

1932

18117/5
SUB FILE

KENYA

C0533/424

18117/5
SUB FILE

LAND COMMISSION

MEMORANDA SUBMITTED

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1. Capt. H.F. Ward

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14/10/32

No. copy of a memorandum as submitted to the Land Commission.

The solution is apparently to turn 'em all into Danish market gardens and there'll be lookings of land for every body. (a pleaunt in fragments of Danish copyright).

? Publy.

Nevertheless there is a lot of good sense in this memo.

St. P. 17/10/32
14/10/32

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17/10/32

14/10/32

Mr. Stoddole

"Soil rotatory" - otherwise the unsustainability of water & loss of ground for a limited area (Chasen long) - is to be addressed. A quite unprejudiced estimate should once be made the chances will be overruled when the population is doubled - other doctors and infant welfare people are doing their best.

Web 15.10.32.

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40.

14/10/32

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14/10/32

ABP
14

W. Allen

14/10/32

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"Soil robbery" - the main cause of general poverty for a limited area (chosen say) - is to be addressed. A quite unprepared estimate had once stated the number will be increased when the population is doubled - other doctors and infant welfare people are doing their best.

W.A. 15.10.32.

The system of shifting cultivation is still common throughout the tropics. It used to be common in the medieval ages in Europe and even in this country, and it has given way to other methods by reason of the pressure of population or of other economic causes. Provided that the rotation of land - the system is really a rotation of land rather than a rotation of crops - takes place at sufficiently lengthy periods, soil robbery is not extensive. The length of the periods required between cultivations depends, firstly, upon the nature of the soil, secondly, on the character of the natural vegetation, and, thirdly, upon the climatic conditions. It is the nitrogen of the soil that is exploited by this system of shifting cultivation, and this becomes rapidly exhausted under tropical conditions, particularly when the rainfall is heavy. In most cases, however, unless there is a pressure of population, cultivation is stopped before nitrogen exhaustion approaches completeness, simply because the growth of weeds becomes so marked that the cultivator with his primitive tools finds himself incapable or unwilling to cope with them. He shifts his ground and after a good burn starts off with a new area comparatively free from weeds. The recovery of the area that he has left is gradual. A dominant grass growth or a tree growth has to take charge of the land until weed growth is suppressed, and, whilst this process

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is going on, the soil naturally is gaining in organic matter and supplies of nitrogen. In dry areas, where forest growth is scanty, this period of recuperation may take 15 to 20 years, whilst in the wet tropics with adequate tree growth the process may be complete in six to eight years. If these periods can be allowed to lapse between the cultivations, little harm is done to the soil, but if the cultivations must, by reason of pressure of population or other economic causes, be carried on at shorter intervals, the recuperation of the nitrogen supplies is incomplete and soil exhaustion follows. The change over from shifting cultivation to more permanent husbandry takes place when there are settlements of cultivators in villages or when the population increases to a large extent. Under these conditions, unless use is made of green crops or of the waste products from animals for manurial purposes, there is soil deterioration and the consequent fall off in crop yields. It is for this reason that the Department of Agriculture in Nigeria has endeavoured to establish green manuring in the agriculture of the south and a system of mixed farming in the north. In East Africa, with its normally lower rainfall, land rotation ^{cannot} be carried out at such longer intervals than in the wetter tropics, and there are undoubtedly signs to be seen throughout the greater part of East Africa of declining crop returns from the land being utilized for agricultural purposes. Many areas which were formerly well wooded have been largely cleared of their timber, which has been burnt in the process of making cultivations (e.g. Nyasaland),

and

and soil erosion has followed, whilst the agricultural operations in many parts of Kenya are leading to the creation of a serious state of affairs in parts of reserves which are overstocked. In the Kavirondos there are also definite signs of soil deterioration, as the result of too frequent cropping without returning any organic matter to the soil. These conditions are only likely to be improved when the natives can be taught that the growing of a crop for stock feed or even for "feeding" the soil is as necessary as growing a crop for feeding themselves. This will take a long time, and no spectacular results are to be expected. The most interesting part of this memorandum is the emphasis which is given in it to the subject of marketing of native products. The Government of Kenya is already giving special attention to this aspect of the question and doubtless will give due consideration to the points mentioned by Captain Ward.

L. A. Swickdale

2.11.32.

X. That is the trouble - will the soil outlast the process of erosion? I venture to think that the problem is most acute in the case of the Kilimanjaro, where the area available for the individual is small and the steep slopes in many places make a special problem of erosion. (We have all been talking about it for

Muthaiga,
P. O. Box 107,
Nairobi,
Kenya Colony.

14th September, 1924

My dear Bottomley,

I am probably being most indiscreet in sending you, as I do herewith, a copy of a Memorandum that I am submitting to the Land Enquiry Commission. I do however, want you to know that some of us take a very keen interest in the subject of Native progress and development, and have put in a great deal of work and hard thinking for many years now. You may however, be aware of that, especially if you have had time to follow the work carried out by the European and African Trade organisation from 1923 until it was wound up.

With regard to my Memorandum, my experience has been that for all forms of development a corporate entity with a defined constitution working on the lines of established practice and of experience is an essential to success. I may be forgiven if I suggest an organisation analogous to any commercial undertaking, for the reason that the object is in essence a commercial one as I see it, and I have experience of and understand that form of administration.

I only hope that you will be interested, and not consider this letter an intrusion.

With all good wishes,

Yours sincerely,



Sir Cecil Bottomley, K.B.E.,
The Colonial Office,
Downing Street,
London. S. W. 1.

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M E M O R A N D U M

T O

THE LAND COMMISSION

O N

THE SECOND TERM OF REFERENCE.

CAPTAIN THE HON. H. F. WARD.

12TH SEPTEMBER, 1932.

The Second Term of Reference of the Land Enquiry Commission is as follows :-

" To consider the desirability and practicability of setting aside further areas of land for the present and future occupancy of

- (a) Communities, bodies or individual natives of recognised tribes, and
- (b) Detribalised natives, that is, natives who belong to no tribe or who have severed connection with tribes to which they once belonged.

Note

It is proposed to deal only with No. (a) above as the essential need is to prevent detribalisation, not to encourage it. Very special cases such as natives who belong to no tribe can be met provided the native possesses the necessary qualifications, within the four corners of the recommendations herein contained.

1. The Second Term of Reference, quoted above, raises the whole issue of Native Progress and Development, and until some suitable and permanent programme is framed to meet the full requirements thereof, no substantial advancement can be secured.

2. It is proposed in this memorandum to deal briefly with main essentials for the following reasons :-

There is so much contained in the Report of the Native Economic Commission 1930 - 1932 (Union of South Africa) that is of value when considering the issues raised by Terms of Reference No. 2 that it is unnecessary to traverse again the ground covered by that Report or to duplicate much of the reasoning therein contained. To a lesser degree the same applies to references made in the Report by the Agricultural Commission 1929 (Kenya Colony) under the Chairmanship of Sir Daniel Hall K. C. B.

The Commission, before receiving this Memorandum, will have visited the Native Reserves of the Colony, and will have gained direct contact with the conditions ruling therein.

3. At a time like the present when a form of subsistence economy rules throughout the native areas, which is in short a policy of soil robbery, it is useless to devote immediate consideration to the question of what may be the land requirements of the native peoples in the future. True it is that future requirements are a factor and must be provided for in any long range programme, but no more.

4. In terms of the overhead cost of administration it is essential that land however and by whom held and cultivated, is held and is cultivated to the best advantage of the State as a whole. A policy of soil robbery if continued must mean the eventual bankrupting of a large portion of the assets upon which an agricultural State such as Kenya, depends. If that policy is extended still further and the

area subjected to soil robbery increased, so must the assets of the State be diminished and its difficulties in providing for its overheads be intensified.

5. The main asset of the State in Kenya is still land, and the area suitable for development can be roughly divided into five main categories as under :-

- (a) Native Lands as surveyed and as administered under the Native Land Trust Ordinance.
- (b) Lands alienated to European Settlement.
- (c) Lands alienated to Asian cultivators.
- (d) The White Highlands. The recommendations for the exact delineation of this area falls under Terms of Reference No. 6.
- (e) Lands which it is suggested may be alienated to any race.

6. It is submitted that a fair apportionment of the assets could be found along the following lines.

7. No. (a) above. It is contended that if a suitable business policy of economic development be initiated, to which reference is made later, the land at present allocated to the native peoples under the Native Lands Trust Ordinance will suffice fully until the Native peoples gain the status of trained agriculturalists, and are able to enjoy a maximum productivity from these areas whether in animal husbandry, farming or planting.

It is submitted that many obvious improvements and reforms in the methods hitherto employed for the development of Native areas are required, but the manner in which these should be adopted, the order in which they should be instituted, or the measure of insistence exercised upon the Native Peoples, are not subjects for discussion in a Memorandum but were better left to be weighed and determined by a properly constituted executive of a permanent character, and one properly equipped by reason of a long contact with and knowledge of the Native Peoples, as also with a ripe and successful experience of commercial administration in Kenya.

A full consideration of this subject must place both Progress and Development upon the highest possible plane, the wide "bonification" of the native peoples not only in agriculture, but also in terms of medical, social and educational advancement.

The proper treatment and development of the native areas is a basic issue, and one that cannot be avoided or delayed no matter what is decided upon as the most suitable programme for Native Progress and Development, or the model upon which the future of the Native Peoples is to be moulded.

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It is a subject that demands some suitable settlement before drift carries conditions further towards those described in the Report from the Union of South Africa herein referred to. The normal requirements of the State demand a solution; the right solution must inevitably be the only sound foundation upon which to set up the whole social and economic structure of the future for the Native Peoples.

8. No. (b) above. An examination of the vital statistics concerned would appear to establish the fact that whilst not all of the European agricultural industries have reached the firm ground of permanency on a profitable basis, yet those that have coupled with a very generous development of the best of Kenya's subsidiary assets - its residential attractiveness - fully justify the alienation of the area now held by Europeans and on broad lines the employment of that area by its European holders.

It is submitted that such areas in the White Highlands as are not included in the Native Lands administered under the Native Lands Trust Ordinance and which have not yet been alienated to Europeans, cannot be held unoccupied and undeveloped until the native peoples reach the point of economic maturity contemplated in Para 7 above. The urgent need for revenue both to help in carrying the overhead charges of Government and for progress and development both from a Colonial and an Imperial view point, will not permit of this. There would appear to be no justification for such a course.

Per contra it is urged that as the Europeans have justified by the development of the area in their hands, both productive and residential development, that these unalienated areas should be utilised for extending the area under European occupation and development, care being taken to ensure that alienation to Europeans will, by the terms of the grant, materially improve the revenue of the State.

9. No. (c) above. There would appear to be no substantial urge towards increasing areas such as these, and it is suggested that any areas previously earmarked for this purpose but at present unalienated should be henceforth included under No. E.
10. No. (d) above. This has been dealt with in Para 8.
11. No. (e) above. Whilst on the one hand it would appear to be quite impossible to permit the development of native areas to drift along the present lines, or to avoid a proper business programme for the development of native lands, yet it still has to be discovered how far the Native peoples can and will respond to a programme consonant with modern agricultural practice, or how far they can be persuaded to follow modern methods as employed in economic development, or whether they can or cannot take

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advantage /

advantage of the facilities that are ancillary thereto. It entails a complete change over from a subsistence economy to one of production on scientific lines, and the reaction may be considerable. It is a policy for which there is little precedent and of which there is scarcely any experience available as a guidance. However, the grave warnings which run throughout the Report from the Union of South Africa confirmed as they are by conditions as we find them in the native areas of Kenya Colony to-day, definitely insist upon a full programme for the scientific development of the native areas being put into operation without delay, both in the interests of native tribal life, authority, and discipline, as also of the State of Kenya.

The programme will require to be fostered with consummate patience; its motto must be "hasten slowly" and a corporate entity founded upon the soundest commercial lines for its proper and effective administration, is essential.

It is suggested that the general policy governing the areas of land which are claimed as available for alienation to any race should be to retain unalienated a generous portion until it is proved, one way or the other, whether the native peoples, or any substantial portion thereof, can rise to the status outlined in Paragraph 7, and if they so rise, whether they will be prepared to move out from their home country and undertake the development of virgin areas on modern and scientific lines.

It is submitted that this is a fair and equitable adjustment if only for the reason that areas adjacent to existing native reserves which are at this date unalienated, would not suffice for native expansion if it comes and in the only shape economically possible for the State of Kenya, namely, on the basis outlined in Para. 7.

The urge of Governmental requirements may entail, in the interest of all communities, that portions of this area be alienated for development by private enterprise on a large scale, and with considerable capital resources, but this should prove to be no deterrent to the main policy outlined herein, nor be allowed to prevent its fruition should the same be justified by the economic progress of the Native peoples.

12. Development of the Native Areas.

The views that the writer holds on this question are expressed in detail in a memorandum submitted through the Government of Kenya to Lord Moyne. This memorandum also provided the basis of the memorandum in turn submitted to Lord Moyne by the Associated Chambers of Commerce, but with this difference that the

Chambers /

Chambers of Commerce hesitated to recommend the employment of paid staff under present day conditions. The suggestions therein contained appear to have met with the approval of Lord Moyne vide paras 70 and 82 of his report.

It may be argued that it is wiser to allow the machinery of development to proceed by the stages suggested by the Chambers of Commerce, but the writer is convinced that it is as logical to expect an engine to function without fuel, as to expect a directing authority for development of the native areas to function without the employment of trained commercial men. The suggestion to employ trained men from the start might appear in the light of an additional financial commitment, but is in fact a saving of money in the long run. It appears to be a fair assumption that expenditure under this head could be included in the services to be rendered to native development under the proposals for the creation of a Native Betterment Fund contained in Lord Moyne's report, and that in this respect the two proposals, to create a Native Betterment Fund and a Native Marketing advisory council should be read as one.

It would be inequitable to attempt in any way to minimise the most valuable services rendered to Native Progress and Development by the technical Departments of Government, or to assume that these very valuable services will not be called upon in ever increasing degree in the future.

It is necessary however, to state that direction and supervision of any programme for the economic development of the native areas cannot be carried out by the Departmental system of Government that rules in Kenya, or by any adjuncts thereto such as the Agricultural Board. It is a fact that no one department is sufficiently equipped in order to deal with the full range of a comprehensive programme. Experience in commercial administration demands that technical departments are far better kept, in the interests of good and effective administration, as consultative authorities in their own particular sphere for which purpose they have been established, and not allowed to overstep into the boundaries of commercial administration, a subject quite foreign both to their training and organisation. If this subject - the economic development of the Native Areas - be judged by the standard of the results obtained over the past ten years, then must the system of administration by the Departments of Government be condemned as failing in its purpose. (Vide N.A.D. Circular No. 34 of August, 1931.).

An apparent exception occurs in one crop areas especially when that crop is particularly suitable to the process of cultivation by native peasantry, and again in countries when the product is indigenous or allied to the indigenous. The exceptions referred to are open to much argument on both sides, those for the native peasant and others who favour more modern methods.

In Kenya however, with its diversity of products

both actual and potential, and most particularly of all, with the majority of its products from the native areas those common to the production of most European countries, it is beyond argument to state that the effort definitely requires commercial direction and control if any comprehensive programme for the development of the native areas is to succeed.

The writer has heard it said by Administrative Officers, "What we want is not to be told what we should do," often by resolution from some sporadic Conference or from the inconsequential meetings of some Board. What we do want is to be shown what to do, and helped to do it, for the greater part of this business (the development of the Native Reserves) is a highly technical commercial subject." That which is definitely required is the ordinary and reasonable machinery of commercial development directed by those who, on the one hand possess a detail knowledge and experience of the native lands and of the native peoples, and, on the other hand, have had a long and successful experience of commercial development.

Stated in other words, the present need of the Native Peoples - a state of affairs that must pertain for a considerable period - is not for more land, but that better and more scientific use be made of the land already transferred under the Native Lands Trust Ordinance.

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Stated in other words, the present need of the Native Peoples - a state of affairs that must persist for a considerable period - is not for more land, but that better and more scientific use be made of the land already transferred under the Native Lands Trust Ordinance.