrow, and there will be, except for the one which he quoted as registered, no political organizations to whom the African Members of this side would refer to the Budget for their views, so that when

[Mr. Mathu] they come back on the 15th May, Sir, the African Members can say that the Africans in their areas have not expressed opinions.

Secondly, does he appreciate also the fear that the African Members have on this question of the pending elections, when there will be no political organizations to which Africans would have to come to put the policy of the Government with regard to African elections across to the common man, and, if he appreciates these matters, could he, on the Government's side hasten this meticulous business of amending the constitution, a detail that is usually of a laboratory test-tube character?

THE MINISTER FOR AFRICAN AFFAIRS (Mr. Windley): I would like to say, Sir, that I do appreciate the difficulties of the hon. Member, but I would also like him to understand that it is not in the hands of the Government to amend the constitutions, which are the subject of discussion, but they need to be referred back to the associations concerned, to effect these amendments in accordance with the law.

This, I know, has all taken a long time, but on our part, Sir, I certainly assure him, and on behalf of my hon. friend the Attorney General, who had a considerable part to play, through the Registrar, that we shall do our best to expedite the formation of these associations and I trust that he will also find other means for consulting his constituents on the Budget proposals.

MOTION

IMMIGRATION POLICY

(Resumption of debate interrupted on 24th April, 1956)

MR. USHER: Mr. Speaker, Sir, the Motion was moved with that great dignity which we have come to expect from the Leader of the House, and indeed, up to a point, the hon. Member for the Central Area, Mr. Chanan Singh followed him speaking wisely and with moderation—up to a point. Then came certain observations which I can only describe, Sir, as intolerable from a Member of this House. I will read "I do hope that the new executive officer will be more amenable to reason than the Board of

Tribunal have been. We do hope the administration of the law in future will be fair. It is well known that the membership of these boards have been created in favour of one racial group."

Sir, I am a plain man, not a lawyer, and I cannot see any other construction to be put upon those words than that the operation and the functioning of the Immigration Control Board and of the Appeals Tribunal have been improper and unfair. I think it is only proper to ask that the hon. Member should withdraw that imputation. If he does not do so, Sir, if he likes to hide behind that privilege which attaches to Members of this honourable Council, then, Sir, we must leave him to do so.

I will only say this, that if he had said it outside this Council, one would have considered an action for criminal libel.

Well, Sir, as a member of that Board for the last seven years, I should like to make one or two observations on the working of it. Of course, it is quite clear that as the law was, such matters as what is or is not prejudicial to the inhabitants generally of the country would naturally be occasionally a matter for dispute, and discussion, and indeed, Sir, they were. I can assure hon. Members that, for instance, Europeans were not always unanimous in their ideas about that, but we did eventually by a slow process, get to some construction of this wide expression which was generally, in the Board, accepted as satisfactory.

The Board, as I say, did certainly contain more Europeans than members of any other race. There were four Europeans, one of them a representative of the hon. Chief Native Commissioner, there were two Asian members, one Arab and one African. I take the opportunity to say here, Sir, the composition of the Appeals Tribunal, which was also the subject of comment by my hon. friend, was one retired judge, I think it is always a retired judge as president, one European and one Asian.

Now, Sir, the kind of difficulties we were up against were caused entirely by the many various and strange ruses used by certain people to get in their relatives and friends—to get them into this country. I refer first of all, Sir, to the ordinary shopkeeper. Of course he was always short-handed and he had to get

[Mr. Usher] in someone from outside. Now why? Why did he have to do this? The answer was nearly always "Well, you see, there is nobody here that we can trust". He had to get hold of somebody from his own family, I suppose. Well, that is a strange comment, Sir, upon the community, if that is so.

Then again, of course, there was always the difficulty that he was not in a large town. Well his people do not like going into any district where they might be regarded as pioneers, that is if there were not cinemas and so on.

Now, Sir, I would like to refer to the occupational aspect of this problem. I think it is pretty well known, anyhow I myself got to know very well, that occupations among the Asian communities are a matter of heritage. You get your barbers, you get your goldsmiths, and so on, that is fairly well known, Sir. Now what happens when a barber is short-handed? He may have three sons or six sons, will any of those be barbers? No, Sir, you have to fetch a barber from India, and there is a very deep reason for this too. One at least, as we discovered. That is that wages here are depressed to the point where the local young men will not accept appointments to those occupations. But people, of course, will always come over from a country which has an even lower wage economy.

Time and again, Sir, we have urged those in various types of business to provide training. We have pointed out to them that there are local people coming on who must be employed somehow or other, that they cannot expect those who have temporary employment passes to be allowed to remain after the termination of the period of their passes.

Hardly any notice has been taken of this and then, of course, at the last minute, you get an *ad misericordiam* appeal that you must do something or the man will have to go out of business. That is what you are perpetually up against, and it has been very difficult.

In the same way, I am bound to say that it is very difficult to get any response from local youths to go into these various vocations. We have tried over and over again to get them to go and

apprentice themselves in such public utilities as the East African Power and Lighting Company. They will not do it.

I have cited these instances to show that the difficulties of the Immigration Control Board were very great.

Allusions have been made, Sir, in the course of this debate to loyalty. I do not think that the loyalty of our local people has been called in question at all. But I often wonder whether what I mean by loyalty is what other people mean by loyalty. My hon. friend, the Member for Nairobi South, touched upon the point when he asserted that this was a Crown Colony. It might therefore be supposed that it is the will of the Crown that will prevail.

Well, one of the things that the Crown may properly be presumed to will is that the colonial system shall persist here. And yet, Sir, we get it on public platforms attacked, anathematized, called in question. Not, perhaps, by very responsible people, and I am not suggesting that it is done by hon. Members of this Council. Nevertheless, we do get these attacks upon what is called colonialism. The point that I really wish to make, Sir, is this, that while we should, as my hon. friend said, do everything we can to make a good life for our Asian friends in this country, we must hesitate before we welcome large quantities of those who come from a country which has nothing to do with the Crown—which has elected to become a republic—to allow such people here unless we are very sure that they will not propagate the political views of that republic.

Just one last word, Sir. My hon. friend, the Member for Aberdare, put in what I consider to be, in essence, an eloquent plea for selective immigration. This is not a racial question, Sir; but we cannot be too careful. We have, Sir, I am ashamed to say, people of my own race who should not be in a country like this. The causes for the decay in manners and morals are, I think, well enough known to members of the Council. I believe they are not deep-seated and that the inherent virtues of my race will, in the end, prevail.

While I am speaking of the British race, Sir, might I ask hon. Members to remember that we are "British" and not "Britshers"? The word "Britsher" is an

[Mr. Usher] Americanism and if hon. Members will study the Oxford English Dictionary they will see that it is there described by one authority as an odious vulgarism.

Sir, I beg to support.

MR. COOKE: Mr. Speaker, I have very few words to say in strongly supporting the Motion, but I would as a member of an oppressed republic referred to by my hon. friend, say that I have a certain amount of sympathy with the words of one or two of the Asian Members, especially with my hon. friend, Dr. Hassan, who after 50 years of very efficient and loyal service, has found himself the victim of what he thinks, at any rate, an unjust decision. But I think he must ask himself who gave this unjust decision? Well, the answer will be the Government. But who, Sir, are the Government? Well, the Government, as I see it, the Government is not my hon. friend, the Chief Secretary, on the other side of the Council; whose dignified speech I also enjoyed, but I envisage the Government as His Excellency the Governor in Council of Ministers. And who, Sir, are the Council of Ministers? Well, they comprise two or three of my Asian friends on the other side of the Council! So the unjust decision, if indeed it was an unjust decision, must have come with the agreement and the connivance of the hon. Asian members of the Government of Kenya! Now, they must accept a large measure of responsibility; and I must say I was not entirely convinced by the rather "convoluted" reply of my hon. friend about responsibility. I thought—I am not trying to raise what is past—but I thought the theory of cabinet responsibility still holds. If it does not hold, then the whole of the Council of Ministers is a delusion and a snare. Indeed, I think, as I said a few months ago, I thought it was as dead as Marley, as dead as a nail, and I think I have got a great deal of confirmation in this debate that if it is not dead, it is at least in a moribund state.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Wishful thinking.

MR. COOKE: Wishful thinking, yes, sometimes on both sides.

I merely, to end up, say this, that I can throw this crumb to my hon. friends, the Asian Members. That this Sessional Paper is only a statement of Government policy. A great deal of water, Sir, may run under the bridge; and until Mr. Nehru thunders from Delhi, and we shall not know until then, if indeed thunders can be used as the right word concerning a mild man like Mr. Nehru, we will not know until he thunders that this declaration of policy will ever be embodied in a Bill! Sir, I support the Motion.

MRS. SHAW: Mr. Speaker, Sir, I would like to support this Motion, agreeing with a great deal of what has been said by my European and African colleagues on this side of the Council.

I think the hon. African Representative Member, Mr. Gikonyo, had made a very good point when he said that the bias must be in favour of the Africans as an indigenous people of Kenya. I agree with him too, that as a backward race they must be protected from uncontrolled immigration, and he is right, too, in his contention that the accent should be on the immigration from the west if this Colony is to be developed on the concept of the British way of life.

All that is perfectly true, but I do not think that it is only the Africans who must be protected from the effects of uncontrolled immigration, for it is indeed the rising generation of Kenya, including all races.

I cannot understand how Asian leaders can reconcile their policy of flooding this country with Asian aliens without safeguarding the future of their own children, the Kenya-born Asian.

An executive Asian, a Member of the Council, said to me yesterday: "That is where the criticisms in this debate of this large size Asian family, that we wondered if, indeed, Britain's greatness in the Victorian Era was not entirely due to the largeness of families". He suggested possibly that her decline in greatness had dated from the time when the economic factor began to control the size of the family. Well, Sir, I am afraid I do not agree with him, but I am certain that it was not the size of the Victorian family but the very strict discipline of the God-fearing Victorian parents that bred a race of men and women who, as controlled and disciplined citizens, contributed to that greatness.

[Mrs. Shaw]

The real truth of the matter, as I see it, Sir, is that the Hindu still subscribes to a dual nationality, lip service to Kenya, and the bulk of their allegiance for the bulk of their community lies overseas. They look to India for their religion, their social customs and their way of life, and I wonder how many thousands of pounds earned annually in Kenya find their way back to India?

It is this inability, I contend, Mr. Speaker, to sever their connexion with their motherland which makes them sometimes suspect here, and the Hindu community, in my opinion would be well advised to take heed of the wise words of the leader of the Ismaili Muslims, the Aga Khan, when he said to his followers in this Colony, "No matter how proud you are of your Indian origins, you must consider yourselves to be African, not Asian. You should not behave as transients in Africa, on African soil any longer, but act as permanent citizens in a new home". And, Mr. Speaker, it is indeed to protect the permanent citizens of this Colony of all races that I support the provisions of Sessional Paper No. 78 of 1956. Mr. Speaker, I beg to support.

MR. COWIE: Mr. Speaker, as a certain amount of levity has been introduced into this debate—and with some relief—I hope the hon. Member for Aberdare will not mind if I quibble with him on one particular point: I would like to praise him, Sir, for a very constructive contribution to this debate and a contribution which stood out in great shining sincerity in comparison with certain other speeches in support of an amendment yesterday.

The point is this, Sir, may I bring back one of our friends, Mr. Harvey B. Cheeseman? I very much doubt if Mr. Harvey B. Cheeseman, who is a symbolic figure for all tourists in the country, would like to be subjected to medical examination, and I am perfectly certain that Mrs. Cheeseman would be even more—would find it even more objectionable. I think, Sir, so far as the temporary visitor is concerned, I would like to put in this plea, that we continue to give them the greatest possible freedom of entry and if in doing so, there are risks, we must take them, even if one of these people happens to be mentally deficient

or happens to have some loathsome disease. I rather wonder, Sir, if it would be a very bad thing if we brought in, say, myxomatosis for there are creatures in this country, that have the same tendencies as rabbits. But that is a chance, Sir, we must take, and having taken the chance, let us be sure that the temporary visitor can come to this country, and spend his money and enjoy his visit. For that, Sir, I do ask that we do not adopt entirely the full measure of the proposals by the hon. Member for Aberdare in screening everyone who comes into this country.

MR. SLADE: On a point of explanation, Mr. Speaker, I did expressly exclude the visitor, my very words were: "I am not concerned with them in this debate."

MR. COWIE: I thank the hon. Member for that explanation, Sir, but I think it is a pity that he did not include visitors in his contribution.

But may I go to what I think is a more serious point. It is, so far, Sir, that the contribution itself is related to our own domestic differences of opinion, but what has not been said is the question of pressure from outside. I believe, Sir, that within the course of the next ten years, it is not unlikely that there will be pressure from other countries and nations for us here to accept either more immigrants than we need, or the type we do not require. That pressure may take the form of international politics and, if so, we here must be resolute and we must have a sense of our own national responsibilities and defend the right, which I believe is ours, and that is the right to decide our own immigration policy. It is at that point, Sir, where I do hope we can bury our differences of opinion and see inherent in this new immigration policy, a system which will enable us to withstand unreasonable pressure from outside, whatever country it may come from, if it is pressure which we ourselves are not prepared to accept.

I commend that, Sir, to the hon. Member and hope that in the course of his reply it might be possible to assure us that in the framing of this legislation and the policy behind it, we do recognize that we have a national sense to safeguard our heritage, deciding our own policy and preventing other countries from foisting

[Mr. Cowie] upon us people we do not need. I beg to support.

MR. LETCHER: Mr. Speaker, Sir, although I do not agree with some of the paragraphs appearing in Paper No. 78, I do feel that all those of us who have the welfare of this country at heart should give—should agree to the Motion.

This is an agricultural country, Sir, and I would remind hon. Members that settles in this country not only supports himself and his family, but he also supports an average of thirty Africans and their families, plus a commercial house or two, not to mention two or three *dukas*.

Now, Sir, for this reason, I feel we must see that no legislation is passed which debars entry into this country of men necessary to help to keep the farmer going. This does not apply to the farmer only, Sir, it also applies to our air services in this country, where skilled mechanics are required and I do feel that our air-minded people deserve special consideration.

We must encourage more farmers' sons, men who are prepared to work with their hands and who are prepared to teach the Africans that hard work never killed anyone. There is a tendency in this country, Sir, especially among our younger African generation, and especially among those who are a smattering of education that it is *infra die* to work, to use their hands, and this has got to be checked, Sir.

Now, the hon. Asian Member for Central Area raised yesterday objections to people travelling interterritorially having re-entry permits, etc. Well, Sir, there is only one way to do a job and that is to do it properly. I fully support control of people coming and going in these territories. Having said that, Sir, I support the Motion.

LT.-COL. GROGAN: Mr. Speaker, Sir, it has been impressed on me by my colleagues that I ought to add a few words in support of this Motion for the simple fact that it is notorious that for half a century I have been an implacable opponent to Indian immigration into Eastern Africa. It is almost exactly half a century ago when there

was a committee in London, the terms of reference of which were whether or no Asiatic immigration should be allowed into East Africa, and it so happened that I was probably the only person in London at that time who had a very clear conception of where the East Coast of Africa was and the result was that I was called to give evidence. I argued at great length that it would be a ghastly error to admit Asiatic immigration into Africa for the simple reason that the obligation of ruling East Africa had been attributed to the British people and the East African people; and more especially, in view of the fact that the function of the European and the African in tropical East Africa were certainly then and are today, well over ninety per cent complementary and not competitive. I contended if this wedge was allowed into our composite society, it would prevent the European from expanding into his proper functions and it would also prohibit the African from rising in the economic sphere.

Now there is no question in my mind whatsoever that if that advice, like a lot of advice of mine, had been taken, we should have had a very different East Africa to that which we have today. There was no question about it that under those conditions, we should have had a very, very much larger European population and we should have had an African population capable of carrying out a very large portion, if not all, of the work that is now being carried out by the Asiatic element in this country. Now I say that, hon. Members, without any offence whatsoever to my Asian friends. So far as I was concerned these matters are basic policy; as to what our obligations are, because they, the African people, asked us to come here and take control of their destiny up to the point where they could actively participate in the conduct of their own affairs. Not that I have ever had, I trust I never shall have, any feeling of hostility, certainly not any personal hostility, to any people from the East. I have done everything I possibly could to study the culture, the philosophy and the outlook on life of the Hindu as distinct from that of the Muslim, which is quite a comprehensible way of life. But as far

[Lt.-Col. Grogan] as the Hindu is concerned, I have never been able to understand it, because it always seems to me to boil down to no is yes and yes is no and nothing is anything.

Now, that, of course, is quite incompatible with a more or less materialistic point of view. I must compliment the Government, for once in a while, for having produced what is, in fact, quite a lucid document. Unfortunately it is slightly muddled with the hypocrisy which is inherent in this conception of a multi-racial government, as distinct from an Arab, African and British Government, which is quite a possible and properly pursuable objective.

Now, Sir, we have to put up with that sort of thing nowadays, because apparently that is the main platform of public life.

Now, what has been said in the course of this debate on work, integrity and all the other immeasurable qualities which are quite incapable of being decided by any imaginable commission or inquiry, but I do suggest, that there is something we can all understand, and that is the basic, congenital inherited affinities, of different people. Now everybody who makes any study whatsoever of what has been going on in the world over the last hundred years, and I have very nearly covered that, must realize that there is no possible, stable emulsion between two such obviously repellent components as the theory of Hinduism, and the theory of the Western people. After all, the theories and the cultures of the Western people always were basically, in their very origin, democratic, and all through the ages, they have been steadily evolving a system of government which gives effect more or less, less as the days go on admittedly, but more or less, to the principles and the objectives of democracy. Whereas under Hinduism, as I understand it, it is based on the negation of the rights of forty million of their own people who are described as sub-human, and not even allowed to draw water from the common well.

Now it is commonly said that that is all wiped away with modern legislation. Nothing of the sort has ever happened. No legislation in history is ever going to wipe out the acquired characteristics

and habits and psychology and outlook of a great people who have been evolving their own system for ten or twenty thousand years. It is just not so, and therefore, I think that on the whole matter of affinity, it is quite essential that these proposals, which of course are—quite obviously they do not confuse my Asian friends here in the least since they are quite obviously aimed at limiting and ultimately excluding any further Asiatic intervention in the affairs of this country.

Now I was startled the other day, not startled I was rather pleased actually, in reading the speech of my hon. friend the Indian Minister without Portfolio, where it became quite obvious that he has dropped the skin of sweet reasonableness and emerges in the full bloom of life of an Indian King Cobra enunciating and portraying every form of imperialism; but I am quite certain that having loosed that inner soul of his and realizing the impossibility of accomplishment, he has decided quite properly, at incidentally, great personal loss to ourselves, to seek Nirvana in Pondicherry.

As far as my old friend Dr. Hassan is concerned, I have a very large measure of agreement—considerable measure—with him because the age to which he referred—and he nearly goes back to it himself—I was also present, and those Baluchi gentlemen to whom he referred were at that time very actively engaged not only in the military sense in support of Raj the mystic Raj of that day, but also very actively and successfully, carrying on what was called slave raiding enterprises into the interior of Africa, and there is no doubt whatever about it, of course—and this is a fact we ought not to overlook—we ought to lay great emphasis on it—and that is the Muslim interest in the East Coast of Africa has prevailed for hundreds of years, and that if it had not been for the achievements of the Arabs in the early days, none of us would be here at all to-day.

We all know of the great British explorer, Burton, who was alleged to have discovered Tanganyika. He never discovered Tanganyika at all. He was conducted to Tanganyika by Arab gentlemen. He was entertained and conducted home. No legislation in history is ever going to wipe out the acquired characteristics

[Lt.-Col. Grogan.]
years later, when I also got to Ujiiji they were the people who entertained me—Arab gentry on a large scale.

And the same thing applied to Speke, who was alleged to have discovered the source of the Nile. He never discovered the source of the Nile. I did. As far as the waters of Lake Victoria went through Uganda, he was conducted there by another Arab, and when he got there he was entertained, but very luckily he escaped alive from a lot of bloodthirsty progenitors of the present Kabaka.

And, therefore, it is quite obvious to me that when you come to the question of Muslim representation in this country and the exposition of the proper interests and rights, that task should be entrusted to an Arab, because we are only here by permission of the Arabs. After all, what is our right of entry into this country at all? It is by treaty with a Sultan of Zanzibar and, without that, and without the Protectorate and the lease of the Coastal Territories which we enjoy by courtesy of the Sultan of Zanzibar, we could not be here at all; and therefore I think it is terribly important that when we talk vaguely about multi-racial Government, immigration and this, that and the other, we should get it quite clear in our minds that our proper policy is one of Arab, African and British rule and, as far as the other people are concerned, they should be allowed to enjoy all the privileges they have enjoyed in this country, and build up the riches that they have achieved, without any further extension of their numbers. There are quite sufficient here to-day to carry out their proper functions, and if stopping any more from coming in means a slowing down of our development, let us put up with it; and I am quite convinced in my own mind—thanks to the machinations of the hon. Minister for Finance—that there is not very much prospect in the near future of many more artisans being wanted, because I think there is no question whatsoever that, before very long, we are going to drift into financial calamity, which will speed up what happened at the beginning of the last war, when there was a menace of a bomb attack on Nairobi from the Italians and 5,000 Asians hurriedly left the country to what they believed at that time to be

a safer country—namely, the peninsular of India.

Mr. Speaker, I beg to support.

MR. ARAB MOI: Mr. Speaker, Sir, I support the Motion and, after listening to the many speeches made yesterday, I have come to learn that the intention of this immigration Sessional Paper is to tighten up the old immigration law of 1948, and I was also glad to learn from the hon. Mover that the African youths, particularly in trade schools, are to be safeguarded and helped to get employment, and that further immigration should be restricted.

The second matter, Sir, is that the hon. Nominated Member, Mr. Tyson, mentioned a very important matter. This is not a racial matter at all. The hon. Asian Members felt that this was a matter favouring the Africans and Europeans, and leaving the Asians. I cannot forget what the Asians have done to the Colony, particularly the Goans, who have contributed a lot towards the administration, and, further, I would draw attention to all hon. Members that there should be a complete standstill of further immigrants into Kenya from Asia.

Instead of suggesting further importation of Asians from India, I suggest that those who do not behave themselves here should be exported back to India, because some of them have been looting the Africans in trade and other things, and therefore I suggest, Sir, that this Sessional Paper should be approved, and that Africans in this Colony should be safeguarded from further immigration, with the only exception of skilled men from England, such as doctors, as we badly need them, and others whom the Colony needs for special jobs.

I was very much surprised to hear from my hon. friend, Dr. Hassan, saying that we need shop assistants from India. Are those really skilled men to come here? Why not make use of the local men who leave school in Kenya, particularly the Asians? I understand 3,000 will be leaving school at the end of this year. What will those do? If you try to import others from the east into Kenya, what will happen to the locals?

Mr. Speaker, I support the Motion.

MR. AWORI: Mr. Speaker, Sir, I shall be very brief in speaking to this Motion.

[Mr. Awori.]

First I would say I support the Motion and Sessional Paper No. 78 of 1956. I think that Government has delayed in bringing up this immigration policy for a long time and, maybe due to the multi-racial Government, some of the Members on this side of Council might have asked other Ministers to bring this Motion—this policy—through. I do not want to be racial at all, Sir, when speaking on this Motion. Unfortunately, due to what my hon. friend the Asian Member from the Central Electoral Area, Mr. Chanan Singh, said, we have had to take a long time in hearing numerous speeches which have been racial—people condemning the west and others condemning the east. I do not want to take that at all. I only like to look at the best. If I think the best is from the east, well, I will go to the east. If I think the best is from the west, I will go to the west, but I was brought up from the western angle, and so I have to say that here, if it is a question of changing the east to go to the west, I shall have to go to the place where I think is the best.

But then the whole debate, Sir, has been based on the question of stopping Asian immigration in this country. I do not think that the Government had that real intention. The real intention, from my own aspect, is that we should protect the indigenous people in the country and the permanent residents of this country. I think—if I look at the Sessional Paper right, and if I understand it rightly—that is how I interpret it. Now, when hon. Members from this side of the Council say they want immigration from Asia not to be restricted, or they want immigration from Europe not to be restricted, I am surprised. What about their children and their children to come? If we have to have Kenya as a dumping ground for the surplus population—whether it comes from Poland or from Czechoslovakia—I think it is wrong. That is why, Sir, I am not going to say, or to concentrate my speech on disagreeing with the Asian Members, because they feel that immigration from Asia should not be restricted.

My friend, Dr. Hassan, made what I said was a very humorous speech. He made us laugh a lot in Council, and since then he gave us the history from 1811—the Asian Muslims came in here—

but I was not convinced. I do not agree that it was the Asian Muslims only who built the railway from Mombasa to Kisumu—why did he not mention the Hindus and the Africans? It is not only the Asian Muslims who were killed by lions or who were eaten up, and so I do not agree at all with that argument. The important thing is that now we are having the technical schools, and what you want are artisans and technicians. If we have too many from abroad, what about the children of this country? What are they going to do? That is how I look at the Sessional Paper. I feel that we should protect the interests of the people here.

My Asian friends think that the African Members, in supporting this Motion, and in opposing yesterday the amendment—they think we are against Asian immigration to this country. We are against the immigration of all people who are not really necessary; whether they come from Europe or from the United Kingdom or from Asia. If they are not necessary, we do not require them. We can have the local manpower. That is my argument on that point. If I have been misunderstood, I must assure my Asian friends—both in the Council and outside—that they should not misunderstand the Africans here. They should not say we are discriminating against them. The Government, rightly, never mentioned anything to do with it. If I can be able to read well, they never said they are going to restrict immigration from Asia; but they mentioned that the best stock will come from the United Kingdom. If you sell an African a bicycle, he will ask for a Raleigh. He will not ask for any stuff from Japan or India, because he knows it is the best, and you cannot convince him otherwise. Now, if the best stuff comes from the United Kingdom, we shall have from the United Kingdom as a priority, and elsewhere later.

I do not agree with what my hon. friend, the Member for Aberdare, said about Europe. He was all the time concentrating on Europe. I concentrate on the British. I do not think you should get Polish and Czechoslovakians. I have nothing at all against them, but I feel that what we want are the British people. They came here as missionaries. They came here as explorers, and we would

(Mr. Awori) like them to be here with us, but we are not going to have people from Russia or Estonia and Latvia. We are not going to have them.

Now, Sir, before I sit down, I should like to say one further point, and it is a question which was raised by my hon. friends, the Asian Members, on this side of Council. If they blame the Africans, the Asians understand there are Asian Members here—the Ministers and Parliamentary Secretaries. I know they have got collective responsibility, but if I were to go and get on the other side of Council, if I was a Minister or a Parliamentary Secretary, and I feel the matter of policy affecting the African people technically, I should resign and go back from where I came.

Mr. Speaker, I support the Motion.

MR. MATHU: Mr. Speaker, Sir, in commenting on the most admirable speech by my hon. friend, the Mover, in presenting the Motion to the Council, I should like, I think, to start on what I thought a very humorous note left to the Council by my hon. friend, the Member for Nairobi West, and I agree with him that in the very early times, away back to the annals of Josephus, the Arabs came from Arabia with their canoes along the East Coast of Africa, and established the towns which we know now—Mogadishu, Malindi, Mombasa, Zanzibar, Kilifi, Sofala and so on—and from that historical point of view they have a very significant part to play in the future development of these East African territories.

Agreeing with him on that issue, I should like also to say, Sir, that the British explorers—the missionaries and sailors—who followed the Arabs later, although the Arabs were a guide to some of these places which they explored, the Arabs were never alone. They were with the Africans, because we must admit that the Arabs coming from Arabia for the first time did not know the interior of Africa, and therefore they had to depend upon the assistance of the African people in these areas.

He also mentioned, Sir, that they were friendly with the British. Of course they were. He mentioned about the slave trading and the Ivory trading that

brought them here. I think also the major point, Sir, of coming to East Africa in those days was for trade. Ivory was the thing that attracted them most, and of course later they found a very lucrative trade in human beings among my own community and, their households and development, and they were served by my own people, and, therefore, they could not have made the foundations of British settlement here without the help of the African people, and, being Muslims, I should like to couple them with my hon. friend, the Muslim Member for East Area, and say that he did say in the course of his speech that the African Muslim really—and the African generally—would get on very well with the Muslim community in East Africa. I think he is quite right. They do get on very well, and I would like to say, Sir, during all this very inhuman trading of the Arabs and the Indians, and with the present community, that during these times you imagine the Europeans. The Europeans came later; they came much later, in the 16th century. You start before the Convention of Geneva and you never talked before the British came into this thing, and talked in the 19th century. And, unfortunately, it is a subject I have studied very carefully, but I wanted to mention to him, Sir, that in spite of this friendly issue he says the Africans would have with him, I should like every time for him to remember that the African looks with horror at the present moment on the methods that the Arabs and Muslims used to treat the African people, selling them in Zanzibar market like horses. Now, that does not get out of our head, and will not.

But there is one very interesting aspect of this slave trading, Sir. The exporting of the slaves before the British Consulate in Zanzibar at the latter part of the 19th century, helped by a very able Arab Sultan, who was a great friend of the British—Sultan Barghash—who stopped slave trading in 1873 and 1876. The two treaties stand between the two countries—that the Muslim King of Bengal had under his control 8,000 African slaves in Bengal. That is so. Well, Sir, they eventually managed to get the throne of Bengal, and it was seven years the Bengal Kingdom was

(Mr. Mathu) under the rule of the ex-slaves—Africans in that country. If you like, Sir, I will give you the three names.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): Mr. Mathu, I think we are getting a long way from what we are discussing in Sessional Paper No. 78.

MR. MATHU: I respect your ruling, Sir. I will come right down to the Sessional Paper, Sir, and say my point was to congratulate the Muslims who have agreed to the African Muslims—and excellent Muslims—to reign in Bengal, and that is why I want to connect the friendships, Sir, between ourselves and the Muslims in that, fortunately, we have to get immigrants from Asia.

Going from that, Sir, I would like to suggest that there should be no misunderstanding between any hon. Members here and the African people—the African Members on this Council. Our position is what has been said by previous speakers—that the Asians, the Europeans and the Africans, and the Arabs who were in this country, must stay here, and I think this policy is important to protect those who are already here from any invasion of people from Asia, or from Europe for that matter, whom we do not want to develop our country economically or in any other way.

Now, Sir, if I may just refer to a very few points in regard to the Sessional Paper, and mention, Sir, that from the African point of view we attach tremendous importance on the subject of those who come into this country—to what extent they will help to further the interests of the inhabitants of Kenya—and we feel, Sir, that as far as the question of temporary immigrants is concerned it is very important that they should be able to instruct the local people in the crafts—the reasons for which bring them to this country; and my hon. friend, the Member for Central Area, Mr. Chanan Singh, said that all of them cannot be instructed. I would like to suggest, Sir, for the consideration of the Government, that no person should be allowed to come, and, in general clause (f) under paragraph 22, who cannot be able to instruct. I think that is a very important condition. What we want is to turn our manpower into skilled man-

power, and if these people who come here and have not the capacity to impart their knowledge to our own people—I think it would be better for them to stay out and not come into this country.

On that one, Sir, I would like to suggest to the hon. Mover whether he would consider as a condition that those who come under that clause should know the English language, because if they came from places where the English language is not spoken, and you expect them to train apprentices in an establishment, well, these apprentices, if they are local people, the common language that would be suited to them would be English, and what my hon. friend says is right; I think, because you do not need Swahili in Rome or in Bombay or Karachi or Israel. That is why I give them the best part of the doubt—that they should know the English language, so that our Standard VIII boys in this country could avail themselves of the knowledge they can impart with that language. If they do not speak English, Sir, I think two years' or four years' contract is too short a time to come and learn Swahili, and be able to impart knowledge profitably to our own people. That, I think, is a most important point, if I may say so, Sir.

Further, Sir, I would like to ask my hon. friend, the Mover, to take into very great consideration the proposal they make in paragraph 16—that they say, Sir, if I may quote:

"On the other hand, this process must not be allowed to prejudice the chances of employment or the economic opportunities either of the existing working population or of those who within the next five years or so may be expected to come into the labour market."

Now, five years or so is quite a short time, Sir, and I do hope Government will have the necessary machinery to make sure that all our local youths know that that is a five-year period—that it is absolutely necessary to catch up quickly in the training in the British schools, in apprentices of British schools, and so on, so that in five years' time I think perhaps Government will have to review their present policy in this regard; but I want to make sure that in those five years we shall have laid such an important foundation in trained manpower—

[Mr. Mathu] in skills—that it will not be necessary to consider bringing in external people in large numbers.

Now, Sir, there is a further point I should like to mention, and that is in regard to the question of those who come here should be persons of quality. That I think is a point that was emphasized by my hon. friend, the Member for Aberdare. I agree with him, Sir, that those who come here should be men of quality in every respect. I do not want to go into the details as he did, but all I would say, Sir, is for instance a man wants to come and take up farming in this country, and he has never done farming before in the whole of his life, I do not think he should come, because he is going to waste two, three or five years learning how to farm, and that will be wasting not only manpower, but also wasting money. I would suggest to him that the people who come here should know their jobs, so that we can reap the benefit from their labours as quickly as possible, and I agree with him—and my hon. friend, the Member for Uasin Gishu—when he said that not only Europeans, but Africans and other people in this country should work with their own hands. Now, I agree, Sir, that there are a few of my own community who think that working with their own hands is a disgrace. Now that, Sir, is a matter we have put across to them, and we tell them there is nothing better than to work with their own hands, and if my hon. friend, the Member for Mombasa, would permit me, he would say "Have a go at it," because the Romans did say *labore est orare*, and that, I think, is the best future in these matters.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): This will be a convenient time to take the usual break for fifteen minutes. I will suspend business for fifteen minutes.

Council suspended business at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

***MR. MATHU**: Mr. Speaker, when the Council interrupted business, I was saying that it is important that, in the administration of Government policy contained in this Paper, they should be very meticulous in regard to the quality of the persons who enter this country, and I am suggesting, Sir, that no person should come in and learn how to hunt

economic wealth here. He should have the knowledge before he comes here, so that we can benefit almost immediately from the efforts of his labours; and I was going to say we should not only get men who fight to the job to be done, but men who demonstrate with their own hands that jobs can be done with their own hands.

Now, Sir, I should like, before I finish, to refer to a few points raised by my hon. friend, the Muslim Member for East Area. I should like to suggest to him—as suggested by my hon. friend, Mr. Awori—that if any of these business people who deal in shopkeeping or clerical work or metalwork—goldsmiths or tinsmiths—are short of hands, surely the point is to train the local youths in these occupations, and not to import more. My hon. friend, the Member for Mombasa, with his inside knowledge as a member of the Immigration Control Board, did contribute, I think, better than I could in this matter, and I support him wholeheartedly. If we have the men here, the point is we should train them, and not go out of the country to bring in new people who will do the job.

As for barbers, when my hon. friend gets tired of queuing, I would suggest, Sir, as he said his community is increasing, and is going to increase, they should find youths to train as barbers, and not go to Pakistan or elsewhere to seek for barbers. It is not impossible for them to do.

Now, with this controversial paragraph 30, I should like to assure my hon. friend, the Muslim Member for East Area, that I have read that paragraph many times when the Paper came to me. In fact, practically almost every time I read the Paper since the Paper came to my hand. I understood exactly what paragraph 30 means and what it says. All I am suggesting is, in support of paragraph 30, to ask the Government when it will be possible to translate the principle in paragraph 30 to legislation. If it were, I can assure the hon. Moyer he will receive one hundred per cent support from the African Members from this side of Council, because he must ignore in the minds of any people in this country, or this Council, that our preference is for immigrants of a selected type of the highest quality, who can almost immediately contribute to the

[Mr. Mathu] economic wealth of our country, from the United Kingdom. Failing that—and failing that means a great deal—it means seeking hard until we can. I also am disappointed from the hon. Member, Mr. Tyson's, remarks that it is not easy to get these trained men from the United Kingdom, but I think the point he wanted to emphasize—which I agree with him—is that we should not look overseas every time. We should keep our eyes on our youths and train them through the trade schools, the evening continuation classes, the Technical College, and not always have our minds overseas. We have the boys here, we have the girls, and we can train them to become really worthy economic assets all round for the future development of our country. I would like to say, Sir, that the African Members here—like many others—feel that this country is going to be developed jointly by all those who are here, but those who come—as my hon. friend, the Nominated Member, Mr. Cowie, said—must come because we allow them to come, and they should not come just because they must come. We should try as much as possible to be self-contained as far as training manpower is concerned, and I do think, Sir, that it is not impossible within the next five years to show that we can do it for the good of all the inhabitants of this country.

Sir, I beg to support.

SIR CHARLES MARKHAM: Mr. Speaker, in supporting this Motion, I must apologize to you, Sir, for being absent yesterday, and I have no intention—in speaking very briefly this afternoon—of trying to rehash what I read this morning in HANSARD.

I feel it is only right, Sir, that a tribute from this side of Council should be paid to the Immigration Control Board for the extremely valuable work they have done, which will now die away when the Bill comes in as a result of this Sessional Paper.

Now, I was particularly glad, Sir, to hear the hon. Member for Mombasa reiterate the remarks of my hon. friend, the Member for Central Area, who has not yet seen fit to withdraw the allegations he made. I think it is a great pity, Sir, those remarks were made, particularly against the integrity of a Board that has done so much for this country, and has been

altered considerably in the Press over the past years.

Also, Sir, I would like to pay a tribute to the work done by the Immigration staff with the Principal Immigration Officer, because the company which I used to work for have employed and brought into the country a great number of Europeans—both from England and from the Continent—and never once did we fail to receive the utmost courtesy and help from that department, Sir.

I was interested to listen to my hon. friend, the African Representative Member, Mr. Mathu, when he delved back into the history of what happened in the old days in Africa, but I would like to point out to him that, in those days, of course, there was no immigration trouble at all, because if, by chance, the Africans met somebody from abroad they did not like, they simply had him for lunch! And that, of course, did solve any question of the necessity for a Meeat Commission!

I would ask, Mr. Speaker, one question of the Asian Members on this side of Council. Do they really believe, Sir, that it is in the best interests of those Asians established in Kenya, that any further Asian immigration should be allowed? We have all admitted that those who are here have a right to be in this country, and should take their part as citizens of Kenya, but I wonder, Sir, when I drive to Muthaiga occasionally at lunch time, and see the numbers streaming out of that school on the way to Muthaiga, whether it is in the best interests of the Asians themselves that any more should come in.

I have a feeling, having read the speech of my friend, the hon. Member for Central Area, that there was a slight touch of the hustings of September in that speech, and a slight touch as well of "His Master's Voice" from elsewhere; but, Sir, I would ask them seriously whether they do not consider it is in the best interests of those here that they should obtain full employment?

And, with those words, I support the Motion!

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts): Mr. Speaker, Sir, now that a commendable note of levity has entered into this debate, I must apologize for being constrained to comment on two extremely dull points.

[The Minister for Education, Labour and Lands]

The first, Sir, was raised by the hon. Member for Central Electoral Area, who said that it was Government's responsibility to train artisans. The second was the employment of Asian teachers which, I think, was raised by the hon. Member for East Electoral Area.

Sir, on this side of the Council the rumbles of an approaching election do not reverberate quite so loudly as on the other side.

AN HON. MEMBER: Question!

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Courts): You will note, Sir, I said quite so loudly.

Also, there is the question of conscience as far as one's constituents are concerned. In my case, Sir, my conscience is for the growing youth of this country, and I feel, Sir, that my conscience has got to be pretty large to embrace all of them.

Now, as regards the first point—that is, in regard to artisans—we took the advice some five years ago in Government of the Assistant Adviser to the Colonial Office regarding their training, and that was that Government should train artisans for three years in the trade schools, and thereafter they should have two years of on-training in industry, and it was pointed out by the Adviser—and it is perfectly true—that the three years in places like Kabete and Thika, etc., do provide a good basic training, but it is not the whole training for that individual. The remainder of the training must be supplied by industry, and that is the point which I want to stress in this debate.

Furthermore, Sir, the numbers which Government can cope with in places like Kabete and elsewhere are bound to be limited, and there must therefore be a considerable effort on the part of industry to train others to take their part in this country. Sir, I want to say that this must obviously involve apprenticeship schemes, and I realize that there is a considerable difficulty with industry at the moment in that there is no legal backing for any apprenticeship schemes which the Labour

Department at the moment may introduce. That particular point has been covered recently by the Advisory Council on Technical Education and Vocational Training, and fairly soon I hope some legislation will be introduced into this Council in order to regulate proper apprenticeship schemes, and I would ask now, Sir, for the full backing of this Council when that legislation comes along.

Also, Sir, in that connexion, I would like to say that surely it is axiomatic in any British principle that those people who are in positions of responsibility must train those who are underneath them, and I feel, Sir, that we should all accept that, and do the best we can.

As regards the second point—that is, teachers for education—I should say straight away that our own training schemes in our own teacher-training establishments already provide sufficient teachers for primary education. Therefore, we do not need any more from outside in primary education. In secondary education we still need a specialist class—a class of teachers that might deal with specialized subjects, such as mathematics, science, geography, history, etc.—and I would like to assure my hon. friend opposite that if there are any outstanding and specially recommended teachers from India or Pakistan during this year, 1956, we should be prepared to consider four-year contracts for them. For the future, Sir, we must rely on our own people, and these people are going to be trained here in the Royal Technical College or on special courses in the United Kingdom, otherwise, Sir, we must import—as has been suggested, Sir, in section 30 of the Paper—from the United Kingdom, European graduates.

Sir, that I think covers these two particular points, but I would just like to say that on the whole question of immigration, I would like hon. Members to realize that the growth, both of education and of training, in this country, has been very remarkable in the last five years, and the people that we need now are only really in two classes. They are the older and very experienced men of supervisory and training ability and the younger, very highly qualified men. Others will have to be discouraged.

[The Minister for Education, Labour and Lands]

Sir, with these words, I wish to support.

Mr. HARRIS: Mr. Speaker, Sir, I feel that there can be very little more that can be added to this debate without repetition. In fact, Sir, I cannot help words of Gray coming to my mind every now and again, "The lowing herd winds slowly o'er the sea". But, Sir, in this debate we have had a great deal of history. We have heard of the Arabs who once traded in slaves; we have heard of the Muslims who were killed by the lions, and other Muslims who were eaten by Af... well, the other way round, when they were building the railway.

But, Sir, unfortunately, immigration is one of those subjects that raises these nationalistic tendencies in nearly all of us. We have, during the debate, had European nationalism, African nationalism, Asian, Muslim and Arab nationalism, and I would suggest, Sir—as there cannot be many people to speak—that we might, in the closing stages of this debate, concentrate just a little bit more on Kenya nationalists; a Kenya consisting of all the existing races in the country, and I would like to endorse the closing words of the African Representative Member, Mr. Mathu, who made a similar appeal. I feel, Sir, that as might be when debating immigration, we considered rather more of the future and rather less of some of the more disputable past.

I made the point, Sir, yesterday, that a country's immigration policy should be designed to protect the existing inhabitants. A country's immigration policy, Sir, wherever there is such a thing, is usually also designed to create the kind of nation which the inhabitants of that country want in the future, and I would suggest that all of us might well take a leaf out of the Government's Sessional Paper and try to view this thing as dispassionately as nationals of Kenya rather than as Europeans, or Asians, or Arabs or Muslims. There has been, Sir, rather too much tendency for each of us, for many years, to consider immigration on a purely sectional basis. I do appeal that from now on, now we have got this rather contentious debate off

our chest, we might consider this subject in future as one which benefits the whole of the inhabitants of the country and that we forget our sectional interests.

Finally, Sir, in the spirit of what I have tried to say, I would appeal to the hon. Member for the Central Area to accept the invitation of the hon. Member for Mombasa and withdraw his somewhat offensive remarks on the Immigration Control Board.

I beg to support.

THE ASIAN MINISTER WITHOUT PORTFOLIO (Mr. Patel): Mr. Speaker, Sir, on a highly controversial subject like this, one would expect that there will be differences of opinion shown during the course of the debate. And one may also expect that while expressing one's own views, one may be led away by a certain amount of passions and prejudices which one may carry in one's head on a subject like this. Therefore, I do not think, I personally, would like to reply to points which I felt were erroneous in view and wrong in facts.

However, Sir, I would like to mention something about three things. Firstly, there was an effort made by one or two Members to belittle the contribution which the Asian community has made in the development and progress of this country.

The second is the unnecessary, I would say, reference made about Hinduism, and the third is about the reference made that Asians are breeding like rabbits in this country.

Now, Sir, in regard to the first point, I would like to remind those Members who attempted to belittle the efforts made by the Asian community for their contribution to the development of this country, that when this country was opened, and when there were no railways, the Asian traders went walking on very dangerous tracts, when there were no roads even, and opened shops in very dangerous and difficult places and thereby opened the contacts of this country with the outside world. Without that, Sir, it would have been impossible to bring the country in touch with the outside world.

There is one point which is overlooked, Sir. Up to 1885, when the British occupied this part of the world, there were no shops; there were no brick or stone

[The Asian Minister without Portfolio] buildings built at any time; there were no roads, no schools. And all that has been achieved by the work of the immigrant races, helped by the African labour, during the last 70 years, has been tremendous. It is no use belittling what has been done. One may find faults; one may point out the defects of each other in a friendly manner, but to go to the extreme end of saying that nothing has been done by the Asian communities, and that some of them should be sent back, is, in my view, not understanding the history at all. It is ignoring the historic facts. When it is said that the Asians have not taken part in the training of the African, I would like to remind these gentlemen that if you go in this country and see hundreds of African traders working throughout Kenya, I would dare say that the majority of them have been trained by the Indians of Kenya. If you go to any Asian factory, like aluminium factories, or glass factories, or soap factories, you will find hundreds of Africans trained as skilled men and working in those factories and they have been trained by the Indians.

Now, Sir, the Minister for Commerce and Industry will bear me out that in some of these factories, they are running into difficulties because after an African is trained for a year or two as a skilled man to occupy a very important position he says he wants to go back to the reserves for six months, and if he comes, in some cases, highly difficult to replace a very important man in a very important factory at short notice. It is under those difficulties that the Europeans and Asians both have trained skilled Africans, and to say to-day that the Asian has not done anything, in my view is not only ignoring what are actual facts, but giving a very wrong impression to outsiders.

Now, Sir, I am not speaking with any bitterness; I am not speaking in an angry tone, but I feel and that facts should be ignored so lightly. I am a Minister in the Government, an Asian Elected Minister in the Government, and I think it is my duty to point out the contribution which the Asian community has made during the last 70 years.

Now, Sir, if you also examine various other activities, and take census impartially, you will find that Africans have been trained by the Asians: I am prepared to admit, Sir, that there are certain occupations where Asians have not done what they ought to have done for the training of Africans, and I shall be the first man to admit it. But, at the same time, I would like to say that if one says the Asians have not done anything in training the African, that will be absolutely incorrect and is not in accordance with the facts.

Now, there is another point, Sir, I would also like to mention; that when the Asians came here, they, at that time, were invited to come here. To-day, it is true, that when the country has been developed, we find that a large number of the entries is not to the best interests of the local people. But, at the beginning of this century, they were invited to come here in large numbers. Applications were made that they should be allowed to come here. I know, as an Asian Elected Member, that during the wartime, the Kenya Government had approached the Government of India for allowing a large number of artisans to come here, when the military base was to be built at Mackinnon Road. The Government of India then was hard pressed for skilled labour and they did not agree, and, therefore, we then imported artisans from the United Kingdom and Italy. The report which was then given was that the United Kingdom artisans, after one month's stay, wanted a servant to carry his tools, and it was found that among the Italians, there was a large percentage of Communists. That is why it was then felt very uncomfortable. I am mentioning this, Sir, because one of the Members on the other side hinted that if Asian artisans were allowed to come, there is a danger of Communism being imported into this country. I would say, as an Asian Elected Member, that among the Asian artisans, you will hardly find any Communists. On the other hand, I know that when artisans were imported from Italy, during wartime, we had experienced that difficulty.

Now, Sir, I do not want to dwell upon this point beyond saying this, that in making such reckless statements, a great injustice has been done to the Asian

[The Asian Minister without Portfolio] community and that is why I am standing here to say a word in defence.

Now, in regard to the reference made to Hinduism by my hon. friend, the Member for Nairobi West, I would offer my free services to giving him tuition on Hinduism if he has not been able to understand the books which he read. I shall not charge any fees, and I shall give free time for months if it is necessary until I leave for Pondicherry. I am quite certain he will be enlightened to understand about it, and I am quite certain that he will have to change his views radically because it is a religion which I have studied, in fact all the religions of the world—Mr. Speaker, I know it is going to sound outside the terms of this Motion—but I may say that in my prayer room I used to keep pictures of prophets of all religions available, including Jesus Christ. I have no prejudice against any religion. I have studied all of them, and I have a comparative knowledge about religions and I can assure the hon. Member for Nairobi West that Hinduism is not inferior in principles to any religion in the world.

MR. COL. GROGAN: Would the hon. Member give way for one moment?

I was not, in any way, referring to a religion. I was merely referring to their cultural philosophy which is quite a different thing.

THE ASIAN MINISTER WITHOUT PORTFOLIO (Mr. Patel): Even in regard to cultural philosophy, I think my hon. friend will broaden his knowledge if he will try to understand from me what it means.

Now, Sir, in regard to the Asians breeding like rabbits, I may first say that in the Council, when we were sitting in the Memorial Hall, I had publicly once advocated that birth control should be applied in this country, and I may say that among the younger generation of the Asians to-day, the birthrate is much smaller than with the older generation. The hon. and gracious lady for Nyanza referred to an Asian Member having talked to her, I was the one who talked to her outside the Council. As she has referred to that, I would mention it. I said that we Asians to-day are in good company because the British about a

hundred years back bred like rabbits and expanded over the whole world and went on a civilizing mission of the world. So we are in very good company when we breed like rabbits. That is what I had stated, and I said that after the British stopped doing this, they were not showing the good signs of stamina which they showed a hundred years back in civilizing the world.

Now, Mr. Speaker, this I thought was due to my community and that is why I have taken the opportunity of expressing my views.

MR. J. S. PATEL: Mr. Speaker, Sir, before I begin speaking, I would like to pay my tribute to you, Sir, for upholding the rights of the minority on this side of the Council.

The Asian Elected Members, when this White Paper was published, had little time to read it properly, made an effort and saw the hon. Chief Secretary with a view to postponing this debate which, in my view, at this time of the year, and in the present conditions of Kenya, has created, or has been instrumental in creating, a position which is not at all harmonious and peaceful.

Sir, I consider this Paper as impolitic, baseless and unnecessary. I do so because, Sir, I have personal experience of the working of immigration, being a Member of the Immigration Control Board, and being in close touch and association with the very able members of the staff of the Immigration Department. When my friend, the Member for Central Area, said that in the Immigration Control Board they have always discriminated against the Asians and have been very favourable to the entry of Europeans, he never meant any insult at all to the members of the Immigration Control Board, because we were conscious, when we did this, and I, as a member of the Control Board, was contributing to that sort of policy—directly or indirectly—in bringing more Europeans into this country and less Asians because we thought that the Europeans generally have some sort of superior contributions which they are capable of making and which are very welcome and very necessary to this country.

We are also conscious of our local population. The only allowed basis of entry, was where the entry of Asian

[Mr. J. S. Patel]

immigrants was absolutely necessary in the interests of the country.

Now, Sir, under these circumstances, would any sane Government try to bring about a situation which we witnessed here to-day in this Council, trying to divide one community from another. My hon. friend the Member for Nairobi West made a very able effort in order to divide the Muslims and the Arabs from the Hindus and other communities. Sir, the only hope, and I repeat it, the only hope for Kenya and the world is a multi-racial concept of Government. Sir, we have no intention at all of imposing our own culture, or our own religion, or any people in the world. People who talk as the Exemplars of the way of life, if they behave as they have behaved in this Council, and give as their foundation the teachings of Christ and of Christianity, Sir, I am afraid I do not agree at all. I have also been a student of Christianity; I know what Christ stood for; Christ was an eastern man and not a western person at all. My friend here only knows Christianity; he has admitted his ignorance of Hinduism. I will only tell him this, Sir; he has a wireless set on his shoulders and it could only be tuned to the local stations; if his wireless set was sufficiently charged, or was improved upon by effort and voluntary service of friends, such as my hon. friend, the Asian Minister without Portfolio, I am pretty sure that he would be able to receive long-wave stations also.

In this Council, Sir, we have raised a lot of muck; we have created unnecessary tension and bitterness, one between the other, who is responsible? We have seen in this Council the hon. Member, my friend, Group Captain Briggs—I am sorry I do not remember his area—proposed a Motion to say whether the Asian Minister without Portfolio, in making his speech outside this Council, was right and proper in his ministerial powers.

GROUP CAPTAIN BRIGGS: Is the hon. Member in order in raising this in this debate?

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): I think I must ask the hon. Member, I know this is a very wide debate, to try to confine himself to the subject matter which is, after all, a White Paper.

MR. J. S. PATEL: I am, sorry, Sir, I will do so.

Now, Sir, in accordance with my promise, and I will be faithful to it, I will open the White Paper. On page 9, paragraph 20, Part III, reads, "The Government would indeed be failing in its duty if it allowed the development of the Colony's economy to take place in such a way as to promote the sectional interests..."—I repeat, sectional interests—... of one of the communities but to ignore the aspirations of the remainder." This statement would be wrong if the Government maintains what is stated. And in paragraph 30, which has been so contentious here, and which has raised the goat of many people sitting in this Council, wherein they say this, "Needless, as a British Colony it is natural and proper that Kenya should look chiefly to the United Kingdom for the provision of external capital, organizing ability and skill; and the Government wishes to make it clear that it regards Great Britain not only as the exemplar of a way of life but also as the primary source of immigrants of the kind the Colony needs. It is the intention of the Government to turn elsewhere only to the extent that the country's needs cannot reasonably be met from the United Kingdom".

Now, Sir, from what little English knowledge I have—and I have very little of it—I cannot understand these two clauses going together. Perhaps, in his reply the hon. Chief Secretary would make it clear what it means. In one place it says, "Government cannot accept, cannot make any distinction..." and then they go on to say "... we will get them from Britain". Sir, no one in this Council—none of the Indian Members in this Council—are opposed to getting people of high-level services from Britain. We agree to bring them but where are they? I am only asking you where are they? I met a girl who was in England for 15 months and spent Sh. 30,000 in education; Kenya born, an Indian girl, a shorthand typist; she told me that there are hundreds of jobs in London where you could go to; all you have to do is to choose the people you wish to go to. That goes to show that no one from England with any qualification worth its name, is willing to come to this country.

[Mr. J. S. Patel]

There are no people waiting for employment. My hon. friend says the British people have undertaken the responsibility of civilizing the whole world, and on top of that, they have got planned families. How could they do two things together? I cannot for the life of me understand it. They want to indulge in every good thing of the world without sharing the responsibility, and that is why he said we are having in this country all that we need from Britain—in fact we are sending our Ministers across the seas, going and tempting the people across there that we have good land, good people, good food, good houses, land banks, come along we want your services. Just see the immigration statistics. If 5,000 come here, 2,500 go back. Why do they go back? Because we have not got in this country the amenities of life which England offers to-day. The salaries there are good—even if a man was getting £80 a month in England, and we offered £120 in Kenya, it is not worth it. That is why he is not coming here. Indians only come because you want them. I can assure my friends, European Members of this Council, and African Members, the Asian Members are making no case for immigration of Indians into this country at all. What we are after, and what we wish recorded, as we have said so many times across the floor of this Council, that what we will not tolerate is unfair treatment, of discrimination if you call us—the members of the Commonwealth countries.

MR. SPEAKER, Sir, if you can think of the three races in this country as I can place them as one body—head, tummy and legs, it does not matter where you place the Indian; place him where all the muck is stored and sorted out, i.e. the tummy; if your head is all right, you call it European, if your legs are all right, you call them Africans, and if your tummy is not all right, where are you? It is God who has placed them here and the efforts to eliminate them and the efforts to export them from this country back to India is not only un-economic and undesirable, but disgraceful and inhuman. My hon. and learned friend, the Member for Aberdare, was very honest even though I would say he was partially honest. Honesty has its degree. The hon. Minister, the Chief

Secretary, when addressing him he says that he made a very able speech; but he has made it in a somewhat diplomatic manner. I cannot understand if "diplomacy" is the proper word if the translation of that diplomacy by my hon. and learned friend, the Member for Aberdare, has made as, "Let us say it frankly. We do not want Asians; we want Europeans only. It does not matter where they come from, if they are not available in Britain." That is the thing which we are up against. That is the thing which we are up against as Asian Elected Members here. Muslims, Hindus, Arabs also included. Arabs do not say in so many words, but you can ask them outside the Council, they are upset completely by this White Paper. We Asian Elected Members do not for one moment wish anybody in this Council to think that any scheme in order to put the local people of this country, the Africans, to be given first preference anywhere; we would interrupt it, or obstruct it. Sir, we have talked a lot about it, and my friend, the Asian Minister without Portfolio, has made it very clear that artisans are not produced by technical schools in a day, and even after they are produced in a technical school, before they go into a trade and produce something worthwhile, as my hon. Minister for Labour has made it clear that it takes two years, to get a practical knowledge of the issue. Now, one has only got to get out of this Council and go and look at the scaffolding outside these big skyscrapers. Who is giving that two years' practical knowledge? to these Africans who are trained to do that? If a census was made in this country as to who trained whom, I am sure that it would be to the credit of the Asians and the Europeans; alas, that most of the skilled Africans in this country are trained. We Asian Members recommend very strongly to the Government that every possible sacrifice must be made in the best interest of the Africans of this country to put them in a position where they will be able to fill every possible vacancy in this country. There is no intention whatsoever to import lots of undesirable Asians into Africa, they are not there. You wait and see, in another few years' time even if you wanted Indians to come into this country, if they are worth their name they would not be there. Sir, this

[Mr. J. S. Patel]

White Paper read in conjunction with the speeches made by the hon. Minister for Agriculture sitting opposite, the most responsible person who used to be, at one time, the Leader of the European Members on this side of the Council. The hon. Minister for Local Government, The hon. European Minister without Portfolio and my hon. friend, the Member for Mau, who said this, "Do the Asians down completely, wipe them out of this country economically. Do not engage them. If you want somebody engage either European or African, that is the only way to deal with Asians." Now, when you read the speeches of these Ministers in context with this White Paper, I think you will find it very disgraceful not only to the traditions of British justice, but to the inhabitants of this country who say that they are in this country in order to build Kenya on Christian ethics. Why on God's earth bring Christianity in this? There is no Christianity at all, say, on the principles of the white people's way of life, that will be much better.

Now, Sir, I am practically stating the examples of the working of the Control Board. I would only take your time to mention two examples. If an impartial inquiry was made into the working of the Immigration Control Board, you would find that we have allowed nurses and waitresses from overseas, who are Europeans, to come into this country. Can we not find Africans to be trained? Could they not be trained? How long would it take to train them? Yet when it came to the name of an Asian, I am sorry to say this, it is a personal thing, but Mrs. A. B. Patel, wife of the Asian Minister without Portfolio, whose grandchildren are working in this country, was asked to produce a proof before her passport could be stamped as a permanent resident. Now, that is the sort of thing, that control is doing and control has been carried too far, far too far, and there is no need for any further control. Control with a view to complete elimination.

I also see, as I travel into my area, in my constituencies, where small trading centres are, people have had to close their small shops. I have told them that

for small shops and *dukas* business, the line is up. The Africans are being trained, you will have to allow them to come in. Sir, the whole crux of the matter is bring Europeans by all means, but can we afford, can the economy afford, we want to develop this country. The Minister for Finance said the other day, "Do not be afraid of prosperity". How would we have prosperity? In respect of any policy before changing, we must remember (if I may read an extract from that very important document of the Royal Commission Report, page 412, chapter 17, section 2, on statistics). " . . . policies formulated on the basis of inaccurate data or on the general impressions of observers with different standards of reliability . . . like my friend, Sir Charles Markham going past the school he sees the children, lots of them, and he is disturbed. . . . may, at the best, be ineffective and, at the worst, be dangerous." Efforts were made by the Government through the Immigration Control Board over the last two years, to find artisans from local schools, and the Board wanted to pass that certain categories of immigrants should not be allowed entry, but they were incapable of going further because we Asian Members asked for statistics from the Labour Department to say, "In what branches of skill is there an employment and how many persons are on your list? Please let us know" but they were not able to let us know, which proves, that, immigration law in this country and its control—its rigid control—was working very well. The officers were even taking great risks in carrying out and hearing "his master's voice". If one reads the Labour Department's Report, 1953, which I will take your permission to read, Mr. Speaker, Sir, you will see that people were only allowed to come into this country if they were really needed. The report reads, "The overwhelming majority of African workers are of unskilled or labourer type. This is to be expected at the present stage of the territory's development when only a small proportion of African employees can be regarded as being permanently resident in employment centres, the rest migrating from their native land units for only comparatively short periods. The effect of this transitory labour system is

[Mr. J. S. Patel] . . . that relatively few Africans acquire skills or much specialized experience, and nearly all the skilled positions are held by Europeans, Asians and other non-indigenous persons. In the circumstances, there are always shortages in varying degrees of most types of skilled, semi-skilled and clerical workers. Where positions cannot be filled by locally recruited Asians or Europeans, authority is granted for sufficiently qualified persons to enter the Colony from overseas."

Now, if this is the case I cannot understand what the reason was for bringing this White Paper which I think was conceived as a result of pressure, as far as I know and understand from the European Elected Members.

Sir, I am responsible for my saying so and one could not always produce written proof of it. But with a little common sense which God has given me, I use it and make one and one, two. There is no other deduction that one can make.

Now, Sir, talking about the powers of the Immigration Control Board in my own humble opinion it has got a lot of powers, much more than people could honestly carry out, and to have further powers is not only unfair to people who, it is said, are not wanted, but it is unfair to the Principal Immigration Officer. It is my firm belief, that even if we abolish the Board, we will have to have a Board in an advisory capacity and consisting of the races who made their homes in this country.

As regards the final decision; it is my firm belief, Sir, that in order to maintain public confidence in the Executive, people who are aggrieved must be allowed recourse to the British Court where they can produce evidence and have justice in the normal way; it is my opinion, Sir, that if we adopt this policy, it will retard the progress of this country. It would not be in the interests of this country and; if we adopt any policies which I can see are inhuman by which we wish to make a cow and then send it to the slaughterhouse, I think the world would say we are not living a life worth its salt.

Mr. Speaker, Sir, without taking much time of the Council, I would say this,

that the Indians have no intention of asking any monopoly, Asians, if they survive and stay in this country, they will stay and survive in the country with the grit and ability, which they will be able to produce with sincerity of service to the children of this land, and their ability to be of harmonizing influence between the Western people and the African people.

Mr. Speaker, Sir, I beg to oppose.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): Mr. Speaker, Sir, I have, as have my colleagues in the Government, I think, both an understanding and a regard of the Asian position, their contribution to the Colony and their rights in this Colony. I think it is a great tragedy that in a debate like this we should be treated to a wholly emotional assessment of the issues such as we have just heard. Surely this is, almost above all issues, one which should be viewed objectively, dispassionately and from the point of view of the interests of the whole Colony and of all the people who inhabit it and have the rights of citizens in this Colony.

Now then, there is in the arguments of some of my Asian friends, I think, a fundamental misconception. They have complained that, as they choose to put it, the White Paper, particularly in paragraph 30, represents discrimination against Commonwealth countries. I think, Mr. Speaker, that we must understand precisely where we in this Colony stand in relation to the Commonwealth. We are not a colony of the Commonwealth. We are a colony of the United Kingdom of Great Britain. With the United Kingdom of Great Britain we form a member State of the Commonwealth, together with the other colonies. The United Kingdom and the colonies are one unit of the Commonwealth, but as a colony of the United Kingdom we look to the United Kingdom as our parent country, and we are entitled to do so. And we propose to continue to do so.

The Commonwealth, Mr. Speaker, is a free association of independent States. Some of those States recognize Her Majesty as their Sovereign, others recognize Her only as a symbol or head of this free association of States. The United Kingdom and Colonies are, or rather the United Kingdom is, of course, the very centre of the monarchist element in the

[The Minister for Legal Affairs] Commonwealth. We owe allegiance to the Queen. As part of the unit, the United Kingdom and Colonies, we are associated with the other Commonwealth countries, but we do not have the same ties with them as we have with the United Kingdom. We are not and we do not recognize ourselves as being speaking for the Government—under any obligation to equate Commonwealth citizens with our own fellow citizens of the United Kingdom; any more than we would expect the Republic of India to equate South African citizens with its own citizens in terms of rights and claims on the Republic of India.

A good deal has been said about the references to the British way of life. I do not intend to attempt a definition of that phrase. It is one of the delightful and very valuable indefinables of civilization. But one thing I am sure of, and that is this, that it is no part of the British way of life to attempt to force itself on other cultures or philosophies or to intrude its adherents into other States beyond the readiness of those States, in their own interests, to accept them.

Now, Sir, I do ask my Asian friends to realize that the contribution, the very valuable contribution, which their communities have made to this Colony, is fully recognized. I do not need to enumerate them. We had a historical review of some of them yesterday; indeed some virtues were included which I confess I had not suspected previously. But I do ask them to remember that in this debate, and in this Council, their status as representatives of their communities in this Colony. I do suggest to them that they have no right or mandate to demand a right of entry into this Colony for other members of Asian communities in other Asian countries who are not yet in this country, or to demand that right for such people against the interests of this country. Because the essence of paragraph 30 of the White Paper is that this country will look to the United Kingdom as its first source of immigration and it will look elsewhere only to the extent that its needs cannot be met in the United Kingdom. But, the governing factor throughout is the interest of the Colony and the benefit to the Colony which immigrants can bring to it.

I would like to take one example from a sphere of activity at the Bar, a profession, of which I, and many of my Asian friends, have the honour to belong. I do not think that anyone who knows what he is talking about would suggest that there is any colour or racial problem or prejudice in the profession of the Bar. I think my hon. Asian friends will acknowledge that I think I am right in saying that—the majority of members of the Bar happen to be Asians in this country at the moment. There are many of the youth of this country at present being trained in the law, who will come back and seek their living in the practice of their profession. There are probably many lawyers in other countries who would like to come and practise in this country. Would my hon. and learned Asian friends suggest that we should allow immigration of lawyers to such an extent that we would not only flood the profession in this country and thereby rob this country's training youth of its future prospects of a livelihood in that profession, but possibly also squeeze out some of those who are already practising in that profession? I take that as an illustration of the interplay of needs and interests, on a wholly non-racial basis, such as would necessarily guide the Executive's exercise of policy in regard to immigration.

There are one or two points, Mr. Speaker, during the course of the debate which I would like to deal with quite shortly. The hon. Member for Central Area suggested the substitution of domicile for permanent residence as a criterion of immigration—of status under the immigration laws. Well, I do suggest to him that in the first place it would be a very much more restrictive criterion, and an infinitely more complex one. I am sure he has had occasion to consider from time to time some of the complexities of the law of domicile—domicils of origin and their displacement by domicils of choice and the like. But if domicils were imported as a criterion, I trust he recognizes that in a very large number of cases, in fact, in all cases of immigrant Asians, Europeans or other races—immigrant races—any members who retain a home in their domicile of origin do not possess a domicile in this country. Any intention eventually to retire after five, ten, fifteen, fifty or

[The Minister for Legal Affairs] seventy years to their original domicile is sufficient to displace the acquisition of a domicile of choice in this country.

I agree that redefinition of permanent residence is very necessary. The present definition is very inadequate and very difficult to operate in practice, extremely so, and that will be dealt with in the new legislation.

He raised the question of appeal, also, Mr. Speaker. Now the basis of this Sessional Paper is that there will be executive control, executive control over immigration and immigration policy, and its fluidities and flexibilities. This is, I am convinced, the only efficient way to control immigration. Related to the principle of executive control is the principle, also embodied in this Sessional Paper, that while persons with a stake in this country and a claim on this country must have their rights protected and defined, newcomers—new immigrants, people outside this country seeking to get in—have no right of entry. They will be granted entry in the interests of the country, at the Executive's discretion, and this principle informs the whole proposed system of immigration control. It follows from this that as they can have no claim to entry is of right, any appeal against a refusal must lie to an executive authority, and not to the Courts.

Appeals to the Courts will be reserved for those having rights conferred, defined and recognized by the law, that is to say, those persons who have a stake in this country and a claim on this country.

I will bear in mind his suggestion that the line of appeal to the Magistrates' Courts is cheaper than the line of appeal to the Supreme Court, but there are certain matters in which I think, and I think he agreed, it is essential that the right of appeal should lie to the Supreme Court for the determination of important personal rights.

The hon. Member for East Area, Mr. Speaker, made certain statements which were quite inaccurate. He accused the Government of having made proxy marriages illegal; nothing, in fact, could be further from the truth. He accused the Government of having made marriages of Muslim girls under the age of

20 also illegal. Again, there is no accuracy in this complaint. He also accused the Government of laying down that Muslim girls must go to Pakistan to marry—again, a wholly inaccurate statement.

What has happened is that certain loopholes, which were being widely exploited—I do not say necessarily by Muslims, or by Muslims only—but were being widely exploited, had to be closed; and it developed as part of that counter action that proxy marriages, which were getting remarkably frequent, were not recognized as conferring a right of entry on, shall I say, the far end of the proxy.

Sir, the hon. Member for Western Area said that he found it impossible to reconcile the latter part of paragraph 20 of the Sessional Paper with paragraph 30 of it. I hope that perhaps by explaining the natural—I say natural—preference for immigrants from the United Kingdom for this Colony, I will perhaps have assisted him slightly in understanding that there is, in fact, no incompatibility or inconsistency between those two passages.

He did say at one stage in the course of his speech that the present law of immigration control was quite satisfactory. I beg leave, Mr. Speaker, to differ from him. I think it is quite abominable, and if he had had as much trouble as I have in trying to assist the Immigration Department to administer the present law, I think he would share my enthusiasm for a replacement.

Mr. Speaker, Sir, I beg to support.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): If no other hon. Member wishes to speak, I will call on the hon. Member to reply.

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, in replying to this debate, I hope I shall not be regarded as a curmudgeon if I skip the philosophy, the histories and obitaries and confine myself to the matters concerning immigration.

It is customary on these occasions to compliment hon. Members on the valuable contributions they have made to the debate; I do this with modified enthusiasm. There has been altogether too much prejudice, misinterpretation, back-biting and hysteria. I must remind

[The Chief Secretary] hon. Members that the Asian community, just as the European community, is here to stay, and that each community has a part to play in the economy of the country. Each community has a right to expect that its dignity and its prestige will be respected. The criticism and recriminations which have taken place yesterday and to-day were altogether unseemly and most deplorable. I had hoped that this undergraduate affectation, whereby it is regarded as rather smart to say what is uppermost in your mind irrespective of the hurt and harm you cause, had passed out in the 1920's.

Before I refer in detail to points which require reply, I should like to mention two general matters raised by the hon. Member for the Central Area, the hon. Member for East Area and echoed by the hon. Member for Western Area. An extraordinary suggestion was made by the hon. Member for the Central Area that there is a kind of rivalry concerning the sizes of the European population and the Asian population in the Colony and the rates of increase. He rather gave us the impression that there is a kind of cold war going on in Kenya—a cold war, fertility contest. All this balancing of figures and all these assessments of relative strengths of the population and relative rates of increase are utterly irrelevant and usually, in fact, bad taste. The immigration policy is designed not to alter the ratio of the population, as has been so widely suggested, but to ensure that Kenya gets the people it needs. Let us hear no more of this nonsense about counting humans before they are hatched.

My second general point, Sir, concerns discrimination. Most of those hon. Members either said openly or inferred that since 1948 there had been deliberate discrimination against Asians, and the hon. Member for Western Area attempted to give the Council the same impression. Now, Sir, I take great exception to this. The officers responsible for immigration policy and for the direction of the Department have been some of the most distinguished men ever to serve in Colonial territories. I refer to Sir Stafford Foster-Sutton, Sir Kenneth O'Connor, Sir John Whyatt, Mr. Potter and Mr. Hartwell, and I am proud to

count myself amongst their company. This tradition of fair dealing and good humour applies equally to those gentlemen who have served so long, and so impartially on the Immigration Control Board. All these complaints about discrimination came up at the time of the Second Reading of the present Ordinance. The same things were said; the same accusations were levelled. Let me say now, Sir, as Sir Stafford Foster-Sutton said then: "There will be no racial discrimination, either in the law or in the administration of the law." So far as this policy is concerned, the only discrimination which will be exercised will be between those who we think will benefit the Colony and those who will not.

One would think, Sir, from the way some hon. Members have spoken, that we have suggested that there should be different requirements laid down for members of different countries of origin. It is just not so. It has never been our intention, Sir, that this policy should provide for a specific annual intake from England, Ireland, Scotland, Wales, India, Pakistan and Ceylon. It is a Kenya policy, designed to further the interests of Kenya and all those whose homes are here. It is intended to make sure that immigration should be made as easy as it can be for the kind of person we need.

I think I should mention, Sir, the effect of this so-called discrimination on Asian immigration since 1948. The true fact is that the Asian population of the Colony—and all credit to them—I include here both Indians and Muslims—has increased from 91,000 in 1948 to an estimated 168,000 in 1958. Now, Sir, this represents an 86 per cent increase of which 50 per cent is accounted for by immigration. There are many communities in the world who would regard themselves as well served by injustice of this sort. It is high time that an adult, virile, wealthy and flourishing community should drop this undignified bleating about discrimination.

Now, Sir, I turn to some specific points raised by hon. Members. The hon. Member for Central Area dealt with the question of permanent residents and domicile; this has been answered already by my hon. friend, the Minister for Legal Affairs. He also dealt with the status of

[The Chief Secretary] locally born children, which has been answered in the same way. He mentioned the figures described for Category 'A' Well, Sir, there will be opportunity to debate that matter when the new Immigration Bill comes before the Council.

He also said that Temporary Employment Passes were for one year only, in the first instance. This, Sir, is perfectly true, in so far as the general category of artisans is concerned; but provided the immigrant can pass a trade test at the end of his first year, the permit will be extended for a further year; if he cannot pass his trade test he ought not to be here at all. I can see nothing unfair in that.

He also said that the Government should be responsible for the training of all artisans. Sir, if our resources permitted, we should be happy to undertake such a responsibility but it would, of course, mean an end to all immigration from overseas.

A further point he made was that the period of temporary entry should be increased to four years. This will, in fact, be the case provided the artisan satisfies the Labour Commissioner at the end of his first two years that he is competent to take an effective part in the training of young men.

As for dependants, families will be allowed to join the head of the family as soon as he has taken his trade test at the end of his second year and established a position in the Colony. If it so happens that one of these artisans who enters under the general category proves to be of exceptional skill or has the proper personality to run a large apprenticeship scheme, there is no doubt he will be able to convert his Temporary Employment Pass to a Class G Entry Permit under the Ordinance.

I now turn, Sir, to the contribution made by the hon. Member for Aberdare. The first point he raised was the necessity of ensuring that immigrants were men of proper integrity, health and tradition. I agree, Sir, that it is wholly desirable that immigrants should be of the highest quality; but I can see no practicable method of testing these qualities without a series of interrogations and examinations, which any man of spirit would regard as a gross impertinence. If every

Immigration Officer possessed the wisdom of Solomon and the diagnostic skill of Lord Horder and the X-ray eyes of Marzipan—the magician;—it would be easy, but alas, Sir, we have to take things as we find them.

I am always reluctant to mention security checks; but as I am pressed I will mention that security checks are in fact made in respect of all persons coming here on Temporary Employment Passes or as permanent immigrants. They are followed by criminal checks if there is any reason to suppose that the person concerned has a record.

As for mental health, Sir, if a man is obviously off his rocker it is extremely unlikely that he will get a passage in an aircraft. If he is a borderline case, he could, of course, be examined by a psychiatrist at Mombasa or Eastleigh, but I do not think that such a procedure would add to the reputation of the Colony, and in addition I think it would be entirely worthless. I agree, Sir, that these mentally deficient types are phenomenal breeders, but there is no evidence to show that their contribution has a determining effect upon the size of the population—nor that they are coming in numbers which should cause us any kind of alarm. He mentioned the unfortunate case of a certain recent immigrant; I think the hon. Member knows that this individual came in on a Visitor's Pass.

In referring to paragraph 22 of the report, the hon. Member seemed to be under some misapprehension concerning the role of the specialist worker. These are migrant types who move from job to job, usually on some specialized project of the type I mentioned when I introduced this Paper. If he were a highly skilled technician in some individual line, he would almost certainly qualify for a permit under the second category, that is to say as an executive or manager.

Now, Sir, although I am generally out of sympathy with what the hon. Member said about the racial aspect, I am in full agreement with his contention that we badly need a solid nucleus of people of unwavering loyalty to the Commonwealth. But let me say here it is not only from the European community that we are going to find that unwavering loyalty. We have been through two wars and we have not done too badly.

[The Chief Secretary]

As for the admission of continental Europeans, I repeat, Sir, that their acceptability will depend upon the contribution they can make to the Colony and, of course, upon their own security record and the background of the country from which they come.

Finally, Sir, I deny that the Paper aimed even secretly, at the official discouragement of Asian immigration. I will qualify this, Sir, by saying that immigration of the artisan category from every source will be selective—more selective than it has been in the past—and that provided we can train the local men as we hope to be able to, there will be a steady diminution in the volume of imported skills from outside the Colony.

Lastly, Sir, the question of bulk immigration schemes. The Government has no plans for mass immigration, either from Britain or from the continent or from the Asian countries of the Commonwealth. It is a policy of the Government, as I think has been made abundantly clear in the course of this very long debate, that intending immigrants should be assessed individually in the light of their own merits and qualities, and of the employment they have to take up. Indeed, Sir, I hardly see how any scheme of mass immigration could be reconciled with the hon. Member's insistence on a check for integrity, health, traditions, sanity and ideology.

MR. SLADE: I thank the hon. Member. The words "mass immigration" never appeared nor were intended in what I had to say. It was the encouragement of selective immigration and propaganda for selective immigration to which I referred.

THE CHIEF SECRETARY (Mr. Turnbull): I beg the hon. Member's pardon most sincerely, I must have misunderstood him. We have, as you know, an office in London which exists to encourage all those who wish to emigrate, and that office receives all the help it can from this end.

May I now turn to the point raised by the hon. Member for Mount Kenya. I am in full agreement with all he said about the value of the instructions given by farmers to African workers. I made no special mention of it, as I had in mind special schemes in which the apprentice

is indentured to the employer for a specific period of years. I agree with him too about the dangers of Communism and fellow travellers. I may say here that they are extremely clever people who would probably come in as true-blue Tories or members of rather classy polo sides. However, let that pass.

As I have already explained, security checks are made in respect of all applicants for permanent and temporary immigration.

Now, Sir, the hon. African Representative, Mr. Gikonyo. I must say quite frankly that the attack he made on the Asian community did him very little credit. Let him reflect upon the services which have been rendered by Asian businessmen and Asian shopkeepers, especially the Asian trader in remote areas, and how very much slower would have been the progress of the African but for the initiative and perseverance, under hard and exacting conditions, of these people.

As for the entry of Europeans from countries other than the United Kingdom, which was the second point he raised, I repeat that the Government will not give an undertaking to exclude skilled men from such countries.

Now, Sir, the hon. Member for the East Area. He enchanted us with a most dignified and impressive account of the deeds of the Asian Muslim pioneers. I agree with all he said about the early settlers and the men who made the railway. They had, indeed, a splendid record and we owe them a great debt of gratitude. But for some reason or other, the hon. Member then abandoned this happy vein and applied himself to the twilight world of the half-truth. My hon. and learned friend, the Minister for Legal Affairs, has already dealt with his extraordinary misrepresentation of fact in connexion with exemption regulations, but I feel I must amplify what he said. I do this with considerable regret. It gives me pain to bring matters of this sort into public debate, but I really cannot allow officers for whom I am responsible to be criticized and denigrated by anybody, without replying. Until 1948, this Government followed the western practice whereby the husband is regarded as the person responsible for the family and whereby a wife, on marrying, acquires

[The Chief Secretary]

her husband's domicile. Up to that time, if an Asian girl from Kenya went to India—these were the days before partition—to marry a young Indian, she acquired the domicils of her husband and she moved the place of her abode—if that is the proper legal expression—to wherever he worked. As a result of strong representations from both the Asian communities in 1948, we introduced what are known as the Immigration Exemption Regulations. These Regulations provided special concessions whereby, contrary to the previous practice, an Asian girl could go to India or Pakistan, get married, and bring her husband back to Kenya without his having to comply with the provisions of section 6, of the Ordinance: that is to say, he would not have to have a Temporary Employment Pass or an Entry Permit. Our intentions were quite simple and quite straightforward; they were designed to help those Asians who, for some social reason or other, could not easily find husbands for their daughters in this Colony. Well, Sir, what happened? What happened is this. The introduction of Asian youths into the Colony under the provisions of these Regulations became, in many instances, a commercial operation. We had not only juvenile marriages for the express purpose of getting the husband into the country; an enormous number of marriages of convenience which, once they had been completed for the purpose of getting the husband here, were immediately dissolved; and many bogus marriages by proxy, designed to defeat the aims of the Regulations. It was for this reason that we tightened up the Regulations. I recognize that honest men have to suffer some inconvenience from the activities of these rogues and cheats, but that is how it is.

The hon. Member next dealt with the question of goldsmiths, tinsmiths and barbers. The reason for our reluctance to issue Temporary Employment Passes for workers of this category, is quite a straightforward one. The Labour Commissioner is satisfied that these skills can very easily be taught to the sons of the present artisans or to local men; and for years he has been arguing that this should be done. But the tinsmiths and the goldsmiths have been obstinate in their neglect to train up anybody, either of their own community or a local Arab or a local African.

As for the question of barbers, the hon. Member failed to give the Council the complete picture. For reasons which are of no immediate concern to us to-day, some strong social stigma attaches, in the Asian world, to the business of barbering. The dearest wish of a barber who comes here from India or Pakistan is that he should cease to be a barber—and, Sir, this is precisely what he does. He gets into business and his sons follow him. Local Asian lads will not take up the barbering trade because they think it is beneath them. As a result, there is a shortage of barbers and my hon. friend opposite has to stand in a queue.

Well, Sir, this is an impasse, but it is an impasse which the Government does not intend to be solved by importing a continuous stream of Asian barbers from the Indian sub-continent who by some extraordinary metamorphosis on arrival here will find themselves shopkeepers or hotel managers. I suggest that those who are put to inconvenience by the shortage should organize themselves and arrange with the trade for the establishment of some school of barbering. At the same time the Asian community must do all it can to promote amongst Asian youths the idea that barbering is as honourable a calling as any open to them. There is a delightful aria from an opera by Rossini which describes the dignity and glory of a barber's calling. It might be worth adopting as an encouragement.

The hon. Member went on to say that Government should train all artisans; well, as I have explained, we should very much like to do this, but the cost is completely beyond our resources.

For numbers, as my hon. friend, the Minister for Labour, has said, we must rely upon industry. This has been the practice in Europe for 800 years and it is the economic, the practical, the sensible and the cheap way of dealing with the matter. How does the hon. Member suppose the Government would find the money to build and equip hundreds of trade training schools? Would he like us to tax the shoe industry for the training of young shoemakers or tax the building industry for the training of carpenters, painters and stone masons? It would not do, Sir.

Let me say again, that if the Government did take on the training of artisans,

[The Chief Secretary] that would indeed lead to the prohibition of entry of any artisans from overseas. The economy of the country would no longer need them.

The hon. Member also referred to the Immigration Control Board. I would like to repeat the tribute I have twice paid to them, and to refer the hon. Member to paragraph 7 of the Sessional Paper.

One further point from the hon. Member's speech; let him stick to politics; he is no theologian.

The hon. Nominated Member, Mr. Tyson, made some valuable remarks. I share his regret that it is not practicable to have interterritorial uniformity, but I assure hon. Members that that is the case. His fear of an unemployable local resident population will not, I hope, be realized. I must emphasize here that there will be no protection of inefficiency, and no attempt to insulate local men against competition from the more efficient and more experienced outside worker. The point is that protection is not enough. We have to teach people in such a way that they will become successful competitors.

And, Sir, may I say this, especially to the African Representative Members; there is a wonderful opportunity open to Africans in the world of the artisan. The skill is there waiting to be developed. The only things that hold them back are these; lack of stamina, lack of determination and, above all, that extraordinarily pathological desire to see themselves as the victims of exploitation and discrimination. This is a thing which is being done for the Africans. Please do not tell us later that it was done with some ulterior motive.

I now turn, Sir, with pleasure to the contribution made by my hon. friend, the Member for Mombasa. The House was lucky to hear such a sensible, well-informed and well-balanced speech.

The hon. Member for the Coast, who alas is not with us, attempted to cast the blame upon my hon. friend, the Asian Minister without Portfolio, and my hon. friend, the Minister for Works, for an adverse decision which had been conveyed to the hon. Member for East Area. Well, Sir, I am pleased to say that this decision was one which had been dele-

gated to me by the Council of Ministers and that I was entirely responsible for the adverse decision.

He also made some obscure reference to Nehru's thunder—the import of which I fear escaped me.

The hon. Nominated Member, Mr. Cowie, brought into the limelight once more our old friend, Mr. Harvey B. Cheeseman. Let me assure him that there are virtually no restrictions on Visitors' Passes. We do expect visitors to be vouched for by some responsible person in the Colony, or at least to have their return ticket, or to deposit enough money to get them home again if they wish to go and are unable to.

He also referred to pressure from outside and asked for an assurance, Well, Sir, I need hardly say it is certainly not the intention of Government that Kenya should become a dumping place for thousands of displaced persons in Europe, or, indeed for the thousands of hungry mouths which statisticians, who speak with some authority, say will soon be found in the Asian continent.

The hon. Member for Nairobi West, our glorious *semper idem*, gave us our usual rollicking quarter of an hour, alas, no more relevant than his usual contributions!

The hon. African Representative Member, Mr. arap Moi, told us how pleased he was that Africans were to be safeguarded and helped to get employment. Now, do not let it be said in future years that, in the course of this debate, Government gave an undertaking to put into highly paid employment every African who went through an apprenticeship course. That is not so. We will do our best to ensure that young Africans are trained and equipped for employment; if they are worth their salt, the rest is up to them.

There will be no standstill in immigration from any quarter. May I say, I think it is most unbecoming for the hon. Member to have talked about deporting Asians against whom he had some animus. Let him realize that those men have precisely the same rights in the Colony as he has.

The hon. African Representative Member, Mr. Awori, had nothing of consequence to add to the debate.

[The Chief Secretary] made. He added that he is convinced that the Sessional Paper was conceived and written as a result of pressure from European Unofficial Members. Well, Sir, these Government papers—these Sessional Papers—are, of course, entirely anonymous, but I can give him my personal assurance that that is not so. The powers of the Principal Immigration Officer will indeed be extensive, but they will be based on instructions from the Executive and, if the Executive does not exercise power, who should?

As for the question of appeal, the final authority is myself, and what I am going to say now would have come far better from the other side of the Council. It is this. With the possible exception of my hon. friend, the Minister for Defence, and my hon. friend, the Minister for Education, there is probably no person in East Africa better qualified to carry that burden.

Sir, Government has evolved a policy which it sincerely believes will benefit the economy of the country and will bring immense advantages to local people, in particular the young Africans, young Asians and young Arabs. But one cannot produce a high standard of living by an Ordinance; and the success, or otherwise, of this policy, is going to depend on the sympathy and co-operation of the employers and on the perseverance, diligence and discipline of the young African.

Sir, I beg to move.

The question was put and carried.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Divide.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I do not propose to have a division unless Members stand in their places.

That completes the business on the Order Paper, but I understand there is a Motion on the adjournment of which we have had notice.

ADJOURNMENT MOTION
COUNCIL OF MINISTERS—COLLECTIVE RESPONSIBILITY.

GROUP CAPTAIN BLOGS: Mr. Speaker, I beg to move the adjournment of the Council in order to provide an opportunity for discussing matters which have

made. He added that he is convinced that the Sessional Paper was conceived and written as a result of pressure from European Unofficial Members. Well, Sir, these Government papers—these Sessional Papers—are, of course, entirely anonymous, but I can give him my personal assurance that that is not so. The powers of the Principal Immigration Officer will indeed be extensive, but they will be based on instructions from the Executive and, if the Executive does not exercise power, who should?

As for the question of appeal, the final authority is myself, and what I am going to say now would have come far better from the other side of the Council. It is this. With the possible exception of my hon. friend, the Minister for Defence, and my hon. friend, the Minister for Education, there is probably no person in East Africa better qualified to carry that burden.

Sir, Government has evolved a policy which it sincerely believes will benefit the economy of the country and will bring immense advantages to local people, in particular the young Africans, young Asians and young Arabs. But one cannot produce a high standard of living by an Ordinance; and the success, or otherwise, of this policy, is going to depend on the sympathy and co-operation of the employers and on the perseverance, diligence and discipline of the young African.

Sir, I beg to move.

The question was put and carried.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Divide.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I do not propose to have a division unless Members stand in their places.

That completes the business on the Order Paper, but I understand there is a Motion on the adjournment of which we have had notice.

ADJOURNMENT MOTION
COUNCIL OF MINISTERS—COLLECTIVE RESPONSIBILITY.

GROUP CAPTAIN BLOGS: Mr. Speaker, I beg to move the adjournment of the Council in order to provide an opportunity for discussing matters which have

made. He added that he is convinced that the Sessional Paper was conceived and written as a result of pressure from European Unofficial Members. Well, Sir, these Government papers—these Sessional Papers—are, of course, entirely anonymous, but I can give him my personal assurance that that is not so. The powers of the Principal Immigration Officer will indeed be extensive, but they will be based on instructions from the Executive and, if the Executive does not exercise power, who should?

As for the question of appeal, the final authority is myself, and what I am going to say now would have come far better from the other side of the Council. It is this. With the possible exception of my hon. friend, the Minister for Defence, and my hon. friend, the Minister for Education, there is probably no person in East Africa better qualified to carry that burden.

Sir, Government has evolved a policy which it sincerely believes will benefit the economy of the country and will bring immense advantages to local people, in particular the young Africans, young Asians and young Arabs. But one cannot produce a high standard of living by an Ordinance; and the success, or otherwise, of this policy, is going to depend on the sympathy and co-operation of the employers and on the perseverance, diligence and discipline of the young African.

Sir, I beg to move.

The question was put and carried.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Divide.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I do not propose to have a division unless Members stand in their places.

That completes the business on the Order Paper, but I understand there is a Motion on the adjournment of which we have had notice.

ADJOURNMENT MOTION
COUNCIL OF MINISTERS—COLLECTIVE RESPONSIBILITY.

GROUP CAPTAIN BLOGS: Mr. Speaker, I beg to move the adjournment of the Council in order to provide an opportunity for discussing matters which have

made. He added that he is convinced that the Sessional Paper was conceived and written as a result of pressure from European Unofficial Members. Well, Sir, these Government papers—these Sessional Papers—are, of course, entirely anonymous, but I can give him my personal assurance that that is not so. The powers of the Principal Immigration Officer will indeed be extensive, but they will be based on instructions from the Executive and, if the Executive does not exercise power, who should?

As for the question of appeal, the final authority is myself, and what I am going to say now would have come far better from the other side of the Council. It is this. With the possible exception of my hon. friend, the Minister for Defence, and my hon. friend, the Minister for Education, there is probably no person in East Africa better qualified to carry that burden.

Sir, Government has evolved a policy which it sincerely believes will benefit the economy of the country and will bring immense advantages to local people, in particular the young Africans, young Asians and young Arabs. But one cannot produce a high standard of living by an Ordinance; and the success, or otherwise, of this policy, is going to depend on the sympathy and co-operation of the employers and on the perseverance, diligence and discipline of the young African.

Sir, I beg to move.

The question was put and carried.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Divide.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I do not propose to have a division unless Members stand in their places.

That completes the business on the Order Paper, but I understand there is a Motion on the adjournment of which we have had notice.

ADJOURNMENT MOTION
COUNCIL OF MINISTERS—COLLECTIVE RESPONSIBILITY.

GROUP CAPTAIN BLOGS: Mr. Speaker, I beg to move the adjournment of the Council in order to provide an opportunity for discussing matters which have

made. He added that he is convinced that the Sessional Paper was conceived and written as a result of pressure from European Unofficial Members. Well, Sir, these Government papers—these Sessional Papers—are, of course, entirely anonymous, but I can give him my personal assurance that that is not so. The powers of the Principal Immigration Officer will indeed be extensive, but they will be based on instructions from the Executive and, if the Executive does not exercise power, who should?

As for the question of appeal, the final authority is myself, and what I am going to say now would have come far better from the other side of the Council. It is this. With the possible exception of my hon. friend, the Minister for Defence, and my hon. friend, the Minister for Education, there is probably no person in East Africa better qualified to carry that burden.

Sir, Government has evolved a policy which it sincerely believes will benefit the economy of the country and will bring immense advantages to local people, in particular the young Africans, young Asians and young Arabs. But one cannot produce a high standard of living by an Ordinance; and the success, or otherwise, of this policy, is going to depend on the sympathy and co-operation of the employers and on the perseverance, diligence and discipline of the young African.

Sir, I beg to move.

The question was put and carried.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Divide.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I do not propose to have a division unless Members stand in their places.

That completes the business on the Order Paper, but I understand there is a Motion on the adjournment of which we have had notice.

ADJOURNMENT MOTION
COUNCIL OF MINISTERS—COLLECTIVE RESPONSIBILITY.

GROUP CAPTAIN BLOGS: Mr. Speaker, I beg to move the adjournment of the Council in order to provide an opportunity for discussing matters which have

made. He added that he is convinced that the Sessional Paper was conceived and written as a result of pressure from European Unofficial Members. Well, Sir, these Government papers—these Sessional Papers—are, of course, entirely anonymous, but I can give him my personal assurance that that is not so. The powers of the Principal Immigration Officer will indeed be extensive, but they will be based on instructions from the Executive and, if the Executive does not exercise power, who should?

As for the question of appeal, the final authority is myself, and what I am going to say now would have come far better from the other side of the Council. It is this. With the possible exception of my hon. friend, the Minister for Defence, and my hon. friend, the Minister for Education, there is probably no person in East Africa better qualified to carry that burden.

Sir, Government has evolved a policy which it sincerely believes will benefit the economy of the country and will bring immense advantages to local people, in particular the young Africans, young Asians and young Arabs. But one cannot produce a high standard of living by an Ordinance; and the success, or otherwise, of this policy, is going to depend on the sympathy and co-operation of the employers and on the perseverance, diligence and discipline of the young African.

Sir, I beg to move.

The question was put and carried.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Divide.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I do not propose to have a division unless Members stand in their places.

That completes the business on the Order Paper, but I understand there is a Motion on the adjournment of which we have had notice.

ADJOURNMENT MOTION
COUNCIL OF MINISTERS—COLLECTIVE RESPONSIBILITY.

GROUP CAPTAIN BLOGS: Mr. Speaker, I beg to move the adjournment of the Council in order to provide an opportunity for discussing matters which have

[Group Captain Briggs] arisen out of the unsatisfactory reply by the Government earlier to-day in response to my Question number 80.

I regret very much that the Government's reply was evasive in the extreme and made no attempt whatsoever to cover the specific points raised by me. I am, of course, enchanted to know that the Council of Ministers have confidence in their colleagues; it is very nice to know that, but unfortunately it does not answer the quite clear and specific question which I put to Government. What I asked was, whether Members of this Council, recognizing collective responsibility as a Council of Ministers, are to accept the views expressed by the hon. Asian Minister without Portfolio, at a meeting held at the Desai Memorial Library on the 12th of April, as representing the views and intentions of Government, particularly in regard to the Highlands, to multi-racial education and to the Common Roll.

Now, Sir, I would like to ask them now, to state quite clearly whether they are in agreement with the statements attributed to the Asian Minister without Portfolio in the course of his speech on the 12th of April. I will read now a few short extracts from the report which appeared in the *East African Standard* of 13th of April. Of course, if he has been misreported, no doubt he will have an opportunity of saying so.

This is the first one: "There was applause when Mr. Patel added, 'Therefore, it would be very essential in my view to commence discussions of ways and means for the introduction of a common roll soon after the next General Election'". Now, this, Sir, as far as I am aware, was a proposal to change one of the matters which have been clearly barred under the Lyttelton Plan, so far as changes are concerned, until 1960.

Now, the next reference is: "If there is a genuine desire that members of all races should work together in co-operation and good will for the good of the country, it will be necessary to amend the present system of imparting education purely in communal schools. A beginning will have to be made, in the near future for the starting of common schools, and imparting a very high standard of educa-

tion to children of all races studying together".

The next item reads, "On the question of land, Mr. Patel said the Indian community strongly believed that there was no justification whatsoever for retaining in any form racial discrimination in regard to the acquisition of land, either in the townships or by agricultural purposes".

Now, Sir, it does seem to me that the hon. Asian Minister clearly advocated, if he was correctly reported; changes that concern three of the matters which are barred under the Lyttelton Plan arrangements until 1960.

Other Unofficial Ministers have, no doubt, spoken on these matters, but, so far as I am aware, in so doing, they have been either supporting the present Government policy, or else they have been supporting the *status quo* and they have not been advocating any change in the *status quo* in so far as these particular subjects are concerned which are referred to in the Lyttelton Plan.

Now, Sir, the convention I have referred to, requires Ministers to support Government policy in public and in private. Government's policy in regard to the matters I have mentioned, must, therefore, presumably, have been decided and in view of the statements attributed to the hon. Asian Minister without Portfolio, I think we are clearly entitled to know what that policy is. I hope that the Government is not going to say now, either that it has not got a policy, or that they still have no policy.

Now, Sir, I have already asked if the views attributed to the Asian Minister without Portfolio represent the views of Government, and this clearly calls for a plain answer of "yes" or "no". There can be no equivocation. If it is "no", then it would appear that the Government have been condoning a breach of the convention on the part of the hon. Asian Member. Now, I do not intend to comment on other aspects of the speech I have referred to; this is not the place to do it in any case, and, furthermore, I do not wish to add any fuel to the flames. I would like to make it clear at this point that in raising this matter, I feel no personal animosity whatsoever in regard to my hon. friend, and I am sure he is aware

[Group Captain Briggs] of that. But I feel there is an important matter of principle involved. There have been other speeches made, and I feel that it is time that the matter is brought out in this way.

Now, Mr. Speaker, Sir, the reply from Government suggests that the document, which I assume has been signed, is regarded by them as a mere scrap of paper, and I am afraid that the failure on their part to deal with this matter frankly and fully, will not increase public confidence in the Government, and I am afraid that their failure to give clear replies on the points I have raised, will cause grave disquiet in the country generally.

I think, Sir, the position has got to be accepted that Unofficial Ministers cannot have it both ways. If they accept Ministerial appointments, they must accept the disadvantages which go with that appointment as much as they do the advantages. They cannot have their cake and eat it too, and if they wish to express irresponsible views, and break their undertakings, if they feel that way, well, in that case, they should not accept Ministerial appointments.

Mr. Speaker, Sir, I beg to move.

MR. SLADE: Mr. Speaker, Sir, I beg to support what the hon. Member for Mount Kenya has said. This is an extremely important question that he has put to Government and which Government has so far failed to answer. It is a question, in fact, of the meaning and effect of the present constitutional experiment.

Mr. Speaker, I would remind hon. Members that this constitutional set-up, introduced two years ago, is, in fact, only an experiment. We were so informed when it was introduced and we so understand and so intend it to remain to be—as an experiment, and, in the views of some of us, a very doubtful experiment, but certainly under observation. We must see exactly what it means, and how far it is going to succeed, and how far it is a failure which should be set on one side.

An essential item of this experiment, Mr. Speaker, was, of course, that Elected Unofficials were to cross to Ministerial positions and still retain their constituencies.

Another essential feature of it was that those Unofficials were to enter into certain conventions, and we were told that all this had the new meaning of collective responsibility.

Now, Sir, we must understand where we are, if we are to judge the experiment and decide whether it is really a very successful experiment. And all we ask for, are straight answers to two questions—straight answers: first, did the hon. Minister, in making this speech, speak the views of Government or not? That must be quite easy—quite easy to answer. The second question is, if he did not speak the views of Government in making that speech, where do we stand under the Lyttelton Plan with reference to these conventions and with reference to collective responsibility? To what extent are hon. Members who have become Ministers in Government, free, in spite of collective responsibility, in spite of conventions, to say things which, not being in support of Government's policy, must be contrary to Government's policy? To what extent are they free really to propose the abolition of an Order in Council which protects the White Highlands, in the face of those conventions to which the hon. Member for Mount Kenya referred earlier this afternoon?

It is just those two questions, Sir. I hope we have allowed sufficient time to hear straight answers. It should not take more than a few minutes.

MR. CHANAN SINGH: Mr. Speaker, Sir, I regret I cannot agree with the two speakers who have just spoken. I think it is wrong to suppose that the views expressed by the hon. Asian Minister without Portfolio are, in any way, contrary to the policy of the Government. It is true that there is an Order in Council protecting the Highlands, but it is also true that there is a law which lays down the powers of magistrates, but certain Ministers have stated quite openly that Asian Ministers should not be allowed to try European accused. That is entirely against the law of the country. If one Minister is entitled to express his views on one law, certainly another Minister is entitled to express his views on the other law. After all, what is wrong with the views expressed by the hon. Asian Minister? The Elected Ministers who are now on the

[Mr. Chanan Singh] Government side, are senior public men of the country and if anyone is to point to the ultimate state of things in the country, it is they. After all they are not the slaves of the present-day Government; they are entitled to express their personal views. I am convinced, Sir, that the hon. Asian Minister was perfectly within his rights in expressing the views that he did.

Mr. COOKE: He should resign.

THE CHIEF SECRETARY (Mr. Turnbull): Sir, I am happy to reply to the hon. Mover and the hon. Seconder.

The answer to their queries is contained in the fourth paragraph of the reply with which the hon. Mover expressed himself as so dissatisfied earlier to-day. "It is in no way inconsistent with the coalition principles of the Lyttelton agreement, that communal representatives participating in a coalition should represent the long-term aims of their respective communities to be pursued in due course." "Represent" meaning to make known, or to interpret.

Sir, the hon. Member was representing what he knew, and knows, to be the views of his constituents. They are not the views of the Government, for the hon. Member is governed, as the hon. Mover knows, by the terms of the convention, the relevant passage of which I quote here from the despatch of the 15th of April, 1954—reads as follows. "To refrain from proposing or supporting legislation which in any way concerns the special rights of racial communities in those areas established for their respective use by Treaty, Order in Council or Ordinance."

Well, Sir, no legislation was proposed; there is no inhibition on discussion, although it is true that legislation must not be proposed or supported.

The second matter concerns method of representation. Here, as the hon. Members know, all Ministers are governed by the terms of the Sessional Paper—the White Paper, paragraph 10, of which reads as follows. "If at that election the electorate returns members who are willing to serve as members of the Government, formed in accordance with these proposals, there will be no further changes in the proportion of members

of either the Legislative Council, or the Council of Ministers, either as between main racial groups or as between Officials and Unofficials before 1960. Her Majesty's Government, similarly, will not initiate any change in the communal basis of franchise to become effective before the elections of 1960."

My hon. friend, the Asian Minister without Portfolio, did mention this matter. He discussed it, as many other Ministers in a similar position have done. The basis of the matter is this; that Ministers are bound to follow the terms of the White Paper and to make certain that their discussions are kept within those limits. The extent to which they can go outside those limits would have to depend on the issue itself, on their good sense and on the overriding need of maintaining the basic principles of the Lyttelton Agreement.

The third matter to which the hon. Mover has referred concerns the reference to mixed schools. The policy of the Government, Sir, was explained by the then hon. Minister for Education on the 17th May, 1955, in connexion with the debate on the Estimates and will be found under Head 30.

Mr. COOKE: Mr. Speaker, if the interpretation which the hon. Minister has put to this letter of Mr. Lyttelton's is correct, all I can say is he has indulged in the most remarkable quibble. Now, I do not think it is the answer to the question as put to him by my hon. friend, the Mover—I came in a little bit late—for it seems to me perfectly evident here when Mr. Lyttelton says, "that a Minister is bound to support Government's policy in public and in private." Now, if the hon. Minister spoke in public, and expressed his views on some very important public matters in this country, then he was disobeying the instruction contained in this convention. He was, then, expressing his views on policies which are not Government policies and he was most obviously getting away from all quibbles and everything else, he was most obviously breaking, both in the spirit and the letter, this particular instruction of Mr. Lyttelton in which he is told to vote with the Government and to support its policy in public and in private. Well, if he was supporting the

[Mr. Cooke] Government's policy, are we to understand that those expressions of his views are indeed the Government's policy, because, according to this, it is absolutely crystal-clear that if he made these points in his speech they must be Government policy, because that is the only policy he is allowed to discuss in public?

Now, I put it to the Council, Mr. Speaker, that that is the obvious and only interpretation to those instructions of Mr. Lyttelton, and, so far as I could see my hon. friend, the Chief Secretary, skirted all over that argument.

Now, when Mr. Aneurin Bevan committed a similar error some time ago, he was certainly hauled all over the coals by his party; and we feel that if our interpretation of Mr. Lyttelton's instructions are not correct, then the whole Lyttelton set-up is a complete farce, because any Minister can, at any time, go out and express individual views which are not the views of Government. Then we would have within the Council of Ministers, a great gulf fixed; and that could not possibly lead to efficiency—if the Ministers, themselves, have such wide divergence of views—it must lead to the inefficient government of this country. It is quite an impracticable proposition; either Mr. Lyttelton's instructions stand, or else the whole of the Lyttelton proposals and the whole of the present constitution must fall. It is a complete anachronism. It is an impossible position for the individual and collective members of the Council of Ministers. In fact, I do not want to say anything bitter, but I cannot understand anyone who is not—I am not certain whether this is quite parliamentary or not—an outrageous hypocrite who could possibly remain in a cabinet, in a council of ministers, where there were diametrically opposite views on the most important subjects vexing this country at the moment. How can he remain in that cabinet? It is bound to lead to rows, to disagreements, to lobbying, and to every other undesirable stratagem that could possibly exist in any cabinet. So, even if we accept my hon. friend's explanation, even if we accept it—which I do not—even then he will have to acknowledge that it is quite impossible to carry on the Cabinet or Council of Ministers under those circumstances.

Sir, I support the Motion.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): Mr. Speaker, Sir, in reply to the last speaker, I will tell him, and I will tell him on behalf of myself and all my ministerial colleagues, that the Council of Ministers is no farce. It is the Government of this country. I will also inform the Member for Aberdare that as an experiment it is not a failure, it is a remarkable success. It is obviously a coalition. In any coalition; there must necessarily be a measure of agreement and a subordination of the extent of disagreement which may exist. That principle of coalition, that common approach to the problems of the country, for the good of the country, is the spirit which informs the Government as constituted in the Council of Ministers to-day. As has been said in the reply, and by my hon. friend, the Chief Secretary—the reply to the question—it is in no way inconsistent with the coalition principle that members of the coalition who represent groups, communities, constituencies, what have you, that they should discuss, represent, the views of their communities, their long-term aims to be pursued in due course.

Now, Sir, there was no suggestion, as I understand it, in the speech of the hon. Asian Minister, without Portfolio, that any of the matters which he adverted to and which my hon. friends opposite take exception to, should be immediately implemented.

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, on a point of explanation.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): I have the Floor, Mr. Speaker. . . (cries of "Give way") (Cries of "Stand your ground")

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, is the hon. Minister—

THE SPEAKER (Sir Ferdinand CAVENDISH-BENTINCK): The hon. Minister has not given way and, in the procedure of the Council, he does not have to give way so there is no reason why he should. The hon. Members on the one side of the Council have had their chance to speak and now it is the turn of the hon. Members on the other side.

GROUP CAPTAIN BRIGGS: Is the hon. Minister entitled to make incorrect statements, Mr. Speaker, Sir?

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): If the hon. gentleman is rising to a point of order, in fact, he has the right to take the Floor from me. If he rising on a point of order, I will resume my seat.

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, the hon. Minister suggested that the hon. Asian Minister without Portfolio had not suggested any change in the near future. I will read. (Cries of "Speech, speech.")

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): On a point of order, Mr. Speaker, this is sheer argument. This is not a point of order at all, nor is it a point of explanation of my hon. friend's words. He is speaking by way of argument, from the report of the speech of the hon. Asian Minister and I suggest, Mr. Speaker, it is not a point of order and neither is it a point of personal explanation.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): You may proceed, Mr. Griffith-Jones.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): As I was saying when I was so abruptly interrupted, Mr. Speaker, the hon. Asian Minister did not, as I understand his speech, advocate for immediate implementation anything in repugnance to Government's policy.

GROUP CAPTAIN BRIGGS: He advocated it before 1960. (Cries of "He did not!") He did.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): I will point out if I may be permitted to speak while I have the Floor, I would point out, Mr. Speaker, that, in regard to certain matters such as legislation, the initiation of legislation in respect of, I think it is referred to as, "communal areas", that would not be introduced under the Lyttelton Agreement, before 1960.

In regard to the common roll, the reference in the Lyttelton White Paper is that Government would not initiate a departure—I speak from recollection—a departure from the system of communal representation to be effective before the 1960 election—it will not initiate any changes in the communal basis of franchise to become effective before the election of 1960. I did not understand that the hon. Asian Minister without Portfolio made any suggestion that there should be an immediate implementation either now,

or after the coming election, of a common basis of franchise or non-communal basis of franchise.

In regard to the other matter mentioned, namely multi-racial education, again, he represented, as I understand it, the views of his community and he did not, in any sense, seek to impose those views on Government or to suggest that they should be immediately implemented as Government policy. As I say, Mr. Speaker, the principle of government, under which the existing Council of Ministers is constituted under the Lyttelton Plan, is a coalition principle—a coalition principle informed by a common and joint approach to the solution of the country's problems to the best possible advantage of all races in the country.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): The half-an-hour has now elapsed. The question is: that the Council do now adjourn.

Question proposed.

The question was put and carried.

DIVISIONS

PROCEDURE ON DIVISION BEING CALLED

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): There has been some discussion on the question of the House dividing on Order No. 8 because I said, at the time, that I thought a division was unnecessary, and that I did not think it was reasonable to ask Members to stand: I therefore want to make our procedure clear. Under Standing Order No. 55, "Mr. Speaker may, if in his opinion a division is unnecessarily claimed, take the vote of the Council by calling upon the Members who support or who challenge his decision, to rise in their places." Note that the wording is "who challenge his decision" and not "who desire or do not desire a division". In this case, considering the whole of Government is in favour of this particular Motion, and most of the Opposition, it was hardly reasonable for me to call on everybody to stand in their places, and I considered it was quite unnecessary to have a division.

ADJOURNMENT

In accordance now with Order No. 5, which we passed earlier this afternoon, I suspend business and adjourn Council until 4 p.m. to-morrow, Thursday, 26th April, 1957.

Council rose at Seven o'clock.

Thursday, 26th April, 1957

Council met at Four o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentinck) in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

Estimates of Revenue and Expenditure of the Colony and Protectorate of Kenya for the year ending 30th June, 1957.

Development Estimates for the year 1956-57 (Sections I and II).

(By THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey))

COMMITTEE OF SUPPLY

Order for Committee read.

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Mr. Speaker, I beg to move that Mr. Speaker do now leave the Chair. (Applause.)

The Estimates of Revenue and Expenditure which I am now presenting cover the period 1st July, 1956 to the 30th June, 1957. This will be the fifth Budget I have had the task of presenting to the Council. I would wish at this stage to acknowledge the work of all those officers of the Treasury responsible for the production of these Estimates and to express my appreciation to the Secretary to the Treasury and all his officers for their work in this connexion. This will be their fifth Budget in four years, a burden to which has been added the burden of Emergency expenditure as well as the change-over to a ministerial system and the process of perfecting as far as possible the system of financial control. I am sure, therefore, that the Council would wish me to place on record its appreciation of their efforts and achievements, carried through with very little addition to the number of staff who began those operations in 1952.

It has been my custom at the time of the Budget statement to give the Council a review of economic conditions during

the past year, using it as a guide to the possible changes and trials which may face the Colony in the future. From time to time I have in these speeches declared my belief in the future economy of Kenya and stated that I am convinced that, once the Emergency has been concluded successfully and the problems connected with it moved towards solution, the economy of Kenya will evolve at a speed which may surprise many people.

There are some who have challenged this view and protested that many of the economic and statistical data which have been presented for consideration do not deal with real achievement. I hope later in this speech to prove, by means of yet more examples, the fallaciousness of these arguments. It is encouraging to find that an independent body of experts have confirmed the views of myself and of my advisers on the future of Kenya. The Economist Intelligence Unit which was commissioned by the East African Railways and Harbours Administration to carry out a survey to establish the likely trends in trade and industry in British East Africa, with special reference to the future programming of the transport industry, assessed the economic growth potential of Kenya to be extremely soundly based. These experts realized, as most of us do, that Kenya is an agricultural country and they calculated that it will be from agriculture that we can expect to achieve our greatest increase in exports, while it will be from our industry that we can hope to reduce our overseas expenditure on imports.

To all those interested in the possible development of our economy, I would recommend a perusal of the report of the Economist Intelligence Unit and, in recommending this, would say that I am encouraged that those of us who are studying these current problems and trying to chart the future, have had our bench marks and our own forecasts confirmed.

The most simple and all-embracing assessment of the economic progress of any country is to be found in those social accounts which are aggregated to form the national income. In Kenya we are fortunate in having available a series of geographical income estimates which start in 1947. For to-day, I have been

[The Minister for Finance and Development]

able to obtain the first preliminary estimate of our geographical income for the year 1955. One must realize that such an estimate is of a very approximate nature, for 1955 is but four months past and we cannot expect to be as current in our knowledge as in more developed countries. There are some who presume that it is mainly price changes which have formed the basis of our economic growth. There is no known way of converting tons of wheat and soda and adding them to the real value of services from hotels and tourism except in money terms. This method of using money terms is in force in calculating our geographical income, but to satisfy the wishes of all of us, I have arranged for these income statistics to be deflated by the best price index available, which is the cost of living index for Nairobi. I have taken only the cash section of the geographical income into account in the calculation. The results are most interesting. Based on 1948, with an index of 100, the index of the geographical income in 1954, deflated for price change, was 60 per cent above the 1948 level and our first estimate for 1955 is over 85 per cent higher than the base year. We, therefore, increased our income, after allowing for price movements, at least 85 per cent over the last seven years.

But, in the presentation of these figures, there is much more of value than merely a comparison with eight years ago. The increase between 1954 and 1955 has been 15 per cent, the estimate being made at constant 1948 prices. For comparison, I give the changes from 1950 to 1951, the years before the Emergency, and 1952 to 1953. Between 1950 and 1951, the increase at constant prices was 17 per cent, while between 1952 and 1953, it was a fall of 3 per cent.

It seems, therefore, that the trend of economic progress is again upwards following the pattern of the pre-Emergency period and we seem to have taken another step towards our goal of an increased national income through diversified industries and increased output, with the prize of success being a higher standard of living.

To ensure that all possible advantages are eliminated from the statistics I have presented, I have had this information re-assessed to allow for the increases in population which occur annually. Taking into account these population changes, the cash output per capita has increased in real terms from £8 in 1948 to about £13½ in 1955, so that we can say that on the average, the real geographical income per head has increased by over two-thirds in cash terms from 1948 to 1955.

The preliminary estimate for 1955 is calculated to be £150,000,000, an increase of over £23,000,000 compared with 1954. This is a considerable increase and in percentage form represents about 19 per cent or the equivalent of the average expansion from 1948 to 1951.

In agriculture, in spite of a fall in income from cereals, there has been an overall expansion of some £7,000,000 or a 13 per cent rise. Most of this has come about from an expansion in the coffee sales. I am giving a more detailed statement on agricultural production in volume terms and I shall, therefore, not give other than national income figures at the moment. The African cash income from agricultural sales, including livestock, has gone up by about £0.3 million, in spite of the reduction in incomes from the sale of maize. There was an expansion in coffee sales, in African cattle for slaughter, as well as an increased income from wattle.

The return to commerce in national income terms has increased by about 17 per cent, much of it being from changes in wages and salaries. There have been increased imports into the Colony and the year 1955 was a good year for many of the business houses. Our manufacturing industry has continued to grow, and later I will give details in terms of manpower and materials which shows the extent of this expansion in what may be called real terms. In value terms the accretion to the manufacturing industry is estimated to have been in the order of £3.4 million and the total contribution to the geographical income is thought to amount to £19.4 million. This means that as a proportion of the total geographical income, the manufacturing industries represent some 13 per cent; in 1949 the proportion was less than 10

[The Minister for Finance and Development]

per cent and in 1952 it was only 10.8 per cent. There has been a steady expansion ever since 1947, and we look to the manufacturing industries to grow in size in the years to come.

The Government sector has shown a considerable expansion partly as a result of the increased numbers employed. I said last year that my advisers did not consider that the back payments which were provided to civil servants as a result of the acceptance of the recommendations of the Lidbury Report should enter into the geographical income for 1954. This amount was left out of the figures, although it was my opinion that there had been some anticipation of this increase and that the expectancy had entered into consumption expenditure. We have, therefore, had to include in the present geographical income figures the arrears of salary granted to members of the public service. In 1955 the Government account as a proportion of the geographical income represented 13 per cent or a total of £20.0 million.

The building and construction industry had a very satisfactory year with increases, both in the number of employees and work done. It is only a little while ago that we were lamenting the fall in the activities of the building industry, but the building and construction trades are now stretched almost to, if not beyond, capacity.

It is also my custom to give an indication of the advantages which came to the recipients of the incomes arising from these agricultural, industrial and commercial activities. In 1954 wages and salaries totalled £49.9 million or nearly 40 per cent of the geographical income. In 1955 the total was £64.0 million and the relative importance had risen to 42 per cent of the geographical income. Overall profits and surpluses rose in absolute terms by some £9.0 million. I will repeat what I have said earlier that in real terms, allowing both for changes in prices and for increases in the population, the geographical income of Kenya had risen by about 15 per cent during the year 1955. This is indeed a satisfactory expansion and cannot be considered to be purely the result of inflationary trends.

Agriculture is one sector of the economy which we can express in volume as well as value terms. It is possible to compare changes from year to year in terms of tons or bags of produce. The wheat production for the crop year 1955/56 was unfortunately poor. We have had serious and adverse effects on our wheat production because of weather conditions in the past, but this year the extent has been greater than for some time. As a result of the increase in acreage, it was expected that the total production of wheat would be greater than in the 1954/55 crop year, when it amounted to over 132,000 tons. The final out-turn of the present crop, it is believed, will be much smaller. The shortfall, compared with last year, may be in the region of 25,000 tons and, if that is so, we shall have to import during the coming year a quantity of wheat to meet the demands of the population. These demands are, of course, increasing as the standard of living of the majority of our population improves. This is the type of problem which constantly faces agriculture and, in spite of every care and attention, weather factors will still have their outstanding effect and seriously influence and jeopardize the plans and activities of any farming community. The maize production is also likely to be lower than in the past year and total production is believed to amount to about 113,500 tons, compared with 142,000 tons in the previous crop year.

Our sisal production has been of roughly the same order as in 1954, there being a 2,700-ton increase which, though small, is welcome. Pyrethrum production, although not impressive in terms of tonnage, is of considerable value to us as an export crop, and the production is estimated to have increased from 2,100 tons in 1954 to 2,700 in 1955. The production of tea has shown a steady expansion over the last few years, and with improved prices, total value of output is now about 100 per cent higher than in 1951. Our volume of production is estimated to have been 8,500 tons in 1955, an increase of 9 per cent over the previous year.

But it is coffee, the description of which I have left until the last, which has been the most outstanding of all our agricultural products in 1955. The production this year has been the highest on

[The Minister for Finance and Development]

record. It has topped the 23,500-ton mark and the nearest production in the past was 18,500 tons in 1941 and 18,000 tons in 1935. Out of this total, the African production amounted to 800 tons, small but increasing and encouraging to all who hope to see an expansion of the cash output of the African farmer.

In agriculture it has been coffee which has given us that boost which we have so much needed. The coffee market throughout the world is, unfortunately, at present in a very unstable state. There are many producers of coffee in the world, and Kenya, although important in some ways, has little influence on the total volume of production. It is the decisions of other Governments which are affecting the activities of the world coffee trade and, since these cannot be forecast with any certainty, the businessmen are keeping their stocks small. When one runs down stocks, immediate demands hand over the initiative to the seller who can raise the current price and gain from the availability of supplies, compared with the urgency of demand. Kenya has gained in this way from the early picking of her crop and the availability of supplies, but it is a difficult and dangerous task to try to forecast what is in store during the next year. The highest price which Kenya received for her coffee was paid in the early months of 1954 when the average price for coffee rose to over £700 per ton. During the auctions last year the export price was running at about £460. We have reason to believe, on the best evidence which is available to us, that prices will be lower during the coming year and that we shall not receive as good a return per ton as we did in 1954 or 1955. We are also told that we can hardly expect such a bumper crop two years running. It is likely then that production will be lower which means with lower prices we shall, of necessity, receive a much smaller return.

I have dealt with cereal production and also with the plantation crops, but what of our dairy industry which has been expanding and which, according to the Troup Committee, on the best estimates available, will expand by some 70 per cent by the year 1961. During 1955 the

production of wholemilk increased by 12 per cent; these figures are based on the sales to the Kenya Co-operative Creameries during the last year. Butter fat delivered to the Kenya Co-operative Creameries increased by about 11 per cent and butter manufactured increased by roughly the same amount. The dairy industry is an industry which has developed quickly and whose products are required for the well-being of the population.

Meat production in European areas has not expanded during 1955. Compared with 1954, the total of slaughter cattle from European farmers delivered to the Kenya Meat Commission was almost unchanged. We must, of course, remember the effect of the Emergency in some areas. There was also a fall away in the production by the pig industry. In 1955 the number of baconers handled declined from some 39,000 to 31,000, while pigs of other types remained roughly the same in total number.

What of the cash crop production in African areas? We realize that many of the problems of agriculture in the African areas are connected with subsistence activities of the individual farmer to maintain his family with the basic foodstuffs of life from his own plot of land. But, in addition, there has been production of crops for sale, excluding livestock, amounting to £5.0 million during the year, compared with £5.3 million in 1954. There has been a fall in the sale of maize, particularly in the Nyanza area, for the same reasons as in the European areas. It is expected that the 1955/56 cotton crop will not be more than about 16,000 bales, which will be 20 per cent greater than in the previous season, but still below the 1952 and 1954 pickings. Wattle production has continued to increase and to bring in a higher return to the African producer.

The figures I have given of agricultural production have covered the whole of the Colony, but within the Colony the changes have not been uniform. It is not easy to make a quantitative appreciation of the total economic effects of the Emergency in the troubled areas.

There has been the effect on those European farmers in the troubled areas who, in lonely places, have had to guard

[The Minister for Finance and Development]

their homesteads and tried to maintain their incomes, in spite of the activities of marauding gangs. Some farmers have had to leave their homesteads because of the dangers and the inability of the defence forces to protect them in their outlying farms or homes. As a result of the concentration of labour, the denial of food crops and the close herding of livestock, there has been a reduction in output in various areas. The Troup Commission on the dairy industry has shown that milk production in the areas affected by the Emergency fell slightly between 1952 and 1955, but the total production rose by 11 per cent as a result of a rise in output of 70 per cent in West Kenya. Without the Emergency dairy producers in the troubled areas may have been able to increase production at a similar rate and to have increased their incomes.

The Kikuyu, Embu and Meru tribes in the Central Province have suffered economically as a result of the Emergency. A rough calculation from such figures of cash crop sales as are available shows that whilst in the Nyanza Province there has been a large increase in the value of sales of maize, millets and rice, the expansion in the Central Province has been very small between 1952 and 1954, whilst in 1953 there was a drop which was not experienced in Nyanza. It would seem that maize was required internally in the Central Province and was not available for sale and in the case of such crops as vegetables there was a considerable decline. This effect of the Emergency was, in part, a decline in production, but mostly a failure to expand at the rate we wished. In the troubled areas the rate was lower than in other parts of the Colony.

I wish now to describe the major changes which took place in our external trade during 1955. Both our imports and exports are vital to our well-being and are more important to our economy than possibly in many developed countries. As a ratio of the geographical income, the total value of our external trade was some 66 per cent, a high ratio, but not one out of line with that found in countries at a similar stage of growth.

The value of our exports showed an encouraging increase during 1955, the total of domestic produce which we sent overseas being £25.7 million, an expansion of £5.4 million over 1954. This increase was mainly due to the large coffee crop, which resulted in exports valued at £8.9 million. It is encouraging to note also that by the end of the year not all the coffee of the 1955/56 crop had been exported through Mombasa and, therefore, we should expect a good value figure from coffee to be returned in our export list in 1956. In value terms, coffee represented 35 per cent of our total domestic exports, leaving well behind those other agricultural products which enter into our export trade. Second in order of importance was tea, which now represents nearly 11 per cent of domestic exports. In 1954, tea rose to second place and, in 1955, it maintained its standing. Fourth in the list is sisal, the price of which for Grade I continued to fluctuate around £80 per ton. It is a pity that these 33,500 tons of sisal brought in only £2 million, but sisal represents 7.6 per cent of the total value of our exports and is an important industry. Some six export items are always jockeying for position in the export race, and each year, they change places. In 1954, wattle-bark and extract together were fourth, hides and skins fifth, sodium carbonate sixth, maize seventh, and pyrethrum eighth. Last year, wattle had moved to third, displacing sisal, with 9.8 per cent, followed by sisal and then by maize, hides and skins, sodium carbonate and pyrethrum. Although these eight items represent 84.3 per cent of our total exports, we have others too. We have 38 main groups of exports and over fourteen which represent individually more than 1 per cent of total exports in 1955 or more than £250,000 each.

The average unit price of our exports fell during 1955. Taking the average of all the prices of agricultural produce, the index for 1955 stood at 113, compared with a base of 100 in 1950. In 1951 the comparable figure was 133, while in 1954 it was 115. We are, therefore, getting less money for a unit of exports than we did in the past, and we can only maintain or increase our total value of exports by increasing the

[The Minister for Finance and Development] volume should the present trend continue. This, we have done in 1955, particularly from our coffee production. Compared with the volume index of 102 in 1954; the index stood at 131 in 1955, 1950 being taken as the yardstick.

Our imports continued to rise in volume and total value. Retained imports were valued at £69.2 million. I have heard a great deal from certain people in Kenya, whose criticisms are, I feel, sometimes based on political grounds rather than objective economic analysis, that the adverse balance of trade is enormous and demonstrates that Kenya is living on credit and not supporting itself. We have heard strong remarks from those whose classification could, at the best, be termed neutral. I said last year:—

"It is necessary to emphasize the statistical inadequacy of the information and express my belief that until we have firm figures of balance of payments statistics, we should not gaze too deeply into the balance of trade figures of individual territories, but keep in mind that it is the East African balances which are of primary importance."

The port of Mombasa is the major port of East Africa, dealing with some 70 per cent of the total volume of trade which enters East Africa. Many of these goods, which flow through the port, enter into Kenya and are used here for interterritorial purposes and on occasions are sent to other territories without alteration in the trade statistics. An examination of the trade report for 1955, an admirable document produced with great efficiency and rapidly by the East African Commissioner of Customs and Excise, gives some illuminating examples. A study of the importation of transport equipment for Railways and Harbours shows that only some £20,000 has been allocated to Uganda as comprising this equipment, and over £7 million to Kenya.

Now, I am making no criticism, actual, or implied, either of the East African Commissioner of Customs or of the General Manager of the Railways Administration, when I bring this

example to the notice of the Council. The Railways and Harbours Administration is East African and its central workshop and stores are in Kenya. It would be a headache indeed, and a lot of unnecessary work and waste of time to decide what items of rolling stock and what locomotives should be allocated to the Kenya or Uganda accounts, as these locomotives pull their loads over the stretch of track from Mombasa to Kampala. I would not wish for anyone to change the classification, and it would be of no advantage to Uganda, since these imports are on Government account and come in duty free. I am quite happy to have these imports allocated to Kenya, but I would ask that others understand that the total of Kenya's imports include many items which are of use to other territories and are even used in other territories. The removal of these figures, and others which I shall give later, from the total of our imports would reduce not only our import totals, but also improve considerably the trade balance.

There are many other examples which a study of the trade accounts, coupled with general economic knowledge, bring to light. I will not trouble honourable Members with many of these, but we should remember that a number of our schools, buildings of interterritorial organizations, and other things are paid for, at least in part, by other than Kenya residents. I am informed that at least 70 per cent of the aviation spirit which enters into the Kenya import list is used for refuelling aircraft of international air lines and, if a balance of payments was struck between the various territories, I do not think Kenya would come out too badly.

We must not forget that Nairobi is a centre of trade and tourism for the whole of East Africa. Last year there were nearly 40,000 persons who came as visitors and persons in transit. Many of these people came to Nairobi, not only to buy local produce but imported goods. In addition to these numbers who came from overseas, there were visitors from neighbouring territories who travel to shop in Nairobi. We all know of friends in those territories who regard, with a certain amount of trepidation, the visits of their wives to the capital of

[The Minister for Finance and Development] Kenya because of the effect on their bank account. When these ladies return laden with their private purchases, they do not fill in any forms; nor does the shopkeeper ask for the destination of the goods. These imported items form an export trade and earn money, reducing still further our adverse balance of trade. I hope I have, by means of this simple exposition, enlightened those who desire to give comment, and I suggest that there are some who should study the economic problems a little more deeply, for there is more to the study of external trade and the balance of payments than simple arithmetic.

A developing country should not be ashamed of an excess of imports over exports. It is only by these means that its economy can get the stimulus for rapid growth. If, in the past, the United States of America and the great Dominions of the Commonwealth had not maintained large adverse balances with the United Kingdom, they would never have grown into important economic units in world trade. Last year I stated that:—

"Kenya is importing more than she exports, and someone else is paying for those imports. We pay partly for the excess by means of our invisible exports, but these do not finance the whole difference. The remainder is made up of capital inflow, an inflow which has been maintained since the beginning of the post-war period. In part, it is an inflow of capital as a result of moneys raised on the London market. Some of our imports are at present being financed by Her Majesty's Government from the grants and loans which have been made to us, while capital equipment is being imported by firms and organizations with headquarters overseas, part of whose investments take this form."

If to one from overseas was prepared to invest in this Colony, our imports would fall quickly to somewhere around the value of our exports. An examination of pre-1939 trends proves that a fall in exports was quickly followed by a decline in imports, for unfortunately in those days very little capital flowed into Kenya. We have managed to per-

suade the overseas investor, either by the purchase of equipment, or by the employment of local inhabitants, to help in developing this Colony.

Of the total value of retained imports in 1955, it is estimated that 28 per cent could be classified as producers' capital goods. This is not a very enlightening title perhaps, but it includes, among other things, all the machinery for industry and for basic services, tractors for agriculture, rolling stock for railways, cables and telephone equipment for telecommunications and electric generators for power. About half of these imports were on behalf of public authorities, and about a third were purchased for private industrial concerns. About a third of the total of all retained imports was in the form of producer materials, which includes feeding stuffs, oils and petrol, as well as the multifarious items which go to form the materials for industrial production. It can be said, as a result of these analyses, that some two-thirds of our imports have very little to do with direct consumer demand.

£13.7 million, or 20 per cent, is estimated to have represented consumer goods. If anything, this total is an overstatement, since included in the aggregate are all private motor-cars, wireless sets, refrigerators and metal furniture and fixtures. It is impossible from the returns to allocate some of these items between hotels and private residences, or to discover whether the saloon cars were imported for business or for pleasure. The benefit of the doubt has been given to the consumer, in order that no extravagant claims are made about imports of capital goods. We can, therefore, be confident that the income earned by our domestic exports and by our invisible exports is not being spent on luxury goods. I said last year that:—

"In dealing with the items imported for direct consumption, we must remember that there are over 6,000,000 people in the Colony whose individual demands, in other needs as well as in food, have to be met and, at present met largely through imports. Cotton piece-goods of all sorts still represent the highest percentage of all consumer goods and are equivalent to some Sh. 12 per head of the African population."

[The Minister for Finance and Development]

The cotton piece-goods, the bicycles and the small wireless sets for the African farmer or urban employee are essential incentives. We cannot expect increased output and higher wages without an increase in imports of consumer goods. A growth of less than £1 million between 1954 and 1955 is not phenomenal.

I would like to end this summary of trade by commenting on a number of import items, the change in which between 1954 and 1955 has been of the order of 100 per cent. We had a considerable reduction in our importation of food, mainly due to a reduction in the importation of sugar by 85 per cent from £1,650,000 to £900,000 and in rice, which fell by 300 per cent from £800,000 to £200,000. There was a considerable increase in the importation of manufactured fertilizers, which increased by nearly 140 per cent or by some £500,000. Importation of copper producer materials rose by some £140,000 or by over 300 per cent, while agricultural machinery and implements were valued at 107 per cent higher than in 1954. Metal working machinery was 120 per cent higher in value terms, while the importation of bicycles was 100 per cent in number and value.

I hope, by now, I have reassured the Council that Kenya is not on the slippery slope to bankruptcy, as some people seem to wish to make the world believe. I reiterate, however, that we must do our best to increase by every possible means the volume and value of our exports, taking the initiative by venturing into new fields and discovering new markets. The latter will require the use of salesmanship, marketing and market research, but we are surrounded by many countries whose agricultural potentials are not as great as that of Kenya. Their populations are growing, their incomes are rising and, if production can be developed, I believe there are markets to absorb the produce.

As I have said, a developing country such as Kenya depends, in part, on its capital formation for its economic progress. There is, in some quarters, a theory that the population of a country can improve its conditions entirely by its own efforts. Where a population has

such a low standard of living that savings are rarely possible, it is to outside-capital resources that the Government has to turn, if it wishes to plan expansion. Kenya has been very fortunate since 1946 in finding many industrialists and organizations from the United Kingdom wishing to invest money. I speak now of the private investor who has brought in either money or machinery for use in this Colony, for many of our imports are really importations of capital.

Last year, in 1955, our imports of capital equipment totalled £19.6 million against £13.8 million in 1954. These figures are valued c.i.f. and an extra allowance must be made for installation and other charges. During 1955, it is estimated that construction added to the value of capital formation of the order of £12,000,000. Included in the total are the costs of water supplies, electric power schemes, dock and railway development and many other works.

It is most difficult for interterritorial services to provide detailed estimates for one territory and almost impossible to say how a division should be made. The best estimate we have been able to make and, if anything, it is on the conservative side, is that the grand total, for all schemes private and public, during the year amounted to about £38,000,000. This is equivalent to 25 per cent of the geographical income. In providing this estimate, I have eliminated completely rolling stock, etc., which must be considered entirely interterritorial.

I would like to illustrate my point by mentioning some of the development programmes which have been progressing since the beginning of the Emergency. We have had large East African Power and Lighting Company and Kenya Power Company development programmes which, from 1952 to 1957, are estimated to total nearly £16,000,000. The City Council of Nairobi's capital development programme, from 1952 to 1957, includes £3,250,000 for water development, so essential to the City. The programme of the East African Railways and Harbours Administration for the whole of East Africa, from 1954 to 1957, is placed at some £41,000,000 and a considerable proportion of the construction will take place in Kenya.

[The Minister for Finance and Development]

since Mombasa is such an important port for the whole of East Africa. The Posts and Telecommunications Administration will be spending nearly £9,000,000, from 1954 to 1958, on capital projects. The other municipalities have also increased their capital expenditure, while the Government expenditure itself, for the planning period 1954 to 1957, is estimated to be running at over £6,200,000 per annum for the 3½ years, or nearly £21,800,000 in total for the period. This accounting of development is not intended to be comprehensive.

There are some who say that we are trying to do too much all at once, with the result that we are causing an inflationary spiral in the Colony. We are straining the resources of the Colony too far, with the result that, in some cases, we are merely getting higher prices and less production. There is, of course, in a developing country, some truth in this remark and it is necessary to study, not only the desired capital expenditure and the amount of money which we can afford to borrow or persuade others to bring in, but also the actual amount of labour and material and the possible organization which exists to bring plans to fruition. This is a major problem in a developing territory and we, therefore, plan our own programmes, taking all these and other factors into consideration.

One of the problems facing most countries in the world at the present time is that of the inflationary spiral, with the value of money slowly depreciating as money is put into circulation at a more rapid rate than goods. The whole world is suffering from this inflationary spiral and Kenya, as a dependent territory, has been caught up, to some extent, in this dust-devil. It is not surprising, therefore, that the price level in this country has risen and, in an earlier debate on another subject, I said:—

"What, therefore, I think must be the Government's policy is one of continuous watching, a flexibility, the willingness to step in, if there appears to be in this country any great slide towards dangerous inflation. To recognize that a country, as small as we are, with an economy as buoyant as

ours is to-day, must not be afraid of prosperity and that the Government, and the people, must be prepared to accept a small proportion of inflation as the price they pay for the rapid development which has characterized the progress of this country in the last few years."

I repeat that statement here to-day. In my last Budget speech, I made the remark that the increase from December, 1951, was nearly 11 per cent, while that between 1952 and 1953 was just over 3 per cent. I had previously stated that during last year the cost of living index had risen by about 4½ per cent. The increase in the cost of living index from December, 1954, to December, 1955, based on the prices current in Nairobi, was 6 per cent. In the first two months of 1956, there was another increase of 1 per cent. We, therefore, had a change of 7 per cent since December, 1954. This is a higher increase than has been experienced in Nairobi since 1952.

What have been the main changes which have taken place in this index from December, 1954, to December, 1955, and what has caused this upward movement of prices? Included in the cost of living index, which attempts to show the pattern of living of a lower range of European employees, there is a weighting of 13 per cent of the monthly budget for the wages of servants. Servants' wages have increased greatly during the last year, for reasons which I explained in my last Budget speech. The increase in this part of the index accounts for nearly two-fifths of the total increase of 6 per cent in the overall index. The food, drink and tobacco group has increased by 5 per cent in 1955, and the increase in the transport index was 8 per cent. Many of the other items have been fairly stable and there has been only one decline.

How are we progressing, compared with other parts of the world? I shall make comparisons between 1947 and the latest figures which are available to me. The Nairobi index rose by 57 per cent, while in the United Kingdom the interim retail price index rose by 54 per cent. In South Africa the increase was 46 per cent, in Northern Rhodesia, 37 per cent, and in Southern Rhodesia, 52 per cent. These indices are not strictly comparable.

[The Minister for Finance and Development]

but are the best which are available to me for the making of comparisons. Over 1955 the Kenya index rose, as I said, by 6 per cent compared with a similar figure in the United Kingdom, a rise of 3 per cent in Southern Rhodesia and a rise of 2 per cent in South Africa.

I usually give at this time the change in value of our money compared with the changes in other countries. These estimates are only approximations, but the change does not seem to have been greatly different in Kenya, the United Kingdom and South Africa. If we take December, 1947, as the base of Sh. 20, by December, 1955, our currency had depreciated to about Sh. 12/50, while in South Africa the comparable figure was Sh. 13/50 and in Southern Rhodesia and the United Kingdom about Sh. 13. Over the past year, Kenya and the United Kingdom had lost roughly the same value, of the order of 80 cents, while in South Africa and Southern Rhodesia the fall is of the order of 40 cents. These estimates are based on the retail price indices, which I have quoted.

The East African Currency Board, at the 30th June, 1954, had currency in circulation in Kenya, Tanganyika, Uganda and Zanzibar of some £45.5 million. By June, 1955, the currency in circulation had risen to £57.7 million, an increase of £2.2 million. I said last year, that since June, 1953, there had been an increase of almost 25 per cent in the currency in circulation in East Africa, and between 1954 and 1955 the increase has been 18 per cent. I would like to reiterate that this expansion can only come by the placing of the equivalent amount of money in the East African Currency Board in the United Kingdom, and to remind Honourable Members that our remedy here in East Africa must be backed 100 per cent by sterling. Honourable Members are always interested in the size of our sterling balances. Since East Africa is an economic unit and it is impossible to provide comprehensive estimates for individual territories, I give these for East Africa as a whole. Our current sterling balances fell from June, 1954, to June, 1955 from £205 million to £187 million. In these figures there is a pointer to the need to keep a careful

watch in the future on our overseas position and not draw any more than is necessary on our overseas assets.

The effect of a credit squeeze in the United Kingdom must be felt here. I am assured that there is no directive overseas to the East African branches of the Banks to restrict lendings. However, the restrictions in the United Kingdom inevitably have their repercussions throughout the sterling area and the resulting pressure on the overseas Banks for advances brings into play the point beyond which they cannot go without exceeding their recognized ratio of liquidity. Banks can only lend a certain proportion of their depositors' money by way of agricultural, commercial and industrial advances. A proportion must be invested in short-dated and readily marketable Government securities and the balance, called the liquidity ratio, held in cash, money at call and Treasury Bills. As far as East Africa is concerned, the latest statistical returns show that the Banks were lending £56 million against total deposits of £90 million, which can be regarded as a high proportion and an indication that the Banks have been helpful in their general assistance towards development. We have not yet a large money market in East Africa or, indeed, a ready market for Government securities and Bills in very large amounts, so that proportion of the Bank's resources which must be kept liquid has to be invested in the United Kingdom. Money, therefore, flows between East Africa and London as the requirements of the Banks necessitate and there is broadly speaking, a seasonal movement. Provided, and I emphasize this, provided that the legitimate seasonal requirements of agriculture and industry can be met and provided that the policy is not so quickly and drastically imposed as to restrict sound development, tighter credit conditions can have a salutary effect. Greater attention will have to be paid to the collection of accounts and the reduction of stocks to reasonable levels, whilst competition instead of being in terms of the amount of credit will have to be based upon quality, price and service. I am confident that the Banks, conscious of their responsibilities in this matter, will not carry that policy to the point where, as I said, sound development will be unduly hampered.

[The Minister for Finance and Development]

In my Budget speech for 1954/55, I told Honourable Members that, while we could regard agriculture as the life blood of the economy, it might well be from industry that we should find our best measure of rapid growth. Industrial production, as a percentage of our geographical income, has been constantly rising in importance since the series commenced. In 1947 it represented some 81 per cent and by 1955, this percentage had risen to about 13 per cent. The number employed in November, 1955, in manufactures and construction totalled over 80,000. Even this classification is not comprehensive, as many people employed in other industries, such as the Railways, are engaged in industrial production and maintenance. The list of our industries is becoming longer and our reliance on imports of manufactured goods of certain types will decline as output increases.

The East African Statistical Department has been undertaking, for the last eighteen months an, industrial census of some 1,600 firms throughout the Colony. These are of different sizes and importance and cover all types of industry including building and construction. The final figures for the first year are not yet to hand, but it has even surprised those whose task it is to calculate our geographical income estimates, to find how many small firms exist whose total production is of significance. The consumption of electricity is a good indicator of industrial development. During the year, sales increased from over 160 million kilowatt hours to nearly 195 million and, of this latter figure, nearly 40 per cent is estimated to have been consumed by industrial concerns. A new and important industry is the production of cement and, from an infinitesimal production in 1945, our output has more than topped the 100,000-ton mark, being nearly 130,000 tons in 1955.

I have explained, in considerable detail, the development of agricultural production, both in the European and African areas. I have given some indication of what has happened to industry which is mainly centred in our urban areas.

Nairobi has been expanding. In 1955 the value of building plans which had been passed by the City Council was just over £8,000,000, compared with £4,500,000 in 1954. How was this grand total made up? Some 50 per cent represented domestic dwellings, flats and similar buildings, 23 per cent were commercial premises, 16 per cent were industrial buildings, factories, godowns, etc., and 11 per cent represented public and other buildings. This is a good cross section for the capital of Kenya and shows that the development is varied.

The development of Mombasa has gone forward at a considerable pace. It has developed a large water supply and water has been one limiting factor to their progress. This water supply has cost £5,000,000 and, although much of it has not been spent in the Municipality itself, the effects have been for the good of the town. Private buildings, completed in 1955, totalled £1,000,000 and some 70 per cent of these were residential. In addition, there were over £100,000 of development works carried on by the municipal authorities on behalf of the population of that area. New construction works at the port by the Railways and Harbours Administration and the construction of the cement works at Bamburi, all helped to increase the activities, prestige, and prosperity of Mombasa.

The expansion of construction activities in Nakuru, the centre of the agricultural industry of Kenya, has been most encouraging. During the year the total of private buildings completed amounted to £400,000, compared with £211,000 in 1954. In addition, there have been large development plans carried out by the Municipality itself. The value of these during the year has amounted to some £300,000, while there are two or three large schemes which, from 1953 and planned to continue into 1956, amount to £600,000. Nakuru is progressing at a rapid rate and should develop in the future at a rate at least equal to that of other urban centres.

In the other municipalities of Kenya development has been continuous. One indicator of this is the building statistics of private buildings completed on behalf of firms and private individuals which totalled £340,000 in 1955.

I now turn to the Revised Estimates of Expenditure and Revenue for the present

[The Minister for Finance and Development] The original estimate of year, 1955/56. The original estimate of expenditure was £38,726,000. The revised estimate, covering issues from the Exchequer during 1955/56, is £39,000,000. The difference of £274,000 makes allowance for Supplementary Estimates, already approved, amounting to £187,000, and for one final Supplementary Estimate to be presented before the end of the current financial year. It is probable that when this last Supplementary Estimate has been taken, the total sum of money voted may amount to more than the £39,000,000 which we estimate will be issued. It is, however, most unlikely that actual expenditure will reach £39,000,000 and it may well be, I hope it will, within the original estimate of £38,726,000. I hope that, in the years to come, the fact that the revised estimate of expenditure is so close to the original estimate, will become so usual that it will not call for special comment. If that is so, that is as it should be. I think I can already be bold enough to claim credit, on behalf of the Treasury, for the fact that we are now able to achieve a much closer degree of estimating, so far as expenditure is concerned. We can also say, I believe, that we have achieved a much greater degree of financial control since the Exchequer and Audit System and this, too, has contributed to this more satisfactory result. Finally, as I mentioned earlier this year, when introducing Supplementary Estimate No. 2, we have drastically reduced the number of Supplementary Estimates, as compared with previous years, and have made it clear that, in our view, the proper time to make additional provision for expenditure is in the Annual Estimates.

These technical factors have assisted us in reaching this close approximation to the expenditure estimate. There have, however, been other very important and substantial factors which have helped. With the improving Emergency situation, the Exchequer has not been faced with sudden demands for additional expenditure on that account, running to several million pounds, as happened in the previous two years. In these circumstances it is unlikely that in 1955/56 the Emergency estimate of £14,000,000 will be exceeded. We have been materially

assisted in this by the prompt withdrawal of units of the Royal Air Force and, later, of British battalions as soon as their operational rôle within the Colony had ended. I would like to take this opportunity of expressing my thanks to the Commander-in-Chief for his ready appreciation of the importance of the financial and economic burden involved and for the assistance which he has given in reducing that burden whenever an opportunity has offered.

We have also been helped by a greater tendency on the part of many accounting officers to avoid expenditure which might be regarded as wasteful, as well as by a more critical attitude towards expenditure on the part of the public generally. Of course, we have not achieved everything we would hope for in this regard. The report of the Controller and Auditor-General shows that there are still departments where people, sometimes in senior posts, who are able to commit the Government are inclined to take the line that the rate at which the taxpayers' money is spent is no business of theirs. There are also sections of the public who are inclined to press for expenditure without thinking where the money is coming from or weighing up as to what purpose they would really prefer the available money to be spent. Still, the fact remains that, here and there, we can once again see the virtues of economy being restored to their proper place in the public's esteem and that is an encouraging sign.

The revised estimates of revenue, however, are not so close to the original estimates as those of expenditure, though, I am glad to say that the error is on the right side. The revised estimates, excluding the amounts received from Her Majesty's Government and as a result of the creation of the Cereals Finance Corporation, amount to £29,675,000, which is over £4,000,000 better than the original estimate of £25,337,238. Honourable Members will, I am sure, appreciate that it is much more difficult accurately to estimate revenue than to estimate expenditure. Even in the United Kingdom, where their statistical and other machinery for measuring increases in revenue are so much more developed than ours, Chancellors of the Exchequer have often, in recent years, found themselves with surpluses far larger than were

[The Minister for Finance and Development] estimated at the time of the Budget. This is largely inevitable in a time of general inflation.

At this point there is one thing I should like to mention about income tax. It is important, if our total estimates of revenue are to be at all accurate, that we should be able to get a good deal nearer to the probable actual receipts than has sometimes happened in the past. To assist with this the Commissioner proposes to continue his practice of inviting representative taxpayers to let him have, early in the calendar year, an estimate of the profits they have made from their businesses in the preceding year. If a substantial number of these estimates can be obtained, it will be possible to work out the trend of profit in various industries and, by looking at the yields from those industries in previous years, to obtain a very reliable estimate of the yield for the new year. Needless to say, any returns of this kind will be dealt with in strictest confidence. I very much hope that we shall have the fullest co-operation of taxpayers in giving this assistance which, in the long run, will be of benefit to themselves.

The fact remains that the economy of the Colony has continued to expand more rapidly than ever and that, at the same time, there has been a measure of continuing inflation. In these circumstances the revised estimates of Customs and Excise revenue are over £2,300,000 above the sanctioned estimates for the year. Similarly, the sanctioned estimate for income tax proved in the result to be £600,000 lower than the actual collections for the previous financial year and is likely to be more below the actual collections for this year. The receipts for licences, duties and taxes, most of which go to the Road Authority, again reflect the general prosperity which we had during the past year, while all forms of departmental revenue have exceeded our expectations. In so far as the improved results are due to a measure of inflation, they are something over which the Government had little or no control. The general prosperity, however, is in no little measure due to the steps which have been taken during the past year to restore law and order in the troubled areas of the

Colony and the accruing benefits of the steady development of our resources. For that, I think, Government can fairly claim a great amount of credit.

Turning now to the general financial position, the Financial Summary for 1955/56 envisaged a net deficit of £6,259,357 at the 30th June, 1955. In the event, as the Exchequer Summary at the front of this year's Estimates shows, the deficit turned out to be £3,929,190. This improvement of nearly £2,500,000 was due to improved revenue collections exceeding even our most optimistic forecasts and to shortfalls in expenditure. We were, therefore, between £2,250,000 and £2,500,000 better off at the start of the year than we had anticipated. The manner in which the deficit was carried is shown in the Memorandum Note on the Exchequer Summary. Had the position been known at the time when the 1955/56 Estimates were being prepared, the deficit, as at the 30th June, 1956, would have been assessed not at £9,648,119, but at something between £7,000,000 and £7,500,000. The Council will remember that last year I envisaged that the net deficit of £9,648,119 would be met as to £4,000,000 by the use of the loan provision included in Her Majesty's Government's assistance of £14,000,000 for the period ending 31st March, 1956, and as to the balance by £3,500,000 extra assistance from Her Majesty's Government, and by the repayment of the £1,500,000 which was at that time provided from the Exchequer in the Cereals Finance Fund.

In my last Budget speech, I expressed the hope that during the year a Cereals Finance Corporation would be set up to carry, mainly on a short-term basis, the £1,500,000 at that time in the Cereals Finance Fund provided from the Exchequer. In that way, money would be released to the Exchequer which had been tied up for the purpose of short-term advances. On the 22nd November, 1955, the Cereals Finance Corporation Ordinance came into force, and the Corporation was established with powers to borrow up to £5,000,000 for lending to Government agencies engaged in the purchase and sale of cereals. The Cereals Finance Fund was abolished by the repayment to the Exchequer of the

[The Minister for Finance and Development]—The Corporation of £1,500,000 in the Fund, and the Corporation has been able to carry out its task of providing the necessary finance to Government agencies. The Corporation still relies to a considerable extent on Government money, but has explored new sources of finance by the issue of short-term Bills on the local market. The tenders so far made for these Bills have been over-subscribed, which indicates that there is a demand for a short-term investment of this nature in Nairobi. It is intended to continue to issue these Bills at regular intervals, and the Corporation will, in the near future, also be making an issue of Bills on the London market. We have, therefore, benefited from the repayment of the £1,500,000; that is one of the reasons for our improved position. Together with the improvement at the end of 1954/55, it accounts for nearly £4,000,000 of the anticipated deficit.

We have also been helped by the purchase by the public of Tax Reserve Certificates, about which I shall have something to say later and from which we hope to derive £750,000 during the current year. Above all, there has been the improvement of over £4,000,000 in our ordinary revenue. These sums, together with the balances remaining unspent at the end of last year and refunded to the Exchequer this year, amount to more than the whole of the anticipated deficit and, as honourable Members will see from the Exchequer Summary at the front of these Estimates, we now anticipate a small net surplus of £395,810 at the 30th June, 1956. We must remember the great amount of assistance we have received during that period which, together with good fortune, has brought this improved position. The fact remains that this improvement has taken place and that we have even been able to avoid calling on the £4,000,000 loan assistance which was offered us by Her Majesty's Government during the period ending 31st March this year, thereby saving the burden of repayment.

Before dealing with the 1956/57 position, I have two other things to say.

As honourable Members know, the East African Governments agreed some

time ago to the appointment of a commission to carry out a review over the whole field of income tax. We have been most anxious to get a really first class person for this task and I am now glad to be able to announce that Sir Eric Coates has agreed to accept the chairmanship of the commission. The terms of reference of the commission will be as follows:—

Having regard to the extent to which the East African Governments depend on revenue derived from taxation of profits and income—

- (1) to inquire into the present system of taxation of profits and income as applied in the Income Tax Legislation;
- (2) to consider the best way of raising the revenue required by each of the East African territories from the taxation of profits and income, due regard being paid to the points of view of the taxpayer and of the Governments and to the desirability of encouraging productive enterprise;
- (3) to consider the present system of allowances, reliefs and rates of tax as a means of fair distribution of the incidence of the tax;
- (4) to make recommendations.

The commission should have regard to differing circumstances and conditions in the individual territories and should indicate the probable effects on the revenue of any of their recommendations which might result in a substantial variation in the yield.

The other members of the commission will be appointed in the near future but, in the meantime, the chairman proposes to visit East Africa in the second half of May for preliminary discussions on procedure and similar matters.

In my Budget speech last year, I also mentioned that arrangements were being made for the introduction of Kenya revenue stamps. Owing to difficulties which arose in devising the scheme, it was not possible to introduce it until February this year. The results of the first two months' operations, however, indicate that we can expect about 25 per cent more revenue from this source through the use of these stamps. The over-printed postage stamps, which are at present being used for revenue purposes, will be replaced by special Kenya revenue stamps for which a design has been prepared, as soon as a few months' working of the new system has provided an indication of the numbers of stamps required.

[The Minister for Finance and Development]

I will deal now with the Estimates for 1956/57, both the Development and General Estimates, and the position arising therefrom. It will be remembered that in the Estimates for the current year, provision for services, the costs of which were reimbursed either by other departments of the Kenya Government or by other Governments and Administrations, was included in Appropriations-in-Aid under Sub-head Z of such expenditure estimates as were concerned. These Appropriations-in-Aid were deducted from the total gross expenditure estimates for each vote, leaving a net figure to be met from taxation and other sources. The object of this was to deflate the estimates by avoiding the inclusion of equal figures on either side of the account, while not permitting departments to exceed the gross provision voted by the Legislative Council. I also mentioned that the extension of the Appropriation-in-Aids system to other forms of departmental revenue would be considered in the future, as it was my desire to be able to place before this Council and the country a net Budget, truly reflecting the call upon the taxpayer and presenting an accurate picture of the demands upon general revenue.

It has been possible to undertake this exercise during the current year and to express it in the estimates now placed before the council. The principle which has been followed is that all fees and other receipts which can properly be regarded as direct earnings of a department should be appropriated in aid of its expenditure. For example, receipts from the sale of drugs will be appropriated-in-aid as will the receipts of the Government Press and school fees. There are many others which honourable Members will be able to pick out by turning, in due course, to the appropriate pages of the Expenditure Estimates. Where, however, as for instance in the case of timber royalties, the receipts, though collected by the department, do not bear any direct relationship to the department's expenditure, they are still treated as revenue and will appear in the appropriate Revenue Estimate.

Honourable Members, I feel certain, will appreciate that there are great advantages in the adoption of this system which enables the taxpayer, and his representatives, to see at a glance how much money must be raised in taxation to meet the Colony's expenditure without the complications of fees and other direct earnings of departments. It also gives all departments the greatest incentive in collecting this type of receipt, since, if they fail to do so, they will either have to cut down their services or to come back to this Council for supplementary provision when they will have to explain their failure to collect what could normally have been estimated to be their due and duty.

There is another alteration in the Expenditure Estimates to which I should like to draw attention. In previous years it has been the practice to have separate votes for Ministers' offices. A Minister is, however, an integral part of the administrative machine and it has been decided that it is desirable to emphasize this wherever possible by including provision for the Minister in the estimates appropriate to his Ministry. This year this has been done in most cases, the only exceptions being where the portfolio is of a composite nature. In those cases, consideration is still being given to the extent to which full integration is possible.

The only other alteration in the form of the estimates, to which I need draw attention, is the omission of details of Customs, Excise and Export Tax revenue. There are two reasons for this. The first and less important is that, while we can make a fairly good estimate of the total amount of money likely to be collected under these heads, it is always possible that changes in the pattern of imports or of consumption may falsify the detail. While therefore, it is appropriate to show the detail in the accounts—and this will continue to be done—it is felt that there is no advantage in attempting to show it in the estimate. Much more important, however, is the security factor. As Council is aware, it is necessary for the estimates to be handled by a fairly large number of people and, although our security arrangements have so far shown themselves to be adequate, there is always

[The Minister for Finance and Development]

the risk that anyone seeing that provision has been made for a very large increase in any particular type of Customs or Excise revenue, will jump to conclusions which, though they might well be accurate, would not be in the best interests of the Exchequer. This danger will be considerably less now that the estimates only appear as one-line items, since, apart from the difficulty of knowing whether any increase in revenue is due to additional consumption or to changes in taxation, there will be much more difficulty in guessing where any particular increase in taxation might be likely to fall.

In dealing with the 1956/57 position, I shall first refer to the Development Estimates and the position arising therefrom. These envisage expenditure of a little over £7,000,000 in this, the concluding period of the 3½-year Plan, making the total estimated expenditure for the 3½-year period approximately £21,750,000, a substantially higher rate of expenditure than that of the period 1946 to 1953.

Substantial adjustments have had to be made to the Plan since Sessional Paper No. 97 of 1955 was prepared in October, 1955, in order to bring expenditure within the finance available. Here, I should like to emphasize that no reductions have been made in the loan programme and that the completion of the 1956/57 programme depends upon our successfully raising the balance of the amount shown in that loan programme of just over £4,250,000. In addition to that sum, it will be necessary to raise some £2,150,000 to complete the financing of the Mombasa Water Supply (Major Project). According to the latest information I have received, the last Kenya loan is now standing at a slight premium over the issue price, which confirms, I suggest, the opinion that the unfavourable reception of this loan was due to market conditions at the time of issue, and not to lack of faith in the credit-worthiness or future of the Colony.

The capital gap, given as £1,647,115 in Sessional Paper No. 97 has, in spite of additional allocations totalling

£956,783, been almost fully closed. The largest saving is £750,000 out of the allocation to the Local Government Loans Authority, and arises because it is not now expected that the Nairobi City Council will have to draw on the Authority for capital during this period. The rest of the savings have had to be found mainly from the building element in the Plan, and security buildings, education buildings, medical buildings and Government offices have all had to suffer. Even if the finance had been available, it would have been necessary to make these reductions in order to bring building expenditure within the capacity of the Public Works Department.

On the other hand, the new allocations of 1956/57 are almost all for economic services, 73 per cent being for agriculture, animal husbandry and water resources, and a further 11 per cent for commerce and industry. In particular, I should like to draw the attention of honourable Members to the additional allocation of £150,000 for loans under the Agriculture Ordinance; £200,000 for water supplies; £51,000 for irrigation schemes in African areas; £91,000 for the Industrial Development Corporation; £20,000 for National Parks; and over £14,000 for an aerodrome at Malindi. Referring to the loans under the Agriculture Ordinance, I would say that there is an understanding that should the sum prove insufficient, the Minister for Agriculture will again raise the matter and Government will see if any reallocation of money is possible.

It might be interesting to Council to have a brief review of what Government has done, and is doing, for agriculture. Including expenditure on the Swynnerton Plan, it is estimated that over £9,000,000 will have been spent on agriculture, veterinary services and water development projects, excluding some £5,000,000 on the Mombasa Water Supply, during the 3½-year period, January, 1954, to July, 1957. Further, in this period, £400,000 was voted in the Colony's estimates as loans to the Rehabilitation Fund.

In addition, the Government has been supporting the Land and Agricultural Bank of Kenya very strongly through the provision of funds. Let us look at the back history for a moment. The

[The Minister for Finance and Development]

January, 1952. I mention that date because it was then that I accepted the portfolio of Finance—the Government had made available to the Land Bank between 1930 and 1952, £750,000 fixed capital and a guaranteed overdraft of £350,000. In 1954, we provided a loan of £750,000, having, in the meantime, lifted the overdraft facility to £600,000. That is a £1,000,000 additional provision for Agricultural Land Bank loans within four years. To-day, the Land Bank is lending at the rate of over £300,000 a year. Additional money will soon be required and I have already been investigating means of making that money available, even in the face of our present heavy programme. We have also enabled the Land Bank to borrow on terms which have made it possible for them to maintain generally a low rate of interest. From 1953 until February, 1956, the Land Bank was able to keep its rate of interest on loans at 5 per cent, despite increases in the general Bank Rate. It could not absorb the last increase in the Bank Rate to 5½ per cent, but because of its previous advantageous position, it is still able to lend at 5½ per cent, which must in present circumstances be amongst the lowest rates charged by any similar institution anywhere. This might perhaps be a suitable moment to pay tribute to those members of the Land Bank Board who, through many years of continuous service, have served agriculture in Kenya so well.

Although from that figure of £9,000,000 there must be deducted some £4,000,000 spent on African agriculture and given for that purpose by the British Government, I suggest that the balance constitutes a record of assistance to agriculture of which no man need be ashamed. And it must, I think, be regarded against the background of the Emergency—as most convincing evidence of the Government's recognition that the development of the Colony depends primarily upon the development of agriculture—European and African—and on the replacement in the African areas of the ignorant man with his hoe, scratching a bare subsistence from the soil, by economic family farming units able to contribute their

share to the revenue of the Colony, and providing a foundation upon which services can be expanded, both by the Government and by local authorities.

The Government is, from time to time, accused of doing little for the tourist industry. Here, too, it might be pointed out that there is a sum of £46,000 a year, now to be increased to £50,000 a year, given as a subvention to the National Parks. In addition, it should be noted that Kenya's subscription to the East African Tourist Travel Association is almost double the combined contributions of our neighbours to the north and south. Most visitors come to see game, to shoot or to fish, and so the sum spent on the conservation of game and fish must be considered and in 1955/56 these totalled £80,000. On the capital side, under the Development programme, £163,870 was spent by the Trustees between 1946 and 1953. During the present planning period, £32,000 was granted for the protection and maintenance of National Parks and £33,500 for the development of tourist facilities, whilst in October, 1955, a further sum of £10,000 was granted and agreement, in principle, given at a later date to a further grant of £10,000. Now, as I have already mentioned, we have allocated over £14,000 for an aerodrome at Malindi, up to Dakota standard, and have made available £50,000 as a loan to see if an electricity supply on an economic basis could be installed in the same place. Both these are direct financial assistance to the development of Malindi as a holiday resort and a tourist centre. Here again, against the background of our present financial circumstances, can be seen the effort to assist in the development of our tourist industry. But additional finance can only be made available at the sacrifice of other projects. We have, in most of our urban areas, a great problem of a shortage of houses for all races, for which many millions of pounds will be required. The provision of that money, too, is presenting great difficulty, though we are well aware that any failure to solve it, any delay is paid for in human misery and discontent.

I must, therefore, sound again a note of warning. The Government has made

[The Minister for Finance and Development]

an effort to develop the local money market, not altogether unsuccessfully, and to channel local savings into development loans. We shall be making fresh efforts in the near future. In the light of the report of Miss Cole, the National Savings Movement expert from the United Kingdom, we have had, regretfully to abandon the idea of Savings Certificates. We intend to try other methods. We have sought loans from the Colonial Development Corporation. We have been given free grants from the International Co-operation Administration of the United States of America. However, we must recognize that we shall have to continue to depend, to a large degree, for development money on the London loan market, and that—taking into account present conditions in the United Kingdom—it is unlikely that all the East African Governments and the High Commission self-contained services—Railways and Harbours and Posts and Telecommunications—will be able to raise all the capital they need, even for the most essential projects from that source. Finance is becoming, more than ever now, the limiting factor in the rate of our development.

I should now like to refer briefly to Section II of the Development Estimates, which deals with the Swynnerton Plan for the continued development of African agriculture—made possible by the grant of £5,000,000 from Her Majesty's Government. The estimated net total of the 1956/57 Estimates is £1,402,710, of which £1,346,771 is to come from the United Kingdom grant and nearly £56,000 from the International Co-operation Administration. As well as that, £87,000 towards expenditure on Surveys, and £125,000 in the vote for Land Consolidation are to be found from Emergency funds to enable work in certain areas to be speeded up. The rate of expenditure on the Plan has been rather higher than the £1,000,000 per annum originally envisaged, and even allowing for the receipt of some £550,000 from the International Co-operation Administration, available funds will be exhausted by about June, 1958. A review of the position will, therefore, have to be undertaken to see if funds can be secured to complete the Plan, what

modifications will be necessary, if the extra funds are not forthcoming; and also to what extent the original Plan must now be modified in the light of experience.

And now to deal with the Estimates of Revenue and Expenditure for the financial year 1956/57.

The estimate of expenditure which, as I pointed out earlier, is a net figure and does not include Appropriations-in-Aid, is £34,864,000, of which £8,000,000 represents Emergency expenditure, leaving a balance of £26,864,000 on non-Emergency account. This compares with an expenditure estimate for 1955/56 of £38,726,000, of which £14,000,000 was for Emergency expenditure and £24,726,000 for ordinary expenditure. There has thus been a reduction of £6,000,000 in the provision for contributions to the Emergency Fund. On the ordinary side, it would appear at first sight that there has been an increase of £2,150,000, but since the 1956/57 figure is net of some £2,000,000, which was included as departmental revenue in 1955/56, the true increase is of the order of £4,000,000.

I will deal with the reasons for this increase shortly, but before doing so, I will, as in previous years, set before honourable Members the pattern of expenditure covered by the total ordinary figure of £26,864,000. It is as follows:—

	Per cent
Administration	8.3
Maintenance of Law and Order	19.8
Collection of Revenue and Control of Finance	3.5
Public Debt	7.0
Pensions and Gratuities	3.5
Defence	5.4
Development of Resources—	
Agriculture and Animal Husbandry	7.7
Forestry	0.5
Water Works	0.9
Transport	5.8
Labour	0.9
Miscellaneous	2.1
Grouped as Social Services—	
Education	16.6
Health	8.2
Social Welfare	0.4
Miscellaneous	0.4

[The Minister for Finance and Development]

Public Works (unallocable) (which includes such things as Government housing, Government offices, etc.)	Per cent
	3.9
Other Expenditure (unallocable)	5.3

In the calculations to arrive at this "type" pattern, this year the Lands and Mines sector would be allocated a larger share of general revenue than its share of general expenditure. Therefore, its situation in the list would be minus 0.2 per cent. I mention that in case any honourable Member takes the trouble to add up the list and finds that it comes to 100.2 per cent.

Last year, during my Budget Speech, I referred to certain commitments, particularly in connexion with closer administration in the Central Province, which will be permanent and eventually have to be carried on the normal Votes of the Colony. I also mentioned the start which had been made in the Police and Prisons estimates with the process of transferring from the Emergency Expenditure Fund to normal departmental Votes the cost of permanent commitments which hitherto have been charged to the Emergency Fund. Last year the two biggest transfers were an amount of £690,000 from the Police Emergency provision to the normal Police Vote, and one of £110,000 from the Prisons Emergency provision to the normal Prisons Vote. This year the process has been carried one step further and, in total, about £750,000 of the gross additional expenditure on ordinary account can be attributed to transfers of this type.

To deal first with the Provincial Administration, an amount of £130,000 has been transferred from the Emergency to the normal estimates. The main reason for this is that it has been decided that it will be necessary, for some years, to maintain an establishment of Administrative Assistants in order to pursue the policy of closer administration. Provision has, therefore, been made in the estimates for 72 of these officers. It will, however, be noticed that, in order to achieve greater flexibility in posting, they have been grouped together in one item

with Assistant District Officers, District Foremen, District Revenue Officers, etc. The remainder of the transfer of provision allows for a more realistic estimate of Other Charges expenditure under the Provincial Administration Votes. There is, of course, also an increase of £93,000, due to the creation of new non-Emergency posts and to normal increments; and, in addition to all this, it is estimated that we shall still be spending something rather more than a million pounds during the current year, direct from Emergency funds on account of the Provincial Administration. Some of this will be in respect of the Tribal Police, the final post-Emergency establishment of which has not yet been determined. It is probable that, when the final rôle of this force has been settled and its responsibilities and those of the Kenya Police have been defined in all areas, an increase in the provision for both forces may be needed. It is the intention of the Government to avoid duplication between the work of these forces.

This year's increase in the net provision for the police Vote is not so great as was that of last year. Only £75,000 is, moreover, due to transfers from the Emergency account, mainly in respect of Other Charges. It had been hoped at one time to show the final post-Emergency shape of the Kenya Police Force in these Estimates. Unfortunately, owing to the difficulty, to which I have already referred, of defining a satisfactory division of duties and work between the Kenya Police and the Tribal Police without duplication, this has not yet been possible. We are, therefore, still providing £1,771,350 as an Appropriation-in-Aid from the Emergency Fund. Some of this expenditure may be permanent. In the meantime it has been found convenient this year to show all the police expenditure, including the Emergency part, in one single gross Vote. This will strengthen the control of expenditure and should also enable us to dispense with a good deal of unnecessary accounting.

A similar operation has been undertaken in respect of the Prisons. Here, again, provision is made for the total gross expenditure under Vote 27, although £1,454,295 of the gross amount will be provided by Appropriation-in-Aid from the Emergency Fund. There has, however, also been a substantial transfer

[The Minister for Finance and Development] of £454,000 from the Emergency Fund to the main Prisons Vote. This transfer has been made in the light of a further assessment of the probable number of prisoners who will have to be held for a considerable period. It is anticipated that, as a result of closer policing and of the aftermath of the Emergency, the total permanent prison population is likely to be much larger than the 14,000 on which the current year's estimate was based. The remainder of the increase on ordinary account is due to normal increments and a small number of new posts.

Transfers from Emergency to permanent expenditure have also been made on a minor scale in a number of other Votes. At this stage the only ones to which it is necessary for me to refer are the Judicial Department, in respect of which the only direct Emergency expenditure will, in future, be concerned with the provision of a handful of clerks, and the Information Department whose Emergency expenditure will be reduced to negligible proportions in 1956/57. The additional permanent commitment transferred to the Judicial Vote is about £20,000, and that transferred to the Information Department's permanent Vote is about £50,000.

Turning now to the Colony's ordinary Votes, there is one increase which is directly due to the improved situation as regards the Emergency. That is the increase of approximately £67,000 on the Military Vote, Vote 26, for the Kenya Regiment. During the current year it has not been necessary to make separate provision in the Estimates for the Kenya Regiment's duties as a territorial force or for compulsory military training. It is anticipated that, during the coming year, both these activities will be resumed and provision must, therefore, be made accordingly.

The provision of £250,000 for the Supply and Transport Department's Stores Fund is also indirectly related to the Emergency. Honourable Members will remember that the Supply and Transport Department was set up on the advice of a senior military officer, who visited the Colony during 1954, that considerable economies could be made by providing one supply organization for all

the Security Forces. The organization of this department has been proceeding during the current year and it is due to begin stores holding operations in rented premises on 1st May. As from the 1st July, it is intended that the department shall operate as an unallocated stores holding organization for all the Security Forces, as well as fulfilling certain important functions in respect of overseas indents and local purchase on behalf of all departments. It is, of course, necessary to provide working capital in order to operate an unallocated store and that is what the £250,000 is for. The amount will, in fact, largely represent the carry-over of stores at the end of 1956/57. It will be offset by the running down of stores to a similar or greater amount which are at present held in the individual central stores of the security departments, the bulk holding functions of which will be taken over by the new organization when it is fully functioning.

Additional provision of some £300,000 has been made under Vote 13—Public Debt. I have already referred to the need for raising further loans, if we are to continue with our Development programme, and this is the likely additional cost during the current year. It will cover additional loans to the extent of some £6,000,000 to £7,000,000. The increase is rather greater than that for which we have had to provide in most previous years, but that is due to external factors of which honourable Members are aware. It is the price we are likely to have to pay to get the money we need for development.

The increase in Local Government contributions of £170,000 is due to the need to meet statutory commitments in respect of local authorities.

The increase of £340,000 in the gross Medical Department Vote provides a minimum amount required for staffing our hospitals and our health services. It also includes an additional £90,000 for capital grants to hospitals and £73,000 for the Medical Training School, the latter being fully covered by an Appropriation-in-Aid from International Co-operation Administration funds. The gross increase will, to an appreciable extent, be met by fees. The Council is aware of the position with regard to the European Hospital Treatment Relief

[The Minister for Finance and Development]

Fund. It is also aware that discussions are proceeding in connexion with the institution of a similar scheme for the Asian community. At present, fees in Government hospitals in respect of African in-patients receiving treatment are only paid, if they require to be met under the provisions of the Workmen's Compensation and the Employment Ordinances. In view of the rising cost of the Health Service, it is proposed that a charge be levied on all African in-patients in Government hospitals at the rate of Sh. 10 per patient for the first week or part of the week, and Sh. 5 per week for the second to fourth weeks. At out-patients' departments of Government hospitals and at Government dispensaries (with the exception of the General Dispensary, Nairobi), fees are also not at present levied. It is proposed that a charge be made at these out-patients' departments and dispensaries at the rate of Sh. 2 per adult per week's attendance in respect of any one ailment, and Sh. 1 per child per week on the same basis. The cost of drugs and dressings will be included in the charge. The only exceptions to these arrangements will be in respect of those Government servants and their families whose terms of service entitle them to free medical attention and in respect of indigent persons. This new system will come into force on 1st July, 1956, for both in- and out-patients' departments in Government hospitals and in Government dispensaries. In the financial year 1956/57, during which the system will be established, the additional revenue is estimated at £50,000. In subsequent years it is anticipated that the revenue will be of the order of £150,000. This will, of course, be treated as an Appropriation-in-Aid.

The gross increase of £475,000 in the Education Vote is offset by the inclusion of school fees as Appropriations-in-Aid. It is due not only to normal increments, but to the need to provide for increased numbers of pupils and for planned development in all educational spheres.

There is an increase of £405,000 in the gross provision for the Ministry of Works. This is, mainly due to the fact that the statutory contribution to the Road Authority which has been trans-

ferred to this vote, to which it properly belongs, has increased by £253,000. This will, of course, be entirely offset by increased revenue from licences, petrol consumption tax, etc., about which I shall have something more to say later. In view of this very appreciable increase in the Road Authority's statutory revenue which has risen from £628,766 in 1951 to the present figure of £1,276,757, it has been decided to reduce the special contribution from £150,000 to £50,000. Despite this, of course, the Road Authority will be enjoying increased revenue and should be able appreciably to extend its work during the coming year.

The various increases so far attributed to specific causes will cost in total about £2,750,000. There is one additional source of increase which requires special mention. That is the amount of £750,000 provided under Miscellaneous Services as a one-line vote for Civil Service pay increases. As Council is aware, the recommendations of the Lidbury Commission were related to the conditions existing at the 1st January, 1954, some 2½ years ago. Since then the cost of living has risen by nearly 13 per cent. The Lidbury Commission recommended that, whenever the cost of living rose by five points, the East African Governments and Administrations should consult with one another to see whether any action was required. The Commission itself believed that a rise of 5 per cent was sufficient to justify a rise. For obvious reasons, the Governments were unable to accept this point of view, although they agreed that, if the cost of living rose appreciably, they would consult with one another. For the past year the staff associations in Kenya have been drawing the Government's attention to the fact that the cost of living index has risen by more than 5 per cent since 1st January, 1954. More recently the Government was asked in Central Whitley Council to increase the cost of living allowance by 8 per cent as from August, 1955, and by 10 per cent as from 1st January, 1956. These are approximately the amounts by which the cost of living had risen at those dates. Similar requests were made by other East African staff associations. The Government is unable to accede to the whole of these demands which would

[The Minister for Finance and Development] cost over £1,000,000 in back pay and getting on for £2,000,000 next year. Quite apart from financial considerations, the Government does not think that a ten per cent increase would be justified. Almost half of the increase in the cost of living is attributable to servants' wages and to fiscal measures which have been taken to raise revenue to pay for the Emergency. The Government would not be justified in giving additional pay to cover either of these increases. The Government does, however, believe that, if we are to keep a reasonably contented Civil Service, something has to be done. They also believe that, if additional payments are made to civil servants, they will have to be extended to grant-aided teachers and to pensioners.

At the same time, the Government believes that the whole principle of the grant of cost of living allowances now requires to be reviewed. The Libbury Commission thought that a certain amount of the additional emoluments which they proposed for civil servants should be left floating. The Government now believes that this was a mistake, and undesirable in principle. It has the effect in all pay negotiations of concentrating the issue on only one of the factors which have to be taken into consideration in fixing Civil Service pay. It leads the staff to watch the movements of the cost of living index to the exclusion of other important matters and it leads to inflexibility in the salary structure. In the Government's view it is much better, both for serving officers and for recruiting, to pay inclusive salaries and to adjust those for various grades and classes as the need arises, rather than to follow slavishly in the wake of an arbitrary cost of living index which includes the elements to which I have referred.

In these circumstances the Government decided, after consulting the other East African Governments and Administrations, that it would be justified in making an offer to consolidate salaries at a level of 5 per cent above the present level of salary, plus cost of living allowance, i.e. of basic pay, plus 15 per cent. They did not consider that the ceiling,

which at present stands at £1,620, should be lifted entirely, but proposed that it should be raised to £2,000. If the actuarial value of a free pension is included, the offer is equivalent to an increase in total emoluments of some 8 per cent to 9 per cent. It will cost between £800,000—£1,000,000 in a year. Only £750,000 has been provided in the Estimates and, if anything more is needed, it will be met by making savings in other directions. The offer which was, of course, subject to the approval of this Council was made to the Staff Side in Central Whitley Council last week. It was not acceptable by the Staff Side who did not like the principle of consolidation and the separation of wages policy from strict adherence to the cost of living factor, but, as it had been made clear that the Government was only prepared to grant increased pay, if the consolidation principle were accepted, they finally made a counter proposal of consolidation of 17½ per cent. This was considered by the Government who decided that it was not acceptable. The Staff Side were, therefore, informed accordingly and then they stated that they would accept the offer of consolidation at 15 per cent, subject to the conditions that it should be regarded as an interim award only, that arbitration should be introduced before the end of this month and that the Tribunal so established should have authority to deal with salaries and cost of living allowances, and that the Government would at once dissociate itself from the other East African Governments and Administrations on wages policy. The Staff Side were informed that, while no settlement could be immutable and the question of arbitration would be considered in due course, none of the conditions was acceptable to the Government in their existing form. At that point deadlock was reached and the Government were advised of the position.

For the reasons given earlier, I do not consider that the somewhat intransigent attitude adopted by the Staff Side would justify the withdrawal of the offer which we believe to be necessary, not only to place civil servants' salaries on a proper basis, but also to do justice to the broad mass of the Civil Service which has suffered from the general inflation and which has not been able to have

[The Minister for Finance and Development] recourse to the same remedies as most other sections of the community. In these circumstances the Government now proposes, if the Council agrees, to go forward with an award as from 1st July, 1956, in accordance with the offer made. Officers would, of course, be given the option of remaining in the present position, if they preferred so to do.

Council will wish to be reassured that the increase in Civil Service pay, for which we are providing, will be matched by a determination to avoid waste and to cut out any posts which may not be necessary. The Government has had this problem under review for some time. Honourable Members know that we have called upon the assistance of an Organization and Methods Team from the United Kingdom, which has already submitted to Government some very helpful reports.

The Government is aware that, at present, the machinery at the disposal of the Establishments Division and the Treasury does not always enable them to investigate demands for additional staff as fully as they would wish or as honourable Members have a right to expect. In these circumstances it is proposed to appoint an officer who will work under the general directions of the Establishments Division and the Treasury as a Staff Adviser. His duties will be to visit all offices and to advise the Central Government whether staffs are efficiently deployed and whether any economies in deployment can be made. He will, at the same time, be available to assist Ministers on general questions relating to the size and characters of complements and to advise them regarding formulation of requests for additional staff. Officers of this type have been employed in the United Kingdom for a number of years and have proved their worth in achieving far greater control over staff numbers and also in improving mutual understanding between the Treasury and Ministers on staffing problems. We hope to achieve the same results here and, in the first instance, we shall try to fill the post of Staff Adviser by the secondment of an officer who is experienced in this work in the United Kingdom.

As a complement to this improvement of staff and liaison through the Staff Adviser, it is also proposed, during the course of the coming year, to examine the number and categories of posts for which separate provision is made in the Estimates. It is our feeling that, at the moment, far too many posts are shown separately and are given different titles which give an altogether misleading impression of specialization. This leads to difficulties in recruiting, promoting and posting men. To get away from this, we propose, as far as possible, to reserve special titles for the more senior posts only and to group all staff who are doing non-specialized jobs and whose salaries fall within the same range into general categories within which Ministries will have fairly broad freedom to recruit, and deploy their people to the best advantage of the Ministry and of the public service. This will, incidentally, have the advantage in 1957/58 Estimates of very considerably simplifying the Personal Sub-heads of all Votes.

There are two other items of expenditure of which I would make special mention.

I have previously stressed the importance which the Government attaches to agricultural development and outlined the, for us, great sums of money we have devoted, or are devoting, to European and African agricultural development. In Vote 11 will be found an item of £83,000 as a grant to the European Settlement Board. This is the first instalment of a special grant of £250,000 which it is proposed to make to the European Settlement Board during the next three years to assist in the more intensive development of the Colony's agricultural and economic potential.

Earlier in my speech, I referred to the farmers in the troubled areas who had found themselves in economic difficulties and restrictions as a result of the Emergency. There are, too, many African loyalists who have suffered economically, as well as in other ways, through the stand they have taken. It is my desire to do something to assist these people to regain their economic position as soon as possible. I therefore, propose to set up a small committee on which I shall ask experienced people,

[The Minister for Finance and Development]

such as those serving on the Land Bank Board; to assist us with the benefit of their knowledge, I shall ask them to consider applications for economic assistance from agriculturalists in the troubled areas who are in need of such help. I propose to place at the committee's disposal £250,000 which they will be able to issue as interest-free loans to the people they select. There will be a moratorium on capital repayment for a period of five years and the borrowers will be expected to repay the loans over the following fifteen years. It must be recognized that, in many cases, the loans will rank as third or fourth securities, for the granting of these loans must not close the other commercial and Government avenues of borrowing through an insistence on priority of security. There will be, in a number of cases, therefore, a risk of loss, for the advances will be largely based on the character and knowledge of the farmer concerned, rather than the soundness of his present financial position.

The balance of the general increase is spread throughout the whole of the service and is due to what one might call "natural causes"—ordinary increments, increased costs and that type of expenditure.

I now turn to revenue and taxation.

I have already mentioned, in dealing with the revised Estimates for the current year, that we expect to have a surplus on ordinary account of over £395,810 at the 30th June, 1956. That position, as I have said, is almost entirely due to the tremendous improvement in our revenue collection during this year and to our having been able to hold our expenditure. If indeed it had not been for the Emergency revenue during 1955/56 which would have exceeded expenditure by more than £4,500,000. The estimates of revenue for 1956/57 amount to £28,250,000, that figure having been reached after the various adjustments and measures of taxation to which I shall now refer.

In my last Budget speech, I said that I hoped shortly to introduce into the Council legislation which would permit the Kenya Treasury to issue Tax Reserve

Certificates, and expressed the hope that these certificates would provide a convenient short-term investment—particularly for companies which have large income tax liabilities.

On the 20th June, 1955, the Tax Reserve Certificates Ordinance came into force, and the necessary Regulations governing the issue of these certificates were drawn up. The certificates, which are issued in units of £25, bear interest at the rate of 3 per cent per annum. There has been a satisfactory response to the issue of these certificates, and the total value of certificates so far issued has reached nearly £700,000. However, interest rates have moved sharply upwards since the certificates were first issued, and consideration has, therefore, had to be given to revising the rate of interest. I now propose—subject to the approval of the Legislative Council—to make the interest of 3 per cent on these certificates free of income tax in respect of certificates issued on or after the 1st May, 1956, to Kenya residents. A scheme has recently been introduced whereby employers may purchase certificates to be utilized to meet the tax liabilities of individual employees, and I hope that advantage will be taken of this scheme in the interests not only of revenue but employees themselves.

I would ask, Mr. Speaker, that, in accordance with our usual practice, this speech be taken as Notice of Motion to be placed before the Ways and Means Committee dealing with the revenue measures I am now proposing.

Revenue Head 6—Other Licences, Duties and Taxes: In speaking about the expenditure estimates, I mentioned that the revenue from this Head, which includes the revenues hypothecated to the Road Authority, had increased very considerably during the current year and that a further increase was expected next year. The increase is mainly due to the additional traffic on the road and to the further consumption of petrol. The bulk of the increase, therefore, will go to the Road Authority and make it easier for that Authority to carry on with their task of improving our communications. There is, however, one element of increased taxation. I recently received a recommendation from the Road Authority that the cost of driving

[The Minister for Finance and Development]

licences should be increased from Sh. 5 to Sh. 10. This recommendation has been accepted by the Government and it is expected to bring to the Road Authority approximately £35,000 during a full year. It will be made effective as from the 1st January, 1957.

I propose to make no other alterations under this Head.

Revenue Heads 8 to 11, all show increases except for the item for Water Supplies. These increases indicate, however, no alterations in the rates, the increases being due to estimated natural increase. The reduction in Water Supplies is due to the fact that the current year's figure includes the revenue from the Mombasa Water Supply which will, in 1956/57, be appropriated in aid. Technically, the revenue from the remaining water supplies should also have been appropriated in aid of the supplies to which they refer, but to do so in detail would lead to considerable administrative difficulties and it is, therefore, proposed to continue to show this as revenue. There are small reductions in the Revenue Heads for interest and redemption due to the fact that certain investments will mature during the year and will not necessarily be re-invested. If the money is not invested, it will provide a useful addition to the Colony's cash resources, although it will not be available for appropriation since it is offset against various appropriated funds and other appropriated funds, deposits, etc. Finally, there is a small increase in the revenue from fines and forfeitures.

Head 2—Income Tax. The income tax figure provides for an increase of £30,000 over the current year's revised figure, and of £1,100,000 over the sanctioned estimates for the current year. Council will remember that I have, on previous occasions, expressed sympathy with suggestions that have been made from time to time that sporting associations should be exempted from income tax. By sporting associations I mean, of course, the central organizing bodies, such as the Amateur Athletic Association which organize sport throughout the Colony. In those cases, I propose, if Council agrees, to arrange for the in-

comes of individual amateur sporting associations to be exempted from income tax. This refers, of course, to the current earnings of such associations and would not cover income derived from investments, and it goes without saying and without question that the term "amateur sporting association" will be strictly interpreted.

I propose no other alteration under Head 2.

Head 1—Customs and Excise. From the figure of £13,650,000 it will be seen that we expect a net increase of £150,000 from this Head above the revised estimate for the current year and this, of course, £2,500,000 greater than the sanctioned estimate for the current year. For reasons which I shall explain in a moment, this increase is, in fact, considerably greater than might appear at first sight. I am, of course, assuming that we shall have no considerable amount of inflation or deflation during the year. Either could falsify the estimate.

The export tax on coffee will have been in effect for two years on the 30th June. In 1954/55 it produced revenue of £620,731 against an estimate of £750,000. When this year's estimates were being prepared, we expected that the price would fall below that ruling in 1954/55 and the estimate was, therefore, reduced to £550,000. In the event, we have been proved wrong. The average price so far this year has been £489 a ton which is £33 a ton better than the average for 1954/55. In addition to that, however, the year has been a record one and it is now anticipated that total sales for the year will be as I have already said of the order of 23,500 tons and that the total export tax revenue will be very little short of £1,400,000. In total, therefore the coffee export tax will have produced over £2,000,000 towards the cost of the Emergency in two years. It is probable that in the immediate future the conditions which have allowed the maintenance of the price during the current year may change, and that within the next two or three years there may be further falls in prices brought about by world supplies increasing more than demand. There is a need for an acceleration of

[The Minister for Finance and Development]
the replanting programme of the industry and for many coffee farmers to improve their land, so that the target yield of 5 cwt. per acre per annum can be achieved. To do this, the farmer will have to plough back his profits into the land and undertake, in many cases, extensive replanting. In the general interests of the Colony it is essential that the Kenya producer should be able to compete in the world market in the most efficient manner. The time, I feel, has, therefore, arrived for some amelioration of the Emergency burden he has carried. I have, therefore, decided to remove the coffee export duty with effect from 1st July, 1956.

Honourable Members will appreciate that, in the light of this decision, the estimate of £13,650,000 for Customs and Excise revenue in 1956/57 provides for a considerably greater increase than the £150,000 above this year's revised estimate which is allowed for in the printed estimate. This year's revised estimate of £13,500,000 includes £1,400,000 coffee export tax revenue. The revised estimate of revenue from other Customs and Excise sources is, therefore, only £12,100,000; and the true increase for which we are providing from these sources is, therefore, £1,550,000.

While the removal of the coffee export tax will have the effect of reducing revenue in the Customs and Excise field, it will have a contrary effect on income tax. As Council is aware, income tax is not payable on that portion of the coffee farmers' revenue which pays the export duty. The removal of the duty will, therefore, increase taxable income for income tax purposes and we estimate that the revenue will benefit from this—though not, of course, to anything like the same extent as it will begin to benefit from the export duty—in 1957/58.

The major African export crop is cotton. Cotton prices were at their peak in 1951 and since then they have fallen by one-half to remain stable since about 1953. These prices now compare unfavourably with increased prices for many of our products grown for local consumption, and the price which the farmer is receiving for his cotton, relative

to other crops, is lower than it was in earlier years. As Council is aware, cotton is grown in relatively small acreages by peasant farmers, struggling to make a living at a low level. The cotton export tax is thought to be bearing heavily on the African farmer in Nyanza and on the coast, this year's estimates provide for the collection of £140,000 from this export duty. In fact, owing to the fall in cotton prices, we are not likely to collect this amount in full and it is possible that, in future, the duty would have to be met to a considerable extent from the support funds in the hands of the Cotton Lint and Seed Marketing Board. In these circumstances, I propose, therefore, in the hope that it will assist the Colony's cotton production and alleviate the burden on those African farmers in Nyanza and at the coast, to remove this export duty as from 1st July, 1956. The effect on the revenue will be a loss of the order of £100,000 during the next year, but, as I have already said, we hope to make this good by the annual increase in the revenue from other sources.

I have no other additions to, or alterations of, taxation to propose.

What then will be the position of the Exchequer Account? We shall have during 1956/57 an estimated expenditure of £34,864,000 issues from the account. We shall have an estimated revenue of £28,250,000 for this year, of course, we shall not have the benefit of the release of money from the Cereals Finance Fund. We shall thus be faced with a deficit on the 1956/57 Exchequer operations of £6,614,000, from which should be deducted the estimated net surplus of the 30th June, 1956, to which I have already referred, of £395,810. That will reduce the deficit on the Exchequer Account to £6,218,190. We shall bring to account the £4,000,000 grant and the £2,000,000 interest-free loan to be made available by Her Majesty's Government in respect of the period up to the 31st March, 1957. This will leave a deficit at the 30th June, 1957, of £218,190, which will, if necessary, be met from short-term sources and be taken as a charge against any further assistance which Her Majesty's Government may be able to make available during the United Kingdom financial year ending the 31st March, 1958, in the light of circumstances then prevailing.

[The Minister for Finance and Development]
Mr. Speaker. Last year, at the end of my Budget statement, I said:—

"I have never wavered in my faith in the economic future of our land. I do not waver now. This is not a time or place for faint hearts. This is a time for courage—a time to press forward with development and expansion, accepting, if necessary, a certain amount of calculated sacrifice."

Let us make no doubt, Sir, there will be storms, there will be stresses, there will be strains. There will be setbacks—defeats, as well as triumphs, but with sacrifice and determination, Kenya's economic future is fair, encouraging and assured.

When the Finance Minister presents the next Budget statement, it will be to a new, a fresh, Legislative Council. Let us hope that the Budgets which that Council has to consider will record as fine a story of triumph—economic triumph—through courage and perseverance, as those of the last few years have done. It is my belief it will be so.

Sir, I beg to move. (Prolonged applause.)

THE MINISTER FOR LEGAL AFFAIRS
(Mr. Griffith-Jones) seconded.

Question proposed.

ADJOURNMENT

THE CHIEF SECRETARY (Mr. Turnbull):
Mr. Speaker, I beg to move that the Standing Orders be suspended to the extent necessary to enable this Council at its rising this evening, to adjourn until 2.30 p.m. on Tuesday, 15th May, 1956.

MR. HARRIS seconded.

Question proposed.

The question was put and carried.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): In accordance with that Motion I adjourn Council until 2.30 p.m. on Tuesday, 15th May, 1956.

Council rose at twenty-six minutes past six o'clock.

Tuesday, 15th May, 1956

The Council met at thirty minutes past Two o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentinck) in the Chair]

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

Department of Agriculture Annual Report, 1955, Volume I.

(BY THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell))

Government Chemist's Department Annual Report, 1955.

(BY THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock))

The Non-African Schools (Grant-in-Aid) (Amendment) Rules, 1956.

(BY THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts))

ORAL ANSWERS TO QUESTIONS

QUESTION No. 77

GROUP CAPTAIN BRIGGS asked the Chief Secretary: Will the Government give assurance that the Emergency will not be declared at an end until such time as satisfactory permanent legislation has been introduced to replace those Emergency Regulations which must clearly be required for a period after the more active phase of the Emergency can be considered to have terminated?

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): The Government will, before the end of the Emergency is proclaimed, introduce in this Council such legislation to supplement and amend the existing substantive legislation of the Colony as it may consider necessary to secure the public safety and the maintenance of public order after the withdrawal of Emergency powers.

To that end the Government has for some months past been conducting a comprehensive examination of emergency legislation and substantive security legislation in this Colony and elsewhere.

[The Minister for Legal Affairs] and a survey of the particular legislative requirements of the Colony in regard to all aspects of post-Emergency security. These investigations have advanced to the stage at which specific proposals are being formulated with a view to the preparation of the necessary implementing legislation.

MR. MATHU: I would like to ask whether the Minister would indicate whether the Government has an idea when they will be able to declare that the Emergency is at an end?

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones): If I had any ideas on the subject, I would not presume to prognosticate in this Council.

QUESTION NO. 8]

MR. CHANAN SINGH asked the Minister for Legal Affairs to state:

(i) If he is aware that the Goa League, a body with objects similar to those of the East African Goan National Association, is functioning in the United Kingdom;

(ii) and if he is so aware whether he is prepared to reconsider the question of registering the East African Goan National Association under the Societies Ordinance.

THE MINISTER FOR LEGAL AFFAIRS (Mr. Griffith-Jones):

(1) I have heard that there is such a body.

(2) No, Sir. The implied analogy is inapplicable and irrelevant.

QUESTION NO. 83

MR. CROSSKILL asked the Minister for Works to state:

(1) What is the cost per mile of the bituminization of the Rongai-Mau Summit road which is now being carried out?

(2) What quantity of bitumen per mile is specified?

(3) What is the cause of the disintegration of the surface which is already taking place and how is it being remedied?

(4) Is the present rate of construction of approximately four miles

per year considered to be an economic one?

THE MINISTER FOR WORKS (Mr. Nathoo):

(1) The estimated cost per mile of the present base and bitumen construction is approximately £11,875.

(2) The quantity of bitumen specified per mile is 9,740 gallons.

(3) The cause of the failures on a portion of the work, which are of very limited extent, are two:—

(a) Water in the base course, apparently coming from small springs.

(b) Small quantities of clay brought on to the base partly by wash from the sides in heavy rain and partly by unauthorized vehicles using the uncompleted road.

(4) Construction of approximately four miles per year would not be economical. The rate has, however, now been speeded up to approximately 10 miles per year, which is economical. Slow progress in the past has been due mainly to unseasonable weather, labour problems and certain difficulties in obtaining plant spares to keep the quarry in operation.

MR. CROSSKILL: Arising out of the answer to the first part of the question, would the Minister confirm that included in the price of £11,000 per mile, there is an element of overheads or a complete proportion of overheads?

THE MINISTER FOR WORKS (Mr. Nathoo): Yes, Sir—including overheads.

MR. CROSSKILL: Mr. Speaker, Sir, arising out of the last reply, in view of the fact that in Tanganyika they now build roads by contract and for £1,100 a mile they are putting on a two-coat bitumen surface, will the Minister consider discontinuing making roads by the Public Works Department and putting them out to contract?

THE MINISTER FOR WORKS (Mr. Nathoo): This question of cost is rather a deceptive one. The cost is according to the area in which these roads are constructed. The road to which the hon. Member refers is not a proper bitumen road and the Government has gone into the question of building these roads in this country and

[The Minister for Works] considers that unless they are likely to stand up to the traffic it would be a waste of public money to embark on them.

MR. MATHU: Mr. Speaker, Sir, arising from the original reply, would the hon. Minister say whether he is unable, or able, to control the unauthorized vehicles which are damaging the roads?

THE MINISTER FOR WORKS (Mr. Nathoo): Mr. Speaker, Sir, the authority has now been given to the Road Authority to prohibit vehicles from entering certain roads at certain times of the year and in view of this authority now given to this Board, we will now be able to control this unauthorized.

MR. COOKE: Mr. Speaker, Sir, regarding contract work, is the Minister aware that contracts in the past have been, very often, very costly things?

THE MINISTER FOR WORKS (Mr. Nathoo): Mr. Speaker, Sir, I think the hon. Member is very well aware that in lots of cases where cheap contracts have been given, the ultimate cost to Government has been much higher.

MR. CROSSKILL: Mr. Speaker, Sir, arising out of the first reply, is the Minister aware that the Tanganyika Government will not now pay more than £5,100 a mile for earthworks plus bituminization over long tracts of country of varying types?

THE MINISTER FOR WORKS (Mr. Nathoo): Mr. Speaker, Sir, I am not aware of the fact myself, but I will go into the question and provide the hon. Member with the position I find.

QUESTION NO. 74

Correction to Reply given on 17th April, 1956

THE MINISTER FOR INTERNAL SECURITY AND DEFENCE (Mr. Cusack): Mr. Speaker, Sir, with your permission I should like to make a personal statement. When I answered Legislative Council Question No. 74—it was asked of me last month by the hon. Member for Mount Kenya—I said that the overall cost per mile of operating all Kenya Police Reserve aircraft was estimated at one shilling and seventy-seven cents—that is 1.77 shillings. I am afraid, Sir, that the decimal point slipped in the calculations. The correct figure is

1.07 shillings—that is one shilling and seven cents, not one shilling and seventy-seven cents. I apologize, Sir.

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, am I entitled to ask a supplementary?

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): No.

BREACH OF STANDING ORDER No. 70

DISCLOSURE OF EVIDENCE AND DELIBERATIONS OF SELECT COMMITTEE

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coultts): Mr. Speaker, Sir, I feel, with your permission, that it is my duty, as Chairman of the Select Committee on Domestic Service, to bring to your attention certain articles which appeared in the *East African Standard* of Wednesday, 2nd May, this year, on page 7 and Thursday, 3rd May, on page 6. I would like to hand these in for your perusal.

Sir, they purport to be the remarks which have been made by the hon. and gracious lady opposite, who is Member for Nyanza, regarding proceedings of this Select Committee. This Committee is a Committee of this Council with all the privileges and responsibilities of a Select Committee and as such its deliberations are confidential until a report has been made to the Council. In the report and articles which I have explained, references were made clearly to certain things which have been going on in the Committee regarding questionnaires which have been received, and also, I believe, to the point where the deliberations have been reached.

Sir, it would seem to me that such references are in violation of Standing Rule and Order No. 70 which reads as follows: "No Member shall refer to any proceedings of a Committee of the Whole Council or of a Select Committee until such proceedings have been reported to the Council." In the reported article to which I have referred, Sir, I bring your notice for particular attention to certain things. In the first instance, Mrs. Shaw is reported to have told the meeting that a Government Committee, of which she was a member, had reached the stage of considering the form which its report would take and to have indicated the nature of the

[The Minister for Education, Labour and Lands] replies the questionnaires contained which were submitted to the Committee. In the second instance, the newspaper states that in Mrs. Shaw's speech at Kisii, "she opened the curtains just wide enough for a peep into the Select Committee on Domestic Servants. Further that Mrs. Shaw, though a member of the Committee, revealed the gist of answers to a questionnaire sent out by the Committee".

Sir, there would be less cause for complaint if this report had actually reached the Council, and the Council had had a chance to deliberate upon it, but it seems to me that while evidence is still being taken before the Committee has come to its present decision and before the Council has had time to deliberate it, as I have said, it would seem to me to be possibly a breach of privilege. The disclosures, Sir, I must say, are definitely without malice and, indeed, Sir, I personally have received an apology from the hon. Member, but I do feel that this is a matter not for me, Sir, but for the Council and I feel that I cannot regard them as being privileged.

Sir, if confidential documents, submitted to this Council, are to be used in this way, I feel that much of the usefulness of Select Committees will go by the board. We will not, in fact, be able to get people to give evidence frankly before these committees for fear that there may be disclosures, and I feel that this is one of these types of valuable privileges which are attached to a Council of this nature, which might, if we allowed it to go on, be gradually whittled away.

Sir, I would be glad of your opinion as to whether there has been a breach of privilege or not.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): The hon. Member has stated his case and has asked me whether I think the Council might wish me to say whether there is a prima facie case or not. In my opinion it would, in this case, be difficult to inculpate or even to criticize a newspaper for publishing and commenting on information given in public by a Member of this Council, who, in addition, happens to be a member of the select committee in question. In my

opinion I think, however, a prima facie case of breach of privilege does lie against the hon. Member for Nyanza, Mrs. Shaw. That, of course, does not mean I am prejudging the case, I cannot do that; it must be a matter of inquiry, but I do think there is a prima facie case and the hon. Member will now please move a Motion.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Couitts): Mr. Speaker, Sir, I beg to move that the Sessional Committee do inquire into the facts and report thereon to the Council.

THE CHIEF SECRETARY (Mr. Turnbull) seconded.

Question proposed.

MRS. SHAW: Mr. Speaker, Sir, I wish to apologize most sincerely to the Council for having exceeded the terms of Standing Order 70 in that I made certain remarks at the end of a meeting—a recent meeting—of my constituents in Kisii. I would like the Council to know that I made no reference whatsoever to the work of the Select Committee in any of my speeches, but the remarks to which the hon. Minister has taken exception occurred at the end of the meeting under the cross-fire of questions, when I may have said too much.

All I can do now, Sir, is to say I am very sorry and to assure you, Sir, and the hon. Members of this Council, that this will not happen again.

Mrs. Shaw withdrew.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): The matter is before the Council if hon. Members wish to pursue it. The matter is open for discussion.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Couitts): Mr. Speaker, Sir, may I suggest, in accordance with *May*, where it states that where the Member accused, admitting his or her offence, has made a proper apology, the incriminating Motion has usually been withdrawn. Sir, I feel that the hon. Member has made her full apology before this Council and I would suggest to this Council that this Motion now be withdrawn.

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): I take it that it is a wish of the Council that this Motion be withdrawn.

Motion, by leave, withdrawn.

[The Speaker]

Hon. Members, for the purposes, however, of the record, I think I ought to make the following observations:

Under Standing Order No. 1 we here take for our guide the rules, forms and usages of the House of Commons of the Parliament of the United Kingdom, and this preface to our Standing Orders is provided for the reason that we are still a young country engaged in building up our own parliamentary traditions on precedents set for us by the Mother of Parliaments, and I am sure that all hon. Members agree that we must be zealous in maintaining such forms and usages and in maintaining the dignity of this Council.

In the House of Commons, by the ancient custom of Parliament "no act done at any committee should be divulged before the same has been reported to the House". You will find that on *Erskine May*, page 119.

Further, it is laid down that it is a breach of privilege for any person to publish any portion of the evidence given before, or any document presented to, a select committee before such evidence or document has been reported to the Council. You will find that on *Erskine May*, page 608.

These accepted usages and rules are reflected in our Standing Orders at Standing Order No. 70, to which the hon. Member has referred, to which I would particularly, again, draw the attention of hon. Members.

It reads as follows:—

No Member shall refer to any proceedings of a Committee of the whole Council or of a select committee until such proceedings have been reported back to this Council.

COMMITTEE OF SUPPLY

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(Continuation of debate adjourned on 26th April 1956)

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): Before we proceed with the debate, I would draw attention to the time limit imposed by Standing Order 134.

When a Member is limited to 30 minutes under the Standing Order, the

amber light on the Clerk's table will be switched on as a warning when the Member has spoken for 25 minutes and the light will be changed to red when the Member has spoken for 30 minutes unless he has obtained the consent of the Council to exceed the time limit of 30 minutes. As hon. Members are aware, before they speak, hon. Members can obtain leave to speak more than 30 minutes.

MR. HARRIS: Mr. Speaker, Sir, I will relieve the Council by saying that I do not intend to ask the indulgence of the Council for an extension over half an hour.

Now, Sir, I feel that I should start by congratulating the Minister for Finance not only on the lucid manner in which he explained the present economic position of the country, but also in being able to produce what, I think, we would all describe as an encouraging Budget. That it is possible for a young country, such as this, to emerge from three and a half years of Emergency and, at the end of it, for its Minister for Finance to be able to present the kind of financial picture which was presented to us a fortnight ago, I think, is, indeed, encouraging. There can be very little wrong with a country that, having gone through those trials, can produce a Budget which quite fairly can show a reduction in overall taxation. I feel, Sir, that the Minister for Finance would be the first person to agree that it is not only to him that we should pass our congratulations; I feel that first and foremost we should congratulate those people of Kenya, who for many years now, have shown their willingness to make financial and personal sacrifices and who have put up with a considerable interference of their personal liberties in an all-out effort to get over the Emergency, which we now hope is receding.

Secondly, Mr. Speaker, I think we should also bracket the people of Britain. They have shown their willingness to assist us with loans, with grants; and, not least, with their young men of the Army and the Air Force. They have shown their determination during the last four years to see that this, at any rate, will be one part of the Empire where the rule of law does not give way to the rule of tyranny, and to them our thanks should go.

[Mr. Harris]

Thirdly, Sir, I think we should include in the bracket the young men of Kenya, men of the police, the Kenya Regiment, the intelligence officers, the district officers who, as now seems to have become a habit of succeeding generations in the modern world, have given those years of their lives to securing liberty for the rest of us. For those in this Council, Sir, whose main contribution has been mostly in words, I would say that we should say to all these groups, "Thank you for the efforts of the past few years and the efforts that have made the encouraging Budget of 1956 a possibility."

I think, Sir, we should also thank the Minister for Finance for two other matters. One is that in reply to the Budget Debate in 1954 the Minister promised to look into the question of the income tax liability for amateur sports associations. In this Budget he has redeemed that pledge and has relieved them of their liability.

Secondly, Mr. Speaker, in both 1954 and 1955 the Minister for Finance gave an undertaking that when he was in a position to consider any reduction in taxation he would consider first and foremost the Coffee Export Tax. Here, again, Sir, he has redeemed his promise in 1956.

I wonder now, Sir, whether we might ask him to consider two other concessions the next time he is feeling it a generous mood. Repeatedly, Members on this side of the Council have asked that personal tax shall be offset against an income tax payment. It seems logical, Mr. Speaker, that if income tax is the perfect tax, as is alleged by financiers, for making the people pay in accordance with their ability to pay, a superimposition of a further head tax which amounts, in many cases, to £10 per head, on those who have already paid in accordance with their ability to pay then it immediately becomes a tax on inability to pay. I would appeal once more this year, Sir, to the Minister for Finance to consider the possibility of offsetting this tax against income tax payments.

The second point on which, Sir, I would like his views, is that two years ago we had imposed upon us a special 75 cents surcharge on income tax on

incomes over £800 a year as an Emergency measure. As it seems that the Emergency is really receding, I would appeal to the Minister to consider that there could be no greater priority in tax relief than to take off this 75 cents surcharge.

Now, Sir, in the Minister's financial statement, there was one most depressing feature, namely the present state of negotiations with the Civil Service on their pay. I understand that these negotiations have been proceeding over many months and that it was apparently the imminence of the Budget which caused a precipitation in these negotiations and which the Minister found it necessary to report to the Council. Presumably, Sir, the argument is that this matter had to be precipitated because the Minister must make provision in the current Budget, but, Sir, when the current Budget is balanced by appropriating £6,000,000 from British Treasury funds and when the Civil Service pay increase is provided for to the extent of £750,000, I cannot believe, Sir, that the Budget could not equally well have been balanced by transferring £53 million from British Treasury Funds and leaving the compensating £1 million in abeyance until negotiations were properly completed. It has always been a policy of this Council to try to insulate the Civil Service from politics. In fact, Sir, with your permission I would quote the Minister himself in column 264 of HANSARD of 21st May, 1954, when he said in reply to a question raised by the hon. Member for the Coast, "Now the hon. Member has raised this point, I would say this, it is essential in this new development of the constitution which we have entered into that we should realize fairly quickly that whatever shape the Government, the future administration and solidity of this country rests upon the loyalty and integrity of the Civil Service. Its loyalty must be to whatever Government is in office at that time, its integrity must be unchallenged. In return, this, Mr. Speaker, is I think, the pertinent point, in return it has the right, in so far as I am Acting Chief Secretary and Minister for Finance and Development, I would defend that right, to remain insulated against any political pressure from any source whatsoever. For without that standard of service,

[Mr. Harris] Governments may come and Governments may go but this country cannot continue upon a path of peace and progress."

That, Sir, was the Minister for Finance in 1954. In 1956, Sir, it seems to me that, quite unnecessarily, he has thrown the Civil Service of this country right into the middle of the political cockpit. I cannot believe it was necessary for him, unless he required some kind of sympathy in his negotiations, to have precipitated this matter and used the Budget. I cannot help feeling Sir, possibly in a way to fluster the negotiators into a quick and early decision. I believe, Sir, that had negotiations eventually been completed and had a bill for three-quarters of a million been presented, there would still have been little objection from the British Treasury to appropriating that three-quarters of a million pounds, which in fact will have to be appropriated that way anyway.

Unfortunately, Sir, this precipitation of the matter into this Council, I feel, does not inspire confidence in Government by the Civil Service. They feel that the Minister has used a political manoeuvre in order to make them come to a speedy settlement.

That, Sir, is on the question of the method by which the matter was introduced and has nothing to do with either the offer or the counter-offer, but may we just study these very quickly? The position at present is that the Civil Service has received the Libbury award and on top of their substantive salaries they are at present in receipt of a 10 per cent cost of living allowance. Now, Sir, the Libbury Report originally suggested that there should be an automatic increase in the cost of living allowance in accordance with an increase in the cost of living index. That suggestion was rejected by Government but, nonetheless, there has been a considerable increase in the index since the implementation of the Libbury scales. Consequently, Sir, the Civil Service feels that it is morally entitled to some kind of increase and Government have made the suggestion that this increase should be in the nature of five per cent. That is, the salaries should be consolidated at their present level, plus 10 per cent existing cost of living allowance, plus an additional five per cent.

The Civil Service came back with a counter-offer of 17½ per cent and Government then made what I believe is their final offer of consolidation at 15 per cent.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): I would like to suggest, to keep the hon. Member correct on the facts, that consolidation had entered long before that, and consolidation was from the beginning. I think I am correct in saying, a factor in the Government case.

MR. HARRIS: I accept that, Mr. Speaker.

The point, however, arises, I think, that there is not at this stage between Government and the Civil Service an argument as to whether there shall be consolidation at a total of 15 per cent, or at the present level of salaries, but whether it should be 15 per cent or more; in other words, the five per cent additional cost of living allowance is agreed by both sides, but the civil servants are asking for more.

Now, Sir, if we accept that this consolidation is, in fact, going to increase the individual's salary, the individual civil servant's salary by five per cent, I do not believe it is necessary that the total cost of the Civil Service should go up by five per cent. An analysis of the present Estimates shows that there are over 60,000 established posts for civil servants—60,000—and of these, to give a fair picture, some 10,000 are annotated as subordinate posts, but, Sir, overall, there is an increase of a few dozen less than 4,000 over the Estimates of 1955/56. Or, Sir, an increase of 7½ per cent in this year's Estimates over last year's Estimates.

Now, the suggested increase in pay is five per cent. Admittedly if there were some axing to be done it would be the lower grades that would probably be axed. That is human nature. But, Sir, the bill to the country would not be so very much greater if the increase were granted, the increase in pay were granted, but the increase in numbers was very carefully checked and stopped.

There are examples, Sir, in these Estimates of what might be termed "empire building". I believe I have used the expression before in this Council that however much of the Empire we

[Mr. Harris] seem to give away elsewhere, so much the greater are the empires we build up locally. And, Sir, I would draw the attention of the Council to the fact that in the present Estimates there is an increase of 54 personal secretaries and stenographers, which is not a bad start to any empire.

Sir, we have started a Stores and Supply Organization, which is created to take care of the supply of stores purchasing and stores holding of the Security Forces. But, Sir, what do we find? This new organization employs 46 civil servants and yet the stores organization of the police is also increased. Surely, Sir, if we are going to start a new organization to look after stores which have been looked after by other people in the past, surely, those latter people could employ less.

We have heard, Sir, a great deal since the present Minister started to re-organize the Treasury of the decentralization of the Treasury through-out ministries. Now, Sir, one would have thought that to decentralize Treasury duties to ministries would have meant that there was an equivalent reduction in the Treasury itself. But after one counts up all the ambassadors of the Treasury now in other fields and deducts them from last year's establishment of the Treasury, one finds the sum does not come out right; that in fact there is an increase in the Treasury, although because of this work of propagation in other ministries there is a decrease in the Treasury itself.

Now, Sir, as a result of Lidbury, we set up the Civil Service Commission. The Civil Service Commission, one would have thought might have relieved some of the work of the Establishments Division. But the Civil Service Commission employs 12 civil servants; and we pay 12 civil servants, so of course the Establishments Division has to take on a further three civil servants, presumably to take care of the 12 new ones.

The time has come, Sir, when the Treasury must take whatever steps it can to stop waste. Year in, year out, the Minister for Finance tells us that he appeals for waste stopping, he appeals to this, he appeals to that. But, Sir, I do maintain that it has got to be more than

appeals this time, it has got to be very drastic action. I know all the arguments for and against efficiency committees. The arguments against efficiency committees, I think, probably outweigh those in favour of them. But all we can do from this side of the Council is to say to the Treasury: "We do not mind what methods you use to effect efficiency, so long as it does not cost us any more", which is one of the difficulties in asking the Treasury to do anything.

Because, Sir, the Minister has announced that he is going to appoint a staff adviser. A staff adviser is going through departments to make recommendations where savings can be made. But I can assure him, Sir, much as we welcome this appointment, we shall watch the activities of this staff adviser very carefully indeed, to see that his department—and I am sure it will become a department before very long—is not even greater than the number of persons that he saves elsewhere.

Now, Sir, there are two matters of major policy on which I would like to touch as a result of the Budget Statement. The Emergency, it is generally agreed, is receding, and I think we have only reached that happy state by making an all-out effort and giving priority one to every matter of importance in the Emergency. And I would appeal to Government to try to bring the same application to some of the other problems which are now before us. The first and most important problem is that of ensuring that there is no further emergency, either in Kikuyuland or elsewhere in this Colony, and I believe, Sir, that not sufficient attention has been given to this matter. I believe that if the same concentration were given to avoiding further emergencies as has been given to eliminating the last one, then we could look forward to the future with complete and absolute confidence.

Similarly, Sir, I believe that it is the duty of the Government at the present time to make an all-out effort on two matters which are causing considerable concern. One is the lack of housing and the other is lack of efficient transport. It is no good talking of the housing element—the rent element—in the cost of living index: if there are not enough houses to go round. It is no good talking

[Mr. Harris] about the transport element in the cost of living if, in fact, everybody has to use their own motor-cars, and I do suggest that Government should give the greatest possible attention to trying to give an all-out effort to these things in exactly the same way as they have done in the Emergency.

I know, Sir, that on housing, the Minister for Finance and the Minister for Health, Local Government and Housing have given considerable attention to trying to provide the capital which we so far have not attracted. But it is not enough to give it thought, and I feel that had it been an emergency matter, everything else would have been dropped until a solution had been found and I now appeal to them to take that part of the Emergency into the post-Emergency period.

The same with transport, I believe that if the Minister for Finance would sit down round a table with local authorities, transport operators, and his own advisers and find out why we cannot have an efficient transport service, and if he were determined to sit round that table until he found the solution, one would very quickly be found. It has been suggested elsewhere that the Minister is a very good chairman of round-table conferences, Sir, and I believe the one I have suggested is very much better than anything which deals with mere political theory.

Now, Sir, on the question of avoiding further emergencies, I believe that this is a matter which affects very nearly every Government department, but which every Government department is trying to look at as a water-tight compartment, and not to have any co-ordination with other departments. It is insufficient, Sir, for the Administration to know that things are going wrong in an area if the member of the Administration who knows it keeps it strictly to himself. It is insufficient for the Special Branch to keep their eye on a well-known disreputable agitator, and merely wait until he does something which brings him within the net, when he is promptly arrested and put away. But it is necessary—the Minister for Defence, Sir, seems to find something very funny in this, I would have thought that it was a matter to which he might be giving

more serious consideration. To revert, Sir, to the Ministry of Defence's Special Branch. I was saying that unless steps were taken to see that we take care of those who have been indoctrinated by the agitator before he is put away, there is little good, Sir, in putting him away in the end because the damage has been done.

There is very little good, Sir, in the Information Department going off at a tangent, thinking of itself as a semi-welfare organization and having no support or information available from either the Administration or the Special Branch. I believe that what we want is a new department which is positive, rather than passive. A department positive and active in combating subversion. A department that can take action according to all the channels of information and all channels of information should be made available to it. This new department should then use the Information Department as its vehicle for dissemination of information and not as it is at present.

I will quickly give, Sir, four examples of the kind of work which I believe this department could have done had it been set up before. It might, Sir, have done something with the Arab population over the last few months to offset the effect, not of the broadcasts by the Egyptians to this country, but the effect on the Arab population of those broadcasts. It is not good denying the broadcasts, it is the people you want to get at. It could, Sir, have assisted the Minister for Defence in getting out a statement for the edification of all races as to his policy on the withdrawal of gun licences. It could, Sir, have put across to the Asian population the reason why the Government has decided on its present immigration policy. It could even at the present time, Sir, be telling the Africans why the Minister for Health has found it necessary—and it is necessary—to charge hospital fees for African patients. All these matters, Sir, are ones where there are germs of discontent, which could so easily be killed if they were dealt with by intelligence and by somebody employed to do nothing else than to combat this possibility of subversion.

Now, Sir, the Minister for Finance has said before that we have been accused of doing too much all at once. I believe

[Mr. Harris] that the criticism is probably fair, and I think now, the first year when we can see the back of the Emergency, is the right time for us to decide our priorities as to what action we should take in the future to make this a better country, and I should ask for concentration to be given to those things that matter. If we are talking on too much then let us cut out some of the unnecessary effort. I believe that if we can concentrate on these three things I have mentioned, the prevention of subversion, housing and transport, it may easily be that these other matters, important as they are, will be very much easier of achievement.

In conclusion, Sir, I started by congratulating the Minister for Finance on his Budget, and through him, the Government. In spite of, Sir, my criticism, my congratulations are no less sincere. In 1954, I said: "I still believe that with the Emergency finally overcome we shall enjoy such a boom in this country that capital will accord it a privilege to participate in our development." I believe, Sir, in spite of all the things I have said, that the economic position of the country, as revealed in the Budget statement, is such as to make that prophecy a reality.

Mr. Speaker, I beg to support.

MR. CHAMAN SINGH: Mr. Speaker, Sir, I may be more than half an hour.

Sir, taken as a whole, the Budget, I think, is one of the most satisfactory Budgets that we have had. There is no real need to congratulate the hon. Minister for Finance first, because of the convention that we have recently set up, and secondly because every speech that he makes sets up a new record.

Sir, the most important topic of these days is inflation. But when people complain of rising prices, they forget that their own incomes have also risen. People expect that the prices of the services and things sold by other people should not go up, but that their own incomes should increase. I think, Sir, the situation in Kenya cannot be described as inflationary in the sense in which the term is generally used. We find, Sir, that here prices and incomes have both gone up. I quite agree that low prices are always good, but they essentially imply low incomes. If I my-

self were given a choice between low prices and low incomes on the one hand, and high prices and high incomes on the other, I would always prefer high prices and high incomes. When the prices were very low, before the second world war, everything appeared wholly niggardly. High prices if accompanied by high incomes give one a sense of prosperity. That has a good psychological effect on the minds of the people.

I say, Sir, that high incomes are always better than low prices, that is what the argument essentially comes to. I do not say that inflation can never cause any social loss, but what I say is that it has not caused any social loss in Kenya. It has not got out of hand. There is a limit when inflation ceases to be useful, but that limit has nowhere been reached here. The test is, Sir, whether the increasing prices reduce the value of savings; whether the incentive to save is reduced, because if that happens then people stop saving and that is bad for any economy. Now I suggest, Sir, that nothing like that has happened in Kenya. We find that savings are going up, although expenditure is also going up.

But what is important, Sir, is the proportion by which incomes go up and by which prices go up. If incomes go up by the same percentage as prices, no one loses. On the other hand, there is a definite, psychological gain. Let us take one example. In pre-war days a European clerk would get something like Sh. 500 a month, an Asian clerk perhaps Sh. 250 a month, an Asian artisan something like Sh. 200 a month. Well, Sir, in those days, who could employ a house servant on Sh. 100 or Sh. 120 a month? This has become possible only because of an all-round increase in incomes.

I think, Sir, this is one of the directions in which increasing incomes have done good. The disturbing features of any movement, any upward movement of prices, is that it usually affects different sections of the population in a different manner and to a different extent. That is the reason why, Sir, from time to time we in this country hear a hue and cry from the civil servants. They are in receipt of fixed salaries and their salaries are fixed in relation to a point of time, but when prices go higher,

[Mr. Chaman Singh] naturally their real incomes keep low and they suffer losses, and ask for those losses to be made up.

Now, Sir, if we look at the employed classes as a whole, we find that there has been commendable progress. I take the figures of non-Europeans employed in private industry. In 1950 the percentage of employees drawing less than £179 was 18.1, whereas in 1954 this dropped to 8.4 per cent. This shows clearly, Sir, that there was good progress in the lowest income group, but, Sir, the position of those who are now in the lowest income group, that is those who have not gone up, is rather difficult, and I have suggested before and I suggest again, it is these low income groups whose position we need to watch. There is one element in the cost of living which is very, very important and that is the cost of housing. I think whatever the Government can do to reduce the cost of housing should be done.

But, Sir, if we look at other income groups among non-European employees, we find an equally great progress. Employees in the categories from £180 to £359 decreased from 56.4 per cent in 1950 to 34 per cent in 1954. This means that employees in that category were transferred to the higher income groups. This is reflected in the figures of the next income group, which is £360 to £539. The percentage of non-European employees in this group in 1950 was 19.9, in 1954 this had risen to 39.1 per cent. The highest income group, that is non-Europeans drawing more than £720, went up from 1.9 per cent in 1950 to 5.3 per cent.

This is only an illustration. If we look at corresponding figures for other racial groups we find a similar movement there also.

Now, Sir, if we look at the figures of incomes of those groups who are liable to income tax we find that their position has not worsened compared to the low income employees. In fact, all groups that paid income tax have done very well indeed during the upward movement of prices.

We must also remember, Sir, that some of the factors that are responsible for increase in prices are beyond our control. We depend to a great extent on

imports from other countries, and in importing goods we also import inflation that exists in other countries.

Now, Sir, in looking at these figures one should remember that the wage adjustment index which was 100 in 1939 stood at 262 at the end of 1955, so that the increase in the cost of living was less than three times. Now, if you look at the extent of the increase in prices of imports we find that the increase has been much greater. I will take only one example, a very essential article, cotton piece goods. In 1938 we imported 61,000,000 yards of cotton piece goods. The cost was £868,000. In 1954 the importation was 51,000,000 yards, and the cost was £3,682,000. The imports decreased by about 15 per cent, but the cost of imports went up by 325 per cent. This only shows, Sir, that the cost of living could not be kept down by our action alone, but otherwise when we are thinking of external trade, we have no reason to complain because our exports have also gone up in price, so that while the country pays more for imports, it gets more for its exports. Take two of our major exports. We find that the prices of these commodities have gone up more than proportionately to the increase in prices locally.

In 1954, Sir, we exported a little over 10,000 tons of coffee. We got for it £5,711,000. Now, Sir, this is certainly eight to ten times the pre-war price of coffee. Even sisal, which has recently come down very much, has been fetching a very satisfactory price. Before the war we were told by the sisal people that they would be happy if they got something like £19 per ton. But the price shown by the 1954 returns was £64. Admittedly this is very low compared to the prices that have prevailed over many years. £64 per ton.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): How much?

MR. CHAMAN SINGH: £64 per ton. But even this £64 per ton is not unsatisfactory when we compare it with prices before the war.

Sir, there is one other matter which causes concern sometimes. That is the dis-balance between our exports and imports. The hon. Minister for Finance

[Mr. Chanan Singh] hinted at some of the causes of this disbalance. He promised a study of the balance of payments position. I do hope that every effort will be made to expedite the study because it is most essential to enable us to know the real position of our external trade. That is not possible unless we know the balance of payments figures.

Now, Sir, there is one thing that is important to remember and that is quite clear from the figures of trade. Kenya's imports consist to a very large extent of development materials. The other territories also import similar materials but our imports are much larger. One reason, as was stated by the hon. Minister is that these supply part of the requirements of other territories. But the other, and the main reason I believe, is that our own requirements have grown and are growing and that is one thing which is very encouraging.

Now, Sir, one of the important commodities needed for development is iron and steel. In 1954 Kenya imported £3,675,000 worth of iron and steel, Uganda imported £1,500,000 worth and Tanganyika also imported £1,500,000 worth. Take machinery, we find that Kenya imported £5,219,000 worth, Uganda £2,846,000, Tanganyika £3,304,000.

Take another instance, buses, trucks, lorries and vans. We imported £2,092,000 worth, Uganda £941,000 and Tanganyika £986,000.

Another item which is used so much in industry, gas, diesel and other fuel oils: Kenya imported £3,388,000 worth, Uganda £275,000 and Tanganyika £741,000.

There is another very clear indication. That is the main difference between the values of imports and exports and is accounted for by the imports from the United Kingdom. In 1954, for example, the United Kingdom sent us imports worth £21,000,000 more than the exports we sent to the United Kingdom.

Well, Sir, that is half the difference between our total exports and total imports. This is no doubt due to the fact that we have been raising loans in the United Kingdom, we have been getting grants from the United Kingdom and investment capital has also been coming.

Now, Sir, all this shows that the position in Kenya cannot be said to be unsatisfactory by any account. We have been making progress in all directions and progress necessarily means money. The first disturbing factor, Sir, that came in was the credit squeeze that was announced recently and that has been operating somewhat vigorously during the last few weeks. Well, Sir, here it is important to note that there are no local factors calling for a credit squeeze. I do not think that the people who control credit ought to be so stingy about it when credit is, in fact, needed in Kenya and when, in fact, we have formed the habit for such a long time of living on credit.

Now, Sir, here the matter can be considered from two points of view. One is the question of credit given by retailers to customers. The second is the question of credit given by banks or other big credit institutions to the merchants and producers. It is common knowledge that certain classes of customers cannot pay currently for their requirements. The farming community is the most important in that class. They continue to buy their requirements and pay off their indebtedness when the next crop comes. This is only natural in a country like Kenya. It happens all over the world.

But if the banks and other credit societies cease to allow the usual credit facilities to business men, then I am sure the farming communities will be adversely affected. Not only the farming communities. No one here has formed the habit of buying for cash—I am not suggesting this is a good habit, but it is so deep-rooted as to be part of our trading system. Whenever there is competition among retailers, they attract customers by offering better credit facilities and a system like that, where every customer buys on credit, cannot be uprooted all of a sudden. This can be done, but gradually and over a long period. The retailers, if they think that the cash system is so much better than the credit system, can themselves help. They can introduce a system of differential prices and charge customers who pay cash so much per cent less, but introduce it as a system, so that every customer will know that if he pays cash he will save ten per cent or fifteen per cent. But if, on the other hand, the retailers are to

[Mr. Chanan Singh] be paid cash but to keep the prices at the old levels, I think that will not be fair and that will not be good. In any case, Sir, the system of credit to individual customers will, I feel, remain, because, as I say, it is part of our second nature.

So far as the other type of credit is concerned, credit to merchants and producers, I think the banks and the credit institutions have been rather harsh.

If it was intended that the facilities should be reduced, that should have been done gradually over a period of time, but to expect a man who has taken an overdraft of Sh. 50,000 expecting in the ordinary course of things that it will be called back—to ask him to pay it back immediately is to cause disaster, and in many cases people have had to dispose of their properties at a cheap price, and this has also brought difficulty to common traders.

I think, Sir, this would be done easily, if it was necessary, by asking the debtors to reduce their indebtedness by so much per cent every month, rather than asking them to pay back immediately. Any help that the Government can give in regulating the withdrawal of credit—if that is necessary—will, I am sure, be greatly appreciated by the business community.

There is one other related matter on which I wish to comment, Sir, and that is this: we have many foreign overseas institutions—there are many banks and insurance companies. I think we should ask and expect these institutions to make permanent investments in this country. So far as the insurance companies are concerned, I feel this can be introduced by rules or by law. There is no reason why they should not invest locally at least some substantial part of the income they make here. The same can be applied to banks.

Sir, now I wish to make a few general remarks about Civil Service matters. The most important matter that has emerged from the Libbury Report, Sir, is the inducement pay. We spent a lot of time discussing that question, and I do not wish to take up more time of this Council by discussing the principle of inducement pay, but what I do suggest is that this matter needs reconsideration—at least in so far as senior non-

European officers are concerned. At least two of the High Commission services have given this matter consideration, and have found a way out. There is no reason why the Government of Kenya cannot do the same. The Railways, for example, and the Post Office have given inducement pay to their senior Asian officials who were not on expatriate pay. The theory there, Sir, is that before the Libbury Report, the Asian and the African officers had no real opportunity to go into what have come to be called "expatriate service scales", and it is unfair not to give them the advantage of inducement pay now that expatriate salaries are paid to Asians and Africans; so that these two services have assumed that, if there had been a non-racial service before, a certain number of Asians and Africans would have gone up into expatriate service scales, and, on that theory, promotions have been given to the officers concerned. In fact, the Post Office has even ante-dated promotions to 1953. I think, Sir, that is a matter that needs sympathetic consideration.

The second question, Sir, is about the suggestion that I have made before. Now that the Civil Service Commission has been functioning for some time, I am all the more convinced that a system of competitive examinations is necessary in this country. Most countries of the world recruit their civil servants by a system of competitive examination. The United Kingdom itself has competitive examinations for all classes of employees. I am sure Kenya also will introduce competitive examinations in due course, but why should it be necessary to wait many years before an injustice is removed? I think, Sir, that that is another matter that needs impartial examination. I know the Government has turned down this request more than once, but I feel, Sir, that the question of competitive examinations has not been fairly handled in the past. We should look at the practice of other countries, and see whether there are any reasons why we cannot follow other countries. After all, the older countries have long histories of civil service. They know the requirements of the civil service. They know the methods of maintaining efficiency.

Sir, the third matter concerning the Civil Service is that of cost of living

[Mr. Chanan Singh] allowance. Well, Sir, it is a pity that the Government did not wait a while and come to some understanding with the staff side of the Whitley Council. I am convinced in my own mind that if the Government had given this a little more thought, and a little more time, an agreement would have been reached with the staff side. After all, I am told the negotiations broke down because the Civil Service staff side were asking for arbitration machinery to be set up. Well, Sir, here again the Government, it appears, is not against the system of arbitration. They want more time to give it consideration. I quite agree this is a very important matter, and does need consideration, but—as I say—this matter should have been concluded by negotiation with the Civil Service Associations, and it does not seem to me it was impossible.

Now, Sir, on the question of the increase itself, I am satisfied in my own mind that the 15 per cent is reasonable in the existing circumstances. The only doubt in my mind is whether it should be introduced without full agreement with the organizations of the Civil Service. In any case, arbitration has not been rejected finally, and I think the Government should expedite the consideration of the question of the arbitration system. Now that we have accepted Whitleyism, I do not think we can do without a system of arbitration, because the Whitley Council, as you know, consists of both the staff side and the official side, and there will be disagreement from time to time when it will not be possible to come to a decision. Well, Sir, on those occasions—however few they are—it will be necessary to refer the matter to impartial arbitration. We cannot go on with the system whereby when there is no agreement among members of the Whitley Council the matter is dropped. That should not be allowed to happen any longer. In fact, the very decision of the Government to award 15 per cent cost of living allowance as part of their salaries immediately shows that there is need for some machinery of arbitration. I do hope that the Government will not unnecessarily delay this matter, and will take a decision on arbitration as soon as possible.

Well, Sir, with regard to the main Budget proposals, I welcome the abolition of the coffee export tax. This and other export taxes—as I have stated before—are wrong in principle, and they are quite irritating. I congratulate the Government on seeing its way to abolish at least some of these export taxes, but, Sir, I cannot welcome the introduction of the hospital fee for African indoor patients. I think the ten shillings per week is itself excessive. I know the costs are much higher than ten shillings a week—they are bound to be—but the type of patient who is expected to pay will find it hard to pay even ten shillings. The low-paid employee classes who will go to the hospital may not have ten shillings on them, and I think the Government will find it necessary from time to time—in fact, in most cases—to waive the charge. I think serious enough thought has not been given to this particular tax, Sir.

Sir, Emerson says this in his *Essay on Civilization* "Was it Napoleon who said that he found vices very good patriots? He got five millions from the love of brandy, and he should be glad to know which of the virtues could pay him as much".

Well, Sir, if the Government taxed virtue, virtue that was capable of paying taxes one would not mind, but here, in introducing this hospital tax, the Government is trying to tax necessity. I think that innovation at least is not a good one.

One suggestion that I wish to make, Sir, finally, is in connexion with the personal tax. Personal tax, as I believe, introduced as a temporary measure. I think two hundred shillings for low income employees is rather high. If the Government does not wish to abolish this rate of two hundred shillings, it should at least graduate the personal tax, so that those persons who are in receipt of small incomes would not pay two hundred shillings along with the people with large incomes. I personally think the personal tax should be reduced to the old level, if at all possible. If it is not possible, then it should be graduated.

MR. GIKONYO: Mr. Speaker, in supporting the Motion before Council, I wish to congratulate the Minister for

[Mr. Gikonyo] Finance and Development for the manner in which he presented his Budget on the 26th April.

First of all I want to deal with the Minister's speech in those parts which refer to agriculture. The Minister records that agriculture is the main source of our economy in this country, and it is from agriculture that we expect to achieve the increasing production for export. I agree with him that that is so, but the only difference that comes in my mind is that when he deals with agriculture as an industry, he divides it into two parts—European and African. I feel that the time has come when we have got to forget that agriculture as an industry, and the main sources of our economy, should be dealt with as one, and be afforded the same support and encouragement. It is important that we should not differentiate those of our men who have undertaken this very important industry on which the country depends. I feel that the treatment of all farmers—European and Africans—and for that matter Asians—should be treated alike and given the same encouragement and protection.

Looking at the figures given by the Minister for Finance, it does not appear that the African farmers are getting the same encouragement as European farmers. I do not want to be racial on this matter, because it is a matter that I feel is very important. Looking at the production of coffee, for instance, it is recorded that for the last year there were 23,500 tons of coffee produced for export, and out of that only 800 tons were produced by Africans. Surely, anybody looking at these figures will definitely know that there is something lacking. It does not mean the Africans are lacking the initiative or ability, but there is something wrong, and that wrong is that there are a lot of restrictions in the case of Africans. Now, take the question of growing coffee trees. I know personally there are many Africans who want to grow more than 100 trees. Why that restriction? Why not give the African farmers the same freedom as European farmers to produce? If we rely on agriculture for our economy, why restrict one and give freedom to the other? I am not talking racially, but it is a pity that that should be so. If

the Africans are given a chance they will produce, and all we want to do is to encourage those of our people who go into farming industry. That is my point. That is the point I want to make, because I do know by personal knowledge there are many Africans in this country who really want to grow these cash crops.

I am not referring only to coffee, but I am referring to crops like pyrethrum, sisal and tea. Anybody who wants to grow sisal should be given the same chance as any other person. All I say is this: he should not be left alone. He should be supervised—given the necessary advice by the Agricultural officers, and then the rest should be left with him according to his ability, I will go further and say any encouragement in the form of finance should be afforded to these people. All we want is that every able person who really wants to help should be encouraged, whether European or African. At the moment the point I am trying to drive home is that the African is not getting that encouragement which he so much deserves.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Mr. Speaker, only one point: if the hon. Member would give way, was the hon. Member referring to financial support or general support? That is all.

MR. GIKONYO: Both, Mr. Speaker. I say that my last point was in connexion with financial support. I say that the African farmers should also be given the financial support where necessary. I know they need it, and the only thing is that they do not get it, and I feel that in future something should be done to help these fellows to undertake more advanced agriculture.

In this connexion, Mr. Speaker, I refer to the question of the Land and Agricultural Bank. I think something should be done to enable the African farmers to avail themselves of the facilities that exist in the Land and Agricultural Bank. I know I have been told that there are difficulties in the way about security, but as to that I say, it is the duty of the Government to speed up the consolidation of the African farms, so that when that is done the Africans—just like other farmers—can go to the Land Bank or

[Mr. Gikonyo]

any other bank and borrow money for the development of their land. At the moment they cannot do that, and I feel that if they are to advance this is very important.

I see there is a Vote for Consolidation in the Estimates of £125,000. I think that money should be spent so that these land consolidations should be speeded up.

Mr. Speaker, I do not want to waste the time of Council in discussing agricultural matters, because I know we have further opportunity of doing so, but I do want to impress upon the Government that there is a need for encouragement to be given—both freedom be given to Africans to grow more cash crops, and at the same time, giving them financial assistance. I should like to see more loans given to African farmers, even before these land titles can be given. I know that can happen, and I feel everything should definitely be done to give them loans to enable them to carry on their agricultural operations.

Now, the question of fees that are proposed to be charged to the African patients in Government hospitals and dispensaries. I feel that this proposal is most unfortunate at this time. I do not challenge the principle of charging fees for medical treatment, but I do feel that this is a wrong time to introduce it for Africans for one reason. I do know that in many parts of this country the people have still to be persuaded to go to hospital for treatment, and the moment you introduce these fees, then you drive them away—and this is very true. Now, what will happen? One of two things will happen. One is either they will go without treatment, or they will go to the witch doctors; there could be no other alternative. I think it is most unfortunate when only a few years ago we had to persuade people to come to the hospital, and before we have succeeded in doing so we are imposing a fee and sending them away. I am sure that will happen. I will say that the £50,000 the Government estimates will come out of this could be found in another way. They could have imposed indirect taxation on other articles. I do feel that it is not in the best interests of the people, and I hope the Govern-

ment—either they will reduce the fee, so that a lot of people can come forward for treatment, or find other means of getting this £50,000. It is a very serious matter. We have got among Africans a very large number of very poor people. They cannot afford to pay ten shillings, and I think it is wrong to deny them that very fundamental service which I think it is the Government's duty to provide.

There is one other point which I want to raise, and that is the matter of police and tribal police. In his speech the Minister said that the Government has not been able to settle the duties and responsibilities of the tribal police and regular police, and that they want to avoid any duplications in their duties. I want to propose definitely that the Government should decide that all the tribal police should be absorbed into the regular police. We pay at present for closer policing in African areas. I do not see any difficulty. Chiefs and district commissioners and district officers can have their regular police as their retainers. I feel, if this is done, it will be more proper than to have two forces operating the same area with the same duties. I am sure there is likely to be a conflict of misunderstanding as to whose duty that is, and whose duty the other is, and I feel it is important we should absorb our tribal police into the regular police.

One other matter in connexion with income tax. Until last year many Africans in this country did not realize that they were liable to income tax, and not until they started getting the form—the income tax return forms—and I feel that it is important that, instead of the Government going back for income tax to 1948, they should be asked to pay income tax as from the time the Government set up the section of the income tax in the Inland Revenue Department—dealing specifically for Africans. If you ask these fellows to pay income tax since 1948 they could not account for their incomes in those years, and, in any case, it was not their fault, because they were not asked to pay. They did not know they were liable to pay, and it is causing quite a lot of difficulty with them. It was none of their fault. It was the fault of the Government for not letting them know, so I feel they

[Mr. Gikonyo] should be asked to pay income tax as from that time; and I think it is a matter to which the Minister for Finance should give careful consideration. We are not trying to defend the Africans who do not pay income tax, but in all fairness they should be asked to pay from the time the Government felt that it was necessary to start to ask for income tax from the Africans.

Finally, Sir, I want to ask the Minister for Finance, in setting up the committee which he said he was going to set up to examine the financial difficulties which have been caused to farmers and loyalists in the troubled areas as a result of the Emergency, that he will consider appointing an African on that committee. It is important that these people—the African loyalists—especially in the Central Province, who have suffered so much financially should be assisted out of this money the Minister proposes to set, and I feel one of them on a committee of that nature would be very helpful. I hope the Minister will be able to appoint a member of the loyalists on that committee.

Mr. Speaker, I beg to support.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): This might be a suitable opportunity to take the usual break. I will suspend business for fifteen minutes.

Council suspended business at fifteen minutes past Four O'clock and resumed at thirty minutes past Four O'clock.

SHEIKH MAHFUD MACKAWI (Arab Elected Member): Mr. Speaker, Sir, I should like to pay a very warm tribute to the hon. Minister for Finance for his usual lucid way in presenting his Budget. Sir, on behalf of my community and myself I should like to congratulate him most sincerely for all he has done to this country, as the Minister for Finance, especially when the finances of the Colony were at such a low ebb. His services to Kenya at such a hard time are unique and can never be forgotten.

On the Budget as a whole there are two or three things which I should like to comment upon. Firstly, my community and I are pleased to see that the Government have made arrangements to erect an aerodrome and introduce electricity at Malindi. This, no doubt, would

be of great benefit to Malindi, in particular, and to Kenya as a whole, in general, as it would attract more tourists.

Secondly, we appreciate considerably the Government's decision to waive export tax on coffee. Sir, I feel, however, that I would invite the hon. Minister's attention to one or two matters which require his immediate consideration. First, I would like to urge that due consideration be paid to the insufficient boarding accommodation at the Arab Boys' Secondary School at Mombasa.

Secondly, I strongly feel that the Arab bursaries should be increased to allow more students to go overseas for higher education. Sir, Arab higher education was for a long time neglected by the Government in Kenya, and it is only fair that now it should be increased in the Arab Vote to enable more Arab students to go for higher studies in order to fill the gap, so that they may come back and take their rightful place in the Government of this country.

Before I sit down, Sir, I should like to request the Minister for Education to advise when will the new Arab Boys' Secondary Government School, which is to be built at either Makupa or Tudor at Mombasa, be erected.

Finally also—I have asked on many occasions in this Council—that Arab boys should get compulsory education, but nothing has been done by the Government. Would the hon. Minister for Education state when this will be introduced?

Sir, I beg to support.

MR. COOKE: Mr. Speaker, the hon. Asian Member for Central Area has spoken of this as being a record Budget. I do not quite know what ingredients actually enter into that record, but, as a matter of fact, I have been making careful calculations, and I find that it is three times as long in pages as that delivered by his distinguished predecessor, Mr. Mathews, four years ago! My hon. friend has told us that it is his fifth Budget in four years, and we appreciate the tremendous amount of work he has put into it, but—there is always a "but" in these matters—I myself have to be critical of a good many of the features underlying his words.

[Mr. Cooke]

It was, as I say, a very lengthy speech—a real marathon of a speech. In fact, it took just two and a half hours—the time, I believe, it takes for a runner in the Marathon Race to get from Windsor Great Park to the White City! And when my hon. friend stumbled a bit at the end, the smile of the Marathon Race seemed more appropriate, because he mixed his thousands and his millions up, and has scarcely struggled—his weary legs hardly carried his body in at the finish.

Now, the hon. gentleman seemed to follow his rather usual practice of imputing to this side of the Council arguments which we really never used—or imputing them as though we used them in a different sense. I will give two or three examples. For instance, he says—at least, I think he says—that we are constantly putting up—asking for—increased expenditure on this side of the Council, but that we get rather annoyed if the revenue goes up to pay for that expenditure. Well, of course, we do not ask for increased expenditure from this side of the Council in the sense that my hon. friend seemed to use, but we do frequently ask for increased productive expenditure, which is a very different thing from increased expenditure.

For instance, Sir, I may ask—or my hon. friend, Mr. Cowie, may ask for—increased Votes for National Parks, but we do not ask for that because we merely like to see the sportive little "Tommy" gazelle in the Athi plains wagging his tail. We ask for it because we believe that that expenditure will bring in more tourists to this country, and will bring in more revenue to this country, and that is the reason we support increased expenditure on such services as productive services.

Now, my hon. friend uses a truism, in a sense, in a developing country, he said, "a developing country should not be ashamed of an excess of imports over exports". Of course, that is perfectly true, but any country should be very wary—and, indeed, rather ashamed—of our excess of imports over exports in this country at the present time, which is about three to one; but when my hon. friend puts it in that way, of course everyone agrees with him, but not everyone will agree that at the pre-

sent moment imports are not in a dangerous position, *vis-à-vis* exports, as I say, three to one. I know there are many reasons for that, but there are also many reasons for seeing that that disproportion—that dis-balance—is altered as soon as possible.

Now, my hon. friend goes on to say again there is in some quarters a "theory that the population of a country can improve its conditions by its own efforts." Well, of course there is that theory. My hon. friend seems to think that a population which cannot improve its conditions by its own efforts—that, indeed, is a very dangerous proposition to make in a country of mixed races such as this, because most of us believe that if the Africans worked harder, for instance, and many other races worked harder, they could improve our conditions very much by extra efforts.

Now, it has been said, I think, in Great Britain, if every person in Great Britain worked even ten per cent harder—ten per cent—that is, one in ten—one more hour in ten—harder than he works at the moment—more than he works at the moment, that the whole question of balance of trade between the United States of America and Great Britain would be solved, and I suggest to my hon. friend that if everybody—does my hon. friend want to interrupt?

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): I, would, Sir, before the hon. gentleman develops his argument, ask him that he quotes the entire thing. I said that there is in some quarters a theory that the population of a country can improve its conditions *entirely* by its own efforts. The hon. gentleman omitted "entirely".

MR. COOKE: I am afraid I missed "entirely", but it does not alter the argument. It does not in the slightest alter the argument, but whether it is entirely or not, the fact of the matter is that a population can, to a great measure, improve its own efforts, and the hon. gentleman, by making those remarks, put no emphasis on that particular point of view. A few years ago we had the slogan that "all must work." That slogan seems to have been forgotten now, and it seems to be taken for granted that all need not work. At any rate, I have not heard my hon. friend in the many speeches I have heard him make in this

[Mr. Cooke]

Council—emphasize enough the importance of hard work in improving the productive capacity of this country.

My hon. friend, the Member for Nairobi South, had much to say in praise of the Budget, until he started to damn it with faint praise towards the middle of his speech. I must say I do not see a great deal to praise in the financial handling of my hon. friend. It is very easy to balance the Budget if you take £2,000,000 of a free loan and put it in on the assets side, but actually that £2,000,000 is not really an asset. It is a sum of money that has to be paid back later on. It is like an old lady who goes to the bank and tries to pay off her overdraft by signing a cheque! That is really all it means. That £2,000,000 is still a debit against this Colony. It may be said to be interest-free, but that is only a comparatively minor matter, and of course of the £6,000,000 he had to obtain to balance the Budget—the other £4,000,000 came from a free gift from the British Government, so that, in effect, the balance would never have been obtained but for the interest-free loan, and the £4,000,000 free gift.

I wish that some of us could balance our own budgets by those means. It would certainly solve a great many of our difficulties! My hon. friend boasts rather that he has handed back to the British Government the £4,000,000 free loan, and says that it will save the burden of repayment. Yes, of course, it will save the burden of repayment, but one must also remember that we have got to borrow £4,000,000 somewhere, bearing a very large interest later on for our loan development and which will have to bear, as I say, a very great burden of interest. Therefore, although it is a right and proper thing to hand back to the British Government this amount of money, there is nothing to boast about because that £4,000,000 will have to be found later on and that £4,000,000 will have to carry a tremendously large interest.

My hon. friend, also, I noticed, made use of £1,500,000 which is in the Cereals Fund. He told us, I think a year or two ago, that we had exhausted our surplus balances in the rebellion, for paying off the expenses of the rebellion, or some

of the expenses, but he had tucked away apparently—correct me if I am wrong—this £1,500,000 in the Cereals Pool. I hope he will tell me where it comes from—this £1,500,000—which, we now take it, was in the Cereals Fund to help the revenue of this country.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Certainly, Sir; the hon. gentleman has asked for information. If he will look at the Schedule which is attached to the Exchequer and Audit Bill, it shows those funds which had already been appropriated by the agreement of this Council; he will find that it is there. All I did was to release it, to save us having to borrow even more money, interest free at a twenty-year period from Her Majesty's Government.

MR. COOKE: Yes, exactly; but that money is money that belonged to this country to start with. It is part of the surplus balance of this country, and quite rightly he has used it; nevertheless, the fact of the matter is that that has helped him very largely to balance his Budget.

Now, I noticed the other day—I think it was what they now call themselves "The Kenya Union", the Nairobi branch—suggested that my hon. friend should again adopt the fallacious system of building up surplus balances. Well, I hope my hon. friend will do no such thing, because the Council will remember that he had built up a surplus balance of £9,000,000 when the rebellion broke out—it was £9,000,000 roughly—he probably will say it was £9,966,000, and so on. But there was roughly £9,000,000 which was the balance, surplus balance, of this country, which he built up over a number of years.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): On a point of order, Mr. Speaker, I must ask the hon. Member for the Coast to be accurate, Sir. He used the words, "he built up a balance of £9,000,000". The hon. Member is well aware that I did not take over the portfolio of Finance until 10th January, 1952, and I had not been responsible for the financial policy prior to that date.

MR. COOKE: The hon. gentleman must remember the old saying, "The King is dead; long live the King." And my hon. friend must take the responsibility for the policy of his own Government on the

[Mr. Cooke] other side of the Council. That money was built up and, furthermore, furthermore, my hon. friend, both in the Press, and I think in this Council, in many an argument with me tried to justify keeping that surplus balance as I used to say at the time like an old woman who puts her money in a palliasse under the bed, and he argued time after time—the hon. gentleman keeps jumping up—

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): On a point of order, Sir, I must ask that the hon. Member is accurate and I would ask him to show me where, as Minister for Finance, I have made the statement he has just accused me of making.

MR. COOKE: I am obviously getting under the hon. gentleman's skin and I shall continue to get under it, because the more the hon. gentleman leaps up like a jack-in-the-box the more I know he is paying attention to what I am saying. And that is a very considerable achievement. I have noticed, Sir, and I am sure everyone else has noticed, that the hon. gentleman himself is not very good at giving way, but I am glad I have set an example to him to-day and no doubt he will give way in future when I may point out his multifarious inaccuracies.

Now, with regard to the building up of reserves, which the hon. gentleman says his predecessor built up, well I hope he will not follow the example of his predecessor in building up these reserves because there is an old saying—I think Mr. Gladstone said it—"You should not take from the public more than is needed for the services of the public purse" and that you must leave money "to fructify in the pockets of the people", and it would be much better to leave that money rather than to build up these large surplus balances which I think are invested in corporation loans at home—and safe loans I admit—it would be much better to leave the money with private enterprise, in the pockets of private enterprise, so that they could make use of the money which the hon. gentleman's predecessor did not make use of. Of course, the hon. gentleman himself said, and this I defy him to contradict, that a lot of this money—the surplus balances—was needed against contingent liabilities and it had to be kept in re-

serve. Some of us pointed out that he could have gone in for short-term borrowings, which he is going in for now, so that what we said a few years ago has been abundantly justified. By the action which the hon. gentleman is now taking, I must indeed congratulate him, partly for following the advice given from this side of the Council.

Now, Sir, to come to the coffee tax which was the creation of the brain of my hon. friend, the Minister for Finance! You will remember, Sir, that he wrote that almost notorious report on the Cost of Living about eight years ago, and I think I am correct in saying—my hon. friend, the Minister for Health, on the other side was also a member of that committee—that this brilliant idea came from that committee. The whole object—and, indeed, I thought at the time it was a very good object—was to treat the agricultural community of this country as one unity, and that that money which derived from export taxes should be given to help the farmers who were not so well off financially—I think that was more or less the gist of the suggestion—as the more well-off coffee farmers.

Now, I am not making any electioneering speeches because I never do! But it would be very easy for me to congratulate the hon. gentleman on taking that tax off, but I do not congratulate him. I think it would be very much better for my hon. friend to retain that money, even if it had been in the form of a loan from coffee farmers, as has been done in New Zealand and to say to them, "We will take that money but you will be paid back when this country is in a better financial condition", just as we treat any loan which we raise in the City of London or elsewhere, I would have gone further than that; I would have said that the tax should not be put on the less well-to-do farmers—that there must be some exemption limit. By that means, even if my hon. friend could only raise £500,000 a year, the tax would have come to £2,500,000 at the end of five years, which would be a nice large sum of money to finance some of our very necessary projects.

Shall I tell you the two necessary projects that I am thinking of? One, will interest my hon. friend, the Minister for Health, very much and that is housing. Now with a sob in his voice my hon.

[Mr. Cooke] friend said that there was a grave shortage of housing; and listen to this, "any failure to solve it", any failure to solve it—that problem—"any delay is paid for in human misery and discontent". Now, Sir, my hon. friend said there was going to be great difficulty in finding the money for houses and it is going to be paid for in human misery and discontent—discontent, mind you, in this country! Yet, he waves aside—in his airy fairy manner—this £1,000,000 a year from coffee which might have gone to solve, somewhat solve, the housing problem. But, at any rate, my hon. friend should mean what he says if he really means that the omission to undertake the building of these houses is going to lead to "human misery and discontent", well then he should do everything within his power to find that money even though it may be money from the better-to-do coffee farmers in this country. Then he goes on to say, or he said previously, that the Agriculture Land Bank was in a pretty low financial position and he would have to find money to finance that. Why not finance it from the coffee export tax, especially as he himself, eight years, advocated that particular line? But no, my hon. friend, since he went over to the other side of the Council, has changed somewhat his ideas. There are rumours, I have heard it said, that my hon. friend wishes to return to this side of the Council. It may be, Sir, it would not be for me to suggest, that the hon. Member, down in the deep recesses of that brain of his, has some idea of standing for Kiambu! And you might really see my hon. friend on a different platform this time making the hustings quiver when he attacks my hon. friend, the present Member for Kiambu, the Minister for Local Government, Health and Housing.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havelock): He may be standing for the Coast!

MR. COOKE: Well, let them all come; the more the better!

Now, we have had, of course, little about the cost of living; it was just waved aside as a necessary evil. My hon. friend has assured us more than once in this Council that Great Britain is not concerned with the cost of living. Well, of

course, he and I disagree about that. I hoped that when he saw the Secretary of State, the Secretary of State, disillusioned him on that matter. He seems to have received something of a lemon when he went home this time, judging from the less optimistic announcement which he made, according to to-day's paper—I may be entirely wrong—but my hon. friend for the first time has not come back with apparently that optimistic feeling with which he has returned so often from his repeated peregrinations in Great Britain.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): That is entirely wrong.

MR. COOKE: I so often go wrong according to you that a little bit more wrong will not make any difference!

My hon. friend has now returned and I would, in this respect, Sir, say that it is rather disrespectful to this Council that my hon. friend should go repeatedly home to England and, in this case, at any rate, not inform—so far as I am concerned he did not do anything about it—inform the Members on this side of the Council that he was going home. Apparently this visit—apparently—was arranged several weeks in advance, several months in advance, and yet none of us knew—very few of us knew—that my hon. friend was going home until we saw it in the newspapers.

AN HON. MEMBER: Why should you? Mr. COOKE: And I think that it is only courtesy, that we should be informed so that we might perhaps even try to impinge on his great ability some of the ideas which we hold on this side of Council.

I must congratulate my hon. friend, like the hon. Arab Member who sat down, for having provided Malindi, at any rate, with a little more light, or hopes to provide it with a little more light, and also to improve the amenities of the air landing ground. I think my hon. friend, the Member for Kiambu, has also been a great help in this matter.

Now, with regard to the Civil Service row—that is the only way one can describe it—my hon. friend, the Member for Nairobi South, I think quite rightly, emphasized the importance of a loyal and contented Civil Service and indeed quoted from my hon. friend, the

[Mr. Cooke] Minister. I do not know really what the rights and wrongs are; who has been reasonable and who has been unreasonable, but I do think it was unreasonable of the Government to refuse, or to delay, any kind of an arbitration. I think that was a reasonable request and, although it has not been refused, it has been delayed. I also think it was rather tactless of the Minister to say in this Council—and my hon. friend is usually pretty tactful—to call the civil servants "some-what intransigent". I know he used the word "some-what", but that does not really do much to tone down the very severe word "intransigent", and if you call people intransigent who you are only asking what they consider to be their legitimate rights, you are only encouraging those people to be more intransigent still. I hope my hon. friend will reconsider this whole matter and will see that the civil servants get their arbitration—and they are undoubtedly justified in getting it.

I have nothing more to say, Sir, except about cutting the Road Authority Vote which I shall deal more fully with when the time comes. There has been a cut of the grant of £150,000 to £50,000, leaving the Road Authority with very little more money this year, very little more funds, to carry on with. He quite rightly pointed out that the revenue accruing to the Road Authority is greater than it was last year, but it is really very little greater, and if we are to improve the roads of this country, and its communications, we must come along later on and ask for this £100,000. If we cannot get it, the Road Authority will have to look for other ways and means of finding more revenue, such as, perhaps, increased petrol tax.

I would support the hospital tax suggestion of his, because I have always felt that all races appreciate what they have got to pay for and I do not really think that it is such a great hardship for the average African to-day to find Sh. 10 in one week, and, no doubt, if he cannot find it, there will be, with hard cases, exemptions from payment.

Coming back to the theme with which I more or less started, if the African wants to go to hospital and cannot find the Sh. 10, it may be to a large extent his own fault. He can do a little bit extra

hard work to earn that Sh. 10, and everything will be well.

LT.-COL. GHERSIE: Mr. Speaker, Sir, I would like to claim permission to speak for over the half-hour. I shall endeavour to cut it as short as I can and skirt round remarks made by previous speakers, but I may go over the half-hour period, so, with your permission, I would like to claim that.

First of all, Sir, I would like to pay a tribute to the Minister for Finance for the very comprehensive survey he has given us of the Colony's economic position, and also a tribute to the Treasury officers responsible for the production of these Estimates.

Sir, the Minister early in his speech made a reference to the Economist Intelligence Unit, which was commissioned by the East African Railways and Harbours Administration, to carry out a survey to establish the likely trend in trade and industry of East Africa, with special reference—and this is the point, Sir—with special reference to the future programming of the transport industry. Their conclusions were that the economic growth, or potential, of Kenya was extremely soundly based.

Now, Sir, I would suggest that there should be a closer liaison between the Government and the East African Railways and Harbours Administration because, Sir, in order that the East African Railways and Harbours Administration can embark on intelligent planning, intelligent advanced planning, it is very necessary that they be informed well in advance of the proposed development plan of this Government, more particularly in regard to the priority the various projects will take.

Sir, the Minister also mentioned the subject of the credit squeeze introduced in the United Kingdom and its effect on this Colony. He informed us that he had been assured that there had been no representation to the local banks in this Colony to curtail lendings. The fact remains, Sir, the credit squeeze is operating in this Colony and one can well understand why it is operating. If we recall the remarks made by the Minister for Finance when he said that: "The local banks were loaning £56,000,000 against total deposits of £90,000,000", the ratio, Sir, in this connexion is 62 per cent, whereas the widely accepted view,

[Lt.-Col. Gherisic] and certainly with the big five bank operating in the United Kingdom, the ratio is considered to be more in the nature of 90 to 35 per cent, and even less than that when trade bills are excluded.

Now, Sir, we cannot dictate bank policy and the banks themselves would be rather reluctant to turn away business which is, shall we say, intrinsically sound, but the fact remains that there are two very important points which arise as a result of the credit squeeze in this Colony.

Let us first examine, Sir, the prime object of the credit squeeze in the United Kingdom. Was it not, Sir, to discourage the purchase of local goods in order that they could be freed for export with a view to improving their own balance of payments position and narrowing the gap between imports and exports? Now, Sir, I would suggest that if a credit squeeze is embarked upon throughout the Commonwealth, we would be defeating the very object for which the credit squeeze in the United Kingdom was designed.

Now, Sir, another point arises—and my second point is consequent upon this. Goods are now being shipped far more freely and far more rapidly than in the past from United Kingdom ports with the result that merchants in this country, due to the fact that they are short of cash, are unable to take delivery with the result that the bonded warehouses and the goods sheds at the coast are now becoming congested. I believe, Sir, that under the circumstances we may experience a number of financial crashes in this Colony and, certainly, an increase in bankruptcies. There is one point which may, perhaps, be a poor consolation and that is this, that merchants may be prepared to accept a lower margin of profit in order to effect a quicker turn-over of their goods, in which case it may have the effect of course of assisting in the reduction of the cost of living.

Now, Sir, with the exception of the foregoing, I can see very little hope for the reduction in the cost of living and not wishing to repeat what my hon. friend, the Member for Nairobi South has said, I do believe there is very little possibility unless provision is made for

cheaper housing and more efficient and more widely extended transport services.

With the expansion in the Colony to-day, Sir—more particularly in Nairobi—in the absence of more bus routes, and more frequent bus services, more particularly during the rush hours, the average individual finds that a motor-car becomes an absolute necessity, even if it is only for the purpose, Sir, of transporting him or her to and from his place of employment. Now the most potent inflationary force affecting the cost of living is the disequilibrium between the demand and supply of labour; in other words over-full employment.

Sir, whereas nobody of course wishes to see a large measure of unemployment in this Colony. Unless people are prepared to pull their weight and do an honest day's work, there is no alternative to retrenchment. Sir, it is recognized to-day that many Africans go from one employer to another with the object of obtaining higher wages for less work and people who are only prepared to take advantage of over-full employment to give a low minimum output for a high minimum wage or who shelter behind legislative protection in order to secure a privileged position, are nothing but parasites on the body of this Colony. It is Government's duty to impress upon the employe his obligations in this connexion.

Sir, there is very little I can criticize I think in regard to the actual additional taxation. On the other hand, I felt that the Minister for Finance had his tongue in his cheek when he was trying to justify the removal of the export tax on coffee. In fact, I almost felt I could almost hear the Member for Health and Local Government speaking. Sir, we, on this side of Council, have always objected to this type of taxation as we considered the principle was unsound. But, Sir, I found it awfully difficult to appreciate the hon. Minister for Finance's remarks when he drew that dismal picture of the future of the Coffee Barons, when almost in the same breath he mentioned that the production of coffee had resulted in an export of £9,000,000 and there was still a balance of coffee to be exported. Sir, I agree with the abolition of this particular tax, but not for the reasons enunciated by the Minister for Finance.

[Lt.-Col. Gherisic]

Now, Sir, in April, 1954, when the Minister introduced the surcharge rate of 75 cents, he stated, "A surcharge at the rate of 75 cents will be charged over and above the rates levied under the Income Tax Rates and Allowances Ordinance, 1952, on each £1. of chargeable income in excess of £800. Surcharge on total incomes above £9,000 will be paid at the appropriate rate for the income of £9,000." Now, Sir, he goes on to say, "I propose to consider allowing some set-off of the increased amount of personal tax, paid by an income tax payer, against the surcharge on income tax, but as the proposed increase in personal tax relates to the year 1955, no set-off will be called for in respect of the surcharge on income tax payable in the year 1954 on 1953 incomes. I estimate that this measure will bring in additional revenue amounting to £250,000." But, Sir, when 1955 arrives, the Minister again refers to the 75 cents surcharge and he states as follows: "I now turn to direct taxation. In my last Budget speech I said: 'I propose to consider allowing some set-off of the increased amount of personal tax, paid by an income tax payer, against a surcharge on income tax, but as the proposed increase in personal tax relates to the year 1955, no set-off will be called for in respect of the surcharge on income tax payable in the year 1954 on 1953 incomes.' I have had the matter investigated fully and have given it long and careful consideration. The cost of the concession would be over £40,000 and I regret, therefore, that in the present difficult financial circumstances, I will, of course, keep the matter under review for further consideration, as and when our financial position improves." Again, "further consideration". Now, Sir, unless I have missed any reference to this matter in the Minister's speech on the introduction of these Estimates, I can certainly find no reference to it, not only should there be a set-off of personal tax, but this surcharge should disappear as soon as possible. I will anticipate the Minister's reply because he will say, "I can give no relief whatsoever in regard to taxation while I am still compelled to go to the Imperial Government for financial assistance." But, Sir, this tax was introduced as an

Emergency measure and it was estimated it would produce a quarter of a million pounds, and I submit, Sir, the sooner this particular tax imposition is withdrawn, the better. I do believe, in fairness to the Minister, he might have withdrawn it on this occasion because I felt that during the course of the year when we have had numerous discussions on finance in this Council, he appeared to me to be rather wavering, or, anyhow, he appeared rather sympathetic, and I do believe, Sir, had it not been for the fact that he is now confronted with this £750,000 additional sum, I believe he would have abolished it if it had not been for this £750,000 which he had to find in respect of the Civil Service salaries.

Now, Sir, on the subject of personal tax, I would suggest, for the Minister's consideration, that the personal tax should be doubled, naturally with the proviso that the whole of the amount should be a set-off against income tax and I do believe, Sir, if this suggestion was adopted, it would be of great benefit to the revenue of the Colony and the benefit would be at the expense of those people who do not contribute to income tax.

Another matter, Sir, which has been consistently debated in this Council during the periods of debates on other Estimates, is the question of the introduction of the graduated wealth tax for Africans, but no reference has been made to this subject by the Minister in introducing these Estimates. When introducing the Estimates last year, Sir, he said, "On the question of graduated poll tax, we have again had discussions on this matter, inside the Government. Now, Sir, my hon. friend the Minister for African Affairs has made a statement, but I did, indeed, discuss it at a meeting of provincial commissioners recently, and the Administration is of the opinion that at the present moment it would put an impossible task upon an overworked Administration to attempt to direct the collection of information and the collation of assessments on which this particular process must be founded. When I am faced with that opinion from an Administration which is doing a magnificent job in the field, I just cannot overload them further." Therefore, much as I want to see this type of taxation imposed, it just

[Lt.-Col. Gherisic] becomes an impossibility to push me further than they can really bear." Then he goes on about a possibility which arose from a statement made by the Minister for Health and Local Government. But I merely will give you the end of his speech, Sir. "Members will see, therefore, that this is not an easy problem, I can only say that the Government has expressed its intention of carrying this forward at the earliest possible moment and from the point of view of revenue, as against demand for services, it is, I think, an important matter."

Now, Sir, again, there is no reference to this matter in the introductory speech of the Minister on this occasion. Are we to understand, Sir, that Government has, in the absence of any information, completely abandoned this idea? Or, is it again a question of the lack of Administrative staff?

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): No, Sir, the Government has not abandoned the idea, Sir, it is merely that I felt the speech had gone on for quite a long time.

LT.-COL. GHERISIC: Thank you. I suppose the matter is still under active consideration!

Now, Sir, although our revenue would appear to be buoyant, we have, nevertheless, increased our recurrent expenditure by some £4,138,000 and it is this aspect, Sir, which is so alarming; and I believe one of the major factors in this increase of our current expenditure is the too rapid transfer of Emergency Funds to our Recurrent Expenditure.

Now, last year the Minister for Finance, Sir, estimated this figure at £2,000,000, and in his speech on these Estimates on this occasion he has now suggested that there will be another £750,000 transferred from Emergency Expenditure to Recurrent Expenditure.

Now, the two largest items last year, and this is very significant, Sir, were £690,000 from the Police Emergency provision to the normal Police Vote, and £110,000 from the Prisons normal provision, at least Emergency provision, to the normal Prisons Vote.

Now, Sir, included in the £750,000 this year, is a figure of £130,000 to provide for closer administration, and the particular item involved in this sum, is re-

cruitment on engagement of 72 administrative assistants who, presumably, will assist in this closer administration. But, Sir, he went on and stated that a further sum of £454,000 has been transferred from the Emergency Fund to the Prisons normal Vote.

Sir, the Emergency is far from over, and I submit that the increase in police, prisons and in administration expenditure are largely due to the Emergency and therefore are a proper charge against the Emergency Funds. Would it not be fair, Sir, to say that the detention of prisoners, which is very considerable to-day, is a legitimate charge against Emergency Expenditure, and who can forecast how long it will be that a number of these individuals will remain detained in detention camps. Sir, at the end of two world wars, it became necessary to occupy enemy territory, and I suppose one can suggest that the armies who were occupying those territories were, in fact, policing, but it would never be agreed that the expenditure or the cost of those occupying armies was ordinary normal recurrent expenditure.

Now, there is another matter, Sir, and that is whether or not there exists in Government redundant or inefficient staff or what waste, if any, is taking place. Sir, I feel that Government are less likely to pay the same attention to their expenditure than the ordinary individual does when he is dealing with his own hard-earned funds. This applies more particularly, Sir, when it comes to capital expenditure which may be almost immediately and directly productive, whereas, of course, with Government expenditure, particularly its capital expenditure, if it ever becomes productive at all it is usually indirectly productive and certainly in the very remote future.

While, as I appreciate, Sir, that the Government have now the benefit of the Organizations and Methods team to assist them, who have arrived from the United Kingdom, I still believe, Sir, that what is required is an independent investigating team which is completely divorced from Government people who have had commercial training.

Now, before leaving this subject, Sir, I must refer to a statement made by the Minister for Finance on the subject of staff appointments and establishments in general.

[Lt.-Col. Gherrie:]

Sir, he said, "The Government is aware that, at present, the machinery at the disposal of the Establishments Division and the Treasury does not always enable them to investigate demands for additional staff as fully as they would wish or as honourable Members have a right to expect. In these circumstances it is proposed to appoint an officer who will work under the general directions of the Establishments Division and the Treasury as a Staff Adviser. His duties will be to visit all offices and to advise the Central Government whether staffs are efficiently deployed and whether any economies in deployment can be made. He will, at the same time, be available to assist Ministries on general questions relating to the size and characters of complements and to advise them regarding formulation of requests for additional staff." Sir, this may, of course, be anticipating certain comments and suggestions made by the Public Accounts Committee in their recent report which was sent to the Treasury for perusal and comment, which is the normal courtesy, but has not yet been presented to this Council, but that is a matter on which I shall have something to say on another occasion. This appointment is welcomed, Sir, and it is considered necessary if the Treasury is to properly undertake its duties as protectors of the public purse.

Sir, the Minister also referred to the altered terms in regard to the issue of Tax Reserve Certificates. Now, Sir, these certificates, as hon. Members are aware, are issued and bear a rate of 3 per cent interest per annum, and the total certificates actually issued, I understand, are something in the nature of £700,000. But, Sir, it is now proposed that new certificates should be issued and should pay the rate of interest at 3 per cent per annum free of income tax, and this is to be on certificates issued on or after the 1st May, 1956. Why, Sir, only on those issued on or after 1st May, 1956? Surely, Sir, those people who showed confidence and embraced this scheme—

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): I thank the hon. Member for giving way, but before he goes any further the certificates which have already been issued will equally receive that benefit, but all of them will receive it from the date stated.

Lt.-COL. GHERRIE: I thank the Minister, Sir, for that explanation, but that was not stated in the speech; if I may say so, in which case it was most confusing, and I was under the impression that the old subscribers to this scheme were not to benefit to the same extent. I am very glad of the explanation, Sir. (Interjection by the MINISTER FOR ANIMAL HUSBANDRY AND WATER RESOURCES—"You did not read it properly!") Sir, the Minister for Agriculture said I did not read it properly. I can only read what is here, Sir, and I suggest that that explanation does not appear in this speech.

Now, Sir, I only want to touch, very briefly, on the subject of the Road Authority. It has been dealt with, very briefly, again, by my hon. friend, the Member for the Coast. The Minister, towards the end of his speech, stated as follows, Sir:—

"I mentioned that the revenue from this Head, which includes the revenues hypothesized to the Road Authority, had increased very considerably during the current year and that a further increase was expected next year. The increase is mainly due to the additional traffic on the road and to the further consumption of petrol. The bulk of the increases, therefore, will go to the Road Authority and make it easier for that Authority to carry on with their task of improving our communications."

Sir, that is where his remarks ended, but he rather omitted, or he failed to refer to what he said earlier in his speech, "The Road Authority's statutory revenue which has risen from £628,766 in 1951 to the present figure of £1,276,757, it has been decided to reduce the special contribution from £150,000 to £50,000."

Now, Sir, the point is this. We all realize that the Minister detests hypothesized revenue, but, this is the point, Sir, he admits, in this statement here, that the increased revenue is due to increased traffic on the roads. Does it not logically follow, Sir, that if there is increased traffic on the road then the cost of maintenance will increase. Why, therefore, reduce the Government's grant of £150,000 to £50,000?

Now, Sir, I must once again refer to a matter which, again, has been touched

[Lt.-Col. Gherrie]

by my hon. friend from the Coast. The matter is the actual deficit disclosed in the Colony's Accounts; or disclosed in the Exchequer Account—there is a distinction with a difference, I agree—which is estimated will really amount to £6,218,190 at the 30th June, 1957. Now, Sir, some hon. Members may not yet be accustomed to interpreting the Colony's financial position in view of the new method by which the accounts are now presented and, therefore, I would just like to make one or two comments with all due temerity, Sir, and explain the position a little further. The Colony's accounts actually show—or the Exchequer account—a deficit of only £218,190. Now, in other words the deficit is really £6,000,000 greater, which is provided for by the £4,000,000 grant and the £2,000,000 interest-free loan which has been made available by Her Majesty's Government. The £4,000,000 grant is very acceptable and is properly credited to the debit balance, but the £2,000,000 interest-free loan is a loan and, presumably, must be repaid at some future date, therefore, our real deficit, as already stated by my hon. friend, the Member for the Coast, is £2,218,190 and not £218,190.

Now, Sir, before leaving this subject, I would like to ask the Minister, when he pays attention, what provision is made in the Colony's accounts for a redemption or sinking fund in regard to interest-free loans.

Now, Sir, finally on the subject of taxation. The estimated figure to be derived from income tax provides for an increase of £1,100,000 over the sanction estimates for the current year. Now, may we be confident, Sir, that this figure of £8,600,000, which is expected will be derived during the year 1956/57, is a genuine figure related to that year and does not include a material sum of arrears of income tax, or, that it is anticipating larger estimates which may be realized due to activities of the Income Tax Investigation Branch? In other words, is this figure of £8,600,000 in any way misleading as far as the revenue for that particular year is concerned?

I am very glad to hear, Sir, that it is proposed to strengthen the Income Tax Investigation Branch, and I would sug-

gest, Sir, that, if necessary, the question of special terms of service should be introduced, as I do believe it would pay handsome dividends.

There is one other point in this connexion, Sir, and it is the appointment of a Judge, or Judges, who are experts on income tax law. I believe, Sir, that this would be in the best interests of both the taxpayer and the Income Tax Department. With your permission, Sir, I do not think I could do better than just read a short extract of what Sir Alfred Vincent said on the same subject when he was speaking in the House of Assembly on the 21st of March this year. Sir, he said, "I have gone into this matter very thoroughly, Sir, and there is no doubt that I am right in saying that it is estimated that the amount of cash to be collected by the Investigational Branch in the next five to ten years is only limited by the number of trained staff available which, in turn, is limited by the salaries we can offer and, Sir, there is the immediate danger that a lot of—well a number of—men we have brought out from home—experienced men from the Inland Revenue at home—may not be able to stay with us because of the present circumstances which I will now explain. We did go as far as we could, in the matter of salaries to attract these experienced men, but, of course, in England there has been the United Kingdom Salaries Commission and we also have our own Lidbury Report here, and if we are going to be bound by the Lidbury Report, then it is going to have a devastating effect on the actual collections in future of the Income Tax Department—of that there is no doubt whatsoever; and some years ago when I mentioned in a debate on estimates that we were losing millions of pounds in uncollected income tax, people raised their eyebrows. Sir, but I was not so far wrong and to-day we have a terrific problem which we have to face—and face immediately, Sir—because I understand that the outcome of the United Kingdom Salaries Commission is going to make it, that those men who have been seconded to us, will be no longer interested because the scale of salaries and advantages in England will seriously outweigh the amount of salary and privileges which we are able to offer. It is, Sir, surprising to me that the

[Lt.-Col. Ghertie] Income Tax Department has been able even to get the assistance of these experts who have been seconded to us for the past few years, in view of the fact that if you take the Malayan and Singapore scales of salaries, certainly in the upper scales of which I have comparisons, they are nearly all £1,000 more a year than similar posts in our Income Tax Department here to-day.

That, Sir, was on the subject of the Investigation Branch. He then went on and made a reference to the possibility of an appointment of a Judge who was an expert on income tax law. "I think it would be quite wrong of me, Sir, if I did not mention one other aspect of the income tax collection, and that is, that I believe the time has now come, indeed from the income tax figures alone, it must be apparent to anybody that we must have judges in the three territories specialized in this branch of litigation. It is a highly specialized branch in England; for instance, you have the King's Bench Division with a tax department and it is exceedingly hard to get even a quick opinion from them.

Now, Sir, obviously the best thing to be done in this way in these territories would be to have a specialist judge on assizes to go round each territory and take all these very difficult income tax cases and any difficult commercial cases, but I understand there are great difficulties in this proposal and, of course, it has the apparent weakness, I will not carry on, Sir, but there are the two references there, Sir, and I do suggest, as I said earlier, that it would be very much in the interests of both the taxpayer and the Income Tax Department if these two suggestions could be implemented.

To conclude, Sir, the Minister has mentioned that the East African Governments have agreed to the appointment of a Commission under the Chairmanship of Sir Eric Coates to inquire into the present system of taxation of profits and income as applied in the Income Tax legislation and to make recommendations. I realize, Sir, of course, that is only one of their terms of reference. But, Sir, I do hope that when their recommendations are received that they will be attended to a little more seriously and

that more consideration will be given to them than appeared when the recommendations were submitted by the Gill Committee. I would also implore the Minister, Sir, that when examining these recommendations, that he will do so with vision and imagination and will not be governed by the paramount desire to collect revenue for our immediate requirements. I do submit, Sir, that that is the wrong attitude to adopt and I do hope that very serious consideration will be given to this Commission when their report is submitted to Government.

Sir, finally, there is no question about it—the Colony is over-taxed, and the general principle, of course, is that Government expenditure is inflationary; that is, if it is obtained from borrowed funds. That does not apply, of course, if its expenditure is obtained from taxation. But again, Sir, I contend that taxation in this country is at such a high level that it almost produces an attitude of fatalism in the ordinary taxpayer and a disposition to live on his capital if he has any. It certainly destroys any possible incentive or ability, for that matter, to save. Hence, of course, Government were on the horns of a dilemma. If Government provides expenditure from its borrowed funds, it immediately, both in theory and practice, creates inflation. If, on the other hand, it obtains this money from taxation, in theory Government avoids inflation, but in practice inflation occurs as a result of its very action.

Now, Sir, I would sympathize with Government if there was not a solution very readily at hand, and the solution, Sir, is, reduce Government expenditure.

Sir, I beg to support.

MR. MACKENZIE: Mr. Speaker, Sir, I hope that I shall be able to follow the excellent example that has been set by hon. Members opposite in not keeping the Council for too long a time, but I would, in case I need it, like to claim the extra time.

I was very interested, Sir, with the speech of my hon. friend, the Member for Nairobi North, who has just sat down. There was a great deal in what he said with which I not only agree, but which I would very much like to endorse. He urged that we, in the Government, should do our best to see

[Mr. Mackenzie] that redundancy in staffing should be avoided, that we should pay every attention to ensuring that there was economy in expenditure. I was very glad that he welcomed the proposed appointment of a staff adviser who will get out and help us with this particular matter. One of the greatest difficulties that we have had in the Treasury, and which the Establishments Division have had too in advising both us on the number of staff that should be employed and advising the Chief Secretary on the efficiency of the service, has been the lack of a suitable officer, or officers, attached to Headquarters, who would have the time and opportunity and the experience to get out and find out what is, in fact, going on throughout the Colony. Someone, Sir, who would be able to have a look at things on the spot and assess whether demands for additional staff were justified and who would, at the same time, be able to advise heads of departments and all officers in charge of staff whether they needed to apply for additional staff in order to get their work down, or whether it would be possible by giving more work to one officer to get the work done in that way. This method, Sir, has been used in the United Kingdom for quite a considerable time and it has been shown to be one of the most effective methods of preventing Civil Service staffs from getting out of hand. I join with the hon. Member, Sir, in hoping that it has the same results in this Colony.

There was another point, Sir, which the hon. Member made, which I would like to comment on, and that is the question of the financial statement as set out in the Exchequer Summary. Both he and my hon. friend the Member for the Coast, pointed out that although there was only a relatively small overall deficit forecast as at 30th June, 1957, the Government has, in drawing up this statement, taken into account the amount of £4,000,000 grant and £2,000,000 interest-free loan which Her Majesty's Government has made available to the Colony during the current United Kingdom financial year. My hon. friend the Member for Nairobi North, at any rate, agreed that the £4,000,000 grant could be properly regarded as something that the Government could bring to account—and I see my hon.

friend the Member for the Coast, nods and I assume that he agrees with that too.

As regards the £2,000,000 loan, Sir, it has been suggested that that is not really an asset which the Government should bring into these calculations. Well, Sir, I agree that it is money which has at some future date to be repaid. In actual fact, if the £2,000,000 has to be used during this year—and at the present moment it is assumed that it will have to be used—the terms of repayment are that it has to be repaid. I think it is over a period of 20 years, in half-yearly instalments; the first instalment beginning five years after the actual amount has been drawn. So it is quite clearly established, Sir, that this money will have to be repaid. But I am afraid, Sir, I cannot agree that it is not an asset which should be taken into account. If we draw this loan, and as I say, at the present time we must assume that it will be necessary to do so, it will, for the purposes of the coming financial year, be a quite hard, solid asset of £2,000,000, and I cannot think of any way in which we could possibly show this amount other than as such an asset. It will be paid into the Exchequer in the normal way and it will be spent in the normal way and in due course it will be repaid from general revenue in the normal way. It is not, Sir, in any way comparable to the amounts which are raised on the money market for development purposes and which quite properly carrying sinking funds, bear interest charges and are dealt with as normal commercial loans. This money, Sir, and this is the answer to one of the points which was raised by my hon. friend the Member for the Coast, this money has been loaned for one specific purpose, and that is to help the Colony's revenues during the Emergency. It can only be used for that particular purpose, Sir, and the object of certain of the money being made available by loans is that in granting this money, Her Majesty's Government thought that it would be reasonable that, to a certain extent, posterity should meet part of this bill—that it should not all have to be put on to the present generation of taxpayers. But, this money is not money which could in any way be used for development purposes, and I

[Mr. Mackenzie]

think, Sir, that when my hon. friend the Member for the Coast, makes comparison between not drawing £4,000,000 of interest-free loan offered by Her Majesty's Government and at the same time raising a similar sum on which interest has to be paid, he is talking of two different things, Sir. We could not possibly have used this money for development purposes. It was entirely contrary to the terms on which it has been offered to us, and the best thing we could do was to save it and to that extent avoid placing an extra burden on the present and future taxpayers of this Colony.

Before I leave my hon. friend the Member for Nairobi North, there is one other matter I would like to mention, and that is the estimate for income tax. He asked, Sir, how much of the estimate of £8,600,000 for the year 1956-57 was attributable to arrears. Well, Sir, it is quite obvious that some of it is so attributable, but I am afraid I cannot say at this particular moment how much. There is, though, one general point that I would like to make on this matter, and that is that unless we have some catastrophe and if the trends go on as they have done in the past, I have no doubt that this estimate will be achieved and that we shall find that, as a result of the continued prosperity that the Colony has, in spite of all its troubles, been enjoying, the figure in the following year will be even greater. I do not think, Sir, that this is merely a flash in the pan, due entirely to the quicker collection of arrears, although that undoubtedly has helped over the past two or three years. It may be that the proceeds from income tax will not increase so rapidly now as in the past two or three years they did, largely as the result of increased staffs and to a certain extent of the work of the Investigation Branch; it may be that the increase in future will not be quite so great as that, but I think that there can be little doubt that if our prosperity continues as it has been doing there will be further increases in all forms of revenue; there must be because obviously if more money is being accumulated quite obviously more money comes in in the way of taxes.

I should like now, Sir, to turn to one or two other matters. First of all, though, Sir, I would like to say how pleased I was to see that my hon. friend, the Member for Nairobi North, was not entirely in agreement with the views expressed by his colleague, my hon. friend the Member for Nairobi South, that the Government should find more money in order to pay salary increases by cutting at the services which are provided to control expenditure. I will come back to that in a moment, Sir. I should like though first of all to deal more fully with the ideas that the Government has for controlling expenditure. As hon. Members are aware, the Public Accounts Committee has, over the years, always insisted that the Government should make quite sure that as far as possible every penny that is being spent is put to the best possible use and also—and this is equally important—that it is spent on the purposes for which it has been voted by this Council and not on other purposes. Well, Sir, that can only be done if the Colony has a proper apparatus of financial control. Quite recently I have been looking into the possibility of speeding up payment for all types of goods. I have also, Sir, been looking at the system regarding local purchase of goods, and I have been wondering whether arrangements could not be made to have a lot of these things paid for in cash at the point at which the orders are placed; rather than, as very often has to happen at present, their being paid for after the accounts have been sent to headquarters and verified there.

Well, Sir, it is very difficult in present circumstances to agree to a decentralization of that type which would be of very considerable benefit to many people in the Colony who supply goods to the Government and which would also have the very salutary effect of making the officers who place orders responsible for paying out the cash in respect of the goods supplied. It would probably bring home financial responsibility to each officer more fully than anything else could. I certainly know from my own experience that I was brought to realize how important that was when I first joined the Service as a cadet, and my district commissioner said to me in another colony—“This is the safe and these are the cashbooks and these are

[Mr. Mackenzie]

the tax books and you are responsible for them”, and that, Sir, I think is the sort of thing that brings home to every officer that he must pay proper attention to the disbursement of the Government's cash, and I would very much like something of that kind to be done; but of course the difficulty here is that whereas in a more developed country like the United Kingdom every out-station of the Government has got a fully trained staff of people who can be given a full-time job of looking after the accounts, of seeing that accounts are paid, of seeing that the books are in order and the cash is what it ought to be and is not something else; whereas they have got their staffs, we have not and it is always a question of striking a balance between whether it is worth while keeping a professional officer spending half his time looking after the books, rather than doing the work for which he has been trained. It is a very difficult question, I think, to strike that balance and it is one that we are giving and shall continue to give very great thought to. I think it quite right that all officers, and particularly officers who are in a position to commit the Government to expenditure, should in some practical way have their responsibilities brought home to them, but to what extent this should be done and can be done by asking professional officers to do it, is another matter. What we would like to have is a system, as I say, like the one that is in force in more developed countries where they have properly qualified staff to run the administration side of the Government and where the professional officers can get on with their job. That is certainly the most efficient way of doing it, but it does need additional staff.

Another way in which it is hoped to increase the efficiency of financial control, is through ensuring that all departments enforce a strict system of Vote control, so that all their officers in charge of work in the provinces or in the districts know exactly how much they can spend in any month and on what they can spend it, and ensure that no more is spent than that. In many departments that is already the position and it is our very great hope that during the course of the coming year we shall get that fully operative throughout the Service. If that

does happen, I shall feel that at any rate we are well on our way to obtaining the degree of financial control which the Government would hope to have; and which I am sure all hon. Members opposite would wish to have. The same thing, of course, applies to the purchase of stores, both from abroad and in the Colony.

Now, Sir, having mentioned stores, I would like to deal with one or two points made by my hon. friend the Member for Nairobi South. He suggested, Sir, that the new Supply and Transport Organization which the Government is setting up—I got the impression, Sir, that he suggested that it was an extravagance, that it would require 46 civil servants and that it was something that could well be avoided.

MR. HARRIS: I certainly, Sir, did not say it was an extravagance. I merely pointed out that it was built to perform a certain purpose, which was storekeeping for the police among other things, and the police storekeeping establishment had also been increased.

MR. MACKENZIE: I thank the hon. gentleman for his explanation, Sir, but in actual practice I think he must have been slightly misinformed because the new organization, although it will be responsible for bulk purchasing and bulk holding at headquarters on behalf of all the Security Services, will not have an organization out in the provinces; it will not have its emissaries sitting at police headquarters at Nyeri and Nakuru and Kisumu, or anywhere else. There it will be necessary for the police to look after their own stores which they have obtained from the central organization, and I think that the reports of the Public Accounts Committee will show that all Members, both on this side and the other side of Council, feel that storekeeping, not only centrally but throughout the Colony, is a matter which requires attention in all departments, and therefore any increase which may have been made in the stores complements of a department such as the police—and I am afraid, Sir, I have not been able to check up to what extent there has been such an increase—but I accept the hon. gentleman's word that there has been one—but any such increase is related to the need to have proper control where the stores are being used.

[Mr. Mackenzie]

Now, Sir, I come to this vexed question of Civil Service pay. I am very glad that all hon. Members who have so far spoken on this matter appear to feel that in awarding an additional 5 per cent and consolidating Cost of Living Allowances with salaries at 15 per cent, the Government has made a reasonably just settlement. It would, of course, have been very nice for all concerned if there was so much money that more could be given, but, and I feel, Sir, in this I probably ought to declare an interest, it was not possible to do so. The money simply was not there. I think, also, Sir, that there may be a certain amount of misunderstanding as to the reasons for making the announcement when it was made, rather than continuing with the negotiations. Well, Sir, on that point it was quite clear that so far as the actual amounts were concerned, the Government had reached its ultimate limit when it made an offer of 15 per cent consolidated. It was not possible for the Government to go any further. There were still certain questions open. One of them was whether the award should be regarded as a final one or an interim one, and the other was this vexed question of arbitration. As regards the question whether the award is interim or not, it is quite obvious—in fact, painfully obvious—to all of us that no award of any kind can be absolutely final, and with the Whitley machinery it is always possible for the staff side to bring up any matters which they think need to be dealt with. The only point which will have been settled finally, I hope, as a result of this, will be that Cost of Living Allowance is no longer given on an overall basis, and I think it is quite right in the interests of flexibility that this change should be effected.

As regards arbitration, Sir, there again the door has not been slammed; the matter is still open to discussion, but it is one of considerable difficulty. The setting up of an arbitration tribunal in this Colony could not but have effects throughout the whole of East Africa. It would immediately have effects on transport costs in the event of an arbitration tribunal being set up and a large award being made—one larger, for instance, than the territories and the other administrations felt they could afford; in

the event of that being made—and it may be that on pure cost of living facts it would be justified—if that were done there would be an immediate effect on the economy of the whole of East Africa, directly through such organizations as the Railways and Posts and Telegraphs Administration, indirectly through the effects on the other two East African territories, or rather the other three East African territories including Zanzibar.

Well, Sir, quite obviously before any decision can be taken on a matter of that kind, it is necessary for the Government to take very careful thought and also to have consultations with the other organizations who will be affected. It was for that reason, Sir, that it was quite impossible at short notice for any decision to be given. But, Sir, the fact that at that stage no decision had been reached would not, in my opinion, have justified the Government in failing to make provision for this increase in these Estimates and to bring them openly before the Council. I do not think, Sir, that the Government could have been at all justified in leaving £750,000 of Her Majesty's Government's interest-free loan on one side, as has been suggested. Quite obviously every Member of this Council and every member of the public knew perfectly well that the total amount that had been made available was £6,000,000. It was clear that if some such figure as £5,250,000 had been put in, somebody must have asked what had happened to the other £750,000; at least I should have been extremely surprised if no hon. gentleman opposite would have asked that question. So I do not think that was possible, Sir. Equally, it would have been far worse, in fact it would have been quite wrong for the Government to have hidden away the money that it knew might be needed for this purpose in some other place. In the first place it would have been very difficult to do it and in the second place it would have been misleading this Council in the Estimates which were tabled. I think, Sir, the only thing that could possibly be done in the circumstances was to make the provision openly in the Estimates and for my hon. friend to make a statement in support of that provision, setting out the position as it stood at the time, without any garnishings and merely saying what the state of the negotiations was and that

[Mr. Mackenzie] the provision was being made. It would have been most misleading to do anything else.

Well, Sir, there were one or two other points which I had intended to mention, and I should like to do so very briefly. The first is—they are all technical ones, Sir—the first is in connexion with the extension of the system of Appropriations-in-Aid. There, Sir, I would like it to be known that the principles that have been followed are that such moneys as are directly earned by the activities of the department are brought into account as Appropriations-in-Aid—such things as school fees; there is one exception, and that is the receipts from water supplies, and there were technical difficulties which made it impossible to include them as Appropriations-in-Aid this year. The question as to whether they can be so dealt with will be looked at in future years.

The other point I wanted to mention was the difficulty in estimating revenue, which I think was largely contributory in leading in the past to building up those great surpluses which the hon. Members for the Coast dislikes so much, and which of course is also one reason why, even during this past year, we were able to get along with only £10,000,000 assistance from Her Majesty's Government instead of £14,000,000. I think, Sir, the difficulty is that when estimating revenue, it is only possible to work on assumptions which are valid at the moment the estimate is being drawn up. It may be that the officers making the estimate feel it is quite likely that owing to such factors as inflation the prices of goods coming in at the ports will increase in value and that more money will thus accrue, but of course it is always equally hoped that at some stage inflation will be stopped, and if that happened and the Government had made revenue arrangements on the assumption that there would be inflation, there would be considerable difficulties. In any case I do not think any Government would ever be justified in estimating on the assumption that inflation was going on for ever. I think that has been, during this post-war period, one of the main reasons why there has been this tendency to underestimate the revenue.

Well, Sir, I see that the time is practically up and I should now like, if I may, to conclude—I shall not be more than a minute in doing so. I think, Sir, that this Budget shows—it reflects—an economy that is still expanding. It reflects a country that has come through a very difficult period and has managed to increase the wealth of its people and to increase its own revenues, and thereby provide more adequate services. There are visible signs of prosperity all around us, Sir, and it has also been found possible to expand not only those services essential to security, but also the social services. I feel, Sir, that it is only necessary for us to maintain in the years that lie ahead the confidence that has pulled us through these last three or four extremely difficult years, and we shall have at the end of it a healthier and a stronger economy than we have ever had before.

I beg to support.

ADJOURNMENT

THE SPEAKER (Sir Ferdinand Cavendish-Bentick): The time has arrived for the suspension of business. Council will adjourn until 2.30 p.m. to-morrow, Wednesday, the 16th of May.

Council rose at fifteen minutes past six o'clock.

Wednesday, 16th May, 1956

The Council met at thirty minutes past Two o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentinck) in the Chair]

PRAYERS

ORAL NOTICE OF MOTION

PROGRESS OF EMERGENCY

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, I beg to give notice of the following Motion:

BE IT RESOLVED that this Council notes the improvement in the Emergency situation and would welcome a statement from the Government as to their intentions for bringing it to a speedy conclusion and their plans for preventing a recurrence.

COMMITTEE OF SUPPLY

ORDER FOR COMMITTEE READ

(Continuation of Debate adjourned on 15th May, 1956, on the question "That Mr. Speaker do now leave the Chair".)

DR. HASSAN: Mr. Speaker, Sir, I rise to support the Motion. I would request permission to ask for extra time, because I cannot finish within 30 minutes.

On this side of the Council, we felt great satisfaction for the balanced Budget which the Minister for Finance placed on the Table. I have no intention of going into the mass of figures which the previous speakers have gone through, but none the less the Budget has been balanced with no additional taxes or duties imposed for next year. I believe the revenues of this country will probably show an appreciable increase by the end of this year because a very large number of merchants in Kenya expected that there was going to be a rise in customs duties on some of the items, so that millions of shillings were paid into the customs duty to free their goods from there to be in time to take advantage of the duty that they expected to rise. As there was no extra duty imposed on to the imported goods, that is of great credit to the Minister for Finance—that this Budget secret has been so well kept that the people kept on thinking about increase in duties of different items right up to the last.

It was a matter of pleasure to some people, particularly the coffee kings and those who have some interest in coffee,

that the export duties and cess on cotton were removed. I do not think the coffee kings needed any relief so quickly as that, Sir. Prices of coffee are at a very high level and I do not think this rich group is going to pass on the advantage to the consumer on the coffee sales. It was urgently needed that some sort of relief should have been given to those paying increased personal taxes and, if it is not considered too late, I would request the Minister for Finance to consider seriously whether he can divide up this reduction equally between those paying personal tax and the coffee kings.

The personal tax, as you know, Sir, was imposed in Kenya when we did not have income tax in existence and now that the income tax is giving us revenue—the largest revenue, the second largest revenue, to the customs—I think this tax should now either be reduced to the minimum or removed altogether, because it is time that some mercy should be shown to the lower income group. These taxes were only put on the people when they had no income—or at least their income could not possibly be determined—but the time has come, even the Africans have had their standard raised considerably, and the incomes of the other communities can easily be determined, therefore this personal tax should come off the list of our revenues.

We find, Sir, that every year, when the Budget is put on the Table, there is a considerable increase in Government expenditure on their services. In spite of the fact that the taxes levied on the people in this country are now almost at a maximum stage, yet all this increased income from the taxpayers is absorbed into the services of the country and we have collected no surplus to boast of, so that the country is living on the loans which, through the kindness of the British taxpayers, are given to us and there does not appear to be any anxiety shown for paying back these loans; probably it is thought that it is the future generation who will have to face the music, but, Sir, we should not burden the future generation with such expenses.

I think what is expected of us is that we should work hard and carry on the administration services most economically and to guide the future generation on how to run this country when they are in a position to take over, rather than

[Dr. Hassan]

leave debts for them to pay. It is time that we ought to show some surplus every year, not only to pay back these loans, but also to use that money for developing this country with the funds that we raise ourselves. We always blame the people of Kenya that they live beyond their means. I know that they live beyond their means; quite a large number of them do so, and I do not think we can blame them, they are merely following the lead of the Government who are also living beyond their means.

The taxpayers of this country are anxious that this Emergency should end quickly. Now that we see the Emergency nearly coming to its end, we find there are no signs of relief in sight and it looks like that the taxpayers will have to bear the burden of maximum taxes for unlimited periods.

Now, the leader of the Elected Members suggested that we should have a new department, to look after the Government departments' expenses. It is a pity that we should face a situation after the expanded Civil Service in Kenya to-day, that we should need somebody to come and supervise the workings of different departments. Probably there would be a suggestion again that we should need an increase in the Criminal Investigation Department to supervise that new department. It will certainly be a very sad outlook for the future generation if nothing is done immediately to see that the expanded Civil Service manage their affairs so well that there is no need for anybody to come and supervise them. What we need, Sir, if it is at all wanted by the country, is the appointment of a committee—call it a Vasey Committee, or a Courts Committee—to remain in session permanently and work just like the Bowring or Geddes Committees in this country to prevent the waste, prevent the engagement of useless deadwood to save the taxpayers rather than wait until the damage is done and then blame somebody else for it. There appears to be a tendency in most of the departments to follow the Law of Parkinson. I think you all must have read it. Multiplication of the staff is demanded for the purpose of getting promotion to higher positions. There is hardly a department that I have seen that does not complain that there

is shortage of staff and hardly any who do not complain that lower grades of service are inefficient; and there is hardly any department who do not ask for further additions to their staff of experts which they cannot get from overseas; and they expect the additional staff to come from overseas and work their departments efficiently. There is a general complaint all over this country that formerly a letter written to the department was acknowledged immediately and they expected to get a reply within the shortest possible time. To-day, 15 days is considered to be too early for one to find out whether the letter has ever been received or not. It is quite true that we need closer administration immediately to deal with the affected areas in the Central and other Provinces, but I find that the responsible authorities appear to be following this practice all over the country, when we are running this country on loan.

There appears to be a very large increase in police and Administration services in every other district, and I do not think it is intended that we should create a police state. We know very well, that the prosperity of Kenya entirely depends on agriculture, development of agriculture, and animal husbandry and what we actually need to bring about some improvement in the country, to win the confidence of the people of the country, is to persist in agricultural development and bring about peace and prosperity. I do not think an overwhelming force of police and the Criminal Investigation Department is the answer. We know very well how our trouble started. We know the causes of it; we know the reasons for it, and knowing all that, it is our duty to see that those causes exist no more and there should be a change of policy followed by the introduction of the multi-racial Government which expect us to run this country by the people of the country, so that all the communities here should have confidence in each other and work together as comrades and friends for the benefit of Kenya and not for the benefit of any particular community, to live at the cost of others.

I would like to mention a point regarding the education policy in this country. Unfortunately the Minister is not here. It is a policy of African education. It is

[Dr. Hassan] now laid down that we have district education boards to deal with the education of Africans in every corner of Kenya, and I find that in the major towns, including Nairobi, Mombasa, Nakuru, Naivasha, Kisumu, Malindi and all places wherever the Government has opened its schools, they are handed over to the mission people which does not suit the requirements of the Africans of different denominations and different faiths. This matter was brought to the notice of the Government in last year's Budget Speech because there is an element of Muslims at the Coast and other Provinces and there are no schools for them. Whatever the schools the Government has opened in different places, they are handed over to the missions, and, as is a well-known fact, the Muslims do not go into those schools, due to their religious susceptibilities, and the number of those going to school is almost negligible so that thousands of Muslim children are without education. The same thing applies to Nairobi and the same thing applies to Mombasa, but this policy is going to create hardships for the Muslim/African. It will create a division among the Africans themselves so that the Christian/Africans will receive education and Muslim/Africans will be without education, and the result will be that there will be a great deal of division and enmity between the Africans themselves. It is correct that they are not having education, and they are not making any noise about it, so that my friend from Nyanza questions about it, but when they do realize that it is education which gives a person means of livelihood in this country and without that there is nothing but starvation facing them, he shall not question any more.

It was only the other day I was informed that a school is going to be opened at Malindi, and I was given the number of children there; Muslim children 43, Christian children 93 and the balance 260, and the missions of three denominations bidding for that school, each of them having a tussle about it. It has created a problem for the department, the Education Department, as to which one should be given the charge of the school there. The Mus-

lim Association there brought to the notice of the Education Department that the district education board should run this school. Why is it given to the mission of any denomination? If it is run by the district education board, Africans of any faith will be able to make use of that school and get their education there. I think this is the right thing to do for these towns, because, in all these towns, if a certain element of African is without education, they will be a nuisance in those towns at a later stage and missions should be welcomed for their part in dealing with the education in their mission stations. When it comes to the schools away from the mission stations in towns, those schools must be run by the district education board.

I suggested to the Director of Education, on the matter of the Malindi school, that a Muslim teacher should be appointed in the mission school to deal with the religious education of the Muslims there. He was quite sympathetic and in favour of that suggestion, but I was informed that it would never suit the missions, so, if this is the attitude of the missions to give education exclusively to the Christian boys, it is time that, in towns, new schools should be managed by the district education board. I see that the same trouble is reported from Nakuru; the same trouble is reported from Naivasha; the same complaint from Malindi, and there have been complaints, on more than one occasion, from Mombasa and Nairobi. I feel, now that we have decided on the education policy of appointment of district education boards everywhere, there does not appear to be any reason why schools in towns should not be opened up under the district education board and run by them instead of giving them to the missions and district education boards should have a Muslim representative on them. Of course, it must be clearly understood, that, so far as the Minister for Education and the Director of Education are concerned, I have complete confidence in them and I have complete faith in them. The Minister for Education is one of the Ministers that I trust completely that he will always do justice.

I have a matter to bring to the notice of the Minister for Local Government, although I do not want him to move in

[Dr. Hassan] this matter quickly, because we are nearing the election here and this subject may make him very unpopular if he takes any active step in it, although I know that he is quite bold enough to go headlong into it.

I know, Sir, that in this country the local government have resorted to a system of tax to run the local municipal councils and city councils. I do not know wherefrom they copied this system of tax. Whether it is in existence in any part of the world, I have not the least idea. But if ever any country is following this system of tax, it is utterly wrong. It is creating extreme hardship to the people in larger towns. It is a well-known fact that the Government has not enough space for the residents. The housing accommodation and the housing sites are very, very limited, so that the price of plots is increasing out of proportion and the site value tax is based on the price of the plot changing hands. If a person is told in Nairobi, "You cannot stick here any longer, you have got to get out from here if you want to live, otherwise you are going to die of blood pressure", he dashes down to Mombasa, and then he wants a place, a plot. If he is well-to-do, he does not care how much money he pays and he buys a plot. Based on the price of that plot, Sir, the value of the whole line of houses in the locality is determined for the site value tax, by the city valuer at the end of the year. This game is going on and is on the increase, every year, with the result that to-day it is hardly possible for a person of low income group to have a house to himself. He cannot have it unless he has about four or five other friends to share it with him so that a big family is living in a room to-day and the Health people are on their heels.

Why the landlords did not strongly object to the increase of this tax is quite clear, because the landlords are permitted to pass this tax on to the tenants, therefore they do not care two hoots what happens to the price of the property. The higher the price of the plot every year, the more possibility for them to get increased advances from the bank to put into the business.

This system is acting very adversely on the majority of people in this country

of all nationalities. In certain cases I have been informed that we have a road dividing two properties with different site value tax. One side of the road is, say, about 50' and the other side of the road is 30' 200 to Sh. 300; within about 10' feet distance, so this tax is also not equitable; it works differently for different people, although the local government charges for the amenities they provide for the residents of the town and everyone takes advantage of those amenities equally, yet one person pays to the municipality 200 to 300 or 400 per cent more tax than his neighbour who uses the same tar-mac road and the same system of sanitation.

This is the sort of thing, Sir, which was imposed upon the people before you came into office, and now it has come to a stage that this appears to be the main sources of income in running these municipalities. That source will surely dry up, because the people will not be able to put up with that tax.

Now that we have introduced income tax into this country, I thought the local bodies were going to follow that, but, in this case, they are not following that system, they are not charging tax on the income of the property, but they are charging tax on the price, which is still to fall due, which the owner cannot possibly expect until he sells that property, and he may not live long enough to sell it and get that price, although he is called upon to pay tax. He does not care because the tenants will pay, and suffer for it.

This was one of the matters I wanted to bring to your notice, Sir. The second was the agricultural policy. Unfortunately my friend is not here, but my remarks about the Minister for Education are also applicable to the Minister for Local Government and the Minister for Agriculture.

I know, Sir, that the Minister for Agriculture is a very intelligent and what we call a "strong man of our Council". He has done his best ever since he took up the Ministership but he is following the policy which was laid down by his predecessor.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Shame!

DR. HASSAN: Sir, I do not like to blame him, but why did he not have any change in that policy? I know he would agree with me that a question of marketing in this country was adopted for the benefit of the producers and the benefit of the consumers in this country, and control of the produce was also resorted to for the simple reason that it should have very fair and reasonable distribution to the satisfaction of the people of the country. But this principle is now being used unfairly and the Government appears to be a party to it, not that they want people to do so, but to take advantage of the Government monopoly and the Government control and the Government marketing organization, and make capital out of consumers who have unfortunately been thrown as victims to those people.

When such a situation arises, it is the duty of the Minister for Agriculture to see that one section, or some sections of the community are not benefiting at the cost of the others. I do not object to fair prices to the producers, I do not object to fair profit to the middleman, but, what I strongly object to is the increased—unnecessarily increased—prices to the consumer.

Only the other day a matter was brought to my notice when I was in Mombasa. Due to the restriction of rice imports, a certain individual was allowed to import 400 or 500 tons of rice. That individual naturally got that rice, not from the source of production, but he got it from Aden from some of his partners or relatives. Whether he got it from there or whether he allowed transshipment to be made from there, I do not know, but the landing price of the rice was actually shown as much more than the cost price of Pakistan and India. £70 a ton is the usual price of that rice in India and Pakistan, but that gentleman got permission from the Controller to charge a price of Sh. 227 a bag, which was very excessive indeed. The people cannot find out, when the Government is allowing supplies of smaller quantities for us, why on earth a middleman is permitted by Government to rob us. That is the sort of thing which needs very careful consideration and careful supervision by the Minister.

THE MINISTER FOR AGRICULTURE,
ANIMAL HUSBANDRY AND WATER

RESOURCES (Mr. Blundell): I thank the hon. Member for giving way, but did the hon. Member say that in this case that it was a transhipment via Aden? I did, not hear.

DR. HASSAN: Sir, I meant that the price of the rice was quoted at much more than what it usually costs in Pakistan and India, and it may have been done—the only way I was informed—by showing the rice as having come from Aden. Sir, it may have been brought from Pakistan to Aden and then from there transhipped from Aden to Kenya.

Sir, this is the sort of thing which the people do not understand. I think the Government must have found out by this time that Asians in this country eat about 9,000 to 10,000 tons of rice a year, and it is only natural that we should get it. Short supply results in shortage and we will be called upon to pay much higher prices than those we could have paid normally if it was allowed to enter Kenya in sufficient quantities.

The authorities must understand that we do patronise the rice which is grown in Nyanza of a fairly good quality, but it is only a drop in the ocean. They cannot produce enough good quality rice to supply us for a month. Therefore, until such time as they produce good quality rice for us, there does not seem to be any reason why the restrictions have been placed on our getting the normal quantity. The good quality rice from Nyanza has a good market. That was the only matter I wanted to bring to the notice of the Minister for Agriculture, not that I wanted him, as I said before, to take some immediate action in that because we are nearing the election now, and I do not want him to become unpopular.

THE MINISTER FOR AGRICULTURE,
ANIMAL HUSBANDRY AND WATER
RESOURCES (Mr. Blundell): My constituents do not eat rice!

DR. HASSAN: I hope, Sir, when you do get back to your position as Minister after the election, that you will give some very serious consideration to my request.

With this, Sir, I support the Motion.

MR. RIDDOCH (Nominated Member): Mr. Speaker, I think it is about time that someone from this side of the Council joined with the Members opposite in congratulating the Minister for Finance on his excellent Budget, on the very able

[Mr. Riddoch] and clear way he presented it and on his confident forecast for the economic future of this country, and I have very great pleasure in doing this.

Now, Sir, with our expanding production in the fields of agriculture and industry, we have nothing really much to fear in connexion with our future, provided that prices of our basic commodities are maintained at reasonable levels.

We have, of course, certain outstanding difficulties to contend with at the present time. Two of these were mentioned by the Member for Nairobi South yesterday. He stressed particularly the difficulties of housing and communications. I would add two others, equally obvious ones, but which need stressing, I think, in considering our immediate future.

The first, of course, Sir, is to bring the Emergency to an end as quickly as possible. Not only with the object of reducing the already very high burden of taxation, but also to release for productive work the many thousands of detainees who are at present behind barred wire.

The second point that I wish to stress is the need to impose, if possible, a curb on inflation and the cost of living.

Now, Sir, with regard to the first point, I realise, of course, that a start has been made in the rehabilitation of the many thousands of Mau Mau detainees. But, Sir, unless that rehabilitation is speeded up quite sharply, there is a great danger of a lot of our agricultural productive work being seriously jeopardized. I do know that in Nyanza in particular the labour shortage is so acute that production is being hampered.

With regard to inflation, it is fortuitous that a curb is being placed on this evil that pervades not only in East Africa but the world at large. And it is what is called the "credit squeeze". We have had no control over this, but as it is being applied to us, I have the view that it will do a lot of good.

Now the Member for the Central Area, Mr. Chanan Singh, expressed concern about the application of the credit squeeze. He said if it was applied too severely, too quickly, it would result in

a crop of bankruptcies. Well, Sir, as I understand the position, what is happening is simply this: The banks are imposing a restriction of credit only on those activities which are particularly trading ones, which tend to over-trade. In other words, they are trying to prevent a flooding of goods into this country which the country cannot very well absorb at any given time. Over-trading has taken place very largely because of the natural inclinations of a large element of the trading community to over-trade. But it has been aggravated particularly by the difficulties of phasing and the difficulties of shipping.

Well, Sir, that particular difficulty is being reduced, and it is quite easy to understand that unless credit restrictions were imposed, the country would be very much over-stocked with a large variety of goods which it could not absorb straight away. Therefore, Sir, so long as the credit squeeze is applied to controlling over-trading, so long as it is not applied too quickly, and so long as it does not apply at all to development, I am quite sure it will do a lot of good.

Now, Sir, the Minister for Finance has been able to give a number of substantial concessions in his Budget proposals, but I am sorry that in respect of one important industry he has not been able to eliminate a burden which was imposed on it as a result of the Emergency. I refer to the export tax on wattle. Now

I beg your pardon, I withdraw that, it was imposed not for the Emergency. Sorry, Sir, I made a mistake there. But the fact remains that it was imposed. It was imposed along with similar taxes on sisal, coffee and cotton and now, Sir, the position is this. Whereas export taxes on sisal, coffee and cotton have been removed, the one on wattle still remains. I appreciate, Sir, the difficulties that confront the Minister for Finance at the present time, when he has to induce, persuade, the authorities in Britain to help this country in defraying the cost of the Emergency, and I do realise that nothing can be done at the present time with regard to this particular tax, but because, Sir, the arguments in favour of removing the tax on all these other crops; that is sisal, cotton and coffee, equally apply to wattle, I do trust that

[Mr. Riddoch] The Minister will give very sympathetic consideration to the removal of this tax when he deals with his Budget next year.

There is one point I should like to refer to in connexion with a speech made by the hon. African Member, Mr. Gikonyo. In his speech, he expatiated on the need to encourage African producers of cash crops, and he gave me the impression that insufficient was being done on the part on the Government to give this necessary encouragement. Well, Sir, it has been my own experience in Nyanza over very many years that that is not the position at all. The Government, albeit not always with uniform emphasis, has, for at least 20 to 30 years, given every encouragement to the production of such crops as cotton and coffee. Now, until recently certainly, results have not been all that they might. But I would not say that has been the fault of Government. The fault I regret to say has been largely due to the apathy of the people themselves, and indeed, Sir, unless that apathy can be removed, the right kind of progress we want in the production of cash crops in African areas will not amount to a great deal. I realize that those conditions may not apply to the Central Province, but I know from my own experience that they have applied and do still apply in Nyanza, and if the African Members could induce their fellow tribesmen to accept the encouragement and instruction given by Government, their progress will be very quick.

I beg to support, Sir.

MR. CROSSKILL: Mr. Speaker, Sir, I listened to the hon. Minister's speech with mixed feelings. I read it with even more mixed feelings. Since then I have come to the conclusion that they are the only kind of feelings one should have about a Budget. It was undoubtedly a most heartening Budget, but I do feel, Sir, that we must guard against over-exuberance and undue satisfaction with regard to our position. I certainly think that few countries in the world have weathered the storm of rebellion with less effect on their economy than our country has during the last three years.

My hon. friend, the Member for Nairobi South, voiced his thanks and

gratitude to the United Kingdom for their most generous assistance in getting us through the troubles of the last few years, and also he expressed gratitude to members of all Services who have given us tremendous assistance, without which we should not be in the present reasonably satisfactory position. I wish to be associated with those words of his, Sir.

The State of Emergency continues, but undoubtedly the enemy is tired and sick, and our economy is still expanding. Therefore, undoubtedly, he is defeated. But unfortunately, as I said, this State of Emergency is still with us.

Now, though the country's economy is sound, Sir, there are many individuals who have been severely affected by the conditions of the last few years and I do welcome the proposal by Government to allocate a quarter of a million pounds for the assistance of the individual farmers who have suffered severely. That is those who can be compensated, whose losses can be compensated in terms of money.

We are now, Sir, expending vast sums on rehabilitation. It is more apparent, perhaps, in the Kikuyu area than in other areas and I do hope that the Minister for Agriculture will ensure that an equivalent amount is spent on the other tribes. I know that vast works have been done in the Ukamba area, also in the Nandi area. However, perhaps there are other tribes who are not getting their share, who are a little farther away from the public eye, and I would instance the Maragoli and I hope the Minister for Agriculture, Sir, will give us an assurance that whatever work can be done towards the rehabilitation of their land, the reorganization, the aggregation and consolidation of holdings, will be carried out and that the money available will not only be spent on the Kikuyu.

It is an ill wind that blows no one any good, Mr. Speaker, and certain things—certain benefits—have come out of this rebellion. The aggregation of land, the consolidation work which is going on, and also I believe that the inauguration of villages is a landmark in the progress of the African people. I do believe that it will lead to much more congenial lives. They are a congenial and gregarious people, Sir, and I believe it will make their lives brighter and, perhaps, lead

[Mr. Crosskill] them to hold different views of life than they had prior to this Emergency. I think there should be more amusement, more music, more laughter, in life than there has been, and I think the inauguration of these villages will lead towards that. It is the village life, the fun, amusement and laughter, which played such a great part in the development of rural England, and it should play a great part also in the development of our country here. Not only will the inauguration of villages do that, Sir, but it will provide greater facilities for the spread of education. By that I do not mean merely academic education, but arts and crafts which have been so lacking in our country up to now. And even, perhaps, more important, the art of living.

We, I hope, Sir, have learnt our lesson. We must profit by it. We must not forget it.

In the last few years, Sir, we have seen a phenomenal economic expansion. From as short a time ago as 1939, when our revenue was two and three-quarter millions, it has expanded ten times. That is a phenomenal expansion. The East African Railways and Harbours Survey—the Economic Survey of East Africa—has shown us that the expectation is that there will be continued development. But, Sir, they do sound a word of warning. They have said that quite naturally they can only take into account that our economic expansion will be based on agriculture. They have said, furthermore, that the terms will be moderately against East Africa. That, Sir, is a warning which we must heed with regard to expectation of prices for the increased produce for which we are planning, and I would like to know, Sir, from the hon. Minister when he is replying, how the Economic Research Division is faring. I think we have heard too little about this division for which, as far as I remember, we voted some £8,000 in 1953. I do hope, Sir, they are keeping an eye on future market potentialities for the absorption of our increased produce.

So, Sir, we must not be over-exuberant. We must remember, Sir, that we are still, in a manner of speaking, reluctant men. We are still owing large sums to the United Kingdom Government. We have still got to pay the inter-

est on the loans which she, in her generosity, has lent to us. We must practise, I suggest, Sir, every possible means of economy. We must look for those candle-ends about which the Minister has spoken to us several times.

Now, with regard to the continued development, Sir, I would first like to mention the Swynnerton Plan. Again a note of warning was sounded in the Minister's speech that by the middle of 1958 we shall require more money for the full and complete implementation of that seven and a half million pound plan. I would ask the Minister for Agriculture to examine very carefully the progress of that development plan and see whether it is possible to convert some of the intended money which was to be in the form of free grants to the principle of loans. Now that has already been tried in African areas, and in certain cases with very great success. I refer in particular, Sir, to the Kili Ranching Scheme, and to which the African recipients of this loan money responded very speedily, and I believe, repaid the loan. I think, possibly, we might be able to complete the Swynnerton Plan without any tremendous demands for more capital by the conversion to the loan principle of some of the balance which has yet to be found.

Now, parallel to the Swynnerton Plan, we have the Troup Report. That, Sir, for some reason, was never debated in this Council, but I believe it has been tacitly accepted by Government as the "Bible" for parallel development by the Europeans. Now, there is some disquiet felt in the country, Sir, that there are inadequate funds for the development which will be required under the Ordinance which has recently become law, known as the Agricultural Ordinance. I was glad to see that the Minister has referred to it, and said that if required he would investigate and see whether he could make additional funds available, and I do hope that this will materialize if it is found necessary. But, Sir, there will come a time, and very shortly, when it will be uneconomic and unsound business to develop by further injections of capital, and in particular, loan capital. We must look to the time, and prepare for it, when people can develop out of profits, can develop out of savings. That, Sir, as I have said here

[Mr. Crosskill] in this Council many times recently, is impossible at the present time owing to the burden of taxation. Therefore that is an extra reason why we should watch every item of expenditure and exercise all possible economy in order that the incontrovertibly equitable recommendations of the Gill Report with regard to the agricultural industry in particular will be possible of implementation in the not very distant future.

Now, Sir, I wish to refer briefly to a matter which was mentioned by my hon. friend the Nominated Member, Mr. Riddoch, with regard to wattle. It is difficult to appreciate why this industry, Sir, has been singled out for the doubtful privilege of being the last and only industry to carry export tax. It would appear almost that it has been an oversight. That industry, Sir, has been paying export tax during the last four years and has provided some £370,000 to the country's revenue. If this export tax is maintained during the period under discussion, it will bring into the coffers of the country only £70,000. Now that, Sir, is not a very appreciable sum, and I believe that could possibly be sacrificed in order that equity should be done. It can have very little significant effect on our Budget. The wattle industry, I would add, Sir, is one which has suffered appreciably during this Emergency. It has been overcut in certain areas, where it has been found necessary so to do on account of Emergency operations. It is an industry which has no seller's market at the present time. There is a very fine balance between supply and demand, in fact there is a tendency for the price to go down on account of inferior substitutes which are being used. I feel that it is an important industry to this country which must not be jeopardized, and I think it should not be singled out in this invidious way. I would appeal to the Minister to find ways and means of not waiting until the next Budget but now, Sir, before this period comes into operation of relieving the industry of this over-onerous tax.

Now, Sir, I would refer to the Royal Commission on Taxation. Responsible bodies such as the Kenya National Farmers Union, the European Agricultural Settlement Board, are perturbed,

perplexed and even angry at the terms of reference which have been announced for this Commission. I think rightly so. Those terms of reference, Sir, appear to us to be circumscribed, narrow and not fitting to the circumstances. It is a long time since we had a complete review of the tax structure of this country, the Plewman Report nine years ago, and I believe it now to be time for an equally full review to be made, not merely limited to income tax and other forms of direct taxation.

It is not very clear, Sir, what the terms of reference mean. They are rather cryptic, and, with your permission, Sir, I will quote the first part of them. "Having regard to the extent to which the East African Governments depend on revenue derived from taxation of profits and income to inquire into, etc.". Now, Sir, that is not very clear. It appears to debar any examination of the tax structure of the country as a whole and I would like the Minister when he replies to state exactly what is meant by those words. Can, Sir, no consideration or recommendations be made with regard to the application of indirect taxes, such as the much maligned Schedule "A", which has been hanging over our heads like the Sword of Damocles, which has become rather rusty with time? Can no recommendations, perhaps, be made with regard to other forms of indirect taxation such as purchase tax, which would enable some of the incontrovertibly equitable recommendations of the Gill Report to be implemented? Are those avenues debarred?

The terms of reference, Sir, to the Royal Commission are most unsuitable, to our minds, similar to those of the United Kingdom. Now it does seem to me that we so often and so slavishly follow the pattern of the United Kingdom which is so seldom suitable to the conditions in this country. Here we have a multi-racial population, we have an under-developed country, conditions are dissimilar from those in the United Kingdom, so why should we adopt so often the pattern of the United Kingdom? At least, Sir, we do ask that one member of that Commission should be someone who has experience of, who knows the conditions of, development similar to those in this country of ours.

[Mr. Crosskill]

But, Sir, the words in the terms of reference are "Having regard to the extent to which the East African Governments depend on revenue derived from taxation of profits and income", but, Sir, before the Royal Commission can start its examination, it must know to what extent the Government of this country does rely on such taxation. It is indefinite, Sir. The Plewman Report recommended that the ratio between direct and indirect taxation should be a specified one of one to two and until 1952 that ratio obtained. But, Sir, since then there has been a slide and that has altered quite considerably. Therefore, Sir, what is the position of the Royal Commission? Will the hon. Minister state whether he is going to tell them to what extent he relies upon direct taxation, or are they to examine the situation and find out? That, Sir, is a point on which I hope the Minister will make a very clear statement.

Yesterday the Minister gave what I thought was a most unsatisfactory answer to my hon. friend the Member for Nairobi North with regard to graduated tax on wealth for the Africans. He said, Sir, that it had not been abandoned—the idea had not been abandoned. Now, Sir, that was first put up in 1945, and we were then told that it was administratively impossible to apply. We were told the same thing in 1955, and so I had hoped that he would give a more constructive reply, and a more definite date by which he could start this tax than merely that he had not abandoned the project. But I do presume, Sir, that he will tell us that he is awaiting the views of the Royal Commission on that subject.

Now, Sir, in talking recently about additional possible revenue for this country, I mentioned the question of the alteration of the system on which cattle herds are held, mainly by Europeans, from the cash basis to a valuation basis. I gave the details then and said that there are many thousands of heads of cattle which were still on a cash basis, and owing to that were bringing in no revenue to the country, but if we took the bull by the horns, as they did in the Union of South Africa, and forwent all past claims on this cash basis, we should from then start annually to get a reason-

able amount of revenue from those herds. I would ask that the Minister will give a reply to that point, which was omitted last time I put up the suggestion. I feel that, although we are in a better position financially than we expected, we are not so rich that we can ignore crumbs such as those—or "candle-ends".

I still, also, have not had a reply from the Minister for Agriculture with regard to the enormous capital asset which this country possesses in the form of African-owned cattle, which I believe to be 7,000,000 head. I hoped he would answer my questions before the Budget Speech. I hope it is not with intent that he has refrained from doing so. But it seems to me that this enormous capital asset, together with the grazing land which they utilize, must be worth some hundred million pounds, and it is a capital asset which, at the present time, is stagnant. I cannot think that it is on a foundation of such inert wealth that this fabulous neo-New York is rising around us at the present time.

Sir, with regard to civil servants, I think no one on this side of the Council will deny the necessity of some increased remuneration to them. But I would, Sir, not agree, I could not agree, with the hon. Secretary to the Treasury that we would all approve the consolidation of their remuneration, at this present time. I rather question the wisdom of this consolidation. At this time when there are indications that inflation is at any rate being allowed up, have we consolidated at the top of the market? I think there is a great risk that we may have committed this indiscretion.

We have indications of this, one I gave to-day, Sir, with regard to the East African Railways and Harbours Survey when they said that "terms will be moderately against East Africa in the future". I do not say that there will be a slump, who would be foolish enough to prophesy such a thing? But there may be a recession. We have now got a credit squeeze and I do think it possibly would have been wiser to continue the cost of living allowance for a little longer. I would ask the Minister when he replies to state whether there is provision for reversing the present increase of wages should the cost of living go down.

[Mr. Crosskill]

Furthermore, Sir, I do believe that when we make such adjustments in civil servants' wages and salaries, that these should be co-ordinated with the other East African countries. I believe that there has been unilateral action which has caused inconvenience, particularly down in Tanganyika, but I would welcome an assurance to the converse.

Finally, Sir, with regard to inflation—I would willingly, Sir, sacrifice the psychological prosperity, which was referred to by my hon. friend, the Member for Central Area yesterday. He said he felt that psychological prosperity was a great advantage, but I would willingly sacrifice that to know what the position is going to be next month and next year.

Now, Government policy, Sir, with regard to inflation, I feel is rather one of despair, of impotence. They seem resigned to it, and look upon it as inevitable, Mr. Speaker. I feel that they look upon it as something completely beyond their control by stating that the major influence creating inflation is an external one. Now, with that, Sir, I must disagree. Government policy, Sir, is described in the hon. Minister's speech, when he said "the whole world is suffering from this inflationary spiral, and Kenya is a dependent territory that has been caught up to some extent in this dust devil"; but, Sir, I feel that something can be done about it. I believe that in this country of ours we have more chance of controlling inflation than perhaps in most countries of the world. We are, I think, more self-sufficient in the necessities of life. I believe even the housewives' organization are beginning to realize now that the major necessities of life—bread, meat of various kinds, fish, dairy produce, sugar and the many other commodities which we produce in this country—can be obtained here much more cheaply than almost anywhere else in the world, and therefore, as a farmer, I do take exception to the manner in which the cost of living index is drawn up, in which one group is "food, drink and tobacco". Now, Sir, I think these commodities, which are produced at such a reasonable price, should not be lumped together with drink and tobacco, because when it is

reported that there has been a 5 per cent increase in 1955; that increase is not mainly in food—hardly at all—but in drink and tobacco; and I think that points, perhaps, a wrong picture.

Now, I think the main reasons for the inflation in this country at the present time are housing, wages, services, and transport. We have heard a good deal about housing to-day. It is an intractable problem—a difficult one—but one which, I feel, will be solved in the near future judging by the number of houses which are being built at the present time.

Wages. An increase in wages has been necessary for servants. I think to a great extent that could be alleviated by the reduction in the price of maize meal, and I still do not believe—I will not believe—that no solution can be found to the tremendous disparity or differential between the cost of maize produced and the price of maize meal. I still believe that there could be some way of selling bag maize to consumers in cities—perhaps freeing the price of maize meal whilst retaining control of maize, and I believe that the obvious answer is not necessarily that it will go under the counter, and that the price would even be higher, but I believe it might restore the situation.

With regard to services, unfortunately we have recently seen appreciable rises in the cost of the services provided by the East African Power and Lighting and the East African Posts and Telecommunications, and I am told that water is a very costly item too. I believe that people here must look for another kind of fuel. I believe that charcoal should be more used perhaps than electricity. I have not gone into this in detail, but I feel that it would be more satisfactory if, there were greater competition with regard to the provision of electric power.

Now, with regard to transport, Sir, I think here—particularly in this City—we have the most luxurious transport system in the world, and certainly one we cannot afford. I believe that is the major item which is contributory to inflation which is harming this country at the present time, and I think that the City Council could perhaps look into it with encouragement and assistance, and promote extra bus services. I know they

[Mr. Crosskill]

cannot afford large buses in large numbers, but they could have small buses in large numbers, carrying maybe six or eight people; and I believe that we could reduce the number of cars in Nairobi at least by 30 per cent if we really got down to it, and the City Council co-ordinated supply and demand within the area of the City of Nairobi.

I do believe, Sir, that inflation can be brought to a degree in this country—and in this country perhaps more easily than elsewhere in the world. In supporting the Motion, Sir, I do feel that we must face the future with the sober realization of the tasks and difficulties which face us at the present time. I think we must examine all the problems with which we have to contend, and particularly with regard to taxation, on as broad a basis as possible—on a broad and comprehensive basis, and not on the narrow one which has been described in the terms of reference of the Royal Commission; and, finally, Sir, that we must not hesitate to tackle even the intractable problems of inflation, even though on a narrow front.

Mr. Speaker, I beg to support.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, I should like to answer some of the points raised by hon. Members opposite, especially in regard to agriculture.

(MR. AWORI rase—)

Mr. Speaker, I will willingly withdraw and allow the African Representative Member, Mr. Awori, to speak if he wishes me to answer, Sir.

The hon. African Member, Mr. Gikonyo, when speaking, Sir, made a point about the restriction of one hundred coffee trees for African farmers. It was a point made by the hon. Member a year ago, but there is no real validity in it. Already the average African coffee grower in Meru, Embu and Kiambu districts has over one hundred coffee trees, and the restriction only applies in so far as the initial planting is concerned. If the African is an able planter, and manages his trees well, he can extend beyond the one hundred trees up to a limit which is solely dictated by his own ability to run the coffee efficiently; and

I am sure hon. Members would agree with me—we do not want hundreds and thousands of coffee trees—all tended, with disease and producing a quality of coffee which we cannot sell. I would say this, Sir, the coffee grown by Africans in the Central Province and in Nyanza-Ukambala—as far as I have seen it personally is really first class, and we are securing prices for African coffee which are in the top ranks of values for the whole of the coffee industry, and I do believe to allow unrestricted planting at this stage in the development of the African farmer would be a great mistake.

From that he went on to suggest, that really there should be no racial discrimination in the number of trees which people plant, and I would suggest, Sir, that as African farmers are capable they can extend the number of their trees beyond the initial limit of one hundred; the discrimination is not on a racial basis. It is entirely really one of capacity.

MR. AWORI: Why not in acres?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Sir, the hon. Member interrupted and asked why not in acres. The matter is solely related, Sir, to the number of trees which can be efficiently managed. Does the hon. Member want solemnly to sit across the other side of Council and destroy the quality of the coffee being produced by his own people? Then I do submit to the Council he is not being truly representative to the Council. He is not being truly representative of their best interests.

In addition, Sir, the hon. Mr. Gikonyo implied that because the hon. Minister for Finance mentioned that only 800 tons of coffee came from the African areas, he implied that the Africans were not doing enough. I do not think he had any such intention and that he meant to imply that at all. There will be in most encouraging and continuous rise in the number of tons of coffee produced from the African areas over the next decade if all goes well with our plans. I would like to say, Sir, it would be Government's wish to see that advance as quickly as possible. It is only one of the methods by which we can meet the mounting demand for services by the people of this country—by extending the

[The Minister for Agriculture, Animal Husbandry and Water Resources] base from which the revenues of this country are drawn.

He went on, Sir, to say that financial assistance to the African farmer is necessary, and I would entirely agree with him. We have got certain difficulties over giving loans to African farmers, which I have mentioned in this Council before. Our first essays in this matter were not too successful, as a number of the loans transferred themselves into bicycles and additional wives within the family household, and we have had to—there is no question about it, Sir—it is a fact—and we have now altered loans to loans in kind, which enables us to advance them more readily, and of course, when we have got the land consolidated, and a proper survey of it, it will be more easy still to meet the demand for assistance. I am not happy about loans to African farmers, Sir. If we could find a simpler method of doing it I would welcome it, but, Sir, I do not want the hon. Member to think that the Government is obdurate on it. It is merely a matter of finding security.

And, lastly, Sir, the hon. Member raised the question of £150,000 which he says was put down for consolidation, some of which has been used to encourage the African farmers. I am not quite sure whether he was referring to the £150,000 mentioned in the speech on the Budget dealing with land development, or whether he was referring to the Estimates in the Development Budget for land consolidation and survey. If the latter, Sir, it amounts to about £144,000 in total, and the whole of it is available to help Africans to consolidate, to plan, survey and eventually get title to their holdings.

Going on from there, Sir, the hon. Muslim Member for Western—Eastern Area—I am sorry, Sir, if he got translated—raised his perennial question on rice. I do not think, Sir, I can answer in detail at the moment, but the question he raised of the gentleman who apparently transmitted rice from Pakistan to Aden and then to Mombasa, and sold it at Sh. 227 a bag—I can tell him, Sir, we have imported to meet the needs of his community some extremely good rice—whose name at the moment escapes me because I am not naturally a rice

eater—which is selling at Sh. 1/30 a pound, and is not therefore very attractive, although its quality is superlative. We have, therefore, attempted to meet the needs of what I would call the selective rice eater, but with little success, because the finance apparently which he was willing to spend on really good rice is not as much as this cost.

Now, Sir, in regard to rice generally, we are trying to stimulate the local industry, and I think we can give it a due measure of assistance and help, bearing in mind the needs of the hon. Member's community for rice, and I hope shortly we shall be able to take some steps which will greatly ease the rice position. We have had discussions with members of trade which will allow greater flexibility in the import of rice, both from overseas and Tanganyika, and possibly, Sir, a certain amount of flexibility in the price structure, which will meet—I hope—the hon. Member's requirements. I would just like to point out to him, Sir, I hope to be able to do this before the General Election, although the number of rice eaters who will possibly vote for me is strictly limited.

Now, Sir, the hon. Member for Mau raised a number of points on agriculture with which I would like to deal. He mentioned, in particular, the problem of Maragoli in Nyanza, and I would like to tell him that, partly as a result of a visit which I made to that area, we have drawn up the necessary plans to attempt the very big task of reconstruction and rehabilitation of five locations in North Nyanza, together with certain areas in the Central Province. Now, Sir, in order to deal with those, it will need a considerable amount of money, and I must point out to the hon. Member that, whereas in one breath we have had considerable stimulus and encouragement to reduce taxation or control Government expenditure, the particular matter of rehabilitation of North Nyanza must cost money. Recently, when the Minister for Finance went to the United Kingdom, he did explore the possibility of finding the finance to carry out these plans, and I am very hopeful that we shall be able to start on them shortly.

I think the hon. Member also mentioned the Economic Research Division, and I think he had at the back of his

[The Minister for Agriculture, Animal Husbandry and Water Resources] mind that it did not do anything. What he would like to know, at the request of the Minister for Agriculture, one of its tasks has just been completed, and that is a complete examination of the marketing potential, or the marketing availability for the beef industry—if we can extend that industry. I have not received the report yet, but the Economic Research Division of the Treasury have been of the greatest assistance to our Ministry in looking into a future potential for beef exports, if and when we can overcome the shortage in the local market.

The hon. Member, Sir, also raised the question of whether we could not put across on to loans to Africans much of the development of the Swynnerton Plan. Well, Sir, the Swynnerton Plan is a very complicated financial issue, and I have not really entirely grasped myself—since I took over the Ministry—how it works, but we do give under the Swynnerton Plan—we already have provision for loans for development in African areas, and we are already operating those, as, for instance, in Kipsigis, where we make large loans to African local government bodies for water supplies, but I do not believe that we could really place on to the shoulders of the African population the problem of development in their areas by shifting over from a system of assistance under Swynnerton grants from the United Kingdom to straightforward loans which the African population would eventually repay. I believe—at any rate in the initial stages—that such a wholesale shifting of the burden would cripple the development of African agriculture.

Now, Sir, the hon. Member mentioned the Troup Report and, indeed, I made it quite clear, when speaking in Eldoret on the policy of Government, that it was indeed the intention of Government, as far as possible, to carry out the recommendations of the Troup Report. We could indeed carry out the fiscal recommendations of the Troup Report very easily in so far as allowing development reliefs in taxation, providing the other sections of the Troup Report—for instance, the rusty sword of Damocles, to which the hon. Member referred—were carried out, but that has not happened,

mainly because of representations made by the industry itself, and from that the hon. Member went on to criticize the terms of reference of the Commission on Income Tax.

I would like to make two points. The first is that it is not a Royal Commission in any sense or form. It is a commission set up, I believe, by the East African Governments under the aegis of the High Commission in each territory; and, secondly, Sir, it was never the intention of Government—nor have any representations ever been made to me—that this commission should be, in effect, a fiscal survey. As I have always understood it, the functions of this commission were to examine the incidence and impact of the income tax structure upon a country such as this, and the hon. Member mentioned that he felt we were not like the United Kingdom in that we had development and a multi-racial society. Now, I have not much sympathy for people who criticize the terms of reference. When I did look at the terms of reference I thought they were very adequate indeed to assess whether the present incidence of taxation in any one regard, or any one industry, is dilatorious or not. Nor, for instance—it says quite clearly—to consider the best ways of raising revenue required by each East African territory; and the taxation of profits and income, due regard being paid to the point of view of the taxpayer and the Government's. Now, it is reasonable that the Government's point of view should be paid attention to, because the hon. Member has just made a considerable number of demands for further expenditure, and, as a Government, we can only meet that by finding the money.

And, secondly, Sir, as to the desirability of encouraging productive enterprise. Now, I think that is the most operative phrase in the terms of reference, and it goes on, Sir, to say—"to consider the present size of allowances, reliefs and rates of tax as a means of fair distribution of the incidence of the tax." Now, I would have thought that if the agricultural industry made adequate representations to this Commission, indicating that the burden of taxation was stifling development, the terms of reference clearly allows the Commission to consider them. The hon. Member, Sir, also said that he would like to see

[The Minister for Agriculture, Animal Husbandry and Water Resources] revenue raised by a change from a tax valuation of herds—from a cash basis on herds—to a valuation basis. I do not know, Sir, necessarily, as a farmer, that I would accept that recommendation from him, but because I cannot vote against him later on in the year, it will not be much good. My reason for that, Sir, is that there is a tendency at the moment, Sir, certainly for dairy herds, to decline in value, due to the increasing restriction on the profit margins of the industry which, again, is due to the increasing pressure of the cost of production on the industry, and that means, in effect, that on a valuation basis the herds will be coming down in value, which will be set against the profit factor in the balance sheet, and it is most certain—at least at the moment—that the Minister for Finance will not be able to draw taxation in that way. Now, I do speak from personal experience, Sir, because my own herd I run on a valuation basis, and I am in the happy position to lower the value each year, which can be set off against the profit, so that, in effect, I do not think the hon. Member's suggestion would bring in more revenue. I think it would almost certainly reduce the revenue.

He made the point of the cattle industry generally, and I do compute that the cattle industry of this country represents at least 100,000,000 of capital assets, but it may interest the hon. Member to know that we also estimate that out of that 100,000,000 of capital assets, something like 15,000,000 a year is being contributed in one way or another to the geographical net income of the country: so it is really erroneous to state that there are vast, untouched and un-producing capital assets in the animal industry of this country.

Lastly, Sir, he made certain remarks about inflation. Well, I believe, Sir, the Government could stop inflation in this country on the lines the hon. Member stated, but I believe it would be disastrous for the country. I do not believe we can get away from the fact that there is a continuing progressive element of inflation which comes from overseas. It comes by a progressive decline in the real purchasing value of money, due to

constant wage rises in the country, such as the United Kingdom, which are not matched by the same, or better, or equal production figures, and, as long as that continues, I do not see how the cost of production in this country can be pegged at any one point. If the hon. Member really is sincere in what he says, it means, in effect, that the price structures which the Government has agreed with—for instance, the maize industry—would have to be abandoned, and we should peg maize at a completely arbitrary figure—we will say at the beginning of this year was Sh. 2 less than to-day. I believe that was done just as the same pincers are put on the civil servant or the salaried man or the importing houses, so they are on the agricultural industry, and I believe if the Government went out to control the inflation of this country within the resources at its disposal, it would, I fear, mean the pegging of agricultural produce and the pegging of all salaries in the country, together with profit margins, and that sort of thing. We would do irretrievable damage to the country.

Lastly, Sir, the hon. Member asked me, or asked the Government—whether we were satisfied about the differential between the price of maize and the price of maize meal. I believe, Sir—and I believe it was a conclusion to which my predecessor came—that you cannot have a guaranteed price structure for the primary product, which is the maize, unless you are prepared to have some control of the selling end. The whole subject is extremely complicated, and I do not want to bore hon. Members with it. I made it one of my first tasks when I took over the Ministry to see whether we could get a more flexible system of distribution of maize. Well, Sir, we are now preparing certain proposals to put to Government, rather on the lines of the Ibbotson Report, which might enable us to have a more flexible system, but I really cannot hold out any real hope of a substantial reduction in the differential between maize and maize meal.

I propose to give one or two reasons, apart from certain costs over which we have no control, such as bags, railway movement and that sort of thing. We did hold at one time 1,000,000 bags in store against the onslaught of invasions such as locusts, or excessive drought. That is called a strategic reserve, and of that

[The Minister for Agriculture, Animal Husbandry and Water Resources] 1,000,000 bags, 400,000 bags only is really against the blows of outrageous fortune, or the slings and arrows of outrageous fortune. The remaining 600,000 bags is necessary to carry the rising consumption of the country from the end of the crop season in the settled areas to the beginning of the crop season in Nyanza Province. Now, Sir, somebody has to finance that 600,000 bags. Somebody has to store it. Somebody has to provide the fumigation, unless it is to be lost.

That can only be done in three ways: either by passing it straight on to the trader, which will eventually end up on the consumer's plate. It can be done by Government—and I do really believe the Maize Control is to-day a most efficient organization, which has made substantial savings which have been passed on to the consumer, or, Sir—and I would ask the hon. Member to note this—we can meet the situation very easily by passing the whole of those costs on to the producer, but it must mean a reduction in the price of maize to the producer—maize itself to the producer—of a considerable number of shillings per bag.

Now, Sir, I do not believe the maize industry of this country can afford to carry those charges, and I would like to say to Council, Sir, that, as long as we wish to have a maize industry which will meet our needs and provide us with a small balance over against disaster, then we have to have some form of guaranteed price structure; and, if the hon. Member agrees with that, then it follows that we must have some form of end control. If we do not have that, then we could not guarantee the price structure to the producer, and I believe we would do immense damage to the producer himself.

Finally, on maize, I would just like to say this. There is always, I think, in a tendency such as this of rising prices, for everybody to point a finger of scorn at everybody else. The producer points at the consumer, or the service, Sir—that is 40 say, carriages, spare parts, Government services, etc. The townsman points at the farmer, but the fact remains, Sir, that if we are to destroy the maize industry, then the easiest possible way to do it is to destroy the guaranteed price structure which we have built up. We

should do irretrievable damage to a number of farmers who are contributing to the economy of this country in Trans Nzoia, and in my opinion—much worse than that—to many thousands of farmers who are building up new homesteads and new planned farms in the Nyanza area, which are built on the stability of the maize industry. Now, that is something at any rate that I would not ask the Minister for Agriculture to advise the Government to do.

THE SPEAKER (Sir Ferdinand Cavenish-Bentinck): This might be a convenient time to take the usual break. Business will be suspended for fifteen minutes.

Council suspended business at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. J. S. PATEL: Mr. Speaker, Sir, I join with others in paying my sincere tribute to our Minister for Finance for the very capable and imaginative way in which he has presented his Budget. Every credit is due to him, in these very hard times of Emergency, for keeping this country on its feet by finding money, both locally and from overseas.

Mr. Speaker, Sir, the Finance Minister, in his wisdom, has thought it fit to remove the export tax on coffee and cotton, but, if I may quote what he himself said a little while ago (with your permission, Sir), he said this:—

The Vasey Report, after recommending an export tax on sisal, coffee, etc., asked for a common fund to be established—

(Vasey Report '91, paragraph 4)

“to keep down the prices of domestic produce by eliminating the proportion of produce prices being appropriated for development”.

Now, Sir, I would have thought it perhaps more appropriate that at a time like this, instead of abolishing completely these taxes, the Minister should have created a fund—if he likes to say a betterment or development fund—a fund for the benefit of coffee, cotton or tea or any other industry, and it would have been wiser for him to see that this money is really spent for that purpose; instead of abolishing the tax and leaving the farmer free to either plough it back or use the money somewhere else.

[Mr. J. S. Patel]

Sir, when he imposed the personal tax, he more or less gave an understanding that he did so because he had to, and the country was facing a very difficult situation, that he will consider the removal of this onerous tax at an early date as possible, and, here again, if I may say what he himself said only a year or two ago, when he suggested that there should be no increase whatever to the lower income group. He said this, Sir:—

"There should be no greater burden imposed on the lower income group than is already placed upon them. I do know how difficult it is in a place like Nairobi for those people with families to maintain a standard of living to which they have been driven and urged by ourselves."

I think, Sir, that with the continued rising of the cost of living every day, we, as a Government in this country, have driven the ordinary man in the street to such a state that he cannot afford to pay this tax, which in all consideration is very unjust and unfair, and I think the Minister should give special consideration to this matter and remove this tax as soon as possible.

He has also, in order to find more money, and to make the African realize the value of hospital treatment, imposed a tax, but I think, particularly at a time like this, it is very hard and, even though men must pay for the services that they get, an argument was advanced by the Member for the Coast that, with a little hard work, he can find another Sh. 5 or Sh. 10, but if one were to watch how the African earns and how he spends, he would realize that he cannot do any more in order to meet the hospital bill, at the present moment anyway.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): I would suggest I would like to correct what has been said once or twice. There is no suggestion of a hospital tax. This is a question of a hospital fee.

MR. J. S. PATEL: I am sorry, Sir, but to the ordinary man in the street a tax and a fee does not make much difference.

Now, Sir, as the prosperity of this country is dependent on agriculture, and, in the absence of any mining possibilities in this country, I think everything pos-

sible should be done in order to help the agricultural industry, but, as it is necessary to develop agriculture, so it is necessary to develop human culture. It is, I think, not fully appreciated that, even though we have made great progress in providing academic education for people of this country, there is a great gap in between the boys leaving the schools and the number of employees required by the various departments of the Government of this country. There is a complete absence of cohesion between the two. There is no tie-up and no co-ordination, and the result is that, even though the Immigration Department, in order to implement the recent policy, has produced figures of so many thousands of children leaving the Indian schools and so many thousand children leaving the African schools, they have not followed it up and produced statistics to prove whether those children ultimately go—and I am pretty sure the majority of the children are wandering in the reserves. Quite a number of them are wandering in the streets of foreign lands, such as London, Edinburgh and Glasgow, and quite a few are wandering in the streets of Bombay and Karachi.

If the Government wishes to implement the policy of restriction of immigration, and look after the interests of the country, their first duty, at any cost, is to provide technical education, which would fit the people—the boys who leave the schools at a certain age—and put them into professions such as surveyors, mechanical engineers, electricians, bookkeepers, storekeepers and various other professions which we need in this country, and then there will be no need for further immigration. To restrict immigration now is to put the cart before the horse—we have to provide facilities in this country to train people, and not to provide sufficient technical institutions is, I think, a very great mistake.

My friend here says what about the Royal Technical College? Quite true. Recently we have had the Royal Technical College. The Royal Technical College has only been able to take the top-level students, and even a great percentage of those top-level fellows were also restricted, and the rest had to find other markets, and, after all is said and done, in Kenya, Nairobi is not the only pebble

[Mr. J. S. Patel]

on the beach. After all, there is the growing centre of Nakuru, and in Nyanza, Kisumu. I think facilities should be provided in Nakuru, Kisumu, Eldoret, Kilale and various other centres. The Coast is bound to grow automatically and I submit, Sir, that immediate steps should be taken to provide for these facilities, so that our young men could be fitted in and be found employment in this country, and then there will be no need for immigration either from Czechoslovakia, Germany, Italy, India or Pakistan.

While on the question of immigration, Sir, I would like to make it very clear that the Indian viewpoint is that we are not making a case for Indians to come to this country at all. We wish to stand in nobody's way, but I may tell you this for the information of my friend sitting on my left, that, in South Africa, the number of Indians are perhaps many more than they are in Kenya, and yet who is responsible for the doctrine of apartheid? It is not the Indians. I only say bring Indians into this country if they are any use economically.

AN HON. MEMBER: No more!

MR. J. S. PATEL: No more.

Now, Sir, it would be quite unfair if I did not mention the question of cost of living. Our present cost of living index does not include the lion's share of rental—the housing rent incidence is not included at all, which represents a percentage of 30 to 40 per cent. of a person's income, and the result is that a man getting Sh. 700 salary pays Sh. 330 for a flat of two rooms in Nairobi. We have got here the Elected Member working as the Minister for Housing, and he has, to his great credit, done very good work no doubt, and I wish and pray that he continues in his office for another term, but, Sir, to justify himself as Minister for Housing, it is up to him to find ways and means to produce for all the people—the three communities—living in the town, in addition a few sources. The local banks, in order to earn a higher rate of interest, are investing their deposits away from this country. The insurance companies are not spending as much money as they ought to spend, as a result of their obligation I think in the betterment of this

country. From these two sources, you can find money in order to finance the loans for the housing schemes.

Speaking on the credit squeeze, Sir, I absolutely agree with my friend, the Nominated Member for Nyanza, Mr. Riddoch, that so long as the credit squeeze is not taken so far as to cripple business, but is imposed with a view to control over-trading, it should be exercised.

Now, thinking about the industries, Sir, one item comes in front of me. Sometime back we heard from the Minister for Commerce and Industry, that we were getting a very big substantial oil company coming out to Mombasa for an oil refinery

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): I have never made any statement of that kind.

MR. J. S. PATEL: I think he at least gave us a hope that there is a possibility of it.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): I must ask the hon. Member to refer to the record. He will find that I have never made any statement of that kind.

MR. J. S. PATEL: Well, Sir, the fact is that this information going round the whole country—that a refinery is coming in at Mombasa, and for which concessions have been given! My inquiry is only this; I am not trying to criticize him at all, but if the Shell group, or any company, was intending to come, and is not likely to come, we can look for another company, so that our progress is not hindered.

Now, Sir, before I sit down, I would like to draw the attention of my friend, the Minister for Agriculture and Water Resources, that he has failed in his term of office to satisfy my constituents with the bare necessity of drinking-water in places such as Luwanda, Litein and many other small centres. I hope and trust that he will find time and money to look into this scheme and do everything possible for suitable provision.

Now, another item I would like to mention, Sir, is the police posts. The Minister, for Internal Security and Defence, has been very strict and is very keen on withdrawing arms which were issued even before the Emergency and I hope he will make sure that proper

[Mr. J. S. Patel]

police protection is provided at every out-post, and also make sure that wherever there is necessity for the issue of firearms he will see that such firearms are issued.

Now, one final item, Sir, I would like to mention before I sit down is this. We have been presented with the 1956/57 Estimates by our worthy Minister, the Minister for Finance, and I would like to know from him whether the Estimates reflect any policies or any proposals made in the Royal Commission Report? If not, Sir, it is time that the Government made a statement with regard to what their mind is on this issue, because in the country, there is a growing suspicion on the matter—even the Royal Commission Report is pretty old now, and it is getting dusty on the rack; in the country there is a feeling of frustration that the report is being shelved and I should be very grateful if the Chief Secretary, or the Minister for Finance, could make a statement as to what is their reaction on this Royal Commission Report.

With these words, Sir, I support the Motion.

DR. KARVE: Mr. Speaker, Sir, in the first place I would add my tribute to the hon. Minister for the way in which he explained the economics to all of us, at least to all of us who are ignorant of economics. I do not stand to criticize the Budget in any way, but I do wish to put in a few humble suggestions which might be of interest.

A few of our hon. Members have referred to the credit squeeze. As I am not learned enough in economics, I do not know how the credit squeeze acts as from the banks to the wholesale merchants or from them on to the retail merchants, but I do think that a credit squeeze to the ordinary man by refusing him credit and making him pay cash for everything that he buys, would do us all a great deal of good and will reduce, to a great extent, the cost of living.

The other day when I was discussing with a friend of mine, a grocer, he told me that the cost of sending his bills monthly to his customers and the time-lag between the sending of his bills and the collection of them, in the way of interest and other charges, comes to over 5 per cent; in fact, he suggested that it

very nearly comes to 10 per cent if the bad debts are included in it. Now, if it was possible for everyone of us to pay cash, the grocers would be able to reduce their charges by 10 per cent and I think it will go a long way. I suggest, therefore, that the Government should put in legislation to make bills from retailers to ordinary individuals irrevocable at law, like bar bills or betting bills. People say that this habit of paying in arrears is very difficult to cure, and that if a sudden change is made, it will be very difficult. I do not really think so. I think it will do us all a great deal of good.

Referring to another point about the fees to hospital patients, I do think it is a good thing, but I am doubtful whether it would be possible to collect the fees as is suggested by the hon. Director of Medical Services. It has been, I am told, a success at the dispensary in Nairobi. Well there it may be easy simply because one could easily collect a shilling, or sixpence, or whatever it is, when handing over the bottle, but it would be quite another story if weekly bills have got to be collected from in-patients. However it is, the principle is not a bad one. There is a feeling that anything that we get free is not valued and I know it myself. In Mombasa there was a dispensary which was run free up to very recently and they have just started charging a small fee—that is the Social Service League. It is, in my experience, that the prestige of that dispensary has gone up a great deal, even amongst the African clientele after they started the small charge for medicine which they are doing. In fact, before that time that dispensary was considered a bad one; they used to call it *dawa bure*.

Another point I wish to raise is that about hospital fees for Asian patients. This differs from place to place. They are different in Mombasa, Nairobi, Nakuru, Kisumu and all other places, even though, in most places, the accommodation is of about equal value. I could quite understand that in smaller places, where the accommodation and arrangements are not as good, it is not quite right to charge them the same fee as a town with better class accommodation like Mombasa and Nairobi. I, however, feel that the extra money so received should be spent in raising the standard of smaller places, rather than allowing them cheaper fees.

[Dr. Karve]

There is another thing I must refer to here, and that is the delay in the Asian Hospital Fund Bill. That was promised to us in the Speech from the Chair that was made by His Excellency, the Governor, at the start of this Council this year. There was a committee appointed to go into this question and this committee produced a unanimous report a considerable time back. Unfortunately, owing to pressure of work due to the Emergency, and I suppose due to the fear that it would cost more money, this Bill seems to have been delayed. But I do think that the Bill will not actually cost more money to the Government and, in fact, may save certain money to raise the standard of smaller hospitals in this country.

One more thing that I would like to raise, and I have raised that in former years, is about the apathy with which this Government is facing the question of family planning. I would not quite like to say that it is hostile to it, but it is certainly apathetic to it. We have tried to raise the standard of living of backward communities and I would say that my community is just as backward in this respect as any other, and, in doing so, we are trying to increase the production both in agriculture and in industry, but if this increased production is offset by increased population, there will be no result; we will be exactly where we were before that. We must, therefore, if we want an increased standard of living, try to put a stop and reduce the net increase in our population. In a report by the United Nations Commission, which published a small pamphlet on this aspect, they have given a warning that in all backward communities which are now progressing, there will be no real increase in the standard of living unless this matter is looked into. It is said and argued by many people, that the increase in the standard of living automatically leads to a reduction in the birth rate, but that is a long process, for, even in an advanced country like England, it took something like 75 years from the old Victorian times to the Georgian period; and for us we are not as advanced as the other communities—we would require more, in fact, death control without birth control may be dangerous.

There is another point I would like to raise, which is the difficulty in providing houses and, in this case, I am particularly referring to my community. Finance required by the smaller man to build a house for himself, or to build smaller houses is generally provided in other countries by institutions like building societies and insurance companies. In this country, the British insurance companies have, in a way, discharged this obligation as also have the building societies, but, unfortunately, the Indian companies have not played the game. I think there must be some way by which they are made to do so either by making law of some kind or by gentle persuasion by the Minister for Commerce, by telling them that if they do not do so the law will be brought in.

In other countries such laws do exist, and particularly now that the Indian Life Insurance has been nationalized, there has been an added difficulty for Indians trying to get loans from insurance companies because the nationalized Indian companies are not now allowed to lend as they want but are forced by the Government to invest their money in the way the Government likes.

Referring back to the question of family planning, I forgot to say one thing, that we might well emulate the example of the five-year plan in India where they are now going to plan to have 300 family planning centres every year in the rural areas during the next five years and they have actually voted during the five years a sum of one and a quarter crore rupees—which is very nearly equal to a million pounds—towards that because they realize that family planning is one of the greatest necessities of an under-developed and backward country.

With these words, Sir, I beg to support.

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, I do not wish to be repetitive but I would like to join with those other speakers in congratulating the Minister for Finance on his extremely able and lucid speech in introducing the Estimates.

Now, Sir, I cannot help feeling that there is a tendency in Government financial policy to put the cart before the horse in the sense that social services

[Group Captain Briggs] appear to enjoy a higher priority in the allocation of finance than do those services which are productive and which add to the strength of the economy of the Colony. For example, I would classify expenditure on agricultural development and roads as productive, whereas expenditure on such items as, shall we say, prisons and community development, I would certainly classify as unproductive.

Now, Sir, it is my belief that if the economy of Kenya is to survive and if the economy is to expand, there must be a drastic pruning of all those departments whose activities make no contribution on the one hand to productivity and on the other to security. Now, Sir, some time ago I moved a Motion in this Council urging the setting up of an Economy Committee. That Motion was rejected. I moved it, to the best of my recollection, in November, 1954, and, while admittedly the main objective was to effect economies in Emergency expenditure, nevertheless, Sir, I do believe that to-day the need for such a committee is even greater. I am convinced that unless some such body is set up to examine the whole field of expenditure with due regard to the points I have made, those effective and necessary economies will not be made.

Now, Sir, many of those in Government service know full well where waste is taking place and also, I would add, where the "Little Empires" are being created. I should like to see some system introduced whereby the most junior members of the administration are enabled to make suggestions for greater efficiency and for cutting out waste. The suggestion box has been found to be successful in many business enterprises, and I see no reason why it should not be equally successful in the field of Government service.

Now, Sir, I would like to ask the Minister for Finance for the full reasons for setting up the Commission on Income Tax and particularly in what way he considers that the report of that Commission is likely to fulfil any objects which have not already been dealt with by the Gill Report, which, I might add, was only laid before this Council after a very long delay and after considerable

pressure from hon. Members on these benches. I would, therefore, like to know how long a time is likely to elapse before the results of that Commission are made known. If the appointment of this Commission is going to result in the revision of the whole field of income tax, and if the result is going to be that the burden of direct taxation is more equitably distributed between the communities, then I will certainly welcome it. But, in my view, it would be even more welcome if it was within the terms of reference of the Commission to express an opinion as to the suitability of income tax as a form of taxation for application in a multi-racial country.

Now, Sir, I am sure that I should be expressing the views of farmers in the troubled areas in thanking the Minister for Finance for responding to the plea I made in this Council in a previous debate for assistance for those farmers who have suffered from the effects of the Emergency and the effects from the denial of food regulations. The loans which he is making available to those farmers on such generous terms, will, I am sure, be deeply appreciated and will undoubtedly help those farmers to rehabilitate their farms and to ensure that they again become economic and productive units.

Now, Sir, I regret very much that the special contribution to the Road Authority from general revenue has been reduced from £150,000 last year to a mere £50,000 for the next period, on the grounds that the authority's revenue from vehicle taxes, licences and petrol has increased. Now, I am quite sure that the Minister will agree that the increase in revenue also implies that there will be a relatively greater increase in the wear and tear on the roads. The contribution from general revenue to the Road Authority is, I might add, the only contribution which the Government makes to the Road Authority in respect of the use of the public roads by Government vehicles, which of course pay no vehicle tax, and, I might say, it is the only contribution which is made, so far as the use of the roads is concerned, by the general public—cyclists, pedestrians and so forth. Furthermore, the Minister must be aware that a very high proportion, or quite a high proportion, of the roads in the more remote parts of the Colony are maintained almost solely for

[Group Captain Briggs] improvement. Now, here is a clear case. I submit, Sir, of a cut in productive development expenditure. The sum of £50,000 per annum, which from the information I have received, I believe to be almost entirely absorbed in the upkeep of the roads I have referred to—roads which are only used by, or almost entirely used by, the administration—is quite an inadequate sum to cover the Government's contribution. I think, personally, that it is extremely unfair that private motorists and transport operators should be called on, in effect, to bear almost the entire cost of the upkeep of the public roads. I am afraid, Sir, that the Minister does not altogether appreciate the economic importance of good road communication, nor does he appear to realize that unless very substantial capital sums are made available very quickly to the Road Authority, a very grave crisis is going to arise in connexion with the roads in this Colony.

As I have repeatedly stated in this Council, in previous debates, the trunk roads in this country have reached the stage when very few of them can be maintained economically on a gravel basis. Not only is this due to the increase in normal traffic, but certain enterprises have started using mammoth lorries and trailers for which the roads are not suitable. In the course of a single journey, one of these Leviathans can do as much damage to a gravel road in wet weather as their total contribution by way of vehicle tax and petrol tax for the whole year.

Now, Sir, it seems to me that in these circumstances, there are only two courses open to us. The first is to so increase the taxation on very heavy vehicles so that their contribution to the revenue of the Road Authority bears some relation to the damage that they do to the roads; the second course, which I think is the right one, would be to bring the roads up to a standard capable of carrying traffic without having to resort to penal taxation with a view to stopping it. That, I am convinced, would be the right and proper course to take. But, Sir, what has, in fact, happened, is that the Minister has not only reduced the Government's contribution to the maintenance of the roads to £50,000, as I have already said, but only £562,000 is provided for in the Development Estimates for capital

improvement. Now, here is a clear case. I submit, Sir, of a cut in productive development expenditure.

There is one other point that I would like to make, Sir, at this point, I do not think that it is a matter of great urgency that the Manzoni Report should be published as soon as possible and I hope very much the Minister for Finance will find it possible to lay that report before the Council before the present sitting of Legislative Council ceases.

I see, Sir, that the Development Programme of the East African Railways and Harbours calls for the raising of very large sums of money for capital development over the next few years. I would like to suggest that part of the loan funds that will be required should be diverted to the roads for capital improvement.

I would like to see a committee set up to try and reconcile the claims of the railways and of the roads. Naturally the railways will argue that good roads will lead to a diversion of the more highly rated traffic from the railway to the roads and that, quite clearly, is a point that must be considered, but, if good roads were provided, I can see no real reason why the railways should not themselves take part in road transport and such development might, at the same time, reduce the needs of the railways for rolling stock and additional lines and so forth, and so on. I would like to see an examination of the whole field of transport with a view to the most efficient use being made of the loan facilities which are available, and I hope that might lead to the roads in this Colony no longer being the Cinderella so far as capital improvements are concerned.

Now, Sir, in view of the fact that the Council will have another opportunity of referring to the Emergency matters, I do not propose to touch on anything to do with the Emergency. But finally, I would once again like to express a grave doubt as to whether a young and developing Colony can afford to devote such a high proportion of its expenditure to welfare services.

Subject to those comments, Mr. Speaker, Sir, I beg to support.

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, in supporting this

[The Chief Secretary]

Motion, I would like to say what pleasure it has given us, on this side of the Council, to hear the warm tributes paid to my hon. friend, the Minister for Finance, on his proposals for the conduct of the Colony's financial affairs during the coming year.

The Budget is, indeed, almost universally acceptable and, so hard is it to find any major points of disagreement, that Members opposite have been compelled to fall back on matters such as the old Aunt Sally of the Information Department and the hardy-annual of competitive examinations in the Civil Service.

The hon. Member for Nairobi South, after a reasoned and a cogent plea for economy, and after a sensible demand for the most effective possible use of Civil Service staff, suddenly weighed in with an extraordinary suggestion that there should be a new department for the purpose of combating subversion. The responsibilities of this department, if I understand the hon. Member aright, will overlap those of the Provincial Administration and of the Kenya Police, in particular the Special Branch, and will largely duplicate those of the Information Department. The hon. Member was correct in saying that the problem of internal security and of preventing subversion requires the co-ordination of a large number of departments. It does indeed, and this co-ordination is provided, and provided very effectively, by the War Council at the highest level, by myself at a lower level and by Provincial Emergency Committees and District Emergency Committees. We shall doubtless have to find some suitable method of achieving this co-ordination as the Emergency runs down and these bodies cease to act in their present form. It may, indeed, be necessary to retain them.

If this additional department were imposed upon the Government, presumably in my Ministry, to do work which is already being done extremely successfully, we should, indeed, arrive at a nonsensical state of affairs. The department envisaged by the hon. Member is expensive, unnecessary and otiose; it would be a fifth wheel to a coach which the hon. Member himself has said,

already carries far too many passengers. Nevertheless, the hon. Member's remarks concerning the need to concentrate our efforts to avoid future emergencies, and to nip subversion in the bud, are very much to the point. Let me reassure him. Sir, the Government recognizes that this need exists and the Government is satisfied that both the Administration and the police are properly organized to deal with it. In addition, as was made clear by my hon. and learned friend, the Attorney General, yesterday, the Government has recently been making a careful study of emergency legislation and statutory legislation dealing with matters of security, not only in this Colony but elsewhere in the Empire. The Government is clear, in its own mind, as to what additional legal powers it requires for the better preservation of public order, and the appropriate legislation will, before long, be put before this Council.

With regard to the Information Department, the hon. Member observed that it was going off at a tangent—whatever that means—he said, "going off at a tangent", without proper briefing either from the Provincial Administration or the Special Branch. Now, the hon. Member knows perfectly well that this is just not the case. Whenever it is necessary for the Department to take part in some special effort in connexion with security matters, it is advised at all points by the Administration and by the Special Branch. Last year, when we undertook a fairly long campaign designed to persuade terrorists to leave the forest and surrender, virtually every broadcast made to those men and the contents of every handout were drawn up as a result of discussions and rediscussions inside a small committee upon which were represented the Administration, the Armed Forces and the Special Branch. The Department was, indeed, the agent of that small body. In its day-to-day activities the same principles apply. It is in constant touch with the Ministries and, where necessary, is guided by a standing advisory body.

I now turn, Sir, to the question of competitive examinations for the Civil Service. I was under the impression, Sir, that I had, in last year's debate, gone as far as, or even farther, than good manners permitted, in emphasizing to the

[The Chief Secretary]

Member for Central Area that the Government had no intention whatsoever of introducing competitive examinations to the Civil Service. If I may quote from the great doctor, His returning to the charge denotes not "fortitude of mind" but "stark insensibility".

The reason why the Government will not introduce competitive examinations is briefly this. No examination has yet been devised to test and to measure those qualities which we consider are absolutely essential in a civil servant. They are reliability, integrity, courtesy and scrupulous trustworthiness. I, myself, have had experience of young men with diplomas and degrees bulging from every pocket, but of characters which were such that I would not have trusted them with fourpence of the public money. I have also known a number of district clerks and district cashiers who would probably have had the greatest difficulty in passing the simplest examinations, but those fellows were models of good manners, probity and uprightness. They were everything that a civil servant should be. Does the hon. Member seriously suggest that the first type of person is better fitting than the second type? He made great play with the word "injustice". I may say here that we hear a great deal too much about injustice, victimization, discrimination and all the rest of it. We must use our words more carefully. If there is in fact an injustice let me hear of it. Even in a country of homogeneous race and widespread education and a long tradition of public service, examinations are a very capricious guide; to adopt them here would be actively harmful. My views are strengthened by the recollection of a petition I received some years ago from a group of young men who complained that their careers in the Civil Service were being jeopardized by the high price of examination papers on the black market—they demanded that Government should intervene.

Sir, I hope I shall not have occasion to speak again about this matter. If I should, I should dismiss it with a brief "pooh".

The hon. Member for Central Area also raised the question of inducement pay to certain Africans and Asians in the higher ranks who are working for

the High Commission services. The position is that, since the publication of the Lidbury Report, all officers recruited locally into the Kenya Government service, whether they are Africans or Asians or Europeans, have been appointed on non-inducement terms. A number of officers have been appointed on inducement terms; they are those who appeared before the Secretary of State's Appointments Board which visits this Colony twice a year, and, having been successful in their applications, were appointed to "A" Scales or professional scales. The same principles of recruitment have been adopted by the Posts and Telegraphs and by the East African Railways and Harbours. These Administrations have made no local appointments of African or Asian staff on inducement terms of service since they accepted the salaries revision.

The hon. Member for the Western Area asked when the Council will have an opportunity of considering the Royal Commission Report. As hon. Members will be aware, this report was submitted to Her Majesty's Government in the United Kingdom and it is essential that we should not debate the report here, or publish the Government's views on the report, until similar action is possible in the United Kingdom. We are, in fact, dependent upon the timing in London.

I would like to record my full support, Sir, of the very wise words of my hon. friend, Dr. Karve, on the question of family planning. The destruction of natural resources throughout the world, the neglect of water supplies, the wanton cutting down of forests, the over-cropping and over-grading, is reducing the carrying capacity of the whole world. It is not only an East African problem, it is a problem which is world-wide; unless we are careful, that very thin crust of top soil of the surface of the planet which enables man to exist here, will cease to be, and man will, in fact, have been destroyed by his own fertility. Ten years ago this was the biggest problem facing the world; it is less important now, since it seems likely to be solved by the atomic bomb.

When Dr. Karve was speaking, I saw the faces of a number of Members opposite split into vapid smiles. They are like men who royster in a graveyard; let

[The Chief Secretary] them remember what the Commendatore said in the last act of *Don Giovanni*; he said "Before morning your laughter will have turned to tears." Let them make certain that the morning does not come in their children's time or their grandchildren's time.

Sir, although I share the distinction with the hon. Member for the Coast of having won a prize for economics at my prep school I do not propose to trespass on fiscal preserves, but I must address one adjuration to those hon. Members opposite who seem convinced that free medical services and almost free compulsory universal education is theirs as a matter of right. The wealth we need to pay for these services must be found from somewhere. It must come from below the ground, or it must come through the ground, or it must come from the hard work of the men of the country. It will not be found by the efforts of those who produce a grudging four hours a day, either working for themselves or for an employer. This matter was put to me in a nut-shell some years ago by an old fellow I met in Perthshire. There were some tinkers living near us who had been exceptionally idle for a number of days and he pointed to them with a gesture of disdain and said, "No folk can get a high standard of living by sitting on their arses and doing naething!"

MRS. SHAW: Mr. Speaker, Sir, I think the 1956/57 Budget has been generally accepted with a sigh of relief as a good Budget. Whether or not it is a personal triumph for our Minister for Finance, I am not sufficiently of a financial pundit to be able to judge, but I do know that his speech in introducing the Budget was a masterpiece. It was so lucid, so clear, and could be heard in every part of the Council and he held the interest throughout the long 2½ hours while he spoke.

I am only going to make three main points in speaking in this policy debate, and, at the risk of being repetitive, I am going to join forces with the hon. Member for Mount Kenya on the question of communications. I welcome the appropriation-in-aid fund. It is something that has been advocated by the European Elected Members for a long time with

special reference to the Road Authority, because we do feel that, with this different system of accounting the Road Authority will benefit by an increased income. However, what the Minister for Finance gives with one hand he takes away with the other, for we find ourselves with £100,000 cut in the capital grant to the Road Authority which is a tragedy, I think, for the development of the Colony at the present stage. I find it hard, indeed, Mr. Speaker, to understand the Minister's policy as regards communications. You only have to travel in the up-country areas of this Colony to realize that productive development is outstripping road development at a most alarming rate. With your permission, Mr. Speaker, I should like to quote what the Vice-Chairman of the World Road Federation has said in this matter. "Man's progress through the ages, this march of civilization in which we are all so exhaustingly involved, has always been bound up with man's ability to develop communications which are the channels of economic progress", and he continues in a latter part of the same article by saying, "The most striking economic fact about road development in the last 20 years, is that it has failed to measure up to the need of an expanding world economy. It has failed in almost every country in the world to a greater or lesser degree and the full economic and social implications of this failure are striking". That, I think, is very much the position in the Colony to-day. It is very true of Kenya for, in many parts our main trunk roads are still of a murrum standard and with the ever increasing volume of traffic and the ever decreasing volume of work which is being put on those roads by our Public Works Department, the result is that very soon, especially if the long rains continue well into the year, we may be faced with a complete breakdown of our road system in some parts of the Colony. This situation is a very serious one and I intend, under the appropriate Head, to go into the matter in much greater detail giving facts and figures for my allegations.

To turn to development, there are three main prerequisites, I believe, for development in this Colony. The first is security. That, as we all know, is being

[Mrs. Shaw] looked after, for, if you look at the pattern of our expenditure, which the Minister for Finance gave in the Budget speech, you will find that we are spending over a quarter of our income on internal security coupled with defence. This is a tragic necessity and I am afraid a necessity that will be with us for the foreseeable future because, although the Emergency may well be in its closing phase and this has enabled, already Government to make a reduction of the armed forces, there can be no reduction, for many years, in the closer administration which is absolutely necessary and, in this, I am not only referring to the Central Province. This closer administration is extremely costly, but it is not half so costly as another Emergency.

The second essential I have already touched on is communications and I have dealt with them, or the lack of them. But the hon. Member for Mount Kenya pinpointed what I said by one remark. He said that the Development Estimates for this year show only £562,000 for capital road work. I would also like to point out that in that major work, the Swynnerton Plan, there is no, I believe it to be true, provision made for roads whatsoever.

Labour is the third on my list of the essentials for development. Yet, what are the facts about labour—the labour situation in this Colony? It is often said that figures are pliable but facts are stubborn. I would point out to-day that the fact is that the bulk of our available labour, and I underline available, is almost unemployable.

At a meeting of farmers' representatives in Kericho, under the Chairmanship of the Provincial Commissioner, the other day, the opinion was voiced that it would not be a matter of being able to produce economically very soon but of being able to produce at all. Answering the strong criticism of the irresponsibility of African labour which was made by the Chairman of the Sisal Growers' Association the other day, the hon. Commissioner for Labour said "that he believed it is essential for industry to create a stabilized labour force if a satisfactory output is to be achieved. We all agree with the hon. Member when he

says that but the question is how? He added that, as a short-term measure, the Government is thinking of making contract labour available to industry and I imagine he includes agricultural industry in this, from outside the Colony. That, I consider, Mr. Speaker, is a tragic admission of failure. That is the question that I pose to the hon. Ministers for Labour, Agriculture and Commerce and Industry, that question of how we can provide labour, that although there are demands for higher wages these will be offset by higher productive efforts. I do not see how many farmers are to continue to produce and certainly there will be no question of increased agricultural production because there is no point in planting fresh acres when your already-planted acres are going back to the African bush.

This is a major problem and a most urgent one. Had I been an intending investor in this Colony, listening to the Minister for Finance, when, in his speech he described, with considerable optimism, Kenya's buoyant economy and her expanding development, I should have said that this country was a very safe bet. Well, I hope it is a safe bet because my family have invested everything they possess here and we still believe, firmly, in the future of Kenya. But, when you travel round a province, as I do, and, indeed, all my agricultural colleagues, Members who represent agricultural constituencies all do—you cannot help but be depressed by the recital from all of the farming community of the ever-increasing difficulties of production owing to the growing irresponsibility of, again I repeat, as far as Nyanza is concerned, the only available labour. For to-day, these days of high prices and high cost of production, the small farmer especially can only survive if he can have the use of an economic labour force. In fact, one small farmer the other day said to me, and he is a farmer who farms in a most modern fashion, and has done intensive farming with dairy as a basis. He said, "I have always contended that a small acreage could be made to be economic, could be made to pay and could be very productive, provided it was done on the right lines, but to-day I am defeated. I am defeated solely and simply by the labour."

[Mrs. Shaw]

Now, Sir, this is not only a very sad state of affairs, but a very alarming one, and the Government must turn all their energies to this vital problem.

Another thing which is of some importance and which I do not think the Government has tackled with great vigour, is the cost of living, and I commend the oil companies for their efforts in this direction, although I am depressed to learn that petrol dealers of a certain community have already gone back to giving credit. Now, that will underline the difficulties with which we are faced in this Colony, when we try and impose a credit squeeze. But I do believe that the only way to bring the cost of living down is to live on a cash basis and I would commend that to all young married couples.

I would join, I think, the hon. Members who spoke on this point, in asking that the wattle industry should not be penalized any further by this very inequitable form of taxation—the export tax. The hon. Nominated Member, Mr. Riddoch, spoke at length on this matter, as did another Member, so I would merely add my plea that the wattle industry should receive the same kind treatment as the coffee growers of this Colony have in this Budget.

I also would like to join forces with the hon. Member for Mau in asking for a reduction in the price of posho, because it is a basic foodstuff in this Colony and I believe that if a reduction could be brought about in the price structure of posho, it would have a tremendous effect on the cost of living in this Colony. It is still my belief that although I know a measure of control is necessary, I would much prefer that measure of control to be on the lines suggested in the Ibbotson Committee rather than under the existing—Maize Control. I feel this would be a great advantage to the Colony and although, as is pointed out in the Ibbotson Report, you could not expect an enormous saving, I do not think that there would be some saving, and also a greater efficiency.

I welcomed the hon. Member who spoke for the Treasury in his suggestion that all Government Departments should look to economy. That we have always advocated on this side and although our

first attempt—the one-man commission—was not highly successful, because as I think I stated before in this Council he started with the Treasury and came out, I think, with a report that asked for extra staff; he then got bogged down in the Public Works Department and, from there I do not think he ever emerged again. We hope for greater things from the members of Her Majesty's Organization and Method's team, because after all, when Her Majesty's Government is helping to foot the bill in this Colony they must have a great interest in how we spend their money.

To conclude, Sir, I share the Minister for Finance's optimism as to the future of this Colony. I have only tried to point out some of the tremendous difficulties which must be overcome and I would like to conclude in supporting the Motion by quoting a Chinese proverb, which says: "You must scale the rocky mountain to view the fertile plain".

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): Mr. Speaker, I have only a few remarks to make that arise out of remarks made by certain Members opposite. First, I would like to deal with one or two points raised by the Member for the Central Electoral Area. He referred somewhat obscurely, not for the first time, to what he considered was a desirable means of persuading banks and insurance companies to invest their funds in this country. This point was also referred to by the hon. Nominated Member, Dr. Karve, and also by the hon. Member for the Western Electoral Area. Now, in a country such as this where we are short of capital, where, if we are to develop, capital must come in, I can think of nothing that is more dangerous or more foolish than suggestions that by law we should force those who have brought capital into the country and are doing business in this country—that we should force them or threaten to force them to invest their surpluses in this country. In other words, the policy of the hon. gentleman would be this: get them in and then say "now we have got you; now we are going to tell you what you do with your profits", and then of course we go along and say we want others to come in and follow precisely that course of action.

Now the hon. Member for the Central Area is a very intelligent man. I do not

[The Minister for Commerce and Industry]

believe that he has deceived himself for one moment when he makes these suggestions. I cannot believe that he is making these proposals for any reason other than that he believes such a course would be popular. Now it might well be popular to those who do not consider its full implications, but in terms of a country which, as I say, is trying to attract capital, nothing could be more suicidal.

The hon. Member for Mount Kenya referred to the allocation of funds to the various forms of transport, with particular reference to the proportion that might be allocated to roads, as against the proportion that might be allocated to rail. He called for an interterritorial conference—

GROUP CAPTAIN BRIGGS: Not interterritorial.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): Sorry. He called for a conference where those respective priorities could, *inter alia*, be worked out. I can assure the hon. gentleman that that is to be done in the very near future. What the result will be, of course, is impossible to say. All one can say is that the relative priorities will be examined. The loan capacity of the three East African territories—the Railway Administration, the Post Office Administration—is limited, therefore it is essential that priorities should be worked out. My hon. friend, in his reply, will no doubt refer in greater detail to that point.

The hon. Member for the Eastern Electoral Area referred to one point that surprised me, and my hon. friend, the Minister for Finance, asked me to deal with this point. He said there was no anxiety to pay back loans. Well, the fact is that as a country that in the next few years will have to seek loans for development without entirely disagreeing as to the desires of the people, to which the hon. Member for Nairobi South has just referred, we are of course servicing our loans according to the contracts that are entered into. We have got sinking funds and, of course, it is the anxiety of Government and of all Members of this Council to preserve the credit-worthiness of the Colony by showing keenness and anxiety to live up to our contractual obligations. I think that that cannot

should be laid straight away, because nothing could be more dangerous than any suggestion that the Government is not determined to meet its financial obligations in regard to its loan programme.

The hon. Member for the Western Electoral Area made what I thought were some ill-advised remarks about the possibility of a refinery at Mombasa. He purported to quote me, without giving any reference; again, when I had to deny that I had said what had been attributed to me, he still "quoted". Well, I would like to give the hon. Member the benefit of the facts, because like the person referred to by the poet Goldsmith, I find that "the more he is vanquished, the more he argues still", and I would like to remind him that when a Bill was introduced into this Legislature to set aside land for a possible refinery in Mombasa, it was made absolutely clear that they had five years in which to make up their minds whether they would go ahead with an investment which might well run into £50 million or £60 million. I cannot believe that the hon. Member wishes to make cheap debating points—because that is what they are, Mr. Speaker—by saying that unless they come forward now, when over three years of that period that we pledged to them has still to run, that we should go to others and break our word, because that is the implication of the hon. Member's remarks. I believe that his remarks were irresponsible in the extreme and could only assist or dissuade those who may well come here from doing so. The Government's word is pledged and there can be no question whatsoever of bringing pressure to bear against our pledged word and the word of this whole Council.

Now, Sir, there was one point raised by the hon. African Representative Member, Mr. Gikonyo. He referred to loans for farmers and touched on the question of loans for African traders. I would like to report to Council that the money the United States Administration so generously offered to assist this scheme has just been made available. It is not yet available in this country, but it is in the words of that Administration: it is now obligated and is in London! The money, as the hon. Member is aware, has to be matched from contributions

[The Minister for Commerce and Industry.]
from authorities here in this country, pound for pound. That will be done and, of course, as soon as the first sum is available, then an appropriate Supplementary Estimate can be introduced. In the meantime, nothing is being held up and we are going ahead as quickly as we can.

I do not think, Mr. Speaker, that there were any further points upon which I would wish to comment, and I have pleasure in supporting the Motion.

Mr. Awori: Mr. Speaker, Sir, like the other hon. Members, I rise to support the Motion. Unfortunately I have to deal with the Minister for Agriculture, but he has already spoken, and the Minister for Commerce and Industry and he has already spoken, but there is the Director of Agriculture and he will be able to reply to my queries, and there is a Parliamentary Secretary who can do likewise. Then for a small point I shall deal with the Minister for Health. The others can rest assured that I shall deal with them when I have finished with these. Then overall, with the hon. Minister for Finance.

Now, Mr. Speaker, I must say you have given us rich latitude over this debate, because after listening to the speeches I find that most of the Members have gone beyond the real Budget speech given by the Minister for Finance. Well, I think that shows great credit because you have been one of us here, and so you have earned our gratitude.

Now, Sir, I would like first of all to deal with agriculture and that is really the Minister for Agriculture. The real stuff I would like to deal with is about the export tax on cotton. I know that the European public in this country—they have been satisfied that the Minister for Finance has had to waive this export tax on coffee but, Sir, I am not going to say that the Africans are satisfied with the waiving of the export tax on cotton. In fact, they had not the slightest idea there was anything for export tax on cotton. They never knew anything at all about it. I know, Sir, that in 1951—that was the time when, on cotton, the Africans were paid, I think, 62 cents per pound. The Director of Agriculture could correct me

later if I am wrong about it. Now this year it is 51 cents, which is 11 cents short since 1951.

Now we received in connexion with export tax—and I stand for correction—we have realised some £680,000 from export tax. The African does not know anything about this, Sir. He does not know at all. And if he knew he would make a great fuss to know that £680,000 of this had gone to export tax; he would make a great fuss.

Now, Sir, I would like to propose this. There is this question of export tax on cotton. After waiving it, I would have liked—and this my colleagues and the African public would appreciate—I would like the Minister for Agriculture to start compulsory acquisition of ginneries in the African areas, to be put into African hands with European support. I mean the European grower. In that case the African cotton growers will benefit. Presently, when they waive this cotton export tax, the Africans do not benefit at all. In Uganda it has been done and the Uganda Africans had benefited by compulsory acquisition of the cotton ginneries and by putting up factories for coffee.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): The hon. Member, Mr. Speaker, is not quite correct in saying the African producers do not benefit at all by the removal of the cotton export tax, because of course they do benefit by the amount of the tax.

THE SPEAKER (Sir Ferdinand Cavendish Bentinck): Mr. Blundell, I cannot, I fear admit this intervention as coming within the scope of personal explanation of what you said or as justified on a point of order.

MR. AWORI: Well I am coming to that if you will just wait, Sir. After removing this export tax, I should like an assurance from the Minister for Finance or from the Director of Agriculture, what minimum price they are going to offer next year for the African cotton crops in the Coast and in Nyanza—if we can get an assurance about this. Otherwise, presently it is 51 cents per pound; next year it might be 49 or 51; now what is the African benefiting out of that?

[Mr. Awori.]
We have got a plan which, Mr. Speaker, when you were Minister for Agriculture, you introduced a Bill here, when we established this plan, and I think we have got about £1,400,000 which is still available here, and speaking from my own experience in Nyanza, we have got a ginnery at Ndere, we have got a ginnery at Samia and we have got another ginnery at Mbale in North Nyanza. It is possible that, if the Africans were to acquire these it would be able to be beneficial to them. I shall come later to the question where one hon. Member mentioned a question of budgeted tax. Now I say, Sir, if these ginneries were had by the Africans, they would be able to pay more than the peasants who still pay income tax through that without feeling it. Now they are paying export tax and they do not know they are paying it at all, so that income tax was put there without the African knowledge and I think the Government is guilty for that. They should not have done it at all.

Now, Sir, when you compare the African cotton grower—he gets £6 per acre. The coffee grower gets £70 per acre. Now with coffee he takes some trouble to look after it, but once he has grown it—I mean you have to look after it only and you will continue and still get income year after year, but with cotton—as soon as the season is over, you have to remove the whole stuff from the *shamba* and then next year you have to plant it again. It is more expensive. My friend, the Minister for Health, does not agree. I have not been to America, but that is why they have produced harvesters for picking cotton, because you cannot humanly do it by hand—you cannot do it—and so the African cotton grower is being underpaid.

MR. COOKE: By whom?

MR. AWORI: By the people who are buying it. He is being underpaid. He is getting 51 cents, but at the auctions now it is 32 cents a pound for the lint. Well, I think there is a great disparity there.

So, Sir, I feel that to satisfy the African—I do not think that they will be very happy with what the Minister did by saying that he is waiving the coffee export tax and then just to please the Africans he says that he will waive the cotton. We

do not want that. Do not waive it at all. You make something else, and take all the ginneries and start a corporation. We do not want any individuals taking the cotton ginneries, but, if you like, co-operative societies. That is why we have got co-operative societies here and I would like him to look into that picture.

Now, Sir, another point in addition to that, because I feel that I should stress on this question—I mean agriculture—and as far as cotton is concerned, you will find that the areas that produce cotton are Nyanza and Coast, and if you go into those areas, they are the most backward as far as roads are concerned; as far as health teams are concerned, they are very backward indeed. The reason is, Sir, I break my shins every weekend when I go home, and I come from the cotton area. (AN HON. MEMBER: You go too fast.) They are very bad roads. Nothing is being done. So we would like some of this money to be utilized on that. Even if you want, you are not giving us any security—you are not giving us any other undertaking that we are getting a minimum price for cotton. You are not giving us at all. It is just their pay. So we are going to tell the African public that: "Don't you be fooled by that export tax; you never knew there was any export tax on cotton."

I would like the Minister for Agriculture to consider—you know most of the areas that produce cotton; that is Coast and Nyanza, they have to use the ginneries. Now it is impossible to cultivate and produce enough. Now we are told that we are going to lose £100,000 after waiving of this export tax. But I can say, if you could utilize this money through the Swynnerton Plan to give these areas which produce cotton—give them tractors on hire, not free, they could be able to produce more than—I think the annual report which the Minister gave us the other day—it is mentioned that the total production of bales of lint is 12,963.

Now this is a small figure when you compare with Uganda producing over 300,000 bales. Now this does not mean that Kenya cannot be able to produce at least five times that much. You could get at least 60,000 bales. But, of course, the Swynnerton money, which we are told is to help African agricul-

[Mr. Awori] sure, is all there to put up big buildings and pay huge salaries. That is all.

So, Sir, if the Ministry concerned could be able to look into this and the African cotton growers would be able to be helped, I am quite sure they would be able to contribute something towards the wealth of this country.

Now, Sir, I am sorry that the hon. Minister for Commerce and Industry has already spoken and has already gone out of the Chamber; but his Parliamentary Secretary is present, so he might be able to reply to my query. Now he did say something about the L.C.A. money. In fact, he said the money is in England. We do not know how long it takes for the money to be transferred from America to London and then back here, but what I would like to know is, since the scheme, which the Government accepted and this Council accepted, for providing loans to African traders was started in Nyanza, presently the South Nyanza African District Council and the Central Nyanza and Kericho Nyanza African District Council—those are the people who have done anything, and yet in fact it was North Nyanza that was the first to be recommended for these traders. If I can remember rightly, I have only attended one meeting of that Joint Board, although it has been convened more than six times and I have had to go and to be told that the meeting has been cancelled. I get hundreds of letters from African traders, asking why they have not been told when the scheme will start functioning. Eventually, what has been done is for them to be taken to Jeanes School, Kabete, to be trained there in accountancy and book-keeping and they are the people who are successful traders, who know their business. They do not want any training at all. They own their business. They could not have put up those big shops that they have got and then go to Jeanes School to waste three months there or six weeks. They do not want it. So if that is an assurance you have got to give them before you give them the money, then I would like you not to give them this money at all. Leave it alone. This money—what I would like should be done—for surveying their plots and giving them the titles; they would appreciate that more than having to take them away from their

shops and take them to Jeanes School, for six weeks to three months. They do not want that, Sir.

And that also stands to what I said about—I mean regarding the Ministry of Agriculture about this money. I say that well, you use this money for giving titles to the African holders—the Africans who have got *shambas*—which have been surveyed. Up to now Government have not told us how many Africans are so far entitled to get titles on their farms at all. Already survey has been carried out. Nothing at all. When I looked through the Development Estimates I found the question of loans to African farmers—nil. There was nothing at all. I do not know how that is kept. Well, there is £25,000 somewhere, but I mean it is not in the circular. It is somewhere else.

Now, Sir, my friend from Nyanza, the hon. Mr. Riddoch, he said something—I was not present but I was told by a colleague—that Africans in Nyanza have a grievance about the growing of coffee. Now I thought that was most absurd. If they can grow cotton which only gives them £6 per acre, why should they not grow coffee? I do not know what authority he got from that. He can talk on trade, but not on agriculture. He can talk on trade or commerce. I want to know on what authority he was told. Every African is capable of growing coffee and my friend, Mr. Gikonyo, raised a point here which was replied to by my friend, the Minister for Agriculture, and yet I was not satisfied with what the Minister said. The Minister said we are not capable. What about Uganda—the coffee crop is £15,000,000. It is Africans in Uganda. And you tell us we cannot. We have to be restricted to 100 trees.

ADJOURNMENT

THE SPEAKER (Sir Ferdinand Cavendish Bentinck): The time has come for interruption of business. Council will adjourn until 2.30 p.m., to-morrow, Thursday, 17th May.

Council rose at fifteen minutes past six o'clock.

Thursday, 17th May, 1956

The Council met at thirty minutes past two o'clock.

(Mr. Speaker (Sir Ferdinand Cavendish Bentinck) in the Chair)

PRAYERS

ORAL NOTICE OF MOTION

SUSPENSION OF STANDING ORDERS

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT under Standing Order 168 the Standing Orders be suspended to the extent necessary to enable Council at its rising to-day to adjourn until 2.30 p.m. on Tuesday, 22nd May, 1956, and on its rising on Wednesday, 23rd May, 1956, to adjourn until 9.30 a.m. on Friday, 25th May, 1956.

Sir, the proposal that the Council do not sit to-morrow is, I understand, in accordance with the general wish. Thursday, 24th May, is Empire Day and a public holiday.

MR. HARRIS: Mr. Speaker, in seconding, may I correct a *lapsus linguae* I think of the hon. Chief Secretary who is adjourning us until Saturday.

THE CHIEF SECRETARY (Mr. Turnbull): I beg hon. Members' pardon, Sir.

Question proposed.

The question was put and carried.

PERSONAL STATEMENT

THE MINISTER FOR WORKS (Mr. Nathoo): Mr. Speaker, Sir, I would like to make a personal statement in connection with the reply I gave to the hon. Member for Mau on Wednesday about this question on the cost of roads in the Rift Valley. I said, Sir, that the cost of the road was £11,875 per mile and, in reply to a supplementary question I made a statement that this included all the overheads of the department. I now understand, Sir, that whilst this does include the works overheads, it does not include the administration overheads of the headquarters and the ancillary services which, on the present basis, is nearly 26 per cent.

I would, however, like the Council to appreciate, Sir, that whether we do the work by private contractors or by the department, this item of overheads of

26 per cent would still be there and, therefore, it would not make any difference to the comparative figures between the work done by the department and the work done by private contractors. It is only fair, Sir, that I should make this position quite clear.

COMMITTEE OF SUPPLY

(Continuation of Debate adjourned on 16th May, 1956)

MR. AWORI: Mr. Speaker, Sir, when the Council adjourned yesterday, I was speaking on agriculture, particularly as it affects the Africans, and I did refer to the £15,000,000 that is realized by the African growers in Uganda. At the same time, Sir, I did refer to the Wachaga in Kilimanjaro in Tanganyika.

The hon. Minister for Agriculture appears to believe that the Africans in Kenya are not able to do what the Africans in Tanganyika and Uganda can do. That is exactly, Sir, how I understand it and that is why the African grower in Kenya is limited to 100 trees.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): On a point of explanation, Mr. Speaker, the hon. Member must be responsible for what he says, and African growers are not limited to 100 trees.

MR. AWORI: Mr. Speaker, that is exactly what I want the hon. Minister to look for because what I want to see is that the Africans can grow as many as they like and, if they are limited, then I shall have to refer this to this Council, if I get back to this Council next year.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): With good luck you will not be.

MR. AWORI: Now, Sir, there were only two points before Council adjourned yesterday that I wanted to speak on. One had some references to the hon. Minister for Health and Local Government and the other one I think had something to do with the hon. Minister for Finance. I think I should deal with the hon. Minister for Health.

In support of what my hon. friend, Mr. Gikonyo, said about the hospital fee, I am not going to refer to it as a hospital tax, but as a fee. One hon. Member on this side of the Council did

refer to the fee as a tax and there was some objection about it from the hon. Minister for Finance. Well I call it a [Mr. Awori]

fee but it is all the same; it is just a tax; whether you call it a fee or a tax it is just the same. We are not satisfied, Sir, that this fee of Sh. 10 should be imposed on the African. I am not going to refer to what my friend, Mr. Gikonyo, said on this matter, but what he said I endorse. The time is inopportune at the present moment to impose this fee on the Africans when the majority are illiterate, the majority are ignorant and they do not know anything at all so far as these medical services are concerned. Now, before they can understand the new fee, I think the hon. Minister for Finance, in conjunction with the Minister for Health, should do something about it.

As far as the principle is concerned, unless I may be misunderstood, and my hon. friends, the African Members, will bear me out, we support the principle. We do not want anything free. We are prepared to pay for it, but we think that the Sh. 10 fee is far too much for the ordinary African in the districts or in the country.

I would propose, Sir, despite the fact that for the first time, we are going to get £50,000 I think—according to what the Minister said in his speech—if we could be able to get £25,000 by cutting the figure by half, so that instead of Sh. 10, it should be Sh. 5, and, for the children, instead of Sh. 2, it should be Sh. 1, we would accept that.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. Havlock): One shilling.

MR. AWORI: One shilling? Well, then, make it 50 cents. Because, as my friend, Mr. Gikonyo, did say in this Council, there is great ignorance among the Africans about going to the hospitals, and dispensaries. Now, if we are going to impose this fee on them, it is going to discourage them greatly. Even in a civilized country like the United Kingdom, there are free medical services, and yet, in what you call a backward country like Kenya, we have imposed such a fee. That is a shame. I know it came from the hon. Minister for Finance and the hon. Minister for Health and Local Government, but I feel it is the hon. Minister for Health and Local

Government, who brought in that fee. I am sure that my hon. friend, the Minister for Finance, is more sympathetic.

Mr. Speaker, this is a very serious matter, particularly to the Africans and I feel it should be taken seriously, too. If this fee could be cut, we would be quite happy, and I hope that, during the reply from the Minister for Finance and the Minister for Health and Local Government, he will be able to give us that concession, otherwise the whole Budget is just going to be a mess. Until such time as we have got an official senior majority, when we have got party politics, that is the time when we will be able to get anything done. We come here, we debate for five days and everything is passed and as regards what we say, nothing at all is done.

Sir, the next point that I am going to refer to is income tax. Again, in supporting my friend, Mr. Gikonyo, I feel that the Government should do something towards the question of income tax for the Africans. We support the principle that everybody should pay income tax, but what we do not agree with is that they are getting forms for as far back as 1948 when they thought they were not liable to pay income tax. The forms have come in in 1955/56 to Africans who have never had any proper income or kept any proper accounts, and everything of that nature, I know many Africans, in my own area, who have come to me and said: "We have been assessed to pay Sh. 50,000. Now where are we going to get the money from?" Where are they going to get the money from? Send them to prison? Sir, I feel it is the fault of the Government machinery. It is the Government who is wrong. They say there was no manpower. They say why should you have to blame them? Why blame the Africans? It is a point, Sir, which I feel the Government should take into consideration. I am quite happy if Africans are assessed as far back as 1954 but not 1948 because they started getting these forms last year. The money is not there, they have not got it. It is not there, and those who have got money in the bank, the money does not tell them how much they have got. I personally know the Africans who are liable, are paying by instalments. I feel that Government

[Mr. Awori] should do their best to relieve the poor African who, through Government's negligence, and I emphasize that point, because there is no reason why we should be told that the staff was not available to do the work. It is a very, very important point.

Now, in conclusion, Sir, before I sit down, and I should say that I am going to another meeting which is very important so I will not be able to listen to the replies to what I have said. I have got confidence, like my friend, the Minister for Finance, in the prosperity of this country. There is a lot that can be done, but, unfortunately, it is not being done. What I think, is that there should be some reshuffling of the whole Civil Service in this country, because I think that they are not doing what they should do. The money is there, as I mentioned yesterday, Sir, from cotton. Instead of getting 12,000 bales, we would be able to get 60,000 bales of cotton per year. In Uganda they get over 300,000 bales. There is no difference at all, but it is not the whole of Uganda which grows cotton. Something should be done. We have got £500,000 from the Swynnerton Plan, but the only thing that we get out of that is paying overheads and that sort of thing. Therefore, Sir, I feel that it is very important that something should be done on the question of getting money, but nobody should feel that Kenya will be bankrupt. We have got all the resources. My friend, the Minister for Commerce and Industry, has not even endeavoured to know about the mining in this country. There are minerals in this country.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): You tell us where they are.

MR. AWORI: And yet we rely on agriculture, but there are minerals all right. Maybe at my house, I am just staying over some diamonds or gold, or something.

Mr. Speaker, with those words, I beg to support the Motion.

THE MINISTER FOR WORKS (Mr. Nathoo): Mr. Speaker, Sir, I rise to deal with one or two points which have been made by hon. Members opposite and which come within my purview.

The hon. Member for Mount Kenya mentioned the £100,000 cut which has

been made in the funds of the Road Authority. Sir, in the 1955/56 Estimates of the Road Authority there is envisaged an expenditure of £1,165,653. In spite of the cut of this £100,000, the Authority's Estimates for 1956/57 show an expenditure of £1,530,668, an increase of nearly £350,000 over the 1955/56 figure or 30 per cent. The Road Authority has been unable to provide for this Budget owing partly to the increase in the revenue which is coming to them under licences in the Traffic Ordinance and from the petrol tax, and partly because the Road Authority will be using the better part of their estimated balance as at 30th June, 1956, of nearly £227,577. It is admitted, Sir, that the Road Authority will have to incur increased expenditure in the maintenance of roads due to the increase of traffic, but, Sir, due to that, the Road Authority, in 1955/56, had to revise their expenditure and had to spend £1,347,762 as against their original estimate of £1,165,653. But, Sir, even then, the recent increase in the 1956/57 Budget amounts to £165,906 or nearly 12 per cent over the previous year. Sir, all the Departments of the Government had to undergo a cut due to the financial stringency of the Colony and it was not possible to make a complete exception as far as the Road Authority was concerned.

Sir, the hon. Member for Mount Kenya estimated that nearly £50,000 from the Road Authority funds was spent on the administrative roads. Now, Sir, if the hon. Member refers to the roads in the Northern Frontier Province, I think his estimate is quite correct. But, Sir, the Government's view is that the present initial expenditure on roads should be met from the funds made available to the Road Authority.

Turning now, Sir, to capital expenditure, the hon. Member mentioned that only £562,000 was provided in the 1956/57 Development Estimates for the Road Authority. That, Sir, does not mean, however, that Road Authority expenditure in 1956/57 will be restricted to that figure. In fact, Sir, the Road Authority is budgeting for an expenditure of £756,000 in the 1956/57 financial year. It has been, Sir, necessary to make substantial reductions in the capital allocations made in the 1954/57 Development Plan, the 34-year plan, in order to bring the total expenditure of the Colony within the finance available.

[The Minister for Works]

However, Sir, recognizing the importance of the roads in this country, the Government has not made any reduction in the allocation which was given to the Road Authority of £2,437,000, which means that, Sir, including the carry-over of £415,000 from the previous development period, the Road Authority will have had almost £3,000,000 for capital expenditure during the 31-year development period. This, Sir, is, when compared with figures of other allocations, I think more than any single Vote which has been allocated to any Department on any head.

There is, Sir, another aspect which I am sure has escaped the notice of the hon. Member. The money which the Government is providing to the Road Authority has to be borrowed by Government at the minimum rate, although I doubt whether we can raise much money at that figure now of 5 per cent per annum and, Sir, if we reckon the interest charges on the money which is being provided to the Road Authority, there would be an element of nearly £120,000 a year which the Government pays on behalf of the Road Authority and which, when we are looking at things, Sir, we should take into consideration and compare the figures with other Heads.

There is also, Sir, £107,000 charged of revenue to local authorities which also brings up the figure of expenditure incurred by the Road Authority to a much higher figure than at first sight would appear.

I do not propose, Sir, to deal any further in this matter at this stage. Perhaps when I am moving my own Vote, Sir, hon. Members opposite, I am sure, will come back to the charge and, at that time, I will deal with the matter.

There is, however, Sir, one point which was raised by the hon. and gracious lady from Nyanza, Sir, when she was talking about the appropriations-in-aid fund, I am afraid, however, Sir, that the hon. lady was a little confused about this. There is no appropriation-in-aid fund on which the Road Authority's revenue is spent. As the Minister for Finance and the Secretary for the Treasury have both explained, appropriations-in-aid are confined to receipts from direct earnings of

departments and branches. The public works feel, Sir, they include such things as laboratory testing fees, timber season fees, and the earnings of the brick and tile works. That is for work actually completed by the Department. They do not include tax revenues. Tax revenues include, Sir, those receipts, petrol consumption tax, licences and fees from which the Road Authority obtains its revenue. These receipts are like any other form of tax revenue in that the primary purpose is to raise money for general revenue and not for any specific purpose. These must, therefore, in the first instance be paid in to the general revenue of the Colony and then appropriate allocations made to the Road Authority. This, I think, Sir, will enable the hon. lady to make some distinction between the appropriations-in-aid account and the hypothecated revenue to which she was referring.

Sir, those are the only two points I would like to deal with and I beg to support.

LT-COL. GROGAN: Mr. Speaker, Sir, normally on these annual occasions I have taken the opportunity, not always very successfully, of trying to twist the tail of the hon. Minister for Finance. But as this is probably the last occasion on which I shall have the opportunity of inflicting myself upon the patience of this august assembly, I am going to take a rather different line. I am going to say that after something over thirty odd years experience of this Council, I have listened to a great many Budget speeches and I say without the slightest hesitation that the effort with which we were rewarded the other day, without any exception, was the best contrived and the best-phrased speech that I have ever listened to. I can even go further than that, and say it is one of the very best Budget speeches that I have ever read in other places, and I think we can say without any hesitation that it ought to go down into history, on record as a classic, a classic of the prescription to provide a soporific for insolvent patients.

There is only one point, one general point, that I am going to draw a little attention to. I think the hon. Minister has rather underrated the effect of inflation, not only on the general price level of the country, and the domestic disturbances caused thereby, but also on

[Lt.-Col. Grogan]

of the inevitable consequential inflationary effects on the Budget revenue. He states in his excellent speech: "If indeed it had not been for the Emergency, revenue during 1955/56 would have exceeded expenditure by more than four and half million pounds." Now, I do not think that is quite a correct estimate. I do not know how exactly he got his figures, of course, but there is no question whatever that the very large sum of unproductive money that has been pumped into Kenya during the last two years would necessarily have involved very large consequential increases in revenue. Whether or no the hon. Minister took that into account or not I am not in a position to say, and that is the only query that I have to make in general terms on the Budget Speech as a whole.

Now, turning to the matter of expenditure, I do not want to go into any detail at all. I am only going to go back to one of my old hobbies, and that is the matter of roughly £400,000-£387,000 being contributed to the High Commission Locust Control, the sesquipedal type of locust. I shall have more to say about the bipedal type later on.

It has always been my belief that our policy in respect of locusts, and, probably, I have seen more locusts than anybody living in this place anyway, should always be defensive and not offensive. I know my hon. friend, the Minister for Forests and Fisheries and other things does not agree with me on this point, but I think we are agreed on one point, that it is a question of priorities, the relative priorities of gambling and taking a chance.

Now, my belief is that expenditure should be cut down to, at the most, £100,000, and the purpose of that £100,000 should be to hold together a little nucleus that keeps itself and the country *au fait* with what is going on over all the world in the great locust world. That, after all, is not a very difficult task, and the balance, I think, should be put into reserve and gradually built up as a precaution against possible inflation on such a scale as would involve heavy agricultural loss to the country.

You see, roughly speaking, in the fifty years' experience that I have had

of Africa, these major troubles arise approximately every twenty years. Therefore, let us assume that this one that is current to-day is one of these major movements. The reasonable chances are that we shall not have another for twenty years, by which time will be built up a reserve of roughly two millions, which I think would be quite sufficient to put back on their feet any farmers on a large scale or planters on a considerable scale, as distinct from the peasants, and put them back on their feet and make them again solvent. So far as the other parties are concerned, who every year run the same sort of risk, so far as the peasant is concerned and the country is concerned, by the menace of drought, that is one of the ordinary precautions we take into consideration and every other year cost us quite a lot of money, as it looks like doing this current year.

That is all I have got to say about expenditure, except one point, that is the question of increasing pensions. Now, Sir, that is a very difficult point really. My own view is that as far as expatriate civil servants are concerned, and I cannot imagine a more detestable term than "expatriate", but as far as they are concerned, when they come to this country they come on a contract for a certain period, whatever it may be, and when they go away the contract is complete with a residual obligation on us to pay them so much pension.

Now, there is a very interesting law case which I read the other day, where the issue was a matter of contract. The contract was expressed in sterling, but it had a peculiar clause that sterling for the purposes of that contract was to be what the gold equivalent of sterling was at the time when the contract was completed. This is a very interesting point because it is one which I have studied very, very much in the old days when I was battling against the fantasy of the so-called gold standard. I think probably if that contract had been expressed in terms of sterling, the ordinary pound sterling, or in terms of the metal gold, they would probably have got away with it, but the learned judges, with one dissident, held that a contract expressed in sterling with any variable meaning of sterling interlarded with it, can only mean the pound sterling, and

[Lt.-Col. Grogan]

therefore the contract was held to be a sterling contract and that was that.

Well, Sir, that principle applies quite obviously to any expatriate civil servant who has done his job in this country and gone away and left us. Now, I think, Sir, when it comes to the question of the review of pensions of civil servants, any additional relief that we should give should be strictly confined to those civil servants who continue their association with this country, adopt Kenya as their hand of domicile, and should be given to them in the ordinary way as an *ex gratia* payment in appreciation of the services they have rendered in the past and the fact that they have permanently identified themselves with the country in which they have worked during their lives.

Now, coming to the matter of taxation revenue, I have got very little to say on that, except that I had an experience a few days ago showing how closely interrelated are the problems of taxes and expenditure. I was coming into Nairobi and a very large and very expensive looking police car swerved rapidly in front of me, and if I had not been a very skilful and experienced driver, I should have charged them amidsthies. I did not know what they were doing, but it took them some time to reverse and get out of that lamentable 'slum' lane which some unauthorized parties have named after me, and having got back into the main road I was chased all round Nairobi until I eventually found my normal parking place, which was quite an illegitimate one, very nearly in the middle of the road. This very expensive looking car drove up rapidly alongside me, a very pleasant mannered young policeman in immaculate uniform jumped out and came to the window. I wondered what the new crime was that I had committed, and I looked into the car and there was another very expensively dressed young policeman sitting there, and also a uniformed police driver. When the gentleman came to tell me what the crime was that I had committed he said "May I please see your driving licence?" Well, I fumbled about in my pocket and in the little thing in front of the car, and as usual I had not got a driving licence. I apologized to him and said that I was very sorry

that probably my office had carried out his job and my driving licence was in the office. Well, I was thinking it out and I came to the conclusion that what might be called "operation Grogan" must have cost the country at least £2, and as the chances of their recovering that amount, which represents eight years' of extra payment on my side, I was a very very bad risk at the age of 82. I think in any probability that my hon. friend will find he is the loser on the deal.

Now there is one point that I am coming back to and I am quite certain that my hon. friend will listen very carefully to me because it is an old tale. I do earnestly beg of him to take into consideration the principle or relieving all Government Kenya loans of income tax to residents who own those loans. I am very glad to see that he has already broken the ice in respect of these taxation certificates, and I am heartily convinced myself that if he made all Kenya loans free of income tax, not only to overseas people as they are to-day, but also to residents of Kenya, he would be astounded at the flood of money he would find put at his disposal. He would also get, as I stated the other day in a debate on a slightly different issue, he would not only get a vast—sum of money put at his disposal, but he would also get a very large increased number of resident people with means who would contribute very materially to the revenues of this country through the innumerable other channels through which we are soaked in this country. I do earnestly beg him to take that into his most serious consideration. I suggested at one time that it might be that he was under the control of the old queen spider of Somerset. House, but as, Sir, there is now some pretence at movement towards self-government and constitutional advance, I trust that local Government and the hon. Minister is free of those entanglements and that this Government will be free to take its own individual line in that particular matter. I am perfectly convinced myself from personal knowledge of the very large number of people here and the very large sums that are sent out from this country and invested in war loan, which is free from income tax, that he would get a surprising

[Lt.-Col. Grogan]

amount of money and I cannot think of anything else that would be more likely to add to increased immigration of highly responsible members of the European society.

Now, as the last thing of all I am going to come to the matter of the Civil Service. I have watched—I have had the privilege of watching—the evolution of the local Civil Service practically speaking from the days when it actually began. In the very early days it consisted of a few people who, generally speaking, were quite remarkable individuals. There is no doubt about it they wielded a very great influence especially on the African population of the country. But they were free characters, independent characters and so on, and, looking back over the gradual evolution including the whole gamut of Governors that have been imposed upon us from time to time—the earlier ones of whom mostly died of drink or were sacked for having taken positive action, on behalf of the country—warnings which appear to have been taken seriously by their successors. I come to this conclusion. I will go back for one moment. When Sir Charles Bowring was here, he was certainly one of the very best civil servants we ever had in this country, and he came from a long family tradition of civil servants. I remember his expressing to me his horror when the first Civil Service Association was founded. He said that was going to be the beginning of the end of the Civil Service of this country, because instead of there being a number of people individually respected by the whole community, it will inevitably develop into a predatory trade union. I view with alarm to-day the actual position where the Civil Service Association appears to the ordinary community as a trade union shaking its fist against the public that feeds it and almost threatening ca-canny if they do not get their demands.

Now, that inevitably leads to lack of respect and affection for the Civil Service which always was in the very early days a very pronounced feature of the position. We have got to find some remedy for it. In the early days, as far as the civil servant was concerned, these countries were called the "white man's grave", to start with, Kenya, anyhow and

East Africa is no longer considered the white man's grave but is looked upon as the babies' nursery; and the proper consequence home, for doddering old men like myself. Nobody could pretend that the climatic and general social conditions of this country are not equally good as those of any part of Europe to-day.

It was also held that men who had to spend the whole of their lives among completely illiterate savages, with very little European company, and in the days when fiscal exactions on a bottle of whisky were unlike what they are to-day, it was advisable for civil servants to go to a more mellow country in order to get over a little of their personal extravagances which they were liable to develop.

Now all that was all right and good and quite understandable, but it has all gone. It seems to me that it is entirely wrong that a vast proportion of the population of the country, I think somebody mentioned 45,000, should continue to be regarded as a sort of goldfish in a bowl, with their mouths opening and their eyes goggling for white ant eggs. It is not sensible. My own opinion is that there should be, that there will have to be before long, and you will never get easy and satisfactory conditions in a country like this of active European occupation, until you shift the whole system over to one of consolidated pay.

Now, I know very well that a very large number of the junior civil servants to-day, especially those with families, find it almost impossible partly because of the exaggerated standard of living that does undoubtedly prevail in this country—find it almost impossible to balance their budget during the year. That everybody knows and everybody has great sympathy with and we also know that some, indeed quite a lot to-day of the senior civil servants, can earn very much bigger money in another capacity. I even remember suggesting to my hon. friend the Minister for Finance some alternative sources of living, much more lucrative than that which he has to-day.

Well, now, if we had a consolidated pay system which eliminated the awful business of pensions, and those hidden—another hateful word—those hidden

[Lt.-Col. Grogan] emoluments, which my hon. friend objected so strongly to my calling "pickings" on one occasion, if you eliminated all that and regarded the ordinary civil servant as an ordinary human, participating in the ordinary life of the country, with his proper, and very responsible function, I think we would get a very big change in atmosphere. If you take ordinary life, what proportion of people start life in the sphere in which they ultimately find success? Now I started in life as an artist, or a would-be artist, as a pupil at the Slade School gazing in horror at naked women. More and more I am perfectly convinced, and my hon. friend who has also had a varied life will realize, that it takes a long time before a fellow is likely to drop into the exact niche into which he fits.

Now, the result of the pension is this. I say that it is inevitable that quite a large proportion of the civil servants, sooner or later, find themselves and are found by others to be not really adapted to the job. As by the Letters Patent, the Government cannot sack anybody who is drawing more than £100 a year, and I do not think that has ever been varied, has it? Those are the Letters Patent? Anyhow, the result is that after they found out that they are misfits and other people have a suspicion that they are misfits, they hang on and hang on and hang on. The inevitable result is that there is a large measure of dead-wood, as you have in any plantation that is not subject to severe pruning from time to time. I am perfectly convinced, and I have discussed this with a great many civil servant friends of mine and found a remarkable amount of agreement, that we shall never get a really proper adjustment between the Civil Service and a British settled community like this, until we find some very drastic change in the whole of the Civil Service system.

Now Mr. Speaker, that is all I have to say on this matter, but I do trust that my hon. friend of the other side will take those few words which are the developed conclusion of a very long time, and a very long and very friendly association with a very large number of members of the Civil Service, that he will take it to heart and take it to earnest consideration.

I beg to support the Motion.

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coultis). Mr. Speaker, Sir, I would like to rise to answer one or two points which have arisen in this debate. I want to answer first of all my hon. friend, the Arab Elected Member, and I notice he has paid me the same sort of courtesy as I paid him, by not being present when he was speaking.

The first point he raised was as regards the Arab Primary School in Mombasa. We have, Sir, in the 1956/57 Development Estimates, a sum of £10,500 for provision for extra accommodation at the Arab School. It was our intention that we should put that accommodation on the present site but, if my hon. friend states that there has been a movement of population such as to warrant us finding another site, possibly nearer Changamwe or Tudor, then certainly we shall try to do so.

The second point which he made was as regards boarding accommodation for the secondary school. Sir, we are quite well aware that the secondary school at the moment has not got sufficient accommodation. We hope to be able to make provision for this in the near future and if, by any chance, that does not happen to come off immediately, as everyone knows, the Muslim Institute of Education is just across the road and there is some accommodation, there, which could be used temporarily for the purpose.

He also raised the question of Arab bursaries. Sir, there are one or two figures on this that I would like to mention: I have some figures here which relate to bursaries of all races for those who have passed the Cambridge school certificate from 1950 until 1954. These figures are quite illuminating and show that the percentage of those who passed the Cambridge school certificate and were awarded bursaries for Europeans, was five per cent, for Asians was five per cent, for Goans was nine per cent, for Africans three per cent, and for Arabs twenty per cent. In other words, Sir, the Arab community appears to have received eleven per cent more than its next nearest rival in this race. After that enormous reverberation I have no doubt that the Council will be glad to know that the actual number of bursaries given to the Arab community per annum is

[The Minister for Education, Labour and Lands] Nevertheless, Sir, I am always told that figures do not lie and we have got the fact that the Arab community does get eleven per cent more than its nearest rival.

I will, however, naturally, give this its proper consideration but I am afraid I must tell the hon. Member that it will be impossible to consider this for 1956/57. It will be necessary to look into it for 1957/58.

He mentioned the question of compulsory education. I venture to suggest, Sir, it would be difficult to insist on compulsory education for the Arabs apart from Mombasa Island. Where they have scattered communities I think it would be extremely difficult, not only to introduce it but also to insist upon it. But for the Island, as long as I have always said, as there are teachers and buildings available and as long as money becomes available then we will certainly do our best to introduce this.

I see that my hon. friend has just arrived at the moment when I think I have completed all his points. And, Sir, was about to wag an admonitory finger at him, which is rather unfortunate. Nevertheless, Sir, I feel it is my duty to do so. My hon. friend I have explained, I think, the answers to your various points, but I do want to make this point, and that is that of the Island of Mombasa, the Arab community pay lower fees than any other race. Also as far as capital expenditure is concerned, apart from one well-known and very generous benefactor, the Arab community have not contributed in the same way as other races have done. Therefore, I would say to my hon. friend that if the community were prepared to show that they will assist with education in the same way as other races are prepared to assist, I feel that the response, both from myself and the department, would be more generous than it has been up till now. There is an old saying about God helping him who helps himself, and that, I feel, is a thing that I would like to leave with my honourable friend.

Now I would like to turn to my friend, the Member for the East Electoral Area: I notice with great gratitude that he said that he had complete con-

fidence in the Minister. I feel that if there were a continuous stream of shillings and teachers coming out of his right-hand pocket, I feel that his confidence would probably be better founded than it is at the moment.

He raised the question of the Muslim teacher in the school at Malindi. I want to assure him that this matter was gone into with the very greatest of consideration. That, in fact, the recommendation that this particular school should be run by a mission was made by the District Education Board twice and the Director of Education obviously had no option but to accept that recommendation, particularly as it had been made so strongly. But he himself asked the Mission if they would be prepared to appoint to their staff a Muslim teacher and this they have been prepared to do. Therefore, I hope this will go to some extent towards meeting the hon. Member's point.

I do realize that it is difficult in certain townships for Muslims to attend particular schools if they feel that it is of a different denomination or run by a different denomination, but I would like to stress the fact that nowhere is the denomination expected to put an emphasis on their particular religion and therefore everyone should be able to go to any school and feel that they will be taught as they ought to be taught, without having any particular religious instruction given to them which they do not want.

Now, the hon. Member for the Western Electoral Area dealt largely with technical education. Now, I was a little confused about what he said, because I remember him saying there are a large number of children who left Indian schools and wandered about in the Reserves. I do not think he really could have meant that. I think that what he did mean was that there are a large number of Indian children who left school for which attention was required, also there are a large number of African children leaving school and wandering about the Reserves. In other words, he was putting in a plea for more technical education for both Asians and Africans.

Well, I can assure the hon. Member that the Government is doing everything it possibly can in this respect. He knows that we have got technical schools at

[The Minister for Education, Labour and Lands]
Sigalagala, at Kabete, at Thika, and now at Kwale for Africans and at this point, perhaps, I might mention that if my hon. friend, the African Nominated Member for the Rift Valley Province, wishes to raise the question of technical education for the Rift, I would say that it is not possible to extend technical education to the Rift Valley just at the moment, because there are still places vacant in Kabete which is central, and has been set up for the whole of the Colony, and there are also places vacant at Sigalagala. It will be necessary, therefore, to fill these trade schools fully before we start setting up others.

Returning to my friend, the Member for the Western Electoral Area, I should mention that there are, at the present moment, a large number of ways by which Asians particularly, and also Africans, can get technical education. There are the Asian technical high schools in Nairobi and in Mombasa. There are also Government departmental schemes in the Railway and in the Public Works Department. Very shortly we will start, in fact, we have already started, in conjunction with the Royal Technical College, technical training at what is known as the "institute" level. That will be within industry itself. And going higher, there is, of course, the type of technical education which has now begun in the Royal Technical College and has been going on for some time at the Mombasa Institute.

Therefore, by and large, although I know myself that it would be very pleasant if we could expand these facilities—and I have no doubt that they will be expanded, as time goes on and money becomes available—though it would be very pleasant to do so, nevertheless, I do feel that the Government is doing the best it possibly can.

That, Sir, I think will deal with all of the educational matters. There was one point regarding labour, which was raised, I think, by the hon. Member for Nyanza, but I think I would prefer to deal with that when it comes to dealing with the actual Head.

As regards the debate itself, it seems to me, Sir, that it has proceeded at a very pedestrian level and that was parti-

cularly marked when my friend, the hon. Member for Nairobi West, was not even able to reach the flights of fancy that he usually does. I feel that my hon. friend, the Minister for Finance, could say with King Gama that "everything goes right and nothing goes wrong, and there is nothing whatever to grumble at."

Sir, I beg to support.

MR. ARAP MOI: Mr. Speaker, Sir, I should like to join the hon. Members to congratulate the Minister for Finance on the trouble he has taken in giving this Council the position with regard to the economy, the future, and the prospects of this Colony.

Now, Sir, I should like to make two or three salient points on roads. The African District Councils, Sir, receive subsidies as grants to the African District Councils for maintenance of roads and, in fact, that is very much appreciated by the local authorities. In the whole of Kenya in 1936—20 years ago—the Central Government used just over £39,000 on roads, and local government used over £10,000. But now I see that the figure has risen to over £1,000,000 and I should like the Central Government to help the African District Councils to make roads in their own areas. The grant at the moment is provided for the maintenance of the trunk roads which go through the African areas, and I am wondering how could closer administration come about when new roads cannot be constructed into the reserves.

Many people in the reserves do realize that roads contribute a lot towards civilization and I perfectly agree to that. It is very important that Government should provide funds to help the local authorities make roads in the African areas, particularly the new ones. I am not complaining about the present roads which have already been made, because the Road Authority are seconding officers to local authorities to run the roads and perhaps help them to carry out the plans for building them. Therefore, Sir, ask the Government to grant money to help construct new roads to penetrate into the reserves. There are so many Africans in the reserves who, in the remotest areas, have never seen white men. This is very surprising.

Now, Sir, the second point is with regard to the forests. I do feel that

[Mr. arap Moi]
 radical reform on the forest system should be made. Every effort should be made by the Government to secure the co-operation of Africans in the preservation of their woodlands.

In this regard, Sir, the Forest Department should train Africans or send them to the United Kingdom to be trained as forest officers. For instance, in 1936 when the hon. Ministers opposite were junior officers, it was suggested that an interterritorial institute be instituted at Makerere for the whole of East Africa, but twenty years, Sir, has elapsed and nothing has been done.

Regarding the people who live in the forests, Sir, they pay taxes, just like everybody else, and they should be given services in return. In most places they have no schools, they have no proper roads, they have no shops or anything of that kind. I am glad that the Government is trying to work out a better plan for those who inhabit the forests.

It is for the interests of the Africans that the forests should contribute something towards the wealth of the African community. We should not part with it, it is now being isolated from the Africans.

From history we read that the arid areas of the Northern Province are advancing forward into the better areas at the rate of eight miles per year. If that is so, I would like, as I say, that Government should take a keen interest in training Africans so that they could plant more trees in their areas and improve the present position of the African woodlands.

Now, Sir, one point regarding National Parks. I am glad that the Minister concerned is present. I want to make one or two points. The National Parks—the area allocated to wild game is so much that human beings take second place. I do not see why wild animals are given preference to human beings.

The Marsabit National Park is about 11,000 square miles, the Tsavo is over 3,000 square miles and I think it is not right to make our part of the Masai people into national parks. The Masai people have been appealing to His Excellency the Governor about the

animals—the lions and other animals—which have become a nuisance in the area, eating herd-boys, eating their animals and in spite of this the Government have not taken any interest in it. I hope now the hon. Minister opposite will take note of this and try to save those people who are being looted by these animals.

The last, but not the least, Sir, is technical education. Although we debated more fully in the last debate about African education, I would not repeat what we said, but I should like to mention something about technical education. The Rift Valley in particular needs a technical-trade school to solve the problems of the 600,000 people living in that area. The Rift has been forgotten. The hon. the Chief Secretary knows that broadcast stations will be or have been installed in Nyanza, the Coast, the Central Province, and nothing for the Rift. At the same time, a trade school is being established at Sigalagala, Thika, Kabete and at the Coast, nothing for the Rift.

Well, I do feel that the Government should consider what it is doing for the people of the Rift. Government should take a keen interest in the Rift.

What the hon. Minister for Education said, did not convince me. Because although there are vacancies in those schools there are restrictions. The principals of those schools may restrict the numbers.

And now, Sir, I do not want to leave out cattle. I should like to mention two or three points on cattle. When the pastoral tribes are interested in reducing the number of cattle to save their land, which is being eroded—and I do not know how this would come about when the Meat Commission is in sole control of buying cattle for slaughter from European farmers, and do not want them from Africans at a higher price. I should like those butchers who would like to buy cattle from the African reserves, from within Nairobi, Nakuru or Eldoret, should be given the opportunity to buy some and sell them at a very low price. This could lower the cost of living.

Well, Sir, I think I have said all that I could in trying to draw the attention of Government Ministers to the points I

[Mr. arap Moi] have raised. With the above remarks, Sir, I support the Motion.

THE MINISTER FOR FOREST DEVELOPMENT, GAME AND FISHERIES (Mr. D. L. Blunt): Mr. Speaker, Sir, I should like to refer to one or two of the remarks made by my hon. friend, Mr. arap Moi, and, in the first place, to his remarks about the forest system and the necessity for training Africans.

Now, Sir, I agree with him that it is essential to train Africans for forestry work, and, in fact, steps have already been taken. Money was granted last year in the Estimates, and further funds will appear in the Development Estimates for this year—you will find them on page 46—for the establishment of a forest training school at Londiani. That work is going on, and it is hoped that the school will be opened within the next few months, and that this very necessary training of staff will begin.

I was glad to hear his reference to the need for afforestation in the drier areas for the prevention of the encroachment of the desert, and I wish that he would do all he can to bring those ideas in front of his fellow people, because it is from a proper appreciation of the need for such afforestation that the possibility of afforestation will arise. He may know that we have recently gazetted certain forests in the northern areas and, although we have not yet been able to do much in the way of their preservation, I hope that provision will be made next year, at any rate, for adequate staff to preserve those forests, and to increase their usefulness in withholding the desert.

I would now like to refer to some of the points he made in connexion with the National Parks. His major point was that in the National Parks the human being has to take second place to the animal, and I suggest, Sir, that this is a matter that has got to be regarded from the economic point of view. It may well be that in certain areas it is far better for the Colony's economy, and for the economy of the African inhabitants of that area, that more money should be earned by the country, and by that area, owing to the value of the game within that area, than could possibly be earned on that same area with small quantities of not very valuable cattle producing

little. But, Sir, I do not want to go into this question at any length, because, as hon. Members know, there has been appointed, and is functioning, a Game Policy Committee which is now going into just these kinds of questions; but I would assure the hon. Member that that committee has been carefully selected. It includes an African—in fact, a Masai representative. It includes a representative of the Ministry of African Affairs, of Agriculture and of all the other interests concerned in this question of game, and I feel certain that we can leave, with confidence, the consideration of these problems to that committee.

Now, Sir, it is sad that this is likely to be the last occasion on which I can cross swords with the hon. Member for Nairobi West on the subject of locusts in this Council. We have argued on the matter many times previously—both in and out of this Council—but there are one or two points that he made that I cannot let pass without giving my views. Now, Sir, he said one extraordinary thing—extraordinary to me—that we should adopt the defensive rather than the offensive measures against locusts. Now, it is well established that the best defence is in offence, and I am quite sure that in the case of locusts that is the case. I am certain that, if we adopted the attitude of allowing the locusts to come into the country, and then to try to deal with them, we should be in the same terrible predicament that we were in in 1928, 1929, 1930 and 1931, when we had locusts with us for some years. The damage they did was considerable; the expenditure in trying to deal with them was vast; and the results achieved very small; but, Sir, we have learned from those days that that is not the way to deal with them, and that they can be much more satisfactorily dealt with at a distance, and it has been our policy over the past 14 years—and the policy which, at any rate, has kept locusts from doing any major damage in East Africa—to attack them as far away as we can in the early stage. We would attack them in Arabia, instead of allowing them to breed and multiply and come over into the Continent of Africa and breed here again and to multiply, and then come in to us. We attack them further afield, and we have prevented any serious quantities from arriving in East Africa, and,

[The Minister for Forest Development, Game and Fisheries] Sir, I submit that that is the right policy to pursue.

The hon. Member suggested, on the question of dealing with locusts, that it is a gamble. Well, Sir, I am inclined to agree with him. I think the gamble is all in favour of campaigning against them and preventing their entry into the country; but no man can say whether it might be more economical to save the money that we spend on locust campaigns, and use that as compensation for purchasing substitute crops that have been eaten, unless we try it out: but I would hesitate to recommend that we should try it out, because I believe the odds are in favour of destroying the locusts before they get here, even at the considerable expenditure necessary.

There is one other point that the hon. Member made that I would like to take up, where he suggested that outbreaks of locusts occurred approximately at 20-year intervals. Now, Sir, I do not think history bears that out, because we have had two outbreaks continuously, following immediately after one another, with no interval between them, recently; but, apart from that, it has now been demonstrated as a result of the investigations of the Desert Locust Survey that, in the case of the desert locust, in fact there is no period—or, there has been no period—during the last 65 years—when there have not been some swarms in existence in some part of the area covered by this particular locust. Now, that is a matter which has only become known within the last few months, but it is a matter which obviously will direct the policy in dealing with locusts for the future. The fact that the East African area has been free for periods up to 10 years does not mean that there have been no desert locusts at all, but that they have, during that period, not been present in this particular area. Members will realize that this new knowledge cuts across our preconceived notion that this locust is susceptible to eventual control in the same way as the red locust and the migratory locust. Those two locusts have, I believe, been brought fully under control owing to the fact that we know where their outbreak areas are, and are able to control them there, and to prevent them from breaking out again; but

what I have said and indicated is that there is no such possibility in the case of the desert locust. He is in existence all the time. He has no specific outbreak area that we can sit on and watch and prevent him from breaking out; and the problem has therefore become a more difficult one than we had previously believed it to be. Nevertheless, I believe that it is one which, with further work and investigation, is capable of solution.

I beg to support.

Mr. Tyson: Mr. Speaker, Sir, several Members on the opposite side of Council have drawn rather freely on extracts from previous Budget speeches made by the Minister for Finance, and I propose to follow their good example, but only to a very small extent.

I should like to take as my text an extract from a speech which I think was made by the Minister in his 1954 Budget speech, in the course of which he said—

“While agriculture is the life blood of our economy, it may well be in industry we shall find our best means of rapid growth. I am assured that during the last year there has been an expansion in the total production of secondary industries and also a greater variety of products.”

Sir, that expansion to which the Minister has referred we know has continued. We know it from information furnished to us by the Minister for Commerce and Industry, and I believe that that expansion is going to continue over the next few years at an increasing pace, if only because of the rising standard of living of the African community, and the demands which it will make on local industry, not only in Kenya, but throughout Eastern Africa. If any confirmation is required of this optimistic forecast, I think it can be obtained from the report “A Study of Trends in the Economy of East Africa”, prepared for the Railway Administration by the Economist Intelligence Unit. But there have been other factors which have come into the picture during the Emergency, and which, in my opinion, have an important bearing on this matter.

Arising out of the Emergency, Government have embarked upon what has been called a system of villagization—the erection of villages in various part of the reserves, which, I believe, will become the equivalent of the “new towns” which

[Mr. Tyson] are being erected in Great Britain in various parts of the country to relieve the congestion in the London area, and to deal with what is called an "overspill" of population in those areas.

I raise this matter, Sir, because I believe we are making a great mistake in allowing more industry to be located in the Nairobi area—as we are doing at present. It is, in my view, an unhealthy state of affairs which, if allowed to go on, we shall pay dearly for in future. In this connexion I would invite the attention of Members to a recent report with which we were supplied, entitled "Report on the Needs for Economic Research and Investigation in East Africa", by Professor E. A. G. Robinson, and the foreword says that he was invited to undertake, on behalf of the Kenya and Uganda Governments, an examination of the needs for economic research and investigation in the light of the Governments' development programmes and the general economic situation of the territories, and to recommend the best methods of carrying out such research and investigation.

Now, if Members will refer to paragraph 51 of that report—and, with your permission, Sir, I would like to read it because it summarizes the position which, I think, exists here in these territories—particularly in Nairobi.

"The problem of the location of new industries has hitherto received relatively little consideration. Industrial development has been largely concentrated in the ports in Nairobi, in Kampala and Jinja, and a few other centres. These centres, and in particular Nairobi, are growing immensely and the familiar problems consequent on this "snow-balling" are beginning to become apparent; the special problems of public health and security, which always arise when large numbers of persons crowd together at a low standard of life, are already manifesting themselves. That large concentrations of industry give certain economies and contribute to efficiency is beyond question. What is less certain is how far such advantages extend beyond a certain scale; and in the special case of East Africa, how far, if one has the long-term rise of African living standards and of the African market in mind, the present areas of

development are those which will best contribute to the ultimate welfare of the whole. An examination of the problems of location would be valuable."

We have been warned, Sir, of the dangers of proceeding along the development lines which are at present in existence, and I would ask Government to give early consideration to a better use of the powers which they have regarding the location of industry. I know Government has taken the view in the past that they could not—or they did not want to—attempt to direct industry as to where it should go, but I suggest, Sir, that this is the very foundation of town planning. Lord Beveridge, in one of his speeches, or books, pointed out: "It is better, and less of an interference with individual lives, to control business men in the location of their enterprises than to leave them uncontrolled and require workpeople to move their homes for the sake of employment."

I would like to ask Government are we to pay no attention to these warnings? What I suggest we should aim at is the spreading of industry throughout the country. What is wrong with towns like Athi River, Nakuru, Eldoret, where you will have all the essential services and a large African population nearby, a population which, in the near future, will need to find employment—employment in industry—as against employment in agriculture, because it will not be available there.

I want to say a few words on the question of Education. Our Budget includes a very large sum under this heading. I think the Minister mentioned a few days ago that it amounted to something like 16 per cent of our revenue, but I do not believe that we are making the best use of this expenditure in fitting boys and girls for future employment in the Colony. It should, I suggest, be possible for headmasters—careers masters—to ascertain in what direction the scholars show particular aptitude for engineering, surveying, chemistry, teaching, and so on, and then put them in touch with departments like the Public Works Department and local authorities, where there are—and will continue to be—openings in various directions with good prospects of promotion for those who apply themselves to the job.

[Mr. Tyson] Now, the Railway Administration have, I suggest, set a very good example in encouraging boys particularly to spend their holidays in doing a job of work in the Railway Workshops. They are given a nominal salary, but it provides them with an opportunity of finding out in what direction they would like to be employed—draftsmen, engineering, commerce, and so on. They are given plenty of opportunity during their holidays to try out the various branches of Railway working, and one interesting point in a Circular which the Railway Administration have just published says that two boys from the Prince of Wales School who have been working in the Chief Engineer's drawing office, are now competent to produce simple tracings of Railway work. Both these boys have expressed a desire to join the department on leaving school. That, I suggest, Sir, is a line along which the Education Department might see whether development is not possible amongst other departments, and this is, I suggest, particularly important so far as the African is concerned.

I am going back to a little ancient history to quote from a speech which was made by the Minister for Commerce and Industry in 1950. He said:

"It is a matter of life and death to this country, that we produce a skilled workman class, which, through its education and experience, is technically equipped to meet what is, after all, a competitive world."

I suggest, Sir, that the proposals—the lines along which the Railway Administration are working, are the lines along which some progress might be made in regard to the production of this foreman class amongst the Africans, of which there is such a desperate need.

Now, another direction, Sir, in which I feel the Education Department is falling down is that they are not making sufficient use of the broadcasting service for education purposes. In Great Britain—as no doubt Members are well aware—considerable use is made of the broadcasting network for educational purposes, and it does seem to me that the establishment of these African villages in Kenya provide an excellent opportunity for giving a certain amount of tuition, however

elementary, however small, to the many children that I see wandering about in these African villages. If these children are not provided with something in the way of education and discipline during the next few years, we shall have a very serious problem on our hands in a few years' time.

We know quite well—it has been emphasized in this Council on several occasions—that are the difficulties of providing schooling for the African children—at any rate in Nairobi; the question of expense, the question of buildings, the question of teachers—all have a very important bearing on it—but I do feel, Sir, that these difficulties could, to some extent, be got over—I do not say entirely got over, but they could be met to some extent by making use of the broadcasting service for educational purposes, not only in the African locations, but throughout the new villages which I visualize will become the equivalent of the new towns in Britain, and which will, I take it, ultimately be equipped with schools, clinics and recreational facilities, and so on. I would ask, Sir, that Government, through the Education Department, should give very serious and very early consideration to this matter.

I support the Motion.

THE SPEAKER (Sir Ferdinand Cavenish-Bentley): This, I think, might be an appropriate time to take the interval of fifteen minutes. Council will suspend business for fifteen minutes.

Council suspended business at fifteen minutes past Four o'clock and resumed at thirty minutes past Four o'clock.

MR. LETCHER: Mr. Speaker, Sir, I cannot help feeling that this country is taking part in a grand spending spree—a grand expending spree. I do not think I am alone, Sir, in this feeling. It does seem that the time has arrived for this all to come to an end, and we are asked to cut down on expenditure all round; but, Sir, to cut down on agricultural loans to the extent that we have been asked to do I feel is unsound. There are many young farmers now in the country, not even in their second year of farming, and if they cannot get the assistance which they hope to get I am afraid they will be crippled over the next few years. I would ask the Minister, Sir—that is the Minister for Finance and the Minister

[Mr. Leitcher] to deal sympathetically with these young gentlemen.

The Civil Service seems to have been well treated. We all like to see this, Sir, but when funds are not available then I feel drastic cuts should be made, and, if necessary, we should work longer and work harder. I feel, in order to survive, the farmer has got to take this line.

The area I represent did appreciate the visit by the Minister for Commerce and Industry quite recently, and I understand that he is investigating certain propositions which were put to him which go beyond our borders.

I would like to support the Minister for Agriculture in what he said yesterday in his assertion that Maize Control is at present a very necessary institution. The control and sale of maize and posho must, in my opinion, continue for some time to come. I do not know of any better system at the moment. My advice to hon. Members on this side of Council who consider the price of posho is too high is to grow their own maize.

MR. HARRIS: You can make your own tractor!

MR. LETICHER: I grow maize, I grow wheat and I also do a bit of dairying, so I speak from experience.

I would also like to ask the Minister for Agriculture whether any investigation has been made into the possibility of having another Kenya Meat Commission abattoir and cold storage site, say, at Eldoret. This is to deal with the large cattle population of Western Kenya, Sir.

With those remarks, Sir, I support the Motion.

THE PARLIAMENTARY SECRETARY TO THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Madan): Mr. Speaker, there are one or two points I should like to deal with. These points were made by the hon. African Representative Member, Mr. Awori, who, unfortunately, at the moment is not in the Chamber.

First, Sir, he referred to the question of assistance to African traders and, although I should have thought, the information—the speech made yesterday by the Minister for Commerce and Industry—explained the position, I will endeavour to give him the further information that he has asked for.

The hon. Mr. Awori, Sir, is I know himself a member of one of the joint boards in Nyanza Province. These joint boards were established to advise on the suitability of applicants asking for the grant of loans. I am certain, Sir, the hon. Member is aware that a vast amount of effort has been put in to work out suitable schemes for the assistance of African traders. I feel certain, Sir, that he is also aware that an executive officer has been appointed in the Nyanza Province, whose work it will be to co-ordinate the various pilot schemes in that Province. In addition, he will also investigate the applications which are made, and advise traders in the conduct of their business and industrial undertakings. Whenever it is possible for him to do so, he will also try to run commercial classes for traders in order to give them further assistance. It is but inevitable, Sir, that some delay must take place between the making of an application for the grant of a loan and the actual grant. After an application has been made, the character of the applicant—his suitability, his reliability, his business experience—have to be investigated, and also an assessment has to be made of the possibilities of repayment.

I think it must be remembered, Sir, that most of these applicants—if not all—do not offer any kind of gilt-edged or trustee security—if any security at all—for the grant of the loans for which they apply.

AN HON. AFRICAN REPRESENTATIVE MEMBER: Whose fault is that?

THE PARLIAMENTARY SECRETARY TO THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Madan): Well, it is certainly not the Government's fault, but I will say this, Sir, even in the absence of security, loans are advanced to African traders to enable them to broaden the sphere of their commercial activity.

I was surprised, Sir, to hear the hon. Mr. Awori say yesterday that African traders objected to coming to Jeanes School to receive training. I thought it was a surprising statement—surprising to me anyway—that African traders should object to being trained, taught and equipped to become better business men; but I feel, Sir, that perhaps the hon. Member's information is not quite correct. The courses at Jeanes School

[The Parliamentary Secretary to the Minister for Commerce and Industry] have been in progress since the beginning of this year. These courses, Sir, deal with elementary education in book-keeping, accounts and also the pupils are taught how to buy from wholesale stores, how to maintain and organize sales in shops, in addition to visits to selected established commercial firms and undertakings. Sometimes, Sir, when it is possible to arrange it—and it is quite frequently arranged—prominent business people also pay a visit to Jeanes School and deliver lectures to the pupils. These courses—my advice is, Sir—are quite popular, and quite a number of students—pupils—are coming to the school from all towns in the Colony.

The hon. African Representative Member went on to say, Sir—and he seemed to suggest this rather strongly—that perhaps it would be better if, instead of advancing these loans to African traders, the money might be spent on surveying their plots to give them titles to their land. Well, that object may be a desirable one, but I should like to point out to the hon. Member that the sole object of making these advances to African traders is to improve their economic prosperity, and that is also something worth having.

I feel, Sir, that in spite of the remarks of the hon. Member yesterday, the African traders themselves are keenly interested in the matter, and appreciate the efforts that are being made to assist them to become bigger and better business men.

When the hon. Member was speaking, Sir, I felt how much better it would have been if, instead of speaking in the strain in which he did, he had given expression to a feeling of some small gratitude to all those officers in the Administration who have worked hard—and will continue to work hard—to make the schemes for the assistance to African traders a success.

In addition, Sir, I also felt that the type of remarks that the hon. Member made were capable of conveying a hint of ingratitude, not only to those who work in the Administration, but also to those who provide the funds. As I have already stated, Sir, I am, however, convinced the traders themselves do not feel that way and they are appreciative

and thankful for the assistance that is given to them to put them in a position in the trade which will enable them to compete with the other races.

The second point that the hon. Member dealt with this afternoon was the question of mining. He seemed to accuse my hon. friend, the Minister for Commerce and Industry, of not having shown any interest in mining. If I wanted to be rude to the hon. Member, Sir, I could say that he did not know what he was talking about, but, as one may not be rude to hon. Members opposite, I will not say it.

I should like, Sir, to give a little information in connexion with mining and what has been done. I should like to begin by saying what progress has been made in connexion with the Geological Survey of the Colony. In 1945, Sir, about one-tenth of the Colony, or say about one-seventh of the potential productive area had been surveyed. To-day, that has been increased to about one-third, that is, Sir, the productive potential area of the Colony which has been surveyed for geological purposes is one-third now.

Hon. Members are aware of the difficulties and the shortages that we have had in connexion with the survey staff, and, when those two figures are compared, I think it will be conceded, as it must, that a great advance has been made and that advance, Sir, is being continued steadily because we realize the great importance of ascertaining what wealth we have and to what best use we can put it in the Colony.

I should also like to mention, Sir, in connexion with mining, that it was only about a month ago that the first base metal mine in Kenya was opened. It was an event of great importance to which a fair amount of publicity was also given and, that the hon. Mr. Awori, who is an alternate member of the Board of Commerce and Industry, should miss an event of that kind, is simply amazing to me.

In addition, Sir, as you are aware, two world-wide known mining houses have come to Kenya. There is first, Sir, the Anglo-American Corporation who are trying to develop Mirna Hill. Then there is, Sir, the new Consolidated Gold Mines, who are trying to develop the Kenya kyanite deposits.

[The Parliamentary Secretary to the Minister for Commerce and Industry]

Now, Sir, I think it is known, and, if it is not known, it must be told now, that it was because of the efforts of the Mines Department of the Colony that Mr. M'rina Hill has reached a stage, after experiments conducted by the Mines Department of the Colony, where outside private enterprise could come in to carry on further with this project. One could not deny that both these private enterprises, as well as the staff of the Mines Department, could justly feel resentful about the remarks made by the hon. African Representative Member. It shows little or no appreciation of the extremely hard work which they have put in and, Sir, I feel if there cannot be just praise given to these people, at least let there be no unjust criticism.

I beg to support.

MR. SLADE: Mr. Speaker, Sir, there are several aspects of these Estimates and of the Minister's speech which deserve recognition and grateful appreciation.

In the first place, I think we all approve most strongly the bold, confident tone of his speech and the confidence represented by these Estimates.

Next, there are various particular matters for which we are grateful. There is one which has not been mentioned yet, and that is his promise within the next three years that there will be another quarter of a million pounds added to the funds of the European Settlement Board. That is something which we have all thought absolutely necessary and are most grateful to see it coming. Again, Sir, from the point of view of my own constituents, I am most grateful for the promise of another quarter of a million pounds to be used in helping farmers, of all races, who have suffered through the Emergency. Now, the value of that particular measure, Sir, lies not only in its precise economic value; it is, indeed, very necessary, from a purely economic point of view, that these farmers who have been hit so hard should be kept on their feet. But it goes further than that: it has great psychological value, and it will represent, I think, to the farmers who have suffered in this way, that their contribution to

end the Emergency by standing firm, has been a very big contribution, and is so recognized by this Council. We have heard already, Sir, the value of the contribution by the United Kingdom with money and personnel, the value of the work by our own Security Forces, fully appreciated, and quite rightly appreciated, but the value of those who stood firm, being one of the first objectives of the onslaught, the main intended victims either to be killed or to be frightened out, or to be driven out economically, their resistance was a very big contribution too.

Sir, again I must join others in thanking the Minister for having removed the Coffee Export Tax. That was not at all too soon. We have all taken the view that it was a wrong kind of tax altogether. That being so, we remain sorry that the Wattle Export Tax has not gone too. Perhaps we will see it go next year. It is, I understand, the last one.

Again, Sir, speaking for myself, I approve strongly of the proposal to consolidate civil servants' salaries. I believe that the system of cost of living allowance is, in the long run, a pernicious one. You can run it for a short time, but, if it becomes a permanent part of your structure, it definitely contributes to the spiral of inflation and rising cost of living, and no one knows where he stands. Neither the civil servant, nor the public, are better for it.

But coupled with that approval, Sir, of consolidation, I would ask the Minister to be very careful that, when he takes this important measure, he does, in the end, secure the confidence of the civil servants. Their confidence, their satisfaction, is of vital importance, and I believe, myself, that by and large they are very reasonable people in these matters.

In that respect, Sir, I do not agree with the hon. Member for Nairobi West, who seemed to disapprove of the existence of the Civil Service Association. That organization seems to me, Sir, a very desirable organization; in fact it is very far removed from anything like a trade union; it is the alternative to a trade union.

LT.-COL. GROGAN: The hon. Member will pardon me for a moment; I never said anything about my objecting to the

[Lt.-Col. Grogan] Civil Service Association. I said Sir Charles Bowring did.

MR. SLADE: Oh, I beg your pardon: I apologize, Mr. Speaker, to my hon. friend.

Well, Sir, I need not say much more on that except to express my support for the Civil Service Association in representing civil servants in these matters as being very much more preferable than anything like a trade union. Sir, I am very sorry I misunderstood my hon. friend.

Sir, there are other particular features one could comment on with approval; but, what did strike me in general, was the increasing tendency on the part of Government to recognize the value of things that we urge on this side of the Council. In this Budget in particular, that seems to be more apparent than in recent years. I do want to make it clear, Mr. Speaker, that in saying that I am not taking credit for this side of the Council, but giving credit to Government. It is not a matter on which we want to crow. We may very often be wrong in what we urge. But it does show, on the part of Government, both wisdom and self-confidence. I think, when they find themselves able, from time to time, to accept what we have recommended on this side of the Council as being worth something.

But, Sir, having said that, I am afraid that I cannot agree with the hon. Chief Secretary in his suggestion that this Budget is so flawless that it has produced from our side no criticism except a few hardy perennials of a minor kind. Indeed, Sir, when I heard him say that, I wondered whether he was really listening to the speeches that had gone before. Or was it possibly, in the alternative, a case of stark insensibility? However that may be, Sir—

THE CHIEF SECRETARY (Mr. Turnbull): Mr. Speaker, Sir, I would like to say that I spoke very early in the debate!

MR. SLADE: Mr. Speaker, Sir, I am afraid the hon. gentleman has hardly given an adequate excuse. He certainly spoke after the hon. Member for Nairobi North, the hon. Member for Nairobi South, the hon. Member for the Coast, and several other Members, who had dealt with much more serious matters than any he dealt with in his reply.

However, that may be, Sir, I feel now none of the hesitation that I might otherwise have felt in telling the hon. gentleman once again what we have been trying to tell the Government all through this debate: They are, indeed, hardy perennials, but they are hardy perennials with deep roots; hardy perennials on matters of fundamental importance. I will try to summarize them again as briefly as I can.

Dealing first with the revenue side, there is this very important matter of the graduated wealth tax for Africans which we have raised time and time again. We are most dissatisfied with the slowness of Government to do anything about it. Now, Sir, we are told by the Minister that Government has not abandoned the idea. That may be so, but Government is doing nothing about the idea either, and, meanwhile, we have the position that there is a law of income tax applicable to Africans but hardly, in fact, applied at all, and this alternative is simply being left in the air. There is no answer, Mr. Speaker, in saying, "It cannot be done. We have not the staff. We cannot face the cost", or anything of that sort, because the only alternative to this really is to continue the income tax law, and make it applicable, by incurring greater cost on the investigation side. Most of us feel, Sir, that that is not the best alternative. What we have seen in other cases is that in these matters of collecting revenue, the cost is always justified by results, and such it must be in this case too. It is a matter of fairness, Sir, and fairness to the African as much as anybody else, to find a tax that is suitable to his condition rather than half apply a tax which does not really fit.

I am surprised, Sir, that at this time, of all times, when our need for revenue is so desperate, that the Minister keeps telling us that this particular matter has been left in abeyance. And that is one of the hardy perennials.

Another, Sir—

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Sir, I must just correct the hon. Member. Nobody has said that the matter has been left in abeyance. I merely made an interjection in order to correct the statement made by the hon. Member for Nairobi North.

MR. SLADE: Mr. Speaker, I appreciate that, but the interjection was so discouraging, being phrased in the words that "Government had not abandoned the idea," that the Minister must not mind if we choose to speak as we do. But perhaps he will give us more encouragement when he winds up this debate. I hope he will.

The next hardy perennial, Sir, is with reference to personal tax. That, also, is a matter of deep importance affecting many people, particularly many poor people. There is one aspect which has been raised by other speakers, and that is the desirability of setting it off against income tax.

There is another which I do not think has been mentioned in this debate, although mentioned on many other occasions, and that is the necessity of giving much more free relief with regard to this tax to the really poor people, the people who cannot afford, literally cannot afford, £10 a year by way of personal tax.

The third hardy perennial, Sir, which has been raised by other speakers, and is a fundamental issue of course, is the proportion which we regard as the excessive proportion of direct taxation to indirect taxation. Sir, we are seeing in this Budget some move in the right direction, but I, for one, do not think it has gone nearly far enough. As long as the proportion remains as it is even now, we cannot pretend to be entirely satisfied with the Estimates which are now before us.

There is also, Sir, which I must mention in passing, the question of incidence of tax. We discussed that at great length when we were discussing the Gill Report and we are told now there is to be another Commission to consider among other subjects, this question of incidence of direct taxation. As we are going to have this further Commission, I do not want to waste the time of Council in discussing what they are to consider. I only do hope that they will be encouraged to come to their findings and make their report at the earliest possible date. But I would mention just one thing that I hope they will consider in particular, and that is the question of what one might term pensions for the self-employed. Now, I do not agree with

the hon. Member for Nairobi West—if I heard him right this time—that he does not approve of pensions at all for civil servants.

LT.-COL. GROGAN: May I correct the hon. gentleman again? My point was that the money equivalent to pensions, in other words consolidated pay, would probably be more to the advantage of civil servants than the pensions system.

MR. SLADE: Thank you, Mr. Speaker. I do not agree with that point of view. I remember that it was that, in fact, that the hon. Member said, but it is with that that I do not agree. I think it is very desirable that all people in all walks of life should be facilitated in making provision for their old age, and, if you can do it by way of pensions for employees, so much the better. I am sure they gain by it. But, you have got, on the other side, the self-employed man who has no one to give him a pension when he retires, or becomes disabled, worn out; the professional man, the commercial man, who is running his own business and so on. Now, those people are so heavily taxed on the comparatively large incomes that they may be earning during their active years, that they have very little opportunity of saving to provide a pension for their years of inactivity. The employee with a pension—whether he is a civil servant or otherwise—escapes that disadvantage. He is not taxed during his earning years on the value of the pension he is going to have when the time comes, and there must, I submit, Mr. Speaker, be some corresponding provision which enables the self-employed man to provide for his years of retirement.

Now, Sir, turning to the expenditure side of the Estimates, again there are some hardy perennials of a very serious kind. The first and foremost is, as the hon. Member for Nairobi North emphasized, that we are very much disturbed, year by year, by the rate of increase of expenditure. I think we face the fact that there is bound to be an increase in expenditure, not only with the growth of the Colony but with the results of inflation as it goes at present. But, when you find an increase in expenditure from one year to another, at what I calculate at 18 per cent overall,

[Mr. Slade] and the Minister will correct me if I am wrong, but it appears to me that our ordinary recurrent expenditure has gone up from £22,000,000 to £26,000,000 and I work that out as an 18 per cent jump in one year, then the position is very serious. We must find some way of curbing that rate of increase in expenditure.

Along with that, Sir, is our anxiety so often expressed as to the proportion of expenditure as between productive services and non-productive services. In reading the figures, the percentages given to us by the hon. Minister in his speech, it appears to me that we are spending some 25 per cent of our total revenue on non-productive services, excluding security, excluding administration; 25 per cent on education, health and social services as against 18 per cent on the productive services. Those, in a country of this age, seems to me to be quite an extraordinary and unrealistic proportions.

I am among those most interested in the non-productive services; in education, health and social welfare. Indeed, Sir, I understand their importance as much as anyone. But I do know that we have got to be patient, and not spend more than we can afford on them. We shall not have the money to spend on them, unless we can increase our productive services. We say that every year, Sir, but it does not seem to have sunk in yet.

In that connexion, I would just like to make a passing reference to what was said by the hon. Nominated Member, Dr. Karve. This question of social services must be tied up with standards of living and what we can afford, what the individual can afford. I am quite certain that all these problems are closely related to what he said to us about family planning. Family planning, as explained by him, is a key to one of the biggest barriers now standing in our way. I believe that until people understand more clearly the meaning and importance of family planning, we shall not be able to expand our social services to cover every citizen to the extent that we should like to do. I do congratulate the hon. Member for bringing this forward again. He has brought it forward before on occasions, and he has appeared to be a prophet without honour, but, on this occasion, the hon. Chief Secretary ex-

pressed his open support and I hope that is going to be followed by action on the part of Government to start teaching the people of this country the importance of what he said on this subject.

Now, Mr. Speaker, there is another aspect, rather a new one, on the expenditure side which is disturbing many of us, pointed out by the hon. Member for Nairobi North; one of the things, I think, the hon. Chief Secretary must have missed. This Very large transfer of items from Emergency expenditure to recurrent expenditure. That is to say, as I understand it, making a very large part of what is now Emergency expenditure permanent expenditure. I have no doubt, Mr. Speaker, that we shall find that some part of our Emergency expenditure has got to become permanent expenditure through the lessons that we have learnt in the Emergency; expenditure on the police, expenditure on the closer administration. But I do say, Mr. Speaker, that it is premature to decide now what part of that Emergency expenditure has to become permanent expenditure; it is much too early to be doing it, before we have even started to decide how we can cut our Emergency expenditure. I would remind hon. Members that not many weeks ago I asked the hon. Chief Secretary a question as to what steps Government is taking to cut down Emergency expenditure, to start pruning, and I got an answer which did not indicate that anything was being done at all; it was so vague; I got a promise that something would be done, and that the situation would be considered in due course, but—

THE CHIEF SECRETARY (Mr. Turnbull): I thank the hon. Member for giving way, but the hon. Member's question referred specifically to district and provincial headquarters. It had no general implication.

MR. SLADE: That is perfectly true, Mr. Speaker; it was one of the most glaring examples of what some of us regard as over-expenditure at the present stage of the Emergency, and the answer remains quite as unsatisfactory. If one could take the answer to that question as the kind of answer one will get to other questions about pruning Emergency expenditure, then I say again we have got a long way to go before we can decide what part of

[Mr. Slade] the Emergency expenditure is to become permanent expenditure.

I do urge, Sir, that we get busy, more busy, with cutting down our Emergency expenditure now as the Emergency runs out, and then later, when we have done all the pruning that we possibly can, to transfer what is left to our recurrent expenditure. I know the difficulties of pruning once you have the expansion that an Emergency makes. I know the difficulties of going to particular establishments and deciding what individuals you can cut out. I do believe, Sir, and I think others, with experience, will support me, that you have to be rather more drastic than that, and say "the time has come in certain quarters now for a 10 per cent reduction in your establishment and you arrange it how you will," and a little later on "another 10 per cent in reduction in your establishment, and just tell me why you cannot do it if you can," and so on.

But there has got to be economy and that brings me, Sir, to the Organization and Methods team, the existence of which we all welcome. I would like to be assured that that team is going to be allowed, and encouraged, to look into every corner, every corner, of the Civil Service, and to comment on every aspect of its activities, not restricted in the field of its inquiry. Even, Sir, if one receives a satisfactory assurance on that point, I still believe that there is much to be said for the view of the hon. Member for Nairobi North that we shall need an economy committee as well for the reasons that he has given, because economy is our burning need.

I end, Sir, as I started, by admiring the confidence expressed by the Minister and thanking him for it. But I would remind hon. Members that, with confidence, you must have a level head. You have got to keep looking at what you can afford to dig out of the ground, as it were, in the form of revenue so that you are not mining your land. You have got to make sure that you take from the right places and you have got to make sure that, when you have taken what you can afford to take, you do spend it to the very best advantage without any waste anywhere and we cannot be satisfied yet, Sir, that that is the position here. The question is one of vigilance, vigilance as well as confidence,

and, I would suggest, Sir, that confidence without vigilance can be very dangerous.

I beg to support.

MR. MATHU: Mr. Speaker, Sir, I should like to join those hon. Members who have paid tribute to the Minister for Finance for the very hard work he has taken to prepare this speech and the manner in which he delivered it.

I would like more than half an hour, Sir, if I need it.

But there is an aspect of the programme on which I cannot congratulate the hon. Minister because I call this a political Budget, an electioneering Budget, a Budget in which concessions have been given out of revenue because there is a pending General Election. On my side, these concessions consist of revenue which was derived from agriculture, and particularly with regard to the export tax on coffee and the export tax on cotton. The export tax, Sir, in concession to coffee planters, is to the tune of £2,000,000 and, in order that there should be no criticism that there was discrimination in this matter, the idea was that the export tax on cotton should also be withdrawn: that amounted to £100,000.

Now, Sir, the Election Budget did not end there. There was, therefore, need for Government to consider other ways of collecting further revenue and they decided that the way to do it was to impose medical fees, as far as African patients are concerned in Government hospitals, and in dispensaries and increase the tax on driving licences. The medical fee, Sir, is estimated to bring in £50,000. That reduces the concession the African cotton growers are supposed to have by waiving the export tax on cotton by 50 per cent, so there is now only a 50 per cent concession.

Let us look at the driving licences, such as they are. The estimate is £35,000. Most of the drivers in this country, Sir, happen to be Africans. They do not own motor cars, but I think almost every hon. Member in this Council has an African driver to whom he has to pay Sh. 10 at the beginning of January, 1957. Sir, my estimate, which is a guess, perhaps, but it is a very near guess, is that possibly 75 per cent of that £35,000 will come from the African drivers. If that is the case, Sir,

[Mr. Mathu] the other 50 per cent concession, we have got from waiving the export tax on cotton, is 15 and we have a mere £5,000 left. Well, I hear hon. Members say "uh!" I have a little less of mathematics, Sir, and I would like hon. Members to challenge what I say as incorrect, as far as the comparison of the figures of export tax on cotton, £100,000, and the medical fees are concerned.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): I would say, Sir, the hon. Member's arithmetic is probably correct. The thing that is wrong is the fact that this is not directed to the same source.

MR. MATHU: I was thinking, Sir, about hard cash. Now, we are waving hard cash from one pocket to another; I do not care where it comes from, as long as the African does not benefit, as far as cash is concerned. I do still suggest, therefore, that this is an Election Budget which is going to benefit those who are expecting votes in October this year.

The other previous speakers have commented on the other aspects of revenue and my hon. friend, I think it was the Member for Mau, and now the Member for Aberdare, discussed the question of graduated wealth tax for Africans. The principle is not disputed, Sir, and the matter remains with the Government to see how best they can administer that scheme. So far as we are concerned, there is no battle between hon. Members on my right and ourselves, but the point on which I would like to join issue with my hon. friend, the Member for Aberdare, if I got him right, is that the income tax law is not at all applied to Africans. That, I think, if he did say so, is incorrect.

MR. SLADE: I thank the hon. Member. No, I did not say that, or, I certainly did not intend to imply it. I did say, or intended to imply, that it was not applied 100 per cent or anything like 100 per cent in the cases where it was applicable.

MR. MATHU: Well, of course, Sir, I do not think if the hon. Member reads his speech later he will find the words "100 per cent" in it because I never heard them, but the point I want to come to is to underline this fact, Sir,

that there is already a special department of Inland Revenue specifically to deal with income tax payers among the African community, and thousands of pounds have already been collected by that department from Africans, going back to 1948 which is, of course, I think, iniquitous when Government had no staff to deal with this matter of Africans when the time came. My hon. friend, the Minister for Finance, knows I had been in discussion with him about a year or so ago about this matter. I have even corresponded with him about this matter and he did say, that, of course, the principle was there and the income tax law was non-racial, but, of course, Government had no staff. Now, surely, Sir, I cannot see why Africans should be penalized because of the failure of Government to get staff to deal with the taxpayers in this matter and I still suggest to my hon. friend, the Minister for Finance, to consider the suggestion we have made more than once that a nearer date—say 1954—should be the date when you start collecting income tax from Africans. We never used to pay before, but nobody ever sent us forms I do not think, Sir, it is a matter that I can ever see any morality and I think the Government should reconsider this matter again. It is not fair. It is not fair at all.

Now, having dealt with that issue, Sir, I should like to say that I personally think that the medical fees were imposed at the wrong time. This is the time when most of the Africans are finding it almost impossible to live. Hon. Members on this side of the Council, have discussed the inflation and it shows how couples of their own community find it hard to live. Most of the Africans in the urban areas I do not know exactly how they manage at all, and, therefore, I suggest, Sir, it is the wrong time to impose this medical fee. My suggestion, Sir, to my hon. friend, the Minister for Finance, is to consider whether he should not waive the whole question of medical fees for the present, but continue to levy fees for out-patients in the out-patient department of the hospitals of Government and in the dispensaries. But, if he does not think that he can do that, because my hon. friend, the Minister for Health, is sitting on him very hard

[Mr. Mathu]. . . indeed and he wants to make sure, at any rate, that he has some money from his own Portfolio, then I suggest, Sir, that the more applicable way of doing it would be that the Government should consider levying Sh. 5 on in-patients, adults only, for the whole time that they are in hospital. Only to implement the principle which I am not disputing, Sir, and later, in better times, we can increase these fees as we please. I do plead, Sir, that the children in-patients—the fees should not be levied on children at the same rate as adults and I feel, Sir, that I should like, very much, indeed, the Minister for Finance and the Minister for Health, to see their way to delaying implementing the principles which, as I say, I am not disputing, because these are very hard times indeed for the African community. As my hon. African friends on this side have suggested, it will drive quite a large number of people to superstitious methods of curing their ailments and then, of course, we will go back to the Stone Age before the Europeans came to this country.

The question of driving licences. I am not opposing, Sir, I think the increase is justified. All I wanted to point out is that that is meant to off-set the £100,000 which we are to get as a concession from cotton.

Now, Sir, I have a few remarks that I should like to make on the question of agriculture, and say, Sir, that my hon. friend, the Nominated Member, Mr. Riddoch, said that there was no blame on Government in encouraging Africans to grow cash crops in Nyanza but there was apathy. But my hon. friend, the Director of Agriculture, in his Annual Report of 1955, said this. With your permission, I have only one or two sentences to read. "After many years in Africa of disappointment at the slowness of results and lack of response from the people."

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Would the hon. Member like my glasses?

MR. MATHU: . . . the writer, for the first time . . . this is Mr. Roddan, Sir, . . . feels that new spirit is awakening, that there is a desire to farm and to farm well and that the years of

lethargy, indolence and frustration are behind us." Now, I do think, Sir, this is the first time I have heard reports, read reports, of the Government which are encouraging, because on many occasions we hear that the African does not follow, does not understand, and does not move forward. For the first time, Sir, I should like to congratulate my hon. friend, the Director of Agriculture, for this most encouraging observation on the development of agriculture, and to advise my hon. friend, Mr. Riddoch, to read it if he would please, because if he read it further there are still encouraging remarks by the Director of Agriculture.

But having said that, Sir, the second thing I would like to say is that we appreciate, as the hon. Director of Agriculture now appreciates, that there is a new spirit and awakening to farm and farm well. Now, what we want next, what we want next, Sir, is an encouragement to feel that we can grow the cash crops, in particular, without unnecessary restrictions. My hon. friend, the Minister for Agriculture, and my hon. friend, the Director of Agriculture, knows that we have had long discussions with them, many times, over this question of cash crops. Coffee, wattle, sisal, tea and pyrethrum. But, this afternoon, Sir, I should just like to refer to two of these. It is hard on you, Sir, as my hon. friend, the Chief Secretary, wanted to say that it was nothing new, but this is a very fundamental matter of coffee growing. In dealing with trees, we would like the Minister for Agriculture and the Government to consider talking about acres, starting with 10 or 5 acres, and see whether we can do it. But this number of 101, not 100 now, 101 trees, it is not encouraging and now that the spirit is awakening in the African people to respond to the advice of the Agriculture Department, why are you putting the brake on the wheel of the development of African agriculture by limiting them to a number of trees? (Interjection by THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: "We will make it 102.") Well, my hon. friend says he is going to make it 102. I should like to ask him to make it 102 acres and see whether we can do it. My hon. friend, Mr. Awori, did point out that in the neighbouring territories Africans are growing coffee and in Chogaland, I think, there is one of the

[Mr. Mathu]. . . biggest African Co-operative Societies we have in East Africa, the Kilimanjaro Native Co-operative Union. They have done wonderful work. I have been to their own country. Look at these coffee farmers; look at their own houses, their standard of living, there is no question of trees, it is a question of the amount of land available to each African grower in that territory. Now, it is the same principle that we have been trying to persuade this Government, as far as I can remember, for 12 years in my own case and they have not budged. I thought the Minister for Agriculture, having been the Elected Minister in this matter, would have changed this policy. He has not, not in that respect, not at all. I would like to appeal to him to reconsider this matter. This is the safeguard which, I think, he requires us to tell him that we would not object to. We would not object if you increased your agricultural staff to supervise the coffee industry. I would not object to that, so that we could make sure that there is no lowering of standards, or rather of quality, and that the disease is controlled. We have got no objection to that at all, because we do not want to get the existing coffee growers into any trouble because of ruining their standards. But I do suggest, Sir, that the time is here, and my hon. friend, the Minister for Agriculture, missed a very good opportunity during the Elections, by removing this 100 trees business and putting it in acres.

The next crop I would like to mention, Sir, is wattle. I, like, I think, my hon. Nominated friend, Mr. Riddoch, would have appreciated a waiving of export tax on wattle. I would like to ask the Minister for Finance to tell us what is the price structure of wattle bark, wattle extract, for export and what element in that structure, is removed from the African grower to pay for export tax? I think it is important, because as you know, Sir, in 1955 the Africans produced nearly 49,000 tons of various grades of wattle bark in the country. The European growers in Uasin Gishu produced about 20,000 tons, and I do think, Sir, that if you waive the tax you will have the larger African growers enjoying some concession in this matter. But he did not choose to do so, perhaps because he looked at these tonnages and he found

that some other community and not European was going to benefit more, maybe I am making an imputation and if it is I withdraw—maybe the damage has already been done. But, I ask, Sir, that something should be done.

Now, further, Sir, about wattle. In the Central Province, I should like to ask the Minister for Agriculture, and the Director for Agriculture for that matter, whether they can be generous in their issuing of cutting permits to wattle growers. There has been a certain amount of restriction in that you would not get the amount of tons that you could cut if you have matured trees, where you were given, say, one lorry, three tons, even if you can cut 10 tons, and I think, Sir, it is not fair. The system of issuing these permits should be looked into, so that the money should not be wasted, because as you know the bark is there for 11 years, well, of course, it is dried and the whole quality goes down completely, and I would suggest to my hon. friend to look into that and see whether they can be more generous in their issuing of permits.

Now, I have one or two points, Sir, on the question of Provincial Administration and it is one of the points that my hon. friend, Mr. Gikonyo, raised in his speech, and to suggest that Government should make up their minds quickly as to whether the Tribal Police Force will continue as a separate organization from the Kenya Police Force. Our own view, Sir, as my hon. friend, Mr. Gikonyo, pointed out, is that it will be better to absorb the Tribal Police Force into the Regular Police Force so that you do not have two forces which might, on occasion have conflicting ideas. I know my hon. friend, the Minister for African Affairs, and the Chief Secretary, will suggest that the tribal police have a long tradition—and you know these messengers to the district commissioners' posts and so on, which could, therefore, continue forever. I think would be uneconomic. If you combine the two you will save money. Instead of having two offices, one for the tribal police, and one for the Kenya Police, why not have one? It is not because I do not appreciate that they have a long tradition, Sir, I do, but the time has come for economy. I think this is one time where we can economize by avoiding duplication—I think there is duplication here—and the time has

[Mr. Mathu]

come, I feel, that even with their long history the tribal police have had long tradition, a very good tradition, but let us save public funds.

Now, the other side to mention to the Minister for Finance and to the Minister for African Affairs that I do think, Sir, that in order to expand our economy in the Central Province, in particular, the time has come now with the improvement in the Emergency situation when shops—African shops—and barter markets should be opened, so that people can have full day trading instead of closing them completely or opening them only partially after Government collecting traders' licences fees, Sir, and Weights and Measures inspection fees, shops are closed. The money goes to the Government and the trader gets nothing. That is the situation and particularly when the Kikuyu cannot move about very much, you know, that is the only way he can earn a living to pay Government taxes. These shops are very heavily capitalized in stone, you know, and every cent of a man and his wife, went into them without getting any loans, you see, from my hon. friend for Commerce and Industry—I will come to you later.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): Thank you!

MR. MATHU: Now, I would like to comment very briefly on the Civil Service and to agree, I think, with many hon. Members on this side. I think it would be better to consolidate the Civil Service pay and I do hope, Sir, that the deadlock existing between the Government and the staff side of the Whitley Council will be resolved, because I do think that it is important to avoid any falling down of the morale of the Civil Service because there has not been any agreement in this matter.

I should like, Sir, to go to my hon. friend, the Chief Secretary, and say, Sir, that he had a very strong attitude against the suggestion that my hon. friend, the Member for Central Area, made. It has been made before, and I supported him about competitive examinations for the Civil Service and he said he hoped he should not have to hear this again and if he did he would dismiss it with a mere "po".

THE CHIEF SECRETARY (Mr. Turnbull): The expression, Sir, was "pooh".

MR. MATHU: Well, Sir, I entirely accept his explanation which is not so very far apart from ours—it is just the phonetics you know of the subject, particularly when it is not my mother tongue!

But I do hope that my hon. friend will not be very dictatorial in this matter, that he will not close the door to hear our views on this matter in the future, and I hope that when we come in full swing on the same subject, he will not just dismiss it with "pooh".

In addressing the African Civil Service Association, my hon. friend, on the 7th of April this year, said this on the same subject because the African Civil Service Association raised the matter, "The sole criterion of acceptance into certain grades, cannot be on education achievement. I have recently spoken strongly in the Legislative Council . . ."—and when you speak again, it will be very strongly this time—"on this subject and I will repeat here to-day what I said then, that selection for employment will depend as much on qualities of character, of integrity, of leadership and of intelligence as upon educational achievement". Now, I entirely agree with the hon. Minister. There is no disagreement between us on that issue. What we do suggest, Sir, is that in addition to all these imponderables, as he calls them in that speech, in addition to all these, we would like to follow what has been done in other countries, particularly in the United Kingdom; that the competitive examinations should not be the only criterion. My hon. friend gives us the impression about this applicant of his who is applying for service with the diplomas bulging out of his pocket and with very poor character, and his Indian clerk, who could hardly write his name, but with first-class virtues, that he thought those who have diplomas have no virtues at all. Some have, including my hon. friend the Chief Secretary! And, I do suggest, Sir, that he should wait, because we are going to raise this matter seriously again and I should not waste the Council's time in elaborating on that point.

But, there is another aspect which was raised by the African Civil Service Association on the 7th of April this year, Sir, which I would like to raise, and that

[Mr. Mathu] . . . in connexion with Government staff that were taken for screening during Operation "Anvil", or after, or before, and were then found white—that is they had no connexion with subversion and were released, and the representation, I gather, is that these men who were found white should, not only be reinstated in Government service if they so wish, but they should not lose any of their privileges, and my hon. friend, the Chief Secretary, gives this as Government's policy: "It is the policy of the Government to re-instate with the full restoration of all privileges those employees whom it has been found subsequently have been detained as a result of mistaken identity or false accusation." Those are the people that I am making representations for and I understand there are quite a number. In fact, many have written to ask about this matter, and I should like him, Sir, to look into the matter and see whether he cannot meet the wishes of those who have already been let free and who had no connexion with subversion.

Now, Sir, I should like to welcome the economic assistance which my hon. friend, the Minister, has proposed to those agriculturists who are in troubled areas, and I do hope, Sir, that as my hon. friend, Mr. Gikonyo, said, that there will be representation of those African loyalists who have suffered in the past and I hope that the Minister for African Affairs agrees with me that they would require a good chunk of this £250,000 to get them back to their earning process.

Now, Sir, my hon. friend, the Minister for Commerce and Industry, and his Parliamentary Secretary, have spoken about the loans to African traders and the business generally. I agree with them, but I do urge that what we really want in this matter is results. That is, we would like to be assured that the steps that the Government is taking in bringing these people from businesses to short courses in Jeanes School and all that type of thing is really going to produce the businessmen we want, but I should like, Sir, to say, and to the African people in particular, that they must not think that they are going to be businessmen by borrowing money. If they do, they are mistaken. In fact, I have not seen one who was made a better businessman by loans. Even these loans to African farmers—I have not seen anyone who beat the fel-

low who does the hard work himself through his own initiative. Government naturally must give assistance, but that is not the be-all-and-end-all here, Sir, and I would like the African people to feel they must be businessmen through hard work and it is not a question of getting money in the first place; in fact, I think they will find it is a big burden to repay these loans when the time comes and if the business does not work well they will have to pay back these loans; but I do suggest, Sir, with all those safeguards, it is important that there should be quickening up to see results. You see, there is a difference between the African people and the European in this matter. When an African says: "I will give you a cup of tea", the cup of tea is ready and he gives it immediately or almost immediately; but with the Government, you say you have a proposition that something is going to take place; it then takes 10 years. Well, we think you are entirely wrong in this matter. It is entirely different—the attitude of Europeans in this matter is different, so I am suggesting—when you are not ready, please do not make a proposition that you are going to do something. Wait until you are absolutely ready and go to the African people and say you are ready to do it. Otherwise they begin to become suspicious that you are not meaning exactly what you say.

THE MINISTER FOR COMMERCE AND INDUSTRY (Mr. Hope-Jones): Perhaps the hon. Member appreciates that the money from the United States Government has not yet been paid over. We expect it at any moment.

MR. MATHU: I appreciate that very well indeed. I was actually not specifically referring to this; I was making a general statement on matters of that kind.

My hon. friend, the Member for Nairobi South, in congratulating the Security Forces, I think was a bit unkind by leaving out the K.A.R. and the Kikuyu Guard. I would like to pay my tribute to these, in addition to those that he mentioned.

My hon. friend, the Member for the Coast and my hon. friend, the Member for Mount Kenya, I think, and my hon. friend, the Member for Nyanza, all spoke about labour and hard work. I entirely agree with them that all must work, and I do think that if every

[Mr. Mathu]

A person in this country worked as hard as he should, we would see a tremendous improvement in our economy. But I do suggest, Sir, that words such as those that my hon. friend, the gracious lady for Nyanza, used against African labour, I think are very ungrateful. She said that all the available labour that they have is irresponsible. Now that does not help. Sir, when we know there is no farmer in this country who has not got African hands, not one, either in their own domestic service or on their farm. I do not know anyone who has not got those. And they are doing something. But to call them wholesale irresponsible—I think it is very discouraging. Sir, and I do think there should be some gratitude given to those people who work under sometimes hard conditions, usually not very good pay, social services very limited, but they still see that the cattle are milked at the right times and that milk is delivered to the station, also at the right time, and the sheep are shorn and the pyrethrum is picked and the tractor moves and the wheat is reaped. Now when you hear, then these generalities that dishearten everybody who listens to them—and I would like to urge my hon. friend, the Member for Nyanza, to reconsider to look at it from an appreciative lady's point of view, in other words, because these are like their children, except that they have black skins.

Now, Sir, I would like to challenge, I think, the view that was expressed by most Members on this side of Council about social services not being productive. Well, to some extent that is correct, but unless you have trained men and women to carry on agriculture, commerce, industry—without their being trained, how can you get efficiency? And health? How can you get an empty stomach a diseased African with round worms, he cannot work, even if you beat him up, because he has no stamina, and I do think we should have a sense of proportion in this matter. I personally think it is a matter of the argument of the chicken and the egg—which comes first? But I do suggest, Sir, that it is the training—the skill—that we require in this country. We have just been debating this very subject in the immigration policy, and the whole argument is that

we want skilled men and women to help us with the development of this country. And I therefore put that first. At any rate, from the African point of view, without education and health services, then I think the African is not getting the opportunity to contribute his fair share in the development of the country.

On the subject of roads, Sir, I do agree with my hon. friend, the African Representative Member, Mr. arap Moi, that something should be done in the African areas, not only of opening new roads but I do think there should be—and I have said this many times before in this Council—some body to guide the African District Councils to have a definite plan of hard surfacing their own roads. That has been the only criticism I have made in this Council. In wet weather all roads are closed in African areas, you cannot move, but I hope with this closer administration, with more Jeeps running through the countryside, we might have them hard surfaced.

My hon. friend, the Member for Nairobi North, also talked about labour and said that it is Government's duty to see that the employee fulfils his obligations to work hard. I entirely agree, but I do suggest, Sir, that the employer has an even greater part to play in seeing that he does not accept anything but a full day's work. It is definitely his responsibility. The African employers, Sir, particularly farmers, are finding it difficult to get labour at the present moment; the African would not accept half a day's work when it should be a full day's work, and he would not accept any pilfering. Yes, so the Africans come to Nairobi where they can have a quarter of a day's idling, doing nothing, and they get full pay, housing and all the rest of it. It is the employer who is mainly responsible. And I suggest, Sir, that it is important that the employer should also fulfil his obligations not to accept anything but the best.

I am nearing the end now, Sir. I have made a reply to quite a number of points my hon. friend, the Minister for Agriculture made, and I would like to say, Sir, that it is no suggestion that we should have hundreds and thousands of trees ill-tended, riddled with disease, and producing a quantity of coffee which we cannot sell. That is a red herring from

[Mr. Mathu]

our point of view, because we have not suggested that. We have not suggested that at all. What I am asking for is the answer; why not have closer supervision of the coffee planted? That is the answer.

I would like to support, as hon. Members have done, Sir, the suggestion by the Nominated Member, Dr. Karve, about family planning and I do hope, Sir, that Government will see their way to doing something towards this matter. I entirely agree with other speakers in this matter, and I hope that my hon. friend, the Minister for Health, will find a way of starting a pilot scheme possibly.

Now my hon. friend, the Minister for Forests, Fisheries and Game—there are two points I should like to comment on. My hon. friend, the African Representative Member, Mr. arap Moi, made very constructive suggestions in regard to training of African foresters, and my hon. friend replied about Londiani School. We have had this before when the Vote came up, my hon. friend will remember, and my complaint then was that they are taking a very small number of African trainees and also of men of very low standard. What we want is a person of higher calibre than an ordinary forest guard, or what you call them—something higher—forest ranger—something with a higher range than a forest ranger. And I hope that my hon. friend will see his way to making some improvement about his plan at the Forest Training School proposed at Londiani.

I entirely disagree with his reply to my hon. friend's suggestion about the national parks. Now surely, what my hon. friend was suggesting is not that there should be no national parks; what he was suggesting was that national parks—when there is any conflict of interests between game and man—then the interests of man should be paramount. That was the suggestion. But my hon. friend puts money first; money before life; because he thinks that the poor cattle in an area—oh why have we not improved the cattle in that area? Now who is responsible? In the Masai country, our plea in this Council for many years has been more water supplies, better grazing, better culling of stock—all these have been our requests. Very

little has been done along those lines, and my hon. friend now says: "Oh, well, economics first." Money, you see, for tourists first: The Masai with their poor cattle can go where they like. Now that, Sir, is the attitude I thought he took, which I think is very, very disheartening to me. My suggestion, Sir, is this: that if we have to have national parks—and indeed, I was one of the first trustees of national parks—and there is no disputing about the principle, but I do suggest, Sir, that we have to give the Masai or any other Africans in those areas who are affected by the national parks or the preservation of game, alternative methods of earning a livelihood. If that is not there, Sir, I do think that a more realistic attitude towards these things is the answer.

Now before I sit down, Sir, I should say, Sir, that I agree with the Minister for Finance that although this is a general election Budget, there is quite a lot of meat in it and we think that it is a step forward in our economic development in this country, but I do suggest to him, Sir, that he has a tremendous potential of economic developers in 6,000,000 Africans in this country, provided that we have a policy—a framework—through which they can exert their energies to increase the wealth of this country, and one of the methods I have suggested, Sir, is this question of cash crops, because they could bring more money to this country, if my hon. friend could be more human and remove these unnecessary restrictions which he has imposed on that section of the industry in the Colony.

Mr. Speaker, Sir, I support the Motion.

MR. RODDAN (Nominated Member): Mr. Speaker, Sir, I think that hon. Members opposite have shot their agricultural bolts and I will try to answer some of the points of criticism that have been made.

I should like first of all to deal with the speech of the hon. African Representative Member, Mr. Awoi, whose speech last night I must say I found rather difficult to follow; whether it was the lateness of the hour or something else, I am not quite sure, but I will try and deal with the points as I understood them.

The first point, Sir, was concerned with the cotton export tax, and he said that

and even know that the export tax is not
If that is so, Sir, I suggest that the hon. Member has failed very considerably in his duty to his constituents. I do not think, Sir, that I need deal with his suggestion that the export tax should not be removed, because I think the hon. Minister for Finance will enjoy the rather unique position of having had his generosity thrown back at him.

He asked, Sir, what price had been fixed for cotton for the coming season. By "coming season" I take it he means the cotton which is being planted now or will be planted next month. The answer is that no price has been fixed. He will be aware, Sir, I think, that the Kenya cotton price is very closely linked to the Uganda price and for the last few years we have always reached agreement with Uganda before declaring the price here. It has not been possible yet for Uganda to reach agreement on price, but the chairman of the Cotton Limit Marketing Board is going to Uganda next week to discuss this problem.

The hon. Member said that he had a revenue of over £1,000,000 on the Nyanza Cotton Fund and that this should be used to buy up the ginneries. He went on to say that the price to growers was 51 cents and the price at auctions was about 340 cents. Well, the price to the grower, Sir, is 54 cents, and the price at auctions this year varied between 240 and 250 cents.

He said, I think, that the ginneries did very little for the industry and, in fact, implied that they were robbing the poor. The implication, I think, which he tried to convey, was that there was a very big gap between the price paid to the producer and the price realized at auctions. Well, Sir, he is aware that it takes 1 lb. of seed cotton to produce 1 lb. of lint, so that the price of 1 lb. of lint is not an immediate price to the producer. The present price of 102 cents, I think, includes charges for buying, marketing, processing, ginning, transport and so on, and our experience has been that with an auction price of around 250 cents and a producer price in the neighbourhood of 54 cents we break about even. It is untrue to say that the ginneries are robbing the poor as he suggests.

the ginneries in Nyanza compare very favourably with those in Uganda.

On the question of nationalization of the ginneries, the hon. Member should, I think, use the appropriate channels for these suggestions or ideas he has. There is in existence the Cotton Lint and Seed Marketing Board, with its two Advisory Cotton Committees, one at the Coast and one in Nyanza, on all of which African producers are strongly represented. There has been no suggestion, either in the committees or in the central board, that it would be to the advantage of the industry to acquire ginneries from the present owners, and I feel, Sir, that if the hon. Member wishes to pursue these ideas of his he should pursue them through the statutory channels which have been set up for this purpose.

He went on to belittle the very small cotton production in Kenya, which he put at 12,000 bales, and said that Kenya's production could easily be 60,000 bales. Some time ago in this Council the same hon. Member complained that nothing was being done for cotton to improve the cotton industry. At that time, Sir, I suggested that he should visit the Cotton Research Station at Kibos, Nyanza, and see for himself what exactly was being done to foster the industry. I am not certain, Sir, but from his remarks yesterday I can only assume that he did not take advantage of that offer. His solution was to use tractors. Now, Sir, in the present patch-work development of cotton industry in Nyanza, with little bits of cotton here, there and everywhere, it is quite clearly uneconomic in every way to use tractors. If the irrigation scheme which is under consideration for the Kano plains materializes, then it may be possible to grow cotton in large blocks, but even in those circumstances it is not clear that it would be to allow the Luo farmer to sit us that little bit longer on that part of his anatomy referred to yesterday by the hon. Chief Secretary.

The hon. Member suggested that Swynnerton Plan funds were being used put up large buildings and pay for

which have been put up in Nyanza and any salaries paid to officers in Nyanza are in accordance with agreed Government standards in both cases, and have been agreed to by this Council.

His statement on coffee, Sir, I found most confusing. He did mention the old bog of 100 trees, which has now risen to 101 or 102. Government policy in regard to coffee, and cash crop development generally, has been stated many times in this Council and I think can be found on record in practically any volume of HANSARD for the last three or four years. There has been no change in that policy. We have, with coffee, over the last year increased the African acreage by 50 per cent. The acreage is now somewhere in the region of 8,000 acres, with some 28,000 growers. Our target for next year is 5,000 acres, and I think—in fact, I am sure—that that very large increase will go a long way to meet the hon. Member's suggestions and it certainly is all that our staff can cope with. We must maintain standards. I think it is accepted that in a country like Kenya, where our export crops really are, with possibly one exception, pyrethrum, a drop in the world export market—the only safe line we can take is to maintain quality. Something good will always sell; something inferior may not get a market.

The hon. Mr. Awori also referred to loans to African farmers. That, I think, has been touched on by other speakers on the other side of the Council. Mr. Awori said that the African District Councils in Nyanza and South Nyanza and, I think, Kericho, were the only bodies which had given any assistance in this matter. This, Sir, is not correct. At the end of 1955, loans had been issued from money held by the ALDEV Fund to a total of over £25,000 to 527 farmers. In addition, if the hon. Member would look at page 63 of the Swynnerton Plan, he will find that loans for schemes is distinct from individuals, amounting to £2,000,000 are, in fact, being made available now and have been since the scheme came into operation.

The hon. Mr. Mathu crossed swords with the hon. Nominated Member. Mr.

stand by the Minister's remarks in the annual report but I think, and I am quite certain, the hon. Minister for African Affairs agrees and probably the hon. Mr. Mathu in all honesty would also agree, that of all the tribes in Kenya, the Luo, particularly the Luo in South Nyanza, which is the area in question, have resisted better than any other tribe all efforts of Government to improve their lot. And if they do not pull up their socks they will just go on getting further and further behind. There is an old saying: "You can take a horse to water, but you can't make it drink." You can take a Luo to work, but you cannot make him work. And it is the only answer to the betterment they seek; the only answer is hard work.

The hon. Member for Trans Nzoia asked whether the Minister for Agriculture would take into consideration the establishment of an abattoir and cold storage at Eldoret.

THE SPEAKER (Sir Ferdinand Cavenish-Bentinck): Have you a number of points to make?

MR. RODDAN: I may be another five minutes.

THE SPEAKER (Sir Ferdinand Cavenish-Bentinck): Perhaps we ought to abide by Standing Orders.

ADJOURNMENT

THE SPEAKER (Sir Ferdinand Cavenish-Bentinck): The time laid down for the suspension of business has arrived. Therefore I adjourn Council until 2.30 p.m. on Tuesday next, the 22nd of May.

Council rose at fifteen minutes past six o'clock.

[Mr. Speaker (Sir Ferdinand Cavendish-Bentick) in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

East Africa High Commission Draft Estimates of Revenue and Expenditure of the East Africa High Commission for 1956-57

The Legislative Council (Voting by Post) (Amendment) Rules, 1956

(By THE CHIEF SECRETARY (Mr. Linn bull))

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya No. 3 of 1955-56

Development Supplementary Estimate of Expenditure, No. 2 of 1955-56

(By THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey))

ORAL ANSWERS TO QUESTIONS

QUESTION No. 82

MR. CROSSKILL asked the Minister for Agriculture, Animal Husbandry and Water Resources to state

- What is the estimated number of African-owned cattle in Kenya by tribes.
- How many head of African-owned cattle were marketed during 1954.
- What is the estimated total "take off" during the same period by tribes.
- What obstacles, if any, prevent the economic management of these cattle including the sale of the proper annual quota.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): The estimated number of African-owned cattle in Kenya can be given by districts, but not by tribes. To give these numbers orally as requested by the hon. Member, would make this answer unbearably long, and I therefore give the number by Provinces orally and will supply the numbers by districts in writing to the hon. Member.

Rift Valley	1,076,000
Southern	1,629,600
Northern	800,000
Central	385,500
Coast	200,100

Total African Areas ... 6,233,400

1 The following African-owned cattle were marketed during 1954 at organized auctions not including barter markets:

Nyanza	24,174
Rift Valley	30,031
Southern	21,113
Northern	17,315
Central	N/A
Coast	13,600

Total ... 101,983

2 The estimated total "take off" during 1954 was:

Nyanza	81,000
Rift Valley	72,000
Southern	47,000
Northern	30,000
Central	92,000
Coast	31,000

Total ... 495,500

5. The main obstacles to the economic management of cattle are found in the pastoral and semi-pastoral areas and are:—

The conservatism of the people
Frequent interference by disease, especially foot-and-mouth, with stock movements.

The difficulty of providing in all districts adequate facilities for moving stock, such as holding grounds and stock routes.

The generally low quality of the cattle which makes it less easy to find remunerative markets for the poorer class of beast, whether as fresh or processed meat.

The general problem of raising the quality of the stock by grazing management and restoration of grass cover in denuded areas.

Estimated number of African-owned cattle in Kenya by districts:

Nyanza Province

South	967,048
Central	350,000
North	500,000
Kipsigis	325,169 = 2,142,217
	say 2,142,200

Rift Valley Province

Elgeyo	96,413
Marakwet	198,997
Baringo	350,000
Samburu	31,600
West Suk	299,000
Nandi	1,076,000
	say 1,076,000

Southern Province

Kanado	480,000
Narok	480,000
Machakos	480,000
Kilifi	276,625
	say 1,726,625

Northern Province

All districts	800,000 = 800,000
---------------	-------------------

Central Province

Embu	70,000
Meru	129,789
Mukogodo	30,617
Nyeri	64,549
Kiambu	40,000
	say 385,511
	say 385,500

Coast Province

Kilifi	48,706
Kwale	60,399
Lamu & Tana	66,000
River	66,000
Teita &	25,000
Taveta	200,105
	say 200,100

Total African Areas ... 6,233,400

Southern	60,000
Central	33,000
North	35,000
Kipsigis	25,000 = 153,000

Rift Valley Province

Elgeyo	10,000
Baringo	17,000
Samburu	13,000
West Suk	7,000
Nandi	25,000 = 72,000

Southern Province

Kanado	48,000
Narok	48,000
Machakos	42,000
Kilifi	25,000 = 77,000

Northern Province

All districts	800,000 = 800,000
---------------	-------------------

Central Province

Embu	70,000
Meru	129,000
Nyeri	64,000
East Hill	13,000
Kiambu	40,000 = 92,500

Coast Province

Kilifi	15,500
Kwale	2,500
Lamu	10,000
Teita &	3,000 = 31,000
Taveta	200,105
	say 200,100
Total	495,500

MR. CROSSKILL: Mr. Speaker, arising out of the Minister's answer to the third part of that question which shows that the off-take is half approximately half what it should be, would the Minister give us an assurance that he will do his utmost to raise this tremendous loss of the country's economic and agricultural revenue in an equitable manner to the revenue of the country?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, the hon. Member will forgive me but it is incorrect to say that the off-take is approximately half what it should be, the off-take is I think 495,000 and we

2 Number of African-owned cattle marketed during 1954 at organized auctions not including barter markets.

It is regretted that the figures already given by Provinces cannot be broken down into districts.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES: Annual off-take of cattle is 70 per cent. of the total, which is 620,000. We are not, therefore, very far off what might be a reasonable annual off-take, so the hon. Member's question to me, stating that the off-take is half what it should be, is slightly inaccurate. Secondly, Sir, I will give the hon. Member an assurance that I regard this matter with as much importance and as much urgency as he does.

MR. LITCHER: Mr. Speaker, Sir, arising out of that reply, I take off I take it does not include cattle run across the border?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, where the movement is known the figures are recorded, where the movement is unknown, whether by the Commissioner or the hon. Member or other persons, the figures are not recorded.

MR. AWORI: Mr. Speaker, Sir, is it true that the Ministry teachers are not allowed to take their own cattle to Kenya?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): No, Sir, the hon. Member's statement or question, is not correct. Most of the restrictions on the movement of cattle to Uganda are largely at the request of the Uganda Government which have a de-stocking problem of their own.

MR. AWORI: Mr. Speaker, Sir, arising out of the original reply, it is not a fact that the price is Sh. 80 and that is why they do not want to sell their cattle to the Marketing Board?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, I do not agree with the hon. Member's figures he has put forward, because I do not carry it in my head, but it is a fact that sales through private traders, which are unrestricted bring a better price than sales through the African Livestock Marketing Board. On the other hand, persons who buy through the ordinary trader pay more for their

meat and get no control on disease in the meat.

MR. ARAP MOI: Mr. Speaker, Sir, arising out of the original, will the Minister please consult the Uganda Government to allow cattle owners in Kenya, who are prepared to, to sell their cattle to Uganda?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Mr. Speaker, I have arriving shortly in the country a gentleman who is experienced in these matters to conduct a personal investigation of the meat industry for me, and, if necessary, I shall certainly make the representations the hon. Member requests to the Uganda Government.

MR. AWORI: Mr. Speaker, arising out of that answer is it not a fact that the African cattle owner is not benefited from the Kenya Marketing Board?

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): Would the hon. Member repeat his question, Mr. Speaker?

MR. AWORI: Mr. Speaker, is it not a fact that the African cattle owner is not benefited from the Kenya Marketing Board?

THE SPEAKER (Sir Ferdinand Cavendish Bentinck): I do not think that is a question.

THE MINISTER FOR AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES (Mr. Blundell): The answer is No, Sir.

QUESTION NO. 86

LT. COL. GHERSIE asked the Minister for Education, Labour and Lands to state—

(a) What provision is made to ensure continuity of secondary education of the children of civil servants who are transferred from Kenya to Tanganyika Territory?

(b) What additional financial contribution is borne by a person transferred from Kenya to Tanganyika whose child continues to receive secondary education in Kenya?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts):—

(1) When a civil servant, who has children at a Government or a private

(The Minister for Education, Labour and Lands)
secondary school in Kenya, is transferred from this Colony to Tanganyika, he has the option of leaving his children at the Kenya school, or of transferring them to the Kongwa Secondary School in Tanganyika.

(2) If a child remains at a Kenya secondary school when his parents are transferred to Tanganyika, the additional financial commitment incurred by the parents, over and above any increased transport expenses in connexion with the journey from his home to the school, is as follows:

(a) If the child is attending a Government secondary school, and first entered that school before the 1st January, 1955, the additional commitment is £2 per annum in respect of fees.

(b) If the child is attending a Government secondary school, and first entered that school on or after the 1st January, 1955, the additional commitment is £2 per annum in respect of fees. In addition, the parents will be charged for excess which they may have been granted by the Kenya Government.

(c) If the child is attending a private, unaided secondary school there is no additional commitment.

(d) If the child is attending the one private secondary school which is aided by the Kenya Government, the additional commitment is £5 in respect of fees.

This estimate of additional commitments is based on the assumption that the child is attending a Kenya secondary school as a boarder prior to the transfer of the parents to Tanganyika. If the child is a day pupil before the parents transfer and is accepted as a boarder in a Kenya secondary school, the parents' course need, in addition to any increased transport costs, a new commitment in respect of boarding fees which varies according to the school.

LT. COL. GHERSIE: Mr. Speaker, Sir, arising out of the first part of the question, would the Minister agree that where a child is transferred from one school to another, and possibly back

again, that there is a tendency for that child to become backward?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts): Not necessarily, Sir.

LT. COL. GHERSIE: Well, Sir, arising out of the second part of the question, on the understanding that there was a subsidy, which, I understand is correct, prior to 1st January, 1955, is it not a fact then that the Tanganyika Government are, in fact, benefiting to-day with the present subsidy of £100—are, in fact, benefiting to-day at the expense of the parent?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts): No, Sir.

LT. COL. GHERSIE: Arising out of that answer, Sir, I would like the Minister to reconsider this because there was a definite subsidy paid by the Tanganyika Government up to 1st January, 1955, and it is now only £100. May I put it this way, Sir, that on the assumption that the cost of education in Tanganyika is the same as Kenya, the Tanganyika Government must be benefiting at the expense of the parent?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts): Sir, I cannot accept the assumption in the first place.

LT. COL. GHERSIE: Arising out of that unsatisfactory reply, Sir, does the Kenya Government, in point of fact, subsidize the Government of Tanganyika in the reverse, if a Kenya child is in Tanganyika and the parents are, at present, in Nairobi or in Kenya?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts): Sir, I am sorry I did not quite catch that last one.

LT. COL. GHERSIE: One final question, Sir, will the Minister then give an undertaking that he will make the necessary approach to the High Commission, and the Tanganyika Government, with a view to seeing that there is continuity of education so far as these children are concerned, and there is no additional financial embarrassment to the parent?

THE MINISTER FOR EDUCATION, LABOUR AND LANDS (Mr. Coutts): I would suggest, Sir, that the hon. Member

Minister for Finance and Development to state whether the restriction on credit imposed by suppliers of petrol to the public is also applied to Government departments.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): No, Sir. It would be impossible to arrange for all supplies of petrol to the Government to be paid for in cash. Arrangements are being made for the prompt settlement of all accounts for bulk supplies at whatever intervals are most convenient to the oil companies. Payment for retail supplies will, if possible, be made in cash and when this is not possible arrangements are being made for accounts to be settled promptly. These arrangements have been discussed with and accepted by the oil companies.

GROUP CAPTAIN BRIGGS: Arising out of that reply, is the Minister aware that generally speaking many Government departments expect very long terms of credit here?

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): No, Sir, I am not aware of that fact. It has been agreed by the oil companies that it will be impracticable for the Government always to pay cash for its supplies of petroleum products. Subordinate officers in charge of petrol tanks and drums, and drivers of vehicles, cannot be expected to handle public money in this way, nor are they trained to do so. It has, however, been agreed that the oil companies and their main dealers may submit their accounts to their headquarters at such intervals as they think fit, and these will, in the first instance, be met at sight, any adjustments being made afterwards. This applies to bulk supplies. Officers obtaining supplies in 44-gallon drums from dealers will be required to obtain cheques from their departmental headquarters in respect of their petrol requirements and the cheque will be

MR. CROSSKILL: Mr. Speaker, arising out of that last reply, would the Minister not agree that the failure by Government to pay cash in accordance with the requirements of the credit squeeze means that the price will have to be higher to other purchasers than would be the case if they did pay, and should we not therefore pay by means of a deposit account?

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): No, Sir, I do not agree with the general assumption of the hon. Member's supplementary question. The arrangements have been made so that the payments of accounts will be expedited and I suggest that the cost to the taxpayer of ensuring that every individual officer of Government has to pay cash on account will be far greater than the cost of accounting staff and anything else.

MR. HARRIS: Did I understand the Minister to say that Government officers were not used to paying cash?

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): The hon. Member, Sir, did not understand that except in so far as he was prepared to misunderstand what I said. The fact remains, Sir, that in the carrying out of their duties on the payment of public funds, they are not in a position to pay cash from time to time.

QUESTION NO. 85

GROUP CAPTAIN BRIGGS: Mr. Speaker, Sir, in the absence of the hon. Member for Aberdare, may I ask Question No. 85?

GROUP CAPTAIN BRIGGS, on behalf of Mr. H. Slade, asked the Chief Secretary to state:—

When women are engaged in the United Kingdom for service as teachers in this Colony, does previous residence here constitute a bar to inducement pay?

THE GOVERNMENT'S policy on this principle that the award of inducement pay should be determined, not by the place of recruitment but by the method of recruitment, and all persons recruited in the United Kingdom by the Secretary of State for the Colonies or the Crown Agents for Oversea Governments and Administrations will normally be granted inducement pay.

LT.-COL. GHERSIE: Mr. Speaker, Sir, arising out of that answer, does it mean that an individual in this Colony, in order to obtain inducement pay, could leave this Colony, go to the United Kingdom and be recruited in the United Kingdom?

THE CHIEF SECRETARY (Mr. Turnbull): It is not quite as simple as that, Sir. Before a post is advertised for recruitment in the United Kingdom, the consent of the Civil Service Commission must be sought. It is the duty of the Civil Service Commission to build up a local service and they therefore exercise a strict control over the issue of such authorities.

MRS. SHAW: Mr. Speaker, Sir, on a point of information, is the hon. Chief Secretary only referring to civil servants or is it to cover as well people recruited under the Education Department—teachers?

THE CHIEF SECRETARY (Mr. Turnbull): Teachers who are civil servants and civil servants who are teachers are included.

COMMITTEE OF SUPPLY

(Continuation of Debate adjourned on 17th May, 1956)

MR. RODDAN: Mr. Speaker, Sir, when Council adjourned on Thursday night, I was about to reply to the hon. Member for Trans Nzoia who asked whether it would be possible to establish an

Minister upon it.

The hon. and gracious lady for Nyanza criticized, I think not for the first time, the Swynnerton Plan because it has made no provision for communications. Well, Sir, when an agriculturist is asked to prepare a plan for Government to spend money on agricultural development, I think it is only natural that he will not be very inclined to set aside a considerable sum of money to, shall we say, the Road Authority for the development of roads. What he would hope would be that by the development of agriculture and the increased production which would come from that, the necessity of roads and communications would become apparent and the means to pay for them would also be made available. That does not mean, Sir, that there is no money being spent from the Swynnerton Plan on road development because I think in all the major schemes—I can name at least three in the Nyanza Province, Kimulot, Itembe and Lambwe—a very considerable part of the money devoted to these schemes is in fact being spent on roads and communications within the schemes themselves.

The hon. African Representative Member, Mr. Mathu, asked how much does the export tax amount to in the price structure for wattle bark. I think that is the correct question he raised.

I will try to answer as I understand it. The export tax at the present prices amounts to Sh. 31/14 per ton of wattle bark. Of that, the producer pays Sh. 23/35—the balance is paid by the manufacturer. Having deducted the export tax, the price to the producer is Sh. 307/79 at present prices.

The hon. Member also asked if we could be more generous in the issue of wattle permits. Well, Sir, I think he is

[The Minister for African Affairs]

One aspect of the Tribal Police, Sir, is that they are formed from the local tribes, whereas the Kenya Police in the district are, in all probability, drawn from a variety of tribes with a very small sprinkling of the local tribe. I think in performing their functions, it is undoubtedly a great check on the demeanour of the Tribal Police that their families do, in fact, live in the area in which their activities are going on.

I would, Sir, also like to remind hon. Members of the various duties that the Tribal Police undertake, duties in connexion with the local government, duties in support of the African Courts, duties in support of the chiefs and headmen, and the various Government officers charged with Government activities and programmes on the ground. I have in mind such things as grazing schemes, agricultural development, soil conservation and the like, for all of which the Tribal Police provide valuable snags of authority, duties I think the Kenya Police would be most reluctant to undertake.

The hon. Member, Mr. Mathu, I think also tried to stress the point that he felt that it would be an economy for the Tribal Police to be taken over by the Kenya Police. Well, Sir, I suggest that this is not so, because the cost of a Tribal Policeman is a little over 50 per cent of that of a Kenya Policeman.

I had, Sir, only yesterday been talking to the Kikuyu Advisory Council at Nyeri. They particularly made the point of their appreciation of the work being done by the Tribal Police in trying to control and really act as village policemen in the villages that have grown up in the Central Province. They asked that these duties of theirs should be continued and should receive our full support. I mention this, Sir, because I feel it will be of particular interest to Mr. Mathu to know their views.

I would, Sir, here and now like to pay tribute to the work of the Tribal Police, particularly in the troubled areas. The Tribal Police, Sir, the Tribal Police Reserve, together with the Home Guard and the Farm Guards in all these areas, under the leadership of their district officers, have withstood most courageously, most gallantly, and most steadfastly, the insidious influences and

pressure of *Mau Mau*, both physical and psychological, Sir, and to offer perhaps a gratuitous prophecy on the future of the Tribal Police, I would say that in all probability they will develop along the lines of a form of country constabulary.

That is all that I wish to say, Sir, at this point.

SIR CHARLES MARKHAM: Mr. Speaker, Sir, in the course of this long debate we have heard from all sides the question that this country has an expanding economy. But there is one aspect of this expanding economy which has not been dealt with except by the Minister for Finance in his speech. That aspect, Sir, concerns tourism.

Now, Sir, in the Minister for Finance's speech he did say and I would like to quote the words, "The Government is, from time to time, accused of doing little for the tourist industry". He then goes on to point out what they are doing and I am afraid to say that, as a layman, I just cannot understand his arguments, when he starts suggesting that money spent for example on the Game Department should be treated as a *contra* against tourism, when he suggests also that the Malindi electricity supply is also of direct benefit to tourism. He also suggests as well that the airport at Malindi is also part of Government's benefits to tourism. Nobody disputes they are of benefit to tourists, but surely I would suggest as well, they are of benefit to all people of the country and it is quite wrong to allocate that straight away to tourism as a *contra* to what we earn from tourism. It is rather like saying, to follow the argument further of the Minister for Finance, that as tourists will obviously arrive in Kenya in the future at the new Nairobi Airport at Embakasi, the cost of the Embakasi Airport shall be treated as a *contra* against the revenues we receive from tourism. Contribution or *contra*, I accept contribution.

The fact is that you cannot say that Embakasi was built for the benefit of the tourist industry. I think that argument is fallacious and dangerous, it certainly creates a false impression. Reading his speech, for example, the Minister quotes £80,000 for the Game Department on the grounds that "most visitors come to see game, to shoot or to fish and so the

[Sir Charles Markham]

sum spent on the conservation of game and fish must be considered and in 1955/56 these totalled £80,000". It is perfectly true, Sir, that is, but I would suggest if that figure is shown, then also the revenue received from the sale of licences and ivory should also be put in the figure.

I would suggest to the Minister that he should read the Annual Report of the East African Tourist Association, if he has not done so already. I would like, with your permission, Mr. Speaker, to read very briefly one small paragraph in the conclusion. It says, "The cry on all sides is to expand our economy and here surely is the way. Our visitors themselves tell us that we have all the "naturals"—as they call them—of tourism, for we have a living landscape, a stronghold of the wild and a country of contrasts not equalled anywhere else in the world".

According to that report, the estimated revenue that this country derives from tourism alone last year was £3,750,000. From that figure the Kenya Government save directly the magnificent sum of £8,000 to the Tourist Travel Association £8,000 in order to attract £3,750,000.

I have little doubt that, given the right publicity, and the right conditions, the tourist industry can be expanded in Kenya, and I would very much like to know whether the Minister for Commerce and Industry—this grant comes from his vote—has been able to get this grant increased from £8,000. The very fact that the other Governments of both the neighbouring territories have not given as much as they should is surely no reason why Kenya should drop behind by not increasing hers proportionately.

To deal with the numbers that come here, the figures are interesting. Last year a total of 35,000 people visited Kenya, which is far higher than any of the other territories. Although they do not contribute as much as we do, I would suggest that money spent now is well worth spending for the future, in view of the remarks I made about the £3,750,000.

I think the Tourist Travel Association has done extremely valuable work in trying to "sell" East Africa. But throughout this report it is obvious that the limitation has been on funds, and if we are to attract the tourists in very much a

buyer's market, then certainly we have got to spread the net of our publicity all over the world.

During two recent debates, Mr. Speaker, the hon. Nominated Member, Mr. Cowie, has referred to his fictitious American Harvey B. Cheeseman. I would like to come back to an American, but in view of the fact that Mr. Harvey B. Cheeseman has been to Kenya rather too often, and perhaps might well have been refused an entry permit, this time I would like to refer to his cousin Elmer S. Cheeseman, Jun. He has been all over the world and has read about Kenya. He asks his cousin, Harvey B. Cheeseman, the dope—that is the word they use, I believe—the dope about Kenya.

Now, Sir, I will not attempt to inflict the Council with an imitation of an American accent, because that would be perfectly ghastly for everybody here, but there might possibly be this question which Elmer S. Cheeseman might ask of his cousin, "What goes on in Kenya so far as the tourist is concerned?" And he might get a reply something like this, "Kenya is a wonderful country, its hotels, with a few exceptions are perfectly lousy, its roads could be described as primitive. But if you want to shoot or photograph game, then it has probably got the best facilities of anywhere in the world."

Since the majority of tourists coming to this country—American tourists—come especially to photograph or shoot, I would suggest that that aspect of our economy is a most vital one at this stage. All of us must view with alarm the recent figures published, both by the Royal National Parks and by the Game Department about the ever-increasing losses that are occurring due to the illegal poaching of rhino, elephant and ordinary animals for meat. I would suggest, Sir, that this has now become a major problem. If this country loses its game, if this country is no longer an attraction for the tourists, then of course we have sacrificed a very valuable heritage just because we refuse that money now. I would suggest to the Minister for Finance that if we could afford to spend any more now, it will be money well spent. It is a valuable insurance policy for the future of the heritage of this country.

[Sir Charles Markham]

There are only two other aspects of tourism that I would like to mention briefly, Sir. The first, of course, concerns hotels and we had a long debate on that subject not very long ago. It was gratifying to read in the *East African Standard* that the Kenya Government proposed to build a hotel and not buy one as we originally reported. I wonder when we could expect progress of that? Or will it be like some of the other hotels we have heard about in Mombasa and in Nairobi which years after they have been announced still remain as a bit of barren ground in the centre of the town. I would like to ask the Minister, Mr. Speaker, whether he would consider helping the established, smaller hotels, which only cater for tourists. I do not mean the ordinary small hotel near Nairobi, acting as a residential hotel for the residents of Kenya, but the genuine small hotel which does cater for tourists such as those near the National Parks. There are one or two for example, which we need not mention by name, which cannot, at the present time, carry out the necessary expansion owing to financial difficulties, and without that expansion they cannot offer the essential modern conveniences which the tourists require to-day. I hope, Sir, that when he replies the Minister might be able to give us some indication of whether Government could help.

Finally, Sir, the final aspect of tourism I would suggest, concerns roads. It is not much good bringing the tourist to Kenya, if you cannot get him around the country once he has arrived here. Also, it is not much good as well if the journey he makes by car is such exasperating agony that he says "Never again will I come back to Kenya". I would very much like to support both the hon. and gracious lady, the Member for Nyanza, and my hon. and gallant friend, the Member for Mount Kenya, in their plea concerning funds for the Road Authority. I do not believe that you can ever maintain a trunk road satisfactorily to a gravel standard. It seems to be quite farcical in this country at the moment, where one side of the licensing authority licences driver and better lorries to break up the roads, perhaps, quicker and more often. If we are to have a competitive road service against the railway, as cer-

tain firms are doing at the moment, then I would certainly support the suggestion made by my hon. and gallant friend that there should be a standing committee with the railway in order to go through the whole needs of transport as well, to include road and rail together.

I do not believe, Mr. Speaker, that this country can afford to go on paying £20-£25,000 a mile for tarmac roads. And with the overheads which the Minister for Works gave in a personal statement of 26 per cent, that means the roads are costing us over £25,000 a mile. With the present finances of this Colony, I can see it will be very many years before even our great-grandchildren will see a tarmac trunk road system throughout Kenya.

There must be, surely, a way out of this problem and it would be worthwhile our finding an expert to tell us whether we could not use a cheaper method of building roads. I do not believe that this £25,000 a mile is of necessity the only solution for Kenya.

I would also like to support my hon. and gallant friend as well, Sir, when he pressed for the immediate publication of the Manzoni Report. It is a funny thing, but any report which might seem to be critical, seems to be suppressed until such time as the criticism is out of date. There is a question, Sir, from the other side, we can give examples if they wish. The Gill Report was one of them, also the Cost of Living Report.

The fact is, Sir, that we must have this Manzoni Report if we are to consider the whole problem of the roads. I cannot see any justification at the moment for the delay in publication, except perhaps it might have Treasury implications which, of course, mean that my friend the Minister for Finance would have to consider it.

Sir, the Minister for Local Government has interrupted and says that it has not arrived. I hope that is not true. Sir, because I have been told it has been sitting in Kenya for the last two weeks.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): On a point of order, Sir, could the hon. gentleman give us the name of the informant from whom he got this inaccurate information?

Sir Charles Markham: No, Sir, and I would not if I could, Sir.

Finally, Sir, briefly, I would like to ask particularly now that if we have got an expanding economy as we allege, and which I know we have, could we not have more money spent on items which will result in productive as opposed to purely social services? I believe money spent on tourism now will yield dividends far greater than what we spend now. I believe money spent on roads now will cost less than if we wait ten years. With those words, Sir, I support the Motion.

Mr. Usher: Mr. Speaker, Sir, as the eleventh man, or, I think, the ninth wicket down—it sounds better—I have the privilege of being able to range rather widely.

I had proposed to say a fair amount about tourism, but much of it has been said for me, and said so extremely well, I think, by my hon. friend, the Member for Ukamba. I think really we should express our very great gratitude for, not perhaps so much what has been done, but for the way in which the Government has carried out its word that it would consult together and do what it could for tourism. I see that they have done that and, personally, I am very thankful. There are certain matters, of course, which they have specifically paid attention to in order to enhance our natural attractions here.

Those who have read, and like, *David Copperfield*, will remember the firm of Spenlow and Jorkins. The trouble was that, whereas Mr. Spenlow was always sympathetic, he had his own inexorable partner in the background—Mr. Jorkins—who, he is quite sure, would not approve. In the past I think it has been pretty fair criticism that among the Ministers who deal with the various aspects of tourism, there has been something of that spirit. I am happy to believe that it is there no longer.

There is one question I should like to ask. I know that it is not for the Minister for Finance to answer, but perhaps he may be able to do so now if he is given the information—or perhaps, indeed, he has got it already. Are we to have these minimum standard regulations before the demise of the present Council?

In regard to overseas publicity, I see that the East African Tourist Travel Association has—according to the Estimates—the same allocation as it had before, that is £8,000. That we have already been told, but I am not quite sure whether it is not the fact that it will be rather better off than appears. If the Minister would give us any further information about that, too, I should be glad to hear it.

Here I would mention the spirit of the Railway which, I understand, has offered to double up on its contribution to that excellent association.

Sir, I was brought up in the Victorian Age, and about that time there was, I am told, a hymn sung by some Christian sect or other in the United Kingdom, and one of the verses went something like this—

"Whatever, Lord, we give to Thee,
We repeat a thousandfold will be;
Then gladly we will give to Thee."

I suggest that that, Sir, was the product of an age which had a proper respect for its three and four per cents, and I suggest that the Minister concerned should approach this matter of tourism in that spirit.

I think, Sir—if I may now pass on to the subject of co-ordination—that my hon. friend, the Chief Secretary, was a little severe with my hon. friend, the Member for Nairobi South. I think, possibly, because he did not quite understand that it was not the intention of my hon. friend to suggest another department. I think he wanted something very simple. He wanted a person, possibly with a secretary, and indeed, Sir—although the hon. Member may laugh—but it is a fact, I think, that information which comes, for instance, to the War Council now is incomplete, and that it is not properly canalized. The War Council may get it from one body—through, say, the Special Branch—whereas there are other bodies concerned. And that would be one of the functions of the office which my friend was suggesting ought to be set up.

THE CHIEF SECRETARY (Mr. Turnbull): I should like to ask the hon. Member from where he derives this extraordinary misconception of the functions of the War Council?

MR. USHER: I take it, Sir, that I do not misconceive the functions of the War Council when I imagine that a security measure which may be desired is the subject of a paper which may come from the Provincial Administration, or from the Special Branch, or from some other body. Where is the misconception?

Likewise, on the return journey when as a result of the deliberations of the War Council, the Government has come to a decision, there is the question of putting across that decision to the department concerned and, very likely, to the public. I think this is a very important matter, Sir, but—as I say—I do not believe that my hon. friend, the Chief Secretary, understood what was the object. Anyhow, I hope he will not dismiss the matter with a "pooh".

It leads me on to a subject which I have mentioned before in this Council, and I think I must go into it a little bit more in this speech now. Six years ago there was an inquiry by a Select Committee into the Information Services. My hon. friend, the Minister for Finance, will remember it very well, as will certain other Members of this Council. I want to quote one or two passages from the White Paper, Sir. The first I should like to quote is this:—

"In introducing these proposals, Government does so in full acceptance of the opinion expressed by the Committee in Chapter 5, paragraph one, page 6 of the Report, in which it is stated that the Committee accepts the view held by His Majesty's Government that the provision of adequate machinery for information work is an integral part of modern Administration."

That is, of course, "gobbledegook", but all the same we have to accept it. And why everybody should have to know everything, I do not quite know. I think it Sir Alan Herbert were here he would say just this: it was a part of all this democratic "hoohah". However, there it is, and we have to do it.

Now let us turn to another part of that Report. It is a matter, I think, for great regret that the Committee did not seize the opportunity then to press strongly for a Public Relations Officer. The words used are these:

"It is not considered that the appointment of a highly paid Public Relations Officer is required to achieve these objects,"—

that is, to put across the policies and actions and future intentions of the Government—

"The responsibility for making known the Government's policy and achievements must rest with the Members"—

that is now, of course, Ministers—

"The Administrative Secretary should be charged with bearing the publicity aspect in mind during the deliberations of the Executive Council, and representing the case of publicity to Members when necessary."

Now, I am afraid, Sir, that the ability of Members—or, as they are now, Ministers—to carry out this function is questionable to say the least of it. Some matters have been put to the public—either not at all or so uncertainly and obscurely as to make it doubtful whether they are saying anything at all that is worth while. I can give, of course, some local examples of my own, near my own constituency. The Mombasa water supply, which surely has been the most appalling muddle; Port Reitz aerodrome; and I had a third one, but I think I shall not mention it because it has already been the subject of a remark by my hon. friend, the Minister for Commerce and Industry.

Now, Sir, Government accepted in the White Paper this remark that it was not necessary to have a Public Relations Officer of very high standing and calibre. Nevertheless, it has been found to be necessary to appoint a Public Relations Officer to be resident in London, and it did say this in the White Paper:—

"Government considers that, in addition to these objects, the European and Asian people of Kenya, and the people of England, should be kept informed of Kenya problems and policies."

Now, Sir, as far as I can understand the matter, these functions are really in the hands of my hon. friend the Chief Secretary. Now, it is no belittling of the hon. Chief Secretary to say that it is not in my opinion his proper function. He may or may not have a "flair" for this particular kind of work. I rather suspect

(Mr. Usher)

him of having it, but nevertheless I do not think, Sir, that it is fair that this burden should be upon his shoulders, and I would ask that the matter of the appointment of a Public Relations Officer such as was considered in this Report—but, unfortunately, turned down by the Committee—should be reconsidered.

THE CHIEF SECRETARY (Mr. Turnbull): Would the hon. gentleman care to glance at page 37A of the printed Estimates? Would I be in order, Sir, in reading it?

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): No.

MR. USHER: Mr. Speaker, Sir, perhaps it can be given in the reply.

May I refer now, Sir, to what has been said about family planning? This is a dangerous subject. I have the very greatest respect for the hon. Nominated Member, Dr. Karve's, ideas on this subject. The only thing is that I am not quite sure what he means by family planning. If he means, of course, the setting up of kiosks, where information can be supplied and the instruments of contraception also supplied, I should have to oppose it. I would also say, Sir, that there has been a great deal of misconception apparently in regard to the subject of family planning generally. My hon. friend said that he realized that to increase the standard of living did, indeed, reduce the birth rate. That is perfectly true. It does so, but what he said was that it was a long-range matter. Now, Sir, if he would study the works of Professor W. Macmillan, who is now, I think, the Director of Colonial Studies at Aberdeen University—he is not merely an academic sort of professor; he has a lot of practical knowledge of Africa—he would, perhaps, have entirely different ideas. If he would study actually what happened in South Africa in regard to the population trend, where there were high standards of living and where there were low standards of living, he would come to an entirely different conclusion. Moreover, Sir, I believe it to be highly dangerous for this Government, or anybody else, to direct the universe, as is proposed. Professor Macmillan pointed out, moreover, that there was a very great danger in the supposition that there was likely to be over-population, and he

pointed to cases where, in fact, the reduction of population—by other methods than those, I believe, which are now advocated—had proved extremely embarrassing to industry.

THE MINISTER FOR LOCAL GOVERNMENT, HEALTH AND HOUSING (Mr. HAVELOCK): Will the hon. Member give way? Mr. Speaker, I just want to make it plain and repeat what I said in regard to this matter. The Government does not intend to direct. It will be entirely on a voluntary basis.

MR. USHER: I am sorry that I had not got the words out quickly enough, but I was about to pay a tribute to the attitude of the hon. Member for Kiambu.

Anyhow, Sir, let us not deal with these matters in the manner of those who are amateurs at demography and genetics.

I thought it was rather a pity, Sir, that we should have, time after time, this everlasting argument about what is and what is not productive expenditure. There is much talk, of course, about the need for security, without which we can have no progress whatsoever, but there is much less about the necessity for the capital expenditure that, unfortunately, is a necessity if we are to have that security. There is much talk about the necessity for the full economic use of our own manpower, but there is little enthusiasm, I notice, for spending money on putting that manpower in decent conditions and providing the social services which are necessary to produce the *mens sana in corpore sano*. I wish Members would realize sometimes that it is possible, I think, to produce even a formula for this matter, but that general criticism of this sort really gets us nowhere.

I am very pleased to see the greater expenditure on these Heads on the educational side—to see that trades and technical education is to have a little bit more than it had, and the medical side as well. I believe that the Medical Services have been starved for some years. Not least—and, perhaps, rather selfishly—I am glad to note in regard to the provision for Medical Services, that there is more in the way of capital grants for hospitals.

Passing to revenue—and, of course, here we had the dramatic touch of the whole debate in the opening of my hon.

[Mr. Usher]
friend, the Mover of this Motion. May I quote the words again:—

"I have no additions to or alterations of taxation to propose."

I felt like Orsino, Sir, when I heard those words—"That strain again! O, it came o'er my ear like the sweet South. That breathes upon a bank of violets, Stealing and giving odour". No longer the stern economist, but a sort of "Sunny Jim", airborne by the buoyancy of the revenue which he cannot repress, and impelled by a sympathy with the sheep, I think, that are paraded for shearing.

There is, however, one point about the Budget that I should like to make now. I believe for some years past there has been—if not always—a tendency to underestimate the revenue and overestimate the expenditure, and I do not think we have altogether got rid of that. Now, I know I shall be told that of course you cannot help the upward trend of prices, and therefore the increase of your customs revenue. Nevertheless, Sir, this has gone on year after year, year after year, and I think—so far as I have been able to understand this book, the Estimates of Revenue and Expenditure—that is, for the last two volumes—it is also true that if you dissect out the expenditure on Emergency services there also has been an overestimate of expenditure for the last three years. I may be wrong about this, but I have applied my mind to it and that is the conclusion that I came to. Of course, if that attitude is adopted, Sir, it gives the Government quite the wrong ideas about taxation and what is necessary. It is also psychologically bad. I believe that expenditure really should be cut to the bone in its estimates, and I believe—particularly nowadays—that the Government will always find in the Opposition, where a good case is put up—and I am sure it always would be—a great deal of sympathy when it is necessary to apply for supplementary provision.

Sir, I was very sorry to note the attitude of certain, I think it was the hon. non-Muslim Member of the Opposition—yes—in regard to the personal tax. Now, I am quite aware that the personal tax catches people who through the fragmentation of the family income, and in various other ways, do not, or would not,

otherwise contribute very much to the revenue. Well, that may indeed have been part of the intention, apart from the increase in revenue which it brought, and which my hon. friend the Minister for Finance, needed at that time; but it is the general attitude which I find difficult to understand—the use of such words as "hard" and "unjust". Now, surely the hon. Members know that the Principal Revenue Officer has powers to remit in proper cases. I have no doubt he uses those powers properly, but unfortunately when you look into these cases you find there are so many men who find after all they are not really getting salaries or wages at all. They are just getting board and lodging. Well, I wonder. However, it is—as I say—the general attitude that I think wants changing. Let the leaders see to it that their people realize that the duties of a citizen are to bear arms for his country and to pay his taxes. If he cannot bear arms, he can at least pay his taxes.

In conclusion, Sir, I merely want to say that I was a little disappointed with the reply about the end cost of maize given by my hon. friend the Member for Rift Valley. This, I think, is the most criticized matter in his portfolio—and, of course, the Meat Commission. Now, the other day he told us, I think, he would not bore hon. Members by explaining the matter fully. Well, I hope he will when his Vote comes to be debated, because we should like to know a very great deal more about it. I passed the portals of Agriculture House the other day, not for the first time in recent years, and saw a door bearing on the handle a piece of cardboard—about so big—and on that cardboard were written these words: "Hakuna kazi hapa". All I can say in conclusion is that I hope the Minister will do a little bit of overtime and try to explain this matter to us a little more thoroughly.

And with those words, Sir, I beg to support.

MR. COWIE: Mr. Speaker, I promise not to speak for very long, and I think I might just fill in now until the tea break.

There are certain speakers who have referred to tourist traffic, and would like to point to two aspects only. One, Sir, is the Tourist Travel Association—and

[Mr. Cowie]
I must declare my interest, as a vice-president—to say this. I would ask this question. What does the Travel Association do towards the promotion of tourist traffic? Well, Sir, most of those answers will be found in its annual report, but I think it can be summed up in one phrase, and that is that the function of the Association is to ensure that the visitor to this country is satisfied, and assist to ensure that the visitor to this country does not go away dissatisfied. There could be no greater damage to our tourist industry than allowing people to come here and go away with justifiable grievances.

And so, Sir, whatever money is voted to the Tourist Travel Association I believe is productive. There are many disputes as to whether one should issue new publications, or different kinds of publications, to people across the world, but I am not a great supporter of the written word. I think to-day if people can support the spread of information by personal contact—by sending our ambassadors to other countries, and giving them a mandate to speak on our behalf—that does a great deal more good than the written word. I also think that there is greater power to-day in the film than most people recognize, especially in the United States of America. If we could spend more money on sending good, informative travel films to America, we would attract to this country a greater number of people. We have, in my opinion, only touched the fringes of that market.

The next point, Sir, is the question of hotels. Now, there has been some reference before to my friend Mr. Cheeseman, but I think we have reached the stage when we could get on more familiar terms, and perhaps refer to him as "Harvey". I mention that deliberately, Sir, because I think the Minister for Finance would be well aware of the technique of creating a character which does not exist, or presenting facts which seem false. However, this was in a play, Sir, in which the hon. Minister took part. He may remember and can refer to a character in the play called Harvey, which did not exist, and that is why, Sir, I think we should now refer to our Mr. Cheeseman as Harvey, because I wonder if he will

exist. I got a cable from a feckitous Mrs. Cheeseman only this morning, in which she said she was unable to come to this country because Harvey told her that the only room she could obtain was in a third-rate hotel—and a single room at that! Sir, I would explain that the classified name for Mrs. Cheeseman is *Hippotragus Jonah Variensae* and that is why she could not accept the conditions of the third-rate hotel.

Sir, joking apart, what I would like to do is ask the hon. Minister to do this. He has made a statement, according to the Press in London, that the Government is either going to buy or build an hotel in Nairobi. I believe that wants clarifying. There are a lot of people who want to know what exactly has happened to the original hotel plot. When the tender was accepted—when the tenderer was given beneficial occupation of the entire plot, what caused the delay, and when the hotel will be built. Those are questions which people are asking, and I believe they should be answered, and I hope the hon. Minister will consider doing so in the course of his reply, because they bear directly on his statement that the Government is either going to buy or build, as the case may be, an hotel in Nairobi; but without it, Sir, it would be futile to talk of any greater development of the tourist traffic, because that to-day is the bottleneck which is strangling the development of this industry.

So I do recommend to the hon. Minister that a small allocation of finance, spent wisely, will ensure a satisfied visitor, and also that whatever can be done to promote better and more accommodation, especially in Nairobi, for the luxury type of visitor, is the way to build up the very productive and enormous potential of our tourist industry.

I beg to support.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): This might be a convenient time for our usual break. Council will interrupt business for fifteen minutes.

Council suspended business at twenty minutes past Four o'clock and resumed at thirty-five minutes past Four o'clock.

THE SPEAKER (Sir Ferdinand Cavendish-Bentinck): No other hon.

[The Speaker] Member wishing to speak, I will call upon the hon. Member to reply.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Mr. Speaker, perhaps, Sir, the most pleasing feature of this debate from my own personal point of view has been the persistency, and the consistency, and the frequency with which I have been quoted by hon. Members opposite. It is nice, Sir, to have arrived at the stage where one's speeches—even from the benches opposite to those on which I now sit—are quoted as if they were the height of wisdom, and any departure therefrom the very depth of folly, and it has, indeed, been a most interesting feature so far as I am concerned.

Now, Sir, in replying to this debate, I would follow the usual custom of letting the last be first, and would first of all like to deal with the points raised by my hon. friend the Member for Ukamba, the hon. Member for Mombasa and the hon. Nominated Member, Mr. Cowie, on the question of tourism and hotels.

Now, Sir, the Government is fully conscious of the need for every assistance that can be given to the tourist industry, and I listened to my hon. friend the Member for Ukamba with very great interest. He started off by saying that the arguments that I applied, that money spent on game and fish and on National Parks and tourist facilities—in fact, the whole of my argument in this regard—the aerodrome at Malindi, and the lighting scheme, and even the new airport at Embakasi—cannot be regarded as money spent with any regard or contribution towards tourism, if I understood him correctly. I thought he said that in a minute or two—and he anticipated the situation—I should be arguing that the new airport at Embakasi was *contra*, or a contribution to tourism. Well, Sir, I would hold very strongly that it is because, if you do not get the people in by plane, if your communications—and communications must cover rail, road and air—are not improved, then indeed you do not get the flow at all. I would have said that one of the courageous things that this Government has gone forward with, in the idea of the development of the country as a whole, including tourism—was the building of the new airport at

Embakasi at a cost of £1½ million, at the very onset of the Emergency, and I would have said that that, indeed, was a first and good step.

The hon. Member proceeded afterwards to destroy his own argument, because he said if you do not have game—if you lose your wild life—you will lose the attraction for the tourist, and therefore you will not have tourists. This must be not a case of special pleading in which—with all due respect to my hon. friend the Nominated Member, Mr. Cowie—he is becoming a specialist himself; this is not a question of special pleading from one angle—it is the duty of everybody concerned to take the picture as a whole. So the Government says that, in so far as Malindi is concerned, we shall spend money on an aerodrome at Malindi; we shall endeavour to create good power facilities there in order to attract the tourist trade, and I would emphasize, not primarily for the benefit of the inhabitants of Malindi, but because we believe that in Malindi we have a seaside resort which can pull in money through visitors, through tourists, from places like the Copper Belt in Northern Rhodesia.

I disagree with the hon. gentleman completely when he says these things cannot be put against the balance of tourism because—to use his own words—unless you create the right conditions, the tourists will not come. If you do not have law and order—if you do not have security—the tourists will not come. If you do not have wild life, if your game is not preserved, if you do not therefore spend money on them, then the tourists will not come. And we, as a Government, are very conscious of this. My hon. colleague, the Minister for Forest Development, Game and Fisheries, in particular, is very conscious of the difficulties that he has to face with regard to such things as poaching, and I think the hon. gentleman will be well aware that there is a Committee sitting on this, which will report through my hon. friend to the Government.

There is, too, Sir, the question of roads, and it seems to me—as my hon. friend the Member for Aberdare says—this is indeed a hardy perennial. It seems, indeed, that again—no matter how often we repeat the fact—that we know the importance of communications, but that

[The Minister for Finance and Development]—we have to allocate money and priorities—limited money—over a field of very heavy pressure. We can only spend so much money on one particular subject, or object, and we have already said that in the 3½-year period, 1954 to 1957, we are spending capital to the tune of £2½ million, plus the £450,000 that they had carried forward, so that is £3,000,000, plus the fact that interest on that amount is not charged to the Road Authority, so that the regular Budget carries something in the nature of £120,000 a year in addition, plus the £107,000 paid in as traffic revenue to local authorities, plus the fact of the hypothecated revenue which, as the Estimates will show, is about £1,226,000.

We are, indeed, spending, for a Colony in our position, a great amount on roads and there can, in the difficult financial position, be very little chance I imagine of us getting more than that in the next planning period unless the availability of capital from those sources from which we usually borrow increases to some very great extent.

Some hon. Members have referred to a statement published in the Press as a result of an interview I gave in London. In that, let me make it perfectly clear, what I said was that the Government hoped—hoped—that it would be able to find finance to build an hotel. I have been in discussion with a development corporation in Great Britain where a proposition has been discussed that some £800,000 to £900,000 should be made available for an hotel to be built and then we should try to persuade some experienced people, with full knowledge of how to run good hotels, to take it over and run it for us. The emphasis was "build" because there would be no value in buying an existing hotel; there would be no additional accommodation. But, again, let me make it perfectly clear that if Government has to find some £400,000 or so as its share for the building of such an hotel, it will only be possible by doing without something else to the tune of £400,000. That is the only way in which the money can be found, through reallocation. It may be—

Mr. HARRIS: Mr. Speaker, I think the Minister for giving way. Would he just explain one ambiguity? When he says

these experienced people would run an hotel for us, does he mean on a leasing basis, on a managerial basis for Government?

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Sir, I did not wish to disclose the ideas that I have, but, as my hon. friend, the Minister for Health, said, with the persevering probing of the other side, one either has to answer the question or be accused of being evasive.

MR. HARRIS: Skip it!

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): So let me say then that the answer to the question, as far as my own idea is concerned of this, would be to have a site, to make the finance available and then to advertise locally, in the United States, in the United Kingdom and in South Africa and invite people to tender. The people concerned would find the capital for the furnishing as distinct from the building. They would be offered this building in the design of which, if their tender was accepted, they would play a part; they would be offered this building on a long lease with the right to purchase, and I would suggest, with the right to repay the loan at any time that they wished if they felt, for instance, that a public company could be floated successfully. I hope that has made the idea in my mind perfectly clear, but, again, let me emphasize that it has not yet been accepted by the other side of the transaction who would have to find at least half the capital. So that there, Sir, is another instance of the efforts that the Government is making to provide these right conditions for tourism. But I emphasize that it may be £400,000 worth of some other very valuable and required projects which may have to go by the board in order to get that hotel built.

Now, Sir, my hon. friends have spoken about the East African Tourist Travel Association. I think I do disagree with my hon. friend, the Nominated Member, Mr. Cowie, in this respect that he says he thought the money—could best be spent, to some extent, by sending persons abroad. I think one ambassador, or two ambassadors, of that kind, would be very good but they are going to spend an awful lot of money and not

[The Minister for Finance and Development]

come in contact with a very wide field of people. I do agree with him, however, that film is of great value, and I disagree with him of course in that I believe the use of the written word also will be very valuable. We are prepared to do what we can to help the Tourist Travel Association and I do contend, Sir, that, taken against the background of what other people have contributed, £8,000 was no mean contribution. My hon. friend may have been aware that only this afternoon I laid the Supplementary Estimates for 1955/56 No. 3, and, that in that Supplementary Estimate, there is an item which this Council will be asked to approve of some £1,000 additional grant to the Tourist Travel Association plus £1,500 which will be found by savings within the Ministry of Commerce and Industry, so that the grant for next year—I suppose for next year, although the money is being voted for this year—the grant for next year will be increased by £2,500. I think, Sir, it can be said, and held, that we really are doing what we can, as a Government, within our limited finance, to help the tourist industry.

Now, Sir, let me turn to a point that the hon. Member for Ukamba made about roads. The hon. Member made the rather astounding statement that the Government suppressed reports unless they were convenient to the Government, and permitted their publication at a time when it suited the Government, and he instanced the Cost of Living Committee Report. Well, I think the hon. Member was a little out of his depth. The Cost of Living Committee Report was, of course, published. It was the White Paper and debate which took the delay and the time of which the hon. Members complained in some cases. But more astounding was the statement that the hon. Member had inside information that the Manzoni Report had been in the hands of the Government for over a fortnight. Now that is something remarkable, Sir, because, in fact, the report was received by my colleague, the hon. Minister for Works, at nine o'clock this morning and by 12 o'clock this morning my hon. friend had embarked upon the process of circulating it round the

Ministers to whom it must be first presented. So where my hon. friend got his inaccurate information from, I do not know, but I understand he is quite prepared to withdraw that particular statement.

SIR CHARLES MARKHAM: I thank the Minister for giving way, Sir. Am I in order, Mr. Speaker, to ask for that statement to be withdrawn? I apologize to the Council for having made that statement.

THE MINISTER FOR FINANCE AND DEVELOPMENT (Mr. Vasey): Thank you, Sir. I was trying to save my hon. friend the trouble of doing that.

Now, Sir, the position is that the report will have to go through the usual procedure; it will have to be considered by the Government as a whole and I have no doubt that at a very early date, my hon. friend will see that it is published for the Legislative Council to see what is contained in that report.

My hon. friend, the Member for Mombasa, on whose remarkable recovery from his late illness we give him the hearty congratulations of the Council, also dealt in his usual charming manner with a number of points. He apologized, I think, on behalf of his colleague, the hon. Member for Nairobi South, about "a person with a secretary". Were I as persistent in quoting from speeches of hon. Members opposite as they are in my case, I could produce a large number of instances where they have said, "This is the beginning of an Empire". My hon. friend remarked about the question of the information services and the question of a public relations officer. I think largely due to the fact that he has not been with us during all this debate and these last days, he perhaps has not been able to get down to reading page 37A which was suddenly projected at him by my hon. friend, the Chief Secretary, which says, "To ensure liaison between the Government and all its departments and the Press, and to keep informed opinion advised of Government's plans and policies, it is proposed to make permanent provision for a public relations officer. This post will replace the existing Emergency appointment of a Press liaison officer". I have no doubt, Sir,

[The Minister for Finance and Development]

that he will agree that with the constitutional advance that we have made under the Lyttelton Plan, we have also a number of Ministers now who are quite capable of looking after the publicity side of their Ministries in Government.

I was glad that, at any rate, my hon. friend, when referring to the question of the revenue, used the word "odour". I thought, for a moment, he was going to say it stank.

I recognize, Sir, that this is a point which is a very difficult one and I shall refer to it later in my speech, but I would say that in the list of tables which I have before me now, where we have had advice from the experts and collectors of revenue, ever since 1952, when I took over this portfolio, I have persistently increased their Estimates to an extent that each year has seemed far too wild to them and each year, I regret to say, I have been proved to be wrong, and that the sum total at the end has not only exceeded the estimates they gave me but far exceeded the estimates that I, myself, presented. But, in an expanding economy, I do not think that that can be helped and the only thing I can say in regard to that is that we have never willfully underestimated the revenue, but rather taken the other risk. In that I have no doubt that one day we shall be proved wrong in that respect.

On the question of overestimating of expenditure, that I do not think we have been guilty of. What has happened from time to time in recent years, particularly with the Emergency, has been that bills, such as bills which pass from Her Majesty's Government and ourselves, we very often find there is a carry over and, therefore, there is a saving in expenditure for that year. There is also the factor of course, that financial control of this Council, and of the Government in general, has been tightened up considerably, and now we do not get a great deal of the excess votes that my hon. friend will remember in the old days used to be one of the troubles and worries of hon. Members opposite.

I was a bit horrified, Sir, with his remark about being "ready at any time to take a supplementary estimate", because I have, I think, made it perfectly

clear in this Council, Sir, that it is the intention of the Government to reduce the supplementary estimates to the absolute minimum. A ready and willing access to a supplementary estimate can prove a very great temptation and, therefore, the Government endeavours to avoid the supplementary estimate unless it is absolutely essential.

Now, Sir, there is one point that I omitted when dealing with the question of the two East African Tourist Travel Associations, before I turn on to the reply proper. My hon. friend, the Chief Secretary, authorizes me to say that he is finding £3,000 from the Information Department funds to pay for the Tourist Travel Association booklet on Kenya. This will be of considerable inconvenience and means saving inside his own expenditure, but he has undertaken to do it.

Now, Sir, my hon. friend, the Member for Nairobi South second in his list of thanks placed the people of Britain. I think, Sir, we should place them first because, without their agreement, it would have been impossible this year to reduce the coffee tax, or to avoid increases in other taxation. This Council should, I think, realize, Sir, that the decision to take off the coffee and the cotton export duties, meant possibly £1,500,000 to the taxpayers of Great Britain. It meant that I had to ask for £6,000,000 assistance instead of £4,500,000. That decision was only made possible by the strength of the arguments on economic and development grounds and by the recognition, in Great Britain as well as in this Government, of the need to build up our economic position to one of future independence and non-reliance on British financial assistance.

My hon. friend, the Member for Nairobi North, may not agree with the reasons why I took the tax off, but I can assure him, whether he agrees with the reasons or not, that the future of the industry was the only reason and the only argument that could have been accepted for the reduction of the tax and for not reducing further our call on Britain for assistance.

My hon. friend, the Member for Nairobi South, spoke of the receding Emergency. I think we all agree with him, Sir, that in the physical and in the

KENYA GOVERNMENT ARCHIVES
PHOTOGRAPHIC SERVICE

SECTION 7

CONTINUED ON
REEL No.

21

KENYA GOVERNMENT ARCHIVES

PHOTOGRAPHIC SERVICE

SECTION 7

END

OF REEL NO. _____

20