

1931

*Henry*

No. 17499

SUBJECT

CO 533/412

*Professor Leakey's Evidence before the  
Joint Parliamentary Committee on Glorious Union*

Previous

Subsequent

1 Minutes of Evidence given by Prof. L. S. B. Leakey  
before Joint Committee on 8 May 1957 2

2 Minutes of Evidence given by Prof. L. S. B. Leakey  
before Joint Committee on 19 May 1957

3 Memorandum of Prof. Leakey

4 Papers of <sup>(1)(2)</sup> ~~Prof~~ above by Prof. Leakey

Dec. or 12224/31

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See on 12224/31

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Precis of main points of the evidence of Professor Leakey before the Joint Committee.

1. Distrust of Europeans in Kenya and of Kenya Administration.
2. Position of Chief Native Commissioner.
3. Education Policy.
4. Native Registration Ordinance.
5. Native Interests.
6. Closer Union.
7. Local Native Councils.
8. Voting on the Common Roll.
9. Native Reserves and policy.
10. Unrest amongst the Kikuyu.
11. Land in the Kikuyu Reserve.
12. Agricultural instruction for Natives.
13. Female circumcision.
14. Position of white women.
15. Native Taxation.
16. Money spent on education.
17. Native Hut Tax.
18. General.
19. Alternative proposal to Representation.
20. Isolation of native areas.
21. Establishment of Mixed Areas.
22. Retention of Status Quo.
23. Closer Union between Kenya and Uganda.
24. Half castes in Kenya.

8th May.

Distrust of Europeans in Kenya and of the Kenya Administration (page 2 et seq.)

Professor Leakey is quite positive that this distrust exists and he considers that it is due principally to the lack of understanding between European and Native and that one of the major causes which has brought it about is owing to the use of Kiswahili and the inability of the Native to express himself adequately in that language. He considers that officers should be familiar with the mother tongue of the people whom they administer and to overcome the difficulty of there being no one language group, he suggests concentration on the five main language groups. His idea is that officers should learn one of these groups of languages, which he contends is not difficult, and that the groups should be allocated, e.g. "x" number of officers to learn the first group, "y" number of officers the second group and so on. He also considers that as many natives as possible should be taught English so that they could understand Governors and High Commissioners when addressed by them.

Position of Chief Native Commissioner (page 6 latter portion et seq.)

Considers that position of this officer has been degraded and that he has no power. Agrees that powers should be substantially increased and that he be given a status of first importance in Council of Government.

Education Policy (page 8 latter part et seq.)

Considers whole question of native education is deplorable, and states that disproportion of funds used for native education v. minority communities "quite unjust and quite

quite unfair." Agrees natives should be given "general education", developing as the needs of the country dictates.

Native Registration Ordinance (page 11 et seq)

Makes out a long case for abolition of the Ordinance on the grounds that it reacts most unfavourably on the native and prevents an enterprising native from employing other natives owing to inability to complete the particulars required in the English language. Considers introduction of Ordinance inspired by non sympathetic European settlers.

Native Interests (page 14 et seq)

Considers interests inadequately safeguarded by present representation in Legislative Council. Does not feel it is necessary to safeguard interests by separating native and European areas unless it is impossible for natives to have adequate representation on Council. Suggests minimum representation should be five. Is not in favour of parallel lines of native Councils working up to a Central Native Council, alongside the European representation. Holds that white population will decrease in next 30 years.

Closer Union. (page 20 final paragraph et seq)

Considers that radical changes should be made in government of Kenya and question of closer union put aside for time being. States closer union would not satisfy Kenya natives in present frame of mind.

Local Native Councils (page 24 last portion et seq)

Considers institution a great improvement on the past but does not entirely approve of way they are constituted. States that there should be natives on the Council who are particularly well up in native law and custom but that it does not follow that the Chief of a district

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district possesses this knowledge especially amongst the Kikuyu. States that in 50 years, the development of the Reserves is going to mean that the ordinary native Councils as they are to-day will be useless.

Voting on the Common Roll (page 28, penultimate paragraph)

Professor Leakey does not recommend the idea of a Common Roll as a method of representation by voting. He inclines to the communal roll but is not sure that voting is the best method of native representation. He considers there is a great difference between voting for a "decision" and voting to elect a representative - the former being in accord with native ideas.

Native Reserves and policy (page 31 et seq.)

Professor Leakey would divide all the native areas into five language groups and insist that officers should remain, as far as practicable in one of the language groups and therefore be able to administer justice through the vernacular instead of through interpreters. By this means he is sure "awful bribery" and injustice would be avoided. He would give each language group a representative on the Legislative Council but not, at first, a native. This European representative should spend the greater part of his time amongst the people he represents (when not sitting in Council). By this means "something" could be built up really representative of native interests. These European representatives would not be officials and would be paid out of revenue or by the natives themselves. Amplifies these proposals and methods of carrying them out.

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19th May.

Unrest amongst the Kikuyu (page 2 et seq)

Professor Leakey, considers that unrest amongst the Kikuyu has developed extensively during the last five or six years and thinks it very largely due to increase in the education of the people. In particular their ability to read and follow the views of the settler communities and their attitude to the native. He also couples the unrest with the activities of Indian agitators. He does not consider that the Kikuyu Central Association is responsible for the unrest but rather that the Association developed out of it. He comments very adversely on the Association's Journal "Mwighithania" which he says is capable of two translations but that from his knowledge of the Kikuyu language he knows that the expressions in the journal are seditious and anti-Government. Says that Mr. Kenyatta has only recently become an outstanding member of the Association; that the membership of the Association is always changing. The last figure he heard was 6,000 but when the trouble over female circumcision was rife they had an enormous following. States each member makes a small contribution to the Association. He goes on to say that the Association was formed originally to air grievances but he knows for certain that the Association has now got into the hands of an Indian agitator and one European agitator and that matters have now tended to "almost communistic agitation". He suspects that the European agitator is using the Kikuyu Association to advance internationalism.

Land

Land on the Kikuyu Reserve (page 5 et seq).

Professor Leakey has "no hesitation" in stating that there is a real shortage of land in the Kikuyu Reserve and he proposes as a solution that the Government should take steps to conserve the water supply which would "temporarily" solve the difficulty.

Agricultural Instruction for natives (page 10)

States natives are very keen to receive all possible help on agricultural instruction and that "some of what is being done is ..... to spoil and reduce native crops ..... rather than improve them".

Female Circumcision (page 10 and 11.)

States that the whole of the trouble was due to serious misunderstanding on the part of the white community as to what the operation consisted of and misuse of language through trying to use Swahili.

Position of White Women (page 11).

States "there is no possible doubt" that the position of white women in Kenya today is unsafe, compared with ..... ten years ago". Says that this is due to attitude of European men to native women.

Taxation - native. (page 13)

States that there is no grievance by the natives about indirect taxation but that they regard the direct taxation as too heavy and based on an unfair principle.

Money spent on Education (page 15 last paragraph et seq)

States that money spent on education for small European community compared with that expended on the native is very unfair (Amplifies this contention

which

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which was subsequently refuted by Lord Passfield)

Native hut tax (page 2)

States that the natives object very strongly to the hut tax per individual hut because many of the huts house old widows or the old mother of the head of the family and that it is unfair that because the huts are separate buildings instead of being under one roof, they should be taxed individually. Says natives want it abolished and replaced by adult male tax.

General (page 24)

Concurs that in dealing with native reform in the order of importance he would put Representation first; language second; reform of taxation third and questions affecting native reserves, fourth.

Alternative proposal to Representation (page 32)

Suggest that as an alternative to representation of natives in legislative council to revert to Government without unofficial representation of any kind.

Isolation of Native areas (page 33)

Consider the idea of one administrative area for native pregnant with difficulties and would lead to violent obstruction by white settlers owing to the fact that the latter hold strategic points all along the railway. Agrees that in the long run it would be more to the native interests to have one advisory Council rather than the natives to develop Councils of their own.

Establishment

Establishment of mixed areas (page 35)

Does not agree with Mr. Mitchell's proposals of a scheme of mixed areas in which natives, Indians and Europeans would have an equal vote on legislative council. Amplifies argument against it.

Retention of the Status Quo (page 42)

Unquestionably considers that if things are left as they are in Kenya the interests of the Natives will suffer badly. Considers that Uganda and Tanganyika are both perfectly satisfied with conditions and that they have no desire for change.

Closer Union between Uganda and Kenya (page 46)

Does not consider that such closer union would benefit Natives in either territory. Considers also that natives in both territories would regard it with distrust.

Number of half-castes in Kenya (page 47)

States that the number is on the increase and that the suggested figure of 30,000 is a tremendous underestimate.

MEMORANDUM ON CLOSER UNION

- by -

E. S. H. LEAKEY. Ph.D.

The question of the desirability or advisability of some form of Closer Union between Kenya, Uganda and Tanganyika must be examined from all points of view, and indeed evidence has already been given from almost every point of view. Perhaps the most important aspect of the problem, however, is how Closer Union and/or the appointment of a High Commission would affect the natives of the three areas.

I do not pretend to be able to speak on this subject on behalf of the natives of Uganda and Tanganyika, but as an anthropologist who has studied the Kenya natives closely, and as one who is, in many ways, more African than European in thought, I should be grateful for the opportunity of saying something about the problem of Closer Union in so far as it affects, or is likely to affect, the natives of Kenya Colony.

You have already listened to the evidence of the three native witnesses from Kenya, evidence much of which was irrelevant to the question of Closer Union, but you did hear their very clearly stated views that they did not feel the time was ripe for a High Commissioner or for Closer Union; and that they would not feel the time was ripe for this step until first they were represented more to their satisfaction on the Legislative Council of Kenya. Further, you heard the view expressed strongly that they would rather be represented by a native African (even if of a tribe other than their own) than by any European.

With your permission I want to try and make clear some of the reasons which lie behind this attitude, and I fear that in doing so personalities will have to be brought in, and it is for that reason that I have asked to be allowed to give my evidence at a private sitting of the Committee.

If this Committee considers that the interests of the Europeans are more important than those of the natives for whom we are Trustees, then possibly some form of Closer Union with a High Commissioner is desirable, but if the interests of the native population are equally important, such a step at the present time would, I feel sure, be a mistake.

The principal problem in Kenya to-day is centred round the fact that the natives do not trust the British Government at all, nor do they really trust any Europeans (with possibly one or two exceptions). Nearly all this lack of trust is due to misunderstandings on both sides and until trust takes the place of distrust, and understanding takes the place of misunderstanding, the natives of Kenya will be dissatisfied with almost any move, even though genuinely made in their interests.

There are those who believe that the appointment of a High Commissioner especially charged to safeguard native interests would be the best way to bring about trust and

understanding. If I may be permitted to use the phrase, I say that "entirely" is "beginning at the wrong end of the stick" entirely. Let us examine some of the reasons for distrust and the causes of misunderstanding, although there is no doubt at all that the very great majority of the Administrative Officers in the past, and at the present, in Kenya have had, and have, the interests of the natives at heart, they have perpetrated and are still perpetrating the grossest injustices on the natives, although acting with the very best of intentions, because they were, and are, ignorant of the native languages and of native law and custom.

It has been laid down that it is the duty of the Administrative Officers to administer justice in accordance with native law and custom in so far as it is compatible with the laws of the country. But how can they do so if they do not know native law and custom properly (and it is often very intricate)? And how can they ever hope to know it properly when their means of enquiring into it and getting information about it is a language - Kiswahili - which neither they nor the natives with whom they are dealing know really well, and a language which, moreover, even if both parties knew it properly is not capable of describing and conveying the full meaning of the special technical and legal words and phrases of native law and customs. Men like Colonel Ainsworth, or my friends Mr. Hobley, Mr. Maxwell and Colonel Watkins, to name but four, have all, I am absolutely certain really meant to play fair by the natives, and yet through ignorance they have done things, and allowed things, which have caused real hardships and grave injustices, things which they would never have done had they appreciated what they were doing.

So long as the official language of Administration in Kenya is Kiswahili, so long as every Government Officer has to learn and pass examinations in that language, and use that language in the Courts and in all his official duties, real justice for the natives is impossible. The difficulties which are said to lie in the way of dispensing with Kiswahili and are said to make any other policy impossible are not insurmountable, but involve certain drastic changes of policy, and although I cannot deal with them in this memorandum, I am prepared to give evidence and answer questions concerning them.

Another very serious cause of distrust is the breaking of promises. Sometimes the promises broken are only of minor importance, sometimes of major importance. A Reserve boundary is marked out and the natives are assured that it will not again be altered, but at a later date another alteration takes place in spite of protests. The Governor of the Colony holds a Baraza while touring in a Province, and the native spokesmen make complaints to him (their complaints have incidentally frequently to pass through the medium of these languages, often through interpreters of mediocre ability so that the form in which they reach him is very much altered and often modified) and he promises them that he will make enquiries and let them know his decision, but they never hear any more about it at all. The Chief Native Commissioner makes promises to enquire into this, or that, or to do this or that, and it is not done, nor any explanation given. The result of this sort of thing is that,

although to-day the Reserve boundaries have been finally demarcated (and I believe irrevocably so) and the natives have been repeatedly told that now at last, and at least, their Reserves are secure they have no trust left and do not believe it. Nor do incidents like that of the Maragna-Tana power scheme help to strengthen their trust.

When the natives complain that their rights are not properly safeguarded they are told by Governors and by Native Commissioners that they are especially represented in the Legislative and Executive Councils of the country by (1) the Chief Native Commissioner and (2) the nominated Native Representative (who is always a Missionary). And yet what happens? The Natives Registration Ordinance was made law in a form which is often of very great hardship to the natives. The Mining Laws of the country were passed in such a way that it was illegal for a native to quarry or interite for the labor of his house or even to dig clay for making pots within his own Reserve on his own land, for his own use, unless he first got a license to do so from some three or four authorities and even the Natives Land Trust Bill was passed in a form which needs radical amendments if it is to be fair to the natives.

I do not believe, personally, that at present, the time has come when a native African or Africans can represent the natives of the country on the Legislative and Executive Councils, but I say emphatically that their representation in its present form is utterly insufficient.

My father, Canon Leakey, was the last nominated official representative on the Legislative Council, and before him, Dr. Arthur. These gentlemen are both of them senior missionaries with their own duties on their mission stations and mission Councils with very little spare time, and for whom it is difficult enough indeed even to attend Legislative Council while in session, and who cannot possibly, nor ever did, go round the Native Reserves when the Legislative Council was not sitting to get in touch with the natives whom they were supposed to represent. Nor, even if they had the time to do so, could they ever hope to understand and really represent the tribes other than those belonging to the language group in which their missionary work is carried out.

I stated above that I did not think the time had yet come when the natives could be safely represented by natives on the Legislative Council. That is because at present there are not, to my mind, natives sufficiently well educated to take up such responsibilities.

So long as the present Education policy of the Colony is pursued - a policy which provides for the spending of tens of thousands of pounds upon architecturally magnificent schools for what is after all but a mere handful (comparatively) of white children, and which reduces expenditure upon native education to a minimum - it will not be possible to get natives sufficiently well educated to take this position, and if this ambition of theirs to have their own representatives on the Legislative Councils in due course is to be aimed at, then the proportion of money spent respectively upon native education, and upon European education, must be altered and made fair.

There is another aspect of administration which is grossly unfair. The laws and Ordinances of the Colony which are passed by the Legislative Councils are not even translated into Kiswahili (much less into the natives' own languages) and yet many of these laws and ordinances directly concern the natives, and if they break them although they have never been published in a language in which they could understand them, they are punished and the plea of ignorance of the law is not a valid plea even for them. To me, the fact that the official and unofficial native representatives on the Legislative Councils (i.e. the Chief Native Commissioner and the Nominated Unofficial Representative) have not urged a change in this respect more insistently and continuously (if indeed they have done so at all) is but another proof that the representation of the natives on the Legislative Councils of the country is at present quite inadequate and unsatisfactory.

I have indicated above just a few of the causes of distrust and misunderstanding which are the roots of the reason why the natives in Kenya are to-day so dissatisfied. They view with alarm the possibilities of Closer Union and of a High Commissioner, because they do not understand it, and because they feel that it simply will involve the spending of more money and the institution of yet another step and barrier between them and justice. If they really believed that the co-ordination of the services of the three areas would be so ordered as to help them they would not be so antagonistic but they know that the Tanganyika's education policy, for example, is the spread of Kiswahili and the development of that language plus the various vernaculars, instead of English plus the various vernaculars, while they want first, education in the vernacular, and then to go straight on to English, so that more and more of their number each year may be in a position to read and study the laws and ordinances of the country, and understand the reports of the debates in Legislative Council.

In the remaining part of my memorandum I propose to give some constructive ideas of how things could be improved, and how a beginning could be made of winning back the confidence of the natives, which I feel must be done before any idea of Closer Union is put into practice.

The first and most urgent reform needed is that of the representation of the natives of Kenya on the Legislative Council, so that they may know that their representatives have played a real part in the discussions of the uses to which taxation revenue shall be put, and also have been able to use their knowledge of the natives to criticize and put amendments to the various laws and ordinances that affect natives which are brought before the Legislative Council for enactment.

If the argument is put forward that they do not need unofficial representatives for these purposes because the official Government majority is watching over their interests, the reply is simple. Why then should the settlers, either, need unofficial representatives at all, because surely the Government watches over their interests as well as those of the natives?

Although all the settlers speak a common language (or at least variations of a simple language group English) each separate district has the right to elect a representative to

the Legislative Council, so that in point of fact some 12,000 to 14,000 Europeans have 11 unofficial representatives. The natives, however, who number some 3 millions and who speak no common language, and who do not even belong to one, but rather to five, main language groups, are however considered to be fairly and justly represented by one single nominated unofficial representative who knows probably only one language within one of the five language groups and who, moreover, has so much other work to do that he cannot hope ever to travel among the people he is supposed to represent.

Surely there should be at the very least one unofficial representative to each of the five main language groups of the natives, and he should be a man who speaks one of the languages within his group really well, and who is willing to lay aside all his other work in order to perform his duty as an unofficial native representative properly. In order to make this possible he would probably have to have a salary besides the ordinary allowances made to members of the Legislative Council, but the sum total of the salaries of five such men would not probably be more than the sum contemplated as the salary of one High Commissioner.

The natives of each language group should be consulted in the same way in the choice of the man to represent them, not by English election methods, which the rank and file of any tribe do not understand, but by consultation with the chiefs and tribal elders, and the aim should certainly be that in due course a native would represent each language group at such time as a native of sufficient education to do so was available. Such a change to five instead of one unofficial native representative would, of course, mean that there would be an unofficial majority in the event of settler and native unofficial representatives uniting against the Government in the House and this would probably be undesirable. Certain other changes would therefore be necessary. I do not think that it would be at all unfair (although it would certainly cause a great outburst from the settler communities) to reduce the number of unofficial settler representatives by four, by means of amalgamating some of the numerically smaller constituencies. If the objection is made (as it would certainly be made in Kenya) that a man could not satisfactorily safeguard and watch over the interests of a district other than that in which he lived, the answer is, how much less then can you expect one unofficial native representative to watch over and safeguard the interests of some three million natives speaking some thirty languages (each with many dialects) belonging to five quite distinct language groups spread over the whole length of the Colony, which is the present state of affairs.

The second reform and change of policy which I would urge, deals with the question of language and education and all I can do here is to indicate the two principal directions in which reform is needed.

(1) Introduce the policy that an Administrative Officer is appointed from the outset to one or other of the five principal language groups and that he must remain in that normal course of events within that language group for his whole term of service. Then only can he be made to study one of the languages of that group from the outset properly.

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instead of Kiswahili, and having once mastered one of them, the others within the group could any of them be acquired in a few months. In this way officers would eventually all be able to deal with the natives of their district, even the most uneducated, direct, without an interpreter and they would also have a chance really to learn and understand something of the laws and customs of the people in their language group.

(2) In spite of the resolutions of the Dar-as-Salam Education Conference - in fact in direct opposition to them - make the aim of education to give the natives English directly after the vernacular. (I am fully aware of the difficulties that face this scheme, but they are not entirely relevant to the question of Closer Union, so I must not attempt to show how they could be overcome here).

If taught young, the average African is a better linguist than the average Englishman, and it is only fair that the native should be allowed to learn - nay, should be helped to learn - the language in which matters such as white papers and other documents of vital importance to him are written. Further, this is a logical step if the Government official language is to cease to be Kiswahili and Administration Officers are to be made to learn the vernaculars of their language group. Still further it would mean that, in years to come, the Governor of the Colony - or the High Commissioner if one is appointed - could make himself understood direct, at least to a large part of his audiences at provincial and tribal gatherings, instead of using a Kiswahili interpreter, with all the pitfalls that that involves.

The third reform and change of policy deals with the organization of Research. I understand that one of the arguments in favour of Closer Union under a High Commissioner is that under such a regime all the essential economic researches of the country could be co-ordinated and improved, and that probably some central research board would be set up.

As I said at the outset of this memorandum, my concern is chiefly for the natives of Kenya, whom I know best. If, as the result of all the other evidence which the committee have had before them, they come to the conclusion that Closer Union under a High Commissioner would definitely result in an improvement of such research organizations as the Veterinary Department, the Agriculture Department etc., and more especially if they feel sure that the improvements thus effected by co-ordination under a High Commissioner would really be shared by the natives of Kenya more than at present, then possibly the risks of still further developing the distrust of the natives of Kenya, which the organization of Closer Union will engender might be worth taking.

But I should like to make a further comment on the subject of Research. Each year the Government spends large sums of money upon the study of the so-called insect life of the country, ticks, mosquitoes, flies, white ants, locusts, and the like. They do so, not because they are interested in these creatures from the purely scientific view, but because they bear a definite relationship to the economic development of the country. These investigations are not left to be carried out as the spare time hobbies of

Administration Officers and others, but are carried out by trained experts engaged for the purpose under the aegis of various Departments such as the Veterinary, Medical and Agricultural Departments. The study of the natives, however, of their intricate laws and customs, of their reactions to civilisation, of the best way of developing them etc., is left entirely to the hands of such Government Officers and missionaries and others as like to devote their spare time to amateur anthropology as a hobby. The chief blame for this state of affairs certainly lies with the professional anthropologists of the past, and indeed many of the present day.

Probably for most members of this Committee the word anthropology conjures up the idea of men with callipers measuring the length and breadth of a man's head, and estimating the degree of curliness of his hair, or possibly your idea of the anthropologist is a man who spends a few months with an interpreter finding out a few superficial details of native custom and law, and much information concerning relationship systems, and what name the mother's brother's sister's son uses in addressing his father's wife's uncle!

Anthropologists whose chief concern is matters of that sort do exist, but that is not what I mean by applied anthropology. What is certainly needed in East Africa today, and what ought to have been done years ago, is the organisation of a detailed survey (1) of the laws and customs of the native tribes, (2) of the way in which those laws and customs are altering as the result of contact with European civilisation (3) of the effects of a changed economic life upon the organisation of the tribal authority and (4) of the native medicines, to see whether among many quack remedies they may not have a knowledge of drugs as important to the world as quinine, and a hundred other such lines of investigation.

The carrying out of such a survey as this would lead to a far greater understanding between the black and white races than exists at present in East Africa, and should, I think, precede any steps towards Closer Union, or at least go hand in hand with it.

But let me emphasise that it would be valueless unless carried out by men who are not only trained anthropologists but who are also prepared to learn native vernacular languages properly before attempting anything else.

Finally, there is one other aspect of Closer Union which I should like to mention. Under a scheme of Closer Union services including Customs, Railways and Post Offices would presumably be centralised. It must be borne in mind that, whereas the Revenue from these services to-day is mainly derived from the non-native communities, the time is growing ever nearer when the reverse will be true. Already there is a very marked development of the use of the postal and telegraph services by the natives of Kenya, with a corresponding increase of postal revenue. The increase of expenditure, however, upon postal services in Kenya is almost invariably along the lines of improving posting facilities for the European communities.

I am not in favour at present of the complete separation of European and native areas under different control as advocated, I understand, by Mr. Maxwell and others, but I urge that alterations be made so that direct native taxation is reserved for direct native services (while direct European taxation goes to purely European services). Indirect revenue such as customs etc. could then be reserved for services which are communal, such as the protection of the Northern Frontier, medical and sanitation services, veterinary and agricultural research, grain roads etc.

The question before the Committee is that of the possibility and desirability or otherwise of Closer Union between the three East African territories. So far as the natives of Kenya are concerned I am certain that I am right in saying that it would only be desirable if it were definitely laid down that it would not be attempted without a definite improvement of native representation being first carried out, together with the increase of other safeguards for native interests. If the natives of Kenya were simply to be informed that some form of Closer Union was to be put into force and that the High Commissioner had been charged to investigate their plea for better representation and to safeguard their interests, they would be unable to believe that any genuine attempt to help them had been made and distrust and resentment would be increased. It would be far better from the native point of view if radical changes were first made in the Government of Kenya Colony as a proof of good intentions, and the question of Closer Union were for the time being set aside.

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PRIVATE AND CONFIDENTIAL

MINUTES OF EVIDENCE

taken before

THE JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS  
AND THE HOUSE OF COMMONS

on

E A S T A F R I C A

Die Maats 19<sup>o</sup> Maai, 1931.

Present:-

Lord Stanley of Alderley  
(Lord Sheffield)

Lord Cranworth  
Lord Lamington  
Lord Lugard  
Viscount Kersey  
Earl of Onslow  
Lord Passfield  
Lord Phillimore  
Lord Pensonby of Shulbrede.

Sir John Sandeman Allen  
Mr. Buxton  
Sir Robert Hamilton  
Mr. James Hudson  
Mr. Ormsby-Gore  
Mr. Parkinson  
Dr. Shiels  
Lord Stanley  
Mr. Wallock.

Lord Stanley of Alderley (Lord Sheffield)  
in the Chair.

PRIVATE AND CONFIDENTIAL.

MINUTES OF EVIDENCE

taken before

THE JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS  
AND THE HOUSE OF COMMONS

on

E A S T A F R I C A

Die Merks 19<sup>o</sup> Maii, 1931.

Present:

Lord Stanley of Alderley  
(Lord Sheffield)

Sir John Sandeman Allen  
Mr. Buxton  
Sir Robert Hamilton  
Mr. James Hudson  
Mr. Ormsby-Gore  
Mr. Parkinson  
Dr. Shields  
Lord Stanley  
Mr. Wallock

Lord Cranworth  
Lord Lamington  
Lord Lugard  
Viscount Mersey  
Earl of Onslow  
Lord Passfield  
Lord Phillimore  
Lord Ponsonby of Shulbreds

Lord Stanley of Alderley (Lord Sheffield)

in the Chair.

Dr. L. S. b. LEAKEY is recalled and further examined as follows:

Q. MR. WELLOCK: Dr. Leakey, you have spoken of the growth of unrest amongst the Kikuyu. Could you say when that unrest developed extensively? Could you link it up with any particular period, has it been quite recent?

A. I should be inclined to reply that the unrest among the Kikuyu had developed very extensively within the last five or six years. I think it is very hard to tie it on to any particular incident in the history of the Colony, but it is very largely due to the increase in the education of the people, the increase in their ability to read what the Europeans say, both in their letters to the newspapers, and also in debates in the Legislative Council; and they have begun to realize what the attitude is of the settler communities to themselves, or what their spoken and written attitude is towards them, and, as a result, they have grown increasingly suspicious, and then a number of Indian agitators and others made use of that opportunity to develop and to foster the agitation.

Q. You would not say, would you, that there was anything in the administration during the last five or six years that had anything to do with it?

A. I do not think that it is any particular change in the administration that has been the cause of it. It is the cumulative effect of administration, which I consider is based on the wrong policy, which has resulted in the present situation, now that they are getting more educated.

Q. Could you link up that agitation and unrest with the formation and development of the Kikuyu Central Association?

A. I would say rather that the formation of the Kikuyu Central Association was the development of the unrest.

Q. Could you say something about that Association with reference to Mr. Kenyatta, for example?

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A All I can say about the Association, from my personal knowledge, is that I know a great number of the members of the Association. I also read regularly their Journal, or organ, which they publish, and which they call "Muiguithania". "Muiguithania" is written in Kikuyu; it is edited and published by Indians in Nairobi; but it is very definitely written in such a way as to be capable of two translations. The Government has "Muiguithania" officially translated for their own edification month by month; and the words are so written that you could not put an absolutely seditious meaning to them; but the whole thing is written in proverbs in the Kikuyu language, and, knowing Kikuyu possibly better than the translators, I know that the majority of those words in "Muiguithania", in the Kikuyu Association organ, are anti-Government in their worst sense, and stirring up sedition. To me "Muiguithania" represents the views of the very worst element of the Kikuyu; but it is the result of very genuine grievances which they have got. The reason why it is so is unquestionably the effect which the sayings and doings of people like the Convention of Associations have had. They see the settlers of the Convention of Associations, - a body which is said to be non-political; it is a Farmers' Convention; but they see them drawing up resolutions, and making statements, which are reported in the Press, which are very definitely anti-Government, and which are very definitely almost bordering on the seditious. They think that, if they call themselves an Association, the name gives them a protection and that they can do and say what they like.

Q Has Mr. Kenyatta any following?

A Mr. Kenyatta himself has only recently become the outstanding member of the Kikuyu Central Association. I forget what the number of the Kikuyu Central Association is which is claimed by them; they change the number which they claim.

CHAIRMAN: Tens of thousands, I think. They claim 10,000 or 11,000 members.

WITNESS: The last figure I heard their claim was 8,000, but they are always changing their claim as to how many there are, and I very much doubt if their figures are accurate, but at the close of 1929, when there was trouble over the female circumcision question, their membership went up tremendously and, for a time, they had an enormous following.

Q Is that following a subscription following? Does each member subscribe a small sum to the funds of the Association?

A That is the normal procedure.

MR. WELLOCK: Is the work of the Association connected with grievances, such as the shortage of land, registration, and restriction of crops, and things like that, or is it more definitely political and constitutional?

A It is very hard to say because they are always changing. The Kikuyu Central Association was formed originally with a view to airing grievances which they had, and grievances which were very real. I know for certain that they have got very much into the hands of an Indian agitator, and one European agitator, and under that organisation and that control, things have rather tended to verge away from their own tribal grievances, to almost communistic agitation.

CHAIRMAN: Is the European agitator a member of the Communist Party? Is he using them to advance internationalism?

A I would not like to say that for certain.

Q That is your suspicion?

A I certainly have that suspicion. He was suspected for a very long time that there was this European behind things, and at the very end of 1929 it was discovered definitely who he was. The C.I.D. in Kenya know exactly who he is, and they have got their eyes on him.

Q Is he a British subject? A. I believe no, my Lord.

MR. WELLOCK: In regard to the Land question, we were told yesterday that in the Kikuyu Reserve the natives had an average of 25 acres per family of what was probably the richest land in Kenya. Would you like to make a comment upon that?

A. I would like to make several comments upon that statement. The average population density of the Kikuyu Province, taking it as a whole, including Meru, Nyeri, Fort Hall, and Kiambu, is, I think, 116 to the square mile; but of that there is a very big area which is in the Kiambu Meru District which does not carry sufficient water in a dry season to have a population of more than 10 or 15 to the square mile. Therefore, to take that average for the whole of the Kikuyu Province is entirely misleading, and, if you leave out the figures for that dry grass land which cannot carry an agricultural population, then you find your population density is very much higher. I have not worked out the actual averages for the other districts, but the average for Nyeri is 201 to the square mile; the average for Fort Hall is 296, and the average for Kiambu is 326; but even these figures are again misleading, because you have got quite big areas there which have got to be set aside for communal grazing; that is to say, the Kikuyu has just as much need of cattle, not only to provide him with meat, but also to provide his sacrifices which accompany all the various stages of his life; for example, he has got to have a sacrifice by his law and custom at the birth of a child, at the naming of a child, at puberty, and at marriage; there have got to be animals available for those sacrifices; there have got to be animals available for meat, although most European settlers say that the Kikuyu gets practically no meat. It is quite untrue; they do set aside land for communal grazing, not for individual grazing.

I mean that density is misleading in that big areas are set aside for communal grazing, and if you cut them out you find that the area per family is comparatively small. Then you have got to remember that to-day on the land available to them they have got to grow not only food for themselves and their families, not only crops with which to raise money for the hut tax; but also they have got to grow their thatch grass and fuel. Formerly, if they wanted thatch grass, they went down to the plains where there was natural grass, and they cut their grass. Those areas are now forest or game reserves, and they cannot go there. All of them in the Kikuyu Reserve are growing grass for thatching. Therefore, you have got to allow an acreage per family not only for land to grow their crops, but land for thatching grass and firewood. It costs more to buy fuel in the Kikuyu markets to-day than it does to buy fuel in Cambridge.

Q So that you have no hesitation in saying that there is a real shortage of land in the Kikuyu Reserve ?

A No hesitation whatever. If it were not for the fact that a very large number, running to 8,000 or 9,000 people, have gone out as squatters, or into Nairobi, because there was no room for them, you would have had greater congestion still.

Q May I ask where in your opinion is the outlet ?

A I think one of the outlets would be to take steps to conserve the water. There is plenty of rainfall in this area I speak of, which is grass land. Steps should be taken to conserve the water there; the Government should take steps to conserve the water there, so that there is water permanently in the dry season; then you could carry anything up to 200 to the square mile.

Q Would that solve the Kikuyu problem ?

A It would temporarily solve it. They would not move up there unless they were given education facilities comparable with

those they have lower down.

What is a question of policy involving finance?

It would involve a certain amount of financial expenditure unquestionably.

CHAIRMAN: I do not want to interrupt you, Mr. Wellock; but I do not think we ought to go in very great detail into these questions, which are really more matters for the Governor of Kenya and for the Colonial Office, except as illustrative of the difficulties which the country has to face. This Committee is not directly concerned with them.

MR WELLOCK: My only trouble, my Lord Chairman, is in regard to the differences between the White settlers and the natives, which are at the root very largely of the problems we are dealing with.

CHAIRMAN: Even so, they are only indirectly at the root of the problem, are they not? We are not investigating the rights and wrongs of White and Black inhabitants of Kenya or of East Africa, except in so far as those matters influence our decision on Closer Union?

MR WELLOCK: Exactly; I thought they did affect our decision fundamentally.

CHAIRMAN: Rather than wander very far afield in our inquiry, I think we had better take it more generally, and not investigate to the very bottom of any particular grievance, for that I think is going rather too deeply into problems which are ancillary to our questions.

MR WELLOCK: I did not want such detailed answers as a matter of fact. I am much obliged for the details, but they were not exactly necessary. (To the witness) You raised the question of language, and from that point of view you thought it better to concentrate upon English rather than upon Kiswahili.

MR WELLOCK: On Kiswahili first and English second.

MR. WELLOCK: Was I was speaking of the secondary language really. On that issue, would it not put too great a strain on your administrators; would it not compel them to remain in one district too long, which might cause difficulty in the case of a bad climate for an unhealthy district?

A: I will try to answer the question in a general way instead of going into details.

CHAIRMAN: You have made suggestions that the areas you put forward contain good and bad climates, and the way to deal with it is to move them about in the language groups.

A: Yes; I have answered that question actually.

MR. WELLOCK: I thought even then the conditions would be pretty similar. Perhaps not.

WITNESS: Oh no. Within a language group you could find very healthy and very unhealthy stations.

Q: Have you any comparative knowledge with regard to intercourse between the races in Kenya and in Tanganyika and Uganda? For example, are the hotels exclusive in one area and not in another? Take Nairobi, can an Indian or an Arab or a Native put up in a hotel in Nairobi, and how are the conditions in that respect in Kenya as compared with the other territories?

A: I should have said that the answer to that was that the owners of the hotels make it quite clear whom they are prepared to have. There are certain Europeans whom they would not admit into their hotels, just as much as there are certain Africans. I think that is entirely at their discretion as owners of the hotels. It would not, however, be at all normal to find an Indian or a native being put up in one of the European hotels; but I think that is surely a question of the discretion of the owners; it is nothing to do with policy.

Q: I would just like to ask you about a statement made by Mr. Harvey, when he said a few weeks ago, "We mean to dominate."

Could you say what is meant by statements of that kind, if they are made generally? Do they mean that their concern is to see that the European western civilisation is developed, or does it mean the domination of the White Race to the extent of condemning non-Europeans to <sup>be</sup> servile neighbours, to be hewers of wood and drawers of water?

A. I think my reply to that can only be based on my experience, a wide experience, of the discussions that take place in the Clubs all over East Africa, both in Tanganyika and in Kenya. I am neither a Government Official nor a Settler, and I know the native point of view; but I also mix a very great deal with the settlers as a matter of policy, because I want to know what they are saying and thinking. I am absolutely certain in my own mind that the average settler as represented by the people whom one hears talking all over the place, no matter what he may say in the Press or here, when he says that he wants to safeguard and help native interest, means that he wants to keep them where he thinks they ought to be, and he wants to keep them as labour for himself. A number of settlers to-day unquestionably have started to have small schools on their farms to help. They do that, on their own admission to me over their dining tables, largely because, without those schools they could not keep the labour there at all. It is not done as something to help the native interest. It is simply done as a palliative, to make it possible to keep labour at all in the vast majority of cases. I think when they say "We mean to dominate" it is exactly what every settler in Kenya does mean; and it is because of things put in the public Press that you have to-day the educated African full of suspicion, and full of distrust, and determined not <sup>to</sup> have it.

Q. Just one question more, and that is in regard to the natives.

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Are they very keen on receiving agricultural instruction from administrators in the Reserves with a view to developing what you call economic crops? Is that the system of cultivation the Natives do desire?

A. The native is very very keen indeed, as you heard the native witnesses from Kenya say themselves, to have all the possible help in the development of their agriculture, and a very great deal is being done by the agricultural commissioners in that direction. Personally, I think I show quite conclusively in a paper I wrote the other day that some of what is being done is being done in such a misguided way as actually to spoil and reduce native crops and output rather than improve them; but there is certainly a big intention behind it to help. The work is certainly benefiting him and is encouraging him, and he is keen to have any help he can get.

MR JAMES HUDSON: Just one or two questions arising out of the evidence we had yesterday, Dr. Leakey. We had a fair amount of evidence in Lady Eleanor Cole's memorandum about the question of female circumcision, and I noticed that you said just now that the trouble about that was entirely unnecessary. What did you mean by that?

Well, the best reply that I can give to that is to ask the Members of the Committee to read a detailed report which I have written on that subject, which, I hope, will be published in a few weeks now, because to answer that question at all would require two or three hours, but perhaps I may just give a few reasons.

CHAIRMAN: Do you press the question, Mr. Hudson?

MR JAMES HUDSON: No, my Lord. I hope, Dr. Leakey, you will not intimidate the Committee, like that in other questions that I ask you.

WITNESS: I would just like to say this, though, that the whole of that trouble, and there was very serious trouble, was

due to serious misunderstandings on the part of the White community, including the settlers and missionaries, as to what the operation consisted of, misunderstanding as to why the operation was in its present form, which is an entirely new development in the last ten years, and misuse of language through trying to use Swahili in discussing the question. For those reasons there was tremendous trouble over it which was entirely unnecessary. There was very nearly serious bloodshed over the problem in 1929, more nearly than most people imagined, and the whole thing could have been avoided with the greatest of ease, given proper understanding of native customs and languages.

Q. The other point is, is it your opinion (there were questions asked yesterday by Lord Lamington and myself) that this native unrest has become so serious that White women are in a more unsafe position knocking about Nairobi and elsewhere than they were a few years ago?

A. I am glad to have an opportunity to reply to that question if, Mr. Lord Chairman, I am entitled to answer it within the terms of reference.

CHAIRMAN: With brevity.

A. There is no possible doubt that the position of White women in Kenya to-day is unsafe, compared with what it was ten years ago. There have been a number of cases of assault upon White women, and it has caused considerable alarm. But I say absolutely emphatically, as a result of listening to hundreds of conversations between natives in Nairobi, and Nakuru, round camp fires and hut fires in the Kikuyu Reserve and elsewhere, that it is not the result of just this political agitation; it is quite distinct from it; and it is the direct result of the attitude of European men to native women

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in the last 15 years; it is entirely the outcome of that and nothing else. I know that people will disagree with me upon that, but it is absolutely true. Quite a number of cases of rape and assaults upon White women have been directly traceable to revenge.

CHAIRMAN: Are the irregular relations between White men and Black women on the increase in East Africa do you think?

A I would not say they were on the increase per number of Europeans in the country. One notices it more because there are more Europeans there; but it is far more prevalent than people make out, as the increase in the number of half-caste children will testify; and the problem of the safety of White women is decidedly serious. The trouble is entirely due to the attitude of a number of White Europeans to native women.

MR JAMES HUDSON: With regard to the question of native registration for labour purposes, do you think that that can be made into an instrument more acceptable to the natives than it is to-day, or do you think it ought to be dropped altogether?

A That Native Registration Ordinance as it stands (I have a copy of it here) was so framed as to be entirely unacceptable to the natives, to be entirely to the detriment of the natives, and it would either have to be very radically amended, or, I think myself, done away with, before the natives would be in the least satisfied. As it stands, it is completely unjust and unfair to the natives in a great many cases, and my own personal view is that the best possible thing that could be done would be to repeal it altogether, because it has got to a position now where it is the cause of very serious injustice all over the country, and the natives simply regard it as one of the proofs that we have no intention of helping them or developing their interests as against the interests of the settlers.

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Do you think that, if it were repealed altogether, there would still be no special difficulty for the white people to get the native land to organise the native labour in the way they require ?

A. The settlers in Tanganyika seem to get ample labour without the Native Registration Ordinance. Those planters who lease land in Uganda get ample labour without the Native Registration Ordinance; and I do not think there would be any difficulty in Kenya to get labour without the Native Registration Ordinance.

Q. Have you heard very much said amongst the natives in Kenya about the problem of indirect taxation ? Do they make complaints about the prices they have to pay for articles, the increased cost of customs duties which lead them to pay more than their share when it is computed in relation to the direct taxation they pay ? Is that a matter of discussion at all amongst them ?

A. I have never heard any discussion by natives on the question of indirect taxation or on the question of customs at all; never once have I heard them discuss that or complain against it. Their chief complaint is against the direct taxation which they regard as too heavy, and they also regard it as based on a principle which is unfair.

Q. Then a final question. When we were talking about wages at the last interview you had with us, the Chairman referred to organizations that had come into being to keep up wages. In practice is that actually going on amongst the natives ?

A. Does the Kikuyu Central Association come into the question, or is there any other effective organisation by which the natives aim in an organised way to keep their wages at a particular level, or is it merely done by custom and tradition ?

A. I should reply to that that the natives have no means whatever of either raising or keeping the level of wages high, unless the settlers and other people wish it. The natives are

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entirely in the hands of the employers in that respect, because if the natives start demanding wages which a group of settlers in a district regard as too high, and they are the judges, they simply get together, and decide unanimously that they will keep the wages down or cut the wages down, and the wages are cut down; that has happened on a number of occasions; that is for ordinary unskilled labour.

Q But does not the Kikuyu Central Association, or any similar organisation to that, make any effort to organise the natives on this issue ?

A I have never heard of any attempt to organize the natives on that issue; they have not realised that that could be done.

Q So that really we cannot depend upon the hope we might have had that the organised power of the natives could be left to look after that matter ?

A I certainly do not think so. May I just say on that issue that my experience from 1926 to last year as regards wages over East Africa is that contract labour, that is to say, labour that is brought down on a six months contract from Reserves by labour contractors, gets 20s. a month and posho; but squatter labour gets normally 12s. a month and no posho. I have heard a number of settlers say, and they have said it with pride in their voices, "I only pay my <sup>squatters</sup> ~~settlers~~ 6s. a month." I have heard that frequently. Those two rates of wages, 20s. for contract labour, and 12s. average for squatter labour, are, I think pretty true for all the unskilled labour in Kenya to-day. May I add one further point on that matter as regards the question of posho ? Unfortunately, I could not get a copy of the Government Ordinance, and I am not absolutely certain of the wording; but it is laid down, I believe, by the Government, that posho for contract labour shall consist not only of maize meal, the ordinary posho, but

also of beans, fat, and cereals in other things, so that the ration is one which a man can carry on with satisfactorily, and one which benefits his health, but in actual fact - again I speak from having been on a very great many settlers' farms and having discussed things with them - the vast majority of settlers do not give anything besides the plain posho flour, and occasionally throw in skimmed milk from their dairies, but otherwise practically nothing; occasionally, they may throw in meat, but as a regular ration they only give posho, the majority of them, and that is a thing which the natives complain of very very bitterly indeed.

Q One more point, and this is the last question I will ask you. You speak of architecturally magnificent schools in your memorandum. Do you want us to understand by that that there is money spent upon schools that are set aside for the white population at a much greater rate out of the total funds of the community than ought to be the case? Do I understand that the funds that are made available for buildings of this architecturally magnificent type are the general funds of Kenya which ought to be set aside for natives and white people, or are they funds only that are raised from the white people for educational purposes?

A So far as I can understand, the Director of Education would have the public believe that the money spent on some of these buildings is directly derived purely from the profits of customs, from European customs on commodities used by the Europeans; but it is impossible to divide out that when in the whole finance bills of the country there is no division made between native money and European derived money. You cannot say that is true. What I do say is that the amount of money spent upon the education of a small European community compared with the amount of money spent upon the education of the

natives is very far from fair, and especially do I regard it as absolutely unfair and unjust that in a Colony as young as Kenya the Government should have allowed the expenditure of vast sums of money, £20,000 for one school, - I am not sure what sum for the latest school at Kabete, I think it is £120,000, - on schools which, architecturally are absolutely out of all keeping with the country, schools far finer, architecturally, than most of the small public schools in this country, when they definitely cut down wherever they possibly can the Vote which is suggested, and it is a small one at that, for native education in the country. Very many of the educated natives to-day who follow the affairs of this sort in their newspapers very closely are very very bitter about it indeed. I have heard on very many occasions educated natives bitterly attacking this. That is why I brought it in.

CHAIRMAN: Dr. Leakey, we had evidence from Sir Edward Grigg to the effect that there is a certain special customs duty on alcoholic liquors, (the consumption tax) which is specifically allocated to the education of the children of those who consume liquors, namely, the Europeans and the Indians.

MR JAMES HUDSON: Was it not devoted to the education year by year, and not to the capital cost of schools?

CHAIRMAN: I am not quite sure about that.

WITNESS: I think so, my Lord.

CHAIRMAN: There was a thing called "Whisky Money" in this country many years ago under which the special tax on whisky was devoted to education. I think that was abolished.

WITNESS: I believe I am right in saying that that money is spent upon the cost of the staff of the European schools, but is not the money spent upon the building of these schools.

MR CRMSBY-GORE: The buildings are built out of loan. The Government House, and that sort of thing, is part of a loan.

WITNESS: I was thinking of the schools at Nairobi.

LORD PASSFIELD: I have gone very carefully into the accusation that has been made, that in effect a part of the cost of education of the European children is taken from the revenues directly levied upon the natives. I do not know how I can put this in a question but I should like to say, as the question has been raised, that I have satisfied myself that the whole of the cost of maintenance of the European schools is well within the direct payments by the Europeans for education, including this special consumption tax which was put on instead of an education rate. Not only is that the case, but taking into account all the fees and other matters paid by the white population, it not only covers the power of maintenance but it goes a very long way at least to cover the annual cost of the capital expenditure, which undoubtedly has been far greater than ought to have been allowed. Therefore it is not true I think to say that any part of the direct native revenue has been used or is being used for the white education. That is not an answer to the suggestion that far too much has been spent relatively on white education than ought to have been spent, but I think you may quite fairly take it from me that no part of the directly levied tax on the native is going to maintain either capital or expenditure on white education. I must say that in fairness. I do not say that too much has not been spent; that is another story. A. I was trying to express what the Americans were saying about it, and that aspect of the position is not made clear to the natives; it is one of the things which they complain about bitterly. If matter of that sort were explained in detail to them they would certainly understand it and they would not

grumble so much.

MR. JAMES HUDSON: Do you not think that if there were completely separate education departments, one dealing with the natives and the other dealing with the whites, the difficulty might be got over, and that you could convince the natives that their suspicions in this matter were not well founded?

LORD PASSFIELD: It is not quite so simple as all that, but we are taking steps to make it clear where the money comes from.

MR. JAMES HUDSON: I will not press it any further; I am much obliged.

MR. BUXTON: Only two points, Dr. Leakey. When you were last here you spoke about the white people being able to work labour, and you rather created on my mind the impression that you thought it was probably a white man's country in the popular sense in which that phrase has been used. How far did you intend that? You talk about white men working in the sun and working hard, and so forth, rather differently from what some people have said to us.

A. I certainly did not wish to convey the impression, (if I did so it was not my intention) that I considered it was in the least proved as yet that Kenya was a white man's country in the sense where two or three generations of white men can live, bring up their children and go on without coming home or leaving the country at all. I said, and I say very definitely, that the white man can work as hard right through the day there as he can in this country, if he is physically fit. I have done it myself. I have had ladies from Cambridge working with me on hard work with pick and shovel, and they can do it!

but the whole question of whether it is a white man's country in the sense of two or three generations is an entirely different story. I do not say that it is or that it is not; I simply say it is absolutely unproved at present because if one judges by those Europeans who have not been out of the country for twenty or thirty years now, and compare them with the Europeans who come home at fairly frequent intervals to this country, those who have not been out of the country at all for twenty or thirty years will come off very badly by comparison; they are rorvy in the extreme and very often not physically fit. I should be inclined to say that the combination of latitude and altitude is a factor which is against permanent white occupation; but it is not proved either way. I merely say that it should not be taken for granted that it is a white man's country in a sense, but in the sense that a white man can work there perfectly happily and do hard physical labour provided he takes proper precautions and keeps himself physically fit, certainly.

LORD PHILLIMORE: In those cases in which people have been out there for twenty years on end, would not those be cases of people who have been unable to take leisure in the sense of being unable to take a holiday, or any extensive holiday, people who have been too poor or too pressed, or too busily occupied to take a holiday, and would not that have an influence upon that argument. They would be largely people who had not got sufficient money to leave a manager behind and to pay the expenses with their families of a passage home to this country, a holiday over here and a passage back. They take local holidays down to the coast. Every year there is an

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increasing number of Europeans who go from the Highlands down to the coast at Mombassa, down to the sea in the cool season, and that is certainly beneficial to them, but it is not the same thing. My own impression of a number of families who have not been out of the country is that they are not as physically and mentally fine as they might be, and equally that these children who have been born out there without ever coming home are not really as fit as their parents, physically or mentally. I am not certain that it is the fault of the country, the altitude and climate. It may be in large part the fault of circumstances such as loneliness or any means of intellectual development and amenities of any kind, but there is something there which does effect it.

MR. BUXTON: There is only one other point I want to ask you about. I wanted to be sure whether my impression was right. My general impression of your speech that you sent in was that you thought the representation of natives on the Legislative Council was on the whole the most urgent reform so far as legislative reform or constitutional reform is concerned. Am I right in having that impression, that it was on the whole the first and the most urgent reform, and that we should not consider any question of Closer Union in a constitutional sense if that question were left unsettled.

A That is very definitely my view, because of native opinion as I know it. The natives within the last five years have grown more and more distrustful of British justice and British fair play, and distrustful of the settlers through their unofficial members on the Legislative Council, and they feel more and more as they read the debates of the

Legislative Council and the reports of meetings of various kinds, that their interests are not fairly represented on the Council. I think I made it clear in my memorandum that in actual fact their representation by the Chief Commissioner on the one hand, and by one unofficial European representative who has no time to go about among the natives, does mean that in point of fact their interests are not properly represented, and that there is no proper provision for finding out what is the native attitude towards ordinances which are suggested for the country, especially ordinances affecting native affairs, and whereas I do not feel that the time is yet ripe for the natives to be represented by natives because I do not think they have as yet (although they will have in a few years) natives sufficiently educated to represent them on the Council themselves, I think that if they were represented by a number of Europeans chosen with their consent, not chosen arbitrarily without their consent, and those Europeans were people who were prepared to make it a whole-time job, so that when the Legislative Council was not sitting they were out in the reserves finding out what native opinion was, and finding out what the natives were wanting, then something could be done.

Q May I say that I did not mean that I wanted to ask for the details of the scheme; I merely wanted to know whether my impression was right, that you felt that it was the most urgent reform. I know what your evidence was but I gather you do think that.

A I certainly do.

LORD STANLEY: Only one question with regard to the future of these half-breed children, Dr. Lonkov. Will they be received in the native Reserves by the natives?

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A It is very hard to say exactly what their future will be. The majority of them at present have drifted to Nairobi, and form part of a population in what is becoming a sort of slum in Nairobi, and I rather fear that that is where their future will lie and that you will get developing as a result of this something akin to the coloured people problem in South Africa.

MR. CRIMSBY-GORE: Dividing colour as half castes. A. Yes, which is the South African meaning of that word.

MR. WELLOCK: Are they with their mothers. A. Yes. The usual thing is that the mothers are so disgraced in the eyes of the tribe that they drift into Nairobi and become prostitutes.

MR. CRIMSBY-GORE: Next to better representation, official and unofficial, of native interests vis a vis Government, both in the administrative and legislative sphere, would you put the ~~same~~ alteration of this language business as the next most important thing, giving up Swahili as the means of communication between British administrators and the tribes.

A I certainly would say so. I feel very strongly indeed that the use of Swahili has caused a tremendous amount of the present situation of distrust and dissatisfaction, and that anything that could be done to remove that distrust would be a good thing, and that that suggestion on which I made of having on the one hand a rule that Government officers must learn one of the languages of the language group, and on the other hand develop education for the natives on the line of English, cutting out Swahili as the middle language altogether, is certainly one of the things I would press for as urgently needed to build up once again the trust in the British in

East Africa.

Q Thirdly, would you suggest some change in the form of direct native taxation, or some separation of native from European budgets. Is the main complaint, on the head of native taxation, the fact that a certain number of women either intentionally or unintentionally have to pay direct taxation, that is to say, is it unfair in its form and structure of its incidence or is it in the allocation of the proceeds that the grievance lies.

A I think unquestionably there is a double grievance. In the first place there is a system of what are called native villages, what is usually called by Europeans a native village is a group of five or six huts which roughly represent what we should call five or six rooms of a house under a single roof, and they object very strongly now to their tax per individual hut; there is a definite hut tax; because in point of fact a number of those huts in each case are the huts in which, say, the old mother, or of the head of the family is living in her hut or her room, one or two widows or other old women, and it does amount to a direct tax upon them simply because of the native custom of having different huts for individuals instead of rooms under a single roof. They feel there is a very definite grievance there, but they also feel a very strong grievance at the way in which the vast majority of the direct taxation does not come back into the Reserves at all, and if they want their money to spend in the Reserves on bridges and roads in the Reserves over and above the direct taxation, they have to raise this cost, 2/- per head per male, and they regard it as exceedingly unfair. If you compare the direct taxation figures of Kenya with those of Nigeria, for example, you find that the native is

being taxed exceedingly heavily in Kenya, and he reports

Q. You therefore would like to see the hut tax abolished in the Reserves where you have this separate living; it <sup>necessarily</sup> might not apply ~~uniformly~~ to all the tribes; and replaced by an adult male tax.

A. It is not I who want it; it is what the natives would definitely like to see, and secondly they are of course very bitter that the native is taxed when he reaches 16 whereas the European does not start direct taxation till he is 18. It does show a very curious anomaly in the laws of the country, and the natives are getting very bitter about that now.

Q. Does a native know when he is 16. A. There is an ever increasing number who do know because since we have come they have started to keep their ages; they used not to.

Q. Then you would put, therefore representation first, language second, reform of taxation third, and fourth would you put land questions.

A. I think I would put the whole re-investigation of all questions affecting the native Reserves, taking a very broad view of it more than just pure land.

Q. There is only one further subject I would like your opinion about, and that is, is it true to say that the grievance felt by such natives as do feel discontent, is quite as much with administration as it is with the settlers, and is that due to the fact that some of the administrators in Kenya have not given satisfaction to the natives in recent years.

A. I would say, as I think I said in the memorandum, without question at the present day the natives of Kenya regard settlers, Government officials, and missionaries, all with

distrust, and I do not think one can say that they regard one man or the other with distrust; there are individuals amongst the Government officials whom they regard with more distrust than others, although all of them have distrust; but one of the causes of dissatisfaction over and above the question of language and the misunderstanding on the part of the Government officials, is the fact that Government officials can at the same time be settlers, that is to say a Government official while he is a Government official can own land, and have a manager on a farm. The natives have come to regard the settler and officials as very much one and the same body, that the Government officials are really in part settlers, and very much allied to the settlers.

- Q. Would you say it is partly due to the fact that there have been one or two cases of Provincial Commissioners and the like who have been definitely unpopular with the native, with the result that they have gone over to unofficial settlers rather than to that particular individual.
- A. That is certainly the case. There have been cases of Government officials who were very definitely and very violently anti-native, excluding any question of fairness altogether from their judgment; but even then, even those Government officials, I want to impress this upon the Committee, who are most trusted and are doing their level best for the natives are actually through misuse of language and not knowing native customs, doing things which are so unjust that they come in for terrific mistrust, and so do the settlers.
- Q. So there is a sense of injustice not over merely inter-racial clash between Europeans and natives, but in the way in which the British officials are administering

Justice between native and native

A Very definitely yes.

Q And you would say that part of the discontent is therefore not so much based upon racial clash but upon the system of administration that has grown up in native affairs.

A It is very largely to do with that. In some ways the Government official is more distrusted than the settler simply because the Government official is the man who is actually doing the administration whereas the settler is not, but the very ~~same~~ fact that the Government officials are continually mixing after working hours in the clubs at Nairobi and Kiambu with the settlers, and discuss native affairs in English in front of their house boys at dinner, and very often rather indiscreetly so, it is things of that sort which have caused the natives to-day to regard the settlers and Government officials as being allied together to interfere with native affairs, and native interests, and to do him down. He has got the idea now that we are out to do him down. He will interpret anything, even though it be in his favour, straight away as an attempt to hit him off again.

Q It is very important, is it not, that the Government officials who do go into Reserves, and are in contact with the native should equally be in close social contact with the white settlers, otherwise the white settlers who never go into the Reserves would know nothing of what is going on in the native Reserves.

A I do not think the contact between settlers and Government officials should be stopped in the very least. Although at the present moment it is causing trouble, it is only causing trouble because there is injustice, and subsequently they think that the European settlers and

Government officials talk it over all together. The other thing which does unquestionably cause a great deal of injustice and tremendous distrust is that in practically no court and before practically no administrator in Kenya is the word of a native ever taken against the word of the settler even though the settler may be known to all and sundry to be completely unfair and unjust and untruthful people; nevertheless their word will carry against the word of any native. I have had cases time after time before my notice of natives with a very definite grievance against one of the worst type of settler. They go in and the settler's word, even though he is lying is held against the native's word even though he is telling the truth. Therefore, as long as the settler is prepared to perjure himself he gets away with it.

CHAIRMAN: Tell me, is the jury system in existence in Kenya where the white man is charged with an offence against a native. Is he tried by a jury of white men at present.

A As far as I know in the case of a white man being accused of some offence against a native, a serious offence, a felony, then it is tried by a jury consisting entirely of settlers, of white people.

Q We all have in our minds cases in the past where juries have not exactly regarded their oath I think.

A I think the natives have that very much more in mind than you have, my Lord; the natives take very great note of those things.

MR. ORMSBY-GORE: You come across, do you not, a certain number of settlers who are only too anxious to know more about native life and affairs. There is a growing body of opinion among the settlers that things are not quite right.

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and that they should get to know more of what is going on in the native mind. My experience since 1926 has been that there is a considerable body of settlers who absolutely honestly wish to do the best they can for the natives, who are trying as far as they can to be fair and just to the natives they employ, and who would like to see native interests develop and improve, just as far as the development of those interests would not be inimical to their own work and their own development. But it is only natural that when you have got the fact that the development of the natives to any considerable scale and of native farming and native export, will unquestionably cut down the native labour supply, the fact that the two things, development of <sup>the</sup> European and development of the natives are inimical to each other, it means that even those Europeans who want to see native interests develop, will feel at the back of their minds that they are only going to be developed in a certain way that will not hurt them. It is not possible to have anything else. Their two interests do clash, and it is only natural that realising that the European should not wish -----

Q You are defining the clash as a clash between the person who wants labour to develop a European owned farm, and native production, the clash inside the dual policy.

A Yes.

Q But on the other hand as they have all got to live in one country, and you hear settlers asking for more responsibility with regard to the trusteeship of native affairs -- is there no body of settlers who are anxious to take more responsibility and not leave it solely to the Government officials.

A My reply there is this, that there is a very big body of

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settlers who say that they are anxious for further responsibility in the trusteeship of the natives, and at one time I was persuaded by them that they honestly had the interests of the natives at heart; but I regret to say that as a result of various actions and various things that these same settlers have done and have said in public, I am convinced that their desire to have more say in the trusteeship of the natives is not quite so unbiassed and not quite so genuine as they would make out.

Q. I want to differentiate between the settler who definitely regards himself as the elected representative to represent European interests, who has got to think of his constituents and his interests and is elected for that purpose, that is to say a European politician. I am talking now of those who do not take part in what is called the white man's politics but who make their homes there. Is there not a growing class of them who take an interest in native development. A. Yes, I think there is a growing class who would take an interest in it, but at the same time their ignorance of the fundamentals of native customs and language, I would say was greater than even that of the administrative officers, although many of them deny it. That being so they are not really in a position to do what they say they want to do; they do not understand. There is practically no settler, or very very few settlers indeed who ever take the trouble to go and visit native educational places, or go and visit native welfare centres for women, and that sort of thing, and find out what is being done. If they really had the interests of the natives at heart, surely they would take the trouble to find out more what is being done, so that they could help and develop what was being done, but they do not.

Q Are they encouraged by the Government to go to those places and to touch the native Reserves? I have heard it said by settlers out there (correct me if this impression is wrong) that as the Imperial Government had declared native trusteeship its sole responsibility, it was no affair of theirs, and they were discouraged from going into native Reserves.

A I was not thinking entirely of the Government run institutions. A great deal of welfare work is done by missions, and they always welcome anybody who will come with a genuine intention of finding out what is being done, and even of making criticism if they like, but they do not come; very few of them ever come.

LORD PASSEFIELD: May I ask is there any evidence that the Government has declared that the trusteeship is solely its own concern?

MR. ORMSBY-GORE: The 1923 White Paper. I had that thrown in my teeth when I was out there.

LORD PASSEFIELD: 1923? We have improved since then. Have not the residents in Kenya been asked to encourage to take and have they not been enabled to take a very great share in the execution of the trusteeship? For instance, in the Native Land Trust Board. There is no native on it, and there are four residents, I think, two of whom are practically nominated by the European settlers.

MR. ORMSBY-GORE: I had that said in public by a settler, that as it is the Imperial Government's responsibility, the terms of that original White Paper, "We are not wanted".

MR. JAMES HUDSON: On a point of order, my Lord Chairman, is it really right for Mr. Ormsby-Gore to bring up questions here that have been raised in public and have not come

out as evidence? Is not that exactly the complaint he made against me the other day?

MR. ORMSBY-GORE: I withdraw and apologise. I will not ask any more questions.

SIR ROBERT HAMILTON: In answer to Mr. Ormsby-Gore just now you made a rather sweeping statement I think. You said that the word of a native was never taken in a Court as against the word of a white man by a Judge or a Magistrate.

A I think I said in practically no administrative office over, and I think I am definitely right in saying that. Never to my ~~xxx~~ knowledge has the word of a native been taken as against the word of a European. I have never come across a case yet.

Q If that is the case I can only say that there has been a regrettable change in the administration of justice in the country within the last few years.

A I am speaking of the last six or seven years when I have taken an interest in and have been finding out what has been done.

Q Now I want to go to one other point of very considerable importance I think, which was raised by Mr. Burton just now: that is the representation of the Legislative Council. You are very definitely in favour of an immediate increase of direct native representation, that is of persons whose duty it is to represent native interests on the Legislative Council. Do you think that that is the only direction in which native interests can be fairly looked after and receive the amount of attention that they ought to receive, by representation on the Legislative Council?

A Is that, in your mind, the only way in which native interests can receive due attention.

A Certainly not the only way, but I think it is the way in

which it could be most easily accomplished and which would satisfy the natives best at the present time. One alternative would be, perhaps, to have no unofficial representatives on the Legislative Council at all, to revert to a Government without any unofficial representation of any kind, settlers or anybody else. But, as long as you have got a body of eleven unofficial elected settlers definitely there to watch over and safeguard the interests of the people who have elected them, and they do so with very great care indeed as one can see by the ordinances, and as long as you have only got on the other hand one person nominated by the Government to represent the interests of some 3,000,000 natives, of whom he only knows one tribe at all well, who is not known by name to the other tribes, and moreover is a person who has not got the time to study the question of the whole legal position -----

- Q I think you have made the position clear already.
- A That is the line on which the change must go to-day.
- Q Then you say in your memorandum that a radical change in the system of government is necessary to re-establish confidence. A. I think so.
- Q Do you think that the radical change can only be in that direction, to leave the eleven representatives of the European interests, and add to it a number of other people to represent native interests, or would there not be another way out, namely, to develop the native system on their own lines and let them develop their own interests and bring them to the focus of a point where they could be definitely put before the Government of the country.
- A I know that is the view of a number of people, but I do not think so. I think that in Kenya the best thing is to

develop. In Kenya you have had a development and you are going to have a development of natives very much greater than in Tanganyika or in Uganda. The presence of the settlers there I do not regard as adverse in itself to native interests; I would rather see the development of the two side by side. I think I should quite clearly not keep eleven settler representatives; I should cut down the number of settler representatives and have more native representatives. There are other alternatives but that is the one I regard as the best. Another one would be to have entirely this idea of the native areas as one administrative group, and the settled areas as another group, but I think that that has very great difficulties because it would unquestionably lead to violent obstruction by the settlers of native interests, and because they hold strategic points all along the railway line they could by that very fact make the development of the native areas away from the railway line exceedingly difficult even though they were separated.

Q Have you considered what the ultimate result would be likely to be arising along the lines which you suggest.

A Yes. I think the time will come when you will have to have more and more representation by the natives. I think personally that the natives in Kenya are developing so rapidly -- and I have seen the changes that have taken place up to the war, during the war, and since the war -- they are changing so rapidly that the time will come when they will be able to hold their own in the Legislative Councils, and I would like to see them have representation on the Legislative Council eventually by natives. I do not see why the settler communities

should be allowed to have the whole say of the country.  
Q That would mean a great pressure of numbers in the future if you take the counting of heads.

A I think it might do. Personally I do not believe that settlement in Kenya will ever increase numerically. I do not think the white population will increase in Kenya very tremendously in the next thirty or fifty years. I think it will stay roughly where it is. Personally, I do not think, left to itself, the white settlement will develop tremendously, and the natives are going to develop very tremendously.

Q Then do you contemplate the Legislative Council remaining always an advisory body to the Governor?

A Yes, I certainly do. I should have to see the Legislative Council having complete power. In a country where you have got a clash of interests, native, Indian and European, I would hate to see any one community by the vote be given dominance over the other two or the other three. I would like to see a continuation of the Legislative Council purely as an advisory body but with each of the communities equally represented.

Q And you think in the long run it would be more to the native interests that they should be properly and sufficiently represented on one advisory Council than that they should be allowed to develop Councils of their own which should be parallel and advisory to the Governor?

A I think so in Kenya, yes.

LORD LUGARD: Sir Robert Hamilton had asked the very question which I was going to put. I will just add to them a little. Do you not think that if you had, as I understand you to say, an increase of the native vote, or native representation on the Legislative Council, and a

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LORD LUGARD: Sir Robert Hamilton had asked the very question which I was going to put. I will just add to them a little. Do you not think that if you had, as I understand you to say, an increase of the native vote, or native representation on the Legislative Council, and a

decrease of the white representation, you would get eventually a situation in which the native would demand a preponderant representation.

A I think they might demand it just as the settlers at present have demanded it and have got it, but I think you would have to keep an even balance. I think the Government would have to say "In this country we have got a number of different communities whose interests cannot infinitely clash, and that therefore we / give the vote to those people, to any group, in such a way that their interests will dominate over the other". I think the Government in Kenya, simply because you have got Indian, native and white people, has got always to be in complete charge with the unofficial representatives purely in an advisory capacity.

Q Would not it very much mitigate the racial feeling if you had groups of Africans, Indians, and Europeans each representing solely its own interests in the Legislative Council.

A I do not see why it should.

Q You heard Mr Mitchell's evidence the other day, did you not. A. I regret to say I did not. I read what was reported in East Africa, but I did not hear it.

Q He contemplates a scheme of a mixed area in which natives, Europeans and Indians would all have an equal vote on a Legislative Council, and then roping off a separate area which would be purely native. You do not think that anything of that sort is applicable in Kenya.

A I do not think it would be possible at all, because supposing you have a mixed area where all the Europeans, Indians and settlers had an equal vote, you would find in that case probably the native would outvote the settler.

If the settlers kept on the number of natives in their employ that they have to-day, you would find that the natives would outnumber the settlers. One settler employs anything from ten to one hundred male natives. It stands to reason if they are going to vote against him, he has one vote and his employers 10 to 100 votes.

Q Each racial section was to have an equal vote no matter what its numbers were in his mixed state only and it would then be optional to any native or any African or any Indian to remain in or to withdraw from the mixed area, but the remaining territory which he called the blue area was to be developed entirely on native lines under their own institution without any Legislative Council.

A It is not a principle which I think is going to be beneficial to the natives. I think this idea of dividing them out into watertight compartments would in the end result in some ways in a very much slower and lesser development of the native interests. I am not against the mixing of the two; I merely want to see fairness in the way the mixing is carried out. I do not think in Kenya if you separated the native areas from the European areas and called the one European areas and the other native areas, and developed the government of the two separately and distinctly, the native would benefit as much as <sup>they</sup> he would if the present situation were kept, but with very drastic modifications along the lines I have suggested.

Q I do not think his idea was that they should be separated entirely in their interests; his idea was, and I think Sir Donald Cameron expressed the same view, that eventually the advisory Council in the native area would develop into

a Council which would be consulted on all legislation which affected that area. The first principle would be that legislation affecting native interests should be enacted directly by the Governor and not by the Legislative Council, and therefore the natives would not have a desire for representation on the Legislative Council because the Legislative Council would not enact their laws. They might be identical laws, but they would be enacted nominally by the Governor on behalf of the native press, and therefore they would not wish to have a representation on the native Council, and then they would avoid that continual friction about the common roll, equality of votes and so forth.

A I think that Sir Donald Cameron and Mr. Mitchell were both speaking from their experience in Tanganyika. I am not speaking at all of the question of Tanganyika or Uganda. I am speaking for Kenya, and I am convinced that for Kenya that principle which they suggest, in a way it is the same principle which Mr. Maxwell developed, is not one which would work in Kenya to the benefit of the natives. I do not think the natives want that particular kind of separation provided that they can get fairness.

Q One other question. As regards the European representation in the Legislative Council, I am thinking of what you said at Chatham House in your lecture there, is the representation of the Europeans in the Legislative Council representative of that section that you spoke of just now as being keenly interested in native development, and go on, and wishing to know more about native customs and institutions, or is that section so much engrossed in its own farming and its own business to care to be represented or have time for

representation on the Legislative Council. I want to get at the point as to whether the representation on the Legislative Council is really representative of a large bulk of the settlers between whom and the political party you appear to draw a considerable distinction.

A I only know three constituencies at all well; one is Nakuri, Noveisha, and Kiambu, and I might add West Nyori. I would say quite definitely that the people who are elected to represent the settlers of these districts do not really represent the bulk of the settlers of these districts at all in their views. They represent that vocal element in each of these areas which attends all the political meetings, which writes to all the newspapers, and is politically minded. There is a big element in each of these areas which is not politically minded and which spends its time on its farms, but which certainly has a desire for more knowledge about native customs and things although it does not do much about it, and they are not really represented at all, partly because no member of that group is prepared to give the time to stand as a member of the Legislative Council. If you got somebody to stand representing these people, then all the people who felt and thought like them would go and vote for them; but when you have got only one or two people standing for a constituency whose views are not those of the people I am talking of now, they just do not go and vote at all, they just stay behind.

Q. Would not that rather tend to a gradual deterioration of the representation on the Legislative Council.

A I think it would.

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Q. Because of the question of labour for instance, as the

becomes more difficult to supply labour to an increasing

number of settlers or for an increasing area coming

under production, the tendency would be for the elected

members to be elected according to their willingness to

represent the extreme view. A. I think so. I do not

think that the representation of settlers on the Legislative

Council is at all satisfactory. I do not think the settlers

those given unofficial people really represent the settlers

views at all; they represent the views of a vocal section.

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LORD RONSONBY: I only want to ask one question, Dr. Leakey. You elaborated, in answer to Lord Phillimore, the exact method that you would suggest for training the Native Commissioners who would be representative of the five language groups. Do you not think that the scheme which you have sketched would involve a very narrow specialised training for each of these representatives and would confine them to a special area practically for the rest of their lives?

A I am afraid that I am not quite clear as to your question. Are you referring now to the five people whom I suggest should be unofficial representatives of the Natives on the Legislative Council, on the question of the Native Commissioners and the Government Officers in the language groups. The two things are quite distinct. I suggested that there should be on the one hand one representative for each language group on the Legislative Council, who would not be Government Officials at all, and certainly not Commissioners. The moment you give him the name of Commissioner the Native thinks of a Government officer. I also suggested that in the language groups the Government Officers should all have to stay in one language group, where they would learn the language of one of the tribes and therefore be able to speak in the language group and administer justice fairly.

Q I was thinking of the second class.

A You think that they would be too restricted?

Q If you confine them to one language group and make them thoroughly acquainted with that language and customs of the tribe, they would have to remain as representative of that language group for the rest of their lives?

A They would have to remain administering justice in that language group; but that language group is a very big thing. East Africa is a very big territory, and the five language groups I suggested each include a very big area, with a

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A: They would have to remain administering justice in that language group; but that language group is a very big thing. East Africa is a very big territory, and the five language groups I suggested each include a very big area, with a

number of different tribes within it, and healthy stations and unhealthy stations. They would not become in the least narrow minded or hidebound by staying in a language group. I am not suggesting that they should stay in the Kikuyu or the Kiambu. I am suggesting one language group which would include Kikuyu, Kamba, Teita, Embu, Meru, and, possibly, Wapokomo and Wapora, where they have got an enormous range, and in actual mileage distance they would be covering a large area. The stations are 300 or 400 miles apart. I would say that in the interests of justice you must have people who know the language and who are not working through interpreters.

Q Do you think that the institution of a service such, for instance, as the Levant Interpretership which Consuls and Dragomans who go to Asia Minor have to pass examinations for, would be a good method, or the Chinese Consular Service examinations, by which you pass officials through a particular examination, and then they can be moved about from one place to another, and know not only one language group, but could be moved from one to another?

I think the difficulty there is that the language groups are so completely different. The Kikuyu language group and the Masai language group are so completely different. The Kikuyu group is as different from the Masai group as Greek is from German; and it would be a tremendous strain upon a Government Officer if he had to learn not only the Kikuyu group, but the various dialects within that group, and was liable to be moved at any minute into the Masai group; he would not have the time. I mean it is impracticable.

Q You would have to set up some organisation by which you could supply successors for those particular individuals?

A I think that is perfectly straightforward. You have within one language group a number of administrative officers who are working at the time, and they know who are on leave. It is

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the same principle that goes on to-day. The only point is that whereas you move them about, a man would not necessarily come back to the same station he was on before, but he would come back to the station within the language group. I must not go into details here, but I am prepared to show that it is a perfectly workable plan.

VISCOUNT MERSEY: I have only one question, Dr. Leakey; it is a hypothetical one. Supposing that matters were allowed to remain more or less as they are now; that is to say, the three Governors with the three nominated Councils and the occasional Governors' Conference on the services of customs, railways and telegraphs: do you think that there would be any discontent or any retarded progress either in the case of the Natives, the White Settlers or the other immigrant population?

A I am speaking at the moment for Kenya, but I think, unquestionably, if things were left exactly as they are in Kenya, the interests of the Natives would suffer badly; they are suffering badly. I mean, things have grown to such a point within the last five or six years especially that if things were left exactly as they are now, the Natives have grown so completely distrustful and so completely dissatisfied that, unless something were done to show that we really intend to play fair by them, there might be very serious trouble, rioting and rebellion, because they are completely dissatisfied over the whole of Kenya. We have done and said so much about how we are going to help them, and how we have their interests at heart, and we have actually carried out so little that I am certain you could not leave things just as they are as regards Kenya. I think Tanganyika and Uganda are both perfectly satisfied with the conditions they have got at present, and there is no terrific desire for a change there.

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Q From your knowledge, such as it is, you think that in the case of Tanganyika and Uganda things left as they are now to develop naturally along their normal lines would keep those Natives in an advancing state of prosperity and contentment ?

A I think so. I have travelled through Uganda quite a lot and Tanganyika quite a lot.

Q Then as regards the White population ?

A In Tanganyika I only know the group.

Q I was speaking more of Kenya.

A The Kenya population is not entirely satisfied, judging by what they say at public meetings and by what they say in the Press; but, after all, why should they be given exactly what they ask for any more than the Natives should be given exactly what they ask for ?

Q I do not want to make any imputations, but can you conceive a state of things in which the White population of Kenya would ever be completely satisfied ?

A I doubt it.

MR CRANWORTH: There are two questions I want to ask, Dr. Leakey.

The first is, do you know the other five tribal groups, or only the Kikuyu very well ?

A I know the Kikuyu best; but I have travelled in Masai and up through Kamissa, and I know their views; and I have been in fairly close touch with a number of Kavirondo. I know the Coast group least.

Q Assuming that you were the representative for the Kikuyu tribe, could you name four other people who would be fitted to represent the other four tribal groups ?

A I did so when I gave evidence last time. I do not know whether they would be willing to serve.

Q They would have to have an attorney when they went on leave or were sick ?

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A They would have to be found; somebody would probably have to be trained.

Q Do you think they exist?

A I think people could be found who could be trained to do it, yes.

Q The only other question I want to ask you is this: Would you say that the Provincial Commissioner and the District Commissioner in Kikuyu had as good chances to become acquainted with the natives as yourself or not?

A Certainly not, because they do not know the language; they have no opportunity to learn the language. How can they learn the language?

Q But they live there? A They live there. After all, learning a language to the average English person is not easy, especially a language like Kikuyu, which has got 57 tones in the active mood. Learning the language is not easy. There are one or two people who start at 18 or 19, or 23 or 24, who set themselves to it and can do so; but all those people who are now District Commissioners and Provincial Commissioners have served all over the country, part of the time in Masei, Mombasa, and the northern country, and have all been forced in the first six years of their service to pass examinations in Kiswahili. In the first six years they have got to get through three Kiswahili examinations. By the time they have passed those examinations they have reached a position in the service where their time is taken up by the ordinary administrative work of the district, by trying cases, and all sorts of extra work which gets put on to them in the way of answering letters, and so on. If you had stayed with a District Commissioner, you would know what a tremendous amount of work they have; they have not time to sit down and learn a language.

Q I cannot quite see why you say you are so much better qualified

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to speak for natives than people who have lived there all their lives, and whose duty it is to learn the language.

I was born and bred there in the Kikuyu country, and I spent all my life, up to 17, wandering about the Kikuyu country. Since then I have spent every spare minute I have had in the Kikuyu Reserve. I go into their huts and spend evenings in their huts, talking with them. No Government officer ever goes into a native hut in the evening; he would not go into it; it smells and it is smoky, and he could not do it.

Q And yet you say that 8 or 9 other people can be found who are similarly situated and have the knowledge that you have?

A There are people who could be found, and I gave their names here on the last occasion. Supposing the rule were made at once that in future Government officers were not to learn Kiswahili, which is an awful handicap, if you have learnt Kiswahili it is very hard to learn the other languages properly. If a Government officer when he went out again at 23 or 24, had to learn straight away either Kikuyu or the Kikuyu group, Masai or the Masai group, or Kavirondo and the Kavirondo group, and so on, he could in three or four years get to a point where he could speak it really well. Missionaries manage to do it, and Government officers could. Then they would be in the position to understand native law and custom by using Swahili as they do; they are simply not in a position to do so. What happens? I know one Government officer who refused to learn Swahili because he said "I am posted to the Masai country; I am going to learn Masai." He did so, and he speaks Masai exceedingly well. He is now disqualified from getting a rise in his salary because he has not passed the Swahili examinations. It is

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LORD LUGARD: Supposing that Closer Union between the three territories was considered impossible or inadvisable, do you think that it would be possible to have Closer Union between Uganda and Kenya only with the High Commissioner? A. I do not see why it should be impossible. I cannot see that it would be of any benefit to the natives of either territory.

Q It would provide some of the reasons why a High Commissioner was considered advisable by the Closer Union Report. They wished to have an arbitral authority and so on to decide questions where racial interests were diverted. You would still retain a High Commissioner without necessarily bringing in Tanganyika and the whole of the mandate question.

A I am not giving my own views now. I think that the natives of Kenya would regard even that with very, very great distrust, and certainly the natives of Uganda would. I think it would be an exceedingly inadvisable step, if we wish to retain the trust and the faith of the natives. They would regard it as a definite and deliberate step further to destroy their interests, although it might be really in their interests. It might be advisable in a few years' time, but it is not advisable now. We have allowed things to get to a point where anything of that sort would simply increase the already very great distrust of the natives.

LORD PHILLIMORE: Dr. Leakey, you have raised one additional spectre, and I think you might lay it for us. You have very distinctly stated that the number of half-castes is on the increase. I am extremely surprised at that information. Is there any census or estimated census by Government to show that that is the case? A. My statement that they were on the increase I think is qualified by saying that the reason was that the number of Europeans in the country had also increased.

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Still, you state it. Can you back that by any figures? I do not think there are any actual figures, but from what the natives say - and I hear the natives all over the country talking - and also from what I see in Nairobi of the numbers who are there and the numbers there were, they are on the increase.

Q Can you tell a half-caste who is a half-caste between Indian and native, from a European native half-caste.

A Very frequently, yes.

Q Infallibly? A. I should say yes, by physical features. I would not say absolutely infallibly, but very nearly so.

MR ORMSBY-GORE: On that, when I was in Nairobi I asked about how many half-castes there were in Nairobi, and they told me 30.

Do you think that is an under-estimate? A. A tremendous under-estimate.

MR ORMSBY-GORE: That was six years ago.

LORD LAMINGTON: I thought we had had evidence that a cross between a native and a European was infertile.

CHAIRMAN: Surely this is rather beyond our terms of reference.

Mr. Leakey, I think the Committee have fully questioned you and you have fully answered their questions. We are extremely grateful to you for the interesting evidence you have given. Your evidence has been mainly directed towards the interests of the native races. You have not dealt, and I do not think you claim to deal very much with the political implications of the White Paper on Closer Union; you have given us a very good insight from your intimate knowledge of what the native mind is thinking, and we thank you very sincerely for the trouble you have taken in informing the Committee.

The witness is directed to withdraw.

Ordered:-

That this Committee be adjourned.

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