

EAST AFRICOT

No. 44976

44976

70601

1907

(Subject)

Native Affairs Department

Submit copy immediately Mr. Churchill and minute by Mr. Hollis re: native affairs as well as to B. J. ...

(Minute)

Concluded

Mr. ~~Hollis~~

The net result of the proposals is enclosed in the last Government letter enclosed, and which they should certainly be approved.

The success of many of the reforms will depend largely upon the exercise of tact by District Officers in native affairs, and their mutual holding of a certain amount of frontier - perhaps inevitable until the letter has been shown - then our duties with the ... should not prejudice the ultimate good effect of the reorganization proposed.

Mr. ... (Hollis) ... shows how greatly such a Dept ... needs ... in its reference to the ill-treatment of ... by the ... & the ... Dept ... the ... who have the greatest ...

Previous Paper

Subsequent Paper

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... to receive a permanent
... supply of laborers
... the passage of the bill
... his own page 3 of
... the bill
... the establishment of
... A Dept has already had the
effect of showing the local
labor supply, as I suggested
would be the case
on Jan 10 ... Dept
25110
... for the
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... generally upon
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... by the ... Dept
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... to
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... of local labor

I am afraid that as the ...
... the making the Native Affairs
Officers independent of the
District Commissioner's hands
... from inevitably

^{admission}
I should not therefore appear to be
arrangement, the same person
is proposed

1813/12

off. for cont. accordingly

1813. Dec 8
at once

Governor's Office

44376

Nairobi,

November 26th 1907.

EAST AFRICA PROTECTORATE.

No. 510

(Incl. 8)

My Lord,

One of the subjects discussed with the Right Honourable the Under Secretary of State for the Colonies was the important one of Native Affairs. I have the honour to submit copies of a minute recorded by Mr. Winston Churchill on the 11th instant, of a minute written by Mr. Rolfe on the following day and Mr. Winston Churchill's notes thereon written in a minute of the same date.

The results of these minutes and the discussion that took place are noted in Mr. Rolfe's memorandum of the 14th instant, which met with Mr. Winston Churchill's approval, and on the 16th last a Circular was issued, under my direction, by the Lieutenant-Governor in accordance with the results finally arrived at. Copies of

H.M. PRINCIPAL SECRETARY OF STATE

these

FOR THE COLONIES,

DOVING STREET,

LONDON, E.C.

these documents are enclosed.

3. In dealing with the various questions involved we had to be careful not to place the Assistants in the Native Affairs Department either subordinate to, or in rivalry with, the District Commissioners, who have hitherto had control of the natives within their districts, and to whom the natives have ever looked for the protection of their rights.

4. To ensure the success of the scheme the exercise of considerable tact will be required both by the District Officers as well as the Assistants in the Department of Native Affairs, and harmonious working by all the officers concerned is essential.

5. I shall carefully watch the working of the scheme and should experience show that any modification is called for I shall report after the scheme has been given a fair working trial.

6. As arranged Mr. Collins will be shown in the Estimates in his place in the Secretariat and his Assistants will figure under the Administrative Staff

in their order of seniority with the remark against
their names in the Staff List that they are employed
in the Native Affairs Department.

7. I trust these arrangements will meet with Your
Lordship's approval.

I have the honour to be,
with the highest respect,

My Lord,

Your Lordship's most obedient,
humble servant,

Henry Seely

G. P. Y.

20th May 1916

44376

Sir J. P. ...

While nothing must impair the responsibility of the Provincial Commissioners; there is an increasing number of important branches of Native Affairs which require a general supervision. That this is so is shown by the existence of Mr. Hollis' Department. This Department ought not to follow at the tail of the Provincial Administration, but should be comprised in the Secretariat of the Lieutenant-Governor. His most important function should be the regulation of contract labour, and there are good reasons for believing that a more elaborate and considered system of attracting the native recruit would produce and maintain a more largely increased supply. For instance, it would be possible to induce employers of labour beforehand to pay a bounty for persuading their labourers to remain in the country and to supply them with their most suitable and popular foods, and at the same time to obtain a more effective discrimination between good and bad employers.

Another very important aspect is the case of the native when going and returning from his work. Nothing can tend more to bring discredit on the Administration, and to discourage the native from offering himself as a labourer, than the spectacle of a native crawling back to their tribes after a few weeks' contact with Christian civilization. When an employer requires the assistance of the State in obtaining labour, he should be charged a fee ~~for~~ covering the cost of recruiting, and also of providing the native with food on his out and home journeys.

(2)

It should be possible to arrange quite easily a series of Indian shops along the principal lines by which native labourers travel; and each labourer should be given a ticket which would ensure his receiving one meal at each stage. The Government should itself employ the Indian trader on production of the ticket. It would also seem desirable that all employers and contractors should deposit beforehand, not necessarily the money required to pay the labourer, but a sufficient security or guarantee that they will do so.

Another instance of the kind ^{of} organization which will be required on this single question of contract labour. Besides this, there is no reason why the officers of the Native Affairs Department should not increasingly become the recognized protectors of the natives, with the right to correspond direct ~~through~~ with Mr. Hollis through the Provincial Commissioners. The following additional heads readily suggest an affording legitimate grounds for their activity.

(1) To represent the views of the natives in all questions arising between him and the white man or the Government; and on all legal and reserve questions, and generally to safeguard his interests.

(2) To compile a census of the black population.

(3) To collect and record information regarding the origin and history, the manners and customs of native tribes; and generally to act as an Intelligence Department.

(4) To stimulate native industries, and to give instruction in agricultural methods, stock-raising, bee-keeping, &c.

It should be in this department also that advisers might be found to (5) enlist the co-operation of the Chiefs

in the proposed methods of checking the spread of East Coast fever, and in other similar matters requiring explanation and guidance; and it seems desirable that any official charged with the execution of such measures should be temporarily attached to the Native Affairs Department whatever may be their ordinary occupations, military, veterinary or agricultural as the case might be.

The relations of the officers of the Native Affairs Department to the Administration must be carefully regulated. The status of the Assistant Secretaries for Native Affairs should be equal to that of a District Commissioner, but subordinate to that of a Provincial Commissioner. They should be obliged to inform a District Commissioner, at the earliest possible moment of any tour which they propose to make in his district, and of any action which they have taken; but they should not be subject to his authority in any of the matters specially assigned to them. They should report to the head of the Native Affairs Department through the Provincial Commissioner, ^{to be} who it is presumed will be appealed to by his District subordinates in the event of any disagreement arising.

It is not suggested that the Department should be increased or that any further expense should at present be incurred; but it would appear very desirable that the Assistants should be officers who have energy and lively sympathy with the natives, and a liberal outlook upon native policy generally. As such officers are obtained, and as the functions of the Department are gradually expanded, some extension of staff and consequent increase of expenditure will, no doubt, become necessary.

I would suggest that Mr. Rolfe should be invited to

examine, correct, amplify and consolidate the above notes,
which may then form a basis for action.

Edw. WINSTON S. CHURCHILL

11: 11: 1907.

Copy

513 Nov 26 7

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MEMORANDUM ON THE RECOMMENDATIONS

of Mr. GIBSON'S suggestions regarding the
Native Affairs Department.

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The necessity for the appointment of extra officers to supervise the recruitment of labour and for the protection of labourers was recognised last year, and a Superintendent with District Commissioner's rank and five Assistants with Assistant District Commissioner's rank were asked for in the Estimates. It was not intended that there should be a separate Department to deal with labour but each Assistant was to be under the District Commissioner in whose district he was stationed. The Superintendent was to reside at Nairobi and be under the Provincial Commissioner. After the estimates had been printed the Commissioner for Lands suggested instead of a Superintendent of Labour a Secretary for Native Affairs should be appointed who would be attached to the Secretariat. His Excellency recognised that whilst the regulation of contract labour was of vital importance there were many other matters that nearly affect the natives which should be dealt with as well, and he recommended the appointment which was approved by the Colonial Office. At the same time three of the Labour Assistants asked for were sanctioned and styled Assistants in the Native Affairs Department.

It will be thus seen that the Native Affairs Department was formed under a misapprehension, and it soon became evident

evident that it was unworkable under existing conditions. The District Commissioners had up till last June been responsible for the recruitment of labour as well as for all matters concerning not only the Administration but also the welfare of the Natives, and it was found that their authority was impaired by having other officers not under their control dealing with native questions. In August I paid a visit of inspection to Fort Hall and on the representation of the Provincial Commissioner I arranged that Mr. [Name] in the Native Affairs Department (St. Dunstons) should report his movements in the Kenya Province, should report his movements to the District Commissioner in whose district he was working and inform that of our whenever gangs of men were recruited in his district. I saw no reason then why he should not be allowed to correspond with me, sending copies of his reports to the Provincial Commissioner, and I had been instructed by the Native Sector Commissioner, but I found later that it was difficult for me to deal with matters of detail which I received sometimes a month after the letter had been written and which could be more easily dealt with on the spot. On my representing the matter to headquarters His Excellency ordered that all labour encampments and the officers detailed for their supervision should henceforth be under the District Commissioner in whose district they are. It was at the same time suggested to the Colonial Office that the Native Assistant in the Native Affairs Department should be abolished. This was sanctioned by the Secretary of State who also agreed.

agreed to the proposal that all items for the labour encampments should in future be inserted in the estimates of the Provincial Administration, and not shown separately.

It is of opinion that a Native Affairs Department distinct from the Administration will never work well. All officers of Administration are at present assistants in the Native Affairs Department just as much as they are assistants in the Treasury and Judicial Departments, when they are called Sub-Accountants and Magistrates respectively. If the officers of the Administration are not to continue in charge of the Native Affairs in their Provinces and Districts it will be necessary to increase very largely the staff of the Native Affairs Department, there would however always be friction between the officers of the Administration and of the Native Affairs Department, and this course is not to be recommended.

My appointment four months ago I have endeavoured to organize the recruitment of labour and to insist on employers of natives treating their men in a more humane manner than was formerly the case. There is still, I fear, much room for improvement, but a start has been made in the right direction. Stratumives will work if properly treated is evident from the fact that large numbers walk from Fort Hall and Mombasa in search of labour whilst some 3000 men have been recruited and despatched to Pemba, the rates of pay being so high and the feeding so good that they had no objection to leaving their homes for some months at a stretch.

Amongst

amongst the worst offenders have been the Public Works and the Railway with their contractors, but it is hoped that the steps which have now been taken will effectually put a stop to such boycotting scenes as have been witnessed in the past. I have written several memoranda on the subject, and made suggestions and recommendations for the future. One of my recommendations which His Excellency has been pleased to sanction is that all natives must when discharged be given sufficient food to enable them to reach their homes. This at once caused an outcry amongst the settlers, and Lord Delamere has addressed a question to me on the subject in the Legislative Council. I consider this plan better than the Indian shop system as the shopkeeper is certain to swindle the native.

All recruitment for services up to one month is free, after that period a small fee is charged. It is so difficult to find deserters that I do not recommend increasing the charge at present.

I have already suggested that all persons who recruit through the Government should deposit the labourers' wages beforehand or guarantee that they will be paid. This matter is receiving His Excellency's attention.

MEMORANDUM.

With regard to the above proposals made by the Right Honorable Mr. Churchill steps have already been taken to put these measures in force.

(1) The views of the Natives in all questions arising between them and the white man on the Government and their interests are represented by the officers of the Administration.

Administration. I asked the Commissioner of the District to endeavour to impress on all officers the necessity of representing the natives' interests.

(3) A census of the black population has been compiled in the Kyambu District and steps have been taken to make a census in other districts.

(4) The work of collecting and recording information concerning the history, origin, language, customs, religious beliefs, morals, food, and habits of the different tribes has for many years received the attention of the officers of the Administration, and various books and pamphlets have from time to time been published on these subjects.

With regard to languages it is compulsory for every officer to pass an examination in Keshili before he can be promoted, whilst bonuses of £50 are paid to those officers who pass in other native tongues. In order to stimulate interest in the other subjects mentioned I asked for £75 in next year's budget for prizes for the best essays and for the purchase of a certain amount of literature to enable officers to study the subjects. I regret to say that this item has been disallowed, and I venture again to call attention to this all important matter. Since no funds have been allowed for this purpose I have myself ordered a number of books for distribution. All officers know that any essays or articles which they write will, if good enough, be published by the Royal Anthropological Institute, of which I am the local corresponding member, or by the African Society, and that every assistance and support will be given them.

(5) I am in correspondence with the Director of Agriculture

Handwritten notes:
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Agriculture regarding the suggestion to give instruction to natives in agricultural methods, stock-raising, &c., and I am happy to be able to report that two expert teachers will shortly arrive in East Africa. The duty of these men will be to travel from district to district and give lessons to the natives. I recently asked that a reformatory might be built near Nairobi where instruction could be given to the young vagabonds and vagrants who are at present thrown into jail very often for no worse crime than that they have not the wherewithal to purchase any food and who by being thus forced by the Government to associate with criminals of the worst type are being educated to become themselves criminals. If this reformatory

suggested, I have arranged with the Commissioner of Works and the Director of Agriculture for it to be built on the new experimental farm near Nairobi where the boys will be taught the use of the plough and various industries. I have recently obtained an advance of £100 for the purpose of purchasing rams and goats from South Africa for the improvement of the native breeds. This money will be repaid out of hut-tax commissions which will be recovered by officers of the Administration.

(A) The cooperation of the Chiefs in all matters must be obtained through the officers of the Administration. It has been thus worked since the Protectorate was first started, and any change would dislocate the machinery of the Administration of the country. If the officers of the Administration are not here for this

purpose it may well be asked why they are here and what their duties are. Besides this it would be necessary to have at least one Native Affairs officer in every district. If that official is to perform a great portion of the work usually undertaken by one officers of the Administration.

As I have mentioned above the Native Affairs Department, as a Department, has ceased to exist, and the Assistants are now styled Assistant District Commissioners. But we have not lost sight of the fact that officers who have a warm and lively sympathy with the natives and who have a liberal outlook upon native policy generally are most valuable and more useful than those who look upon the "nigger" as a brute beast. These officers' names are well known at headquarters, and they are invariably selected whenever a task requiring tact and skill has to be performed. I am aware that Mr. Dandaz feels himself somewhat harshly treated in being made to correspond with the District Commissioners in whose districts he works, instead of, as before, with the Provincial Commissioner, and I am quite willing, should His Excellency be agreeable, that a special exception be made in his case and that he be given the status of an acting District Commissioner and be allowed to correspond with the Provincial Commissioner. I do not recommend that he should correspond direct with me as I am often absent from headquarters as it is I receive copies of all correspondence of any importance and can, should I consider it necessary, take up a matter. I should like it to be remembered that Mr. Dandaz was specially chosen for his present post and the fact that

he has done his work well will tell in his favour when his time comes for promotion.

I wish to add one further remark. It is impossible for the officers of the Administration of the Native Affairs, if one wishes to call it thus, to perform their duties efficiently if their number is not increased. I wrote to the Secretary to the Administration some time ago and pointed out how urgently the staff requires increasing. I am of opinion that 12 more officers are required for ordinary administrative work, and I consider that 6 men (3 more than the present number) are necessary for the purposes of regulating and protecting labourers (2 at Mombasa, 1 at Malindi, 1 at Fort Hall, 1 in the Kamba province, 1 at Nairobi and on the Uganda Railway and 1 at Kisumu). Three districts or stations have at present no officer in them whilst 5 or 10 have only one man. It is impossible to govern a district of some thousand of square miles in extent if there is only one officer available for the purpose. In my same letter I drew attention to the necessity of increasing the number of police officers. Native police unless properly supervised always abuse their position, and such abuses do great harm to the administration of the country.

S/- A. J. MORRIS

Nairobi.

November 12th 1907.

5/10/1917

COPY.

Sir J. Hayes Sadler,

The importance of the work of the Assistants in the Native Affairs Department, especially in areas of native recruitment is clearly shown in Mr. Hollis' memorandum. It does not matter at all whether these officers are called "Assistant for Native Affairs" or "Acting District Commissioners" and I will not quarrel with either name, though both appear to me to be imperfect. But it is simply playing with the subject to make these officers the subordinates of every District Commissioner with whom they come into contact, and ^{if} such an arrangement were thought indispensable, it would be much better to break up the Department altogether, and to recognize the District Commissioner as the sole authority charged with the supervision of native interests and native labour. I do not suppose that either Mr. Hollis or His Excellency consider this desirable; and I would suggest that the status and relationship prescribed in my previous minute should be strictly adhered to, whenever it is found necessary or possible to employ a special officer, serving under the Secretariat, in any province; but I agree that it may be convenient for these officers to rank as Acting District Commissioners, and that though attached for special service to the Secretariat, they should still be considered as part of the Administration.

W. WILSON S. CHURCHILL

12. 11. 1917.

MEMORANDUM

On November 13th the Right Honourable Mr. Churchill, His Excellency the Governor and Mr. Hoggis discussed the question of the work and position of the Assistants in the Native Affairs Department.

2. It was decided that certain officers of the Administration should be detailed from the Administration for the express purpose of representing the interests of the natives in all questions arising between them and the white man or the Government. The most important duty of these officers will be the regulation of contract labour, and they will be responsible for the recruitment and protection of labourers. They will also safeguard the interests of the natives in all matters; compile a census of the black population; collect information regarding the origin, history, languages, customs, religion, beliefs, morals, food and habits of the different tribes; stimulate native industries; and enlist the cooperation of the Chiefs in all matters requiring explanation and guidance.

3. It is essential that the officers detailed for this purpose should work harmoniously with the officers of the Administration. There is no wish to impair in any way the responsibility of Provincial and District Commissioners; the intention of the appointment of the Native Affairs Officers is to assist the Administration in all matters connected with the natives and at the same time to check any tendency on the part of these officers to take up the part of the white man against the native.

4. The Secretary for Native Affairs will revert to the Secretariat in the Estimates, Staff List, &c., and the Assistants to the Secretary for Native Affairs will be

shown under the heading Provincial Administration.

5. The status of the officers selected as Assistant Secretaries for Native Affairs - whether District Commissioners or Assistant District Commissioners - will be the same as District Commissioners. They will be subordinate to the Provincial Commissioner in whose Province they are stationed and will correspond with him direct. They will, however, inform the District Commissioner at the earliest moment of any tours they may make in his District and of any action which they have taken or propose to take, as may be most convenient. Copies of all correspondence of importance are to be forwarded to the Secretary for Native Affairs, and in the event of disagreement between the officers of the Administration and Native Affairs, the latter may report direct to the Secretary for Native Affairs at the same time furnishing the Provincial Commissioner with a copy of their letter. Should one of the Assistant Secretaries for Native Affairs be stationed in any one District as for instance Malindi or Kitui, the District Commissioner may, should His Excellency think desirable, be appointed Acting Provincial Commissioner for the purposes of dealing with the Native Affairs in his District.

Sd/- A.C.HOLLIS.

Secretary for Native Affairs.

Nairobi.

November 14th 1907.

I agree. So proceed.

Sd/- Winston S. Churchill.

17/11/07

In Reply, See No. 267

201

Governor's Office,

Nairobi,

November 18th 1907.

Sir,

I have the honour to inform you that it has been decided to detail certain officers of the Administration for the express purpose of representing the views of the natives in all questions arising between them and the white man and generally to safeguard their interests. The most important duty of these officers will be the regulation of contract labour, and they will be responsible for the recruitment and protection of labourers. They will also compile a census of the black population; collect information regarding the origin, history, languages, customs, religious beliefs, morals, food and habits of the different tribes; stimulate native industries; and assist in obtaining the cooperation of the Chiefs in the proposed methods of checking the spread of East Coast Fever and in other similar matters requiring explanation and guidance.

2. It is essential that the officers detailed for this purpose should work harmoniously with the officers of the Administration. There is no wish to impart in any way the responsibility of Provincial and District Commissioners, the delegation of the appointment of two assistants to the Secretary for Native Affairs is to help the Administration in all matters connected with the natives.

3.

Provincial Commissioners,

3. The status of the officers selected as Assistants to the Secretary for Native Affairs - whether District Commissioners or Assistant District Commissioners - will be the same as District Commissioners. They will be subordinate to the Provincial Commissioner in whose Province they are stationed and will correspond with him direct. They will, however, inform the District Commissioner at the earliest moment of any tours they may make in his District and of any action which they have taken or propose to take, as may be most convenient. Copies of all correspondence of importance are to be forwarded to the Secretary for Native Affairs, and in the event of disagreement between the officers of the Administration and Native Affairs, the latter may report direct to the Secretary for Native Affairs, at the same time furnishing the Provincial Commissioner with a copy of their letter. Should one of the Assistants to the Secretary for Native Affairs be stationed in any one district, as for instance Malindi or Kitui, the District Commissioner may, should His Excellency think it desirable, be appointed Acting Provincial Commissioner for the purposes of dealing with the Native Affairs in his district.

4. The following officers will be detailed at once as Assistants to the Secretary for Native Affairs:-

- Honourable K. Dundas
- E. C. T. Wecher

Mr. W. A. Barrett will likewise be relieved from the Administration as soon as he can be relieved of his present duties.

5. It must be clearly understood that the officers appointed as Assistants to the Secretary for Native Affairs

can revert at any time to the Administration, should
His Excellency so direct.

I have the honor to be,

Sir,

Your most obedient servant,

Ed. F. Jackson

Lieutenant Governor

Gov
44976

C.A.P.
204

DRAFT

14/2
5 Feb 08

C.A.P. No 12

Govr Sir J. Patten

Sir
I have the honour
to ack the receipt of
your despatch No 510
of the 26 Nov
respecting the arrange-
ments which have been
made as to the work
duties & status of
officers detailed for
service in the
~~off~~ course
-tion with the recruit-
ment & protection
of native labourers

MINUTE

Mr. White 24/2

Mr. Read 25

Mr. Junt.

X Mr. Anstons 25

Mr. Cox

Mr. Lucas

X Sir F. Hopwood 25.2

Mr. Churchill 25.2

X The Earl of Elgin 25.2

person

These arrangements appear to be
satisfactory according to the views
of the working committee in
the employment of a certain
number of natives

24.2.08
25.2.08
26.2.08

2 I note with regret
Mr. Hollis's remarks
as to the ill treatment
of natives by the
officers of the Public
Works & Railway
Depts. & I shall be
glad to hear what
steps have been
taken to bring home
the responsibility to
them raised

3 I trust that you
will be able to inform
me that the improvement
in the treatment of labourers
by their employers, which
Mr. Hollis notes, as
continued.

L. H.

I require that

These arrangements are
of a general character
and are not doubt
a mark of the unimproved
state of the Administration,
and also by the large
amount of native labour
employed by
Government. The relations
of the officers of the native
Affairs Department & the
Administration must be
carefully defined and
strictly watched and
the Government must
be held to be bound by
the limits of the
of such from
to this dispute (Each page marked in blue p. 3
of the)

I have every confidence that
the officers of the department
of Administration will regard
that, ^{it is} necessary ^{any} of handling
nature affairs with ^{the} propriety
and discretion and that
the best results will be
attained by constant and
ready cooperation.