

1951.

Kenya

No. 17184

SUBJECT

C0533/411

Representatives of the Arab Delegates.

(Joint Committee on closer Union in E.A.)

Previous

26001/A/51.24 (Kilimanjaro  
in E.A.)

Subsequent

See 17190/51 (Arab Education)  
- 17194/51 (Kilimanjaro  
Municipal Bd.)  
- Arab Rep.  
18011/52.

1. Memorandum by the Arab delegates who are  
give evidence before Joint Committee on  
Africa.
2. Minute on No. 1
3. Minute on No. 1

~~To Sir R. Hamilton~~  
**DESTROYED UNDER STATUTE**

11 May

5. Copy of minutes of evidence given by Arab  
witnesses before Joint Committee on  
Africa in S. Africa, on 10 May

6. Note of interview 6 May 1931

to Mr. [unclear]

Will you please show Mr. [unclear]  
 the [unclear] and if he agrees  
 to it as a record of our  
 interview with the Arab  
 [unclear] please return [unclear]  
 will consider [unclear]  
 for [unclear] all the  
 necessary

all [unclear]  
 10/5/31

An excellent minute!  
 Approved!  
 T.S. 12-5-31

070

1. Memorandum by the Arab delegates who are  
give evidence before Joint Committee on  
Africa

2. Minute on No. 1

3. Minute on No. 1

To Sir R. Hamilton

11 May

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5. Copy of minutes of evidence given by Arab  
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6. Note of criticisms 6 May 1931

W. D. D. D.

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to it as a record of his  
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Delegation. Please return & we  
will consider if it is  
further action will be  
necessary.

all permission

10/5/31

An excellent minute!  
Approved!

705 (12-5-31)

170

Remembered to be careful  
today that we expected  
a statement from him in  
writing - see para 11.

no action

How do we stand as to  
replacing Miss Twining see  
para 13.?

see

15.5.71

Please see No.24 on Miss Twining's file  
(31177 E.M.) which quite clearly indicates that  
on the termination of Miss Twining's appointment  
a local candidate would be engaged to carry on  
her duties.

admitted 6/5/71

7 Search Ali diary \_\_\_\_\_ 14 they  
submit representations re purchase town  
Planning scheme and effect of deals for  
land required.

It is inevitable for reasons -

see below

18/5/71

I have found the 1970, but  
when they have gone 5? Shirts  
should see that action has been  
taken, & also in the case  
see 401/107. Should be left to  
Shirley Ali, but there may be  
another side to the case.

Wed. 19.5.71

8. 70- Gov 327 - (1/6.6) - Cons -  
19. 100 - (1/6.7) -

21/10  
21 MAY 1931

initials 14/2/6

8.9.71 on  
admitted 6/5/71

Seen: Minutes  
T.O.S. 2.6.31

Minutes minute sent after speaking  
to Mr Allen & at the desire of  
Sir Robert Hamilton

J. Johnson  
10.11.31

DESTROYED UNDER STATUTE

Gov. 768 - Cons  
(Reminder to 8)

13 NOV 1931

initials

1801/32

X. 17/19/51 Kenya 94

O. O.

Mr. acc 18.5.51  
Mr.  
Mr.

Mr. Tomlinson  
Sir C. Bottomley 19.5.51 f

Sir J. Shuckburgh  
Sir G. Grindle

Perm. U.S. of S.  
Parly. U.S. of S.  
Secretary of State

2000  
secret

DRAFT.

for Bayana [Now 316  
fill in]

CO  
21 May 1951

I in -  
with ref. to my despatch  
No. 377 of today's date,  
I h. the b. to be  
for the enclosed copies  
of a statement furnished  
by Mr. Imbarak Ali  
Himawy regarding  
the ejection of a number  
of Arabs & Africans  
without compensation,  
from land belonging to  
Sheikh Ali bin Salem  
on Mombasa Island.

This is the statement  
for wh. <sup>document</sup> Sheikh called  
in the interview wh. he  
gave on the 6 May  
(see para 11 of the  
note in my despatch under  
reference) : -

(2) Himawy regard

From Imbarak Ali Himawy - 16.5.51  
No. 7

X: 17194/31 Kenya

O.O.

Mr. Lee 19.5.51

Mr.

Ms.

Mr. Tanslemore

\* Sir C. Bottomley 19.5

Sir J. Shuckburgh

Sir G. Grindle

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State

2/1/5

*Handwritten initials and scribbles*

C.  
R 19MAY  
D 10

CO  
21. May 1951

**DRAFT** Kenya N. 31/51

G.W. Byrnes

*Handwritten:* Prod No 1 on 18/5/51

*Handwritten:* Itate No 1 (found 6 copies)

I would be happy to inform you that in the 6th day of the Parliamentary U.S. of S. on the 1st of June an interview to Mr. Mbarak Ali Hirany & Sheikh Idris Mohamed bin Issa, the Arab witnesses from Kenya to the Joint Select Committee on 2. Africa, in order that they might make a statement concerning matters in which they were interested, more especially on subjects which could not well be mentioned when they gave evidence before the Committee on which were not relevant to the questions under the control of the Committee.

(2)

(2) I believe a ~~copy~~ was made of the interview.

Copies of the petition referred to in para 8 are not enclosed, as the petition will be on record in Nairobi.

(3) I shall be glad to receive your views upon the various points raised during the interview. Some are obviously of more importance than others; in particular, the provision of adequate educational facilities for the Arabs in Kenya (para 7 and 16), ~~and the question of~~ land for the Arab community (para 9), and trade with Arabia (para 17). I may say that the absence of satisfactory provision for Arab education was emphasized in the evidence given to the Committee, and it seems <sup>quite</sup> clear that there is room for much improvement.

(4) It will be seen that both Mr. Inbarak & Sheikh Ahmed should ~~be~~ <sup>be</sup> invited freely, in accordance with the invitation extended to them, in this connection I do draw attention to the definite assurance given to Mr. Inbarak that his official position, as a servant of the Govt. of Kenya, will be in no way prejudiced by anything which he might say.

Signed: P. S. FIELD

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\_\_\_\_\_

Ernest P. FIELD

ACKD BY P.C.

Henington Gardens Hotel  
Lancaster Street  
London W2

17184/31

May 14 1931

The Under Secretary of State  
for the Colonies

Downing Street

RECEIVED  
MAY 1931  
OFFICE

Sir,

As asked I hereby give further information regarding the question without compensation of a number of Arabs & Africans who had their houses on land belonging to Sir Ali bin Salim on Mombasa Island.

Sir Ali owns large areas of land on the Island and a number of Arabs & Africans built their houses on these lands many years ago paying rent to Sir Ali's father - before the lands were inherited by Sir Ali.

Government raised a loan for the Town Planning Scheme for Mombasa after having calculated the amounts for the compensation of both the lands & the houses which stand on other people's lands and which would have to be demolished for purposes of construction of roads, but before the payment of compensation money to the people Sir Ali, to do his tenants down mostly for reasons that the majority of them were not his followers, decided to advise the Government the expense & suggested the postponement of the payments of compensation when he would order all his tenants to remove their houses from his lands by giving them a month's notice. All these houses were removed without any compensation while Sir Ali himself received a large sum of money for his lands which had been taken for purposes of roads.

Almost all these people are poor on the loss

21 MAY 1931

Handwritten notes on the left margin.

ACKD BY P.C.

Kensington Gardens Hotel  
Lancaster Street  
London W2.

7/16

17184/31

May 14 1951

The Under Secretary of State  
for the Colonies  
Downing Street  
London W.C.2.

RECEIVED  
14 MAY 1951  
OFFICE

35

Sir,

As asked I hereby give further information regarding the eviction without compensation of a number of Arabs & Africans who had their houses on land belonging to Sir Ali his Salim on Mombasa Island.

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Almost all these people are poor on the loss

CPD - 7000 hand - 21 MAY 1951

They suffered in immense numbers. Some of them have had to borrow money at a very high rate of interest and build huts on other areas but the other land owners (Europeans and Indians) on whose areas now the Native quarter has moved, have taken up the attitude of Sir Ali & have made their tenants sign agreements to the effect that there too they can be moved by being given a month's notice without any compensation.

Under Indemnity Law which is in force in the Protectorate, a tenant could not be moved without compensation if he were paying rent but whether Sir Ali was legally in his rights in moving these people or not, no one of his tenants could afford to go into litigation with him more especially so when Government had consented to Sir Ali doing that so as to save the money that would be payable to these people.

Exorbitant rents are now charged by the Europeans and Indian landlords on whose lands the poor people have now moved and generally speaking these people are in great difficulties.

Since we have been here, we are informed that 60 more families owning houses on Sir Ali's land (an area known as Kibokoni on the Island of Mombasa & which area is not affected by the Town Planning Scheme) have also been given a month's notice to remove their houses.

Nearly all these people cannot go outside the Island, where the land is cheap & where there is plenty of room, because the means of transport do not allow for them to be in the town for their work. They have of necessity to live on the Island.

It is this and many other instances that go to show the uneducated Arabs - The educated & intelligent Arabs are really very few - that one has got to practically

worth Si'Al at suffer. By his richness he has won the friendship of nearly all Europeans and as a high Government official he commands a great hearing at Headquarters and among many officials and it is practically impossible for any one else to get a hearing.

Again while we are here, we are further informed that in Mandera, Government has found Native Councils with the system in force in Native Reserves & have removed the Natives from the jurisdiction of the local Lirdi (The Arab official) and thereby greatly lowering his prestige and doing away with the system that had been in force all the time & which has worked without any dissatisfaction on the part of the Native population.

The feeling is increasing that it is not only in the Colony but even in the Protectorate & more so in Mandera itself, the Headquarters of the Protectorate, that consideration is given only to Europeans, Indians & Africans & that the Arabs are being economically squeezed out of the picture altogether.

I trust, Sir, that this is the information you wanted but if there is anything more that I am required to give further light on I shall certainly do so before I leave on the 20th inst.

I have the honor to be

Sir,

Your obedient servant

Abdullah Al-Hindiy

6

we

MEMORANDUM

1. On the 6th May Dr. Shiels gave an interview at the House of Commons to Mr. Mbarak Ali Hinawy and Sheikh Hamed Mohamed bin Issa, the Arab witnesses from Kenya to the Joint Select Committee on East Africa. Sir Robert Hamilton accompanied the two Arabs.

2. Dr. Shiels invited the Arabs to make any statement that they wished concerning matters in which they were interested, more especially on subjects which had not been mentioned when they gave evidence before the Committee or which were not relevant to the question under the consideration of the Committee. He assured Mr. Mbarak that he might speak quite freely although he holds an official position at present under the Government of Kenya, and that he might regard himself for the time being simply as a representative of Arab interests in Kenya: his official position would be in no way prejudiced by anything which he might say.

3. After thanking Dr. Shiels for giving them this opportunity, Mr. Mbarak first suggested that not enough interest in the Arabs was being taken either in this country by the Committee or in Kenya by the Government. Although the Arabs, like the natives, come under the supervision of the Chief Native Commissioner in Kenya and the Secretary for Native Affairs in Tanganyika, neither Mr. Maxwell nor Mr. Mitchell in their evidence before the Committee had made any reference whatsoever to the Arabs.

In reply to a question by Dr. Shiels, Mr. Mbarak made it quite clear that he had no complaint against

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against the Colonial Office in regard to arrangements not being made for the accommodation, etc., of the Arab witnesses, and that they appreciated the opportunity which had been given to them to join with the African witnesses in the programme of visits and sight-seeing which had been arranged.

4. Mr. Mbarak said that there was a lack of ~~consideration for~~ <sup>consideration for</sup> the Arabs in Kenya. At one time there had been a considerable number of Arab Administrative Officers - Lwalis, Kadhis and Madirs, but that the numbers had now been much reduced and the conditions of service of those who were retained were very poor.

Sir R. Hamilton explained that some years ago the policy was introduced of substituting District Officers for Arab Administrative Officers; the latter had done useful work particularly on the judicial side, but they had not at any time been <sup>paid</sup> well ~~paid~~.

Dr. Shiels enquired whether it was held that the new arrangement created greater efficiency.

Sir R. Hamilton replied that that was the argument used for making the change.

5. Mr. Mbarak explained that he did the same work as an Assistant District Commissioner, collecting revenue, etc., but that he drew less salary and had conditions of service not so good as those approved for Indian or Gannese Clerks. In particular he wished to be given increments and be placed on the pensionable staff.

Dr. Shiels said that he would enquire into the question of increments and pension.

6. Mr. Mbarak

6. Mr. Mbarak said that Arab boys taken on as Clerks in Government service used to have the same conditions as Indian Clerks, but some ten years ago it was decided to place Arabs on the same footing as Africans. The salary of an Arab boy as a "learner" was only 18/- a month, but it was much more expensive for an Arab to live in Mombasa than for a native.

Dr. Shiels suggested that the reason might be that Indian Clerks had to leave their homes in India in order to work in East Africa and that this might justify better terms of service.

Mr. Mbarak agreed that this was the argument used.

7. Mr. Mbarak complained that the educational facilities provided for the Arabs were entirely inadequate. An Arab school had been opened at Mombasa ~~in 1912~~ <sup>some years ago</sup> but the education given was inferior and it probably did more harm than good. In particular no Arabic was taught, and any Arab children requiring instruction in that language had to go to private schools which were not satisfactory.

A Koran class had been added <sup>at one time</sup> to the School at Mombasa ~~some years ago~~ but this had now been abolished. When the Koran class was established, <sup>(which had been very small)</sup> the numbers ~~went up~~ <sup>went up</sup> rapidly to 300 pupils. Much time was <sup>now</sup> spent in teaching Kiswahili, ~~although this was a language habitually spoken by the Arabs at teaching the school.~~ <sup>which was quite unnecessary</sup> What was desired was instruction first in English and then in Arabic.

Dr. Shiels

Dr. Shiels enquired whether the Arabs were so distinct a people that they required a special curriculum.

Mr. Mbarak said that this was the case, and that present education, such as it was, did not fit the Arab boys to take up employment for which they wished, i.e. clerical work, with the result that there were many of them without employment.

Dr. Shiels said that the question of improved facilities for Arab education would be looked into.

Q. Mr. Mbarak referred to a petition sent to the Governor of Kenya in <sup>May</sup> 1930 regarding the status of Arabs. Mr. Mbarak said that the Governor had replied that he would do something in the matter, but nothing further had been heard of it. Mr. Mbarak handed in a copy of the petition (attached);

Q. Mr. Mbarak dealt with the question of land within the coast area. He complained that much land had been taken away from Arabs by the Government on the ground that it was not under cultivation, with the result that many Arabs were now landless.

Sir R. Hamilton explained that originally Arabs had owned the coast lands with individual rights under their own system of law; those lands had been cultivated by slaves; slavery had been abolished and the Arabs could not carry on. An Ordinance had been passed declaring that all land not in occupation with permanent cultivation (i.e. in effect, coconut plantations) was to revert to the Crown, and so it came about that much land which had previously been in

Arab



Arab ownership was taken away.

Mr. Mbarak asserted that the land so taken was left waste and could be given by the Government without loss of revenue to the Arab community.

The proportion of the lands previously in occupation of Arabs, <sup>which had been</sup> and reverted to Government, was put at no less than 70 per cent.

Dr. Shiels asked whether it was held that there should be a preferential allotment of the land to Arabs.

Sir R. Hamilton replied that this was what the Arabs wished.

Dr. Shiels pointed out that it would hardly be practicable to go again over the whole area in which titles had been given under the Land Titles Ordinance, but that he would consider whether it was possible now to make arrangements for <sup>the release</sup> ~~the release~~ <sup>of the</sup> ~~of the~~ <sup>at the disposal of</sup> ~~at the disposal of~~ unalienated land in the Coast Province to the Arab community.

Mr. Mbarak said, in reply to <sup>a</sup> ~~the~~ question, that it was the fact that a number of claims which might have been submitted under the Land Titles Ordinance had not been submitted <sup>the reason being that</sup> ~~because~~ the fees payable for ~~a~~ certificate of title were so large.

(C. Mr. Mbarak and Sheikh Hamed both spoke on the question of Arab representation in the Legislative Council. They understood that on the retirement of Sheikh Ali bin Salim, a European was to be nominated by the Governor to represent Arab interests. ~~Apparently~~ Sheikh Ali, as Nominated Arab Member, and Sheikh Hamed, as Elected Arab Member, had



had not seen eye to eye on matters affecting the Arabs, and Sheikh Hamed complained that he had been "belittled" in the Council by Sheikh Ali.

Dr. Shields suggested that there was a division <sup>in the Arab community</sup> ~~between the Arab community~~ and Sheikh Hamed agreed that this was the case.

Mr. Mbarak and Sheikh Hamed asked that the Arab representation in the Council should be increased and that the <sup>Arab</sup> representatives should <sup>all</sup> be elected.

11. Mr. Mbarak referred to the Mombasa Town Planning scheme. He said that provision had been made for compensation; but Sheikh Ali, being closely associated with the Government, had arranged (strictly within his legal rights) to eject a considerable number of Arabs from part of the land required, thus depriving them of the compensation which would have been payable in accordance with the arrangements contemplated by Government.

Mr. Mbarak was asked to send a written statement to the Colonial Office concerning this matter in order that it might be considered.

12. Mr. Mbarak complained that the Arabs had not adequate representation on the Mombasa Municipal Board on which other racial interests were much more fully represented than the Arabs, despite the close association of the Arabs with Mombasa and the importance of their interests.

13. Mr. Mbarak said that welfare work in Mombasa for the Arab women was most important, and that for this work it was essential to have a lady doctor as the Arab women did not like being attended by

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by men doctors. He mentioned that Miss Twining had done admirable work in this connection and also in regard to sanitation, e.g. in the shops. On being informed that Miss Twining was not ~~returning~~<sup>going</sup> ~~to carry~~ to carry on this work, he expressed the hope that another lady doctor would be appointed in her place.

14. Mr. Mbarak said that the taxation imposed both by Government and by the municipality was too high for the Arabs. For the purpose of Government taxation the Arabs were classed as non-natives and, therefore, were expected to pay a Poll Tax of 30/- a year, and many of them he said could not find this sum. As regards Municipal taxes, there should be power to remit in case of poverty.

15. Dr. Shiels enquired as to the fishing industry, reference to which had been made in the précis of evidence presented by Mr. Mbarak and Sheikh Hamed to the Joint Select Committee on East Africa.

Mr. Mbarak said that he thought what was first needed was research work and then that the coast people should be taught with Government assistance, financial and otherwise, the best methods to improve the fishing industry in the light of the information obtained by research work.

16. In reply to a question on the subject of the education of Arabs, Mr. Mbarak stated that there were some 2,000 Arabs now living in Nairobi, and that no provision whatever was made for the education of their children in that town. In fact, it was illegal for them



them to be educated in any of the schools in Nairobi.

It was suggested that it was not illegal, but that the School Committees might reject an application from an Arab for his boy to go to one of the schools in Nairobi.

17. Mr. Mbarak stated that the export of boriti (mangrove poles) from East Africa had very seriously diminished and that the reason for this was the heavy customs duty and the high railway rates on certain goods imported into the country from Arabia, viz: dates, a particular kind of cotton cloth woven in Arabia, and salt fish. It had for years been the practice to bring these goods by dhow from Arabia to Kenya, and to take back boriti.

In reply to an enquiry Mr. Mbarak said that the customs duty upon these goods was less in Tanganyika than in Kenya.

Dr. Shiels said that he would look into the matter.

18. In conclusion Mr. Mbarak and Sheikh Hamed thanked Dr. Shiels for receiving them and listening to what they had to say.

Dr. Shiels said that he had been very pleased to have the opportunity, and that while he could not promise that their grievances would all be rectified, he would consider the question of referring them to the Governor of Kenya, who must of course be consulted in all such matters, and he hoped that it might be possible to do something in regard to some of them.

Colonial Office.

May 1921.

To,

His Excellency

The Governor in Council

NAIROBI.

Through

The Hon. the Senior Commissioner for the Coast

MOMBASA.

THE HUMBLE PETITION of the Arabs, Residents of the Coast Province of the Colony and Protectorate of Kenya MOST RESPECTFULLY SHEWETH:—

1. THAT Your Petitioners are subjects of His Highness the Sultan of Zanzibar, under the PROTECTORATE OF HIS MOST GRACIOUS MAJESTY KING GEORGE V.

2. THAT before the advent of British rule the Arabs were the de facto rulers of the Coast districts where they resided and not only of the NATIVES thereof but of all residents therein.

3. THAT in recent legislation the term NATIVE has been variously defined, in some cases in such a manner as possibly to include ARABS, and in other cases specifically to exclude ARABS, and in yet other cases specifically to include ARABS.

4. IN the Interpretation and General Clauses Ordinance Chapter I of the Laws of Kenya the term "NATIVE" is defined as follows: "NATIVE" shall mean a native of Africa not of European or Asiatic origin but shall not include a Somali or Swahili." It is submitted that this definition was directly and designedly intended to differentiate between civilised Mohamedan peoples and the aboriginal uncivilised peoples.

5. IN SPITE of that general definition, the Criminal Procedure Ordinance (Chapter 7 of the Laws of Kenya) defines "NATIVE" as a native of Africa not of European or Asiatic extraction but includes any Arab and Somali and also any Beluchi born in Africa.

6. THOUGH there were provisions in that Ordinance to which the Arabs could reasonably have taken objection reference is made in particular to Section 18 of that Ordinance giving the power to whip NATIVES no objection was taken to that definition for among other reasons the fact that ARAB Courts viz Liwalis, Cadis and Mudirs Courts were recognised as giving jurisdiction over ARABS and it was felt (wrongly perhaps) that not much sympathy should be shewn to an ARAB offender who deserves a sentence of whipping.

7. UNDER the provisions of the Courts Ordinance (Chapter 5 of the Laws of Kenya) no definition was given of the term NATIVE and it has been held judicially that in these circumstances the definition of NATIVE as set out in Chapter I of the Laws of Kenya applied.

8. WE learn that a new Ordinance to amend the Courts Ordinance is before the Legislative Council having as its object the inclusion of ARABS in the term "NATIVE."

9. ATTENTION must be drawn to and EMPHASIS laid on the fact that the Courts Ordinance (Chapter of the Laws of Kenya) makes provision for the creation of NATIVE TRIBUNALS and the result of making ARABS "NATIVES" will inevitably be that they will be subject to the jurisdiction of NATIVE TRIBUNALS. THAT, looking to the historical development of the Country and to the status of ARABS in Zanzibar, in Egypt, in the Hedjaz, in Iraq and elsewhere, is an undesirable consummation which, it is but natural, will be resented fiercely even if silently by all ARABS.

10. As pointed out in a preceding paragraph (paragraph 6) ARABS welcome their own tribunals, Liwalis Courts and Mudirs and in so far as an alteration in the definition as proposed in the Criminal Procedure (Amendment) Ordinance will give ARAB Courts jurisdiction over ARABS no objection be taken.

YOUR PETITIONERS therefore pray that the said Criminal Procedure (Amendment) Ordinance be not (even if already passed and allowed) brought into operation but that a definition of the term 'AFRICAN' be substituted therefor and that the Mohamedan Courts-LIWALIS, CADIS and MUDIRS be given over ARABS and AFRICANS such powers and jurisdiction as they now possess over Mohamedans other than Arabs.

AND YOUR PETITIONERS AS IN DUTY BOUND WILL EVER PRAY.

MOMBASA.

day of May, 1930.

- 1 Ali bin Salim,  
Senior Coast Liwali.
- 2 Rashid bin Salim,  
President Arab Association.
- 3 Rashid bin Sood,  
Leader of Arab Community.
- 4 Mohamed bin Ali,  
Liwal of Mombasa.
- 5 Hamed Mohamed,  
Member of Legislative Council.
- 6 Sheriff Ahmed Mohamed Shatry
- 7 Alamin bin Aly,
- 8 Msallam bin Kassim,  
Vice President Arab Association.
- 9 Hamed bin Salim bin Kassim,
- 10 Sheikh Suleman b Ali,  
Kathi of Mombasa.
- 11 Mohamed B. Ali bin Saad,
- 12 Mbarak Ali Hinawy,  
Arab Assistant to Resident Commissioner.
- 13 Abdulla Zena,
- 14 Sheikh Kassim bin Rashid Elmanthry,
- 15 Harub bin Abdulla.
- 16 Sheikh Alamin bin Ali,
- 17 Faraj bin Ali bin Sharman,  
Leader of Hatharmy tribes.
- 18 Mohamed bin Rashid Bassami,
- 19 Khamis bin Salim Bassami,
- 20 Khalfan bin Khamis,
- 21 Sheriff Abdulla Salim,  
Secretary Arab Association.
- 22 Mohamed bin Omar Elaafi,
- 23 Suleman bin Rashid Sarram,
- 24 M. Jid bin Ali,
- 25 Sheriff Agid bin Mohamed,
- 26 Sheriff Mohamed bin Ahmad Shatry,
- 27 Ali bin Mohamed Elbusaid,
- 28 Sheriff Ali bin Mohamed Atlas
- 29 Sheriff Idarus bin Tahir,
- 30 Abdulla Mbarak,
- 31 Omar bin Abed Zirega,
- 32 Saleh Mohamed,
- 33 Abdulrehman B. Naaman,
- 34 Rashid bin Salim B. Kassim,
- 35 Hamed bin Rashid,
- 36 Ali Thany,
- 37 Naser bin Salim,
- 38 Said bin Mbaruk Shikely,
- 39 Mohamed bin Rashid bin Salim,
- 40 Rashid bin Mohamed Bassami,
- 41 Hamed bin Suleman Hamed,
- 42 Rashid bin Salim Masru,
- 43 Ali bin Omar Bashikik,
- 44 Sheikh Ahmed Mbarak,
- 45 Naser bin Saïd Elmanthry,
- 46 Mekar bin Saleh,
- 47 Mohamed bin Abdulla Masru,
- 48 Sheriff Mohamed Mustafah,
- 49 Maamun bin Suleman,
- 50 Said bin Abdulla,
- 51 Sheriff Muhsin bin Alur,
- 52 Ali bin Awath El-Amri,
- 53 Mbarak bin Nasib,
- 54 Salim bin Ali bin Sharman,
- 55 Abdulla Salim Balsil,
- 56 Ahmed Mohamed,
- 57 Saleh bin Saïd,
- 58 Abdulla bin Abed Bamatraf,
- 59 Omar bin Abdulla Bashrahil,
- 60 Mohamed bin Ali bin Sharman,
- 61 Abdulla Mohamed Hassan,
- 62 Abdulla Saïd Hassan,
- 63 Salim Abood Hassan,
- 64 Mbarak Abed Basawad,
- 65 Yislam Abed Basawad,
- 66 Omar bin Ali bin Sharman,
- 67 Salim bin Khamis Bateis,
- 68 Abdulla bin Salim bin Shahbal,
- 69 Niheid bin bin Abdulla bin Tahir
- 70 Ali bin Abood Bazar,
- 71 Karama bin Ali Tamimi,
- 72 Hamed bin Salim,
- 73 Muhsin bin Saleh,
- 74 Mbarak bin Salim,
- 75 Saleh bin Mbarak bin Shahbal,
- 76 Saleh bin Saïd bin Sharman,
- 77 Saleh bin Salim Bakhswain,
- 78 Sheikh bin Abdulla Bajab,
- 79 Saïd bin Saleh,
- 80 Abdulla bin Mohamed B. Ahmed El Husni,
- 81 Abdulla bin Thabil,
- 82 Ali bin Omar,
- 83 Saïd bin Salim,
- 84 Salim bin Ali,
- 85 Omar bin Saleh,
- 86 Saleh bin Omar,
- 87 Saïd bin Omar,
- 88 Omar bin Saleh,
- 89 Ali bin Saïd,
- 90 Salim Saïd,
- 91 Khamis bin Ali,
- 92 Ahmed bin Saïd,
- 93 Mohamed bin Ahmad,
- 94 Khamis bin Omar,
- 95 Abdulla bin Ali,
- 96 Haïdar Mohamed,
- 97 Mohamed Mbarak Riyami,
- 98 Sheriff Mohamed bin Seyid Shakh,

## MEMBERS' CORRECTIONS.

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19.

Joint Select Committee on *East Africa.*

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## MINUTES OF EVIDENCE

TAKEN before the JOINT SELECT COMMITTEE ON  
EAST AFRICA.

---

*Die Veneris, 1<sup>o</sup> Maii, 1931*

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[Great inconvenience having arisen from the Publication of Minutes of Evidence taken before Committees, and of Papers, &c., laid before them, it is particularly requested that Members receiving such Minutes and Papers will be careful that they are confined to the object for which they are printed—the special use of the Members of such Committee.]

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DIE VENERABILE 1<sup>o</sup> MAI, 1931

Present:

Lord Stanley of Alderley (Lord  
Aberdeen),  
Lord Dickinson  
Lord Lambington  
Lord Lugard  
Viscount Marney  
Earl of Onslow  
Lord Pembroke

Lord Pakenham  
Lord Ponsonby of Shulcliffe  
Sir John Sandeman Allen  
Mr. Buxton  
Mr. Robert Hamilton  
Lord Stanley  
Mr. Wellesley

Lord STANLEY OF ALDERLEY is the Chair.

BORNAN HANDE MUMBAHI HAN IATA AND MUMBAI AND HANDEY ARE CALLED IN AND  
SEATED AS FOLLOWS.

Chairman.

And, Gentlemen, you are here to give  
evidence on behalf of the Arab Com-  
munity of Kenya, and you will probably  
desire to make a general statement in  
amplification of the Memorandum which

you have put us. The Commission would  
be glad to hear your statement, but in  
the first place let me on behalf of the  
Commission welcome you to the country,  
and assure you that the Commission will  
give every attention to all that you have

SHAIKH HAMED MOHAMMED BIN ISHA  
AND MURAD ALI HIRAWAY.

[Continued.]

-12<sup>th</sup> March, 1901.]

to say) (Alfarsi, Ali Hiraaway.) We should prefer to be examined straight away. We have said practically everything that we desire to say; in our Press, and we would prefer to be examined at once, and if there is anything it can be simplified later.

4145. Then, you stand upon your Precise, and you are prepared to be examined upon it?—Yes.

4146. I do not think I have anything to ask you, upon your Memorandum, which is a very full statement of your case, and I will therefore ask the Members of the Committee to examine you?—Yes.

Lord Dickinson.

4147. I should like to ask this: You say that the Arabs do not get sufficient education now. To what extent are there schools in that part of Africa, and what schools have you got?—The only school that we have got is an Arab School at Mombasa. The others are what they call the Dushi Schools in one or two villages. The Arab School itself is supposed to be an elementary school, but it is practically on the same lines as the Dushi School, we think.

4148. To what extent are the Arab population able to read and write? They are able to read and write in Arabic characters, but it is a very small proportion of those who are able to read and write in English.

4149. But, I suppose that the Arab population there, although they do not speak Arabic, are quite able to understand Arabic and to write Arabic and read Arabic, or are the majority of them unable to read the Arabic newspapers and so forth?—The majority of them are unable to do that. The only schools that we have for teaching Arabic are private schools, small private schools, which are not at all assisted by the Government. Those schools teach Arabic only, or Arabic and Swahili, but in the Government schools no Arabic is taught.

Chairman.

4150. What is the medium of instruction?—Kiswahili.

Lord Dickinson.

4151. Do the Arab population speak Swahili?—Yes.

4152. They do not speak Swahili amongst themselves?—A few families

speak Arabic among themselves, but the most of them do speak Swahili amongst themselves.

Chairman.

4153. Arabic really is the language of culture, and Swahili is the language of the people?—Yes.

4154. To follow your religious observations, it is desirable that you should be able to read and speak Arabic?—Yes.

4155. Is the Koran translated into Swahili?—No, as it is not.

Lord Dickinson.

4156. Have you Swahili newspapers?—No, we have not.

4157. Is there anything printed in Swahili?—Nothing except the Government Official Organ, the "Habari."

4158. And that's all, is it?—Yes.

4159. You would say that the greater portion of the Arab population there are unable to understand much about politics?—They are, of course.

4160. Do you mean that they are unable to understand them?—They are able to follow politics.

4161. Do they discuss politics very much?—Yes, they do.

4162. Now do you know the native tribes more in the interior?—Yes.

4163. I suppose the Arabs are much more able to discuss and understand politics than the natives?—In a way they are, but the natives of course understand their own point of view better than the Arabs. I mean that a native would be more in touch with his own affairs than an Arab would be with native affairs.

4164. Do I understand that you rather take the view that the Common Roll is not possible?—We do not say that it is not possible.

4165. What is your view with regard to that?—Our view is that although we do agree that the Common Roll is quite a good thing, yet we think, with the present system as it is, that we are doubtful about its success among the Arabs; but if seats are reserved for Arabs, we would certainly like to see the Common Roll set through.

4166. Is there amongst the Arabs any system of election to a kind of public authority?—At present we have one elected member on the Legislative Council, who is elected in the ordinary way.

4167. How is that member elected?—On the English system.

4168. By a popular vote?—Yes, by vote.

4169. But, I mean by a popular vote?—Yes.

4170. Do the people have to record their vote on a paper?—Yes.

4171. How many people vote? What proportion, I mean?—So far we have not had any contest for that seat at all.

4172. The leading Arabs have agreed upon their representative, have they?—Yes.

4173. But nevertheless, if there was a contest, it would be a contest which would be conducted by ballot paper?—Yes, by the Arabs.

4174. By ballot paper?—Yes.

4175. Do you think that the Arabs are sufficiently educated to use the Common Roll and that kind of thing to vote?—Yes.

4176. You think that they could do that?—Yes.

4177. I should like to understand what you mean by saying that the abolition of slavery has resulted in the levelling down of the Arab rather than the levelling up of the freed slave. What process has been going on which has resulted in that?—As we have shown in this price, because of the Government having abolished slavery and put up no other system by which the Arab conditions can be improved, we are apprehensive of the fact that economic pressure is being brought to bear upon the Arabs for their levelling down. Nothing has been done for the improvement of the conditions of the ex slaves themselves, either. At present you will find along the coast large families of ex slaves who are practically starving. In the same way the Arabs, because they have lost their slaves, are also starving; they have lost their slaves and they have lost their land.

4178. How have they lost their land?—We have shown in another part of this Price that because of the same way with regard to slavery most of the land can no longer be cultivated, and because of that the Land Title Ordinance having made provision that any land uncultivated and with no permanent crops on the land is Crown land, therefore all the lands were confiscated.

4179. I suppose you would not advocate going back to slavery for the purpose of cultivating that land?—Not at all.

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SHAIKH HAMED MOHAMMED BIN ISHA  
AND MURAD ALI HIRAWAY.

[Continued.]

4180. What remedy would you suggest that any Government could bring into operation?—We say that if the Government had given us good education, or at least education suited to our conditions, the conditions of the Arabs could have improved, and that would enable them to adapt themselves to present-day conditions.

4181. Have you represented this point of view to the British Government?—Yes, we have done that on several occasions.

4182. In what manner, has that been done?—By discussions with the officials, and by petitions.

4183. You have a member on the advisory Council, have you?—Yes, we have.

4184. Has he raised that kind of question on the Council?—

Chairman.

4185. On the Legislative Council, it would be, would it not?—Not on the Legislative Council, because those things were done before we were given any member on the Legislative Council at all.

Lord Dickinson.

4186. Since then what has been the position? I am anxious to find out what has been the value of your having a member on the Legislative Council, and whether it has been the means of improving matters with regard to the question of education?—It has not resulted in any improvement, because the member has raised this question in various committees, and various commissions, and then nothing has been done.

4187. Who is the member?—My honourable friend here, Sheikh Hamed Mohamed Bin Isha.

4188. Then might we ask you, Sheikh Hamed Mohamed Bin Isha, what efforts you have been able to make to obtain an improvement of your conditions, through the fact that you have been a member of the Legislative Council?—(Sheikh Hamed Mohamed Bin Isha.) Only what my friend has said, by petition and interview with officials and Governors, and representatives before the Commission. We have presented this matter in that way, but I did not present it to the Legislative Council myself. We have been several times and presented this matter before the Governors and the

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15<sup>th</sup> May, 1931.]SHEIKH HAMED MOHAMMED BIN ISA  
and MUBARAK ALI HINAWY.

[Continued.]

officials, and before Commissions which have visited Kenya Colony recently.

*Chairman.*

4189. The Hilton Young Commission, and so on, you mean?—Yes.

4190. Your co-religionists are all confined to that coastal belt and Zanzibar; there are no Arabs, substantially speaking, outside the coastal belt and Zanzibar, are there?—(Mubarak Ali Hinaway.) They are mostly in the coastal belt and at Zanzibar, but we have quite a number of them as petty traders up country.

*Viscount Mersey.*

4191. Do you proselytize at all? Do you extend the religion?—Yes.

4192. You do?—Yes.

4193. You extend it?—Yes.

4194. You send out missionaries?—No, we do not send out missionaries at all; we have no missionaries.

4195. You do not increase it, I mean; you do not get any of the natives?—We do get natives coming into the religion. 4196. And becoming Mohammedan?—Yes, although of course we have no particular missionaries to spread the Gospel.

*Chairman.*

4197. Had you induced the inhabitants of the Coast to become Mohammedan in the old days?—No inducement at all.

4198. Were the ex-slaves Mohammedan?—Yes they were.

4199. Do they remain so?—Yes.

4200. There is a considerable Mohammedan population, is there?—Yes.

4201. That is to say non-Arabs?—Yes.

*Lord Dickinson.*

4202. You have told us that your colleague has a place on the Legislative Council. Is he an unofficial member or an official member?—(Sheikh Hamed Mohamed Bin Issa.) I am an unofficial member.

4203. Although you have a place as unofficial member, you express it as your opinion that you do not support a policy of having an unofficial majority. Will you explain to us what your views about that are?—(Mubarak Ali Hinaway.) That is not the question, that we oppose the unofficial majority because our honourable member is an unofficial member, but we know that with the introduction of

the unofficial majority, there will be an unofficial majority of Europeans only.

4204. How would that happen, because you would have your member, at any rate?—Yes, but one member amongst 18 or 20 Europeans is ridiculous?—(Sheikh Hamed Mohamed Bin Issa.) Even now the Arab member does not work with the Europeans.

4205. I have never been there, so that I am somewhat ignorant about it. Are there no natives in that part of Kenya, or is it all Arab population in that part?—Arab and native?—(Mubarak Ali Hinaway.) There is a large quantity of native population on the coast.

4206. Do you mean Mohammedan?—Mohammedan and pagan.

4207. What about the other races, the Kikuyu and the others?—The Wasika coast itself, although we have Kikuyu and Kavironda who have come down there to work.

4208. I suppose that in any system of voting, it would be the Arabs who would have the largest influence, except the white people, of course?—If you have a Communal Roll you have each community separately, but if it is a Common Roll it is a different matter.

4209. You prefer the Communal Roll, do you?—No, we prefer the Common Roll, provided that there is reservation of seats.

4210. Then you ask for a Common Roll with reservation of seats?—Yes.

*Chairman.*

4211. The Arab Roll is strictly confined to those of Arab descent, is it not; it is not a Mohammedan Roll?—No, it is strictly confined.

*Earl of Oswest.*

4212. There was a considerable connection between Zanzibar and Muscat?—Yes.

4213. Is that maintained?—Yes.

4214. In what way? I imagine that the inhabitants of Muscat come to East Africa, do they not, and vice versa?—Yes, and the inhabitants of East Africa visit Muscat very often, and those at Muscat also visit East Africa.

4215. That has been maintained for a very long time?—Yes, for a very long time.

15<sup>th</sup> May, 1931.]SHEIKH HAMED MOHAMMED BIN ISA  
and MUBARAK ALI HINAWY.

[Continued.]

*Lord Dickinson.*

4216. In any case, you do not support the proposal of having a High Commissioner?—We do not.

4217. Will you just tell us what your views are with regard to that matter?—Our view about that is that we find that the Governors are quite enough; with the present development of the country. We do not like to see the burdening of the country with further expense on account of a High Commissioner with his Secretariat. As it is, the Arabs are pretty heavily taxed, and we think that with the increase of expenditure the Arabs will be more heavily taxed, which they cannot afford. The country is not yet ripe for such elaborate things as a High Commissioner and his big Secretariat, and so on.

4218. You prefer to deal with your own Governor?—Yes, and we suggest that the three Governors of the Territories, with a sort of impartial chairman in their meetings, can just as well, or even better, deal with matters concerning the three Territories as a High Commissioner could do, whether with respect to the unification of essential services or any other matters which are matters of mutual concern to the three Territories.

4219. You know that the proposal is to have a Council or Advisory Council to assist the High Commissioner, which would represent to a certain extent the different parts of the Territories concerned?—Yes.

4220. Are you equally opposed to that?—Yes.

4221. What is your reason for that?—We find that it is only a question of duplication of work. Some time discussions will have to be had by the Governors with their respective Councils, and then again it will be referred to the High Commissioner with his Council, and on the question of the expense of the High Commissioner also we are opposed to it.

*Lord Lugard.*

4222. I have not many questions to ask you, but on page 5 of your Memorandum you say that the Arabs were not adequately compensated for the loss of their slaves?—No, they were not.

4223. Under the decree of 1875, by Lord Burghul and the following Decree of 1876 the introduction of any slave into Zanzibar was prohibited?—Yes.

4224. And then still further, under the Decree of August, 1877, I think it was, by Colonel Ewart Smith, every child born after a certain date was to be liberated?—Yes.

4225. So that, practically speaking, when the Arabs lost their slaves, no compensation was due to them, because they were all illegally held?—No. By the Abolition of Slavery Ordinance of 1907—

4226. Sir Robert Hamilton tells me that the status of slavery was not abolished. I am aware of that?—Yes, that is right.

4227. What I am saying is that the existing slaves had practically all died before the time when the emancipation of slaves was decreed, because it was calculated by high authorities that the average life of a slave was not more than 11 years in Zanzibar, although a few may have lived longer. They were abolished in 1873 and 1876, and again in 1890, and so, at the time of the abolition, in 1898 or 1899, I mean, there could hardly have been any existing slaves who were legally held in Zanzibar?—There were slaves legally held in 1907 and 1909, when the Abolition of Slavery Ordinance was passed in East Africa. Under that Ordinance provisions were made for compensation for the slave owners for the loss of their slaves, and actual monetary compensation was paid.

*Sir Robert Hamilton.*

4228. I think I am right in saying that £10,000 was the amount which was paid?—Yes.

*Lord Lugard.*

4229. I think the Arabs were very fortunate to get it. The slaves were owned, at the time when Sir John Kirk came to Zanzibar, chiefly by the Indians, were they not, or at any rate they were large slave owners?—I do not think the Indians were larger slave owners than the Arabs.

4230. They were, as a matter of fact. They were emancipated, and they never received any compensation?—No, the Indians never received any compensation at all.

4231. I wanted to make that clear, because as represented here, to anyone reading this, if it was published with the ordinance, it would appear that the Arabs had received very substantial compensation, which I do not think they did?—I think

[19 May, 1931.]

SHEIKH HAMED MOHAMMED BIN ISSA  
and MIBRAK ALI HINAWY.

[Continued.]

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1<sup>st</sup> March, 1931.]SHEIKH HAMED MOHAMMED BIN ISSA  
and MALIK ABU HINAWA.

(Continued.)

they did. It is not a question of monetary compensation for the loss of the Arabs; that is not the idea among the Arabs at all. The question is not the loss of the land, but the loss of the money which is necessary for the loss of the land. It is the economic compensation for the loss of the land, the improvement of the supply of labour, the improvement of the conditions.

4232. I fully appreciate that it would be very difficult for the Arab who had been accustomed for generations to rely upon slave labour, to suddenly invert to free labour?—Exactly.

4233. I quite appreciate that, but when you say that their estates were confiscated, practically all those estates were mortgaged up to the eyes, were they not?—No, not before the slaves were abolished. It was only after the slaves were abolished that the Arabs were mortgaged, not knowing what to do, and no provision being made by Government to adapt matters to the conditions of that time, and that is why their land fell into the position of going into mortgage to the Indians?

4234. Have the Arabs now accommodated themselves to the new conditions? Are they now utilizing free labour and paying for it?—Yes.

4235. They are, are they?—Yes.

4236. And you have no grievance, or no complaint now with regard to the labour question?—No, we have no complaint at all upon the labour question.

4237. There is only one other question that I should like to ask you, and it is this:—What is an Arab? Is it those who are enumerated in the Census as Arabs?—Yes.

4238. We know that the Swahili population on the Coast are all half Arabs, are they not?—Yes.

4239. You have also a large population of Baluchis?—Yes.

4240. Are they counted as Arabs?—Not generally. With regard to the Baluchis, there are a few who have only recently come from Karachi and Baluchistan. They speak Gujarati, and they are included among the Indians in every respect. Other Baluchis, who come over with the Indians, do not speak Gujarati, and they are included amongst the Arabs.

4241. With regard to the Swahili, they are all half-castes, are they?—Some of the

Swahilis, which we call the Twelve Tribes, mostly have Arab blood in them. Their conditions are practically the same as the Arabs.

4242. Are the Arab estates now, the twelve estates, much mortgaged?—Sir Robert Hamilton tells me that there are no closed estates in Kenya?—No.

4243. Lord Lugard, I suppose, Mr. Chairman, we are not concerned with the Zanzibar estates, is that so?—Chairman, I do not think we are.

4244. Lord Lugard, I have no other question to ask.

Sir Robert Hamilton:

4245. I should like to ask a question or two, with regard to the point which was raised by Lord Lugard just now, as to what the Arab was. Am I correct in saying that you here as representing the Arab descendants of the immigrants from Arabia, the Shis and the Makalla, and the people who have settled in Mombasa, and also the Swahili?—Yes.

4246. So that it is rather a composite body that you are representing?—Yes.

4247. Although you are called the Arab representatives?—Yes.

Chairman:

4248. Do you represent all the tribes of Swahili? Are they all included in the Arab enumeration?—Swahili is a term that is used for the Coastal inhabitants; it means the Coastal inhabitants. In fact there are twelve tribes among the Swahili, and they are called by the name of the Twelve Tribes. Those twelve tribes are scattered all over the Coast, but generally they are called Swahili, although it is practically a misnomer.

Chairman:

4249. They are Africans, are they?—Not Africans.

4250. A mixed race?—Yes.

4251. Founded upon an African foundation, or having an African element in the race?—Yes.

Sir Robert Hamilton:

4252. I want to carry it a little further, I want to bring out the point that all the people whom you are representing here are Mohammedans?—Yes.

4253. They are people who have been brought up under the Mohammedan Law,

1<sup>st</sup> March, 1931.]SHEIKH HAMED MOHAMMED BIN ISSA  
and MALIK ABU HINAWA.

(Continued.)

4254. And with individual ideas and rights to hold land?—Yes.

4255. And that the whole system of land tenure on the Coast, in the Arab administered parts, is entirely different from what is in the country?—Yes.

4256. But in the Coastal Belt you also have certain native tribes like the Wadigo and the Girsama, who are just in the background behind the Coast, and come down to the Coast as certain points?—Yes.

4257. Viscount Merrylee. Do you suggest that the Kadi administrator the law of the land, and that may be different from the remainder of the Protectorate?

Sir Robert Hamilton:

4258. I was just going to bring that out upon that very point. Under the administration of the Coast in the past was always under Arab governors and Arab Kadis. When the British administration took place, the existing system of Lwalis, Kadis and Mudirs was continued?—Yes.

4259. It was the duty of British Courts to carry out the Mohammedan Law in those matters which came before them from the Coast people?—Yes.

4260. Sir Robert Hamilton, I think that was your point, Viscount Merrylee?—Viscount Merrylee. Does that continue?

Sir Robert Hamilton:

4261. That system has rather been allowed to drop into neglect, has it?—Yes.

4262. And the position of the native governors, the Kadis, has been reduced very much from what it previously was, has it not?—Yes, very much.

4263. Can you give me some example of the pay which is given to the Lwalis and the Kadis at the present time?—Yes, the Senior Kadis receive about £15 a month, and the Senior Lwalis receive rather more; there is only one who is getting about £45 a month, and the rest are getting £25 a month.

4264. We have had a good deal of evidence given before this Committee already to the effect that there has been little attention paid to the administration of the Coast since the capital was moved to Nairobi than to other parts of the Protectorate?—Yes.

4265. I think you will agree with that?—Yes, there has been very much less attention paid to the Coast.

4266. And the Arab Community have suffered particularly?—Yes.

4267. Because, while previously they were the ruling body, and the land-owning body, and the wealthy body, the whole of their condition has been entirely altered by circumstances in the last 20 years?—Yes.

4268. You referred to the Land Titles Ordinance of 1908. If I may put it quite shortly, is not the effect this, that the status of slavery was eventually abolished, and I think a sum of £10,000 was paid to the holders of slaves, who were unable to turn over at once to the system of hiring labour to continue their cultivation, and their land went out of cultivation. Then the Land Titles Ordinance was passed, which deprived them of all their lands, which were no longer cultivated?—Yes, that is exactly what we say.

4269. And that at the present time the Arabs have become almost a landless people on the Coast?—Yes.

4270. And you complain that you have not had sufficient advantage in the way of education to make up for that?—No, we have not.

4271. Then you referred to the Arab schools?—Yes.

4272. Am I right in saying that that Arab school only gives a very elementary education, and that it is impossible for an Arab to get beyond a certain point in his education?—Yes, that is quite right.

4273. Can you explain that to the Arab school, as far as is included among the Africans in the policy of education.

4274. If I may interrupt you at that point, it is a fact, I think, that certain law regard the Arabs as natives, and other laws regard them as non-natives?—Yes.

4275. So that the Arabs are in rather a peculiar position?—Yes, very peculiar, and because they are included among the Africans in the system of education, the system is very inadequate. Only Swahili is taught there, with a class or two in English. The result of that is this, that a boy is sent out of the school because no further education can be given to him in the school, and yet he finds himself unable to obtain any employment in any office, whether a commercial office or in the Government service. Then there is also this, that with the very little education that he has got, he gets the



1<sup>o</sup> Mai, 1931.]SHEIKH HANAD MOHAMED BIN ISSA  
and MSHARAK ALI HINAWY.

[Continued.]

idea into his head that he is well-educated because he has been sent out of the school because they could not give him any further education, and therefore he thinks that he is properly educated, although as a matter of fact of course he is not. As a result of that the young men are degenerating. We have always pointed out to the Government, that it is giving us no useful education at all, and that will keep our conditions much lower.

4272. You are satisfied as I understand it, that if you had better educational facilities, you would be able to take a much more important part in the development and administration of the country than you are now?—Yes, as history has shown. The Arabs began as traders with the Imperial British East Africa Company, and at the time when the British Government took over the country the Arabs were very helpful in regard to the administration and various other matters; they were very helpful to the Government. Although most of them at that time were not educated in English, yet they had been able to give all that assistance, and we feel that with English education we could do far more to help the Government.

4273. What do you reckon that your numbers are at the present time?—About 15,000.

4274. So that you are a very small community?—Not at all very small.

4275. I mean, very small compared with the vast numbers of natives?—Yes, quite so.

4276. And also compared with the Indians, who are living there. You are outnumbered?—Yes, they outnumber us.

4277. So that you are in danger, you feel, of not receiving the attention that you ought to receive?—Yes.

4278. And that has been your position in the past?—Yes.

4279. And that your one representative on the Legislative Council has not been sufficient to ensure that your wants should have adequate attention given to them?—Yes.

Lord Phillimore. With regard to that point, would you bring out the point as to what the 15,000 includes?

Sir Robert Hamilton. The 15,000 includes the people that we have been referring to, the Swahili, the Arabs and the cosmopolitan people living on the coast.

Lord Phillimore.

4280. The Twelve Tribes?—Yes. They are not more than 1,500 or 2,000.

Lord Lamington.

4281. What number of Indians are there?—About 20,000, I think.

4282. Are they chiefly Moslems, or what are they?—Some are Moslems and some are Hindus.

Lord Passfield.

4283. Could we make a secondary school for such a small number? Do you suggest that there should be a higher school for them?—Yes. A few years ago, I think about three years ago, the Government of Kenya had made provision out of loan money for building three secondary schools in Kenya. One was for Europeans, and that was estimated to cost about £50,000. One was for the Indians, and that was about £20,000, and another one, an elementary school but a boarding school, for the Arabs, and that was about £18,000.

4284. You say that the last one was for the Arabs?—It is not for Arabs, but it is for Arabs and natives, and that was £18,000. As to the £50,000 for the school for Europeans, they had to increase the vote for that, and the same thing applied to the Indian school, but for the Arab school, the £18,000 only, they had to cut down the vote for that, and although the native and Arab school has been started, and it has been going for the last two years, it has not yet been completed up to now.

4285. That school was to be opened, not only to Arabs, but also to Africans?—Yes, to Africans as well.

Lord Dickenson.

4286. Where is the Arab school?—It is on the Island of Mombasa, and it is a boarding school which is proposed to be built now which is just outside the island, four miles from Mombasa.

Sir Robert Hamilton.

4287. While we are upon the question of education, I should like to bring another point, which I think ought to be brought up. Your children always commence by going to the Koran school to learn the Koran?—Yes.

4288. And that takes up a certain time?—Yes.

1<sup>o</sup> Mai, 1931.]SHEIKH HANAD MOHAMED BIN ISSA  
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[Continued.]

4289. And that handicaps them when they go into the other school, and puts them behind the other children?—Yes.

4290. Therefore it is of particular importance that the education should be extended, so that they should get the fuller education at the other point, at the time of the opening of the Arab school in 1912, and up to about 1922, there were only about 40 or 50 boys in the school, and as a result of that the Government absolutely refused to have any Koran classes in the school. The parents then had to send their children to the Koran in private schools, and because there were no facilities in the Arab schools, the children had to remain outside in the Arab schools until they were 7 or 8 or 10 years old, and then go to school. We have pointed that out to the Government, showing them that the time is being wasted by the children going to the Koran classes, and if they have the Koran classes in the school itself, they could have the boys at a much younger age, and for the Koran class they could go directly to the English classes. The Government refused to have anything to do with that, to begin with, but in 1922 they saw that they had to do it, otherwise they would not get any boys to go to the school, and a Koran class was started in the school, with the result that 800 boys went to the school.

4291. There is only one other point upon which I want to ask you a question, and that is with regard to Closer Union. I understand you to say that you are not in favour of Closer Union, mainly upon two grounds, one being that it would be an expense and would throw heavier taxation upon the country, and the other being that you ought to be able to get what you want from your Government without having an additional person put over him?—Yes.

Sir John Sandeman Allen.

4292. Sir Robert Hamilton has dealt with most of the points that I had in mind, and he has dealt with them so cleverly that I could have done nothing. I should like to ask you just one question about the land that you speak about, which has been taken away. What has happened to it?—Some of it has been given away to various companies, and some is still being so given

4293. What has happened to the companies who have gone that land? Are they developing it?—One company in the southern district of the coast, the Sugar Company, are at present developing the land.

4294. Otherwise there is but little change?—Yes, very little change. 4295. Now I want to go to the question of Closer Union?—For a minute or two. Do you have an Arab representative, feel that you have any complaint of injustice with regard to any of the services?—Such as transport, do you mean?

4296. Such as Customs, Railways, Ports, and so on?—Yes. With regard to the Customs we feel that the duties imposed do not take into consideration the Coast at all, I could give you an example of that. There used to be a great deal of Dhow trading between Arabia and East Africa, and for many years the Dhows used to come to the Coast and also buy grain to take to the interior, and very large trade between Arabia and the Coast of East Africa in those things, but since this question of Customs and so on has been discussed, without Arab consideration or without taking into consideration the conditions of the Coast and the Arab, duties have been imposed on the stuff coming in from Arabia, such as dates and dried fish and so on, which is very much required by the native population of the Coast, and duties have to be imposed so heavily that the Arabs cannot import such stuff, and therefore they cannot get any business to buy the stuff from East Africa to export to Arabia. There are fewer Dhows in that trade now than there were before.

4297. It takes it that you feel that your interests have not been sufficiently considered in dealing with this question?—No, they have not.

4298. I do not know whether you realise the idea of, I do not say a High Commissioner, but of somebody who would be present there to have a word of verbal negotiation with regard to securing fair treatment for each part of the community. I am not talking of a High Commissioner, but I mean the general idea of having somebody who could be an impartial chairman, as you yourself suggested, of the Government Conference?—Yes, that is correct.

4299. And what could pass an opinion, and advise upon all those matters where

1<sup>o</sup> May, 1931.]SHERIFF HAMED MOHAMMED BIN ISSA  
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[Continued.]

idea into his head that he is well educated because he has been sent out of the school because they could not give him any further education and therefore he thinks that he is properly educated, although as a matter of fact of course he is not. As a result of that the young men are degenerating. We have always pointed out to the Government that it is giving us no useful education at all, and that will keep our conditions much lower.

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Mr. Robert Hamilton.] The 15,000 includes the people that we have been referring to, the Arab, the Arab and the composite people living on the coast.

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4291. Have you pointed that out to the Government, showing them that the time is being wasted by the children going to the Koran classes, and if they have the Koran classes in the school itself, they could have the boys at a much younger age, and for the Koran class they could go directly to the English classes? The Government refused to have anything to do with that, they had to begin with, but in 1922 they saw that they had to do it, otherwise they would not get any boys to go to the school, and a Koran class was started in the school, with the result that 800 boys went to the school.

4292. There is, only one other point upon which I want to ask you a question, and that is with regard to Closer Union. I understand you to say that you are not in favour of Closer Union, mainly upon being that two grounds, one being that it would be a heavy tax expense, and would throw the burden upon the poor countries, and the other being that you ought to be able to get what you want from your Governor without having an additional person put over him?—Yes.

Sir John Sandeman Allen.

4293. Sir Robert Hamilton has dealt with most of the points that I had in mind, and he has dealt with them better than I could have done, but I should like to ask you just one question about the land that you speak about, which has been taken away. What has happened to it?—Some of it has been given away to various companies, and some is still held as Crown land.

4294. What has happened to the companies who have got the land? Are they developing it?—The company in the southern district of the coast, the Sugar Company, and at present developing the land.

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4298. It takes it that you feel that your interests have not been sufficiently considered in dealing with this question?—No, they have not.

4299. I do not know whether you realise the idea of, I do not say a High Commissioner, but of somebody who would be present there to have a sort of arbitral position, with regard to securing fair treatment for the people of the community, I do not talking of a High Commissioner, but I mean the general idea of having somebody who would be an impartial chairman, as you yourself suggested, of the Governor's Conference?—Yes.

4300. And what could pass an opinion and advise upon all these matters where-

1<sup>o</sup> May, 1931.]SHERIFF HAMED MOHAMMED BIN ISSA  
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different parts of the community feel that they are not fairly treated. Is that something which you do not want?—We say that we do not want a High Commissioner because we find that we do not understand that?—Yes; but not only that. We also think that if a Governor who is more in touch than a High Commissioner could be, does not give a sympathetic hearing to our complaints and so on, a High Commissioner would be even worse.

4301. That is your reason, is it?—Yes.

4302. You have no trouble with the Railway, being on the Coast?—But of course, even with the Railway, the rates imposed on the Railway for the export of the stuff from up country are cheaper. For export out of the country, the rates are cheaper than for us; who are in the country, and being on the coast we have to pay higher rates on the Railway for the stuff from up country than the actual stuff from the country in England or India or other places.

4303. You are talking about maize and food; are you?—Yes.

4304. You are now getting it from the Highlands, are you?—Yes.

4305. And you say that the export rate is cheaper than the local rate?—Yes, it is cheaper than the local rate.

4306. Have you a higher point at all?—We are always means of raising that at all. That is done by the Inter-Colonial Railway Council.

4307. And you have no representative on that Council?—No, we have no representative there.

4308. Your representative, Sheikh Hamed Mohamed Bin Issa has not raised it in the Legislative Council, has he?—(Sheikh Hamed Mohamed Bin Issa.) No.

4309. Is there any opportunity for raising a grievance like that in the Legislative Council?—Yes, there is the opportunity; but you want somebody to take your representative there.

4310. You feel that you are a lone figure there, and you have no support?—No, I have not any support.

4311. I suppose it is the small number of the Arab community which rather stops that?—(Abdullah Abu Hinawy.) It is not a small number, because 10,000 Arabs are not any less than 10,000 or 11,000 Europeans in the country.

4312. We know that there are other reasons why the Europeans have influence,

but I am comparing the Arabs with the Indians and the natives?—Yes.

4313. With regard to the Coast development, do you consider being at whether there is a difference directly you get across the Tanganyika Border? Is there more development on the coast there? I am referring to the coast down as far as Tanga. Is the development across the border greater? Do you know, as a matter of fact?—Very definitely. Once you cross the border you find the development, and you see the difference between Tanganyika and Kenya.

4314. You have Arabs there too? I suppose, have you?—Yes, we have Arabs in Tanganyika as well.

4315. The fact is that the coastline is different, is there any difference in the condition of the soil and the climate as between those two parts?—I do not think there is any difference with regard to the soil and the climate.

4316. And you conclude would be that it was entirely a question of administration?—Yes, that is right.

4317. We have had some evidence about that already, but I gather that you feel that the coastal provinces are neglected, really?—Yes, very much neglected.

4318. How do you suggest that there might be any advantage in having the coast made into a Lieutenant-Governorship? What are your particular points with regard to that?—If we had a man of that type, we might be able to get more in touch, and get him more interested particularly in Arab questions, rather than a man who would be interested in the question of the whole population of the whole of the Colony.

4319. You mean, to have your own man, so to speak?—Yes.

4320. Would not that be an extra expense?—Not necessarily. At present we have a Provincial Commissioner, who is in charge of the whole coast in a way, and if we have a Lieutenant-Governor of the coast we do not require the Provincial Commissioner.

4321. You are referring now to the protectorate only?—Yes.

4322. Just that little strip on the coast?—Yes.

4323. You think that it would help you in economic development, do you?—If we had a Lieutenant-Governor who was in touch with the people and took more interest in the affairs of the Coast, rather than, having the headquarters of the

1<sup>st</sup> May, 1931.]SHEIKH HAMED MOHAMED BIN ISA  
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[Continued.]

whole of the country at Nairobi, and people up there taking their views and ideas from the point of view of up-country development only.

4324. Why cannot you yourselves set to work to grow some rice, and things of that sort?—But you see, the question is, where is the land, and where are the means to adapt ourselves to the question of the high cost of labour at the Coast? The whole point comes back to a question of education. Because of the lack of education we have no idea as to what one should do in cultivating any sort of crop at all, and with the high cost of labour down the coast, it is difficult.

4325. Could you not help to organize a plantation system there?—It all depends upon the amount of money that we could put up, and because of all the pressure, we are still going down, very much with regard to credit, so we are lacking all our properties.

4326. You do not think that you would raise, among the Arab communities, sufficient capital to help something of that kind, which would undoubtedly be a development, because the soil is suitable and you are near the sea, and so on?—We would raise such amounts.

4327. You are in touch with the Arabs of Mombasa and Kisumu, and do you not think that you could do something?—If the Government would help with regard to investigations upon irrigation, and experimental farms, and so on, it would be useful. Without those things, farming cannot improve. There are all these facilities in the country, and none of them at the coast at all.

4328. There is just one other question I want to ask you, and that is about fish. Do your people eat much fish?—Yes, very much.

4329. And therefore it is a very staple article of food?—Yes.

4330. You say that the fish has prevented the importation of dried fish as it used to be imported?—Yes.

4331. Does that mean that your people are much more dependent upon you as that they can get on the coast there?—There is very little fish obtained on the coast, although we could obtain much more. The method of fishing at present is very primitive, and there have been no investigations of the industry by the Government at all.

4332. Can you not help yourselves? After all, the first thing is to help yourselves, and then make the Government help you afterwards?—Yes, that is quite right, but we cannot help ourselves in the ways of investigation of the various industries.

4333. You mean research?—Research.

4334. But otherwise, can you not adapt yourselves to modern methods, or to investment of capital again?—Yes, want of capital again, all the time.

4335. There is no lack of fish, I suppose?—There is no lack of fish at all.

Mr. Dutton.

4336. Most of the questions that I had in my mind have been asked already, but with respect to the development, since that Sir John Gurnham Allen has been speaking of, I take it that you say that your community is rather helpless with regard to the want of investment of capital and the want of education?—Yes.

4337. You suggest therefore that the Government must really take the first step. You say that it is a matter for the Government to deal with?—Yes.

4338. What sort of measures do you suggest that the Kenya Government should take in the matter?—First of all, credit, I and you think that are the most important of the Government, we are you speaking also of the coast?—The Coast Province.

4339. You are speaking of the Coast Province as a whole?—Yes.

4340. (Question over.) I just wanted to understand that?—Yes.

4341. Now what do you say that the Kenya Government might do to do the Coast Province as a whole?—Some time ago we suggested a report was brought back the necessity to investigate the various possibilities of irrigation in the country. That report has been all passed, the report is ready, but none of the report at all. The report only refers to irrigation schemes in general, and there is nothing about the coast.

4342. May I ask you about the Yaua River? Has nearly a report upon that?—Yes.

4343. And he made a report upon the whole?—Yes, but he did report upon that part of it which goes down to the other side, and he finished there.

4344. You go on, what about it?—If he had reported upon any system of irrigation, whether it should be done by the

1<sup>o</sup> April, 1931.]SHEIKH HANED MOHAMMED BIN IBA  
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(Continued.)

different parts of the community feel that they are not fairly treated. Is that something which you do not want?—Yes, that is what we do not want a High Commissioner because we find that we are not.

4380. Because of the expense of courts, I understand that?—Yes, but not only that. We also think that if a Governor who is more in touch than a High Commissioner could be, does not give a sympathetic hearing to our complaints and go on a High Commissioner would be more correct.

4381. That is your reason, is it?—Yes.  
4382. You have no trouble with the Railways being on the Coast?—But of course, even with the Railways, the rates imposed on the Railway for the export of the stuff from up country are cheaper. For exports out of the country, the rates are cheaper than for us who are in the country, and being on the coast we have to pay higher rates on the Railway for the stuff from up country than the actual stuff from the country to England or India or other places.

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4384. You are now getting it from the Highlands, are you?—Yes.

4385. And you say that the export rate is cheaper than the local rate?—Yes, it is cheaper than the local rate.

4386. Have you raised that point at meetings, or do you mean that that is all that is discussed by the Inter-Colonial Railway Council.

4387. And you have no representative on that Council?—No, we have no representative there.

4388. Your representative, Sheikh Haned Mohamed Bin Iba, has raised it in the Legislative Council, has he? (Sheikh Haned Mohamed Bin Iba.) No.

4389. Is there any opportunity for raising a grievance like that in the Legislative Council?—Yes, there is the opportunity, but you want somebody to back you.

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4392. We know that there are other reasons why the Europeans have influence,

but I am comparing the Arabs with the Indians and the natives?—Yes.

4393. With regard to the Coast development, do you wish calling it whether there is any difference directly you get there across the Tanganyika border? Is there more development on the coast there?—I am referring to the coast down as far as Tanga. Is the development across the border greater? Do you know about that?—Very definitely. Once you reach the border on the development, and you see the difference between Tanganyika and Kenya.

4394. You have Arabs there too, I suppose, have you?—Yes, we have Arabs in Tanganyika as well.

4395. The fact is that the soil is developed differently. Is there any difference in the condition of the soil and the climate as between those two parts?—I do not think there is any difference with regard to the soil and the climate.

4396. And you conclude would be that it was entirely a question of administration?—Yes, we are calling it that.

4397. We have had some evidence about that already, but I gather that you feel that the coastal provinces are neglected, really?—Yes, very much neglected.

4398. How do you suggest that there will be any advantage in having the coast made into a Lieutenant-Governorship? What are your particular points with regard to that?—If we had a man of that type, we might be able to keep more in touch, and get him more interested particularly in Arab questions, rather than a man who would be interested in the question of the whole population of the whole of the country.

4399. You mean to have your own man, so to speak?—Yes.

4400. Would not that be an extra expense?—Not necessarily. At present we have a Provincial Commissioner, who is in charge of the whole coast, in a way, and if we have a Lieutenant-Governor of the coast, we do not require the Provincial Commissioner.

4401. You are referring now to the protectorate only?—Yes.

4402. Just that little strip on the coast?—Yes.

4403. You think that it would help you in your development, do you?—If we had a Lieutenant-Governor who was in touch with the people and took more interest in the affairs of the Coast, rather than having the headquarters of the

1<sup>o</sup> April, 1931.]SHEIKH HANED MOHAMMED BIN IBA  
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(Continued.)

whole of the country at Nairobi, and people up there taking their views and ideas up from the point of view of up-country development only.

4424. Why cannot you yourselves set to work to grow some rice, and things of that sort?—But you see, the question is, where is the land, and where are the means to adapt ourselves to the question of the high cost of labour on the Coast? The whole point comes back to a question of education. Because of the lack of education we have no idea as to what one should do in cultivating any sort of crop at all, and with the high cost of labour down the coast, it is difficult.

4425. Could you not help to organize a plantation system there?—It all depends upon the amount of money that we could put up, and because of all the pressures, we are still going down very much with regard to wealth; we are losing all our possibilities.

4426. You do not think that you could raise, among the Arab communities, sufficient capital to work something of that kind, which would undoubtedly be a development, because the soil is suitable, and you are near the sea, and so on?—We cannot raise such amounts.

4427. You are in touch with the Arabs of Mombasa and Zanzibar, and do you not think that you could do something?—If the Government would help with regard to investigations upon irrigation, and experimental farms, and so on, it would be useful. Without those things, farming cannot improve. There are all these facilities up country, and none of them at the coast at all.

4428. There is just one other question I want to ask you, and that is about fish. Do your people eat much fish?—Yes, very much.

4429. And therefore it is a very staple article of food?—Yes.

4430. You say that the tax has prevented the importation of dried fish as it used to be imported?—Yes.

4431. Does that mean that your people are much more dependent upon fish for their food than they are at present?—There is very little fish obtained from the coast, although we could obtain much more. The method of fishing at present is very primitive, and there have been no investigations of the industry by the Government at all.

4432. Can you not help yourselves? After all, the first thing is to help yourselves, and then make the Government help you afterwards?—Yes, that is quite right, but we cannot help ourselves in the ways of investigation of the various industries.

4433. You mean research?—Research.  
4434. But otherwise, can you not adapt yourselves to modern methods, or to the use of capital again?—Yes, want of capital again, all the time.  
4435. There is no lack of fish, I suppose?—There is no lack of fish at all.

Mr. Braden.

4436. Most of the questions that I have in my mind have been asked already, but with respect to the development that Sir John Stansfield Allen has been speaking of, I take it that you say that your community is rather backward in this matter from the want of capital and the want of education?—Yes.

4437. You suggest therefore that the Government must really take the first step. You say that it is as much as the Government to deal with?—Yes.

4438. What sort of measures do you suggest that the Kenya Government should take in the matter? First of all, rights I and you think that you are speaking really of the Protectorate, are you speaking also of the Coast Protectorate? The Coast Protectorate.  
4439. You are speaking of the Coast Protectorate as a whole?—Yes.

4440. Quite so, but I just wanted to clarify it a little, that is all.

4441. Now what do you say that the Kenya Government ought to do in the Coast Protectorate as a whole?—During some time ago an irrigation expert was brought into the country to investigate the various possibilities of irrigation on the coast. That expert has been all round the coast of the country, but none on the coast of the Kenya coast, but there is irrigation schemes up country, and there is nothing about the coast.

4442. May I ask you about the Tana River? He made a report upon that?—Yes.

4443. And he made a report upon the river, but he did not report upon that part of it which goes down to the delta river, and he finished there.

4444. Yes, you are what you said?—If he had reported upon any scheme of irrigation, whether it should be done by a

1<sup>o</sup> Moiti, 1931.]SHEIKH HAMED MOHAMED BRY ISSA  
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[Continued.]

large company or by a small land holder, it could have been of some value to the people at the coast, because they could try to do some form of irrigation on their land along the river, and develop the country although on a smaller scale, and then later on, after education and further improvements with regard to agricultural methods, and experimental farms and other research, the land could be more developed.

4345. You think that it is more a question of enquiries and investigations about what can be done, do you?—Not necessarily, but if the agricultural officers and other officers could give more attention to the Coast Province, it would help the population of the coast a great deal.

4346. You do not suggest that the Government should carry out this irrigation work, do you?—Not necessarily.

4347. Do you suggest that they could take any new steps with regard to the agricultural education?—Yes, such as experimental farms, for instance.

4348. Yes, you have mentioned that?—Yes.

4349. The only other thing that I wanted to ask you is the Education problem. I think it is a very difficult problem, but they have to meet the same problem in Zanzibar?—Yes.

4350. Under the Government of the Sultan?—Yes.

4351. I suppose the schools there are under the control of the Government?—Practically under the British Government, but the Sultan's Government, so called, yes, of course.

4352. Yes, technically speaking, you mean?—Yes.

4353. Is this problem much better dealt with in Zanzibar? Is that more satisfactory to the Arabs?—No, it is worse in Kenya, but it is not satisfactory even in Zanzibar.

4354. Nor in Pemba?—Nor in Pemba.

4355. You think it is a little better there than it is in Kenya?—Yes.

4356. But not very good?—Not very good.

Mr. Wellock.

4357. I am not quite sure about the people that you are representing. Are you representing the whole of the Arabs of East Africa?—Yes. Not of course Zanzibar and Tanganyika; we come from Kenya, but we believe that our point

of view is the point of view of the whole population of the coast.

4358. The Arabs up country have no particular grievances, have they?—Well, their grievances are with regard to restrictions in trade, and so on.

4359. But you have not been asked to deal with those matters, but you are just dealing with your particular area?—I think the grievances all come through the same question of economic pressure, because if the Government had allowed certain relaxations among the Arabs, for them to adapt themselves to present-day conditions, with regard to giving them facilities for trading, and so on, more improvements could come to the Arab population that at present.

4360. There is no education problem up country?—It is the same. They have no schools at all. The Arabs can go to no school at all up country.

4361. What do they do?—They do what they can do.

4362. Why is that?—Because the schools up country are specially made for the particular tribes of that locality only.

4363. I see. They are adapted to Africans?—Yes, the Africans of that particular district. The school in Mtschako is for the Wakamba only.

4364. And the Arabs are of course better educated than the Africans up country?—Well, they are not, of course, unless they come from the coast, by being educated privately, or partly in the Arab school. They are up to a certain extent educated, but they can get no education up country.

4365. Why cannot the Arabs up country go into such schools as there are there?—They are not allowed to do so, by the Government.

4366. Not allowed to?—No.

4367. Not to go into the native schools?—No.

4368. So that they get no education at all?—They get none at all up country.

Lord Lamington.

4369. What is the reason that is given for not allowing them to go into the schools? Is it religious?—Not so religious. It is the question of the segregation of the races in schools. The schools for Africans are especially for Africans only, and there are special schools for Indians only. We have Arab boys who have finished in the Arab

1<sup>o</sup> Moiti, 1931.]SHEIKH HAMED MOHAMED BRY ISSA  
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[Continued.]

school, who want to go in for further education, and we are prepared to pay the fees and expenses, and yet they are not allowed to do it.

Mr. Wellock.

4370. With regard to the Coastal Arabs, how does your case compare with the education of the Indians?—There is no comparison at all. The Indians get quite good education, and we do not get any education at all.

4371. How do they secure that, considering that their population is yours in point of numbers?—How do they secure better education than we do? They can negotiate, and we are not allowed for agitation at all.

4372. It is a question of temperament. Is that what you mean?—Well, the Arabs have all the time been quite peaceful, and they are not good for agitation at all. They are content to let the officers in charge of the various departments, and if they get no hearing, they do not go any further. We are not out to create trouble for the Government.

4373. You say, on page 4 of your Memorandum: "Communities who provide ready-made and cheap clerical class the Arabs have been pushed aside and all this has had a great deal to do with the degenerate class of parasites who are such a blot on the Coastal population?"—Yes.

4374. When you speak of competition, you are referring to the Indians?—Not only the Indians, but there are a large number of European children being educated in Kenya. They do not receive as high an education as they would receive in England, I will say, and as a result they are taken on in the clerical establishments of the Government, which posts could have been filled quite adequately if the Arabs were being educated.

Lord Phillimore.

4375. Who are those people?—The Indians and the Europeans as well as being fairly highly educated in East Africa itself, come from those who go to India and to Europe.

Mr. Wellock.

4376. Then I see that on page 8 you say this: "(Such a) majority will result in increasing the animosity between the better organised communities with the

almost inevitable result that the Arabs and natives will become and be treated as mere pawns in the political battle between these two communities"—To whom are you referring there?—The Europeans and the Indians.

4377. Both?—Yes, both.

4378. Then on your last page you say: "Such developments and improvements which are seen at the Coast (and that is only at Kilindini) seem to be only a result of the policy of Highlands development and seems to be undertaken merely as a part of that policy"—Is this the feeling in regard to Kenya generally?—It is because the Coastal Province is so neglected. The improvements, if any at all, along the Coast, are at Kilindini, the Quay at the Harbour, and so on, and that is because of the policy in the Highlands.

4379. And that feeling is very general, is it?—Yes, very general.

4380. Have you any Arabs in Tanganyika?—Yes.

4381. How are they treated from the point of view that we have been discussing this morning, that is to say education, and so on?—They are treated practically in the same way.

4382. Practically the same?—Yes.

4383. They have no better educational facilities, I mean?—No, they have not.

4384. And have they any better facilities in regard to training in agriculture?

4385. Not any better?—They are given some assistance in agriculture in Tanganyika, more than we do get in Kenya.

4386. I was referring to experimental farms, and advice, and the help of Government officials, and so on?—Yes.

4387. They are better attended to in those respects in Tanganyika than in Kenya?—Yes, they are better in Tanganyika than in Kenya.

Lord Lamington.

4388. With regard to Mr. Wellock's question about the Arabs up country, there are very few of them up country, are there, not? They are chiefly in Mombasa and round about in the Coastal Area, are they not?—Yes.

4389. Comparatively speaking, there are very few of them up country?—Quite this; but there are not very many of them, but the majority will result in increasing the animosity between the better organised communities with the

4390. What is the comparative proportion, in numbers, in the Coastal Area,

1<sup>o</sup> Mai, 1931.]SHERIFF HAMED MOHAMMED BIN ISSA  
and MAHAR, AZI HINAWY.

[Continued.]

large company or by a small land holder, it could have been of some value to the people at the coast, because they could try to do some form of irrigation on their land along the river, and develop the country although on a smaller scale, and then later on, after education and further improvements with regard to agricultural methods, and experimental farms and other research, the land could be more developed.

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416. You do not suggest that the Government should carry out this irrigation work, do you?—Not necessarily.

417. Do you suggest that they could take any new steps with regard to the agricultural education?—Yes, such as experimental farms, for instance.

418. Yes, you have mentioned that?—Yes.

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431. Can they not go to the schools that do exist?—No, they cannot.

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[Continued.]

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4389. Comparatively speaking, there are very few of them up country?—Quite a few, but there are not very many of them.

4390. What is the comparative proportion in numbers in the Coastal Area,

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SHEIKH HAMEED MOHAMMED BIN ISA  
and  
MUBARAK ALI HINAWY.

[Continued.]

with the Indians, roughly speaking, or the Afghans?—No, the three populations—the Arabs, the Indians and the Africans, of kind of proportion do they bear one to another?—We estimate that there are about 78,000 Arabs in the whole country, and we think there are about 25,000 Indians.

4991. In the Coastal Area?—No, in the inland of the country.

4992. But I am speaking of the Coastal Area?—The Arabs are mostly in the Coastal Area. There are only about 5,000, or 6,000 scattered about in the interior.

4993. What do you say about the Africans?—We have a large number of Africans along the coast as well as up country.

4994. When the slaves were freed, they remained for the most part in the Coastal Area, did they?—Yes.

4995. And they are remaining there today, or their descendants are?—Yes.

4996. How they are, mostly been born in the Coastal Area, or have they been brought down from the interior?—Mostly of course in the Coastal Area.

4997. Is there any communication now as regards the Arabs going between Arabia and Arabia?—Yes, very much.

4998. Are there from Arabia coming from Arabia?—Not very many. The Arabs from East Africa visit Arabia and come back.

4999. They just visit there?—Yes.

5000. There is no immigration, one way or another?—There is a certain amount of immigration every year.

5001. Is the Arab population increasing, or the whole?—It is practically at a standstill at present.

5002. On the last page of your statement you say: "Agricultural Returns and Trade Statistics show that from being an exporter of grain up to say 1914, the Protectorate is now a very large importer."—I thought that they had a large surplus of grain in Kenya?—Of course, the Protectorate is deficient. The surplus of grain is up country, and not along the Protectorate.

[Sir Robert Hamilton.] I think it may perhaps be that you did not quite realize that, Lord Lamington, "The Protectorate means the Coast strip only."

[Lord Lamington.] Yes, I follow that now.

[Lord Phillimore.]  
5003. What was the grain that you principally exported?—Maize, simsim, millet, and millet.

5004. Not any rice?—Not very much rice.

5005. If you had your wish in that direction would you say that the Arab population ought to be directed towards land-owning and cultivation, towards Government service, or towards trading?—Both, of course.

5006. You were speaking of the need for more education?—Yes.

5007. And of the need for more development generally, and the Arabs being given a chance?—Yes.

5008. In your opinion if the Arabs had a chance, in which direction should it be?—Should it be in land-owning and farming, or in Government service, or in trading, or in what direction do you think it should be?—When we speak of education, of course we mean general education, and a person who is once educated is able to adapt himself to the conditions best suited to him, whether he can be an agriculturist, or in the Civil Service, or as a technical tradesman; he can adapt himself to the position best suited to him.

5009. You do not think that the Arab is more suited for one of those branches than for any other?—Not particularly for any one particular branch.

5010. How many Arabs are there in the Government Service in Kenya Colony?—I could not tell you the exact number, but very few.

5011. Very few?—Yes, very very few.

5012. And you think that that is owing to the want of education?—Yes.

5013. It is very remarkable, in there no school for Nairobi which an Arab can attend?—No, there is not.

5014. Not one?—No, not one.

5015. It is illegal for a boy to attend in any school in Nairobi?—Yes.

5016. Then, on the point of the Koran, it is clear, now that you have the Government agreed to have Koranic classes in the school does that involve any change in the religion of the teachers in the school, or do your own teachers go in for a certain time?—The teachers themselves are Mohammedans.

5017. All of them?—Yes, all of them.

5018. And they were before, were they?—Yes, they were before, with the ex-

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and  
MUBARAK ALI HINAWY.

[Continued.]

ception that now the most funny part of the education department's system of teaching in the Arab schools is that they teach Swahili. Now with regard to the Arabs at the coast, the Arabs there speak Swahili much better than any of the natives up country, or even the Europeans who have learnt Swahili, and yet the Europeans in the Arab schools teach Swahili to the Arabs, and they even bring teachers from up country to teach Kiswahili in the Arab schools.

5019. Are there any Arab teachers up-country?—None whatever.

5020. None at all?—None at all.

5021. Did I understand you to intimate that the Closer Union which you would like would rather be with the coastal area of Tanganyika and Zanzibar and Pemba, than a closer union which comprised all the Highlands as well?—No; that is only a suggestion, the question of uniting all the Protectorates together, I was not out for any Closer Union at all except with regard to essential services, if it can be shown that it would be to the benefit of the country as a whole.

5022. Except for what?—Except for the essential services, like Railways, Customs and Research.

5023. You do not press that point about having one Lieutenant Governor who would deal with the coastal area only?—We do not press it, but it is only a suggestion.

Chairman.

5024. I see that you were educated at the Arab school at Mombasa?—Yes, partly.

5025. Not wholly?—No.

5026. I was just going to ask you whether you got all your English from that school?—No.

5027. Because if you did, I should have said that you were a very good testimonial to the school?—No, I did not.

5028. Where were you subsequently educated?—By private tuition.

5029. You are not a typical specimen of what the school produces?—No, I am not.

5030. Unfortunately?—Unfortunately.

5031. I think the gist of your evidence has been that in the administration of Kenya Colony there has been more attention paid to the White population than

to any other, and certainly more than to the Arab population, who are not dissimilar, in numbers at any rate, to the White population?—Yes, quite so, and as a result of that there are quite a number of Arabs at present who own land along the coast who are very anxious to get a European settler or two coming down to the coast to buy some of the land in the neighbourhood of their areas, so as to ensure some improvement of roads and other communications, and other facilities.

5032. If you could only get a few White men into the coastal provinces you might get more attention from the Government, you mean?—Yes.

Lord Dickinson.

5033. There is one question I want to ask. You are on the Municipal Council of Mombasa?—Yes, I am.

5034. You are, yourself?—Yes.

5035. Do you have regular elections for that body?—Not yet. We have not had any election for that body yet.

5036. How is that?—Up to now, the question of the Indians coming into the Council has not been decided, and there have been no elections held for any community at all.

5037. How is it constituted?—We are one Arab member, seven Europeans, seven Indians, and the rest are officials.

5038. How have they been chosen?—The whole lot is a nominated Council, as it is at present.

5039. Nominated by the Governor?—Yes.

5040. Is there a list of citizens for election to the Council?—It has not been prepared yet.

5041. Is it being prepared?—It might be prepared, but up to the time when we last met had not been prepared.

5042. But it is going to be done?—Yes, it is going to be done.

5043. Do you think that there will be a satisfactory system of election for that body?—Among the Arabs, do you mean?

5044. Yes?—Yes.

Chairman.

5045. I see that you say: "Of the members nominated on Government behalf one is an Arab, although not essentially so."—Yes.

5046. Are not you the one?—In the Legislative Council, do you mean?

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SHRIKH HAMED MOHAMMED BIN ISHA  
AND MSHARAK ALI HINAWY.

[Continued.]

with the Indians, roughly speaking, or with the Africans? Take the three populations, the Arabs, the Indians, and the Africans, what kind of proportion do they bear, one to another?—We estimate that there are about 18,000 Arabs in the whole country, and we think there are about 20,000 Indians.

4361. In the Coastal Area?—No, in the whole of the country.

4362. But I am speaking of the Coastal Area?—The Arabs are mostly in the Coastal Area. There are only about 5,000 or 6,000 scattered about in the interior.

4363. What do you say about the Africans?—We have a large number of Africans along the coast as well as in country.

4364. When the slaves were freed, they remained for the most part in the Coastal Area, did they?—Yes.

4365. And they are remaining there today, or their descendants are?—Yes.

4366. Have they mostly been born in the Coastal Area, or have they been brought down from the interior?—Mostly of course in the Coastal Area.

4367. Is there any communication now as regards the Arabs going between Mombasa and Arabia?—Yes, very much.

4368. Are there any Arabs coming in from Arabia?—Not a very large number from East Africa visit Arabia and come back.

4369. They just visit there?—Yes.

4400. There is no immigration, one way or another?—There is a certain amount of immigration every year.

4401. Is the Arab population increasing, on the whole?—It is practically at a standstill at present.

4402. On the last page of your statement you say: "Agricultural Returns and Trade Statistics show that from being an exporter of grain up to say 1914, the Protectorate is now a very large importer." I thought that they had a large surplus of grain in Kenya?—Of course, the Protectorate is different. The surplus of grain is up country, and not along the Protectorate.

Sir Robert Hamilton, I think, it may perhaps be that you did not quite realise that, Lord Lamington. The Protectorate means the Coast strip only.

Lord Lamington.] Yes, I follow that now.

Lord Phillips.

4403. What was the grain that you principally exported?—Maize, sunning, chilies, and millet.

4404. Not any rice?—Not very much.

4406. If you had your wish, in what direction would you say that the Arab population ought to be directed?—Towards land-owning and cultivation, towards Government service, or towards trading?—Both, of course.

4408. You were speaking of the need for more education?—Yes.

4407. And of the need for more development generally, and the Arabs being given a chance?—Yes.

4408. In your opinion, if the Arabs had a chance, in what direction should it be?—Should be in land-owning and farming, or in Government service, or in trading. Or in what direction do you think it should be?—When we speak of education, of course we mean general education, and a person who is once educated is able to adapt himself to the conditions best suited to him, whether he can be an agriculturist, or in the Civil Service, or as a technical tradesman. He can adapt himself to the position best suited to him.

4409. You do not think that the Arab is more suited for one of those branches than for any other?—Not particularly for any one particular branch.

4410. How many Arabs are there in the Government Service in Kenya Colony?—I could not tell you the exact number, but very very few.

4411. Very few?—Yes, very very few.

4412. And you think that that is owing to the want of education?—Yes.

4413. It is very remarkable. Is there now a school in Nairobi which an Arab can attend?—No, there is not.

4414. Not one?—No, not one.

4415. It is illegal for a boy to attend in any school in Nairobi?—Yes.

4416. Then, on the point of the Koranic classes, now that you have agreed with the Government not to have Koranic classes in the school, does that involve any change in the religion of the teachers, in the school, or do your own teachers go in for a certain time?—The teachers themselves are Mohammedans.

4417. All of them?—Yes, all of them.

4418. And they were before, were they?—Yes, they were before, with the ex-

15 May, 1931.]

SHRIKH HAMED MOHAMMED BIN ISHA  
AND MSHARAK ALI HINAWY.

[Continued.]

ception that now the most funny part of the education department's system of teaching in the Arab schools is that they teach Swahili. Now with regard to the Arabs at the coast, Arabs there speak Swahili much better than any of the natives up country, or even the Europeans who have learnt Swahili, and yet the Europeans in the Arab schools teach Swahili to the Arabs, and they even bring teachers from up country to teach Kiswahili in the Arab schools.

4419. Are there any Arab teachers read up country?—None whatever.

4420. None at all?—None at all.

4421. Did I understand you to intimate that the Closer Union which you would like would rather be with the coast area of Tanganyika and Zanzibar and Pemba, than a closer union which comprised all the Highlands as well?—No, that is only a suggestion, the question of uniting all the Protectorates together. We are not out for any Closer Union at all except in regard to essential services. It can be shown that it would be to the benefit of the country as a whole.

4422. Except for what?—Except for the essential services, like Railways, Customs, and Research.

4423. You do not press that point about having one Lieutenant Governor who would deal with the coastal area only?—We do not press it, but it is only a suggestion.

Chairman.

4424. I see that you were educated at the Arab school at Mombasa?—Yes, partly.

4425. Not wholly?—No.

4426. I was just going to ask you whether you got all your English from that school?—No.

4427. Because if you did, I should have said that you were a very good testimonial to the school?—No, I did not.

4428. Where were you subsequently educated?—By private tuition.

4429. You are not a typical specimen of what the school produces?—No, I am not.

4430. Unfortunately?—Unfortunately.

4431. I think the gist of your evidence has been that in the administration of Kenya Colony there has been more attention paid to the White population than

to any other, and certainly more than to the Arab population, who are not discriminated in numbers at any rate, to the White population?—Yes, quite so, and as a result of that there are quite a number of Arabs at present who own land along the coast who are very anxious to get a European Settler or two coming down to the coast to buy some of the land in the neighbourhood of their area, so as to obtain some improvement of roads and other communications, and other facilities.

4432. If you could only get a few White men into the coastal provinces you might get more attention from the Government, you mean?—Yes.

Lord Dickinson.

4433. There is one question I want to ask. You are on the Municipal Council of Mombasa?—Yes, I am.

4434. You are, yourself?—Yes.

4435. Do you have regular elections for that body?—Not yet. We have not had any election for that body yet.

4436. How is that?—Up to now, the question of the Indians coming in, the Council has not been decided, and there have been no elections held for any community at all.

4437. How is it constituted?—There is one Arab member, seven Europeans, seven Indians, and the rest are officials.

4438. How have they been chosen?—The whole lot is a nominated Council, as it is at present.

4439. Nominated by the Government?—Yes.

4440. Is there a roll of names for election to the Council?—It has not been prepared yet.

4441. Is it being prepared?—It might be prepared, but up to the time when we left it had not been prepared.

4442. But it is going to be done?—Yes, it is going to be done.

4443. Do you think that there will be a satisfactory system of election for that body?—Among the Arabs, do you mean?

4444. Yes?—Yes.

Chairman.

4445. I see that you say "Of the members nominated on Government behalf one is an Arab, although not essentially so."—Yes.

4446. Are not you the one?—In the Legislative Council, do you mean?

10 May, 1931.]

SHEIKH HAMED MOHAMMED BIN ISSA  
and MERRAS ALI HIKAWY.

[Continued.]

4447. No. I am looking at page 7 of your memorandum, and what you say there?—Among the Government officials one is an Arab, although, of course, it is not necessary that he should be an Arab.

Lord Ponsonby.

4448. I wanted to follow up the question that Lord Lamington put to you about immigration. You said that there was a certain amount of immigration from Arabia into the coastal district?—Yes.

4449. Does that, on the whole, tend to increase the Arab population?—So far, it has not shown any increase in the Arab population.

4450. It is stable?—Yes.

4451. But it does not increase?—It does not increase very much, no.

Sir Robert Hamilton.

4452. Just the question upon that point. As to that immigration that you are speaking of, is it the Washitini immigration that comes in down the coast, stock labourers, and so on?—Yes.

Lord Dickinson. Is there a communal roll for the elections at Mombasa, or is it a common roll?

Chairman. The Council is nominated.

Lord Dickinson.

4453. I understand that there is going to be an elected body for governing the town of Mombasa?—Yes.

4454. And for that purpose you say that the roll is being prepared?—Yes, that is right.

4455. Is it a communal roll or a common roll?—It is a communal roll.

4456. Have they got a definite number of seats for each community?—Yes.

4457. For the Indians?—Yes.

4458. And for the Arabs?—Yes.

4459. And for the Whites?—Yes.

4460. And is that divided up the proportion of the population?—No, not in any proportion at all. There are only about 1,600 Europeans, and they have seven unofficial members; I think there are about 9,000 or 10,000 Indians, and they have seven unofficial members. The rest of the population are Arabs, and they have one member.

Lord Lamington.

4461. 9,000 or 10,000 in Mombasa?—Yes.

4462. I thought you said about 7,000 before?—I think there are about 9,000 or 10,000 Indians.

Lord Dickinson.

4463. And how many Arabs are there?—The Arabs are about 7,000 to 8,000.

4464. And they are only going to have one member?—Yes, one member.

4465. Are you contented with that, or not?—No, we are not.

4466. Did you make any representations when that proposition was first?—Yes, we have made representations.

Lord Stanley.

4467. Now I would like to ask you one or two questions about the fishing industry. You think that it is worthy of support?—What do you want the Government to do? Do you want help in research?—Yes, particularly.

4468. And marketing?—Marketing is also essential, but research should come first really, I think.

4469. It is purely coastal fishing, or do your boats go some way out?—No, it is purely coastal fishing.

4470. Now, no great amount of capital is needed to develop the industry?—Not very much. I believe the Government last year made provisions for something like £5,000 to be spent on research, and then afterwards they cut it down.

Chairman.

4471. The fishing is line fishing, and not trawling, of course, I suppose?—No, it is not trawling; at all; it is line fishing.

Lord Stanley.

4472. What types of agriculture do you think are most suitable?—Tropical agriculture.

4473. It is good country for cotton is it?—Yes, it is good country for cotton, and good country for coconuts, rice, and maize.

Sir John Sandeman Allen.

4474. And ground nuts?—Yes, and ground nuts, and sisam.

Chairman.

4475. I do not know whether you wish to add anything to what you have already stated to the Committee in answer to the question and in your memorandum. If so, perhaps you will now add anything that you desire?—On the subject of land,

10 May, 1931.] SHEIKH HAMED MOHAMMED BIN ISSA  
and MERRAS ALI HIKAWY.

[Continued.]

apart from the Mombasa district, which is the only port in Kenya, really, and therefore the land values there are a bit higher than in the rest of the country; in the Northern district, for instance, the land has gone so very cheap; that the result is that if the land is sold, instead of the owner obtaining the price, he has to pay the full amount to the Government towards stamp duties and registration fees. The stamp-duties and registration fees are so high in comparison to the price of the land here that the man who sells the land does not get anything for his land at all.

Lord Lamington.

4476. What are the people chiefly engaged in? Is it trading? If they do not cultivate now, in Mombasa, what do they do?—Chiefly they live on their land by cultivating and petty trading, and so on.

4477. And working on the ships?—Yes, there is a labouring class working on the Island.

4478. You speak of the Indian population. What number of the Indians are Mombasa?—I could not tell you.

4479. I mean, is it a good number?—Yes, a good number.

4480. Chiefly Arabs?—Yes, and Kojaks. Then there is the question of the treatment under the laws of the country. In very many cases the Arabs are included in every respect among the Africans, and classified as such, and under other laws, such as taxation and

others, the Arabs are included among the non-Africans. The tax falls heavily on them because of that, and with regard to the facilities provided for them, they are much less because they are included among the Africans in regard to those matters.

Chairman.

4481. That of course is a matter which is more or less a matter of administration. No doubt you will have conversations with the Secretary of State, and the representations that you make in public here you will perhaps find it convenient to carry to the Secretary of State?—Thank you.

4482. He has expressed his intention of having any complaint of any particular nature which may be made which are not quite suitable for this Committee, which is appointed to consider the broad question of closer union, economic or political. Questions of administrative details are better taken to the Colonial Office?—Thank you very much, my Lord.

4483. Now if you have anything further to add, all I have to say to you on behalf of the Committee is that we are grateful to you for having come here to give evidence, and for the evidence that you have given. As far as it refers to the subjects which have been committed to our charge, we shall of course give full weight to all the representations which you have made. We thank you for having come here?—Thank you very much, my Lord.

(The witnesses are directed to withdraw.)

(Ordered: That the Committee be adjourned to Monday, 4th May, 1931, at 2.15 p.m.)

10 May, 1931.]

SHEIKH HAMED MOHAMED BIN ISSA  
and MAHAK ALI HANAWY.

(Continued.)

4447. No. I am looking at page 7 of your memorandum and what you say there?—Among the Government officials one is an Arab, although, of course, it is not necessary that he should be an Arab.

Lord Lansdowne.

4448. I wanted to follow up the question that Lord Lansdowne put to you about immigration. You said that there was a certain amount of immigration from Arabia into the coastal district?—Yes.

4449. Does that, on the whole, tend to increase the Arab population?—So far it has not shown any increase in the Arab population.

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4460. And is that different in the proportion of the population?—No, not in any proportion at all. There are only about 1,500 Europeans, and they have seven unofficial members; I think there are about 9,000 or 10,000 Indians, and they have seven unofficial members; the rest of the population are Arabs, and they have one member.

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4465. Are you contented with that, or not?—No, we are not.

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4478. You speak of the Indian population. What number of the Indians are Moslems?—I could not tell you.

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4480. Chiefly, Barotsi?—Yes, and Kojris. There is also the question of the treatment under the laws of the country. In very many cases the Arabs are included in every respect among the Africans, and classified as such, and under other laws, such as taxation and

others, the Arabs are included among the non-Africans. The tax falls heavily on them because of that, and with regard to the facilities provided for them, they are much less, because they are included among the Africans in regard to those matters.

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(The witnesses are directed to withdraw.)

(Ordered: That the Committee be adjourned to Monday, 4th May, 1931, at 2.15 p.m.)

Joint Select Committee on  
East Africa.

MINUTES OF EVIDENCE

Die Veneris, 1<sup>o</sup> Maii, 1931.

	PAGE
Sheikh Hamed Mohamed	
Bin Issa and Mdarak Ali	
Hinawy	423

[Great inconvenience having arisen from the Publication of Minutes of Evidence taken before Committees, and of Papers, &c., laid before them, it is particularly requested that Members receiving such Minutes and Papers will be careful that they are confined to the subject for which they are printed—the special use of the Members of such Committee.]

Dr. C. H. Williams & D. Shields 3<sup>30</sup>

L. J. Hamilton told me today  
that he was trying to arrange  
for Hubert <sup>to</sup> come & see Phillips  
early next week in order  
to speak on the Arab  
question. We do not  
really consider the Joint  
Club - so I need on the  
side who was prepared  
for the J.C.S.

I only say that Dr. Phillips  
said to me after today's  
meeting that he thought  
the Arabs had a real  
grievance (mainly as to  
lack of education) - that  
from what he had  
heard so far, they were  
the only people who  
had genuine cause to  
complain of their  
treatment in P.A.

All Parkman  
was 1/5 1.5.31

and interest  
from Kenya

Heith Hamed  
said by the  
Mediterranean  
on the 10th  
so there's not  
much time  
left

Dr. Phillips really  
relates to the  
Arab situation  
and is a  
good



in C. P. ... 36/4

Sec. State

2

Marked X-1

This is the memorandum by the two Arab witnesses from Kenya. They will be giving evidence before the Joint Select Committee on East Africa at 10.30 a.m. on Friday, the 1st May. I annex a note explaining who they are.

marked Y-11

2. The general upshot of their memorandum is that the Arabs in Kenya and the Coast Province in which they live, have been neglected, more particularly in regard to educational facilities and agricultural development. This, generally speaking, we believe to be true. Sir Edward Grigg has said as much both here and recently in giving evidence in private before the Committee. But, for all that, I cannot help feeling that there is a rather characteristic exaggeration throughout this memorandum which would give the impression that every Arab in the Kenya Protectorate is landless and practically penniless, so that he cannot pay with ease even the non-native poll tax of 30/- a year, and that nothing whatever is being done for Arab education. Sheikh Ali bin Salim, who is the chief Arab on the coast and is now retiring from the appointment of Chief Liwali may be an exception, but he certainly is a very wealthy man indeed, and he has been very generous to the community.

3. Taking now the memorandum by sections.

Page 2. The provision made under the head administration for the Coast Province in the 1931 Estimates includes £343 for one Arab Assistant and £3,445 for Liwalis, Kathis and Mudirs, all of whom are presumably Arabs. I do not think that we could say without reference to Kenya whether there is anything

anything in the suggestion that the Kenya Government is doing away with the appointments filled by Arabs in the past, and subordinating Arabs who remain in the Government Service to a lower position than that previously held.

Page 6: I cannot say what was the idea in the minds of those who enforced the abolition of slavery many years ago. It is reasonable enough to suppose that they meant to level up the freed slaves, but I do not remember seeing anything to suggest that their intention was to level down the Arabs.

(K) As to education we have recently had detailed information from Kenya in connection with a Question asked by Mr. Morrabin, who wished us to show separately the cost of Arab and African education. I attach a memorandum which was compiled from information supplied by the Government and sent to Mr. Morrabin.

Page 5: (i) The total Arab population of Kenya according to an estimate at the end of 1928 was 10,800 compared with 14,000 Europeans, 28,000 Indians, 4,200 other non-natives, and something under 3,000,000 natives. There is provision at present for one Arab Elected Member in the Legislative Council of Kenya, and also for a Nominated Official or Unofficial Member to represent the interest of the Arab community. Except for local jealousies between various Arab groups or factions, it is difficult to believe that that representation is not

adequate

adequate for the needs of the Arabs.

(ii) As regards land, a very large sum of money has been spent over a long period of years by the Government of Kenya in endeavouring to clear up land claims in the Coast Province, and we understand that the major portion of the work has been completed. Whether it is the fact or not that years ago when slavery was abolished land in the Coast area which was found to be unoccupied was taken over by the Government, I cannot say, but it is obviously out of the question now to rectify, as suggested on page 6, any action of that kind, although the question of setting aside areas for the future use and settlement of the landless class of Arabs is one which might be considered. In point of fact, the Government of Kenya has fairly recently taken some steps in this direction, *refer to enclosure which Arab matters concerned in the past.*

Page 4: Some of the best medical work done in Kenya has been in the Coast area, including Mombasa itself. But no one would deny that there is room for more medical work there, as elsewhere, if and when finance allows.

Page 1: I feel for my own part that there is no need to have a special officer to preside at the Governors' Conference, whether he be a High Commissioner or someone visiting East Africa from this country. The Conference might meet in each Territory in turn, and the Governor of that Territory would preside on that occasion. I can see no reason why this arrangement should not at least be tried.

*I do not think that any of the above is decided when freedom of action is concerned  
LMS*

*Page 2-10*

*When there was better visible description of what I mean land was taken over  
LMS*

*LMS*

*LMS*

*No land, etc. etc. to General...  
LMS*

*LMS*

(ii) I should agree with the suggestion that for any officer such as a High Commissioner, Mombasa is the most appropriate place for his headquarters, but I should not wish to support the suggestion that the Protectorate should be placed under a Lieutenant Governor as a separate unit, <sup>or</sup> ~~so~~ that it should be linked up with Zanzibar and administered separately from the Colony of Kenya. Actually it is at present the intention when financial and other arrangements are complete to annex the Protectorate to the Colony for reasons connected with the Zanzibar Treaties which impose <sup>in part duties,</sup> very awkward limitations upon ~~commerce~~ and which may, at any moment, be brought up against us so long as the Protectorate continues to form part of the Dominions of the Sultan of Zanzibar.

(iii) It is true that more should be done for the Coast Province in the way of agricultural development, and this is one of the suggestions that the Kenya Government has had under consideration in connection with the report of the Agricultural Commission under Sir Daniel Hall. An application may be submitted by the Kenya Government for assistance from the Colonial Development Fund, but in the present financial position it seems very doubtful whether anything much can be done in the way of an agricultural station in the Coast Province.

Page 12. Proposals for developing the fisheries of the waters off the coast of Kenya

have

have been raised and we had a report from an expert who came up from South Africa. At this end we are particularly anxious to see that the natives get a fair share in any scheme for development of an industry which is essentially a native industry. But no progress has been made recently, as there is a wider scheme on foot for Colonial fishery research, etc., which Mr. Borley has been engaged upon and for which the help of the Colonial Development Fund would be required.

*Has to be done before*  
*OK*

*all Parkman*  
*29.11.37*

*OK*  
*This, of course, is strictly confidential at present.*  
*OK*

*OK*

134

Memorandum relating to expenditure on Arab  
and African Education in Kenya.

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1. The Acting Governor of Kenya entirely agrees that it is desirable to show separately the educational expenditure incurred in the Colony in the interests of the different races. This has been done for many years in respect of European and Indian education; but, in regard to Arab and African education, it has been found impossible to show provision separately owing to the difficulty of distinguishing between Arabs and Africans in attendance at schools on the coast.

2. The Director of Education referred to this question in Legislative Council in moving the second reading of the Education Bill on the 26th November, 1950, in the following terms:-

"Part V. provides for school area committees for Arabs and Africans together. The reason why it is necessary to make this provision is that it is impossible to separate in many cases the Arab and the African in the coast areas, seeing that they are attending the same schools".

3. The Central Committee on Arab Education, in dealing with the question of Arab education, has always taken the line that Arab schools must be open to others than Arabs. It is their definite opinion that the new school at Mtwapa should be open to Africans as well as to Arabs.

4. The schools on the coast which cater primarily

for

for Arabs are the Arab School, Mombasa, Malindi and Masbari schools, and small schools at Lamu and Ganda. These schools are attended by pupils who include Arabs and may also include natives of the Giriama, Digo, Galla and Píkomo tribes, as well as up-country natives from Kavirondo, Ukamba and Kikuyu and also those generally described as Swahilis, who may or may not be partly Arab.

5. Statements have been obtained from the headmasters of the schools concerned indicating the race-classification of the pupils in the schools. The figures given are as follows:-

	Arabs.	Partly Arab & African.	African.	Somali.	Indian & African.	Balnashis.
Mombasa	74	68	102		18	25
Malindi Schools.	116	32	90	2	1	
Lamu	8		5			
Total.	198	100	197	2	19	25

These figures should be treated with reserve because it is not possible in many cases to decide whether a pupil is or is not an Arab. Both the headmasters have had considerable experience on the coast but they differ materially in their method of analysis and the very nature of the problem makes it impossible to secure a close analysis of expenditure as between Arabs and Africans.

7. The following statement shows the expenditure of the five schools mentioned for the years 1927, 1928 and 1929:-

Year.	Arab School Mombasa. £.	Malindi £.	Mambrai £.	Lamu, £.	Ganda £.
1927	3,114	1,385	(1)	-	(1)
1928	3,068	1,227	(1)	12	(1)
1929	3,498	1,586	(1)	19	(1)

(1) Bulk of expenditure included in Malindi.

From the schedule indicating the race-classification of the pupils of these schools it will be realized that the above figures cannot be regarded as showing the cost of Arab as apart from African education, and it is felt that in view of the practical difficulties involved it is not possible to prepare separate estimates for expenditure to be incurred from year to year on Arab as distinct from African education.

JOINT COMMITTEE ON EAST AFRICA

Description of Arab Witnesses who will appear  
before the Committee on Friday, the 1st May

Mbarak bin Ali Henawy. Arab. 33 years.

Educated Arab School, Mombasa.

Member of Arbitration Board, Coast Land Titles, 1918.

Appointed Arab Assistant in Mombasa 1922.

Member of Central Board on Arab Education, 1929.

Member of the Municipal Board, Mombasa, 1930.

At present Acting Liwali of Mombasa.

Hamed Mohamed bin Issa. Arab. 52 years.

Served in Judicial Department as Arab Interpreter

for 22 years and retired on pension on 18th

October 1923.

Member of the Central Board, Arab Education.

Elected Member of Legislative Council from 1924-1931.

Memorandum by Sheikh Hemed Mohamed Bin Issa and  
Mbarak Ali Hinawy,

Arab Delegates who will give evidence on  
May 1st.

HISTORICAL SURVEY.

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

*x I like the  
emphasis  
well*

explorations in Africa. The whole littoral of East Africa belongs to the Arabs by right of conquest, has been occupied by them for hundreds of years and owes its civilisation to Arab colonisation.

ADMINISTRATION

POLITICAL

Even during the Portuguese occupation the development by Arab civilisation and culture was so definite that it was found advisable, rather than force Portuguese civilisation and culture of the coast, to govern the country through the medium of Arab Administrators. Even under British Administration

✓ | there has been an Arab Administration dealing with or responsible for Arab and Coast native matters.

The Arab Administrative Officers have, it is submitted, always given entire satisfaction but the present policy of the Government seems to be to do away with this system; a number of posts have been

X | abolished and of those remaining a large proportion are now inferior in grade to even the lowest grade (Indian or Goan) Asiatic Subordinate. It is

undeniable that the Imperial British East Africa Company owed a great deal of their success and that with little or no bloodshed in the annexation of the interior of East Africa to the Sultan of Zanzibar and the Arab traders and settlers. It is desired to emphasize this as it seems to be forgotten in many quarters that the Arabs have been always loyal, friendly and have given all assistance in their power to the British Government ever in respect of the abolition of the slave trade and of slavery itself. Neither must it be forgotten that in rendering assistance they were in fact striking at the very base and mainstay of their civilisation namely the supply of cheap labour for development.

It is admitted that the Arab with his old civilisation and culture is capable of, given the opportunity and proper education, becoming much more useful and important as a controlling element, if embodied as part of the machinery, to be the link between the European Administrator and the natives.

SOCIAL  
EDUCATION.

It is not an uncommon complaint against the Arabs that they are degenerate but again it should be pointed out that no attempt was made by the British, side by side with the abolition of slavery, to improve the condition of the Arabs by any system of education which should have given them the means to adapt themselves to the changed conditions resultant on the abolition of slavery. Much as the feelings may be to be deprecated it is idle to deny that the Arabs feel that the abolition of slavery resulted (as they feel it was definitely intended and calculated by the Administrators to result) in the levelling down of the Arab rather than in the levelling up of the freed slave. The only school for the Arabs in Mombasa was first established in or about the year 1912 i.e. 24 years after the advent of the Imperial British East Africa Company and even up to now no serious attention is being paid to education in that school. At the present time Arabic does not appear as a subject in the curriculum of the school. Instead of this school doing any good to the community as is expected it is feared that it tends to be the training depot of a degenerate class. The education given there is totally

The situation  
might be  
worse to  
enforce  
slavery  
This  
all

inadequate and is doing more harm than good to the children. By the loss of slaves the Arabs have been rendered apathetic and because of lack of education English or Arabic - and the competition of the Communities who provide ready made and cheap clerical class the Arabs have been pushed aside and all this has a great deal to do with the degenerate class of parasites who are such a blot on the Coastal population. Lack of education and poverty among the parents themselves prevents any idea of their finding the means of combating the evil or put a stop to it. The remedy must be costly and drastic but if anything should be done for the Arabs the Government ought, in humanity if not for its own prestige, to play the part that is expected of a guardian to his ward.

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

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

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

ECONOMIC

LAND.

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

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

Regarding to Mohammedan Law, which has always been in force at the Coast, a man may occupy any waste land and if he clears it of bush and cultivates it, the land belongs to him. Even though he may leave it for a time and it reverts to bush, he may

always return and cultivate it, or he may sell it, whilst no-body else may take possession of it or live on it without his permission. The land only passes out of his possession when he has definitely abandoned it, i.e. when he quits the country without having an agent to look after his property or when he gives up a plot after trying it for a season and finding the soil barren or unsuitable. Fitzgerald in his "Travels in East Africa" published in 1898, regarding the ownership of land at the Coast page 34 says :- "Land once cleared, becomes the property of the man who clears it, remaining his even when abandoned, and such land can now be bought very cheaply owing to the scarcity of slaves."

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

Having regard to the consideration that is now given to the Native Tribes in the interior, it appears that a great deal more should be done for

the Arabs on the Coast, who, after all, own the country.

REPRESENTATION.

- on. (a) Municipal Councils
- (b) Local Legislature
- (c) Central Council.

(a) The present position in Mombasa is that there is only one Arab unofficial nominated member as against 7 European unofficial Members and 7 Indian unofficial members. Of the members nominated on Government behalf one is an Arab although not essential so. It is felt that Mombasa being essentially an Arab City and the majority of rate-payers being the Arabs and the Twelve Tribes, the proper representation of these people has not been adequately met.

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

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

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

The question of the representation of the 12 tribes and other unrepresented Mohamadan Communities of the Coast seem to have been overlooked when granting the Arabs the privilege of one

Member on the Legislative Council. It is felt that with increased representation to represent the various sections as a whole would go very far towards the removal of the ultimate agitation for the demand of separate representation by the present unrepresented sections of the Coast population.

The suggestion or rather the policy to grant a non-official majority in the Legislative Council of Kenya cannot be supported by the Arabs. It is felt that the interests of the Arabs must inevitably suffer if their destinies and development are to be controlled by an unofficial majority - particularly as that majority must have, and would be swayed by, local prejudices and would be unable - as history has shown - to take a long view and to get a proper perspective in any affairs relating to what are called "Subject Races". Further, it seems to the Arabs that the unofficial majority will result in increasing the antipathy between the better organised communities with the almost inevitable result that the Arabs and Natives will become and treated as mere pawns in the political battle between these two communities and that will be increasingly difficult for the Imperial Government to exercise that impartial judgment which can be exercised by them only and which seems to be absolutely necessary for the peace, welfare and good government of the country in the present stages of development of the various races and peoples comprising the population of the Colony and Protectorate.

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MEDICAL.

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

COMMON ROLL.

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

TAXATION.

Besides the indirect taxes which affect the Arabs as much as any other Communities, the Arabs are subjected to the same direct taxes - Poll Taxes etc. with the possible exception of the Education Cess - as the European and Indian Communities. The economic pressure that has been brought to bear upon the Arabs by being rendered slaveless, landless and given no education so as to give them the means to adapt themselves to the changed conditions has greatly affected their conditions of living and reduced them to poverty. Almost all their agricultural lands have passed out of their hands and the little they concentrated themselves upon in Townships is now threatened with the same conditions i.e. the selling of the land to meet the Municipal and other taxes which cannot be done by the very small income derived therefrom and the high cost of living obtaining at the Coast. Shs.30/- Poll Tax with the

penalty of double the amount if not paid within the first 4 months of the year - is equal to 1/12 of a year's income of an average Arab who in very many cases has a large family to support. Very many do not earn this percentage. Added to the Central Government taxes are now the taxes imposed by the Municipality. All these go to increase the economic pressure on the Arabs.

*Certainly for Arab*

CLOSER UNION.

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

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

The Arabs do not view with any degree of favour the idea of appointing a High Commissioner. The co-ordinated essential services together with the various matters concerning policies could properly be controlled by the Heads of the Departments concerned with the advice of inter-colonial advisory Boards of officials and un-officials and

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the decisions of the three Governors in conference. With an impartial Chairman the conference of the 3 Governors could just as much or even better decide upon the various questions suggested to be delegated to the High Commissioner.

Should, however, the appointment of the High Commissioner be decided upon the Arabs would view with apprehension the selection of the Kenya Highlands as the Headquarters of the High Commissioner.

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

COASTAL  
CONDITIONS.

From the beginning of the British occupation, practically nothing has been done for the development of industries at the Coast. The Agricultural Department has been shockingly neglectful in its treatment of the Coast. For many years the people of the Coast of all communities have complained of this neglect but nothing has been done. It is felt that because there has been no European Settlers at the Coast,

the area is being treated as the Cinderella of the Colony. Agricultural returns and trade statistics show that from being an exporter of grain up to say 1914 the Protectorate is now a very large importer. Such developments and improvements which are seen at the Coast (and that is only at Kilindini) seem to be only a result of the policy of Highlands development and seems to be undertaken merely as a part of that policy.

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