

# EAST AFRICA AND RHODESIA

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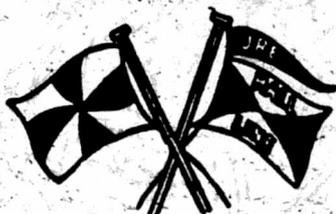
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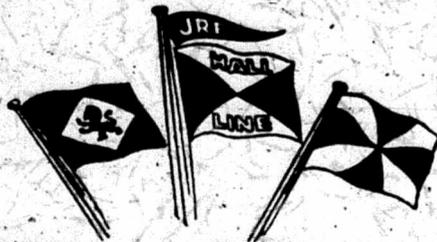
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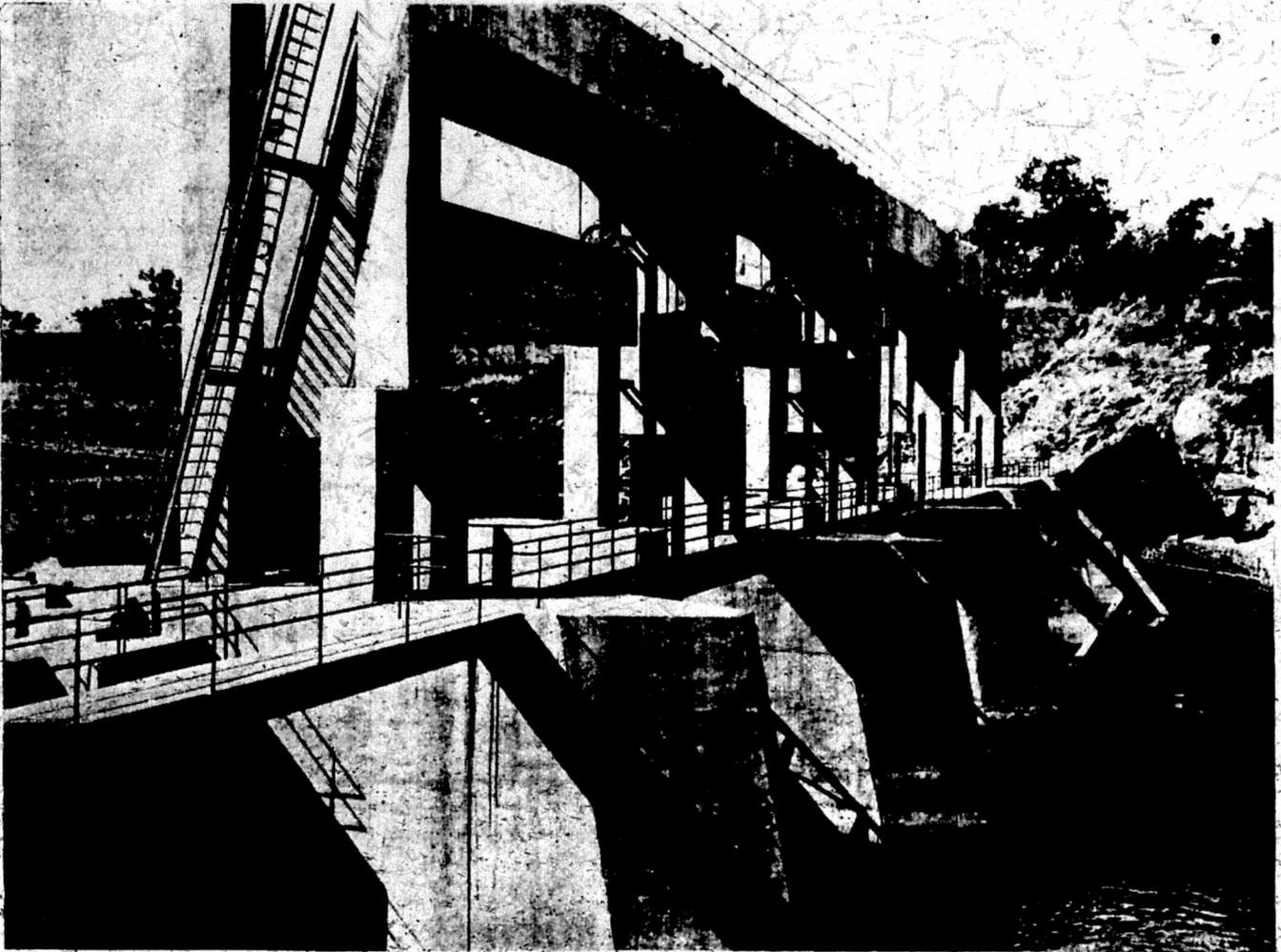
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## Principal Contents

Page	Page
Third U.N. Assault in Katanga ..... 381	New Year Honours ..... 388
Federal View on Nyasaland Secession ..... 383	Letters to the Editor ... 389
Convention Inhibiting Unilateral British Moves ..... 384	Lords Debate Central Africa ..... 391
Personalia ..... 386	New Kenya Regions ... 393
	N.F.D. Report on Somali Secession ..... 395
	Commercial Reports ... 396

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## MATTERS OF MOMENT

**CHRISTMAS**, the season of peace and good will to men, was cynically selected by the United Nations, ostensibly an organization for peace, for its third attack upon Elisabethville, capital of the Katanga. Much of the world applauded—but it has ceased to be difficult to raise cheers for infamy. Having spent weeks in strengthening its military power in Katanga, the United Nations took the offensive; and promptly blamed the Katanga gendarmerie. Some units of that force which felt themselves threatened may of course have fired, but if the Tshombe Government had had any intention to attack it would obviously not have waited until the United Nations had concentrated against it almost all its troops in the Congo. The fact that it did not strike during the build-up period is presumptive evidence that it was not the aggressor. When its earlier assaults against Katanga were launched in September and December 1961, the United Nations could not conceal that its promises and accounts of developments were alike untrustworthy. That statements now made in its name are equally unscrupulous is evident from the official assertion on Monday that "We have never initiated force in Katanga; we do not use the force we have for political ends, and we do not intend to intervene in the political affairs of Katanga or any other province in the Congo". Those words, blatantly contrary to the undisguisable facts, provide yet another example of the Hitler-Goebbels technique of uttering with pretended solemnity the biggest possible lies in the confidence that their enormity will secure acceptance by credulous millions. The whole purpose of the reinforcement of the military and air units in Katanga was to exert pressure for political ends, and thereby flout the instructions of the General Assembly that there must be no interference in the internal affairs of the Congo. Like his predecessor, Mr. Hammars-

kjoeld, the new secretary-general cares little about his orders when they conflict with his impulse to demonstrate that the United Nations—which has acquired a 'wretched record elsewhere—must be obeyed in Katanga.

\* \* \*

Lord Home, whose achievements as Foreign Secretary are as praiseworthy as they were when he was Secretary of State for Commonwealth Relations, quickly condemned the "futility of trying to impose a political settlement by force", and warned the world that "it could lead only to prolonged and expensive occupation of the Katanga by the United Nations". A little earlier the Ghanaian head of the U.N. mission in the Congo, Mr. Robert Gardiner, had said as the shooting started: "We are not going to make the mistake this time of stopping short; this is going to be as decisive as we can make it". Those words, which presumably represented the intentions of the Secretariat, have since been flatly, if unconvincingly, contradicted by U Thant, whose second thoughts may have been due partly to Lord Home's firm protest against the resort to arms and partly to an optimistic assumption that the absence of serious opposition indicates that real trouble need not be expected to result from military action. That premise is dangerous, for Mr. Tshombe had made no secret of his decision that his troops should not incur heavy losses by defending fixed positions, but should melt into the bush and impose upon the United Nations an expensive, exhausting, and inconclusive guerilla campaign, in which all the advantages would be with the Katangese. The United Nations assertion that its actions last week were "defensive" is obviously false. The claim that it thereby attained its objective is at least premature, for if Mr. Tshombe and his associates decide to take to the bush the

Secretariat's satisfaction will soon be seen to be shabby self-deception.

\* \* \*

The aggressive action of the United Nations has been openly encouraged by the Kennedy Administration in the United States and by the Afro-Asian hotheads who have joined in denouncing the Katanga Government and in supporting the hopelessly divided and inefficient Central Congolese Government in Leopoldville, where the Parliamentarians have voted themselves salaries of four thousand pounds a year while the Treasury deficit increases by more than three million pounds a month. If anyone cares, there is no evidence of it. Economics are thrust aside by politics. Having insisted for years on the principle of self-determination for all countries, even for obviously unviable lands which possess a few vociferous politicians — an absurdity which has wrought incalculable damage in the world — the Americans and Afro-Asians cynically flout that principle in regard to Katanga, merely because President Tshombe has been realist enough to recognize the indispensability of European assistance and to insist on autonomy for his State within a federated Congo, to which he has repeatedly offered to contribute a fair share of the revenue derived from the mines of the Union Minière. But, very reasonably, he has refused to be made a puppet of quarrelling political groups a thousand miles away. The very people in Europe and America who have agitated for self-government for a penurious Nyasaland have worked against the grant of similar rights to Katanga, one of Africa's richest areas, and incomparably better fitted to succeed. Such contradictions, which could not be sustained in a sane world, mean nothing to politicians who have abandoned honour for expediency and shown themselves faithless to the trust reposed in them by a public so apathetic that it accepts almost in silence their betrayal of principles and peoples.

\* \* \*

In the eyes of the Afro-Asian extremists Mr. Tshombe's worst sin was to acknowledge forthrightly that for the foreseeable future the mines and other great enterprises of Katanga could not dispense with the professional, managerial, and financial skills of Europeans, and that those qualities would also be required in the administration of the country. Being unable to refute these self-evident truths, the

Afro-Asian racialists and their European and American partisans decided to evade them by ceaselessly abusing the Katanga President as a "colonialist stooge". He was and is nothing of the sort. While inviting advice from Belgian and other white men whom he trusted, he has made his own decisions, and has often given orders which proved that he had wholly or partially rejected recommendations which had been made to him. Friends with extensive experience elsewhere in Africa who have visited Katanga during the past two years have repeatedly described Mr. Tshombe to us as one of the most impressive Africans they have ever met, a calm, courteous man of generally good judgment who has no equal among the politicians who jostle for power in the Leopoldville Government. Members of both Houses of the British Parliament who have examined the Congo situation on the spot have at different times told us that Mr. Tshombe is in their view the outstanding political leader in the Congo, and of a calibre not matched by any African politician in the Federation or East Africa with the possible exception of Dr. Nyerere in Tanganyika. Whether that judgment be sound or somewhat exaggerated, there can be no doubt of the falsity of the picture of Mr. Tshombe presented by so many influential newspapers in Europe and America and by his Afro-Asian enemies, among whom the leaders of the Pan-African Freedom Movement for East, Central and Southern Africa are especially prominent — for the obvious reason that they are fanatical pan-Africanists while he is an advocate of the inter-racial partnership which was the corner-stone of United Kingdom policy in Africa until the Macmillan Government decided to wreck Britain's work of three-quarters of a century in East and Central Africa. Let it not be overlooked that that reckless and ruthless resolve was basically the cause of the Belgian scuttle from the Congo and of the disasters consequential upon that abandonment of a civilizing mission which was far from completed.

### Statements Worth Noting

"The future of the Federation is in jeopardy because we have failed to defend the non-racial policies of Sir Roy Welensky's United Federal Party with sufficient determination against ill-informed criticism from the United States and the United Nations".—Mr. Victor Goodhew, M.P.

"The quality for which the Macmillan Administration will be known in history is deception. It has deceived the British electorate and sometimes deceived Governments abroad. No Government in this century has so lacked integrity. At last it is being found out".—Mr. Hugh Gaitskell, leader of the Labour Party.

# Third United Nations "Defensive" Action Against Katanga

## British Government's Condemnation of "Futility of Imposing Political Solutions by Force"

**PRESIDENT MOISE TSHOMBE** of Katanga on Sunday flew to Salisbury, Southern Rhodesia, for talks with Sir Roy Welensky and "to clear up public opinion" on the United Nations attack on Elisabethville and other towns which had begun early on the previous Friday.

"I shall not leave Katanga permanently because the U.N. wants to force a solution on us", he said. "We have always been prepared to negotiate, but if they wish to force a solution on us, all Katangans, including myself, prefer to die. The U.N. has created a new Algeria in the Congo. They, and the Americans, must bear full responsibility".

He said that about 75 Africans had been killed and 300 injured by U.N. bombardments of African communes in Elisabethville. Women and children had been beaten up; and at least 150,000 refugees were fleeing the city to seek refuge in the Kipushi area.

The Red Cross was reported to have discovered 50 dead African civilians in an African location. Ethiopian troops were stated to have sprayed a hospital ward with gun-fire, where they thought mercenaries were hiding, and to have raped and murdered a French woman in front of her husband and child. But United Nations spokesmen nevertheless claimed that no civilians had been casualties.

### To The Death

Before leaving his capital the President had called on the U.N. to cease fire, adding: "The Katangan people will defend themselves to the death. Everywhere the U.N. and its troops will be fought as our worst enemy, with traps, with poisoned arrows and spears. We shall resist by all means, including total destruction of all our economic potential".

A U.N. counter-appeal said: "The cause for which Tshombe has armed you is not your cause, but the cause of foreign interests which uphold secession in order to take advantage of your natural wealth".

The U.N. had been planning an offensive for a long time, said Mr. Tshombe. On Thursday he had referred to an intention to arrest him and his Ministers "in order to paralyse the country and plunge it into chaos if the U.N. decided to apply military measures". The charge was dismissed in New York as "ridiculous". Next day the U.N. representative in Katanga, Mr. Eliud Mathu (of Kenya), told the President that he had strict instructions not to negotiate but to act; while they were talking three companies of U.N. troops encircled Mr. Tshombe's residence.

Later he managed to slip away to Kipushi unrecognized in a private car, after nearly being shot by a U.N. guard. He had been forbidden by Mr. Mathu to leave the city.

When the U.N. began hostilities it cut communications with the outside world.

### British Censure

On Saturday the Foreign Office stated that "H.M. Government have repeatedly impressed upon U Thant the futility of trying to impose a political settlement on the Congo by force. This could only lead to a prolonged and expensive occupation of the country by the U.N."

"Sir Patrick Dean (the British delegate to the U.N.) has been instructed to urge U Thant to take advantage of Mr. Tshombe's offer to send representatives to Leopoldville to arrange a fair division of revenues between Katanga and the Central Government. The first necessity is an immediate ceasefire".

Next day this statement was issued:—

"Mr. Tshombe has been flown from Northern Rhodesia to Salisbury at his own request. It is also understood that before he could return to Katanga and resume negotiations for a settlement of the economic and constitutional problems

of the Congo Mr. Tshombe has indicated that he would require certain guarantees of personal safety for himself and his Ministers and an understanding with the U.N. as to the future of the gendarmerie.

"Sir Patrick Dean has informed the secretary-general of the foregoing developments and has received from the secretary-general guarantees for the safety of Mr. Tshombe and Ministers with him.

"As regards Mr. Tshombe's gendarmerie, the U.N. have undertaken to provide safe conduct and the necessary documents for officers sent to Leopoldville to take an oath of allegiance to the Central Government.

"The British Government hopes that negotiations can quickly be resumed between Mr. Adoula and Mr. Tshombe on an equitable division of revenue between the provinces and the Central Government and on a Federal Constitution. Discussion and negotiation are the only ways by which a lasting settlement of the Congo problem can be reached".

Acting on this assurance, Mr. Tshombe flew to Kolwezi, 220 miles west of Elisabethville, on Monday.

### Atrocities Alleged

After a meeting with his Cabinet, he accused the U.N. of "blatant hypocrisy and flagrant lies". Massacres, looting, rape and robbery were, he said, being perpetrated by U.N. soldiers. The U.N. had gone beyond its mandate "by ignoring the General Assembly resolution which forbids it to interfere in the internal matters of a country".

Mr. Tshombe's talks in Salisbury had been with the Federal Prime Minister, Sir Roy Welensky, the Deputy Prime Minister, Sir Malcolm Barrow, and the British High Commissioner, Lord Alport.

Sir Roy stated afterwards that the Katanga leader had visited him to find an opportunity to present his country's case on the clash—a chance denied him in Elisabethville—and to seek advice.

"The advice I offered President Tshombe was to resume negotiations with the U.N. and the Congolese Central Government authorities, provided that he considered the guarantees offered him to be completely satisfactory. In doing so I had in mind—as I believe a great many people have—the difficulty of extracting the real intentions of the U.N. from the conflicting statements which are reported.

"There is a direct conflict, for example, between yesterday's statement by Mr. Gardiner, the U.N. chief representative in the Congo, that the U.N. are 'not going to make the mistake of stopping short this time', and the official announcement that the objectives of the U.N. in Katanga have been achieved.

"Let no one be under the impression that the U.N. have achieved either a victory of arms or a moral victory in Katanga. Far from there being any question of congratulation for anyone for what has been done, it would to my mind be more appropriate to think with the deepest regret and sorrow of the position of the widows and orphans of those who have been killed during the past few days and before—killed by agents of an international organization which has peace as its objective and justification".

### U.N. Account of Hostilities

Fighting broke out in Elisabethville last Thursday night. According to a United Nations statement in New York next day, it had "begun without provocation by the Katanga gendarmerie". The statement continued:—

"On the evening of December 26 a routine U.N. patrol on the old Jadotville road was fired on by the Katanga gendarmerie. The U.N. patrol did not return the fire but returned to its base. On December 27 at 2.30 a.m. the same gendarmerie post opened up with automatic weapons, firing for half an hour for no apparent reason. Again U.N. troops did not return the fire.

"Late on the evening of December 27 the gendarmerie began heavy firing, including mortar fire on U.N. positions around the Elisabethville perimeter at the golf course, at the Kasapa area (north of Elisabethville), and on the Avenue Tombeur.

"The U.N. representative, Mr. Eliud Mathu (of Kenya), reached Mr. Tshombe, who, accompanied by General Moke (commander of Katanga's forces) and Katanga police officials joined the U.N. representative at Mr. Mathu's residence at 11 o'clock that night. The party, accompanied by General Prem Chand and Brigadier Noronha (both of India and commanding troops in Elisabethville), then visited the U.N. positions which were being fired upon in the golf course area and the Lido area. The party encountered a variety of fire en route. Mr. Tshombe admitted that it was the gendarmerie and not U.N. troops who were doing the firing.

"The party then proceeded to the Presidency, where agreement was reached between Mr. Mathu, General Prem Chand, and Mr. Tshombe that the latter would take all necessary measures to have the Katanga gendarmerie stop firing by the early hours of the morning. At this point heavy automatic fire began at the Presidency itself by the gendarmerie guarding the palace. They were angrily ordered to desist by Mr. Tshombe.

"At 3 a.m. on December 28 eight heavy mortar bombs fell on the Ethiopian troops holding the Lido, wounding one soldier. At 5 a.m. the gendarmerie opened small arms fire towards Camp Massart (east of Elisabethville), wounding one Indian soldier. Throughout the night there was intermittent firing in the vicinity of the airport and golf course, including automatic and mortar fire. At 6 o'clock the same morning six heavy mortar bombs fell on the Gurkhas in the golf course area and another 15 mortar bombs fell on the Ethiopians at the Lido and the Avenue Tombeur. Five Ethiopian soldiers have so far been reported wounded by this Katanga fire.

"At 10 o'clock this morning heavy Katanga firing at all U.N. positions continued. All these positions were still withholding fire without exception at that time.

"Mr. Tshombe, accompanied by the British and United States Consuls, met the U.N. representative at Mr. Mathu's residence at 11 o'clock this morning and Mr. Tshombe agreed to order the removal of all gendarmerie road-blocks in the Elisabethville area. Mr. Tshombe also ordered General Moke to cease firing. The party (consisting of U.N. representatives, Mr. Tshombe and their aides) is proceeding to verify the removal of the gendarmerie road-blocks.

"In view of this overt and obviously well-planned attack on its forces in Elisabethville, the U.N. command has been instructed to take all necessary action in self-defence and to restore order".

### "General War" Threat

General Prem Chand was reported to have given Mr. Tshombe 30 minutes to withdraw his troops "or general war will begin". Mr. Robert Gardiner, chief of the U.N. Congo mission, informed the U.N. secretary-general, U Thant, that "we are going to eliminate all inconvenient road-blocks and go as far as our resources permit".

Mr. Tshombe was said to have refused to sign a cease-fire order, although agreeable to issuing such a command verbally. U.N. spokesmen suggested that he had lost control over his forces.

U.N. troops then stormed and overran the gendarmerie headquarters at Karavia, and in an air attack destroyed three Katanga planes on the ground. In two counter-attacks other contingents occupied the National Bank of Katanga, the post office, and other public service centres. Electricity and water supplies had been cut off and were gradually being restored.

By Sunday the U.N. claimed control of a 12-mile area round the capital and the towns of Kigushi and Kamina. Further air strikes were made on Kolwezi and Ngule airfields, destroying another six Katangan planes.

On Sunday night the U.N. announced the conclusion of its "defensive action", saying that its objectives had been achieved.

Earlier Mr. Gardiner had repeated his threat of a few weeks ago that the U.N. would not "make the mistake of stopping short this time". He added: "This is going to be as decisive as we can make it. We shall soon see if there is a Katanga Government or anybody who wants to resist. I would like to emphasize that the U.N. action will continue to employ the minimum of force necessary for us to exercise our mandate, which is still crystallized by the U Thant plan".

### "No Choice"

U Thant cabled his congratulations to the Congo command "on the exemplary way in which you have carried out your duties. It was an unhappy circumstance and a matter of regret to me that it became necessary for our operation to resort again to military force in Katanga in a defensive action. As you know, this was not by our choice but was forced upon us. The U.N. troops in the Elisabethville area exercised remarkable restraint and patience while under fire most of last week without returning the fire.

"It was only after all other efforts had failed that the order was given to undertake the defensive action of removing the hostile gendarmerie road-blocks, which was completed so successfully and fortunately with a minimum of casualties. It was a vital contribution to the cause of order and peace in a united Congo and to the success of the U.N."

U Thant on Monday gave the Katangese authorities "a fortnight or so before other measures would have to be weighed", to achieve his own "sound and reasonable" plan for the reunification of the Congo. He hoped for Mr. Tshombe's co-operation in eliminating mercenaries from his province and assuring free movement to U.N. troops. Two immediate steps should be the arrival in Leopoldville of the representatives of the Bank of Katanga and of the Union Minière du Haut

Katanga, the latter to discuss how the mining group's foreign exchange and tax revenues should be paid to the Central Government through the monetary council, as suggested by Mr. Tshombe.

The secretary-general would also expect the Central Government Prime Minister, Mr. Adoula, to "support and press for early action in Parliament on the Constitution called for in the plan, which, as I understand, would be subject in Parliament to amendments desired by any of the provinces, including Katanga".

He continued: "Some may say loosely that there was a 'third round' in Katanga. That was not the case. There would have been no fighting at all if the Katangese gendarmerie had not made it unavoidable through their several days of senseless firing.

### Not Intervening in Politics

"In view of the results of the operations, there may be some who would be inclined to refer to a U.N. 'military victory'. I would not like this to be said. The U.N. is seeking no victory and no surrender in Katanga, for the U.N. is not waging war against any one in that province. We have never initiated force in Katanga or elsewhere in the Congo and we do not intend to do so. We do not use the force we have for political ends and we do not intend to intervene in the political affairs of the Congo, of the province of Katanga, or of any other province."

"I am convinced that we must witness an early beginning of the reduction of U.N. military strength in the Congo and an increasing concentration of U.N. technical assistance to the people of that country. I call upon the leaders of the Congo with great earnestness and urgency to assist me in a speedy achievement of these ends".

The Labour Party has criticized the Foreign Office cease-fire call, accusing the Government of continuing to refuse to support the U.N. reconciliation plan and the Security Council resolutions.

"It has been this attitude of H.M. Government which has encouraged Tshombe in the belief that through constant procrastinations and evasions he could prolong the already long-drawn-out dispute to a stage where financial considerations would force the U.N. to quit the Congo.

"The British Government's attitude has weakened the position of the Central Government of the Congo and increased the danger of real warfare, of external intervention; and the extension of Communist influence.

"The statement by the Foreign Office totally ignores the events which led to the U.N. retaliation against the attacks of the illegal Katangese forces. Throughout December 27 and 28 U.N. positions were attacked by machine-guns and mortar, causing casualties. Mr. Tshombe either refused to order his forces to cease fire or if he gave such an order, it was not carried out.

"No sooner does the U.N. act to restore law and order and to protect their troops and their freedom of movement than the U.K. Government unilaterally calls for a cease-fire. They have again accused the U.N. of seeking to impose a political solution by force.

### "Illegitimate Pressure"

"This intervention at this delicate and dangerous moment shows the extent to which the Government is influenced by the clamourings of irresponsible Tory back-benchers and by illegitimate pressure by financial interests. Rather than once again sabotaging the U.N. efforts, the Government should now support the actions of the U.N. in the face of a well-planned attack on its forces, to take necessary action in self-defence and to restore order".

About 90 Conservative M.Ps., led by Sir Tufton Beamish, have signed a motion urging the Government to protest against any U.N. attempts to force Katanga in the Congo.

Leopoldville H.Q. of the U.N. forces announced on Monday that the Katanga gendarmerie would continue to be treated as a hostile force until its senior officers took the oath of allegiance in Leopoldville. President Tshombe and his Ministers were free to return to Elisabethville and their posts without fear of molestation "unless they should engage overtly in incitement against the U.N. personnel and operation"; they had left "of their own volition and were not under U.N. restraint at the time nor under any U.N. threat".

At a P.A.F.M.E.C.S.A. meeting in Leopoldville on the Katanga situation, attended by the Uganda Prime Minister, Mr. Obote, the Vice-President of Tanganyika, Mr. Kawawa, Kenyatta and Mr. Mboya from Kenya, and the Northern Rhodesian Minister of Local Government, Mr. Kaunda, and by Central Congolese Government Ministers, "British manoeuvres in aid of secessionism and entrenchment of foreign interests in Katanga" were condemned. Appreciation was expressed for America's "enlightened" Congo policy and aid. Mr. Tshombe was dismissed as "that petty, self-seeking tribalist".

# Federal Government's White Paper on Nyasaland's Secession

## Summary of the Evidence Given to Mr. Butler's Four Advisers

**THE WHITE PAPER** (C. Fed. 231) of the Federal Government entitled "The Issue of Nyasaland's Secession" runs to 67 pages.

It contains a summary of the documents and other information given by the Federal Government to the four advisers to the First Secretary of State, Mr. R. A. Butler—who has refused to publish the report of the advisers or to supply a copy of it to the Federal Government.

From the White Paper the following passages are quoted:—

"Mr. Butler visited the Federation from May 11 to 26, 1962. In the course of discussions with the Federal Ministers Mr. Butler said that he believed that the union between Northern and Southern Rhodesia should remain close, whilst Nyasaland, as a predominantly African State, would be associated with them rather more loosely. The British Government was fully alive to the enormous advantages which had flowed from Federation.

"His idea was that, coincidentally with an examination of the position in Nyasaland, his advisers would look at a possible form of association between Northern and Southern Rhodesia and between Northern Rhodesia, Southern Rhodesia and Nyasaland which would avoid Nyasaland being treated in isolation.

### Federal Insistence on Over-All Settlement

"Federal Ministers insisted that in any negotiations concerning an alternative form of association the existence of the Federation had to be recognized, and this should be the starting-point. What was important was the recognition that the Federation existed. The Federal Government was a factor which could not be ignored. The Government had no wish to adopt a negative or unrealistic attitude. The Government did not have a closed mind and was willing to consider modifications to the Constitution and the redistribution of functions.

"The Federal Prime Minister insisted that there should be an over-all settlement. His personal view was that it would be fatal to divide the Rhodesias, and economic links would be valueless without effective political ties. He trusted that if any decisions were to be made by the British Government they would not be made unilaterally and the Federal Government would be fully consulted.

"Mr. Butler was anxious that agreement should be reached amicably. It was his desire to restore confidence between the British and Federal Governments, and he affirmed that after he had received advice from his advisers he would consult the Federal Government before any decision was taken.

"It was in Britain's interests to preserve the closest link between the Rhodesias and Nyasaland and in this regard he had been disappointed at the adamant attitude of the Malawi Ministers. It was clear that the volume of financial assistance that would be required if Nyasaland broke away from the Rhodesias would be considerable. The British Treasury was most unlikely to agree to make up a shortfall of the order of £5m. or £6m. annually.

"Summarizing his discussions with Federal Ministers, Mr. Butler said he believed they had been very useful. He thought the aim should be to retain the main strength of the Federation by having the closest association between the Rhodesias but with certain adjustments to the present arrangements which recognized

the special position of Nyasaland. He had been impressed by the value of interdependence. He had no wish to get at cross-purposes with the Federal Government. On the contrary, he wished to re-establish confidence so that the two Governments could act together on a basis of consultation.

"The Federal Prime Minister emphasized that he too was anxious to proceed on a basis of consultation and of reason. He felt, however, that he had to make it clear that he would resist with all the means at his disposal a solution based on economic association without effective political control.

### "We Shall Be Behind You"

"At a Rhodesia and Nyasaland Club dinner in London, on July 10, Mr. Butler made a special point of emphasizing that the British Government had faith in the Federation and urged investors to have similar faith. 'We want you to understand that if you put your money into the Federation we shall be behind you'.

"Mr. Butler's team of advisers arrived in the Federation on July 16. They were charged to examine the financial needs and economic viability of Nyasaland both in regard to the consequences of a possible withdrawal from the Federation and also of possible and alternative acceptable forms of association with the other two territories. Notwithstanding this injunction, neither the Nyasaland Government nor Malawi Ministers produced for the advisers' information and guidance one single written memorandum.

"The Federal Government went to immense trouble to provide information, and compiled a total of 77 memoranda and other documents. The Federal Government took up this position notwithstanding the fact that it was in no sense a petitioner and had not been presented with any case to answer for the possible secession of Nyasaland, but because of its undertaking to co-operate fully with the advisers.

"The great weight of evidence clearly indicates that the Federal Government has fully and faithfully honoured all its constitutional obligations to the people of Nyasaland. Not only this, but it has taxed its resources to the utmost to raise standards in Nyasaland in the fields of health, education, communications and postal services to the level of those of the more advanced Rhodesias. This has been done by pouring funds into the territory and spending as much as ten times more on certain services as was spent when the Nyasaland Government was in charge.

### Grave Consequences

"The evidence highlights the grave consequences that would ensue from Nyasaland withdrawing from the Federation. Any possible severing of the link is not at the wish of the Federal Government, and responsibility for the poverty and hardship which are likely to be the lot of the people of Nyasaland does not rest with the Federal Government. It will rest with Malawi Ministers, who are demanding the territory's withdrawal, and the British Government which has unilaterally agreed to it.

"Whilst the Federal Prime Minister was in London for the Commonwealth Prime Ministers' Conference in September, he had further discussions with Mr. Butler and said that he would object most strongly to any decision on Nyasaland's future relationship with the other territories of the Federation being made in isolation. He was not prepared to accept a piecemeal solution; there must be a finality on the over-all constitutional issues.

"On November 5 Lord Alport, British High Commissioner in the Federation, made a statement to Federal Ministers on discussions he had just had in London with Mr. Butler. He reported that the feeling in London was that Nyasaland's withdrawal from the Federation was now regarded as inevitable and in some quarters even desirable. His Government had therefore come to the conclusion that, in the interests of achieving a constructive solution to the Federal problem, the issue of Nyasaland should be got out of the way by an announcement before the Nyasaland Constitutional Conference in November of the acceptance in principle of Nyasaland withdrawing from the Federation. The announcement would make it clear that Nyasaland would be expected to shoulder to the full extent that might be equitable the consequential costs.

ments and obligations, both political and financial, which would flow from the withdrawal.

"In a strongly-worded personal message to Mr. Butler the Federal Prime Minister said that he and his Ministers were 'profoundly shocked' at the message. The Prime Minister desired to make it perfectly clear that his Government held very strongly to the view that its consent was necessary by virtue of the 1957 Convention to any change in the composition of the Federation. It now appeared that the British Government had decided to take unilateral action in violation of that Convention.

"The Federal Prime Minister drew Mr. Butler's attention to his clear statements in the House of Commons in May that Nyasaland should not be considered in isolation but that it was only one aspect of a composite problem. Furthermore, in all his discussions with Mr. Butler, the Prime Minister had consistently taken the line that the issue of Nyasaland could only form part of an over-all settlement.

"The Federal Prime Minister reminded Mr. Butler of the firm undertakings he had given during his visit to the Federation in May that, after he had received advice from his advisers, he would consult the Federal Government before any decision was taken. The Prime Minister had naturally been expected to be given an opportunity to study the report and to comment on the advice contained in it. The Federal Government had now been denied this opportunity, and the British Government had come to its decision without having before it the considered views of the Federal Government of the likely serious economic and political consequences. An announcement as contemplated would be most calculated to destroy Mr. Butler's avowed object of the continuance of the association of the two Rhodesias and the maintenance of the valuable links between them.

**Prevented from Honouring Promise**

"On the basis of Mr. Butler's assurances that full consultations would be held with the Federal Government before any final decision was taken, the Federal Prime Minister had given an undertaking that an opportunity would be afforded the Federal Assembly to debate any question relating to the future of the Federation before any final decision was taken. Mr. Butler's proposed announcement would prevent him from honouring this undertaking.

"The Federal Prime Minister concluded that the only basis on which he could consider the secession of Nyasaland was as part of an over-all settlement, the terms to be announced contemporaneously with the secession announcement. These terms would have to include the compensation and other guarantees to prejudiced minorities, the basis on which the Federal Public Service was to be maintained, and the liability

of the respective Governments for the public debt. He pointed out that guarantees on these matters from the Nyasaland Government alone would not suffice and the British Government would have to indicate their agreement to underwrite them.

"On November 10 Mr. Butler expressed surprise that the British proposals had come as such a shock to the Federal Government. He did not regard his Government's present proposals as in any sense an abandonment of the composite approach, to which both his and the Federal Government attached the same importance, but rather as the best method of making that approach effective. He could not accept that the Federal Government was at any time led to believe that it would have an opportunity to study the advisers' report. In any case it was only one element which had contributed to the British Government's decision.

"H.M. Government adhered to its view that it must accept in principle that Nyasaland should withdraw from the Federation, but in view of the Federal Government's representations it had been agreed to postpone the announcement until just before the House of Commons rose for the Christmas recess.

**Undertakings Ignored by H.M. Government**

"Because he did not want to exacerbate feelings during the Nyasaland Constitutional Conference, the Federal Prime Minister refrained from replying to this message until November 23. His purpose in replying then was to leave Mr. Butler in no doubt that the Federal Government totally rejected the British Government's contention that it had the right unilaterally to break up the Federation. He requested that no announcement be made until his Government had had an opportunity to have personal discussions with Mr. Butler. Mr. Butler proposed to visit the Federation in January, and the Federal Prime Minister could not believe that the announcement could not be safely delayed until there had been a chance of discussion on it together. Any announcement made beforehand would be taken 'in cold blood' without a full appreciation of the consequences which would flow from it.

"This recital of events is intended to indicate clearly that the British Government's decision has been made in complete disrespect of the Federal Government and in a manner which, as far as the Federal Government is concerned, completely circumvents the grave consequences that might follow.

"In taking the decision unilaterally the British Government has completely ignored, not only the conventional agreement relating to the Federation, but also the firm and clear undertakings given to the Federal Government that there would be the fullest and closest consultation between the two Governments before any decision was reached.

*(To be continued)*

**Convention Should Prevent Unilateral Action by Britain**

**Mr. Julian Crossfield Contest's Position Assumed by United Kingdom Government**

**THE FEDERAL GOVERNMENT** contends with confidence that there is a binding convention which inhibits the British Government from unilateral action to dissolve the Federation of Rhodesia and Nyasaland or to allow any territory to secede therefrom without the consent of the Federal and the Southern Rhodesian Governments, the Federal Minister of Law, Mr. J. M. Crossfield, has told the Federal Assembly.

He said: "The Federal Minister has ever questioned the sovereignty of the British Parliament in the sense that since the Queen has assumed in 1926 a function as Act of Parliament which is part of law in Britain or the Parliament would hold to be ultra vires.

"The issue between the two Governments is whether there is a convention or pledge applicable to the Federal States which ought to deter the British Government from taking legislative action to dissolve the Federation or to allow any of its territories to secede.

"A British Commission of Enquiry of the British Parliament in 1958 said:

"It is a well-established principle of the constitutional law of the United Kingdom that the British Government is bound to observe the terms of a convention or pledge entered into by it with the Government of another State or with the Government of a Territory or with the Government of a

State or with the Government of a Territory or with the Government of a Colony, that is to say, in effect, that interference should take place only at the request of such Dominion, State or Colony speaking with the voice which represents it as a whole and not merely as the representative of a minority. That rule was well established before 1926 and has been consistently acted upon as an undoubted constitutional convention.

"The Select Committee was dealing with a petition by the State of Western Australia to be allowed to secede from the Commonwealth of Australia, for which there would have had to be a British Act of Parliament. The Select Committee considered that such a request could not be acceded to if it came from a minority—the State, a single State within a Federation. The request, to be acceded, must come from the voice which represents the Federation as a whole—in that case the Federal Government or Parliament of Australia.

Applying the convention in the context of Rhodesia and Nyasaland, it means that a single territory the Nyasaland should not be allowed to secede without the consent of the Federal Government, and indeed probably also without the consent of the Southern Rhodesian Government.

The convention is applicable to the Federation of Rhodesia and Nyasaland, and of binding force and effect on the British Government. It had been referred

to in constitutional text-books as applying to the self-governing Colony of Southern Rhodesia before the Federation was inaugurated in 1953, and it was against this background that the Constitution of the Federation of Rhodesia and Nyasaland was negotiated in 1951-53.

"Certain pledges were given at the Constitutional Conference of January 1953 by the responsible British Ministers and accepted by the Southern Rhodesian Prime Minister, who became the first Federal Prime Minister. These pledges were in keeping with the general convention. The Federation as established was a self-governing State, having an elected Parliament and a Prime Minister and Cabinet, clothed with powers in relation to external affairs as wide as if not wider than Southern Rhodesia had enjoyed.

"The British and Federal Governments agreed about substantial changes which were to be made by the Federal Assembly to the Federal Constitution and the enactment by that Assembly of a Federal electoral law, and a joint announcement of April 27, 1957, was produced, not because either Government questioned the existence of the convention, but because certain politicians in Rhodesia were constantly proclaiming that Article 29 (7) of the Federal Constitution enabled the British Government to interfere by its legislation with the internal affairs of the Federation.

"The *communiqué* records the 1957 convention as follows: 'The United Kingdom Government recognizes the existence of a convention, applicable to the present stage of the constitutional evolution of the Federation, whereby the United Kingdom Government in practice does not initiate any legislation to amend or repeal any Federal Act or to deal with any matter included within the competence of the Federal Legislature except at the request of the Federal Government'.

"The Federal Government contends that this statement of the convention was not intended to begin, in fact by recognizing this as something already in existence. Moreover, the reference in the *communiqué* to the British Government's opposition to the secession of any territory reinforces this view.

"The Federal Government contends that this announcement itself suffices to inhibit the British Government from legislating for the secession of a territory. As noted above, the main purpose of the governmental meeting was to agree substantial amendments to the Federal Constitution and the terms of the electoral law. The amendments to the Federal Constitution were made by a Federal Act of Parliament, and the present Constitution of the Federation now consists of two documents—the annexure of a British Order in Council and a Federal Act of Parliament.

#### Mr. Butler Relied on Convention

"The latter now states the position in regard to the representation of the three territories in the Federal Assembly. This is a matter in which the Federal Assembly was competent to deal and did deal. An Act of the British Parliament effecting the secession of Nyasaland would have the effect of repealing or amending the Federal Constitution Amendment Act. It would therefore violate the 1957 announcement unless the Federal Government's consent were first obtained.

"It has been noted that the constitutional text-books long ago recognized the application of the convention to Southern Rhodesia. Notwithstanding this, in 1961 the British Government saw fit to include in one of the White Papers dealing with the new Southern Rhodesian Constitution a statement about the application of this convention to Southern Rhodesia in the following terms: 'The Constitution of 1923 conferred responsible government on Southern Rhodesia. Since then it has become an established convention for Parliament at Westminster not to legislate for Southern Rhodesia on matters within the competence of the Legislative Assembly of Southern Rhodesia except with the agreement of the Southern Rhodesian Government'.

"It is most significant that the scope of this recorded statement has already been given an interpretation by the First Secretary of State, Mr. R. A. Butler, which entirely accords with the interpretation put on the 1957 announcement by the Federal Government. It will be noted that the language of the two announcements where it relates to their scope is identical.

"On May 8, 1962, Mr. Butler, speaking in the House of Commons, said: 'The British Government cannot by themselves introduce a new Constitution for Southern Rhodesia, nor can they set aside the 1961 Constitution. This would be contrary to the convention which has operated for nearly 40 years of non-interference in the internal affairs of Southern Rhodesia'.

"Mr. Butler did not say that the British Parliament is not legally competent to pass legislation to abolish the Southern

Rhodesian Constitution. He relied on the convention as inhibiting it from doing so.

"Lest it be thought that discussion about the convention is only of academic interest and that the Federal Government with no Federal territory is of no account in this matter, it must be pointed out that the Federal Government is the employer of about 35,000 civil servants. The dissolution of the Federation or the secession of any territory would immediately jeopardize the future of these people and put them in doubt about their pension rights. There are also the Federal Army and Air Force to consider.

#### Inhibited from Unilateral Action

"The Federal Government is a trustee for these people. It is also a trustee for the entire population of the three territories to ensure that they are properly defended and that good government shall be administered in them.

"Unilateral action to dissolve the Federation or to allow a member to secede could throw all these matters into confusion, and the Federal Government's co-operation in the arrangements for the future is indispensable.

"The Federal Government contends with confidence that there is a binding Convention which inhibits the British Government from unilateral action to dissolve the Federation or to allow any territory to secede therefrom without the consent of the Federal and the Southern Rhodesian Governments.

"There is also a new Government in Southern Rhodesia. Whatever its general views may be, it must be in a position to examine the terms and conditions upon which any decision even in principle can be accepted".

### Intimidation the Dominant Factor

PROFESSOR FRANK DEBENHAM has written in a letter to *The Times*:—

"Recent events in the Federation of Rhodesia and Nyasaland emphasize more than ever the part that intimidation takes in the change overtaking the African scene. Once more it becomes evident how easy it is for a small but ruthless group to compel their fellow Africans to boycott or resist all non-African endeavours to ensure fair dealing and honest intentions towards multi-racialism.

"It seems impossible to convince our stay-at-homes including those Members of Parliament who have not visited Central Africa, of the extent to which intimidation is influencing all our aspirations for a contented Africa.

"The grand idea of the then Sir John Huggins and Mr. Roy Welensky to make the noble experiment, for the first time in history, of an ordered progression to equality of opportunity and power for black and white, is being undermined, perhaps even wrecked, by hundreds of acts of intimidation, which never reach the columns of the British Press.

"We are witnessing how our best British aspirations are being thwarted by our own apathy and ignorance as in the past. The saddest feature of the whole situation is that it is the African, far more than the European, who will suffer most in the end. Ever since the rise of slavery, it has been the African who has been the worst enemy of Africa, and history seems to be repeating itself once more".

### Great Honour and Distinction

THE CHURCH TIMES considers Sir Roy Welensky's protests against the United Kingdom Government's conduct to be entirely intelligible. In a short editorial comment that influential weekly has written:

"No one in public life likes to have the chair in which he is sitting, with great honour and distinction, suddenly whisked away from under him. Something very like this has happened to Sir Roy Welensky, Prime Minister of the Federation, with the decision of the British Government to sanction the secession of Nyasaland, with the clear implication that the Federation is finished. Sir Roy's furious outbursts against the Government in Whitehall, which he accuses of double-dealing and breach of solemn, if secret, promises, is entirely intelligible".

# PERSONALIA

THE EARL OF INCHCAPE was 45 last Thursday. SIR MILES THOMAS has joined the board of Deritend Stamping Co., Ltd.

MR. D. V. A. CRADDOCK is now secretary of Arbuthnot Latham & Co., Ltd.

MR. MOUSTAFA FAHMY EL ESSAWI is Egyptian Ambassador in Tanganyika.

MR. C. D. MSUYA is now Commissioner for Community Development in Tanganyika.

MR. R. M. P. PRESTON has resigned from the board of British Metal Corporation, Ltd.

MR. J. A. GOLDING is temporarily general manager of the Tanganyika National Tourist Board.

MR. EDMOND O'CALLAGHAN has been appointed Commissioner of Personal Tax in Nyasaland.

SIR FRANK LEE has been elected chairman of the governing body of the Leys School, Cambridge.

MR. R. H. TURTON, M.P., has been appointed a Deputy Lieutenant of the North Riding of Yorkshire.

COLONEL CHARLES A. LINDBERGH, the American aviator, recently spent a game-watching holiday in Kenya.

THE REV. MATTIYA MBULINYINGI is the first African to be appointed a curate of St. Alban's Church, Dar es Salaam.

MR. J. P. I. FFORDE has retired as Northern Rhodesia's Commissioner of Police after 11 years in the Protectorate.

MR. S. R. HOGG has joined the board of Foundry Equipment and L. & Y. Holdings, Ltd., and has been elected chairman.

LORD ABERCONWAY, who has large interests in the Federation, has been elected deputy governor of The London Assurance.

AIR MARSHAL SIR WALLACE KYLE, Vice-Chief of the Air Staff, paid a brief visit to Kenya before returning to Britain from Aden.

MR. COLIN KIRKPATRICK has been elected chairman of the Rhodesian Institute of African Affairs. His deputy is MR. W. F. MUNN.

MR. H. A. KACAJE, of the Malawi Congress Party, has been elected to represent Lilongwe North in Nyasaland's first by-election.

MR. FREDERICK V. APPLEBY has resigned from the board of W. & C. French, Ltd., a civil engineering group with an East African subsidiary.

MISS KATHLEEN BRECK, daughter of MR. and MRS. R. B. SWARBRECK, of Umtali, Southern Rhodesia, is to play the lead in a new British film, "West 11".

MR. ALI KISEKKA, Kabaka-Yekka member for South Mengo in the Uganda National Assembly, has asked that the police should be ordered to salute M.Ps.

LORD GODBER, chairman of Commonwealth Development Finance Co., Ltd., recently gave a luncheon for MR. T. BAZARRABUSA, High Commissioner in London for Uganda.

MR. F. G. WADDINGTON, who has been in the Veterinary Services in Kenya and Tanganyika, has been posted to the Colony for a year by F.A.O. to investigate the incidence of animal tuberculosis.

MR. MALCOLM MACDONALD is due in Nairobi tomorrow to take up his new duties as Governor in Kenya. He will be sworn in during the afternoon at a ceremony outside the Law Courts.

THE MOST REV. F. O. GREEN-WILKINSON, Archbishop of Central Africa, is to address a joint meeting of the Royal African and Royal Commonwealth Societies in London at 1.15 p.m. on Thursday, January 10, on "Christianity in Africa". MR. PATRICK McDONAGH will preside.

One of four new members appointed to the Commonwealth Immigrants Advisory Committee by the Home Secretary is MR. PHILIP MASON, director of the Institute of Race Relations.

DR. PAUL KOHEN, of the F.A.O., has just completed an examination of the progress of the year-old co-operative credit scheme run by the Uganda Ministry of Agriculture and Co-operatives.

MR. R. P. K. HARRISON, who had previously served in Kenya and Ethiopia, has arrived in Nyasaland as representative of the British Council, MR. A. G. HAMER having been transferred to Scotland.

MR. C. S. PHILLIPS has been elected to the board of Cayzer, Irvine & Co., Ltd. He is secretary of Clan Line Steamers, Ltd., and other companies in the British and Commonwealth Shipping Group.

MR. DAVID PAYNTER, chief photographer of the *Rhodesia Herald* and the *Sunday Mail*, has won the first award in the sport section of the Fifteen British Press Pictures of the Year competition.

MR. JOSHUA NKOMO, leader of the now proscribed Zimbabwe African Peoples Union of Southern Rhodesia, was on Monday released from the restrictions on his movements imposed three months ago.

MR. RAMCHANDRA SATHE, who formerly served in Nairobi, has been appointed High Commissioner for India in Tanganyika, in succession to MR. MULLATH VELEODI, who has been transferred to U.N.O.

MR. A. J. LAKE, lately managing director of Ideal Casements (E.A.), Ltd., has been appointed to the board of the parent company in this country. He is succeeded in Nairobi by MR. F. RAVENSCROFT.

It is suggested in Whitehall that PRINCE WILLIAM OF GLOUCESTER, seventh in line to the Throne, may enter the Commonwealth Relations Office as a civil servant when he comes down from Cambridge University.

MR. AND MRS. ARMAND DENIS, whose home is at Langata, near Nairobi, are interested in the establishment in London of a company concerned with the promotion of holidays in East Africa and Rhodesia.

MR. NIGEL FISHER, Parliamentary Under-Secretary of State for the Colonies, is visiting the British Solomon Islands, from which he will go to the New Hebrides and Fiji. He is due back in London on January 22.

MR. E. VAN KERCKHOVEN, head of the export promotion division of the Federal Ministry of Commerce and Industry, has returned from Nigeria, where the Federation had a stand at the recent international trade fair.

MR. AARON MWAKANG'ATA has been appointed permanent secretary (administration) in the Tanganyika vice-president's office, and MR. ROZ SAIDI permanent secretary in the new Ministry of National Culture and Youth.

Before leaving Kenya for Zanzibar, SIR GEOFFREY NYE, Agricultural Adviser to the Department of Technical Co-operation, said that the Colony's land consolidation and farm organization were "an object lesson to the world".

MR. J. N. BUCHANAN has joined the board of Hecht, Lewis & Kahn, Ltd., and has been elected chairman. MR. E. WEISS has become a director, and MR. C. J. DORMAN has been appointed secretary in succession to MR. C. S. WALKER.

MR. GUY CLUTTON-BROCK, a field officer in Nyasaland for the African Development Trust, has been appointed director of community development training, and will be based at Magomero, where a centre will be set up early this year.

LORD HOWICK OF GLENDALE has been appointed a director of the family business of Baring Bros. & Co., Ltd. LORD HOWICK, who was Governor of Kenya as SIR EVELYN BARING, is chairman of the Colonial Development Corporation.

MR. A. W. ("BILL"), SMITH, a former Fleet Street journalist, who joined the Rhodesian Selection Trust public relations department in Northern Rhodesia two years ago, has been appointed to the new post of P.R.O. for the group on the Copperbelt.

GENERAL SIR GEOFFREY BOURNE, having been appointed chairman of the Central Land Board in Kenya, has resigned the offices of director-general of the Aluminium Federation and the Aluminium Development Association in the United Kingdom.

PROFESSOR R. C. TRESS, Professor of Political Economy at Bristol University, who has served on economy commissions in Uganda and Kenya during the past year, is to be a part-time member of the National Incomes Commission ("Nicky") in this country.

MR. RASHIDI KAWAWA, Vice-President of Tanganyika, led that country's delegation to the PAFMECSA meeting in Leopoldville last week. He was accompanied by MR. NSILO SWAI, Minister without Portfolio, and MR. BHOKE MUNANKA, of the Vice-President's office.

MR. W. T. MCCLAIN, an American who has been teaching law in London for the past three years and has been engaged on research work at the School of Oriental and African Studies of London University, is head of the new law school in Nyasaland at Mpemba.

MR. J. CROOT, a former Health Minister in Uganda, has been elected president of the Association of Surgeons of East Africa. At the annual meeting in Kampala he warned Uganda "not to be in too much of a hurry" to hand over control of her medical services to an East African Federation.

MR. JOHN NZUNDA, M.P., regional commissioner for the Southern Region of Tanganyika, has been suspended from office and charged with assault and unlawful confinement. The area commissioner for Newala, MR. A. S. KABONGO, has been suspended and charged with unlawful confinement.

MR. K. W. HUDSON, Secretary of the Associated Chambers of Commerce of Rhodesia and Nyasaland, has suggested that Southern Rhodesia's export trade is so insulated from internal political pressures that dissolution of the Federation would not have dire consequences for the Colony's economy.

MR. A. J. DON SMALL, chairman and managing director of the East African Power & Lighting Co., Ltd., relinquished the managing directorship on Monday but continues as chairman of the group. MR. GAVIN WYATT has become managing director, and has joined the board of Tanganyika Electric Supply Co., Ltd.

MR. JOHN STRACHEY, Socialist M.P. for Dundee West, who has just spent five weeks in Africa, said in Salisbury last week: "Britain must do everything in her power to support those of whatever party in Southern Rhodesia who see that a multi-racial future or no future at all is the real choice which confronts the country".

MR. F. MORRIS DYSON, of the Nyasaland Ministry of Local Government, is heading a delimitation commission concerned with reconstituting the country's town councils on a broader franchise. The other members are MR. F. X. ROONEY, mayor of Blantyre-Limbe, and MR. S. G. PHOMBEYA, president of Blantyre local court.

MR. MAMADOU TOURE, the Mauritanian secretary-general of the Commission for Technical Co-operation in Africa, who has spent the past few months at Cambridge University learning English, has had discussions in London with MR. DENNIS VOSPER, secretary for Technical Co-operation, and officials of the D.T.C.

Four new Permanent Secretaries appointed in Tanganyika are Messrs. J. W. L. MAKINDA (Ministry of Lands, Forests and Wildlife), B. J. MAGGID (Communications, Power and Works); F. K. BURENGELO (Local Government), and I. S. MKWAWA (Agriculture). Mr. Mkwawa has visited the United States, and the other three officers have attended courses in Britain.

It is SIR ROBERT LOWE HALL, sometime Economic Adviser to the United Kingdom Government, and a past president of the Royal Economic Society, and not SIR ROBERT DE ZOUCHE HALL, formerly of the Colonial Service in Tanganyika, who has accepted the invitation of the East African Common Services Organization to advise it on the creation of an economic advisory unit.

SIR PATRICK RENISON, Governor of Kenya for the past three years, and LADY RENISON, arrived at London Airport last Friday. SIR PATRICK, who is retiring from H.M. Overseas Civil Service, told journalists at the airport that he was confident that most of the European farmers and businessmen in Kenya would "stay on and see it through whatever happens".

MR. VINCENT RWAMWARO, D.P. (Opposition) member for East Toro, has suggested to the Uganda National Assembly that the Belgian Consulate should be closed, as had already been done with the Portuguese Consulate. A similar demand for the closure of the Sudanese Government's offices was made by MR. A. Y. LOBIDRA (Ind., West Nile and Madi North-West), should an unsatisfactory explanation be offered for the "exodus" of some 300 Sudanese into Uganda.

LORD ALTRINCHAM said a few days ago that if the law were changed to enable peers to stand for election to the House of Commons he would seek adoption as a Conservative candidate. He added: "I should renounce my title like a shot in order to enjoy the basic democratic right to vote. I have never sat in the Lords because I do not agree with the system whereby one can inherit such a right. I look forward to being ordinary John Grigg again. By changing names one can lose in public personality, especially if one is a journalist". In "Who's Who" Lord Altrincham describes himself as "journalist and disfranchised politician".

## Obituary

### The Rev. Dr. F. M. Trefusis

THE REV. DR. FRANCIS MACKWORTH TREFUSIS, who has died at the age of 76 at his home in Clyst Honiton, near Exeter, was for many years a medical missionary and priest in Central Africa. A Devonian, eldest son of a Bishop of Crediton, he went to Nyasaland for the Universities' Mission to Central Africa within three years of being ordained. Ten years later he came home to qualify in medicine. That accomplished, he went back to Nyasaland as both doctor and priest. When a teacher-training college was opened in 1937 at Liuli, he became the first principal. Later he returned to Malindi as priest in charge of the mission. Three years afterwards he transferred to the diocese of Northern Rhodesia and did medical work at Katete. Then he went to Southern Rhodesia for duty in the Sipolilo Reserve. At an advanced age he came back to England as rector of Cheriton Bishop, Devonshire.

MR. FRANK BAILLIE, who has died in Kenya, began farming in the Solai Valley in 1908, and many of the early settlers regarded him as one of the kindest, ablest, and strongest characters among them. He was the real creator of Kenya's first farmers' co-operative society, from which the great Kenya Farmer's Co-operative Association developed. It was early in the 1914-18 war that he and about a dozen of his neighbours formed the nucleus of the British East Africa Maize Growers' Association, which was incorporated in 1916 with Baillie as chairman. Soon afterwards the organization was extended as the British East Africa Farmers' Association, with Baillie as one of the directors. Six years later it became the K.F.A., which old-timers called "Frank Baillie's memorial".

# New Year Honours for East Africans and Rhodesians

Knighthoods for Messrs. A. D. Evans, G. B. Cartland, C. J. Hatty and W. B. Havelock

## BARONETS

PORRITT, SIR ARTHUR ESPIE, chairman of the British Empire and Commonwealth Games Federation, and president of the Royal College of Surgeons.

THOMPSON, R. H. M., M.P., Parliamentary Under-Secretary of State, Commonwealth Relations Office, 1959-60.

## PRIVY COUNCILLOR

CAMPBELL, SIR DAVID CALLENDER, M.P.

## KNIGHTS BACHELOR

BRADLEY, K. B., director, Commonwealth Institute.

CARTLAND, G. B., lately Deputy Governor, Uganda.

HATTY, C. J., lately Minister of Mines and Industrial Development, and of African Education, Southern Rhodesia.

HAVELOCK, W. B., Minister for Agriculture and Animal Husbandry Kenya.

UNSWORTH, E. I. G., Chief Justice, Nyasaland.

## ORDER OF ST. MICHAEL AND ST. GEORGE

K.C.M.G.

MORRIS, SIR CHARLES RICHARD, chairman, Inter-University Council for Higher Education Overseas.

RICHES, D. M. H., British Ambassador, Leopoldville.

C.M.G.

ALEXANDER, W., Speaker, Southern Rhodesian Legislative Assembly.

ALLEN, C. P. S., Permanent Secretary to the Prime Minister and Secretary to the Cabinet, Uganda.

ELLERTON, G. J., Permanent Secretary, Ministry of Defence, Kenya.

GALLOWAY, A., lately Dean of Faculty of Medicine, Makerere College, Uganda.

GAMINARA, A. W., Administrative Secretary, Northern Rhodesia.

RICHARDS, B. C. J., governor, Bank of Rhodesia and Nyasaland.

THOMPSON, J. K., Assistant Secretary, Colonial Office, and Secretary, Department of Technical Co-operation.

WEBB, A. M. F., Minister for Legal Affairs and Attorney-General, Kenya.

WILSON, F. R., Provincial Commissioner, Kenya.

## ORDER OF THE BRITISH EMPIRE

G.B.E.

DEVERELL, SIR COLVILLE MONTGOMERY, lately Governor of Mauritius.

K.B.E.

EVANS, A. D., Secretary for Home Affairs, Federation of Rhodesia and Nyasaland.

C.B.E.

(Military Division)

GIBBS, CAPTAIN E. A. W., R.N. (retd.), lately Commanding Officer, Royal East African Navy.

(Civil Division)

BOWLEY, H. J. H., Director of Game, Fish and Tsetse Control Department, Nyasaland.

FENTON, W. D. D., lately chairman, Uganda Electricity Board.

KEYMER, R. C., British subject resident in Khartoum, Sudan.

LAWRIE, A. A., for public service in Kenya.

LEMON, R. M. L., chief operating superintendent, E.A. Railways and Harbours.

OWEN, F. S., Federal Minister of Transport.

PITHEY, J. W., Secretary for Justice and Internal Affairs, S. Rhodesia.

SABEN, MRS. BARBARA, Mayor of Kampala.

SALZMAN, E. I., for services to the Federal tobacco industry.

O.B.E.

BICKLE, A. J. H. L., farmer, for public service in the Federation.

BOULTBEE, CAPTAIN E. F., curator, Umtali Museum, S. Rhodesia.

BYERS, M. P., Labour Commissioner, Uganda.

COATES, THE REV. F. G., headmaster, Busoga College, Mwiri, Uganda.

ELLINGHAM, N. G., lately Controller of Postal Services, E.A. Posts and Telecommunications Administration.

GORMAN, W. A. R., Under-Secretary, N. Rhodesia Ministry of African Education.

GREAVES, R. H., former member, S. Rhodesia Natural Resources Board.

KRIKLER, H. A., for services to commerce in the Federation.

LANDER, F. C., lately president, Colonial Civil Service.

LAWRANCE, J. C. D., former P.C., Uganda.

LEES, J. A. H., naval architect, British and Commonwealth Shipping Group.

LODGE, A. R., Deputy Commissioner of Police, Nyasaland.

MACKICHAN, I. W., Permanent Secretary, Ministry of Health, and Director of Medical Services, Zanzibar.

MAULE, G. H., for services to theatre in Kenya.

MCEWEN, F. J., director, Rhodes National Gallery, Salisbury.

MCGREGOR, G. M., Director of Forestry, S. Rhodesia.

MCINTOSH, J. H., town clerk, Que Que, S. Rhodesia.

MELLANBY, A. F., marine superintendent (Lakes), E.A.R. & H.

MOREMI, MRS., E. P., Regent of Batwana tribe, Bechuanaland.

MUHOYA, senior chief, Nyeri district, Kenya.

ODIDA, Y., chairman, Acholi appointments board, Uganda.

RANDALL, W. D., for public services, Kenya.

REIDY, J., senior medical officer, Kenya.

ROSS, H., farmer, for public service in the Federation.

SAUZIER, A. F. M. A., Attorney-General, Seychelles.

STOTT, MISS I. M. A., senior education officer, Kenya.

TUCKER, B. G., assistant secretary, N. Rhodesia.

WESTROP, A. R., for public services in Nyasaland.

M.B.E.

(Military Division)

CHILDES, MAJOR E. D., Rhodesia and Nyasaland Army Service Corps.

(Civil Division)

ACHESON, MRS. V. M. M., for social services in N. Rhodesia.

BAILEY, D. R. C., administrative officer, N. Rhodesia.

BRENTNALL, MRS. S., chief clerk, Makerere College.

CHESTER, S., education officer, Kenya.

CRIPWELL, MRS. G. H. M., for social welfare services, especially in homecraft clubs, S. Rhodesia.

DE COMARMOND, C. G., for public service in the Seychelles.

DESAL, D. J., for social welfare services in Uganda.

DODD, C., for services to Federal sport.

EMSLIE, G. B., tobacco adviser, N. Rhodesia Agriculture Department.

FOSTER, THE REV. C. S., for missionary services, N. Rhodesia.

GRAHAM, D. S. M., senior medical officer, Nyasaland.

GREEN, MISS E. A., in charge of St. Gabriel's Home, Bulawayo, S. Rhodesia.

HACK, H. R., senior planning officer, Federal Department of Conservation and Extension.

HAYES, C. N., member, S. Rhodesia State Lottery Trust.

JAARVELDT, D. C. VAN, for services to S. Rhodesian sport.

LAYCOCK, D. H., director, research station, Tea Association of Nyasaland and Rhodesia.

LESABE, MRS. S. M., for social welfare work in Bulawayo African townships, S. Rhodesia.

MABAN, P. L., lately locomotive works assistant, E.A.R. & H.

MOON, F. L., lately aviation assistant, E.A. Directorate of Civil Aviation.

MORSE, THE REV. A. E., for missionary service, N. Rhodesia.

MURRAY-HUDSON, H. H. B., administrative officer, Bechuanaland.

MUTASHERWA, A. B., chief judge, Ankole Native court, Uganda.

ODUK, C., district officer, Kenya.

OTIM, Y., chairman, Bukedi district administration appointments board, Uganda.

PERKINS, A. L. B., senior assistant secretary and secretary to Kenya Road Authority.

ROBINSON, MISS M., special grade stenographer, Federal Home Affairs Ministry.

RUTT, MISS I. M. A., personal secretary, Kenya.

SMART, G. R., farmer, senior pilot S. Rhodesia Police Reserve Air Wing.

SMITH, K. P., architect, Uganda P.W.D.

SPURLING, MRS., J., for social welfare work, especially with African policemen's wives, S. Rhodesia.

SWIFT, THE REV. FR. H., for public services in the Federation.

(Concluded on page 392)

*Letters to the Editor***Demolition Squad at Work****Put Not Your Faith in Politicians**

To the Editor of EAST AFRICA AND RHODESIA

SIR,—No demolition squads can ever have worked so successfully as those who have so quickly undermined civilized government over vast areas of Africa.

No sooner had Ghana and the Sudan been granted the "parliamentary democracy" for which Socialist agitators in this country had worked for years than the local African politicians who inherited power showed themselves to be dictators. Did that proof of the folly of the premature removal of British administration cause the British and American advocates of the destruction of what they termed colonialism to think again? No; to them their theories were weightier than the facts.

Their argument has been that if self-government was right for Ghana, it must be right for Tanganyika, Uganda, Kenya, Nyasaland, and Northern Rhodesia (and of course the Belgian Congo), though the circumstances of the territories could scarcely differ more strikingly. But in a world which is almost insane politically this absurdity had been accepted by millions of people, including, it would seem, a new Secretary of State for the Colonies who has the encouragement of a Prime Minister who had himself defined merit as the criterion for African political advancement.

As you have shown, the new plan for Kenya cannot pass any reasonable test of merit. It therefore represents a dishonouring of the Prime Minister's own pledge. In politics that seems to count for little, if anything, whereas in social and business life a man who says one thing and does the opposite soon pays the penalty of his deviousness.

Except in EAST AFRICA AND RHODESIA I have not read one criticism of Mr. Iain Macleod, Secretary of State for the Colonies, on the ground that his submission to the African political extremists is a flagrant breach of the Prime Minister's undertaking; but in two publications I have read the suggestion that what you and I consider appeasement on the part of Mr. Macleod makes him a likely heir to the Prime Ministership. When I was a young man it would have brought his ministerial career to an end.

In two papers also I have seen the opinion expressed that what has now been given to Africans in Kenya cannot reasonably be withheld from Africans in the Federation. In other words, having wrecked one ship, the logical thing is to wreck another!

The Kenya catastrophe—made worse by the incredible collapse of the Belgian Congo—must encourage the worst elements and discourage the best elements, European and African, in the Federation; but there, fortunately, is a European population with some backbone and with a political leadership which will not collapse (as Mr. Macleod found Mr. Blundell and his group ready to do). Great damage can be done in Northern Rhodesia and Nyasaland by a Conservative Government which seems determined to behave as though it were a Socialist Ministry, but Southern Rhodesia is outside its jurisdiction, though not beyond its influence, for loss of confidence created by bad decisions about the two northern territories must weaken confidence in and about Southern Rhodesia too.

Recently you wrote, "Put not your faith in politicians". How can those with enough knowledge to judge the decisions about Kenya put any faith in Mr. Macmillan, Mr. Butler, Mr. Macleod, and those directly responsible in lesser degree?

Yours faithfully,

L. M. STAW.

London, S.W.1.

**Preventive Detention in Tanganyika****Government's Reply to Our Comments**

To the Editor of EAST AFRICA AND RHODESIA

SIR,—I refer to your comment on the Tanganyika Preventive Detention Bill, about which you ask various questions and supply your own answers.

No country can afford to be defenceless against its enemies, and the Tanganyika Government has gradually become aware that its widespread support in the country has dangers as well as advantages. Everyone agrees that no alternative party has the slightest chance of winning an election in the foreseeable future because of the mass support for T.A.N.U. There is therefore a danger that a small minority may attempt to destroy the State in pursuit of their own political ambitions, because it is only by doing so that those ambitions can be fulfilled.

This danger is a very real one. In the past all the differences of tribe, religion and race have been deliberately maintained by the Colonial Government policy. We had separate schools for the different groups, local government based on tribal chiefs, and so on. It is only since the nationalist movement began in 1954 that any real attempt to build a Tanganyika nation has been made, and, because this is historically such a short time, it is not yet impossible for animosities between different groups to be revived by those who deliberately set out to do this as a means of gaining political power.

If the Government allowed them to succeed, the result would be the end of Tanganyika, not just the end of T.A.N.U.'s rule. Neither is it necessary that such factionalism should get widespread support for it to become a danger. Our unity could be destroyed by a very few people.

"Universal support" does not, in other words, preclude the possibility of individuals exploiting danger points for their own benefit regardless of the effect on the State. No-one disputes that in war-time Britain the struggle against Nazism was universally supported; yet it was necessary for the Government to detain individuals who were thought likely to commit sabotage. The present position in Tanganyika is analogous to this. Our war is different—it is a war against poverty—but it is just as important to our future freedom. We can no more wait until the damage has been done before arresting the guilty, i.e. until tribalism has been re-activated, than Britain could afford in 1940 to wait until sabotage had been committed.

It is also interesting to us to see that the passing of our Preventive Detention Act is yet again compared with developments in Ghana. India has had an Act of this type since 1947, Canada still has one on her Statute Book, and—with your support—Southern Rhodesia is now operating one. It is not my purpose to examine the internal problems of these other States, for Tanganyika has consistently refused to be involved in such discussions. Our criticisms on Southern Rhodesia and South Africa are not of the legislation under which they detain nationalist leaders, but of the purposes being pursued by those Governments, i.e. the maintenance of colonialism and racialism. But it is clear that your comparisons are part of the smear campaign against Ghana and other African nations which have to defend themselves against the new forms of intervention in their internal affairs.

Finally, I would point out that we are fully aware of the dangers of this type of legislation. As the president of T.A.N.U. said at his Press conference, all the arguments are against the Act but it is necessary for the protection of our society. We hope that we shall not have to use detention, but we shall do so if it is the only way to defend the political freedom of our people. This

means freedom to work for the overthrow of the present economic and social conditions in Tanganyika, as well as freedom in the sense of individual liberty.

*Dar es Salaam,  
Tanganyika.*

J. M. YINZA,  
*Director of Information Services.*

## Ejected from Tanganyika Assembly Statement by Messrs. Le Maitre and Hodgson

*To the Editor of EAST AFRICA AND RHODESIA.*

SIR, — The Tanganyika Parliament has decided that as from December 9, 1962, all Members of the National Assembly, whether elected or nominated, must be Tanganyika citizens.

As there is no provision in the Constitution for dual nationality, we have given very careful and deep consideration to the many factors involved, and we feel that we would be lacking in sincerity and integrity if we, after over 60 years of British nationality, were to renounce that nationality, a renunciation which would be a necessary prerequisite to becoming a Tanganyika citizen. This is a personal decision, and we appreciate that the position may be different for other people, particularly younger men whose future lies ahead of them in this country and who still have until December 9, 1963, in which to make their decision.

We have both lived here for over 33 years and have a great love and loyalty to Tanganyika. We have also enjoyed the honour of serving Tanganyika over a number of years as Nominated Members of what was the Legislative Council and is now the National Assembly.

We realize that our decision will make it impossible for us to continue as Members. Our homes are and will remain in Tanganyika, and there are other ways of serving the country than by being Members of Parliament. As fellow citizens of the Commonwealth, we look forward to continuing to serve Tanganyika to the best of our ability in the years that lie ahead.

We would ask you to publish this letter so as to make our position clear to our friends and to avoid any possible misunderstanding of our motives.

Yours faithfully,

C. J. W. HODGSON,  
*Arusha.*

A. L. LE MAITRE,  
*Tanga.*

## Points from Letters

### Not Viable

"AN INDEPENDENT NYABALAND is not viable, and there is little African human material immediately available to form a Government of a civilized standard".

### Fighting for Fair Deal

"AS A KENYA SETTLER since 1912 and a subscriber to your journal since it first appeared as EAST AFRICA, I have nothing but praise for the magnificent fight it has put up for so many years in an effort to get a fair deal for European settlement throughout the British East and Central African territories".

### Continues

"I have just read the suggestion that the test of a politician is whether he has changed the course of a country's history. I dispute that criterion most vigorously. There can be no doubt that Mr. Macleod and Mr. Studdell have changed the course of Kenya's history, greatly to the country's disadvantage. It would be fantastic to call either Mr. Macleod or Mr. Studdell 'great' for that reason. They greatly changed the Lancaster House Conference. That is very good."

## Heart-Breaking

"It is heart-breaking for those who have the real interest of the African at heart to realize the vast opportunities being thrown away by the rising generation of school and student age through strikes and insubordinations deliberately fostered and encouraged on any trivial ground by outside intriguers, actions which result in schools and colleges being closed. In many cases the chances of a life-time are thrown away; in other cases there is real retardment in progress which naturally mars such chances".

## Current Cant

"SINCE ARRIVING HOME I have talked to a number of M.P.s., and of course to many other people, and I am astonished to find how many of them accept at face value the current cant about establishing democratic systems of government in Africa. There is no more likelihood of anything which could fairly be described as democracy prevailing in Kenya in the foreseeable future than there is of removing dictatorship in Russia or China. Cannot the political simpletons in the United Kingdom who are destroying the work of civilization in Africa understand that Africans, lacking the tolerance and sense of fair play which is characteristic of the British, instinctively seek to crush opposition, not encourage it? At this stage in their development it is nonsense to talk about democracy among Africans".

## Ministerial Naivete

"NOT LONG AGO you reported the then Secretary of State for the Colonies as saying that during his short visit to Dar es Salaam he found complete unanimity among the elected members of the Legislative Council as to the way in which Tanganyika should advance constitutionally. Surely Mr. Macleod had been informed that our electoral system is such that no candidate can be elected unless he enjoys the support of the Tanganyika African National Union. It would have been as sensible for Mr. Macleod to refer to the unanimity of the legislature in Soviet Russia or in Hitler's Germany. How could there be anything but unanimity in a legislature in which one party only is represented? One would expect a Colonial Secretary to know this elementary fact. If he is unaware of it or disregards it, there is little hope that Colonial affairs will be handled wisely".

## Reputation

"SIR PATRICK RENISON has said some pretty silly things in public, but his assertion at the 'Kenya We Want' Convention that 'our reputation is growing that we in Kenya are thinking soberly about the future' will take a lot of beating. In what circles, I wonder, can Kenya have any reputation left? If the political antics to which we are becoming inured are to be called sobriety, what is Sir Patrick Renison's idea of intoxication? The truth is that far too many of the African politicians care only about manoeuvres which seem advantageous to them and their party. It would be more to the point to challenge them to show glimmerings of responsibility than to excuse their irresponsibility. The Governor's later admission of 'dangers caused by personal animosities, tribal rivalries, secret societies, gangsterdom, and ill-discipline' had had all the sting and value taken out of it by his earlier piece of complacency—which is completely unjustified by conditions here nowadays. EAST AFRICA AND RHODESIA was the only paper to warn us long ago, and week by week, of what would happen. How right you have proved to be! And how needless the whole tragedy was!"

## Lords Debate Secession

### Report Continued from Last Week

LORD COLYTON said that Lord Malvern, with his usual inimitable charm, had made a speech of great courage and sincerity.

"The British Government have to take a firm decision now to keep the rest of the Federation in being, though perhaps under a different name and in another form, or face the consequences of not doing so.

"A joint announcement by H.M. Government and the Federal Government in April, 1957, following talks between Lord Home, Lord Boyd of Merton, and Sir Roy Welensky, stated that the progress made by the Federation since 1953 'had justified the hopes of its founders and provided a sound basis for future development of the policy of partnership between the races which the Federation is pursuing'. Where does that policy stand today? Thanks to the weakness and misdirection of British Government policy during the past three years, to the pressure of extreme African nationalism, and the sinister intervention of the United Nations, the theory and practice of non-racialism and partnership is dangerously threatened in Central Africa.

"Non-racialism is the crux of the problem today, as it was in 1960, when the Monckton Report said of the Federation—only two years ago—to break it up at this crucial moment in the history of Africa would amount to an admission that there is no hope of survival for any racial society on the African continent and that differences of colour and race are irreconcilable'.

### Disastrous Pan-African Racialism

"Pan-African racialism, which has had such disastrous effects in Ghana and the Congo, and may indeed one day have in East Africa, is simply not acceptable in Southern Africa, where a mixed racial society exists and will remain. It is absurd to suggest that every African State must be treated exactly alike, on the basis of one man one vote and the now somewhat tarnished export 'Westminster model', irrespective of the history of the country and its racial composition, its geographical position, and state of development. We have an obligation to these countries to achieve genuine political, economic and social progress and prosperity, but not to give way to demands for immediate independence and so-called democracy if that means chaos and disaster.

"It seems to me largely because, after the famous wind-of-change speech three years ago, these objectives were abandoned or lost sight of, that the First Secretary of State today finds himself confronted with what he has described as the most intractable problem in all his political career.

"We have been told of the Government's acceptance of the principle of secession for Nyasaland. Whatever the merits or demerits of that proposal, I deeply regret the manner and timing of its announcement. Lord Salisbury has reminded us of the pledge given by the representatives of H.M. Government at the conference in January, 1953, to the then Prime Minister of Southern Rhodesia and other representatives of Southern and Northern Rhodesia. I was present throughout those meetings and I remember very well that the British Government's representatives stated categorically that the Federal Constitution could not be liquidated or upset without the concurrence of all the Governments involved.

"As regards the legal position, the British Parliament can do anything it wishes—as it could technically have abrogated the Australian or Canadian Constitution before the Statute of Westminster. But the moral obligation of H.M. Government is absolutely clear: they have no right to undo or loosen the ties of federation without the consent of all the parties to the 1953 agreement.

### Further Loss of Faith

"It is ironic that H.M. Government, who together with other Governments lay such stress on the importance of conforming to the terms of the *Loi fondamentale* in the Congo when it comes to the secession of Katanga, should act in a totally different manner when it concerns our own people in the Federation. Whatever private pledge may have been given to Dr. Banda could not supersede pledges given at the 1953 conference. Could the Government not have waited until the First Secretary went out to the Federation for talks in three weeks, or preferably, until a formal conference had taken place?

"As it is, there is bound to be a further loss of faith in the words and intentions of H.M. Government, which through-

out the whole of the past three years have bedevilled our relations with the Federal Government, and, indeed, members of all races in Central Africa.

### Dedicated to Non-Racialism

"We are very fortunate in having in Sir Roy Welensky one of the outstanding statesmen not merely of the Commonwealth but of the whole world. He is a man of complete integrity and high idealism, and wholly dedicated to the cause of non-racialism. It is tragic that in these crucial years H.M. Government have not found it possible to walk step by step with him. Of course we have obligations to the two Protectorates, but that does not mean that we have any lesser responsibility to the Government of the Federation which we established and for the continuation of which we are morally committed.

"It was only to be expected that once an extremist-dominated Government was set up in Northern Rhodesia one of their first acts would be to call for secession. This is apparently to be done in a motion to be moved in the Legislative Council next month. I hope we may have an assurance that the official members of the Legislative Council will be instructed to vote against that motion, and I trust that the nominated members will do likewise.

"Those of us who wished to see a steady evolution towards self-government in Northern Rhodesia on a non-racial basis by expanding the Lennox-Boyd Constitution have always deplored the makeshift Constitution which finally emerged. But having regard to the results of the election—the United Federal Party, 16; the United National Independence Party, 14; the African National Congress, 7—it is surely very strange that the Governor did not in the first instance send for the leader of the United Federal Party and call upon him to try to form a Government, particularly as they had an electoral alliance with the African National Congress. Surely, this would be the usual constitutional procedure in this country.

"In the strictly legal sense the decision is one for the Governor, but I know from my own experience that in practice he is guided by the views of H.M. Government. It was regrettable that the First Secretary should have seen Mr. Kaunda and Mr. Nkumbula while the final results of the election were still in doubt, without at any rate inviting Mr. Roberts, leader of the United Federal Party, to come to see him as well. It was bound to lead to further regrettable and unnecessary suspicion in Northern Rhodesia and in Salisbury.

### Moscow's Interest

"Now we have this uneasy alliance between Mr. Nkumbula and U.N.I.P., a party which he himself told me last spring had organized attacks on his person and which has since been responsible for the death or injury of dozens of A.N.C. members—and, of course *vice versa*.

"Mr. Kaunda has been asked by Moscow to report on his policy. It does not surprise me. Although he now says that his party is not in any way associated with Russia, the fact remains that Mr. Nkumbula told me last spring that U.N.I.P. had accepted funds from behind the Iron Curtain, and that he himself, on behalf of A.N.C., had had similar offers and had refused funds from the same source.

"We must hope that office will bring a fresh sense of responsibility to these leaders and that the wiser members of their parties will help to sway their counsels and the behaviour of their adherents.

"We see in the Southern Rhodesian election results the effect of drift and weakness in recent years on the part of the British Government and the extreme demands of African nationalists. Again and again I and many others have warned the Northern African leaders that this would follow from their policies and attitudes. I have no doubt that the defeat of Sir Edgar Whitehead—to whom I should also like to pay a very special tribute—was directly due to the combination of events in the northern territories, to the vicious attacks made at the United Nations, and to what must appear to Europeans in Southern Rhodesia to be British pandering to African extremists.

"I have the highest respect for Mr. Winston Field and many of his associates, and I feel sure that they will discharge their duties ably and wisely; but it would be useless to deny that his party and supporters include some white racials who to my mind are just as dangerous as black racials. Only a year and a half ago the Southern Rhodesian referendum, by an overwhelming majority, approved the new Constitution put forward by Sir Edgar Whitehead, with all that that implied in the movement towards the abolition of all racial discrimination. It is tragic that this healthy trend has been halted or slowed down. Europeans and Africans must learn to live and work together, whether in the northern territories or in Southern Rhodesia; and in order to do so without suffering grave economic, social, and political troubles, they must learn to do so within the framework of some sort of association of the three territories, call it what you may.

"Contrary to what most people believe, Southern Rhodesia would suffer the least from a dissolution of the Federation, but a most serious economic setback would occur, particularly in the field of the rapidly-growing secondary industries. It has been suggested that a common services authority would fill the bill. I do not believe that would meet the case. It was because there was no central political power that the original Central African Council failed and the plans for federation were put forward.

"It is vital, in my view, that the federal structure should be preserved for both political and economic reasons. To allow it to break up would be a tragic and perhaps final blow to the conception of a non-racial society in Southern Africa, with incalculable consequences for the rest of the world. At the same time it would involve a serious and perhaps disastrous set-back to the great economic progress which has been achieved during the last nine years.

"I hope H.M. Government will make it clear that it is something that they too cannot and will not contemplate. The difficulties are enormous. Is it too much to ask that, whatever the differences in the past, the necessary good-will should now be forthcoming from all the political leaders, European and African, to enable Mr. Butler to bring this task to a successful conclusion?"

### Shilly-Shally

LORD FRASER OF LONSDALE thought Lord Listowel's motion as ill-timed and inept as Mr. Butler's announcement suggesting that the men in Westminster knew best which was very seldom true. More usually the men on the spot knew best.

A Labour Government had indicated the idea of the Federation, but the Conservative Party had shilled and shalled and never gave the Federation a fair chance.

"I said at the time of Mr. Griffiths's initiation of Federation that sovereign power should be transferred to the Federation. At the time of the Monckton Report I said in this House that it was a profound mistake for them to discuss secession. When the report came to this House I pleaded that any idea that secession should be a matter for the option of the territories in five years should be abandoned, because it would thereafter become the ordinary platform of every demagogue. 'I will bring you the dissolution of federation sooner. Vote for me.'

"Nyasaland has been virtually promised the right of secession. I presume it has also been promised independence. Northern Rhodesia will ask for the same. Southern Rhodesia must also have the right—not of secession, because there will be nothing to secede from when Northern Rhodesia goes, if they go—of independence from such powers and controls as remain from the Mother Country. If these three units are all free and independent, it is not inconceivable that Mr. Butler and their own common-sense view as to what is absolutely necessary for them all might bring them together again.

### No Democracy Yet in Africa

"Do not let us be under the illusion that we are planning democracy in Africa. Wherever freedom has been given to the African people by the British, what has followed has been a period of trial of a sort of democracy, followed by the gradual assumption of power by one party, then the elimination of the other party, and eventually some form of dictatorship. How could you suppose that persons as unskilled in the art of government and as untutored in the ways of parliamentary democracy could possibly run such a system? Moreover, in many parts of Africa they have lived for 80 years or more under Colonial rule, which is the antithesis of democracy. It is a kind of benevolent dictatorship, something of which this nation can be exceedingly proud. Nowhere do I know of a territory in which anything like a parliamentary democracy is operating in a free African State.

"There is no reason why Nyasaland, perhaps a dictatorship, let us hope a benevolent dictatorship, and Northern Rhodesia, if it also goes that way, should not join with Southern Rhodesia, which will be a limited democracy; it never was a full democracy. At least, it has given an exhibition on how a two-party system can operate.

"What has happened in the Southern Rhodesian elections was a natural reaction to the interference of U.N.O. Human nature is such that if you are constantly sniped at and criticized from outside you tend to harden the view you hold rather than to give way. Nobody likes being blackmailed, or having pressure brought to bear upon him, moral pressure or force. The constant interference of U.N.O. and the constant criticism, much of it untutored and unfair, which emanated from many in the United Kingdom, are in my opinion responsible for the result of the election.

"Do not despair of it. These men love their country. They have been there—and their fathers and grandfathers before them—for a long time. Among their ancestors were

those who pioneered that country and went up there, bearing great hardships, to civilize it and to bring the land, as well as the primitive people, into some sort of order".

(The speech of the Lord Chancellor remains to be reported).

## New Year Honours

(Concluded from page 388)

WELLS, R. F., formerly senior superintendent of works (mechanical), Uganda.

M.B.E. (Honorary)

MAJALIWA, MRS. C., for public services in Zanzibar.

BRITISH EMPIRE MEDAL  
(Military Division)

KIDNEY, w/o J., Rhodesia and Nyasaland Army.

MASTER, w/o D., Rhodesia and Nyasaland Army.  
(Civil Division)

BISANTI, S., senior labour assistant, S. Rhodesia Labour Department.

CUBITT, A. H., senior driver, central mechanical equipment department, and personal driver to Federal Prime Minister.

ISAAC, F., grade I interpreter, Kenya.

JACQUES, J. J., head mechanic, port and marine department, Seychelles.

MACHADO, station sergeant, B.S.A.P.

MUKIWA, B. E., grade I executive officer, Nyasaland Government Press.

SHIRAZI, U. V., chairman Chwaka local council, Zanzibar.

SINGH, M. S. S., roads inspector, Kenya.

SISSEO, G. A., veterinary technical assistant, N. Rhodesia.

Queen's Police Medal for Distinguished Service

BOTHA, J. N., assistant commissioner, B.S.A.P.

KITSON, LIEUT. COLONEL P. H., Commissioner of Basutoland Mounted Police.

LOCKE, S. M., senior assistant commissioner of police, Uganda.

SULLIVAN, J. M., deputy commissioner, Zanzibar Police.

Colonial Police Medal for Meritorious Service

AHYAVE, M., assistant superintendent, Seychelles.

CHIPASULA, J. A., detective sub-inspector, N. Rhodesia.

CHIZEMA, D. M., sergeant, B.S.A.P.

CRAWLEY, G. R., superintendent, Kenya.

DERHAM, A. B. P. J., superintendent, Zanzibar.

EVANS, L. W., senior superintendent, Kenya.

FOX-CROFT, W. E., superintendent, B.S.A.P.

HARDY, E. M., superintendent, Kenya.

HOLMES, D., chief inspector, Kenya.

JOUNING, L. J., superintendent, B.S.A.P.

KABOKO, station sergeant, B.S.A.P.

KIMUNDU, J. N., sub-inspector, Kenya.

MUCHENGETWA, J. C., station sergeant, B.S.A.P.

MUTUWO, A., station sergeant, B.S.A.P.

NDAI, M., sub-inspector, Kenya.

NDIREW, A. T., grade I detective assistant inspector, N. Rhodesia.

OKELLO, J., inspector, Kenya.

PEARSON, A. C., assistant superintendent, Kenya.

PERRIERE, A., sub-inspector, Seychelles.

SERIFF, E. J., superintendent, B.S.A.P.

VICKERY, H. J., detective chief inspector, B.S.A.P.

WAITA, N., sergeant, Kenya.

WHITE, G. A., assistant superintendent, Kenya.

## Sir Arthur Kirby's Colleagues

SIR ARTHUR KIRBY'S COLLEAGUES on the new British Transport Docks Board are to be Mr. A. J. M. Crichton, managing director of the P. & O. and chairman of the National Association of Port Employers, as vice-chairman; Lord Melchett, a director of M. Samuel & Co., Ltd.; Mr. G. Lowthian, a member of T.U.C. General Council; Mr. E. D. Nicholson, general manager of the wire division of British Ropes, Ltd.; Mr. R. B. Southall, managing director of B.P. Refineries (Llandarcy); and Mr. R. L. J. Wills, managing director of George Wills & Sons, Ltd. All except Sir Arthur Kirby, the chairman, will serve part-time, each receiving a salary of £1,000 a year. Sir Arthur has been East African Commissioner in London, and was formerly general manager of East African Railways and Harbours.

## Six New Regions for Kenya

### Extracts from Boundaries Report

IT IS CLEARLY ESTABLISHED that there is a compelling and sincere desire on the part of many of the peoples of Kenya to be associated in a region with some and not with others. That is the truth, and it could only be by a process of wishful thinking that a contrary conclusion could be reached.

In many areas the wishes of the people bore no relation whatever to the existing provincial boundaries. We have done what is reasonably practicable, treating the wishes of the people as the primary consideration but at the same time adhering to existing boundaries wherever possible. Very early in our tour of the country it became obvious that many people were under the erroneous impression that we were a second "Carter Land Commission" and that it was part of our duty to settle what might be termed domestic land disputes.

#### Dangerous Illusion

Another, and to our mind dangerous, misconception, widely held, was the notion that when a regional boundary was drawn any persons in occupation of or owning land within that boundary, who did not belong to the majority tribes in that region, would be dispossessed of their lands—an idea which, if not corrected, might well result in chaos and bloodshed.

Many delegations expressed the view that in fixing the regional boundaries it was of paramount importance that we should adhere to the existing provincial boundaries in preference to attempting to relate them to what might be said to be the wishes of the people. The argument for this view was that the existing provincial boundaries had been in existence for 60 to 70 years, that the administrative machine in the provinces had worked satisfactorily, that changes would involve expenditure on new buildings for headquarters which Kenya could ill afford, that the peoples in the existing provinces had, over a long period, become accustomed to living together and that it would be wrong to disturb a state of affairs which had proved satisfactory.

Many other delegations urged us to treat the wishes of the people as the primary consideration, arguing, *inter alia*, that by so doing their domination by others would be avoided and that by placing people who wished to be together in the same region a peaceful independent Kenya was more likely to be achieved. We were told by delegation after delegation that they regarded the Commission as the last chance they would have of achieving association with the people with whom they felt they had similar customs, language and other affinities and that if they could not obtain their wishes in a constitutional manner they would feel compelled to do so by force.

The argument that the present provincial boundaries have been in existence for 60 to 70 years would appear to have been advanced under a misapprehension of the facts. We obtained from the Survey of Kenya copies of maps showing the position in the years 1902, 1909, 1918, 1924, 1929, 1933 and at the present time. These maps showed beyond dispute that the provincial boundaries have in fact been frequently changed over the years in question. To suggest therefore that the present boundaries have any sanctity in themselves appears to us to be very wide of the mark.

#### Ultior Purposes

In considering the argument that the people in the existing provinces had, over a long period, become accustomed to living together and that it would be wrong to disturb a state of affairs which had proved satisfactory, we think it relevant to observe that it was in fact in the Nyanza Province which has been the least subject to change over the years that some of the strongest views in favour of alteration were expressed.

We were warned on a number of occasions by African delegates, some prominent in the political field, not to allow ourselves to be misled by representations made by others solely for an ulterior or political purpose. These injunctions were no doubt obliquely directed at views which it was known had been, or were about to be, expressed by members of other delegations; in this connexion we do not think it out of place to observe that we are not without some experience in the weighing of evidence and in determining the credibility and sincerity of witnesses.

Delegations representing every shade of opinion in Kenya appeared before us. They included members of the Legislative Council, of African District Councils, of co-operative organizations, teachers, farmers, traders and many others representing a wide cross-section of the community in the various districts. A considerable proportion of the representations came from ordinary citizens, not politicians, who in many cases had travelled long distances in order to express their views. In the main the major political parties organized themselves to present their views in accordance with party policy. A notable exception to this was the combined Kamba delegations, accompanied by the four elected members of the Legislative Council for the two districts, who were adamant in their desire to be placed in a region other than one containing the Masai.

#### Historical Claims

We were frequently told that the British had established the existing boundaries which bore no relation to the wishes of the people themselves or to their tribal affinities and historical claims to the occupancy of particular areas, and that before they handed over to an independent Kenya the British should put their house in order and redraw the boundaries in a manner more closely corresponding to the position as it was when they first came to the country. After careful consideration of this contention however we concluded that there was little to be gained by trying to put the clock back or trace the history of tribal movements from the beginning of the century. Our task, as we saw it, was to seek within our terms of reference a workable solution of the problems as they exist today.

In fixing the regional boundaries we have not attempted to adjudicate upon any land disputes or any claims put forward as having an historical foundation. We used our best endeavours to remove the erroneous impression that it was part of our task to determine land claims, most of which were no doubt motivated by the pressure on the land occasioned by the considerable growth in population. However, in fixing the boundaries we felt that regard must be had to the obvious need, wherever possible, to provide a reasonable area to enable schemes to be formulated to alleviate these pressures in an orderly and constitutional manner, and by so doing we are satisfied that we have not only met the wishes of the majority of the people, but have also carried out the spirit of our terms of reference.

We have accordingly, to take an example, endeavoured to make reasonable provision for the numerous, hard-working and progressive Kikuyu people, by including in the Central Region areas of land capable of being made available for settlement schemes. We have drawn other boundaries, such as those of the Nyanza and Western Regions, again with the object of making it possible for the provision of settlement schemes for the peoples included in those Regions.

#### Details of the Regions

**THE NAIROBI AREA** (*Nairobi Extra-Provincial District, with the addition of certain peripheral areas on the west and north*): Strong representations were made to us that the boundaries of the Nairobi Area, which will encompass the capital city of Kenya, should be drawn so as to provide adequate room for future residential and commercial development. We were urged to seek suitable areas for this within the eastern, southern and western neighbourhoods of the City of Nairobi, avoiding so far as possible encroachment on good agricultural land in the north, but including the national airport at Embakasi, the military installations at Kahawa, the Kamiti Frison and its supporting area, and the peri-urban and dormitory areas occupied by people depending for their livelihood on employment in the city.

**THE COAST REGION** (*Coast Province—Kwale, Taita, Mombasa, Kilifi, Tana River and Lamu Districts, with that part of the Tsavo Royal National Park which lies north of the Tsavo River and west of the main Nairobi-Mombasa road; that part of the Garissa district which lies south and west of a line drawn generally three miles to the north and east of the Tana River, but excluding the town of Garissa; the Somali areas, comprising the remainder of the Garissa district, including the towns of Garissa, the Wajir and Mandera districts, and the eastern part of the Moyale district*):—

The Somali delegations seen by us in this area were unanimous in their desire not to be included in any region of Kenya. Apart from one delegation, which wished the area to remain under British control for the time being, all these delegations wished the Northern Frontier District to be joined with the Somali Republic. Strong representations were made by the non-Somali tribes living in the area of the Tana River basin in the Garissa district that their people should remain in a region of Kenya, and, if it were not found possible to provide for a Northern Region, they wished to be included in a region with the peoples of the Coast. Supporting evidence of the acceptability of the Riverine people to the present in-

habitants at the Coast Province was given to us in Mombasa, Lamu and Galole.

While we appreciate that it is no part of our duty to decide the issue of the Somali claim to secession, we feel that we do have a responsibility to emphasize that whatever may happen in future to these districts in the N.F.D., the area of territory to the south and west of a line drawn parallel to and three miles to the north and east of the Tana River, where it flows through the Garissa district, excluding the Garissa Township area, should remain in the Coast Region where we have placed it and where the inhabitants wish to be. As it might be objected that such an arrangement would deny access to the water supply provided by the Tana River to the pastoral people living to the east of this line, we have assumed that in such circumstances arrangements could be made to secure access to the river for these people at certain watering points to be specified.

Although our competence to do so was questioned by several delegations we have considered it consistent with our terms of reference to include the area usually described as "The Coastal Strip" within the boundaries of the Coast Region; and by so doing it does not appear to us that the future discussions with His Highness the Sultan of Zanzibar regarding this territory are in any way prejudiced.

**Strong Kamba and Masai Antipathies**

**THE EASTERN REGION (Kitui District, Machakos District less that part of the Tsavo Royal National Park which lies west of the main Nairobi-Mombasa Road; Embu District, less the Ndia and Gichugu divisions and the Thiba location of the Mwea Division; part of Thika District, adjoining Embu and Machakos Districts; Meru District extended to include part of Nanyuki District; the Marsabit district; the western part of the Moyale district; and Isiö District, less the western part of the Isiö Leasehold Area):—**

A combined Kamba delegation was unanimous in saying that the Kamba people did not wish to be placed in a region with the Kikuyu or to be associated in the same region as the Masai, but would be happy in a region with the Meru, Embu and the Boran of the Northern Province, if those tribes were agreeable to this. A combined Masai delegation was also unanimous in expressing the wish to be included in a region with peoples other than the Kamba.

The views expressed on behalf of the Kamba and Masai peoples were obviously strongly and sincerely held, and we concluded that it was our duty to make every endeavour to give effect to them. In view however of the fact that our authority was limited to providing six regions, and equally strong and, we believe, sincere feelings expressed in other areas had to be considered, we reached the conclusion that the retention of the Southern Province as a region would, in effect, be contrary to the wishes of the people, and unlikely to be conducive to a peaceful independent Kenya.

A representative cross section of the Meru people publicly expressed the wish to form a region of their own or to be associated in a region with the Embu, the Kamba and the Boran, or with one or more of them, but in no circumstances to be included in the same region as the Kikuyu. Of the eight delegations which appeared before the Commission at Embu, five expressed a strong preference for the Embu District to be included in a region, described by some as the "Mount Kenya Region", with the Meru, Nanyuki and Nyeri Districts as at present demarcated. Almost all these delegations insisted that if they were to be associated with the Kikuyu in the same region they would require guarantees that they would be given the right to determine ownership and control of land in the Embu District, the right to have an effective local government in the district, equitable representation in central and local government and a fair share of development monies.

**Kikuyuland**

**THE CENTRAL REGION (Nyeri and Fort Hall Districts; Kiambu District, less the parts included in the Nairobi Area; and parts of the Thika, Embu, Nanyuki, Laikipia, Nakuru and Naivasha Districts):—**Almost without exception the evidence received from delegations from Nyeri, Fort Hall and Kiambu was in favour of retaining the existing boundaries of the Central Province to form a Central Region, subject only to certain additions of territory in which the Kikuyu now form the majority of the inhabitants. This view did not receive unqualified support from any of the non-Kikuyu tribes at present living in the Central Province; the Embu generally were only prepared to accept it subject to certain safeguards which we have no power to provide, while the Meru were opposed, in any circumstances, to being associated in the same region with the Kikuyu. We felt unable to accept the sugges-

tion put forward by the Kikuyu delegations that the existing provincial boundary should be adhered to, as by so doing we should clearly be ignoring the wishes of many who desire to be associated with others in a different region. We have, however, ensured that no predominantly Kikuyu area in the Central Province is excluded from the Central Region. We have also included certain areas in the Central Region to the west, north and east which are eminently suited to the agricultural pursuits of the Kikuyu.

**Kalenjin Association**

**THE RIFT VALLEY REGION (Kajiado and Narok Districts; Kericho District less part of Sotik and some areas near Muhoroni; Nandi District with the addition of part of the Nyang'ori location; Elgeyo-Marakwet District; West Pokot District; Uasin Gishu District less part of the Turbo-Kipkarren and Soy wards; Trans-Nzoia District less part of the South-West ward; Turkana District; the Samburu district, that is to say that part of the N.F.D. centred on Marsabit, at present administered from Nakuru in the Rift Valley Province; Baringo District; and those parts of the Naivasha, Nakuru, Laikipia and Nanyuki Districts which are not included in the Central or Eastern Regions):—**

The combined delegation of Masai chiefs and elders who met us at Ngong stated that it was the unanimous wish of the whole of the Masai people, firstly, to be reunited in one region with their tribal associates at present scattered over a number of provinces, and secondly to be separated from the Kamba. The evidence given to us in Kericho was overwhelmingly in favour of the association of the Kipsigis with the Masai and the other Kalenjin peoples in one region. When in Kisumu we met a combined delegation of the chiefs and elders forming the Nyanza Provincial Advisory Council representing the Abaluhya, Kipsigis, Kisii and Luo tribes, the strength of the case for separation made by the Kipsigis representative seemed to be acknowledged by his fellow councillors, though with regret. We were told that it was unthinkable to separate the Nandi from the Masai and the Kipsigis in an independent Kenya.

**THE NYANZA REGION (South Nyanza District; Kisii District and part of Sotik; Central Nyanza District less the Sando and Bunyala locations and the Bar Dura, Mwanza, Eshwayi, Eshidumba, Muhaka and Doho sub-locations; Bahala location and the Yiro, Ruwa, Tinari, and Maracha sub-locations of the North Nyanza District; and the Muhoroni area in Kericho District, north of the Nyando River):—**The Luo and Kisii wished to retain the Nyanza Province as a region, with certain additions of territory to the east. The Abaluhya were most emphatic in their desire to be associated together in a region separate from the Luo. The Kipsigis felt us in no doubt that their unanimous desire was to be associated in a region with the Nandi and other Kalenjin tribes; they were equally unanimous in not wishing to be left in a region with the Luo.

**Separate Abaluhya Area**

The opinion was expressed that the Luo and Abaluhya were so intermingled, particularly in the southern area of South Nyanza and the northern area of Central Nyanza, so in effect it is impossible to draw a regional boundary between them without leaving substantial minorities of one or the other tribe in a region separated from their brethren. Certain delegations for the Luo and Abaluhya suggested that the difficulty of drawing a satisfactory regional boundary in this area was not as great as had been supposed, and that it was possible to draw a line north of which nearly every sub-location retained a substantial majority of Abaluhya, and south of which nearly every sub-location a majority of Luo.

Two areas in the Trans-Thika country, which are part of the Masai Native Land Unit and which have been leased to the Luo, are exclusively occupied by Luo, and have been developed by them, but we received strong evidence from the Masai that these areas should be placed in the region in which they themselves are included. It was pointed out that the Masai would have no objection to the strongly expressed wishes of the Luo that the two sub-locations of their own, Pocheria and Kibera, be included in a combined region with the Luo, and that the two South Nyanza Abaluhya sub-locations, Bahala and Bahala, these areas were included with the Luo in the Central Province. We have assumed by setting these areas apart as the regional boundary, and by placing them in the Nyanza Region, that we are doing what the Luo and Abaluhya representatives should be glad to see done, and that the wishes of the Luo are being met, but the Government of Kenya is aware that this is done.

The Western Province (Nyanza Province less the Nyanza District, less the Bahala locations, the Yiro, Ruwa, Tinari, and Maracha sub-locations and part of the Muhoroni area) is

and Bunyala locations and the Bar Däre, Masana, Ebutanyi, Eshiadumba, Muhaka and Doho sub-locations of the Central Nyanza District; and parts of the Trans-Nzoia and Usin Gishu Districts):—In drawing the boundaries of the Western Region we have acceded to the strongly expressed wish of the Abaluhya people to be included in a separate region from the Luo.

We would have considered it right in the Northern Province to create a region consisting of the areas almost exclusively occupied by the Somali and kindred people, namely the Mandera district, that part of the Somali district lying east of the western boundary of the existing constituency No. 44, the Wajir district, and that part of the Garissa district lying east of a line drawn three miles to the north and east of the Tana River where that river flows through the district, but including the Garissa township area, which would have simplified the making of some special provision for the administration of this area, if this were considered desirable, pending a decision on its future, but our terms of reference restricted us to providing six regions, and we concluded that where a choice had to be made the decision must go in favour of giving effect to the wishes of the greater number of people in Kenya as a whole. For those reasons it was not possible to solve the problem in this way. After anxious consideration we have included the area concerned in the Coast Region. If at some time in the future this area should cease to be a part of Kenya its excision from the Coast Region would not adversely affect the viability of that Region or seriously upset the pattern laid down for Kenya as a whole.

The members of the commission were Sir Stafford Foster-Sutton (chairman), Sir Colin Thornley and Mr. E. M. Hyde-Clarke. The secretary was Mr. K. M. Cowley.

The Kenia leader, Mr. Paul Ngũt, has decided to call his new political organization the African Peoples Party of Kenya. Its motto is "Complete Freedom, Justice and Prosperity".

Five members of the Legislature of Kenya have asked the Speaker to recall the Council immediately because of the bad security situation. Mr. W. Wabura, who led the delegation to Mr. Humphrey Blake, suggested that African politicians behave more responsibly when the House is in session.

## Support for Somali Secession

### Kenya N.F.D. Commissioners Report

AREAS OF SUPPORT for "Somali opinion", "Kenya opinion", and "mixed opinion", based on the grazing areas of a single tribe and influenced by religion, ethnic affiliations and the way of life, are to be found in the Northern Frontier District of Kenya, states the commission appointed to ascertain public opinion there on arrangements to be made for its future in the light of constitutional developments in Kenya.

"The areas in which we found the people supporting the Somali opinion are the biggest in total population and size and are in fact one," it continues. "They extend from the Somali frontier to the Somali-Galla Line and beyond, to include the grazing lands of the Adjuran. We found that the people there almost unanimously favour the secession from Kenya of the N.F.D., when Kenya attains independence, with the object of ultimately joining the Somali Republic, but they want the N.F.D. to have a period under British authority in which to build up its machinery of government so that it can join the Somali Republic as a self-governing unit.

### Immediate Secession

"This is the Somali opinion as expressed to us verbally and is based on the premise that there can be no question of secession before Kenya gets independence. The Somali opinion as expressed in the written memorandum submitted by almost all supporters of the Somali view is somewhat different. The memorandum requests that union of the N.F.D. with the Somali Republic should take place contemporaneously with the granting of Kenya's independence, and the establishment of a legislative assembly for the N.F.D. should take place before and not after Kenya's independence, and that the secession of the N.F.D. from Kenya should take place immediately. The written memorandum was obviously prepared by some central authority and we consider that it is less personal than the opinions expressed verbally.

"The areas supporting the Kenya opinion we found to be the grazing lands of the Gabbra in Marsabit District, of the non-Muslim Boran in Moyale District, and the Riverine Tribes on the banks of the Tana in Garissa District. Here the people wish to remain part of Kenya and to participate in its constitutional development.

"Although the Gabbra and Boran have close affiliations with Ethiopian tribes, no suggestion was made in the verbal statements that Ethiopia has any concern with the problems under consideration and in fact such a suggestion only appeared very briefly in one of the written memoranda.

"The areas of mixed opinion we found to be Moyale Township and the grazing area of the Sakuye to the east as far as the Boran-Adjuran Line, Marsabit Township, Isiolo District, Garissa Township, and the grazing area of the Orma south and west of the Tana River. We noted that the division of opinion almost exactly corresponds to the division between Muslim and non-Muslim.

"The Gabbra are not mentioned because we do not consider that these people have a coherent opinion as to the future government of the N.F.D. The opinions we received from the leaders of the Rendille we are not prepared to accept as an accurate reflection of the opinion of the people.

"We understand that 90% of the Rendille are pagan, and that although their language bears some resemblance to Somali, their dress and customs are different and have in fact more in common with those of the Samburu and the Masai. In view of these differences it seemed strange that they should want to join the Somali Republic but when taxed with this, the Rendille chief insisted that their customs are like those of the Somali and not those of the Samburu and Masai; he did not mention religion, perhaps the most significant point. We understood that traditionally the Rendille have lived in harmony with the Gabbra, although recently they have quarrelled mainly over grazing rights. But, whether or not this quarrel has caused a serious break, we cannot believe that the Rendille people, who have so direct contact with the Somali, generally want to join the Somali Republic. The difference of opinion between the Rendille and the Somali reinforced this belief. We do not wish to imply that the Rendille necessarily support the opposite view, but simply that we do not accept their opinion as given."

Counting all the areas alike, the N.F.D. has a population of about 1,000,000 divided broadly between the Somali, 46%; the Gabbra, 14%; the Galla (Galla, Gabbra and Sakuye), 22%; the Rendille, 11%; the riverine tribes of the Tana river, 4%; the Boran, 1%; and the Turkana, 1%.

The members of the commission were Mr. G. C. M. Stewart, G.O., and Major-General M. P. Bagot, from Nigeria and Canada respectively. The secretary was Mr. P. A. G. Hill.



## Mitchell Cotts Group Report

MITCHELL COTTS GROUP, LTD., which has many subsidiaries in East, Central, and South Africa, and in the Somalilands, Ethiopia and the Sudan, reports net profit after tax for the year to June 30 at £421,876, compared with £309,300 in the previous year. Ordinary shareholders receive 5%, an increase of 2%, and the carry-forward is nearly £3m.

The issued share capital is just under £4m. and loan capital £1.3m. Fixed assets are slightly above £5m., investments total £1.1m., and current assets less current liabilities are just under £7m.

The group had a "reasonably satisfactory year" in East Africa; the board are hopeful of further improvement in the Sudan; and the Ethiopian company is described as well placed to play an important rôle in development of the country's natural resources. No special reference is made to the results of the four subsidiaries operating in the Federation.

Mr. H. C. Drayton is the chairman and Mr. J. K. Dick managing director. The other members of the board are Lord Teynham and Messrs. H. L. Burnie, J. H. Edge, D. C. Holmes, Fredk. Knight, A. F. Procter, M. E. Rich, and A. S. Roger.

## Baumann's Largely Increased Profits

A. BAUMANN & Co., LTD., a Kenya company with 13 subsidiaries in East Africa and the United Kingdom, reports consolidated profit after tax for the year to June 30 of £115,877, compared with £71,321 in the previous year. Dividends take £58,886 and reserves are strengthened by £49,268. The issued capital is £423,078 in ordinary shares of 5s. and £423,078 in 6% redeemable cumulative preference shares of £1.

Interests in subsidiaries stand in the balance-sheet at £1,249,440. In the consolidated balance-sheet of the group fixed assets appear at £974,659, trade investments at £119,757, and current assets less current liabilities at £816,833.

Mr. Eric Baumann is chairman and managing director, and Mr. R. P. Archer vice-chairman and managing director; Messrs. C. E. Colinvaux and J. H. Gaunt are also managing directors, and Mr. P. G. G. Salkeld is the fifth member of the board.

## Johnson and Fletcher

JOHNSON & FLETCHER, LTD., of Southern Rhodesia, a company with an issued capital of £306,401, reports a group loss for the year to June 30 of £93,882, compared with the profit in the previous year of £49,177. Re-organization resulted in economies of some £90,000. The consolidated balance-sheet shows fixed assets at £433,359 and current assets less current liabilities at £516,066. The general reserve was reduced from £347,264 to £264,265 in order to meet the trading loss and the preference dividends. No ordinary dividend is to be paid. The directors have waived their fees for the year. Mr. G. R. A. Johnson, the chairman, said at the annual meeting on Monday that the company remained in a strong financial position and that if there was no further deterioration should shortly become profit-earning once more. The other directors are Messrs. J. C. Fletcher, B. R. W. Johnson, A. W. Ridgway, D. K. Hepburn, and R. R. Fisher.

## Ruo Estates Holdings

RUO ESTATES HOLDINGS, LTD., a company with 1,890 acres of tea in full bearing on its Ruo and Likanga estates in Nyasaland, made a net profit for the year to June 30 of £50,053 (£91,660) before providing £24,821 (£30,200) for tax. Dividends of 12% are being paid on the issued capital of £250,000 in 5s. shares. The consolidated balance-sheet shows fixed assets at £243,271 and current assets less current liabilities at £106,573. Sir Dingwall Bateson is the chairman, and the other directors are Miss G. M. S. Simey, Colonel D. G. Dickson, and Messrs. J. A. Loran, H. R. Lupton and F. G. H. Lupton.

## Tanganyika Diamond and Gold

TANGANYIKA DIAMOND AND GOLD DEVELOPMENT CO., LTD., reports an operating loss for the year to June 30 last of £11,259. In the previous year there was a loss of £15,500. As recently reported, Williamsons Diamonds, Ltd., have offered £80,000 for the mining assets of Alamaai, Ltd., a subsidiary, and the directors recommend acceptance. The directors—Messrs. E. J. Donaldson (chairman), R. W. H. Ferguson, H. R. V. Hoar, and L. H. Oates—and the secretaries have waived their fees. The issued capital is £199,800.

## Firm Sisal Prices

THE LONDON PRICE of No. 3 long grade East African sisal, which was £87 a ton at the beginning of 1962, ended the year at £123. In the first nine months there had been a steady rise to the £100 mark, and by early December the quotation was over £120. A recent wage award in Tanganyika, which produces nearly half the world's sisal, is estimated to have raised the cost of production by at least £8 per ton on well-managed estates, and hard upon that increase came a 5% *ad valorem* export tax. Sisal is now at its highest price level for several years.

## Stock Exchange Reactions

MR. BUTLER'S STATEMENT that Nyasaland was to be allowed to secede from the Federation caused sharp falls in the price of Central African gilt-edged stocks on the London market. Nyasaland 4½%, 1971-78, was marked down to 57, giving a yield of no less than 10½%. Federal Government 4%, 1972-74, and 6%, 1978-81, down respectively to 65 and 74, both return 8½%. Northern Rhodesian 3½%, 1970-72, at 68 yield 8½%; Southern Rhodesian 2½%, 1965-70, at 65½ yield 8½%; and that Colony's 4½ issue, 1987-92, at 64, return nearly 8%.

## Commercial Brevities

Fine grain kaolin deposits of some 2½m. tons have been found at Kisai in Koki, Uganda, and a company has been formed to exploit them.

Mines in the London and Rhodesia Group in Southern Rhodesia had the following results in November: Coronation Syndicate, mine profit of £5,433; Muriel Mine, mine profit, £6,970; Kenyemba, mine profit, £3,255; Mazoe Consolidated, mine profit, £2,971.

Nchanga Consolidated Copper Mines, Ltd., are paying an interim dividend for the year to March 31 next of 2s. 6d. per £1 stock unit, less Federal tax at 6s. 8d. and Northern Rhodesian territorial surcharge of 1s. 4d. Last year's interim was 1s. 6d. and the final 5s. 6d.

Turner & Newall, Ltd., report a considerably lower group trading profit for the year to September 30. After deducting just over £6m. for U.K. and overseas tax liabilities, the profit was £6,667,652 (£7,734,238). Ordinary shareholders again receive 12%. Issued ordinary stock is little short of £38m. The general reserve is increased by £2m.

J. Brockhouse & Co., Ltd., a group with subsidiaries in the two Rhodesias, reports consolidated profit to September 30 after tax at £510,988 (£614,120 in 1961). Ordinary shareholders receive 12½% (the same). After increasing the general reserve by £100,000 (£250,000), the carry-forward is £817,074 (£764,427). The issued capital is just under £3.5m. in ordinary stock and £1m. in preference stock.

Unless rain falls shortly some sisal estates in East Africa will have to stop production, says the current fibre report from Wigglesworth and Co., Ltd., who estimate that the 30% increase in wage rates in Tanganyika will raise sisal costs by from £7 to £10 a ton. The point is made that the new 5% export tax on sisal will affect all forward contracts made before the introduction of this new impost.

£875,000 has been received by Bancroft Mines, Ltd., from the issue of a further million 5s. shares at 17s. 6d. each to Anglo American Corporation of South Africa, Ltd., Nchanga Consolidated Copper Mines, Ltd., Rhodesian Anglo American, Ltd., and Rhokana Corporation, Ltd., which were called upon to take up these shares under an arrangement made in 1960. The funds will finance an expansion programme planned to increase the mill tonnage from 160,000 to 220,000 tons of ore monthly.

Rhodesia Broken Hill Development Co., Ltd., announces that the results for the year to December 31 will not permit a dividend. Prices for lead and zinc during 1962 reached their lowest levels for many years, and the heavy reduction in selling prices was only partially offset by increased sales. Moreover, there was a two weeks' strike, and considerable difficulties were encountered in the first half of the year with the new plant at the mine.

Rhodesia Cement, Ltd., sold only 103,742 tons in the year to August 31 last, against 126,445 tons in the previous year, the cause being the continued decline in building activity in the Federation. Production was at only about 30% of capacity. Net profit after tax was £42,215 (£44,200). The issued capital is £1.2m. Fixed assets appear at £3.3m. Current liabilities less current assets are £812,816. Mr. L. A. Levy is chairman and joint managing director, Mr. T. P. M. Cochran vice-chairman and joint managing director, and the other members of the board are Messrs. M. G. Fleming, J. W. Phillips, I. Kollenberg, A. D. Butler, and C. I. Jacobs.



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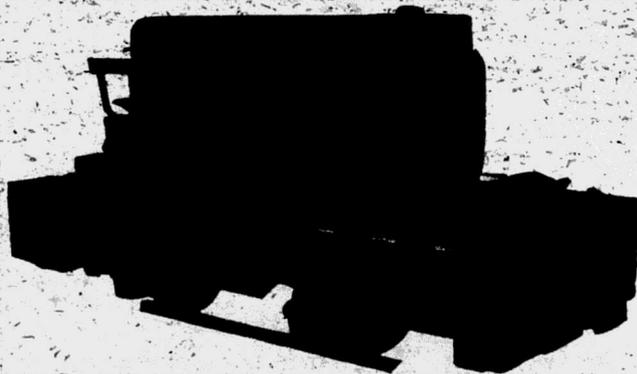
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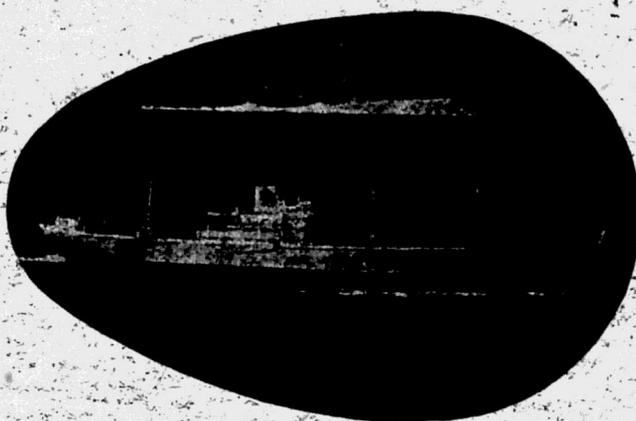
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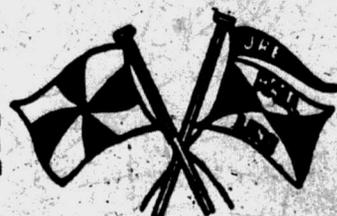
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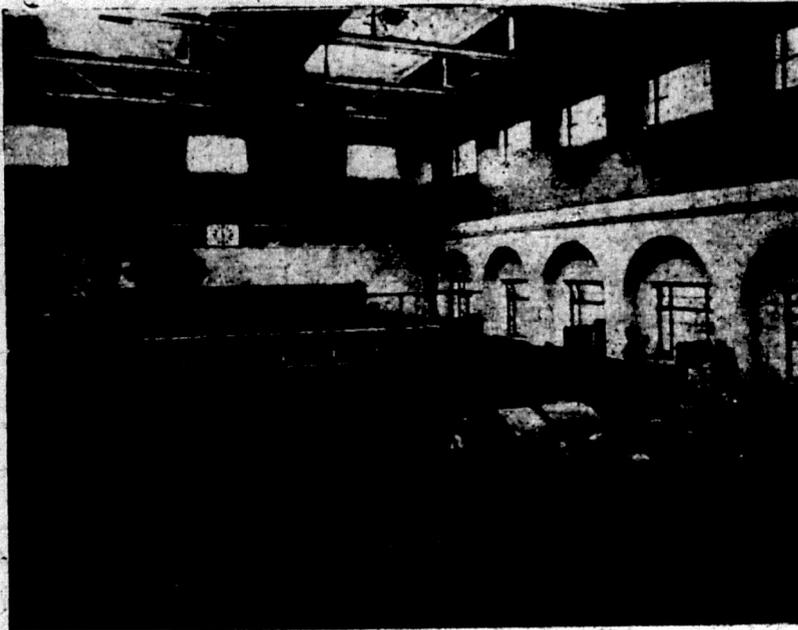
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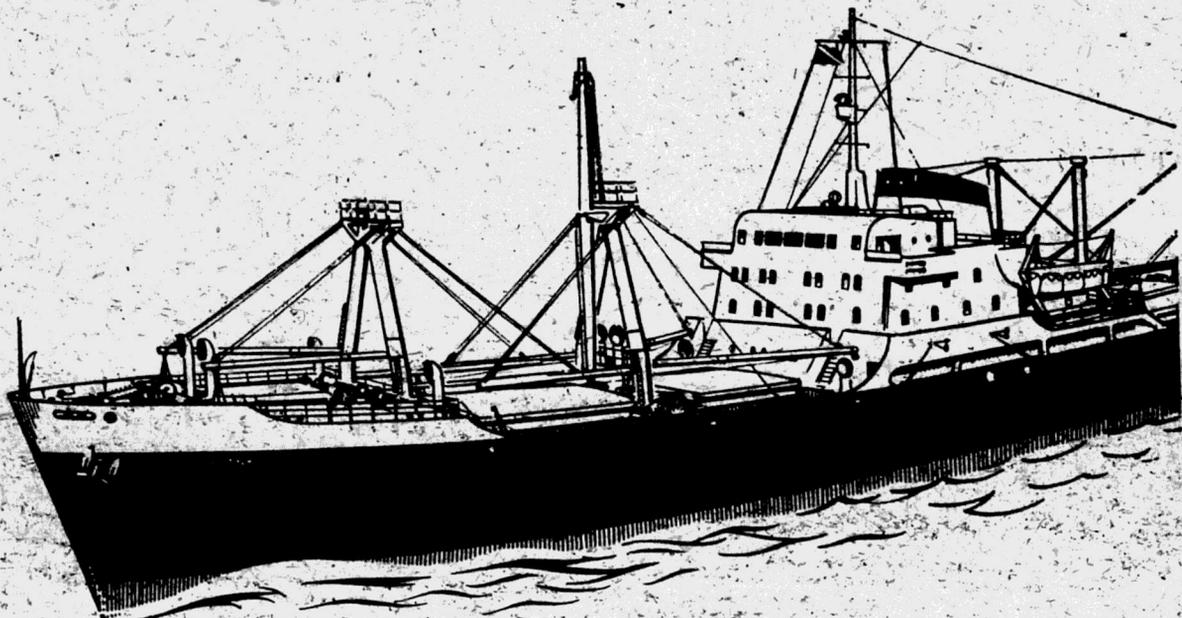
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## Principal Contents

	Page		Page
Notes By The Way .....	403	Coalition Split in N. Rhodesia .....	411
Katanga's Defence .....	404	New Governor in Kenya	412
Sabotage Threat by Mr. Tshombe .....	405	Burundi Assassination Re-trial .....	413
Personalia .....	406	Letter to the Editor.....	414
Nyasaland Secession — U.K. View .....	408	Commercial News .....	416

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## MATTERS OF MOMENT

**MR. MALCOLM MacDONALD**, who entered upon his duties as Governor of Kenya on Friday last, faces as complex a series of political, personal and economic problems as any leader in the English-speaking world. It is immensely to his credit that he, who has been Secretary of State for the Colonies and for the Dominions, High Commissioner for Britain in Canada and India, Governor-General of Malaya, and Commissioner-General in South East Asia, should have accepted the invitation to go to Kenya when the high hopes for that Colony which were justifiably held over so many years of British administration have already been wrecked—wrecked by Mr. Macmillan's decision to capitulate to the organizers of African racialism; by the impulsiveness, incompetence, and alternating vacillation and stubbornness of his chosen hatchet-man, Mr. Iain Macleod, as Secretary of State for the Colonies; by the bemused co-operation with that calamitous Minister of Mr. (now Sir Michael) Blundell, who, though pledged to plead the cause of European settlement, gave Mr. Macleod indispensable help in destroying it; by the weakness of the genial Sir Patrick Renison, a Governor who twice publicly described Kenyatta, convicted of organizing Mau Mau, as "the African leader to darkness and death", but nevertheless released him from restriction in breach of innumerable promises made by other agents of H.M. Government, and then changed the law so that he might enter the Legislature as leader of one of the two main parties or of a coalition; and, of course, by the machinations of less influential men, white and black, who from cynical calculation, obsession, or sheer stupidity set themselves to destroy the country's ordered system of government and economy without even knowing what to put in their place.

Almost three years have passed since the disastrous Lancaster House Conference which would, Mr. Macleod claimed in his infatuated ignorance, establish and sustain inter-racial partnership in the Government of Kenya. **Evil Fruits of Macblundellism.** As this journal immediately emphasized, the Macblundell Constitution was guaranteed to smash the multi-racial concept, undermine European confidence, debase standards, play into the hands of African political extremists, and deprive Africans in the mass of all that they would have gained by another generation or so of British guidance and tuition. Mr. MacDonald has now to try to instil some sense into the African politicians, few in number but dire in performance, who have ceaselessly and dangerously conspired against those who would not accept their dictation, thereby further weakening what was left of internal and external confidence and irreparably damaging the country. Because Macblundellism (our portmanteau word for the evil of which Messrs. Macmillan, Macleod and Blundell were the chief architects) prepared the way for a renewal of Kikuyu dictatorship, the tribes who would have no part or parcel in its Mau Mau rebellion, and generally detest and distrust the Kikuyu, combined to form the Kenya African Democratic Union for the express purpose of demanding a regional system of administration and other checks and balances against domination by any one tribe. The Kenya African National Union—variously called the Mau Mau Party, the Kikuyu Party, and the Kenyatta Party—wrathfully demanded the centralism which would obviously enable the Kikuyu to manipulate the Government. At the second Kenya Constitutional Conference in Lancaster House, held last year under a wiser Secretary of State, Mr. Maudling, the K.A.D.U. case was conceded, and a commission has just made

recommendations for a division of the country into six regions and a Nairobi special area. As a face-saving manoeuvre after their defeat in London K.A.N.U.'s spokesmen had foolishly continued to deny that the principle of regionalism had been accepted for the United Kingdom Government. Now that party, bitterly divided by openly demonstrated personal animosities and ambitions, has to accommodate itself to an entirely new order, one which makes nonsense of its policy and all its propaganda.

\* \* \*

Because they were political parades rather than assemblies determined to grapple realistically with all the basic issues involved, both the Lancaster House Conferences left serious issues unresolved.

**Swept under The Carpet.** Delegates themselves, when asked privately about various vital matters, replied glibly

that "we have swept them under the carpet". After many months of wrangling in the Council of Ministers, in which the two African parties have equal membership, the divisions, animosities, and fears remain. The new Governor could therefore scarcely have a worse inheritance. Kenya's state is so tragic that hardly anybody now believes that it can be ameliorated by patience. Almost all those who were until recently apostles of gradualism appear to have resigned themselves to the supposition of the political hot-heads that Kenya's overridingly urgent need is immediate acceptance of a Constitution of some kind and prompt elections for the two Chambers of the Central Government and for the regional assemblies. K.A.N.U. leaders in particular have for months clamoured for elections—though they were well aware that they could not be held while vital constitutional points were still items of acute controversy between the two African parties.

\* \* \*

If Mr. MacDonald, with his unique experience of Constitution-making in Asia, can quickly achieve at least a reasonable measure of agreement, the visit planned for early February by the

**General Distrust Of the Kikuyu.** Secretary of State for the Colonies will be most

timely. If as that date approaches there has been no real improvement in the situation, Mr. Sandys will have to decide whether or not to postpone a trip which would lose its chief value if it could not be marked by a signal for advancement on the track to self-government, hazardous though that journey will certainly be. The Regional Boundaries Commission having now told the world of the strength of tribalism in Kenya,

and that nobody wants to be involved with the Kikuyu in an administrative area—not even their cousins the Meru or the Embu, and certainly not the neighbouring Kamba—K.A.N.U., Kikuyu in origin and domination, will perhaps reconcile itself to the harsh facts of life, cease to regard everything from the standpoint of electioneering opportunism, and so reduce the political temperature. It has hitherto professed to be confident that it could win the general election. Those of its leaders who have lately admitted in private that that is unlikely are offered in the Regional Commission's report arguments which could be used to deflate the extremists. There are moderates in K.A.N.U. If they prevail something may yet be salvaged from the wreckage. One essential requirement for any such development would be control and then disbandment of the Land Freedom Army, the subversive successor of Mau Mau, which keeps very much alive the fears, resentment, repugnance and distrust of the Kikuyu of all the other tribes. The Kenya problem is, in fact, largely that of the Kikuyu. It cannot be settled by a slick political formula, by pretending that it is a superficial and temporary inconvenience, or by assuming that it will disappear as soon as African politicians are given control of all the Ministries. Because Westminster and Whitehall are clearly bent on acting on that perilous assumption, more and more Europeans are quitting the Colony, much as most of them love the country.

### *Statements Worth Noting*

"I wouldn't swap my diocese for any in England".—The Rt. Rev. Trevor Huddleston, Bishop of Masasi, Tanganyika.

"The Uganda Development Corporation is a colonial territory within an independent Uganda and a harbour for expatriate officers".—Mr. V. Rwamwaro, M.N.A., Uganda.

"Sir Roy Welensky's well-documented indictment of the British Government has recounted a shameful record of principles ignored and solemn undertakings dishonoured".—Mr. Robert Jenkins, Conservative M.P. for Dulwich.

"The desire to have political opposition is a weakness imported by former masters. If Tanganyika is to implement its true socialism, such ideas must be got rid of".—Mr. Selemani Kitundu, regional commissioner for Southern Highlands.

"Envisage the tremendous benefits which would arise from the combined effect of payment of a living wage and the increase in production of the many hundreds of thousands of farmers who eke out a subsistence living on the land—and look at this in a Rhodesia free of discrimination. A million people producing an additional £5 per month would generate an additional £60m. annually in our economy".—Mr. A. E. Abrahamson, former Southern Rhodesian Minister of Labour.

## Notes By The Way

### "Taffy" Evans

NO HONOUR in the New Year's List will give greater pleasure in the Federation than the award of the K.B.E. to the Secretary for Home Affairs, Mr. Athol Donald Evans, known to a wide circle of admirers as "Taffy". The Federation has no public servant more devoted, more able, more hard-working, more determined to make maximum progress in every possible way, and less concerned with red-tape or convention. Senior officials in Whitehall with whom he has had to do battle have a high respect for his astuteness, and his own Ministers, especially the Prime Minister, have for him feelings of warm admiration and affection. The Federal Government, and previously that of Southern Rhodesia, have always been far less lavish in their attitude to honours than Governments under Colonial Office jurisdiction. Whereas a member of the Colonial Service in Northern Rhodesia of modest competence might in due course be made C.M.G., his opposite number south of the Zambezi would be lucky to receive the O.B.E.; and I recall officials in Colonial Office Africa who have been made K.C.M.G., and some even G.C.M.G., who would have been fortunate to be nominated for the lowest rank in that order if their place of work had been in Southern Rhodesia. The K.B.E. now conferred upon Mr. Evans is consequently a far greater recognition of merit in Rhodesian eyes than it would be in, say, Kenya.

### Sir Phillip Rogers

SIR PHILIP ROGERS, since 1951 chairman of the East African Tobacco Co., Ltd., will on April 1 become chairman of the Tobacco Manufacturers' Standing Committee in the United Kingdom, the body created by the industry in 1956 to co-ordinate research into the problems of smoking and health. The appointment is of such importance that it is now held by the deputy chairman of the Imperial Tobacco Company, who is about to relinquish the post because of his other heavy commitments in that capacity. All the manufacturers in the United Kingdom are represented on the committee, and their selection of Sir Phillip Rogers to preside over them indicates his standing in a trade with which he has been connected all his adult life—for 33 of them in West and East Africa. At his initiative his company has extended and modernized its East African factories at great cost and shown special concern for good industrial relations. Indeed, he once said in the Legislature that Kenya had room only for employers and employees who were fair-minded, reasonable, and responsible, for on no other basis could there be close bonds of mutual respect and confidence. That he has won public respect and confidence is shown by his record as a past president of Nairobi Chamber of Commerce and of the Association of Commercial and Industrial Employers in Kenya and by his service on the Kenya Legislature for five years as a nominated member, and then as an elected member of the East African Central Legislative Assembly.

### Mr. G. A. Henley

MR. G. A. HENLEY, who has succeeded SIR PHILIP as chairman of the East African Tobacco Company, is a 51-year-old bachelor who is devoted to dogs and very fond of gardening; and I have never known a man with those two qualities who had not other admirable traits in reserve. He is also keen on horse racing. Born in

England, he was educated at Radley College, and then joined the parent organization of the subsidiary of which he has now become the head. He served in the Royal Artillery from the early part of the last war until he was invalided out of the Army in 1942, when he returned to the tobacco industry, gaining considerable experience of manufacture and marketing in a number of territories. From 1953 until he went to East Africa in 1959 as assistant general manager to Sir Philip Rogers, he was marketing director of one of the associated companies of the group.

### P.A.F.M.E.C.S.A. and the Congo

MR. KAUNDA, president of the United National Independence Party of Northern Rhodesia, happens to be this year's chairman of the Pan-African Freedom Movement for East, Central and Southern Africa, which has been bitterly hostile to Mr. Tshombe since it was formed, and, in order to increase the pressure upon the President of Katanga, recently took the extraordinary course of calling a conference in Leopoldville, its first outside East Africa. Mr. Nkumbula, leader of the African National Congress in Northern Rhodesia, which only a few days earlier had agreed to form a Coalition Government with U.N.I.P., each party holding three Ministries, objected to Mr. Kaunda's Leopoldville excursion on the ground that he had agreed as an essential condition of the A.N.C.-U.N.I.P. coalition to cease the hostility shown by his party to the Katanga leader. Within three weeks of the formation of the new Northern Rhodesian Government its existence was thus threatened.

### Insult to Britain

IN LUSAKA last Thursday during the public quarrel Mr. Kaunda told a gathering of journalists that "Britain has no right at all to poke her nose into the affairs of the Congo". Yet U.N.I.P.'s spokesmen have continued to do just that ever since the Belgian withdrawal. P.A.F.M.E.C.S.A., having determined on the same course, enlisted for its Leopoldville demonstration the Prime Minister of Uganda, Mr. Obote, the Vice-President (and lately Prime Minister) of Tanganyika, Mr. Kawawa, and lesser lights in the movement, among them Kenya's Kikuyu ornament, Kenyatta. These people, who conferred under Mr. Kaunda's chairmanship, are, it seems, perfectly entitled to intervene in Congo affairs. Britain has in their view no such right. To such a pass has this country's repute been reduced by the weakness and incredible follies of the Macmillan Government.

### U.N.I.P. Murder List

MR. M. SIPALO, London representative of the United National Independence Party of Northern Rhodesia, who is in hospital in Lusaka recovering from burns received in mid-December when a house in which he was sleeping was attacked with petrol bombs, has alleged that a tribal group within the party has compiled a murder list of leaders of the party from tribes other than their own whom they intend to eliminate. He is emphatic that the petrol bomb attacks, of which there were three on the same night, were not made by politicians of rival parties, but by members of his own organization. He has asserted publicly that the murder list contains his own name and those of two other

U.N.I.P. leaders from Barotseland. Perhaps because the U.K. Press has shown such bias in favour of U.N.I.P., a report in this sense has, so far as I know, appeared in only one publication.

### High Cost of Political Follies

STRIKING PROOF that not even the greatest and best informed of Rhodesian enterprises could foresee the immense damage which has been done by Britain's political follies in Central Africa in the past two years is to be found in the news that the Anglo American Corporation and the Rhodesian Anglo American, Nchanga and Rhokana companies have together subscribed for a million 5s. shares in Bancroft Mines at 17s. 6d. each. The current price on the London Stock Exchange is about 7s. When the undertaking was given two years ago to take up shares at a price which now proves to be half a guinea too high, the quotation was 18s. 3d. Normal mining risks have not caused the drastic drop. It is the result solely of the political factors which have sapped public confidence in all enterprises in Central and East Africa, however excellent their record and management. Government stocks have also been badly hit. The Federal 6% loan stands at 72, Southern Rhodesian 4½% at 61, Kenya 5% at 58, and Tanganyika

5½% at 66. These quotations represent the market's condemnation of the political antics which have characterized the Macmillan Government's attitude to its African responsibilities.

### Unhurried

H.M. STATIONERY OFFICE published on January 4, 1963, the Colonial Office Report on Zanzibar for the years 1959 and 1960. In the bad old days some departmental reports may have been even more out of date at the time of issue, but for the territorial document this ought to be the record in dilatoriness. What possible excuse can there be for such sluggishness on the part of the Zanzibar Government?—for the last page of the report shows that it was printed in Zanzibar. Only the cover has been added in London, and that was probably done almost immediately. Even in placid Zanzibar this case of gross procrastination should demand explanation.

### Doughty

"The motion was moved by the doughty hon. member, Mr. Dauti Yamba"—Mr. J. Z. Savanhu, speaking in the Federal Assembly.

## The Katanga Side of the Story

### Reply to U Thant and Account of Hostilities

ALMOST every U.K. newspaper has suggested that the latest United Nations attack on Katanga was caused by the failure of President Tshombe to reply reasonably to appeals by the U.N. for co-operation with the Central Congolese Government.

Not one U.K. newspaper has, so far as EAST AFRICA AND RHODESIA is aware, published the text of the proposal sent by President Tshombe to U Thant on December 13. It read as follows:—

"Katanga, conscious of African solidarity and of the fact that if peace is threatened in one corner of Africa the whole is placed in danger, has decided to take further steps for the application of the Thant Plan, although the other interested parties have not honoured the undertakings expected of them.

#### Funds for Central Government

"The Government of Katanga therefore proposes, without waiting for the financial and economic commissions to complete their work, to inform the Union Minière that it is authorized henceforth to pay to the Monetary Council, or any other international institution agreed on by the interested parties, the total amount of foreign currency earned by Katanga's export.

"The Monetary Council or other international institution designated, under guarantee of the United Nations, Great Britain, the United States, and Belgium, will earmark for the functioning of Katanga's economy, after provision has been made for covering the needs of the Union Minière, 50% of the currency paid over by the Union Minière, provided the amount is not less than 250m. francs (£14m.) a month.

"With the object of restoring confidence in the Congo and removing the threat of further bloodshed, the Government of Katanga requests that the Leopoldville Government, in accordance with the Thant Plan, promulgates a general amnesty law and ratifies the cease-fire agreement concluded on October 16 under United Nations guarantee."

The text of the proposal was handed simultaneously to the Consuls in Elisabethville of Belgium, France, Great Britain and the United States. The American Consul insisted that it should be kept secret.

Four days later Mr. Mathu conveyed a message of appreciation from the Secretary-General of the U.N.

That was the stage reached—the most hopeful for many months—when the local U.N. commanders struck, whether acting on higher instructions, or, as in

September 1961, on their own initiative.

The Katangan Government's version of some of the subsequent events states that at about 10 a.m. on Christmas Eve Ethiopian troops left their road-block on the Kipushi road close to the Union Minière works, advanced on to the company's ground, and opened fire in the direction of the Katanga gendarmerie. The latter replied, and sporadic firing continued for several hours.

When it started the Katanga authorities telephoned the chief U.N. representative, but while discussions for a cease-fire were proceeding a U.N. helicopter took off and flew over the Katanga lines, which it attacked, wounding several gendarmes before it was hit by bullets and forced to land. President Tshombe, accompanied by three Ministers, immediately proceeded to the spot. First aid was given to the occupants of the helicopter, who had been wounded, and they were then transferred to the Queen Elisabeth Hospital and placed under care of the United Nations. Meanwhile U.N. troops had deployed towards the golf course and the Katanga positions.

At 3 p.m. an agreement was reached by telephone between President Tshombe and Mr. Mathu, the U.N. representative, for the return of the wrecked helicopter. This was effected by Major Mbayo of the Katanga gendarmerie and a U.N. officer, who found grenades on board the aircraft.

#### Many Civilian Casualties

On the night of December 27 firing broke out again. Next morning the Katanga Government issued the following *communiqué*:—

"At about 8.30 p.m. yesterday U.N. forces opened fire at different points in Elisabethville, notably at the golf course, Lubumbashi, and Kimbemba. As in December 1961, U.N. forces launched mortar attacks on the Native townships of Albert and Kenya, causing numerous casualties among the civilian population, who once again have had to flee the fire of the 'peace' organization. Last night President Tshombe, accompanied by M. Niembo, Minister of Public Services, called on Mr. Mathu, who was assisted by the Indian General Prem Chand and Brigadier Noronha. Their meeting had no result. In spite of promises, the firing continues this morning, and since last night Elisabethville has been without water or electricity."

Electricity failed when the central power station was put out of action by U.N. fire. In addition to the attacks on the Native townships mentioned, mortar shells fell on Lubumbashi Hospital, wounding a nurse. The wife of one of Union Minière's European employees was shot dead in her home by Ethiopian troops in front of her family.

On December 30 it was announced in Leopoldville that Mr.

Joseph Sendwe, Vice-Premier in the Central Government, had been nominated by President Kasavubu as "Commissioner Extraordinary for Katanga". That same day a vote of censure on Mr. Sendwe was carried in the Congolese Senate by 45 votes to four, with four abstentions; the motion accused him, with the help of several accomplices, of having beaten up a Lumumbist senator, Mr. Pierre Medic. A vote of censure carried by a two-thirds majority should entail the resignation or dismissal of a senator. Whether Mr. Sendwe will be able to take up his appointment as Commissioner Extraordinary is therefore doubtful. He is the leader of the Balubakat, the minority Katanga party, whose main strength lies in the north of the province, where its militant youth organization has been responsible for many atrocities.

On December 29 the United Nations broadcast the following appeal to the Katanga Gendarmerie:—

"The cause for which Mr. Tshombe has armed you is not your cause. It is that of foreign interests, which uphold secession with the object of profiting from your natural riches. Gendarmes of Katanga, the forces of the U.N. do not wish you any harm. On the contrary, they have come here to help your country overcome its difficulties. Join them. Then your objective will be the same—the liberation of the whole Congo. It is your mission to safeguard the honour of the Republic. We make this appeal to your sense of duty and your patriotism in order that your country may once more take its proper place in the heart of the African community".

At that time Ethiopian troops of the U.N. were distributing photographs of Lumumba in the African townships.

The United States Senator Doff has written for the North American Newspaper Alliance an article which says:— "In my many years of public life I can recall no situation that has suffered so much from official misrepresentation and from in-

adequate reporting as the present situation in the Congo; nor can I recall any situation in which we have been committed to a more preposterous and less defensible policy.

"A united Congo is infinitely preferable to a divided Congo, and certainly it is proper for the United States and the United Nations to use all the instruments of diplomacy and suasion in an effort to bring about the reunification of the Congo. But I challenge anyone to justify the concept that the U.N. or its member States have the right to intervene by arms in any country in order to maintain in power a Government of their choice, to force reunification, or to compel acceptance of a Constitution.

**At Pistol Point**

"This, however, is precisely what the U.N. is attempting to do in the Congo. Worse still, because it is obvious that the U.N. operation in the Congo must shortly draw to a close, it is demanding at pistol point nothing less than immediate agreement on the Constitution and all related items.

"The impression has been fostered that President Tshombe is uniquely responsible for the lag in implementing the Secretary-General's plan for the reunification of the Congo, and that it is only because of his failure to respond to diplomacy that the U.N. is now considering sanctions and if necessary the use of force. There have been only a few obscure and genteel hints that the Adoula Government has also been dragging its feet on certain points.

"The fact is that President Tshombe has taken many significant steps towards the fulfilment of the U Thant Plan. If the situation now seems to have bogged down, it is because the Central Government has thus far refused to negotiate in good faith and has shown itself stubbornly unwilling to honour several of the most essential clauses of the U Thant Plan".

# Katangese Army Poised to Destroy Union Miniere Plants

## U.N. Force Continues Advance Against Secretary-General's Orders

**EXPLOSIVES HAVE BEEN LAID** by Katangese troops in the 240ft. high Delcommune dam, after the eviction of Union Miniere staff from the hydro-electric plant, and in the neighbouring power plant at Le Marinel, following President Tshombe's talks with his Ministers in Kolwezi "preparing the demolition of all industries". The two power stations provide over 75% of the Katanga's total hydro-electric needs. Katangese gendarmes have occupied all Union Miniere installations in the area.

The president flew to Kipushi on Tuesday and was driven to Elisabethville by a Belgian consular official, to tour the city "to share with my people their dangers and suffering" before returning to Kolwezi at an unspecified date. Dr. Bunche, U.N. under-secretary, put forward his departure to Albertville several hours to avoid having to meet Mr. Tshombe.

### Courting The Devil

Before leaving Kolwezi, Mr. Tshombe had warned that the Union Miniere was "making eyes at the devil, and one day it will be sorry". He accused the United States of directing the U.N. attack "because they want Katanga's copper and will take over from the Belgians. But they shall not be allowed to possess Africa. We shall fight from the bush and one day we shall emerge triumphant".

United Nations troops last Thursday took Jadotville, third largest town in Katanga and 70 miles from Elisabethville, without meeting resistance, though there had been sharp engagements on the previous two days along the road. The retreating Katangans, who had blown up two bridges, killed four U.N. (Indian) soldiers and wounded 11 others.

Union Miniere officials and the mayor of the town met an advance U.N. patrol and asked the commanding officer to bring in his troops to prevent lawlessness. Radio messages monitored in Salisbury on the previous

day had threatened street-by-street resistance from the Katangese and stated that local mining officials would themselves destroy their installations—a claim denied by the group's Brussels office. The Katangese withdrew during the night, however, after damaging a control panel, power lines and stanchions, and the cobalt refinery at Shituru, forcing the whole of the Union Miniere's Jadotville complex to close down.

### Communications Failures

U.N. headquarters in New York issued this statement next day: "For some time past the U.N. operation has been demanding of Mr. Tshombe the freedom of movement to which it is entitled throughout the Congo. It is regrettable that this finally could be achieved at Jadotville only by military force, but in view of the Katangese official attitude there was no other choice.

"Another source of regret is in the fact that in the Jadotville operation there occurred for the first time in the experience of the U.N. Congo force a serious breakdown in effective communication and co-operation between the U.N. headquarters and the Leopoldville office. Steps are being taken to determine the cause of this lapse and to ensure that it will not recur. All U.N. field missions and operations are the responsibility and are under the control of the secretary-general, and there will be no exception to this principle in the Congo or elsewhere".

U Thant was understood to have assured the Belgian Government that U.N. troops would not advance further on Jadotville, and to have sent instructions in that sense to Mr. Robert Gardiner (of Ghana), head of the U.N. Congo mission, for transmission to the Indian military commander in Katanga, General Prem Chand, and the Indian commander of the Jadotville advance column, Brigadier Rajmohit Narayan.

A spokesman for the secretary-general denied later that his orders had been purposely ignored by the

(Continued on page 419)

# PERSONALIA

DR. and MRS. L. J. BINNIE have arrived in England from Bulawayo.

PRINCE ALEXANDER VON HOHENLOHE flew to Kenya last week to hunt elephant.

MAJOR-GENERAL R. E. GOODWIN, G.O.C.-IN-C. in East Africa, has been made K.C.B.

MR. H. J. L. OSBOURN has been appointed a director of British Overseas Stores, Ltd.

MR. C. H. B. ROSE will leave London next week-end for a short business visit to Rhodesia.

MR. R. G. ADAMSON, secretary of W. F. Malcolm & Co., Ltd., has been elected to the board.

MR. G. A. SKIPPER, Provincial Commissioner in Kenya, is on leave in the United Kingdom.

SIR ANTHONY HURD, M.P., who has several times visited East Africa, and LADY HURD are on their way by sea to Southern Africa.

MR. J. W. SHILLING has joined the board of Wankie Colliery Co., Ltd. (with MR. F. S. BERNING as alternate), to fill a vacancy caused by the resignation of MR. T. COULTER.

MR. WINSTON FIELD, Southern Rhodesia's new Prime Minister, and MR. C. DUPONT, Minister of Justice, flew on Monday to Zomba for talks with the Governor of Nyasaland and DR. BANDA.

MR. HUGH FRASER, M.P., Secretary of State for Air, accompanied by MR. CLIVE BOSSOM, M.P., his Parliamentary Private Secretary, is visiting R.A.F. units in Aden, Kenya, and the Persian Gulf area.

DR. COGGAN, Archbishop of York, who attended the Independence celebrations in Uganda, will shortly leave England to preside over a conference in Mexico City on the mission and future of the Anglican Community in Latin America.

On Saturday and Sunday last a study group on manpower planning in developing countries met at Birkbeck College, London. The speakers were SIR ANDREW COOMAS, MR. GEORGE FORGEM, MR. GUY HUNTER, and MR. JOHN VAIZEY.

SIR CHARLES HARTWELL, who is to retire in March from the chairmanship of the Public Service Commission in Northern Rhodesia, is to be succeeded by SIR JOHN BRYAN CHAFFIN, G.C., Speaker of the National Assembly of Uganda.

Mrs. Sava GEMARIVIC has presented his letters of credence as Ambassador in Tanganyika for the Federal People's Republic of Yugoslavia. The commercial attaché is MR. D. PEROVIC and the administrative attaché MR. S. STANISAVIC.

Mrs. Evelyn Dorothy Barry-Evans, wife of Mr. P. V. Barry-Evans, president of the Chartered Company, who in 1943-45 was Parliamentary Under-Secretary of State for Dominion Affairs, has £20,042, on which duty of 20% has been paid.

Laura Latham, Conservative M.P. for Norwich, who has visited East and Central Africa, has bought Wavertree Castle, County Durham, but does not intend to reside there. She acquired Long, Lambton Castle, near Durham, was listed as a village over 500 years ago.

Miss Susan Chavira, a 20-year-old New Zealander, is to be married in Christchurch, New Zealand, to a young man from the East. The ceremony is to take place in the town hall and will be attended by a large number of guests.

Miss M. J. Gwyn will leave London Airport this morning for her trip to East Africa. She is the daughter of the late Mr. Gwyn, who was a well-known figure in the East. She is accompanied by her mother, Mrs. J. Gwyn. Her report is to be sent to London at the end of February.

SIR JOHN AINLEY, Kenya's new Chief Justice, arrived in Nairobi from Ceylon last Friday only just in time to be sworn in by SIR ERIC GRIFFITH-JONES, the Deputy Governor, shortly before it was his duty as C.J. to swear in MR. MALCOLM MACDONALD, the new Governor.

MR. ROLAND MWANJISI, lately Parliamentary Secretary in the Prime Minister's Office in Tanganyika, and MR. JOHN MHAVILLE, M.P. for Njombe, have been appointed Junior Ministers respectively in the Ministries of Home Affairs and of Communications, Power and Works.

LORD JOHN HOPE, a former Minister of Works, has joined the board of Standard Telephone and Cables, Ltd., a company with subsidiaries in Central and East Africa. He is also a director of British Electric Traction Omnibus Services, Ltd., which has large East and Central African interests.

MR. LAURIE CAMPBELL, who was on the teaching staff of the Alliance High School, Kenya, from 1952 to 1956, will this term succeed MR. E. CAREY FRANCIS, headmaster since 1940. After a holiday in Rhodesia, Mr. Francis will return to Nairobi to teach at a Government secondary school in the African suburb of Pumwani.

MR. WILLIAM LEONHART has taken up his duties in Dar es Salaam as United States Ambassador to Tanganyika. The senior staff of the embassy consists of MR. T. R. BYRNE, counsellor and consul, MR. J. A. ANDEREGG, second secretary and vice-consul, MR. J. D. BLACKEN third secretary and vice-consul, and MISS S. E. DAVIS, assistant attaché and vice-consul.

Anglo American Corporation of South Africa, Ltd., having acquired major interests in North America, has appointed MR. M. W. RUSH, an executive director, to be its representative in New York from September next. Messrs. J. W. SHILLING and S. SPIRO have joined the board, and MR. GUY NICHOLSON, an assistant manager now resident in Salisbury, has been made manager of the corporation.

MR. JOHN ANDERSON NZUNDA, a 35-year-old M.P. for Masasi, and a former Regional Commissioner for the Southern Region of Tanganyika, has been made a Junior Minister in the Vice-President's Office. There are already two such junior ministers, Messrs. BHOKE MUNANKA and ELIAS KISENGE. Mr. Nzunda, who holds a certificate in journalism gained in South Africa, visited the U.S.A. last year.

MR. GEORGE ADAMSON, the Kenya game warden whose wife MRS. JOY ADAMSON has described in several books the adventures of Elsa, a tame lioness, has found Elsa's lioness cub in the Serengeti game reserve in Tanganyika, where she was released with two brother cubs a year ago. "I had stopped in a little valley for breakfast when she appeared and climbed a tree nearby, watching me. I called, and she came over to let me stroke her."

Senior Under Officer D. A. WILLIAMS, from the Federation of Rhodesia and Nyasaland, was awarded the Sword of Honour at the recent Sovereign's Parade at Sandhurst. Four other successful Rhodesians were R. E. H. LOCKLEY, H. D. KOCH, A. B. R. M. BENTLEY and J. M. TEMPLER. Four cadets from Kenya, R. K. FAUCON, R. N. CAMERON, H. STOTT and S. C. THORPE, passed out, as did A. H. A. YUSUF and R. G. MUSA of Somaliland.

**SITUATION WANTED**

Optimistic, experienced secretary, aged 25, currently sitting for British Institute of Management examination, seeks position in East Africa for one year in any sphere. Has some management experience. Replies to Box 119, East Africa and Rhodesia, 66, Great Russell Street, W.C.1

MR. J. D. HOPKINS, a director of Gallaher, Ltd., since 1954, and a member of the staff for 32 years, has retired from the board.

SIR GEORGE MACROBERT retired last week from the appointment of Medical Adviser to the Secretary of State for Commonwealth Relations.

MR. P. MACADAM and MR. G. RAWLINSON have joined the board of British American Tobacco Co., Ltd., from which MR. R. D. WILKIE has retired.

Arrivals in the United Kingdom from Northern Rhodesia include MR. JUSTICE J. R. BLAGDEN, MR. & MRS. J. P. I. FFORDE, MR. J. C. GALLOWAY, MR. J. F. LEECH, MR. R. J. FRANCIS, MR. G. LAWSON, MR. & MRS. S. F. COLLETT, and MR. W. LIMOND from Lusaka; MAJOR P. L. PATTEN from Ndola; and MR. & MRS. W. J. KENNY from Kitwe.

AIR COMMODORE H. HAWKINS, Deputy Chief of Air Staff in the Royal Rhodesia Air Force, arrived in the EDINBURGH CASTLE last Friday to attend a course at the Imperial Defence College. He is vice-president of the Rhodesia Rugby Union and president of the Mashonaland Rugby Union. MRS. HAWKINS and their family are with him.

Passengers outward-bound *via* the Mediterranean in the KENYA CASTLE include the REV. & MRS. P. R. DAVIES, MR. & MRS. J. E. C. GLASSON, the REV. F. HEPTONSTALL, MR. & MRS. R. E. HIND, MR. & MRS. P. SCOTT-MARTIN, MR. & MRS. H. C. A. SOMERSET, and the REV. & MRS. D. R. STEELE for Mombasa; LADY PAULINA PEPYS for Zanzibar; MR. & MRS. C. L. S. HARDY and DR. & MRS. W. TORDOFF for Dar es Salaam; and the REV. & MRS. G. CONTE for Beira.

## Obituary

MR. F. H. ("JABBY") TRENT, of Thomson's Falls, Kenya, has died suddenly in England.

THE EARL OF BUCKINGHAMSHIRE, the seventh earl, who has died in a London hospital at the age of 56, was a brother of LADY SYDNEY FARRAR, of Kenya.

MISS EMILIE EMBLINE, of Praslin, who was thought to be in her 115th year when she died recently, remembered the great avalanche of 1862, the worst disaster in the history of Seychelles, one in which 70 people lost their lives.

MR. GARY HOCKING, of Bulawayo, who was killed when his car left the track during a practice run for the Natal Grand Prix, had been motor-cycling champion of the world from 1961 until last June. He then announced his withdrawal from racing because he had seen "so many good blokes kill themselves on motor-cycles". He began car racing only in August.

SIR HECTOR HEARNE, who has died in Surrey at the age of 70, joined the Colonial Service in 1916 after being called to the Bar by Lincoln's Inn. He served first in Uganda and then in Tanganyika as a puisne judge and later as Chief Justice. After tours of duty in Ceylon and Jamaica, he was knighted in 1946 and appointed Chief Justice in Kenya five years later. He retired in 1954.

MRS. JOAN HEMSTED BERNARD, who died recently in Kenya, was taken to the Colony as a young girl by her parents, Mr. and Mrs. J. H. D. Beales, her father then managing the Government farm near Naivasha. In 1932 she married Mr. Bernard, who was farming in South Africa, but they went to Kenya two years later and made a great success of cattle-breeding, first near Timau, later in the Limuru district, and finally back on their first property near Timau. For years they were considered to have the best Jersey herd in Kenya, and Mrs. Bernard was founder and for many years president of the Jersey Cattle Society of Kenya.

## Message to the Queen

DR. NYERERE, president of Tanganyika, in thanking the Queen for her good wishes to the lately inaugurated Republic of Tanganyika, wrote: "My people and I are at this historic time conscious of our debt to the past, without, we trust, failing in our duty to the future. We are aware of the many benefits which we have derived, and which we hope we shall continue to derive, from our close association with Your Majesty's Government in Britain. Because of our duty to the future, as we conceive it, we shall continue to work for peace in a happy and free Africa, following to the best of our ability the fundamental principles of behaviour between civilized peoples which are enshrined in the unwritten code of the Commonwealth".

## Acting Governor's Broadcast

MR. R. E. LUYT, Acting Governor of Northern Rhodesia while Sir Evelyn Hone is on three months' leave in England, said in a Christmas Day broadcast: "1963 will bring forward great problems in Northern Rhodesia. Weighty and controversial decisions will need to be taken. Strain will be placed on the minds and emotions of us all. But fundamentally the vast majority of Northern Rhodesians seek the same thing—a full and happy life for all. Our problems flow largely from different ideas of how best to pursue this aim. I believe that in the ultimate any of a number of ways can lead us to the desired end, given hard work and good will. May this Christmas increase and entrench our good will".

## Pre-eminent Leader

MR. R. H. C. STEED, Commonwealth correspondent of the *Daily Telegraph*, who has just returned from a visit to the Federation, has concluded an article entitled "Rhodesia's Year of Decision" with a statement of his conviction that Sir Roy Welensky is "head and shoulders above anyone else in the Rhodesias in experience, calibre, and personal appeal, and, for all his hard words, is still fundamentally for the British connexion, deeply loyal to the Queen, and is no racialist. Mr. Field will lean heavily on him in the negotiations that lie ahead".

## Constitutional Council

SOUTHERN RHODESIA'S CONSTITUTIONAL COUNCIL, established to exercise the reserve powers surrendered by H.M. Government, consists of Sir Victor Robinson, a former Attorney-General of the Federation, as chairman, and four other Europeans, five Africans, one Asian, and one Coloured member, namely, Mr. H. B. Dugmore, Mr. J. E. Jones, Chief Kayisa Ndiweni, Mr. W. H. Kona, Mr. C. P. J. Lewis, Mr. J. N. K. Madzima, Mr. S. Mbirimi, Sir Ralph Morton, Mr. W. H. G. Newham, Mr. A. I. Patel, and Canon L. Sagonda.

## Centre of African Studies

LORD HAILEY opened on Monday the Centre for African Studies of Edinburgh University. Sir Edward Appleton, principal and vice-chancellor of the university, who said that the aim was to increase integrated knowledge of Africa and break away from the insulation of various disciplines in watertight compartments, recalled that Dr. Nyerere, President of Tanganyika, and Dr. Banda, Prime Minister designate of Nyasaland, had been students at the university.

# Lord Chancellor States U.K. Legal Case on Nyasaland Secession

## "Intolerable Dilemma" Posed by Federal Government Quotation from "Confidential" Documents

THE LORD CHANCELLOR, LORD DILHORNE, did not feel that some of the hard words spoken were justified.

"Was the decision announced to-day right? At the Nyasaland elections in 1961 the Malawi Congress Party, campaigning on a clear platform of removing Nyasaland from the present Federation, secured an overwhelming majority. Of those on the lower roll, mainly Africans, 95% voted, and 98% of the votes went to the Malawi Party. They won all the 20 lower roll seats, and two out of eight upper roll seats. A third went to an Independent with declared Malawi support.

"Few would contend that this country should ignore that clearly expressed opinion of the people of Nyasaland. We could ignore it only if H.M. Government were prepared to embark on a policy of repression.

"In these circumstances the decision to recognize in principle that Nyasaland should be allowed to withdraw is, it seems to us, inevitable, and also the inevitable starting-point for the consultations on the future of the three territories which, now that there are new administrations in office in Northern and Southern Rhodesia, the First Secretary of State proposed to initiate in the New Year.

"A great deal will have to be done before effect can be given to the decision that Nyasaland should be allowed to secede. Our acceptance of that principle does not of itself, of course, operate to make any change in the Federation itself; nor does the secession of Nyasaland of itself in law operate to terminate the Federation of Northern and Southern Rhodesia.

### Not Abandoning High Ideals

"Nine years ago we embarked on a great experiment. We hoped to establish a non-racial society in which peoples of all races would live and work together in peace, friendship and mutual understanding. Our ideals were high, and certainly they were not selfish. We hoped that we had laid the foundations of a secure and stable society and to enable the inhabitants of the three territories to gain as well the great material advantages of close association.

"Should we abandon those ideals now or on the secession of Nyasaland? Your Lordships will agree that the answer must be 'No'. Do those ideals become impossible of fulfilment if Nyasaland secedes? I hope the answer is 'No'.

"Is this right, and I think inevitable, decision one that H.M. Government are free to take unilaterally of their own initiative? As a matter of law, can the British Parliament effectively provide for the secession of Nyasaland? If, as a matter of law, Parliament can do so, are H.M. Government inhibited by any convention or pledge from introducing legislation for that purpose?

"The Rhodesia and Nyasaland Act of 1953 made provision for the creation of the Federation by Order in Council. Section 1 (2) of that Act provided that the Order in Council might authorize the amendment or revocation of any of its provisions in any manner specified by the order in relation to those provisions. The Act went on to say: 'save as may be so authorized the Order in Council shall not be capable of being revoked or amended except by Act of Parliament'. It thus appears that from the time of the passage of this Act and before the Federation was created the right of the United Kingdom Parliament to revoke the Order in Council creating the Federation—and that, of course, would bring the Federation to an end—or to amend the Order in Council was clearly recognized.

### Pure Law

"As a matter of law, it is in my view clear beyond any doubt that Parliament can by the passage of an Act revoke or amend the Order in Council which created the Federation. It was my duty to consider this question some two years ago, and my opinion on it was endorsed by my predecessor, Lord Kilmuir, in your Lordships' House on March 27, 1962, when he said: 'As a matter of pure law, I entertain no doubt that the power of the United Kingdom Parliament to legislate how it wishes for the Federation remains unfettered'.

"Are H.M. Government inhibited from so legislating by any convention, custom, or pledge? A view has been put forward that there is a convention or understanding to the effect that we should not so legislate except at the request or with the consent of the Federation, and that for us to do so would be a breach of faith.

"A charge of bad faith cannot be lightly dismissed, and I

*Extracts from the House of Lords debate on Nyasaland's secession have appeared in recent issues dating from December 27.*

hope to satisfy your Lordships, as I am satisfied, that such a charge in relation to a breach of convention is without foundation.

"Conventions play a large part in our constitutional relationships at home and overseas. *Halsbury's Laws of England* says: 'From the middle of the 19th century there was a convention against Parliament legislating for the self-governing Colonies without their consent', and 'The power of the Parliament of the United Kingdom to revoke or amend the constitution of overseas dependencies knows no legal exceptions, but there is a convention that in the case of a self-governing colony the power shall not be exercised without the Colony's consent'.

### "Stretching Convention Too Far"

"The convention is stated to apply to self-governing Colonies, and it is from the practice of consulting the self-governing Colonies before legislating that the convention was gradually established. In the case of the Dominions it was embodied in the Statute of Westminster, 1931. That Act applied to Canada, Australia, New Zealand, South Africa, the Irish Free State (as it then was), and Newfoundland. Those countries, with the exception of Newfoundland, had then reached a stage of recognition internationally as independent States. The preamble to that statute recognized that it was 'in accord with the established constitutional position that no law hereafter made by the Parliament of the United Kingdom shall extend to any of the said Dominions as part of the law of that Dominion otherwise than at the request and with the consent of that Dominion'.

"One does not find any similar provision in the Rhodesia and Nyasaland Federation Act, 1953, or in the Order in Council made under it. If it was the intention that this convention should apply to the Federation when it was formed, one would have expected a clear reference to it either in the Act or in the Order in Council. It is not there.

"On the other hand, the 1953 Act recognizes that the Order in Council can be revoked or amended by Act of the United Kingdom Parliament, and Article 29 (7) expressly reserves our right to legislate for the Federation and the territories and does not make that power exercisable only at the request or with the consent of the Federation.

"The passage I read from *Halsbury* makes it clear that the convention applies to self-governing territories. It does not and has not applied to all territories having what is called a responsible Government: that is to say, a Cabinet system. That is stretching the convention too far.

### "No Express Reference"

"A number of territories enjoy or have enjoyed responsible government in this sense—many of the West Indian territories, for example—but it has never been the case that we have passed Acts here applying to them only at their request or with their consent. The Federation itself cannot be regarded, in my submission, as equivalent to a self-governing Colony. It is composed of three territories, one of which can appropriately and properly be described as self-governing, namely Southern Rhodesia, the other two of which have not up to now possessed a Cabinet system and for whom H.M. Government have had direct responsibility.

"In the White Paper introducing the recent changes in the Southern Rhodesia Constitution it was stated that: 'The Constitution of 1923 conferred responsible government on Southern Rhodesia. Since then it has become an established convention for Parliament at Westminster not to legislate for Southern Rhodesia on matters within the competence of the Legislative Assembly of Southern Rhodesia except with the agreement of the Southern Rhodesian Government'.

"This convention has never applied in relation to Northern Rhodesia and Nyasaland, and if on those two territories and Southern Rhodesia joining in the Federation while keeping their separate and distinct identities it was intended or agreed that this convention should apply to the Federation, then I must say I should have expected some express reference to it in the Order in Council, such as one finds in the Statute of Westminster, or at least in some public document such as a White Paper. One does not find it.

"The matter does not rest there. In 1957 there was a joint announcement by the Governments of the United Kingdom and the Federation on certain matters. Does legislation by us for secession involve any breach of that convention recognized in that announcement?

"Inclusion of Nyasaland in the Federation was not the result of any Federal legislation, and so to secure the secession

of that territory does not involve the repeal or amendment of any Act of the Federal Government embodying Nyasaland in the Federation. But we must also, of course, consider whether provision for the secession of Nyasaland was within the legislative competence of the Federation. If it was, it would be a breach of the convention, a breach of faith, for us to provide for secession except at their request.

"I maintain that it was not and is not within the competence of the Federation to provide for secession. Article 29 of the Constitution specifies the matters within the legislative competence of the Federation. They are pretty clearly defined.

"It is true that by Article 97 special provision is also made for the amendment, subject to certain conditions being satisfied, by the Federal Legislature of the Constitution annexed to the Order in Council. It might be argued that, because it is within the power of the Legislature to amend the Constitution, legislation by us to provide for the secession of Nyasaland without the request of the Federation would be a breach of faith. But to amend the Constitution of the Federation created by the Order in Council is one thing; to reduce the Federation to one of two countries and not three is another. In my opinion, the Federal Legislature have no power to provide for secession, just as they have not under Article 97 power to break up the Federation entirely.

### Internal Legislation

"I think it is pretty clear, too, that the announcement to which I have referred, from its terms was directed to what I may call the ordinary normal legislative acts under Article 29, the article which the announcement shows was under consideration at that time, and not to article 97 at all. It is also clear that this topic was raised by Sir Roy Welensky because of doubts that had arisen as to that paragraph of the article.

"Certain politicians in Southern Rhodesia were constantly proclaiming that Article 29 (7) enabled the British Government to interfere by their legislation with the internal affairs of the Federation. It was to put these fears at rest that the announcement was made—an announcement directed to internal legislation under Article 29 and not to any amendment of the Constitution or alteration of the territory of the Federation.

"I am fortified in my view that I expressed by the fact that the Federal Government do not seek to maintain that the Federal Legislature can provide for secession. As the 1957 announcement was directed to internal legislation, as the Federal Government do not claim that they can provide for secession, there is surely no shred of a foundation for any allegation that legislation by us for secession without the request of the Federal Government is contrary to that announcement."

THE MARQUESS OF SALISBURY: "I am sure that we have all listened with immense interest to the legal opinion which the Lord Chancellor has given. But what I said was that British Ministers gave most explicit assurances during the discussions in 1953 that the Constitution of the Federation which they were setting up would not be liquidated without the free assent of all the Governments concerned, and that included the Federal Government. That statement was, in effect, confirmed by Lord Malvern, Lord Chandos and Lord Boyd of Merton, all of whom were in one way or another connected with the negotiations. Does the noble and learned lord deny that during the conversations that undertaking was given, and that it was the basis on which, as Lord Malvern said, the Rhodesian Government accepted the White Paper?"

### Federation Not Independent

THE LORD CHANCELLOR: "I was coming to the question whether there was any breach of any pledge.

"Secession of Nyasaland will inevitably alter the character of the Federation. It may necessitate some amendment of Federal Acts by the Federal Legislature. Acts like the Income Tax Act, which now applies to Nyasaland as well as to other territories. But so far as secession is concerned, that in my submission can be effected by the United Kingdom Government without any breach of any convention.

"In 1933, two years after the Statute of Westminster, Western Australia petitioned the United Kingdom Parliament to be allowed to secede from the Commonwealth of Australia. It was decided that the petition was not receivable. It is on that precedent that it has been sought to found an argument in relation to the problem your lordships are discussing. That argument really will not stand up to examination. This Parliament could, under the Statute of Westminster, legislate for Australia only at the request and with the consent of the Dominion. That petition came after the statute was passed, and long after Australia had become an entirely independent country within the Commonwealth. The Federation is not an independent country.

"It is said that pledges were given in regard to secession in the course of the discussions in the conference concerned with drawing up the Constitution—pledges which prevent H.M. Government from acting unilaterally now without the

consent of the Federation, except at the expense of a breach of faith. That conference preceded the 1953 Act, and certainly the Order in Council because the Order in Council embodied its results. I am in some considerable difficulty because in all the public documents and in all the public announcements made after the conclusion of that conference one can find no indication in any contemporaneous document of the existence of any such pledge. There is nothing that I can find in any contemporaneous public document which supports the secession.

"I wonder why, if such a pledge was given and accepted, it was kept secret and not embodied in the Act or in the Order in Council.

"It is not a question, as I think Lord Chandos indicated, of inserting a provision for securing the right to divorce. If such a pledge was given, it was to secure that there should be no divorce.

"When one comes to look at the Act constituting the Commonwealth of Australia, which was passed in 1900, one finds these words in the preamble: 'Whereas the people of New South Wales, Victoria, South Australia, Queensland and Tasmania, humbly relying on the blessing of Almighty God have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland and under the Constitution hereby established—'

"In no public document—not in the Act, not in the Order in Council—is there any reference, any indication of indissolubility. That does not quite conclude the question, and I recognize that perfectly well.

### "Old Men Forget"

"Lord Malvern, who was the Minister at the conference, Lord Salisbury, Lord Chandos, and Lord Colyton, attended it, and Lord Boyd of Merton, who I think was not present at the meetings in question, made himself familiar with what conversations took place. The purpose of the conference was to thresh out the Constitution, and I imagine that arguments went backwards and forwards on the different points. The purpose of the conference, I am sure noble lords will agree, was not that of giving secret pledges. Lord Malvern did indicate that at the time these assurances (if one can use those words) were given, they were concerned about the right of review which is contained, I think, in Article 99 of the Constitution. As I understood his speech, he was concerned to make sure that the question of secession should not be raised at that time.

"I can well see statements being made by Ministers at that time in that particular context and with reference to what should take place at the review when the Constitution was being drafted. I wonder whether anyone contemplated then that 90% or so of the electors of one of the territories would be voting against remaining within the Federation. Was that ever considered? I wonder. It would require a remarkable degree of prescience, although it would require no considerable degree of prescience to say, when considering provisions for the review: 'Let us make sure what can be reviewed at the time of the review; let us reach some agreement, if we can, about that.'

"Lord Chandos in his usual persuasive and attractive style talked about an old gentleman's memory; he said that old men forget. He also spoke about Sir Roy Welensky having revealed passages of confidential documents, and thought that the precedent was unfortunate. What is said in confidence—and these discussions at this conference, I understand, were in confidence—surely should not be used for the purposes of public discussion. It is surely not a matter that can be lightly brushed aside by saying that it does not matter whether they are secret or not. Surely it is much to be deplored, for this reason. If confidential discussions are to be disclosed at the instance of one of the parties to them, then that must prejudice the freedom of discussion in any future confidential meetings.

### Commonwealth Confidentiality Prejudiced

"Sir Roy Welensky made a number of quotations from the confidential reports of what was said in the course of the conference. The special and unique value of the Commonwealth rests to a very great degree on the basis that member Governments can freely exchange views and ideas among each other, with the assurance that, however much they may differ from time to time, those confidences will be respected. Once that principle is breached, the very value of such a special relationship is brought into question; and one can be astonished that the Federal Government, who are well aware of these traditions and conventions, and who have such experience of the machinery of Commonwealth consultation, should have chosen deliberately to disregard these fundamental understandings. I would only add that what has happened can only make more difficult the conduct of future consultations with the Federal Government.

"I do not think it would be right for me to quote verbatim

from those documents. Lord Malvern no doubt was concerned with what should take place at the review. I doubt whether anyone contemplated the situation that has now risen, and I doubt whether anything was said or accepted as a firm pledge that this country would abandon its right to legislate, as it clearly had the right to legislate, on such a matter without consent. However, I do not believe that it is fruitful to pursue that matter. Suggestions of breaches of convention or of breaches of faith or broken pledges, and controversy about them, cannot help the future of Central Africa or of anyone else. It can only make even more difficult the constructive work that lies ahead.

"We have done our best to proceed to get agreement. We have not succeeded, and the position with which we are now faced is that we have the choice either of ignoring the views of Nyasaland, or, without the agreement of the Federation, of proceeding to recognize that Nyasaland may secede. If we in these circumstances took the course of saying that we would not proceed without the Federation's agreement, that would mean that the Federal Government has a veto on all constitutional developments in Central Africa; and that H.M. Government cannot for one moment accept.

### "Clear Wishes" of Nyasas

"In view of the clearly expressed wishes of the people of Nyasaland, it would not be compatible with our responsibility to that country to seek to prevent her from leaving the Federation, to seek to ignore or to overrule the clear and unequivocal expression of determination not to remain within the framework of the present Federation.

"But to accept in principle that Nyasaland should be allowed to withdraw from the Federation is not the end. I do not accept the view that means writing *Finis* at the end of a historical chapter of achievement and endeavour over the last nine years. In our long history we have witnessed before a divergence of political and economic interests, and here we have the political interests of Nyasaland pulling one way and the economic interests constantly pulling another.

"The financial and economic consequences for Nyasaland will be serious and substantial. If Nyasaland is to progress, we must see if some new kind of association with the Rhodesias cannot be evolved. If the Rhodesias are to progress there must continue to be association and co-operation between them, too.

"As a matter of law the present decision on secession relates to Nyasaland only, and not to the present constitutional relationship between Northern and Southern Rhodesia. The form which future association of the territories may take will, of course, be covered by the consultations which we now propose to initiate. The task before us is formidable, and one calling for great wisdom and statesmanship on all sides. What my rt. honourable friend will seek to do is to find an acceptable solution which will maintain the very real advantages of association. We want to put an end to uncertainties, and to ensure for the people of Central Africa of all races a peaceful and prosperous future.

"Those are our objectives, and in an endeavour to promote them the First Secretary will visit Central Africa early in the New Year. I listened to your lordships' expressions of good will towards him, and I am sure he can count on the support and good wishes of your Lordships' House."

### Are Secret Pledges Binding?

THE MARQUESS OF SALISBURY: "Do I understand the Lord Chancellor to contend that if a pledge is contained in a confidential document it does not count as a pledge?"

"Lord Malvern said that a pledge was given and that it was because of that pledge that he agreed to the terms of the White Paper. The Lord Chancellor said that he cannot find the pledge. Lord Malvern, Lord Chandos, and the Lord Boyd of Merton all say that the pledge existed. This is not really a question of law; it is a question of ethics. Are the Government bound by something which they said in private, or are they not?"

"I ask the Lord Chancellor, or possibly the Leader of the House: will they agree to publication of this passage? There is nothing secret about it. It may have been confidential, but there is nothing that is secret. During the conference notes were taken of what was said. Will the Government publish them?"

VISCOUNT HAILSHAM: "No one knows better than the noble marquess that publication cannot rest with me or with the Lord Chancellor. The question will have to be considered by a great number of people other than those now present. Very serious issues would arise about the publication of a document of this kind. I cannot answer without proper consultation as to the serious constitutional issues that are involved."

THE MARQUESS OF SALISBURY: "I fully appreciate that an answer cannot be given tonight, because obviously this is a very large question and will no doubt have to be considered by the Cabinet as a whole. But there is a serious danger that it will appear to many people, certainly in Rhodesia and possibly in this country too, that the Government are sheltering behind the confidential character of this document. If they are not sheltering, there is no reason why the document should not be published."

### Hesitation Not a Refuge

VISCOUNT HAILSHAM: "Now that the noble marquess has raised the question of publication, it will have to be considered. But I emphatically repudiate the view that, because we have shown hesitation about the publication of a document, to the confidential character of which we attach vast importance, we are sheltering behind anything. We are placed in an intolerable dilemma by this kind of thing. There is a verbatim record of what was said. It is no good talking about one's private recollection of these things. Either one is free to discuss it altogether or not at all. There cannot be a half-way house, and it is the half-way house which has been achieved by these disclosures. We must either stand on the principle of confidentiality, to which we attach vast importance, or publish the whole thing."

THE EARL OF LYTTON declared that *Uhuru* was not anti-British, anti-white, or anti-Christian.

"The battle is not against anything but imperialism, whether black, white, or multi-coloured. The Somalis who were over here a few weeks ago, said: 'We are no longer afraid of white imperialism. That is part of our history. We are now grateful. We want to be friends.'

"The Central African Federation, in the view of those who regard it as an impediment, is an extraordinary creation. Its name is incredible. It is as far south of the centre of Africa as Khartoum is north—the same distance as between here and Rome, 1,000 miles. It is not African; it is a white creation. It is not a true federation because it has been imposed, and federation implies a measure of equality. Therefore, it is a great relief to hear today what has been said by the Government.

### "Imperialism The Enemy"

"When I went to East Africa 40 years ago the Masai raided tribes 600 miles from the Hehe, in the south, to the Boran, in the north, and when they raided they speared every man, woman and child. I had a chief who was a lone raider and did precisely these things, and I had many a discussion with him. But that sort of thing was prevalent throughout whole areas of Africa in my time. My authorities regarded him as a bloodstained murderer. I reinstated him because his tribe regarded him as a double V.C. and would not elect anybody else. We worked together, and he abandoned his habits when I was there.

"When we come to the Congo, it is a puzzle to me why we should not apply the principle of *uhuru* and *umofa* to Katanga as well as anywhere else. What is the United Nations doing in forcing an artificially imposed unity—imposing it by force at our expense? That is as bad as what is done by the Emperor of Abyssinia in keeping one lot of Somalis from another who do not want to be with him at all. Why should we not send to Katanga as to the N.F.D., a commission to find out what they want before we start shooting them?"

"We have all sorts of dying imperialisms, black in the north, white in the south, and the United Nations on the flank. Imperialism is the enemy."

A national library service, assisted by £17,000 from Britain, is being developed in Uganda.

Russia and the Kingdom of Burundi have agreed to establish diplomatic relations with each other.

Observers from Somalia, Ethiopia, and Zanzibar attended the recent meeting in Uganda of the East African Central Legislative Assembly.

An African post office employee in Jinja, Uganda, has been sentenced to 18 months' imprisonment after pleading guilty to stealing a 2s. stamp from a registered parcel.

Machinery and equipment worth £48,000 have been given by Australia to the Kenya Polytechnic, a trade testing centre in Nairobi, and Eldoret Government trade school.

Zanzibar's Afro-Shirazi Party will "stage a revolution" if the country is not granted a general election and independence this year, the secretary-general of the party, Mr. H. M. Moyo, said recently in Dar es Salaam. On the previous day the party had pledged itself to do all in its power to achieve by constitutional means independence for Zanzibar this year. Speaking at a Tanganyika Federation of Labour celebration, Mr. Moyo said: "The revolution will if necessary be an armed one."

## Second Thoughts On N.R. Coalition

### Party Leaders Quarrel About Katanga

MR. HARRY NKUMBULA, leader of the African National Congress in Northern Rhodesia, and Minister of African Education in the Coalition Government, said last week that he was having second thoughts about the coalition with U.N.I.P., led by Mr. Kenneth Kaunda, who is Minister of Local Government and Social Welfare, because Mr. Kaunda had "betrayed" President Tshombe of Katanga at the P.A.F.M.E.C.S.A. meeting which he had convened in Leopoldville.

The A.N.C. leader alleged that Mr. Kaunda had broken promises made in London and in Northern Rhodesia after the elections that his party would drop its hostility to the Katangan leader and adopt a friendly attitude instead. This had been a condition of the coalition. "If Mr. Kaunda continues to disregard the broad principles on which the coalition was formed, I will have nothing to do with him".

On his return from Leopoldville Mr. Kaunda said that he had merely promised to stop denouncing Mr. Tshombe at his party meetings, which had been done.

"But I made it clear both to Tshombe and Nkumbula that we shall not flinch from the principle of the unity of the Congo. If the A.N.C. wants to serve Katanga's interests, then our coalition is finished. Mr. Nkumbula must tell the country whether he entered our coalition to serve Tshombe's interests or Northern Rhodesia's. With or without Mr. Nkumbula we are ready to hold a new election immediately and get a better Constitution this year. The chiefs and the people are not afraid to start all over again the campaign for a new Constitution, and we can leave those Government houses tomorrow and return to the villages to campaign".

At the P.A.F.M.E.C.S.A. meeting Mr. Kaunda had said that Northern Rhodesia would withdraw from the the Commonwealth if Britain did not alter her Katanga policy. In Lusaka he was still more extreme, saying: "Instead, we will force Britain to leave the Commonwealth. Britain has no right to poke her nose into the Congo's affairs. Those of us who owe allegiance to the Queen can expel Britain in the same way as South Africa was expelled for practising inhuman policies".

He referred to U.N.O. documents showing the impossibility of obtaining a negotiated Congo settlement and making it clear that it was a "waste of breath to say that Adoula and Tshombe should meet in order to solve the problem".

As chairman of P.A.F.M.E.C.S.A., Mr. Kaunda has ruled that Mr. Tshombe cannot be admitted to membership, since Katanga is only a province of the Congo. Members must be leaders of national movements or of independent Governments.

On the home front, Mr. Kaunda and party officials have been trying to check trade union disputes which have resulted in the formation of a predominantly mineworkers' Zambia Trades Union Congress as a breakaway group from the United T.U.C.

Workers are out at the Chibuluma and Nchanga mines; there were strikes a fortnight ago at Roan Antelope Mine and at the Ndola refinery, and Central African Road Services has been partially strike-bound for some weeks.

## Malawi Puts on the Pressure

EUROPEAN CIVIL SERVANTS in Nyasaland are being told to "pledge your whole-hearted allegiance to Dr. Banda's Malawi Government or pack up and go", the Blantyre correspondent of the *Daily Telegraph* has cabled. Between 80 and 100 "rebels" are to be given six months' notice because they will not subordinate their views based on their experience to those of the new African Ministers. Europeans who agree to stay on if asked "will be forced to promise to obey the instructions of their African Ministers without question, with the promise in return of full pension rights and a good 'golden handshake' when their service ends. About 40% of the present officers are expected to leave by July". A Malawi Congress Party loudspeaker van driven through Blantyre announced: "This is now black man's country. White stooges must go home". M.C.P. youth leaguers stormed the United Federal Party offices a few days ago shouting: "Federation is dead. We are free. To hell with Blackwood and his white stooges".

## The British South

### Africa Company

## Agriculture and Forestry in Southern Rhodesia

THE BRITISH SOUTH AFRICA COMPANY started to farm in Southern Rhodesia in the 1890's. The Company stocked and equipped farms for the breeding of dairy and beef stock, growing citrus under extensive irrigation, producing maize and other crops, and experimenting with the production and processing of tobacco.

Today the Company operates seven estates. The largest of these covers 57,000 acres at Mazoe near Salisbury. At present Mazoe has over 190,000 citrus trees, and it is planned to increase the number to 400,000 over the next 10 years. The oils and concentrated juices that are produced in the modern factory on the estate are exported to many parts of the world.

The Company's Premier, Simoona, and Sinoia Estates are mixed farms and O. J. Tobacco Estates is a tobacco farm.

At the Imbeza Forest Estate, near Umtali, the sawmill has recently been considerably enlarged, and as a result the clear-felling programme of the old-established trees has been accelerated and each area that is clear-felled is being replanted principally with pines. At the Company's new Charter Forest Estate near Melsetter 20,000 acres of land have already been afforested mainly with pines and it is intended to increase the planted area further over the next three years.

In order to provide an outlet for the Company's smaller timber, the John Mackay Box Company, which has a modern factory in Salisbury, was purchased, and more recently the assets of W. Widdup & Company of Umtali were acquired. The disposal of the Group's timber and the manufacture of tobacco and soap boxes is now carried out by the subsidiary Rhodesia and Nyasaland Forest Enterprises.

At the two forestry estates in the Eastern Districts of Border Forests (Rhodesia), in which a subsidiary in the Group has a substantial interest, the afforestation programme has been completed, and the total planted area amounts to over 30,000 acres.

The bulk of the Federation's soft wood building timber is imported. The forestry projects, although long term, should eventually be able to make a substantial contribution to the country's requirements.

The Company has always taken a lively and scientific interest in all forms of farming in Southern Rhodesia, and will continue to do so in the future.

## Elections "Urgent" Task for Kenya

### "Independence Our Grand Aim"

NO TIME WILL BE LOST in making all the practical arrangements necessary for advancement as rapidly as possible towards elections and the establishment of a new Constitution for internal self-government in Kenya, the new Governor, Mr. Malcolm MacDonald, told a Press conference in Nairobi on Friday a few hours after he had been sworn in on arriving in the Colony by air in succession to Sir Patrick Renison.

Mrs. MacDonald was with him. She had flown from Canada to join him in London shortly before their departure.

To decide a date for elections and independence was a "very, very urgent task", the Governor said. "No doubt this will be one of the first things I shall discuss when I see the Council of Ministers. I dare say that the British Government have a tentative date in mind for independence.

"Of course, our grand aim is independence, and in moving steadily to that we must do everything we can to give confidence to those elements of the population who can contribute to the economic well-being, social happiness, political unity and the peace and progress of the Kenya nation. There may be great and difficult problems here, but I think they are all soluble".

His approach would not differ from that of his predecessor—"maximum consultation with the Council of Ministers and with the leaders of all party groups in Kenya". Asked why, then, he had been appointed as a new Governor, he replied: "I am not responsible for that. But I am very happy that I am the new Governor.

I think that question should be addressed to other people".

He had no novel solution for the removal of social barriers between the races. It was a question of promoting good will and friendliness and loyalty to Kenya. He would play his part in helping the leaders of Kenya to strengthen the bonds that already existed. "I'm not a revolutionary; I'm going to behave like a normal human being".

He would not say how he planned to restore European confidence in the country's future. "No matter how important such questions are, I would rather wait and discuss them with the country's leaders".

Asked about an East African Federation that might eventually include the Rhodesias and Nyasaland, Mr. MacDonald stated that it was British Government policy that such a matter was primarily the concern of the African leaders concerned.

### Splits in K.A.N.U.

Mr. John Keen, organizing secretary of the Kenya African National Union, has resigned "because it is embarrassing to hold such a post in K.A.N.U., which is divided into two or three rival groups fighting each other. Even if it wins the elections, K.A.N.U. would form the poorest Kenya Government under the present divisions".

When Kenyatta, the party president, and Mr. T. J. Mboya, its general secretary, returned to Nairobi from the P.A.F.M.E.C.S.A. meeting in Leopoldville, they called a meeting of the party's national secretariat and then announced that Mr. Keen would continue in office. He promptly reiterated his decision, however, adding that he had been "hunted and threatened" by people in the party.

Mr. J. D. Kali, a Kikuyu dissident who has been expelled from the party and who is strongly opposed to Mr. Mboya, has publicly blamed the general secretary for all the party rifts. With Dr. M. Waiyaki, who was heavily defeated by Mr. Mboya in the last election, he had called a meeting to elect new Nairobi branch officials during the absence in the Congo of Kenyatta and Mr. Mboya. The meeting ended in uproar, and Mr. Keen had to intervene.

Mr. Mboya has commented on the regional boundaries report: "It is merely a change in a number of present provincial boundaries. This is nothing new, it has been done many times in the past".

The leader of K.A.D.U., Mr. Ronald Ngala, has described the report as a "tremendous victory" for his party. "We have obtained almost everything we asked for".

A K.A.N.U. meeting on Sunday is reported to have demanded that the new Governor should dismiss the Deputy Governor, Sir Eric Griffith-Jones, and the Defence Minister, Sir Anthony Swann.

The resignation of Mr. Taita Towett as Minister of Lands, Surveys and Town Planning, having been accepted, Mr. Bernard Mate has replaced him, his portfolio for Social Services being in turn assumed by Mr. Justus ole Tipis.



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### No Plans for Nationalization

THE KENYA GOVERNMENT issued the following statement last Thursday: "The Government has no plans for nationalizing any industry. It will continue to use the provisions of the existing law to ensure that existing industries and public utilities do operate with regard to the public interest. By 'nationalized' is meant compulsory acquisition by the Government. During 1962 the Government accorded approved status to the investment of over £5m. from non-sterling area countries, and will treat no less favourably investments which have been or will be made from sterling area countries. Government participation may be necessary to encourage investment in new industries and the development of existing industries. To this end Government will establish an Industrial Development Company for which sources of finance are now being negotiated". The Kenya Federation of Labour has demanded State control of all key industries.

## High Cost of Experience

### Problems Which Kenya Must Face

KENYA'S NEED TO ECONOMIZE was emphasized by Mr. Jan Mohamed, Parliamentary Secretary to the Ministry of Commerce and Industry, when he spoke in Kisumu to a gathering of traders from Central Nyanza.

He told them that imports were costing twice as much as was produced by the country's exports, and that Kenya could not afford to buy such large motor-cars as the one he used. When independent the Government would have to consider controlling imports and developing industries based on local materials. He continued:—

"Kenya cannot afford to pay a very high price for experience. People with experience are trying to sell their experience to the country at a high price. This cannot go on for long. People with experience who are Kenyans and sincere and loyal citizens should share their experience with the people of the country by reducing the price of their experience.

"Methods of harmonious development and improvement in social conditions need State planning. The approach should be with an open mind to the problems and the important part to be played by the private investor in this development. Nationalization of all the main industries cannot bring economic benefit to the people.

"Four-fifths of Kenya's revenue from exports is derived from agriculture. Fragmentation of farms into small un-economic holdings would ruin our exports. Collective farming based on co-operatives and limited companies would maintain the regular export of produce and bring in cash very much needed.

"Tribal feelings, communal feelings, and even the feelings of pure African nationalism cannot bring the desired benefit to the country. East African nationalism is the true answer for harmonious economic and political progress. Communal institutions and societies are a luxury. Real integration, not just theory and idealism, should come about immediately."

## Kenya's Tragedy

LORD SALISBURY has written in a letter to the *Daily Telegraph*: "What is the real reason for Sir Patrick Renison's replacement by Mr. Malcolm MacDonald? Is it to speed up the grant of independence to Kenya? If so, what, if any, steps are being taken to safeguard the lives and property of many thousands of loyal Africans and of our own fellow-countrymen who, trusting in the promises of past British Governments, have made their homes there? Are they to be regarded as expendable? Is that the Government's policy? And what is to be the future of the Coastal Strip, including Mombasa, which might in the event of another world war be of the first moment to the Western cause? Time is running dangerously short if British officials and farmers—and a great many other Britons and Africans too—are not to be thrown to the wolves."

## Burundi Murder Appeals Dismissed

### King's Scope to Exercise Clemency

THE APPEAL COURT OF BURUNDI has confirmed the death sentences passed on four Africans and a Greek for their part in the murder in October 1961 of Crown Prince Louis Rwagasore, Prime Minister of Burundi. Those condemned are J. B. Ntindendereza, 36, former Minister of the Interior of Burundi; Joseph Biroli, 35, a politician and economist and a former member of St. Antony's College, Oxford; Antoine Nahimana, 42; Jean Ntakiyica, 31; and Michel Iatroua, a Greek trader.

The court also confirmed a life sentence passed on Henri Ntakiyica, 29, a brother of Jean, and of 10 years' imprisonment on Liverios Archaniotis, 22, a nephew of Iatroua.

The Prime Minister was killed by a rifle shot while sitting in the garden of a restaurant about a month after his Unity and National Progress Party had won a general election, thus making him Prime Minister.

All the accused were found guilty of participation in the assassination at a trial held last April while Burundi was still under Belgian administration, and a Greek, Jean Kageorgis, found guilty of firing the fatal shot, was executed, on June 30, the day before the country became independent. At the April trial Ntindendereza and Nahimana were also condemned to death, but on appeal that sentence was reduced to 20 years' gaol.

In July the Legislative Assembly of Burundi decided to reopen the case before Burundi judges and jury. It was against their verdict in a trial in November that the unsuccessful appeals have been made. The verdict of the appeal court was given in Usumbura on Saturday.

In a leading article the *Guardian* commented on Tuesday: "The Burundi Government justifies its action of having put the accused on trial again for the same offence on the ground that the Burundi Legislative Assembly last July declared the Belgian trial and appeal court ruling illegal. Whatever the Legislature may have decreed, the Government's decision to retry the accused is in direct contravention of international law. A successor State may not prosecute anybody a second time for the same offence unless the second trial is sanctioned under the law of the new State's predecessor—in this case Belgium. Moreover, the successor State is not competent to prosecute crimes which are essentially political in character, since the criminality of the action is dependent upon political powers which do not survive a change of sovereignty. These are overwhelming reasons why King Mwambutsa IV in the exercise of the prerogative of mercy should restore the original prison sentences passed on the accused by the lawfully constituted Belgian-administered court. When the King of Burundi was recently in Europe the Pope interceded on behalf of the accused. One sincerely hopes that the intercession will weigh heavily with the King."

In celebration of Mr. Butler's statement that Nyasaland may secede from the Federation, the Malawi Congress Party held a mock funeral for the Federation in Dr. Banda's Blantyre garden, in which a coffin containing the Federal flag and draped with a black cloth was buried. Malawi Ministers were among the pall-bearers. The diarist of the *Daily Telegraph* commented that if he were resident in Nyasaland he would be considering ways of leaving a country governed by men so juvenile in their conduct.



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Letter to the Editor**Case for the Guild System  
Recommended to East and Central Africa**

To the Editor of EAST AFRICA AND RHODESIA

SIR.—Wake the public up to the fact that strife throughout the world is due to the political party system. Political parties contain large numbers of men imbued with self-interest, whatever their solutions of social ills may be. They impose on constituencies candidates who may be complete strangers to the area. They vilify each other. Some practise intimidation of voters. Some receive funds from foreign countries to promote particular policies. A party gaining most seats, even though a minority of votes, rules the country, and its leader dishes out the lucrative appointments at his disposal to his most subservient followers (even though opposition members may be more eligible) and sacks them when he becomes annoyed. Back-benchers in Parliament are little more than voting fodder at the beck and call of their party whips. The political party system is a sham, favouring the politicians in power.

An intelligent body of citizens, through being scattered, may have its views completely ignored. Civil servants and others must pretend loyalty to the party in power lest their careers suffer. The citizens of any population are not alike, but differ—from the rare genius to the mentally deficient. The votes of the intelligent few can always be swamped by those without intelligence. The verdict of any election can depend on the votes of a group of half-wits who know nothing worth knowing but whose emotions can be aroused by an agitator.

A foolish rule is to permit any voter to stand for Parliament—from age 21 in most countries and 18 in South Africa. A young adult is without experience, whatever education he may have received, but is wholly emotional. It is common knowledge that early beliefs are discarded later in life.

Every country should be ruled by its most intelligent men and women, which would mean abolishing the political party system and its territorial constituencies and substituting the guild system of franchise. This consists of dividing the population into guilds, and letting each guild seek out its own most intelligent members suitable to undertake parliamentary duties and register their names and careers on panels. They would all be independents. A most important qualification would be to have reached the age of 40 in order to have acquired sufficient experience of the world. The agitator and intimidator would be automatically eliminated, and populations would cease to be split into mutually hostile sections.

The qualifications for voting should be identical for

all citizens. Voting should be identical for all citizens. Voting should be based on reason, not emotion. An age limit of 30 should be imposed, for by that time some experience of life has been gained and hooliganistic tendencies subdued. Half-wits should be excluded from the franchise; so that mental tests are desirable. Any citizen with an I.Q. less than 90 should be excluded.

Parliament would then consist of expert technologists with wisdom—instead of self-seeking politicians with power. Such a parliamentary system could endure indefinitely. There need be no general elections, only by-elections. There need be no electioneering. All voting would necessarily be postal.

Guilds would absorb the appropriate trade unions, so there should be no more strikes. Since guilds would not be competing for each other's seats, they would be co-operative, and legislation would be distinctly more beneficial to the country and to its population. Racial animosities would die.

The voters of any guild would have the rights at any time to replace their representative in Parliament if they became dissatisfied. This would prevent any tendency towards tyranny. All decisions would be decisions of the whole of Parliament and not of any individual.

By adopting the guild system the countries of Central and East Africa would quickly attain peace and stability. They must either do that or for ever suffer continual strife and hate.

Yours faithfully,

Marandellas,

Southern Rhodesia.

A. M. CLOSE

**New Party to Oppose T.A.N.U.**

MR. C. S. K. TUMBO, former Tanganyika High Commissioner in London, has formed a new party—a merger of his People's Democratic Party and the African National Congress—to "create a responsible opposition" to the ruling Tanganyika African National Union. It retains the A.N.C. title.

Mr. Tumbo, forecasting a general election by the end of the year, said that the recently introduced Preventive Detention Act should be abrogated because it sidestepped the courts of law. He added that he had resigned last year because trade unions were having to take Government orders under a Constitution that made the president a virtual dictator.

The president of the Tanganyika Federation of Labour, and secretary-general of the Plantation Workers' Union, Mr. Victor Mkello, and of the union's organizing secretary, Mr. Sheshe Amiri, have been deported to the Western Region on President Nyerere's instructions because of their alleged "dangerous conduct" involving them in widespread unofficial strikes on some 75% of the country's sisal estates in the past fortnight.

The official magazine *Overseas Education* is to cease publication.

The Kenya Fiscal Commission presented its report to the Government a few days ago.

The state of emergency in Zanzibar, proclaimed 18 months ago, has been officially ended.

Northern Rhodesia's new Legislative Council is due to meet for the first time next Tuesday.

The Committee on Colonialism of the United Nations, which had hitherto 17 nations, has now representatives of 24.

Embu African District Council is to encourage cashew nut and cotton cultivation in the lower Mbere and Mweya zones.

Abnormal rains in Northern Rhodesia are reported. Lusaka, which had a previous maximum of 12.3 inches in December in 1919, had had 15.59 inches by December 28.

The College of Staff Training to be established by the Northern Rhodesian Government on a 26-acre site in Lusaka will cost about £200,000 in the first phase and provide residential accommodation for 80 students. That number is to be doubled later. Mr. A. C. North, the principal, will have a staff of six lecturers when the college opens late next year.

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## U.N. Refuses Further Talks

(Concluded from page 405)

military command, "This was a human and mechanical failure as far as we know", he said.

Dr. Ralph Bunche, deputy secretary-general, flew to the Congo from New York on Thursday. Passing through London, he said that effective communication and co-ordination was a constant problem; sometimes it broke down, "with some awkwardness". (There is thought to have been a delay of 12 hours in transmitting U Thant's message.)

In Leopoldville next day Dr. Bunche stated that the U.N. forces had not yet established complete freedom of movement everywhere in Katanga, but intended to do so—he hoped without further resistance—so that the U.N.O. Congo operation could fully discharge its mandate in Katanga. Plans had been prepared in October, he added, for removing road-blocks, eliminating the Katangese gendarmerie in Elisabethville and Kipushi, and to capture Jadotville. There remained to be occupied Kolwezi (where Mr. Tshombe was thought to be), Dilolo on the Angola border, and Sakania, a railhead on the Northern Rhodesian border.

Later in Elisabethville he said that he had "nothing to talk to Mr. Tshombe about", but had come to confer with U.N. officials, among them Mr. Gardiner and General Kebbede Gebre, Ethiopian overall commander of the U.N. troops. He denied the report that Mr. Gardiner had resigned or been dismissed because of the Jadotville misunderstanding.

At Kipushi he reiterated the U.N.'s "basic principle" of freedom of movement "anywhere and everywhere", and said that a list of priorities was ready, which it would be indiscreet to disclose at present. Kolwezi would be taken "when it is opportune".

U.N. sources have repeatedly denied that any advance is being made towards Kolwezi, but news from the French Congo states that heavy fighting is in progress.

When President Tshombe was in contact with foreign consuls in his capital on Wednesday of last week, he confirmed his adherence to the U Thant reunification plan, appealed to the secretary-general to arrange for negotiations with a U.N.O. official not engaged in the Katanga operation, and called for a cease-fire.

### Too Late

New York replied: "The secretary-general believes that it is now too late for negotiations. The only discussions required are on technical matters in implementing certain provisions of the plan". No effort was being made to effect a further meeting with the Central Congolese Prime Minister, Mr. Adoula; the secretary-general was not involved in moves for Mr. Tshombe's projected return to Elisabethville, "beyond the statement of assurance requested by certain Governments that the U.N. in Katanga will not interfere with Mr. Tshombe's freedom in the city unless he incites acts of hostility against the U.N. operation and its personnel"; nor was U Thant in contact with Mr. Tshombe or expecting communications from him. He had not instructed Mr. Gardiner or anyone else to act as a courier to Mr. Tshombe.

"Only actions, not words, written or oral", were now required from the Katangese President, and U Thant was definitely not seeking a resumption of negotiations. "Past experience with cease-fire agreements with the Katanga gendarmerie", the statement continued, "indicates their futility, since they are not respected. Indeed, in the light of last week's events in Elisabethville it may be questioned whether there is any responsibility and effective control over that force. The U.N. force will resort to firing only when fired upon".

### American Statement

On Friday the American Government, which has been flying armoured cars and amphibious tanks into the Congo for the U.N. troops, issued this statement:

"As a result of hostilities which broke out on December 26 on the initiative of the Katanga gendarmerie the U.N. forces in Katanga now occupy most key populated areas and mining centres. As the secretary-general stated on December 31, however, the U.N. is seeking no victory and no surrender in Katanga, for the U.N. is not waging war against anyone in that province, and does not intend to use its force for political ends or intervene in the political affairs of Katanga or any other province.

"At the same time the secretary-general reaffirmed that the central government of the Congo, itself a member of the U.N., is the only legitimate Government of the Congo, and the U.N. therefore would not recognize any claims to secession or deal with Katanga except as a province of the Congo.

"On January 1 Prime Minister Adoula reaffirmed the amnesty declared by President Kasavubu and assured the people of Katanga that reintegration of South Katanga will mean full enjoyment of civil rights throughout the Congolese Republic.

"The United States reaffirms its support for the policies enunciated in the secretary-general's reconciliation plan, his public statement of December 31, and Prime Minister Adoula's speech of January 1. We understand the object of the U.N. to be a peaceful Katanga, reintegrated into the Congolese State and economy. There is no desire to deny Mr. Tshombe a place in the future political life of the Congo, but this will depend on the Congolese people and on Mr. Tshombe himself.

"There lies on Mr. Tshombe at this moment a heavy responsibility not to persist in actions which he has threatened—a scorched earth and a fight to the finish which would result in disruption of economic life and the sowing of seeds of bitterness which would make extremely difficult the peaceful reintegration of the Katanga into the Congo, which he himself has accepted. Mr. Tshombe should act at this vital moment in the interests of all of the Congolese people.

"We expect Mr. Tshombe to end promptly the Katanga secession by recognizing the U.N. full freedom of movement throughout the Katanga, advising foreign mercenaries to disband and leave the country, and by exerting his influence with Katangese military personnel and the civilian population to prevent sabotage and damage to important installations and property and co-operating in maintaining law and order.

"Mr. Tshombe should also make himself available immediately to co-operate with the U.N. in the above measures and to put into effect other practical arrangements required to carry out swiftly the clear provisions of the U Thant plan. This is the road to peaceful reintegration of the Katanga. This is the road not of destruction but of constructive building of a new and more vigorous Congolese nation".

On Monday Mr. Adoula announced the appointment of Mr. François Kalala, secretary-general of the public service in Leopoldville, as temporary head of the Katanga civil service, whose European and African officers would hold their present positions.

He ordered the central monetary council to take over the Katanga National Bank under a U.N. director, the replacement of Katangese currency by Congolese money, and that the Katangese administration should obey the Central Government's foreign exchange and trade regulations. The International Monetary Fund has been asked to provide experts to help re-integrate the province's finances with the rest of the country. Gendarmes who surrender by a date yet to be announced will, it was stated, retain their ranks in a unified National Congolese Army.

U Thant warned Mr. Tshombe on the same day that the U.N. force would not permit any Katangese officials to return to Elisabethville to advocate any "scorched earth" destruction. He said that the President and his colleagues "had abandoned their provincial responsibilities", with "serious implications for the efforts of the U.N. Congo command to restore quickly in south Katanga normal conditions of life and to achieve without delay the full impletion of the plan for national reconciliation".

### Two Women Murdered

When the U.N. Indian troops took Jadotville they killed two Belgian women and wounded the husband of one of them. A correspondent cabled this eye-witness account:

"I was advancing on foot with a forward column of the 4th Madras Regiment when refugees' cars breasted a hill about half a mile ahead. The Indians, who had marched 15 miles from the shattered Lufira bridge through the night and early morning, were tired and edgy. The refugees' cars, loaded with luggage, stopped on the crest, apparently turned back, and then reappeared on the road. At first the drivers approached the Indian column slowly and carefully. When about 60 yards away they suddenly accelerated.

"The Indians opened rapid fire. The green pick-up drove through, but bullets smashed the back window of the Volkswagen. The Indians continued firing on the car, which had a punctured back tyre, making it skid to a halt. But the Indians kept up the fire for at least a minute after the cars stopped. They held their fire when correspondents rushed to the car and pulled out the women bleeding. One was already dead, with a bullet through the throat; the other died in the correspondents' arms from multiple bullet wounds".

The U.N. is investigating the incident.

The People's Republic of China is to establish an embassy in Kampala.

Southern Rhodesia's new Parliament is to assemble on February 12.

About 20,000 landless Kikuyu are to be settled in the Mpanda district of Tanganyika.

If there is to be an airport in Seychelles, it should be on Anse La Rue, the airfield survey team has recommended.

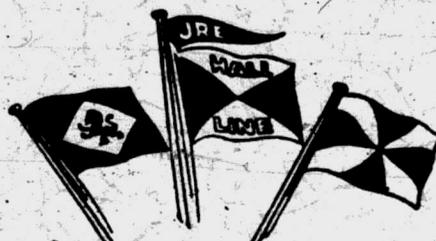
A quota of 1,000 a month has been fixed for entries into Southern Rhodesia of Africans from Portuguese East Africa.

Aerial spraying and other means are estimated to have killed at least six million wheat-eating birds in the Rift Valley Province of Kenya in the past three or four months.



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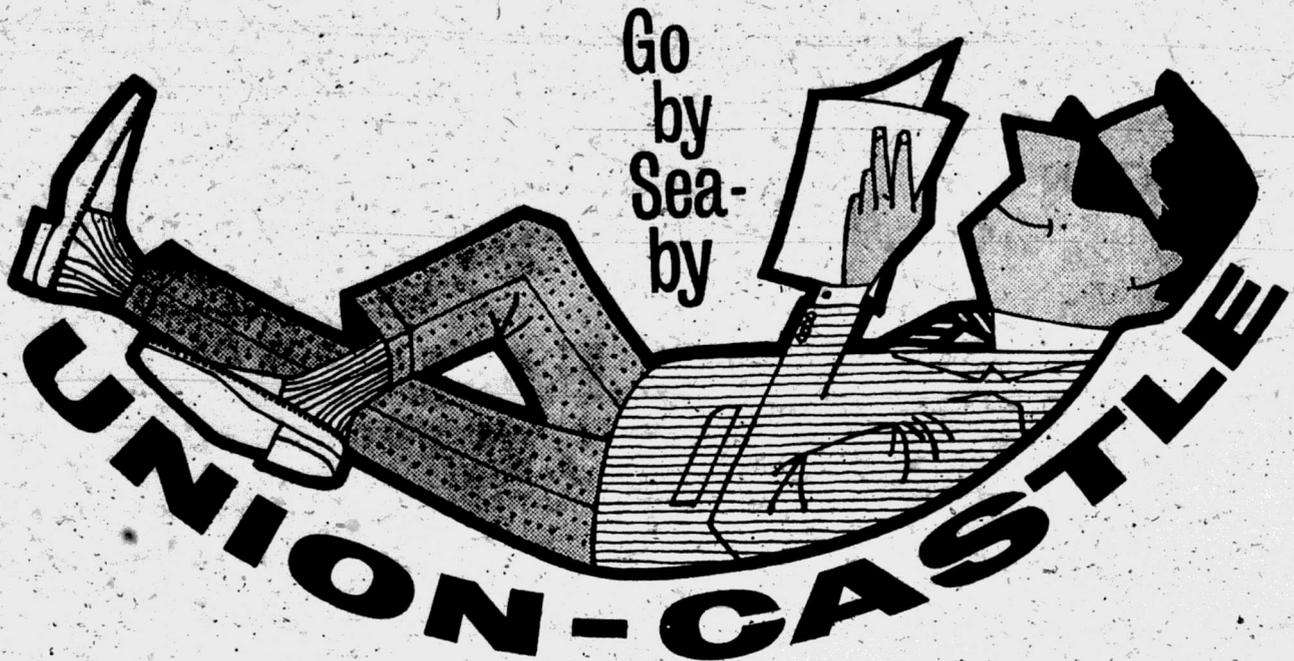
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