

1921

E. AFRICA

4:03

REC'D
AUG 21

DATE

15TH AUGUST 1921

ADHAM, J. H.

SUBJECT

NATIVE LABOUR

Reports has consulted certain missionaries in confidence re outline of proposed policy. It goes far to meet difficulties and they are in agreement with its general spirit & intention. Submits comments.

Grindie
H. Lambert
H. Road
G. Fiddle
Wood
Churchill

S.A.C.A

(Dt. E. a 9 days)
19th August 1921
Cand 1509
Sept. 1921

Previous Paper

MINUTES

W of C
40879

Li H. Rend

Its herewith for comment
as result of today's
discussion

act
17.1.21

W Wood

See now tel. from Mr. Oldham
attached - a letter of 23.8.21

See also now for comment
This pertains to Kenya,
Uganda & Tanganyika
Setting forth the policy
approved - working out

14 May 21
14 May 21
5 Sept 21
14 Sept. acc'd
17 Mar 21
% Otago Kenya 1353
% Otago Uganda 555
Copy above sent to Dept. of Labour
Copy of Kenya sent to Mr. Wood 14.10.21
Tel. Mr. Wood 17.10.21

Subsequent Paper

4222
286.0
23

MINUTES.

local Gals. to take the necessary measures to give effect to the policy for the time - & to submit ~~proposals~~ for their consideration of the
 app. of amending Divⁿ -
 & also to send for this
 viz^t copies of any circulars
 wh. may be issued
 by the Govt. notifying
 the new policy -
 & add that the Govt. intended
 to publish the Disps^s
 as a Parliamentary
 Paper.

If the Disps^s go off before
 the 1st. of the month, all who
 at present have a copy
 of the same, Disps^s - & more
 want in the Library should
 be sent a copy of the
 Disps^s wh. goes to each
 of them.

Accd
 25.8.21

H. J. S.

25.8.21

Local Gato to take the necessary measures to give effect to the policy forthwith - & to submit ~~proposals~~ for prior consent of Supt. of amending Ord^s - & also to send for his ref^d copies of any circulars that may be issued by the Govt. regarding the new policy - & add that Supt. intended to publish the Disp^s as a Parliamentary Paper.

If the Disp^s go off before Mr. S. Mackay's death, all who at him have a copy of the Disp^s - & a new count for H. C. & J. D. should be sent a copy of the Disp^s which goes in order of priority.

Accd
25.8.21

H. J. L.

CONFERENCE OF MISSIONARY SOCIETIES
IN GREAT BRITAIN AND IRELAND.

EDINBURGH HOUSE,

2, BATH GATE, LONDON, S.W. 1

15th August, 1921.

Major the Hon. H.F.L. Wood, M.P.,
The Colonial Office,
London, S.W.

Dear Major Wood,

I have consulted in strict confidence Archdeacon Owen and the Rev. H.D. Hoopes of the Church Missionary Society in Kenya, Dr. Arthur of the Church of Scotland Mission and the Rev. J.N. Ogilvie, D.D., Convener of the Church of Scotland Foreign Mission Committee, who has recently visited East Africa.

The outline of policy which you showed me goes a very long way towards meeting our difficulties and with its general spirit and intention we are in complete agreement.

There are, however, two points in the statement on which we wish to comment and I should like to add a few words about one or two matters which lie beyond the immediate purpose of the statement, but which are closely related to the questions with which the statement deals.

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There are, however, two points in the statement on which we wish to comment and I should like to add a few words about one or two matters which lie beyond the immediate purpose of the statement, but which are closely related to the questions with which the statement deals.

1. It is stated that no objection has been raised to traditional unpaid labour by natives in the reserves and that no change will be made. We have not raised objection to compulsory labour with adequate safeguards for indispensable purposes of public utility, recognised as such by those who perform the labour, especially when such demands are in accordance with native tradition and custom. But the system is not one which it is desirable to retain if an alternative can be found, and it is one which is open to abuse.

In the memoranda by Dr. Arthur and the Rev. H.D. Hooper, furnished to Lord Milner at his request, some of the most serious abuses quoted were connected with unpaid labour in the reserves. I refer to the forcing out of women for work at a distance from their homes. We have received since a number of additional instances of this practice.

Archdeacon Owen tells me that in his view the exercise of these powers by the native chiefs lies at the root of many of the other difficulties in regard to labour. He and other missionaries whom I have consulted state that where the chiefs possess such

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such powers it is not easy to restrict or regulate their use and that demands are sometimes made in excess of the requirements of the ordinance.

The Native Labour Commission, 1912-13, in British East Africa, reported in regard to this unpaid labour in the reserves as follows:-

"98. The Commission is of opinion that this form of forced labour is wasteful, that work without pay is liable to create a distaste for work altogether, and that the results are of little general practical value.

99. It is therefore recommended that roads and other public works in Reserves should be constructed by labour ^{paid} at the market rate under the competent supervision by a technical Department."

(Report - p.333).

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Those whom I have consulted state that there is a growing resentment among the younger natives against the use of these powers by the chiefs.

We are aware that the withdrawal of these powers would involve considerable administrative changes and we recognise that it may ^{not} be possible to deal with the question immediately. ^{10/} But we do not regard the present state of things as satisfactory and are of opinion that in the attempt, which we hope will be made, to deal with the labour problem in East Africa in a comprehensive way, this is one of the matters which ^{10/} needs to be carefully inquired into.

2. In regard to labour for private employers we heartily welcome the statement that "Government officials should take no part in recruiting labour for private employers." But we fear that the qualifying words which immediately precede this statement - "beyond taking steps to put in touch with one another the employers of labour and the native who wishes to find employment" - may leave the door open for some of the evils to which attention has been directed in our previous memoranda. We recognise that as they stand the words in question seem entirely reasonable and that to take exception

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to them may seem captious. But the assignment to officers of Government of the duty of putting employers of labour and the natives in touch with one another has to be viewed in the light of actual conditions in East Africa, where officers of Government are inevitably subject to continual pressure to obtain labour for private employers. They ought in our view to be protected against this pressure by clear and unambiguous instructions that it is not part of their duty to assist in any way in recruiting labour for private employers.

In illustration of the difficulty I may quote an instance supplied to me by Archdeacon Owen. A District Commissioner issued last year to native recruiters from farms several hundred copies of a chit to the chief asking for his help in securing the necessary labour. The chit was regarded by the District Commissioner as little more than a letter of introduction. In practice, however, it led to undesirable pressure by the chiefs. As a result of letter by Archdeacon Owen a sentence was added to the chit to say that no force was to be used, but we have reason to know that in this form the letter has been declared by some of the settlers

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settlers concerned to be practically useless.

We have no wish to press this illustration unduly. But in view of the difficulty which natives have in distinguishing ^{between} the wish of an officer of Government and a definite order, we think that the only safe course is to keep officers of Government entirely clear of questions connected with recruiting. Conditions confronting the administration in Kenya are exceptionally difficult. The Government has to take account of three different racial groups, with their separate and sometimes conflicting interests. In these circumstances it would seem the first necessity of successful Government to place the impartiality and disinterestedness of Government officers beyond all question or challenge. Since it is proposed to go so far towards meeting our views in this matter, we hope it may be considered whether it is not possible to lay down without qualification or ambiguity that while every opportunity should be taken of inculcating habits of industry, whether inside or outside the reserves, it is no part of the duty of Government officials to take part in recruiting labour for private employers.

3. The third paragraph of the statement dealing with compulsory paid labour for Government

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seems to us entirely satisfactory. We do not question the necessity in present circumstances of the Government reserving the power to command labour to meet emergencies and the proposed safeguards that the works of a public nature for which compulsory labour is permissible should be clearly defined and that the sanction of the Secretary of State should be required for the exercise of compulsion beyond the provision of paid porters for Government servants on tour and for the transport of urgent Government stores, seem to us adequate. We assume that the statement at the beginning of this paragraph in your outline, it must be the declared policy of the Government to avoid recourse to compulsory native labour, unless this is absolutely necessary, will be embedded in some public declaration or in the Native Authority Ordinance itself. 288

4. While we regard the proposed policy, especially if it can be amended in the directions we have indicated, as satisfactory for the purpose of preventing abuses in connection with native labour, the consideration which we have given to the subject in recent months has convinced us that the immediate issues raised by the Labour Circular issued in October 1919, are really a part of a larger and more fundamental problem.

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problem. The danger of abuses arising out of the Circular in question was the occasion of the Memorandum submitted to Lord Milner, but the representations made in that Memorandum covered a considerably wider field.

In matters affecting native interests the fundamental question, as it appears to us, is whether the territories in East Africa are to be developed primarily in the interests of one of the three racial groups involved or, as far as may be, equally in the interests of all. We have no doubt on view of Lord Milner's speech in the House of Lords on May 13th of last year and of the speeches by Mr. Churchill and yourself in the recent debate in the House of Commons, that the latter is the policy of His Majesty's Government. But it is uncertain how far this is clearly understood even in official circles, since the report of the recent Economic Commission in Kenya Colony proceeds on different assumptions. In our view what is needed is, first, a clear determination of the ultimate aims of policy, and secondly, enquiry how far present administrative policy is in accord with those aims and how it can best be made the effective means

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means of their realization. In view of the extremely complicated, delicate and baffling nature of the problems in East Africa it seemed to us that these objects could best be secured by a Royal Commission. We are aware that it has been decided that this is not necessary at present. But there are two questions besides those dealt with in the statement on Native Labour submitted to us, which as it seems to us, need to be taken in hand without delay, not only on account of their inherent importance, but because a real solution of the labour problem, with which we are immediately concerned, can be found only if these other questions are dealt with at the same time.

The first is the question of native education. We have already expressed our views on this subject in previous memoranda (e.g. in paragraph 8 of my Memorandum on Native Affairs in East Africa, forwarded by the Archbishop of Canterbury on May 24th of this year. The point we wish to emphasise is that at present there is no adequate programme of native education, and that unless the natives are assisted to grow their own crops and are taught better methods

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methods of agriculture, the policy of developing the colony in the interests of all its inhabitants has little practical meaning. While the proposed new labour regulations will protect the natives from being forced to labour for private employers, no alternative means is provided for their acquiring habits of industry and becoming useful and productive members of society.

The second question which seems to us require attention is whether adequate provision is made at present for ascertaining native opinion on matters affecting native interests. There are in Kenya Colony three racial groups, all of whose interests have to be considered. At the root of many of the difficulties to which attention has recently been directed is the fact that while one of these groups, the white community, is fully articulate and has a powerful voice in the government of the country, it is very difficult for native opinion to find effective expression. Demands are being made at the present time that the Indian community should be given a larger voice in the government of the country. In connection with these proposals the position of the natives, who constitute

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by far the largest part of the inhabitants, cannot be overlooked. We are not proposing any radical measures, nor have we any practical suggestions to put forward at present. We are concerned only to call attention to the extreme importance of the subject and its bearing on all questions affecting the interests of the natives. In view of experience in other parts of the Empire it would seem to us wise to deal with these questions at an early rather than at a later stage and to lay down as soon as possible the lines of a policy designed to train the natives in habits of responsibility for the management of their own affairs and to secure for native opinion an adequate means of expression in regard to matters affecting their interests.

The main points in this letter have been brought to my attention for the most part quite independently by those whom I have consulted, and I think they may be taken as representing the considered view, not only of the missionaries whom I have named, but also of the Committee on whose behalf I am writing.

I hope that the fact that my letter has been

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concerned mainly with the two points in your statement in regard to which we should like some amendment and to questions which are not touched upon in the statement, will not obscure our very cordial recognition that the proposed policy substantially meets the views which we have put forward in regard to abuses connected with native labour, and may be expected to provide sufficiently against such abuses in the future. We are grateful for the sympathy with which our representations have been received, first by Lord Milner, and then by yourself, and appreciate warmly your courtesy and consideration in giving us an opportunity of submitting our views in regard to the action which it is proposed to take.

I am, etc.

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This is quite satisfactory
to proceed. & Mr. [unclear]
[unclear] to his [unclear].

- 1) [unclear] [unclear] [unclear]
 - 2) [unclear] [unclear] [unclear]
 - 3) [unclear] [unclear] [unclear]
- have his [unclear] [unclear] [unclear]
[unclear]

2 20.8
[unclear]

As to proceeding to Paul?
P.D. tell me what [unclear] is
difficultly: the fact that
the House is not sitting
does not prevent [unclear]

Recd
20.8.7

1. Copy of [unclear] [unclear]
sent to [unclear] [unclear]
for printing as
Paul. paper.

2. Copy sent S.O. to
[unclear] [unclear].

3. [unclear] [unclear]

Recd
27/8

This is quite satisfactory.
to proceed. - 8. 87. million to
by - to the oldham.

- 1) standing less etc.
- 2) being no side elevated
in road
- 3) being to be in road
near his land also because
at night.

Ex. 20-5.
above

As to proceeding to Paul.

P.D. tell me that there is no
difficulty: the fact that
the House is not sitting
does not prevent presentation

all
20-8-22

1. Copy of Murray's Dis.
sent to Mr Wilson
for printing as
Paul. paper.

2. Copy sent S-O. to
Mr L. Nathan.

3. All documents
all
27/9/22

1509

⊕

W. Wilson (P. D.) Lt 1043 21 29

1. Item in the disp. to Kenya wh. is to be published as a Parliamentary paper. Pl. See para 6 of despatch wh. will serve as authority to you for such publication.
2. The disp. ref: to in para 3 (iv) was published in Cond. 873 in August, 1920.
3. As a title I suggest:-

Despatch
to the
Office administering the Government
of
the Kenya Colony & Protectorate
relating to
Native Labour.

accf

Dr. Patterson

5.9.21

Proof here with (also a spare one). Please make any alterations if necessary on the

d 1509

⑥
104326
21
295

W. Wilson (P. D.)

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Dr. Paterson

Proof hereunto (also a spare one). Please make any alterations if necessary on the

copy attached.

I shall require for more
units for short delivery
publication.

F.H.
9/9/21

Mr. [unclear]
I have read this through - made one
or two punctuation amendments
? Now publish -
short delivery.

all
9.9.21

Mr. [unclear]

For authority to [unclear]

MS
1. 1. 21

92.3.21
above

Mr. [unclear]
Mr. Parkinson

This has now been published.

Please let me have $\frac{0}{21063}$ 2/11
to which these minutes should be
attached, which should be stamped
by [unclear]

F.H.
21/9/21

W. [unclear]

Mr. Parkinson
Paper now stamped
[unclear]

See
X 2/5

Mr. [unclear]

by attached.

I shall require for me
no? for short delivery to
publication.

J.W.
9/9/21

Mr. [unclear]

Have read this through - made one
or two punctuation amendments

Now publish -
short delivery.

all
9.9.21

Mr. [unclear]

For authority of [unclear]

M.S.
6.11.21

92.9.21
[unclear]

Mr. [unclear]
Parkinson

This has now been published.

and let me have $\frac{0}{4043}$ Ed.

check these minutes should be
checked, which should be stamped

J.W.
21/9/21

W. [unclear]

Mr. Parkinson
Paper now
responded
[unclear]

25th August, 1921.

296

Dear Mr. Oldham,

Thank you for your letter of the 23rd inst. confirming the telegram which you sent earlier in the day about native labour in East Africa.

I will see that the re-wording of paragraph 2(ii) of the memorandum is adopted in the despatches, as you prefer this alternative phrasing.

As regards the question of women working in the Reserves, I think there must be some misunderstanding, as the Native Authority Ordinance, 1912, under which the traditional unpaid labour in the Reserves is utilised, provides only for the able-bodied men to be called up. In order that there may be no misconception, a reference shall be made in the despatch to the Governor of Kenya, to the fact that such labour must be confined to males, as provided for in the Ordinance.

Yours very truly,

(Sgd) Edward Wood.

J. H. Oldham, Esq.

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Thank you for your letter of the 23rd inst. confirming the telegram which you sent earlier in the day about native labour in East Africa.

I will see that the re-wording of paragraph 2 (ii) of the memorandum is adopted in the despatches, as you prefer this alternative phrasing.

As regards the question of women working in the Reserves, I think there must be some misunderstanding, as the Native Authority Ordinance, 1912, under which the additional unpaid labour in the Reserves is utilised, provides only for the able-bodied men to be called up. In order that there may be no misconception, a reference shall be made in the despatch to the Governor of Kenya, to the fact that such labour must be confined to males, as provided for in the Ordinance.

Yours very truly,

(sgd) Edward Wood

H. Oldham, Recg.

15th August, 1921.

My dear Lord,

I sent you on the 19th of August, copies of correspondence with Mr. Oldham about native labour in East Africa.

I now send you copies of a further letter from Mr. Oldham on the subject and my reply, which you will no doubt like to see. I am very glad that it has been possible to arrive at a solution that promises to be generally acceptable to all interested.

Yrs very truly

(sgd) Edward Wood

THE ARCHBISHOP OF CANTERBURY.

15th August, 1921.

My dear Lord,

I sent you on the 19th of August, copies of correspondence with Mr. Oldham about native labour in East Africa.

I now send you copies of a further letter from Mr. Oldham on the subject and my reply, which you will no doubt like to see. I am very glad that it has been possible to arrive at a solution that promises to be generally acceptable to all interested.

Yrs very truly

(sgd) Edward Wood

ARCHBISHOP OF CANTERBURY.

25th August, 1921.

My dear Coryndon,

I am now sending you, to complete your record, a copy of Mr. Oldham's reply to my letter of the 19th of August about native labour in East Africa and my answer to his letter.

I think you will agree that we have reached a satisfactory solution of this question, in which we may hope to have the Missionary Societies and their friends with us instead against us, and I should like again to say how grateful I am to you for your help in this matter.

Yours very truly,

(sgd) Edward Wood.

HART CORYNDON, K.C.M.G..

15th August, 1921.

My dear Northey,

I am now sending you, to complete your record, a copy of Mr. Oldham's reply to my letter of the 19th of August about native labour in East Africa and my answer to his letter.

I think you will agree that we have reached a satisfactory solution of this question, in which we may hope to have the Missionary Societies and their friends with us instead of against us, and I should like to say how grateful I am to you for your help in this matter.

Yours very truly,

(sgd) Edward Wood

GENERAL,

NORTHEY, K.C.M.G., C.B.

of 10/10/3 Kenya

Minutes

DRAFT

Minutes of the 23rd
Meeting

Proceedings by
Kenya

MINUTE.

Dear Mr. Oldham,

- Mr. Parkman 2/1/3
- Mr. Nelson 25
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. Wood. 15/7/3
- Mr. Churchill.

Thank you for your letter
of the 23rd confirming the
Telegram wh. you sent
under on the day
about native labour
in E. Africa.

I will see that
the wording of para
2 (ii) of the
memorandum is
adopted in the
minutes, as you

Yours truly
for
D. [unclear]

Of Nov 3 Kenya

DRAFT

Private

Minutes of the Council
Registration

Woodhouse Esq
Kenya

25th August

MINUTE.

Dear Mr Woodhouse,

Mr. Parkman 2/2/24

Mr. Batters 25

Mr.

Mr. G. H.

Mr. H. J.

Mr. H. S.

Mr. G. F.

Mr. Wood. E.S.

Mr. Churchill

enc. to Mr
Batters for
Mr. Batters

Thank you for your letter
of the 23rd confirming the
telegram wh. you sent
yesterday on this day
about the late Labour
in E. Africa.

I will see that
the wording of para
2 (ii) of the
memorandum is
corrected in the
minutes, as you

prepare the alternative plan only

As regards the question of labour work
done in the Reserves, I think there
must be some misunderstanding, as
the hitherto existing Ord. 412, under
which the traditional unpaid labour
in the Reserves is utilized,
provides only for the additional
men to be called up. But

in view that there may be no
misconception, a copy shall be
made in the Dispatch to the fact
that such labour ^{must be} compared to
what ^{is provided for in} the Ord. ~~is~~
~~if some provision is supplied to~~
~~perform such labour, the practice~~
~~must be~~

Yours very truly
Edward Wood

Example for the work's representation

DRAFT.

~~Mr. [Name]~~ the Archbishop
of Canterbury

MINUTE.

Mr. [Name]	by hand	25 th August
Mr. [Name]	1 sent you in the	
Mr. [Name]	17 th of Aug. copies of	
Mr. [Name]	conseq. with the	
Mr. [Name]	old man about	
Mr. [Name]	native labour in	
Mr. [Name]	of the	
Mr. [Name]	I now send	
Mr. [Name]	Yours	

25th Oct 1914
No letter
off [Name]

prepare this abovementioned planning

In regard to the question of women work
labour in the Reserves, I think there
must be some misunderstanding, as
the Native Authority Ord. No. 412, under
which the traditional unpaid labour
in the Reserves is abolished,
provides only for the able-bodied
women to be called up. But
in view that there may be no
misconception, a copy shall be
made in the Dispatch to the fact
that such labour ^{must be} comprised to
males ^{as provided for in} the Ord. ~~that~~
~~of women for the purpose of~~
~~preparing such labour, the practice~~
~~must be~~

Yours very truly

(Sd) Edward Wood.

Special for the Wood's Department

DRAFT.

~~Mr. Wood~~ Mr. the Archbishop
the General Secretary

MINUTE

Mr. Parkinson says

Mr. Ballantine 25

Mr. G. G. G.

Mr. G. G. G.

Mr. G. G. G.

Mr. G. G. G.

Mr. Wood

Mr. Churchill

Mr. Wood 23/7/24

To the
off

by me 25th Aug 1924

I send you in the
15th of Aug. copies of
corresp. with Mr.
Oldham about
native labour in
Papua.

I now send
you

answer to his letter.

I think you will
agree that we have
reached a satisfactory
resolution of this question
in which we may hope to
have the Missionary
Societies & their friends
with us instead of

opposit us and that the
affair being now settled I am to write to help
the matter. Yours very truly

(34) Edward Wood

answer to his letter.

I think you will
agree that we have
reached a satisfactory
resolution of this question
in wh. we may hope to
have the Missionary
Societies & their friends
with us instead of

opposed us and I shall be
glad to see you in London & to see the V. Secy
of the Missionary Societies very truly

(yours) Edward Wood

answer to his letter.

I think you will be
glad that we have
reached a satisfactory
solution of this question
in which we may hope to
have the Missionary
Societies & their friends
with us instead of

opposit us. and that we
again try to get the same to be
the better. Yours very truly

(24) Edward Wood

I am

Yours very truly

JH Oldham

Wm. P.

Aug. 21, 1895

Dear Major Wood,

32

Your letter of the 19th inst. has been forwarded to me here. I am much obliged to you for explaining to me so fully your views.

I have telegraphed today to say that we should greatly prefer the proposed wording of paragraph 2 (ii). To this proposition I do not think that any objection can legitimately be taken.

I am
Yours very truly

JH Oldham

Dear Major Wood

Aug. 21/12
30

Your letter of the
19th inst. has been forwarded
to me here. I am much obliged
to you for explaining to me so fully
your views.

I have telegraphed today to say
that we should greatly prefer the
proposed wording of paragraph
2 (ii). To this proposal I do not
think that any exception
can be made.

I am

Yours very truly

J. H. Oldham

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19th inst. has been forwarded
to me here. I am much obliged
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your views.

I have telegraphed today to say
that we should greatly prefer the
proposed wording of paragraph
2 (ii). To this proposal I do not
think that any exception can
legitimately be taken.

in regard to traditional unpaid
labour in the Reserves. But we
desire to call attention to
certain aspects of it which have
a bearing on the general question
of the future development of the
Native population. What we should
like to see done at once would
be the prohibition of the labour
of women involving absence from
home at night. If I recollect
rightly - I have no papers with
me - the second labour circular

expresses the impression is that it refers only
to labour for private employers.
If the prohibition could be made
applicable also to the unpaid
labour in the Reserves it would
put an end to grave and apparently
not infrequent abuses.
We are entirely satisfied
with the main lines of the
proposed policy, and we feel
that our views have received
the most generous consideration

By

This Form must accompany any inquiry respecting this Telegram

To

Prefix Handed
In at

Office of Origin and Service Instructions

Words

Received
here at

S. 2/13 PM KINGUSSIE 38 =

3-31-1914

21
S.V

MAJOR WOOD COLONIAL OFFICE DOWNING ST LDN =

YOUR LETTER OF AUGUST NINETEENTH REGARDING EAST AFRICA RECEIVED

WOULD GREATLY PREFER PROPOSED NEW WORDING OF PARAGRAPH TWO AS FREE

FROM ALL OBJECTION PLEASE ACCEPT CORDIAL THANKS FOR GENEROUS

CONSIDERATION = OLDHAM

304



TELEGRAMS

To

By

This Form must accompany any inquiry respecting this Telegram

By

Prefix Handed
in at

Office of Origin and Service Instructions

Words

Received
here #

21
S.V

S. 2/13 PM KINGUSSIE 38 =

3-31

MAJOR WOOD COLONIAL OFFICE DOWNING ST LDN =

YOUR LETTER OF AUGUST NINETEENTH REGARDING EAST AFRICA RECEIVED

WOULD GREATLY PREFER PROPOSED NEW WORDING OF PARAGRAPH TWO AS FREE

FROM ALL OBJECTION PLEASE ACCEPT CORDIAL THANKS FOR GENEROUS

CONSIDERATION = OLDBHAM

304

Dear Wood

The Archbishop has just left
Lambeth for a few weeks holiday in

Scotland. This is to thank you for

Your letter of 19th inst (int received)

containing copies of two letters to

Mr Ottham. I am sending them on to the

Grace.

Yours sincerely

G. K. A. Bell

Dear Wood

The Archbishop has just left
Lambeth for a few weeks holiday in
Scotland. This is to thank you for

Your letter of 19th inst. (just received)

containing copies of two letters to

Mr. Otthman. I am sending them on to his

Yours.

Yours sincerely

G. K. A. Bell

Retiree.

Spine Case

306

Para 1. Lot of amendments of the past are general
statements of principles of no compulsion first
of close administration
safeguards.

Para 2. ? Amplify illustrations re private security
in some instances.
see conclusion of Para 2

Para 3. no comment

Para 4. Labor Education.

16th August, 1921.

Dear Mr. Oldham,

My thanks for your letter of the 15th about the East African labour question. The points you raise will be very carefully gone into, and I hope to be in a position to let you have our considered reply in the course of the next few days.

Yours very truly,

(sgd) Edward Wood.

J. H. Oldham, Esq.

16th August, 1921.

Dear Mr. Oldham,

Many thanks for your letter of the 15th about the East African labour question. The points you raise will be very carefully gone into, and I hope to be in a position to let you have our considered reply in the course of the next few days.

Yours very truly,

(sgd) Edward Wood.

J. H. Oldham, Esq.

CONFERENCE OF MISSIONARY SOCIETIES IN GREAT BRITAIN AND IRELAND

STANDING COMMITTEE

Rev. C. E. WILSON, D.D.
The Bishop of Winchester

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41043

16 AUG 21

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Rev. GEORGE THOMPSON, D.D.

EDINBURGH HOUSE

2, EATON GATE, LONDON, S.W. 1
(Two minutes from Victoria Square Station)

15th August, 1921.

Major the Hon. E. P. L. Wood, M.P.
The Colonial Office,
London S.W.

Dear Major Wood,

I have consulted ^{in strict confidence} Archdeacon Owen, the
Rev. H. D. Hooper of the Church Missionary Society
in Kenya, Dr. Arthur of the Church of Scotland
Mission and the Rev. J. N. Ogilvie, D.D., Convener
of the Church of Scotland Foreign Missions Committee,
who has recently visited East Africa.

The outline of policy which you showed
me goes a very long way towards meeting our difficulties
and with its general spirit and intention we are
in/

Major the Hon. E.F.L. Wood

in complete agreement.

There are, however, two points in the statement on which we wish to comment and I should like to add a few words about one or two matters which lie beyond the immediate purpose of the statement, but which are closely related to the questions with which the statement deals.

1. It is stated that no objection has been raised to traditional unpaid labour by natives in the reserves and that no change will be made. We have not raised objection to compulsory labour with adequate safeguards for indispensable purposes of public utility, recognised as such by those who perform the labour, especially when such demands are in accordance with native tradition and custom. But the system is not one which it is desirable to retain if an alternative can be found, and it is one which is open to abuse.

In the memoranda by Dr. Arthur and the

Rev./

Major the Hon. E.F.L. Wood

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In the memoranda by Dr. Arthur and the

Rev./

- 3 -

Major the Hon. H.P.L. Wood

Rev. H. D. Hooper, furnished to Lord Milner at his request, some of the most serious abuses quoted were connected with unpaid labour in the reserves. I refer to the forcing out of women for work at a distance from their homes. We have received since a number of additional instances of this practice.

Archdeacon Owen tells me that in his view the exercise of these powers by the native chiefs lies at the root of many of the other difficulties in regard to labour. He and other missionaries whom I have consulted state that where the chiefs possess such powers it is not easy to restrict or regulate their use and that demands are sometimes made in excess of the requirements of the ordinance.

The Native Labour Commission, 1912-13, in British East Africa, reported in regard to this unpaid labour in the reserves as follows:

"98. The Commission is of opinion that this form of forced labour is wasteful, that work without pay is liable to create a distaste for work altogether, and that the results are of little general practical value.

99. It is therefore recommended that roads and other public works in Reserves should be/

Major the Hon. E. F. L. Wood

be constructed by labour paid at the market rate under the competent supervision by a technical Department."

(Report - p. 333)

Those whom I have consulted state that there is a growing resentment among the younger natives against the use of these powers by the chiefs.

We are aware that the withdrawal of these powers would involve considerable administrative changes and we recognise that it may not be possible to deal with the question immediately. But we do not regard the present state of things as satisfactory and are of opinion that in the attempt, which we hope will be made, to deal with the labour problem in East Africa in a comprehensive way, this is one of the matters which needs to be carefully inquired into.

2. In regard to labour for private employers we heartily welcome the statement that "Government officials should take no part in recruiting labour for private employers." But we fear that the qualifying words/

Major the Hon. E.F.H. Wood

be constructed by labour paid at the market rate under the competent supervision by a technical Department."
(Report - p.333)

withy

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✓
for
q/n

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- 4 -

Major the Hon. E. F. L. Wood

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(Report - p.323)

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- 5 -

Major the Hon. R. F. L. Wood

words which immediately precede this statement - "beyond taking steps to put in touch with one another the employers of labour and the natives who wishes to find employment" - may leave the door open to some of the evils to which attention has been directed in our previous memoranda. We recognise that as they stand the words in question seem entirely reasonable and that to take exception to them may seem captious. But the assignment to officers of Government of the duty of putting employers of labour and the natives in touch with one another has to be viewed in the light of actual conditions in East Africa, where officers of Government are inevitably subject to continual pressure to obtain labour for private employers. They ought in our view to be protected against this pressure by clear and unambiguous instructions that it is not part of their duty to assist in any way in recruiting labour for private employers.

In illustration of the difficulty I may quote/

Major the Hon. N.F.L. Wood

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Major the Hon. R.F.L. Wood

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In illustration of the difficulty I may quote/

Major the Hon. E.F.L. Wood

quote an instance supplied to me by Archdeacon Owen. A District Commissioner issued last year to native recruiters from farms several hundred copies of a chit to the chief asking for his help in securing the necessary labour. The chit was regarded by ^{District} Native Commissioner as little more than a letter of introduction. In practice, however, it led to undesirable pressure by the chiefs. As a result of letter by Archdeacon Owen a sentence was added to the chit to say that no force was to be used, but we have reason to know that in this form the letter has been declared by some of the settlers concerned to be practically useless.

We have no wish to press this illustration unduly. But in view of the difficulty which natives have in distinguishing between the wish of an officer of Government and a definite order, we think that the only safe course is to keep officers of Government entirely clear of questions connected with recruiting. Conditions confronting the administration in Kenya are exceptionally/

I think
 it tells
 well
 the
 policy
 is
 in
 play
 in
 the
 field

Major the Hon. E.F.L. Wood

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We have no wish to press this illustration unduly. But in view of the difficulty which natives have in distinguishing between the wish of an officer of Government and a definite order, we think that the only safe course is to keep officers of Government entirely clear of questions connected with recruiting. Conditions confronting the administration in Kenya are exceptionally/

- 7 -

Major the Honl E.F.L. Wood

exceptionally difficult. The Government has to take account of three different racial groups, with their separate and sometimes conflicting interests. In these circumstances it would seem the first necessity of successful Government to place the impartiality and disinterestedness of Government officers beyond all question or challenge. Since it is proposed to go so far towards meeting our views in this matter, we hope it may be considered whether it is not possible to lay down without qualification or ambiguity that while every opportunity should be taken of inculcating habits of industry, whether inside or outside the reserves, it is no part of the duty of Government officials to take part in recruiting labour for private employers.

3. The third paragraph of the statement dealing with compulsory paid labour for Government seems to us entirely satisfactory. We do not question the necessity in present circumstances of the Government reserving the power to command labour to meet emergencies, and the proposed safeguards that the works of a public nature/

Major the Hon. E.F.L. Wood

nature for which compulsory labour is permissible should be clearly defined and that the sanction of the Secretary of State should be required for the exercise of compulsion beyond the provision of paid porters for Government servants on tour and for the transport of urgent Government stores, seem to us adequate. We assume that the statement at the beginning of this paragraph ^{in your outline,} that it must be the declared policy of the Government to avoid recourse to compulsory native labour, unless this is absolutely necessary, will be embodied in some public declaration or in the Native Authority Ordinance itself.

4. While we regard the proposed policy, especially if it can be amended in the directions we have indicated, as satisfactory for the purpose of preventing abuses in connection with native labour, the consideration which we have given to the subject in recent months has convinced us that the immediate issues raised by the Labour Circular issued in October, 1919, are really a part of a larger and more fundamental problem/

- 8 -

Major the Hon. E.F.L. Wood

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Major the Hon. E.F.L. Wood

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Major the Hon. E.F.L. Wood

problem. The danger of abuses arising out of the Circular in question was the occasion of the Memorandum submitted to Lord Milner, but the representations made in that Memorandum covered a considerably wider field.

In matters affecting native interests the fundamental question, as it appears to us, is whether the territories in East Africa are to be developed primarily in the interests of one of the three racial groups involved or, as far as may be, equally in the interests of all. We have no doubt in view of Lord Milner's speech in the House of Lords on May 13th of last year and of the speeches by Mr. Churchill and yourself in the recent debate in the House of Commons, that the latter is the policy of His Majesty's Government. But it is uncertain how far this is clearly understood even in official circles, since the report of the recent Economic Commission in Kenya Colony proceeds on different assumptions. In our view what is needed is, first, a clear determination of the ultimate aims of policy, and, secondly, enquiry how far present administrative policy is in accord with those aims and how it can best be made the effective means/

Major The Hon. E.F.L. Wood

means of their realisation. In view of the extremely complicated, delicate and baffling nature of the problems in East Africa it seemed to us that these objects could best be secured by a Royal Commission. We are aware that it has been decided that this is necessary at present. But there are two questions besides these dealt with in the statement on Native Labour submitted to us, which as it seems to us, need to be taken in hand without delay, not only on account of their inherent importance, but because a real solution of the labour problem, with which we are immediately concerned, can be found only if these other questions are dealt with at the same time.

The first is the question of native education. We have already expressed our views on this subject in previous memoranda (e.g. in paragraph 8 of my Memorandum on Native Affairs in East Africa, forwarded by the Archbishop of Canterbury on May 24th of this year). The point we wish to emphasise is that at present there is no adequate programme of native education, and that unless the natives are assisted to grow their own crops and ^{are} taught better

methods

*of native
industry
to be
done
with
the
aid
of
the
State
to
enable
the
natives
to
earn
money*

Major the Hon. E.F.L. Wood

methods of agriculture, the policy of developing the colony in the interests of all its inhabitants has little practical meaning. While the proposed new labour regulations will protect the natives from being forced to labour for private employers, no alternative means is provided for their acquiring habits of industry and becoming useful and productive members of society.

The second question which seems to us to require attention is whether adequate provision is made at present for ascertaining native opinion on matters affecting native interests. There are in Kenya Colony three racial groups, all of whose interests have to be considered. At the root of many of the difficulties to which attention has recently been directed is the fact that while one of these groups, the white community, is fully articulate and has a powerful voice in the government of the country it is very difficult for native opinion to find effective expression. Demands are being made at the present time that the Indian community should be given a larger voice in the government of the country. In connection with their proposals the position of the natives will constitute

Major the Hon. E.F.L. Wood

stitute by far the largest part of the inhabitants, cannot be overlooked. We are not proposing any radical measures, nor have we any practical suggestions to put forward at present. We are concerned only to call attention to the extreme importance of the subject and its bearing on all questions affecting the interests of the natives. In view of experience in other parts of the Empire it would seem to us wise to deal with these questions at an early rather than at a later stage and to lay down as soon as possible the lines of a policy designed to train the natives in habits of responsibility for the management of their own affairs and to secure for native opinion an adequate means of expression in regard to matters affecting their interests.

The main points in this letter have been brought to my attention for the most part quite independently by those whom I have consulted, and I think they may be taken as representing the considered view, not only of the missionaries whom I have named, but also of the Committee on whose behalf I am writing.

I hope that the fact that my letter has been/

Major the Hon. E.F.L. Wood

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Major the Hon. R.F.L. Wood

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I hope that the fact that my letter has been/

Major the Hon. E. F. L. Wood

been concerned mainly with the two points in your statement in regard to which we should like some amendment and to questions which are not touched upon in the statement, will not obscure our very cordial recognition that the proposed policy substantially meets the views which we have put forward in regard to abuses connected with native labour, and may be expected to provide sufficiently against such abuses in the future. We are grateful for the sympathy with which our representations have been received, first by Lord Milner, and then by yourself, and appreciate warmly your courtesy and consideration in giving us an opportunity of submitting our views in regard to the action which it is proposed to take.

I am,

Yours very truly,

J. H. C. Allen

July

For Mr. Wood's signature.

DRAFT.

GENERAL
E. NORTHEY, K.C.M.G., C.E.,

of CORYNDON, K.C.M.G.,

Downing Street,

11 August, 1921

MINUTE.

For Mr. Wood's signature
Said them about 7
both letters to
Oldham
SW

Mr. Parkinson. 17.8.21.

Mr.

Mr.

~~Mr. G. ...~~

~~Mr. H. ...~~

Mr H. Road. 17/8

~~Mr. G. ...~~

Mr. Wood. 17/8

Mr. Churchill.

to J. ...

Oldham

NA

I enclose a copy
of ^{the} correspondence with Mr. Oldham
about native labour in East
Africa.

Of course, you will
treat this correspondence
as confidential; but I think
it would be convenient that
you should have a copy in your
possession.

I am also sending a
copy to ~~Mr. H. ...~~
Sir Edward Northey.
no truly
(sd) Edward Wood

For Mr. Wood's signature

Handwritten signature
one side only

DOWNING STREET,
19 August, 1921.

DRAFT.

PRIVATE.

H. OLDHAM, ESQ.

Dear Mr. Oldham,

I have now carefully considered your letter of the 15th August, and I have had an opportunity of discussing it with Sir Edward Northey and Sir Robert Coryndon who, as you know, are both in this country.

Mr. Churchill is very glad to learn that the draft proposals which I shewed to the Archbishop and yourself in regard to native labour in East Africa, and which you have now examined, so largely meet the views which you represent.

As regards the traditional unpaid labour by natives in the Reserves, which is the first point raised in your letter, I must say at once that I do not think in present circumstances we can contemplate its abolition.

In character and history this form of labour, both in Kenya and in Uganda, has been entirely distinct from the general compulsory labour for Government. In Kenya it

has

MINUTE.

- Mr. Wood
- Mr. Churchill
- Mr. Northey
- Mr. Coryndon
- Mr. Oldham
- Mr. Wood
- Mr. Churchill

18. 7. 21

*Copy to Sir E. Northey
R. Coryndon
Archbishop of Canterbury*

life for consen.

has been in force for many years; in Uganda too the system goes right back to the earliest days, it is thoroughly understood by the natives, and, so far as my information goes, has worked well in practice.

Moreover, as far as principle is concerned, I know from private sources that the Bishop of Zanzibar who has taken so prominent a part in the discussions on native labour, does not object to the system under which each local Chief and his people have to maintain the native roads etc. in the area over which the Chief has jurisdiction. I am satisfied that it is not practicable to deal now with this traditional labour on the same lines as it is proposed to deal with the compulsory labour for Government, for which provision is made in the Native Authority Amendment Ordinance, 1920. But both Sir Edward Northey and Sir Robert Coryndon assure me that they will take whatever steps may be necessary, by administrative regulation, to check any abuses of this form of labour that may exist, if these are brought to their notice. I am quite sure that you may rely upon them to do so. I would like to say here that Sir Edward Northey has found considerable difficulty in Kenya, when trying to deal with these difficult labour problems, owing to the fact that while complaints are made to him in general terms, he can very seldom obtain definite information with names and places. It is consequently impossible for him to go into the alleged cases of abuse, as he would only be too glad to do if he could be supplied with proper data. There may have been excellent reasons, e.g. he is sometimes told that to give the information would involve a breach of confidence, but it is evident that he cannot be expected to deal with charges that

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for

for whatever cause, ^{not} are brought before him in precise form.

With regard to the labour for private employers, you recognize that the statement of policy, as worded, seems entirely reasonable, but you fear that if there are qualifying words to the effect that the Government officials may take steps to put in touch with one another the employers of labour and the native who wishes to find employment, this may lead to abuse. But is this fear really justified? I can give you an assurance that the Governors will gladly investigate any specific case of abuse which is brought to their notice, and they will take the necessary measures to put an end to action which is not in accordance with the intentions of the Government. It must be remembered that it is no less in the interests of the natives than of the employers that the natives wishing to work should be able to obtain information through a reliable official as to where labour is required; and personally, I think that the Government is right in doing what it can to let the employer and employee know the wants of each other, provided always that, simultaneously, the intention of the Government to check any tendency on the part of the official to act as a recruiter of labour is clearly stated. If, however, you would prefer in order to avoid

As per

avoid the possibility of any misconception,
that the wording ^{you would prefer} should be amended, Mr.

Churchill would be willing to vary the statement in paragraph 2 (ii) by substituting the words "to place at the disposal of natives any information which they may possess as to where labour is required or at the disposal of employers information as to sources of labour available for voluntary recruitment" for the words "to put in touch employer". In any event, it is proposed to make the direction quite definite by substituting the word "will" for the word "should" in the last line but one.

As regards the other matters raised in your letter, I entirely agree that they are of the highest importance; and Sir Edward Northey and Sir Robert Coryndon are both alive to the necessity of keeping in close touch with native opinion, while the more money they can spare for native education, the better pleased they will be.

Mr. Churchill now proposes to send an official despatch to the Governor of Kenya laying down the policy to be followed in regard to native labour. The same policy will, of course, apply to the neighbouring dependencies of Uganda and Zanzibar mutatis mutandis. This despatch will be published as a parliamentary paper, and I shall be pleased to send you a copy when it is published. But before the draft of the despatch is prepared, I will wait to hear from you whether you attach importance to the suggested rewording of paragraph 2 (ii) with regard to Government officials supplying information to employers and to natives seeking employment.

Yrs very truly,

(Sgd) Edward Wood.

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to Government officials supplying information to
employers and to natives seeking employment.

Yrs very truly,
(Sgd) Edward Wood.

For Mr. Wood's signature.

Private.

Recd. attached

*July 9th 4c
low mid 1921*

DRAFT.

Downing Street.

OHAM, ESQ.,

17th August, 1921.

MINUTE.

Dear Mr. Oldham.

I am sending you a full report to your letter of the 15th August about native labour in East Africa. But there is just one other point, which I could not very well touch upon in that letter.

I think that we have now arrived at a policy in regard to native labour, which is generally acceptable to all concerned; and what I want you to appreciate is that both Sir Edward Northey and Sir Robert Coryndon have really helped in this matter. In your letter you refer to the sympathetic consideration given to your representations by the Colonial Office; but Sir Edward Northey and Sir Robert Coryndon are just as much deserving of your thanks, as without their assistance we should not have been likely to be in a position to

- Mr. Parkin 17/8/21
- Mr. Wood 18/8/21
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...
- Mr. ...

*14 Aug 21
R
Copy to E. Northey
R. Coryndon
Archibald G. ...*

for consideration.

put before you the proposals that we have.

There is, I fear, a tendency in this country for many of the persons interested in native questions to get the idea that our Governors and officials in Africa are "slave drivers". It is not true, as you yourself know; but the Governors feel rather hurt at this misconception. If there is anyone who is out to look after the native interests in Kenya, it is Sir Edward Northey; and the same applies equally in Uganda to Sir Robert Coryndon.

I am most grateful to you for your help in this matter.

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CONFERENCE OF MISSIONARY SOCIETIES IN GREAT BRITAIN AND IRELAND

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- Secretaries
J. H. OLDFIELD
NEVILL MACLENNAN
- Departmental Secretary
(Literature)
Miss G. A. GULLOCK

EDINBURGH HOUSE,

2, EATON GATE, LONDON, S.W. 1.

(Two minutes from Sloane Square Station).

2nd September, 1921.

Private

Major the Hon. E. F. L. Wood, M.C.
The Colonial Office,
S.W.1.

Dear Major Wood,

Your shorter letter, dated August 19th with reference to the letter given by Sir Edward Northey and Mr. George Bryndley was not sent on to me in London, as I was able to see the correspondence could not be posted in time to catch the Scottish mail.

I write now to acknowledge it, but by any chance you should think that the absence of any reference to this matter in my letters indicated some reserve on/

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 MRS. W. MACLENNAN
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 (Two minutes from Sloane Square Station)

2nd September, 1921.

Private

Major the Hon. E. F. L. Wood, M.P.
 The Colonial Office,
 S.W.1.

Dear Major Wood,

Your letter dated 19th Sept 1921 with reference to the article by Mr. Edward Northey and Mr. Robert Brydner, was duly forwarded to Sir Frank, as you will be of the opinion that it should be copied in time to catch the Scottish press.

I write now to acknowledge it, and by any chance you should think that the absence of any reference to this matter in my letter, indicates some reserve on/

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Rev. C. E. WILSON.
The Bishop of Winchester.

Hon. Treasurer
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J. H. OLDMAN.
HELEN MACLENNAN.

Departmental Secretary
(Literature)
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I write now to acknowledge it, lest by any chance you should think that the absence of any reference to this matter in my letters indicated some reserve

on/

Major the Hon. E.F.L. Wood

on my part on the subject. This is not at all the case. I am very ready to believe what you tell me of the sympathetic attitude of the Governors of Kenya and Uganda. As you know, I have done my best to avoid saying or writing anything which might appear to be a criticism of Sir Edward Northey. I have never felt that there was any ground for attacking him personally and I have been sensible of the enormous difficulties of the questions with which he has had to deal. The difficulties have all along seemed to me inherent in the situation and to be among the most baffling with which statesmanship can be called to deal. I feel the greatest sympathy with those who have to undertake this responsible task on behalf of the empire. During the past two months I have met personally several District Officers from East Africa and contact with them has led me to conceive a great admiration for the type of men who are engaged in administering our African colonies.

Please do not trouble to reply to this letter.

My/

- 2 -

Major the Hon. E.F.L. Wood

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Please do not trouble to reply to this letter.

My/

- 3 -

Major the Hon. E. F. L. Wood

My only reason for writing is to prevent any misconception arising through my omission to acknowledge this letter when I wrote in reply to the other.

I am,

Yours very truly,

J. H. Bell

reason to think will remove the objections entertained. I must say at once that in taking this action, I am in no way actuated by distrust of the motives of your Government or the aims of the Administration generally. Nor do I attach ~~an~~ importance to the ill-informed allegations, which are sometimes made, that the Government is ~~exploiting~~ the natives either for Government work or in regard to private employment, as I know that this is entirely alien to the spirit of the Administration as a whole, and that Sir Edward Northey would not countenance any such action. ~~But~~ I feel sure that your Government will agree that if it is practicable to modify any features in the native labour policy of the Colony which may afford a ground for criticism against the Government, it is in the interests of all concerned to effect such modifications; and I know that Sir Edward Northey himself shares this view of the matter.

3. For the purpose of this despatch it will be convenient to deal separately with the three main aspects of the question:-

(i) Traditional unpaid labour by natives in a Reserve for the benefit of the Reserve.

Under Section 7 of the Native Authority Ordinance, 1912, any Headman may from time to time issue orders to be obeyed by natives residing within the local limits of his jurisdiction for certain purposes. Under Subsection (h) of that Section, the able-bodied ~~men~~ may be required to work

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*On the other
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work in the making or maintaining of any water course or other work constructed or to be constructed or maintained for the benefit of the community to which such able-bodied men belong, provided that no person shall be ordered or required to work in this way for more than six days in any quarter.

This form of labour which is traditional among natives in East Africa, is not, in my opinion, open to criticism, provided that the limitations imposed by the Ordinance are strictly observed; and I do not propose that any alteration should be made. Sir Edward Northey has assured me that he will take all necessary steps, by administrative regulation; to check abuses that may be brought to his notice, and he will ^{that} at once enquire into any specific cases of infringement or alleged infringement of the Ordinance to which his attention is directed. In this connection I may observe that it is ~~absolutely~~ impossible for vague complaints of a general nature to be dealt with, and I trust therefore that anyone who ~~endeavours to assist the Government in suppressing this form of labour~~ will not hesitate to supply the fullest information in order that adequate investigation may be made.

labour is confined
rules and that the other

to bring any
to the notice

(11) Voluntary labour for private employers

employers.

The principle that Administrative Officers and Native Chiefs should take every opportunity of inculcating among the natives habits of industry either inside or outside the Reserves is ^{obviously} clearly right, and ^{not then} ~~is a principle to be made generally known~~. But beyond taking steps to place at the disposal of natives any information which they may possess as to where labour is required and at the disposal of employers information as to sources of labour available for voluntary recruitment, the Government officials will in future take no part in recruiting labour for private employment.

This decision, will, I think, ease the position of the Government officials, whose duties in this connection will be thus clearly defined.

(iii) Compulsory paid labour for Government.

Under the Native Authority (Amendment) Ordinance 1920, provision was made for Headmen to issue orders to be obeyed by natives residing within the limits of their local jurisdiction for the provision of paid porters for Government servants on tour and for the Government Transport Department and ^{to see the provision} of paid labour for work on the construction or maintenance of railways and roads wherever situated in the Protectorate (now Colony and Protectorate of Kenya) and for other work of a public nature whether of a like kind to the foregoing or not, subject to the proviso that no person should be required to work in this way for a longer period than 60 days in any one year, or if fully employed in any other occupation, or if so employed during the preceding

employers.

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12 months for a period of 3 months, or if otherwise exempted under directions issued by the Governor.

I do not propose to examine now the various arguments put forward for or against this form of labour. Lord Milner agreed to the enactment of the Native Authority (Amendment) Ordinance 1920, being satisfied at the time that the position justified this measure; but it has always been recognised that recourse should not be had to compulsory labour for Government purposes unless this was absolutely necessary. I need not enlarge on this point of view, which is generally accepted, no less in Kenya by Sir Edward Northey and the Colonial Government than by His Majesty's Government. But conditions have to some extent changed, since the Ordinance was framed, and it is clear from the information with which I have been supplied that the Government has in fact been able to carry out necessary work with only rare recourse to the powers of compulsion conferred by the Ordinance. I hope and believe that in the present state of the labour market in Kenya, recourse to compulsory labour will not be necessary; but it is not certain that this state of affairs will be permanent and work essential to the life of the community must be carried on. While, therefore, in order to leave no room for misconception I wish it to be placed on public record that it is the declared policy

policy of the Government of Kenya to avoid recourse to compulsory labour for Government purposes, except when this is absolutely necessary. *Essential*
I have decided that the legislation which empowers the Government to obtain compulsory labour shall remain on the statute book, but with the following amendment. It should be provided that except in regard to the provision of paid porters for Government servants on tour or for the transport of urgent Government stores, the Governor must refer to the Secretary of State for prior authority to utilise the powers of compulsion conferred by the Ordinance and that such authority will only be given for specified works for a specified period. Further, the works of a public nature for which compulsory labour is now permissible and for which in special cases the Secretary of State may in future authorise compulsory labour, should be defined in the amending Ordinance. I have not attempted to prepare such a definition, as I think that this ought first to be carefully considered by your Government; but in any event I wish it to be made clear that works carried out for the Government by a Contractor cannot be included except with the express sanction of the Secretary of State.

(iv) Labour from the Tanganyika Territory.

The arrangements laid down in paragraph 10 of my predecessor's despatch No. 1027 of the 22nd July, 1920, in regard to the recruitment of voluntary labour in the Tanganyika Territory for Government work in Kenya are not, I think, open to criticism, and I do not suggest that any modification should be made.

4. I have to request that you will submit to

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4. I have to request that you will submit to me

me, for consideration, as soon as possible the draft of an amending Ordinance to give effect to the decisions in regard to compulsory paid labour for Government; but pending the enactment of the amending Ordinance, you should be guided in your action by these decisions and refer to me for prior approval for utilising the powers of compulsion, except for the two purposes specifically provided for. I should also be glad to receive, for my information, copies of any circulars which may be issued by your Government notifying the modifications in policy generally which I have indicated above.

5. The general principles of policy laid down in this despatch for Kenya will be extended so far as they are applicable, to Uganda and Zanzibar, and I am sending a copy of this despatch with the necessary instructions to the Acting Governor of Uganda and the Acting High Commissioner for Zanzibar.

6. I propose that this despatch should be published as a Parliamentary Paper and presented to Parliament at an early date.

(Signed) WINSTON CHURCHILL

of any legislation which you think it desirable to introduce for the purpose.

I have etc.,

4. A similar dispute is being adjourned to the 24th

January but a new

looking to the other

policy in the same line,

so far as may be practicable,

the Kenya Uganda & Tanzania

~~Handwritten scribbles~~

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SECRETARY GENERAL

of any legislation which you think it desirable to introduce for the purpose.

I have etc.,

4. A similar dispatch is being addressed to the

Secretary, etc.

Looking to the letter before

asking on the same lines,

so far as may be practicable,

and being signed by the Secretary.

W. H. WILKINSON & CO. GENERAL

of 41023 Sep

DRAFT

Mr. Robert Lyndall, Acting Sec

MINUTE.

- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]

to [Name] to [Name] [Name] to you [Name] the acc. copy of a [Name] address to the [Name] of [Name] (with enclosure) on the subject of [Name] labour

2

of 41023 sep.

DRAFT.

In Reply (re) [unclear] [unclear]

9 September

MINUTE.

In [unclear] to [unclear]
[unclear] [unclear] [unclear]
the acc. copy of a
[unclear] addressed to
the [unclear] of [unclear]
(with enclosure) on
the subject of [unclear]
[unclear]

- [unclear]
- [unclear]
- [unclear]
- [unclear]
- [unclear]
- [unclear]
- [unclear]
- [unclear]

2
(Signed) G. GRINDLE

RECEIVED
19 SEP 1921
COL. OFFICE

333

Devonshire Club,
50, St. James's Street,
London, S.W. 1.
19th September, 1921

File
Mr. Battered
the ...
attach ...
MS 21

SIR,

I have the honour to acknowledge the receipt of your letter No. 4104/21 of the 9th. September transmitting for my information, a copy of a despatch addressed to the Officer Administering the Government of Uganda (with closure) on the subject of native labour. I have retained the papers.

I am, Sir,

Your obedient servant.

R. J. Courydon

SECRET.

Under Secretary of State,
Colonial Office.
London, S.W. 1.

RECEIVED
19 SEP 1921
COL. OFFICE

333

Devonshire Club,
50, St. James's Street,
London, S.W. 1.
14th. September, 1921.

File
Mr. Colclough
no name
? attach enclosure
19/9/21
MS 11

Sir,

I have the honour to acknowledge the receipt of your letter No. 4104/21 of the 9th. September transmitting for my information, a copy of a despatch addressed to the officer administering the Government of Uganda (with enclosure) on the subject of native labour. I have retained the papers.

I am, Sir,

Your obedient servant.

R. J. Coumson

SECRETARY.

Under Secretary of State,
Colonial Office,
London, S.W. 1.

Sir,

I have the honour to transmit to you, for your information and guidance, the enclosed copy of a despatch which I have addressed to the Officer Administering the Government of Kenya on the subject of native labour.

2. The position in Uganda is not altogether parallel with that in Kenya, but the principles laid down in the despatch to the Officer Administering the Government of Kenya will be generally applicable to Uganda and Zanzibar also. In particular, I would invite your attention to the paragraphs relating to compulsory labour for Government.

3. I have to request that you will give early consideration to this matter, and that you will communicate with me fully by despatch indicating the action which you propose to take to give effect to these decisions in Uganda and Zanzibar and submitting for my consideration the draft of any legislation which you think it desirable to introduce for the purpose.

4. A similar despatch is being addressed to the Acting High Commissioner for Zanzibar and the Officer Administering the Government of Uganda with a view to keeping the native labour policy on the same lines, so far as may be practicable, in Kenya, Uganda and Zanzibar.

I have etc.,

OFFICER ADMINISTERING

GOVERNMENT OF

(Signed) WINSTON CHURCHILL

and are sometimes made, that the Government exploiting the natives either for Government work in regard to private employment, as I know this is entirely alien to the spirit of the Administration as a whole, and that Sir Edward Grey would not countenance any such action. On the other hand there is genuine anxiety on the part of those who have knowledge and experience of the natives and interest in their welfare as to the effect of recent measures; and I feel sure that the Government will agree that, if it is practicable to modify any features in the native labour policy of the Colony which may afford a ground for criticism against the Government, it is in the interests of all concerned to effect such modifications. I know that Sir Edward Grey himself shares this view of the matter.

3. For the purpose of this despatch it will be convenient to deal separately with the three aspects of the question:-

(1) Traditional unpaid labour by natives in Reserve for the benefit of the Reserve.

Under Section 7 of the Native Authority Ordinance, 1912, any Headman may from time to time issue orders to be obeyed by natives residing within the local limits of his jurisdiction for certain purposes. Under Subsection (h) of that Section, the un-bodied man may be required to work in the digging or maintaining of any water course or other work constructed or to be constructed or maintained

for

the benefit of the community to which such
 bodied men belong, provided that no person shall
 ordered or required to work in this way for more
 than six days in any quarter.

This form of labour which is traditional
 among natives in East Africa is not, in my opinion,
 open to criticism, provided that such labour is
 confined to males and that the other limitations
 imposed by the Ordinance are strictly observed, and
 I do not propose that any alteration should be made.
 Edward Northey has assured me that he will take
 necessary steps, by administrative regulation, to
 check abuses that may be brought to his notice, and
 that he will at once enquire into any specific cases
 of infringement or alleged infringement of the
 Ordinance to which his attention is directed. In this
 connection I may observe that it is impossible for
 the complaints of a general nature to be dealt with,
 and I trust therefore that anyone who desires to bring
 an abuse to the notice of Government will not hesitate
 to supply the fullest information in order that adequate
 investigation may be made.

(ii) Voluntary labour for private employers.

The principle that Administrative Officers
 and Native Chiefs should take every opportunity of
 communicating among the natives habits of industry either
 inside or outside the Reserves is obviously right, and
 is open to criticism. But beyond taking steps to
 place at the disposal of natives any information which

they

W

they may possess as to where labour is required and at the disposal of employers information as to sources of labour available for voluntary recruitment. The Government officials will in future take no part in recruiting labour for private employment.

This decision, will, I think, ease the position of the Government officials, whose duties in this connection will be thus clearly defined.

(iii) Compulsory paid labour for Government.

Under the Native Authority (Amendment) Ordinance, 1920, provision was made for Headmen to issue orders to be obeyed by natives residing within the limits of their local jurisdiction for the provision of paid porters for Government servants on tour and for the Government Transport Department and for the provision of paid labour for work on the construction or maintenance of railways and roads wherever situated in the Protectorate (now Colony and Protectorate of Kenya) and for other work of a public nature whether of a like kind to the foregoing or not, subject to the provision that no person should be required to work in this way for a longer period than 60 days in any year, or if fully employed in any other occupation, if so employed during the preceding 12 months for a period of 3 months, or if otherwise exempted under regulations issued by the Governor.

I do not propose to examine now the various arguments put forward for or against this form of labour. Mr. Milner agreed to the enactment of the Native Authority (Amendment) Ordinance, 1920, being satisfied

at

5

at the time that the position justified this measure; but it has always been recognised that recourse should not be had to compulsory labour for Government purposes unless this was absolutely necessary. It need not only be so at this point of time, but is generally accepted, no less in Kenya by Sir Edward Northey and the Colonial Government than by His Majesty's Government. But conditions have to some extent changed, since the Ordinance was framed, and it is clear from the information with which I have been supplied that the Government has in fact been able to carry out necessary work with only rare recourse to the powers of compulsion conferred by the Ordinance. I hope and believe that in the present state of the labour market in Kenya, recourse to compulsory labour will not be necessary; but it is not certain that this state of affairs will be permanent, and it is essential to the life of the community that it be carried on. While, therefore, in order to avoid any ground for misconception I wish it to be placed on the public record that it is the declared policy of the Government of Kenya to avoid recourse to compulsory labour for Government purposes, except when this is absolutely necessary for essential services, I have decided that the legislation which empowers the Government to obtain compulsory labour shall remain in the statute book, but with the following amendment. It should be provided that, except in regard to the

provision

provision of paid porters for Government servants
in tour or for the transport of urgent Government
stores, the Governor must refer to the Secretary
of State for prior authority to utilize the powers
of compulsion conferred by the Ordinance and that
such authority will only be given for specified
works for a specified period. Further, the works
of a public nature for which compulsory labour
is now permissible and for which in special cases
the Secretary of State may in future authorize
compulsory labour, should be defined in the amending
Ordinance. I have not attempted to prepare such a
definition, as I think that this ought first to be
carefully considered by your Government; but in any
event I wish it to be clear that works carried
out for the Government by a Contractor cannot be
included except with the express sanction of the
Secretary of State.

(iv) Labour from the Tanganyika Territory. The
arrangements made in paragraph 10 of my
predecessor's Report No. 1027 of the 22nd July, 1920,
in regard to the recruitment of voluntary labour in
the Tanganyika Territory for Government work in Kenya
are not, I think, open to criticism, and I do not
suggest that any modification should be made.

4. I have to request that you will submit to
me, for consideration, as soon as possible the draft of
an amending Ordinance to give effect to the decisions
in regard to compulsory paid labour for Government;
but pending the enactment of the amending Ordinance,

Yours

at page 58
[Handwritten signature]
[Handwritten initials]

should be guided in your action by these
 signs and refer to me for prior approval for
 using the powers of compulsion, except for the
 purposes specifically provided for. I should
 be glad to receive, for my information, copies
 of circulars which may be issued by your
 Government notifying the modifications in policy
 generally which I have indicated above.

5. The general principles of policy laid
 in this despatch for Kenya will be extended,
 in so far as they are applicable, to Uganda and Zanzibar.
 I am sending a copy of this despatch with the
 necessary instructions to the Acting Governor of
 Kenya and the Acting High Commissioner for
 Zanzibar.

6. I propose that this despatch should be
 published as a Parliamentary Paper and presented to
 Parliament at an early date.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

W. STONE CHURCHILL

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Your most obedient,
 humble servant,

WILSON CHRISTOPHER CHURCHILL