

1938

Kenya

No. 38307

SUBJECT.

CO 533/499

Native Schools

Previous

1937 File

Subsequent

P. Q. File

1939 File

1. Gov Kenya

Conf 54

2  
1938

Enclose copy of a report furnished by the Director of Education regarding the closure of schools, under the Education Ordinance, during 1937

The precedent to this is No 1 on 38237/37

below.

Mr Mayhew has already seen this file in another connection, so there is no need to send it to the A.C.C. again.

? Put by

Clarke White 17/3

99 Passon  
18/3

11/3

100 100/200 PR for questions asked by Miesse de Rothschild

- 1. Kenya tel 2011 Information regarding teachers mentioned in 1937 (orig on 38036/24/38)
- 2. Dep Gov tel 710 gives information regarding closing of Mombasa School 26/4/38

3. Extract from letter from M. de Rothschild M.P. dated 26th July 1938

2 Drafts sent for comment on 20th instants, one to Gov. Ho and one to M. de Rothschild in reply to no: 3.

nsuwa.

2/8/38

99 Passon

13/8 (19/38)

Discussed with Mr. Dawe who asked me to re-draft first the letter to Mr. de Rothschild for the Secretary of State's signature as the letter is away and it will have to be signed by Mr. Trafford Smith, and, secondly, the letter to Air Chief Marshal Sir Robert Brooke-Popham as Mr. Dawe thought it would be more appropriate to send a despatch, *referring to the SIS in army.*

*Admiral*  
22.8.38.

*A.M.*  
*23.8*

*ack*  
*24.8.38*

*4 To Mr de Rothschild (copy 2 on 29 file and copies II of 31 and X of 36) 3 SEP 1938*

*8 To Kenya 523 (1/6. encls. as in draft). Bonn. 8.9.38. (2 amended.)*

*6 To Rothschild*

*16.9.35*

*Mr de Rothschild*

*16.9.35*

Mr. Paskin.

(6)  
I attach a letter which the S. of S. has received from Mr. J.A. de Rothschild, M.P., regarding the closing of the Mukui School in Kenya.

Mr. MacDonald would be grateful if you would advise what reply he should send to Mr. de Rothschild.

*G. C. Gray*  
*19/9/38.*

*2 To Mr De Rothschild. 6 aches. 19/9/38*

**DESTROYED UNDER STATUTE**

I very much regret that I have been so long in submitting a draft reply to Mr. de Rothschild's letter (No. 6). It seems to me, however, that the policy of closing the schools is very difficult to understand without some explanation and I thought that it would be a good thing to let Mr. de Rothschild have a fairly full account of the position. Unfortunately, however, the history is rather involved and, owing to pressure of work and shortage of staff in the East African Department, I have found it difficult to find time to produce a draft to my satisfaction. I now, however, submit a draft which sets out the history of the matter fairly fully.

*J. P. Paskin*  
21.10.38

*8 To Mr de Rothschild. 24/10/38*

**DESTROYED UNDER STATUTE**

*9 To P.L. to G.O. de Rothschild. 8 aches. 21/10/38*

**DESTROYED UNDER STATUTE**

*10 To G.O. de Rothschild. 6 aches. 22/10/38*

**DESTROYED UNDER STATUTE**  
*Kenya 630 (1/6 & 10) Bonn. 26.10.38*

Reports the circumstances surrounding the closing of the Native school at Mukui do Kothichils % (extract) 9/11/38  
Octno 9+10.

One of the fines which the S.O.S brought too heavy (minute of 287/38 on 28<sup>3</sup>07/38) has been reduced by the Court of Appeal for Eastern Africa from £25 to £6. Notice of appeal has been given in the case dealing with the other three fines, and if it goes as far as the Court of Appeal for Eastern Africa these fines may be reduced too. The Gov will report the result of the proceedings. Until this is done it is perhaps unnecessary to trouble the S.O.S with the file or make preparations for the Dismissal desired by the S.O.S (see minute referred to above).

Now is it necessary to write to any of the three M.P.s who have interested themselves in this question until they make further enquiries (see the draft of (A), (2A) and file, a(2) on the file).

As regards para 6 of this despatch, it would appear that in spite of the intransigent attitude adopted by the school authorities up till now there is hope that cooperation with them

will be secured.

Para 7. Frequent communications from people or bodies of people in Kenya have been received direct by the S.O.S in recent months. It would probably do good if the Kikuyu Central Association were reminded that Col Reg 124 lays down that communications so received "will be referred back to the Gov for his report or returned to the sender".

A despatch should go asking (12) and asking that this should be done

Clodley White  
11/11

I agree that, pending the Governor's further report showing the result of the appeal to the Supreme Court mentioned in paragraph 3, we should defer further consideration of the fines prescribed in the Ordinance; I also agree that there is no need, at this stage, to write further to the three M.P.s who have been interested in this question.

As regards the Governor's suggestion in paragraph 7 that the Kikuyu Central Association should be reminded of the proper channel of communication with the Secretary of State, I should be inclined to leave it on this occasion as so many months have passed since their telegram of the 9th of July.

We can, therefore, wait until we receive the further despatch promised in No. 12, and the despatch

See also minute of 13/9 on p2 file. 9 Jackson 28/10  
DESTROYED UNDER STATUTE

despatch asked for in No. 11.

*J. B. ...*

29th November, 1938.

*at ...*

*29/11*  
*Notes*

~~*[Signature]*~~

KENYA  
No. 540



5 12  
GOVERNMENT HOUSE  
NAIROBI  
KENYA

19 October, 1938.

Sir,

I have the honour to refer to your despatch No. 533 of the 8th September, on the subject of the closing of the native school at Mukui and to furnish the following report.

2. The school, erected at Mukui by the Karinga Schools Association in defiance of the refusal of the Local Native Council to grant permission to build, was ordered to be closed in the circumstances explained in Sir Armigel Wade's despatch No. 369 of the 12th July, 1937. As the school remained open until November, 1937, and no effort was made to co-operate with the Education Department in achieving a reasonably efficient standard of education, the Director of Education issued an order under Section 34 (1) (c) of the Education Ordinance, 1931, as amended by Ordinance No. X of 1936, that the school should be closed as the building was unsuitable, the required curriculum was not being followed and, in the absence of certificated teachers, the school was not being properly conducted. This order was served on the head teacher and members of the School Committee on the 22nd November, 1937. They were given one week in which to comply with the order, which was explained to them and also to the Secretary of their Association. As the school was still open and in use on the 30th November, 1937, the head teacher (Parmenas Kangara) was summoned to appear in the Second Class

Magistrate's ...

THE RIGHT HONOURABLE  
MALCOLM MACDONALD, M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S. W. 1.

Copy to Kenya  
150-38307/39

Magistrate's Court at Kiambu and after trial was convicted of an offence under Section 34 (2)(c) of the Education Ordinance, 1931, and sentenced to pay a fine of Shs. 500/- or in default of payment to six months' detention. Upon appeal by the accused to the Supreme Court (Appeal Case No. 47 of 1938) both conviction and sentence were upheld. Upon a further appeal by the accused to the Court of Appeal for Eastern Africa (No. 72 of 1938) the conviction was upheld but the sentence reduced to payment of a fine of Shs. 100/- or, in default of payment, one month's detention.

3. While the appeal proceedings described above were still pending, the school was re-opened. A fresh prosecution on a charge for a similar offence was instituted against the head teacher and two assistant teachers. In the Second Class Court, Kiambu, these persons were convicted on the 13th June of a further offence under Section 34 (2) (c) of the Education Ordinance, 1931; the head teacher was sentenced to pay a fine of Shs. 1,000/- or to six months' imprisonment with hard labour in default of payment, while the two assistant teachers were each sentenced to pay a fine of Shs. 500/- or to six months' detention in default of payment. In this case (Criminal Case No. 61 of 1938 in the Second Class Magistrate's Court, Kiambu) notice of appeal to the Supreme Court has been given by the accused. I shall notify you of the result of any further proceedings in due course.

4. It is understood that the school is still being used and that intense interest is being shown throughout the Kiambu District in the proceedings taken, particularly as the school has remained open in defiance of authority. In spite of every effort on the part of Government officers to obtain co-operation; the persons managing the school have consistently refused to conform with

the requirements of the Education Ordinance and the Education Department.

5. The Karinga Schools Association has now ceased to exist and matters affecting the schools until recently managed by it are now dealt with by the Kikuyu Central Association, a political body, with which the Karinga Schools Association was always closely identified.

6. The action taken by the Government against this school has as its purpose the enforcement of educational discipline and Government educational policy, whereas the resistance of the teachers, backed by the Kikuyu Central Association, appears to be based on political considerations.

The Independent Schools Association, referred to in paragraph 5 of Kenya despatch No. 369 of the 12th July, 1937, has shown during recent months a gratifying tendency to co-operate with the Government; a number of its schools have complied with regulations and greatly improved in efficiency. A proposal is now on foot to select and subsidise some of these schools from the District Education Boards' funds in the Kiambu, Fort Hall and Mbu districts.

It is hoped by these means gradually to bring all these schools (both Independent and Karinga) under proper control and secure the full co-operation of their managers.

7. As regards paragraph 2 of your despatch under reference, I regret that the information given in my telegram of the 18th July was incomplete, but I should explain that your telegram No. 87 of the 15th July, in which you asked for information by telegraph by Tuesday, the 19th July, was received on Saturday, the 16th July. A copy of the Kikuyu Central Association's telegram of the 9th July had to be obtained from the Post Office, and it was not possible to obtain information from the officers concerned with the most recent developments

before

39 a 3006/24/2

1A



before the despatch of my telegram of Monday the 18th July, which, in the circumstances, had to be based on information already available. Had the telegram from the Association to yourself been sent through this Government in accordance with Colonial regulations, there would have been opportunity for a full report to be furnished to you before the 16th July. I suggest that the Association might be reminded, on your direction, of the proper procedure.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*R Brooke Popham*

AIR CHIEF MARSHAL.

G O V E R N O R.

E. O. Mr. Costley White 24/9

Mr. Paskin 21/X

Mr. ~~Osney~~ 21.X.38/1

for the Secretary of State's signature.

Mr.

Mr. A. J. Dawe.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shuckburgh.

Parli. U.S. of S.

Parly. U.S. of S.

Secretary of State.

24 October, 1938.

2 DRAFTS Conson.

J. A. de ROTHSCHILD, ESQ.,

D.C.M., M.P.

(6)

I am very sorry that I have not been able to send you an earlier indulgence for not having replied ~~reply~~ earlier to your letter of the 16th of September about the closing of native schools in Kenya.

As regards the first point i.e. as to you raised, the availability of alternative schools, you will of course understand that it is necessary for me to refer to the Governor, and I will write to you again when I receive his reply.

Copy to Kenya (11)

2 drafts.

FURTHER ACTION.

The second point you raised was why the natives should have been so persistent in keeping open their school at Muk... when a Mission School was available only a mile away. I

have

have no information as to the reasons for the attitude of the natives towards this particular Mission School, but the explanation of their persistence in their opposition to the closing of their own school is probably to be found in the general history of the Independent Schools' movement. I find that the origin of this movement was political, rather than educational, in that it arose out of the resentment of the natives over the line taken by the Missions in the female circumcision controversy in 1929. Certain missionary societies had decided to exclude from their schools all families which still practiced circumcision of girls. The reaction to this was that attendance at Mission Schools fell away so heavily that a number of them had to be closed. The African Independent Schools Association was founded in the same year.

Unfortunately it soon became apparent that all but a few of these Independent Native Schools were hopelessly inefficient, and in 1934 the Governor recommended that, in the interests

(No. 8 on 23046/34)

(5 on 17284/31).

(No. 4 on 23046/34)

C. O.

- Mr.
- Mr.
- Mr.
- Mr. A. J. Dawe.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir J. Shuckburgh.
- Perm. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

DRAFT.

23046/34

interests of the natives themselves, powers should be taken to close schools which were not properly conducted and which were not provided with a curriculum approved by an Inspector. After a good deal of discussion by the Advisory Committee on Education in the Colonies, this proposal was approved by the then Secretary of State.

The attitude of the Education Department to these Independent Schools is not one of hostility. In fact, the general policy in regard to them has been, where possible, to enlist the co-operation of the Associations which manage them in order to increase their efficiency and to ensure compliance with a syllabus approved by the Education Department.

**FURTHER ACTION.**

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Paynt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

23046/34

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**FURTHER ACTION.**

Department. At a meeting held in 1936

an agreement was reached between the

Education Department and the Independent

Schools Association <sup>on</sup> the lines of future

co-operation. That this co-operation has

generally been forthcoming is shown by the

very small number of schools that have had

to be closed. Even in the few cases where

the co-operation of the school authorities

has not been forthcoming (as in the case of

the School at Mukond), no order for a school

to be closed has been made, except with the

concurrence of the local Native Authorities.

As an indication that these powers are not

exercised harshly, I may mention that in one

case last year a recommendation by a District

Education Board for the closing of a school

was not accepted because a subsequent report

showed that the school authorities were making

a definite attempt to carry out the Inspector

of Schools' recommendations and to improve

the work of the school.

case (d) in No.1 on  
38307/38.

(S.G.)

MOOLM MAC DONA

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case (d) in No. 1 on  
38307/38.

(S) COLM MAC DONA

6  
16th September 1938

Dear Mr. ...

I am in receipt of your Secretary's letter of 7th September with regard to the closing of the Mukui School in Kenva, and I am much gratified to hear that the matter is being gone into so fully.

It seems to me that there are two points in particular which require further elucidation. One is the question of alternative schools in cases where an order has been made closing a native school. In one such case, mentioned in the reply given to me in the House on 21st July, it was at least doubtful whether any other school was available. It would surely be very unfortunate if the closing of any native school were to mean depriving the children who attend it of all facilities for their education.

The second point relates to the Mukui School itself. It seems a matter worth investigation why,

Copy to Kenya 11

16th September 1938

Dear Madam,

*He*

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The second point relates to the Mukui School itself. It seems a matter worth investigation why,

Copy to Kenya W



with the Mission School within a mile of the one which was closed, the people of the locality should nevertheless have been most persistent in the maintenance of their native school, and apparently consider it worth while to incur repeated heavy penalties rather than send their children to the Mission School.

I do not think either of these points has so far been cleared up, and they seem to me of sufficient interest to bring to your attention.

Yours ever

James E. A. [Signature]

C. O.

Mr. Surridge. } 22/6.

Mr. Paskin.

Mr. Durr. 23.8

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Perm. U.S. of S.

Parly. U.S. of S.

Secretary of State.

*Sum*

~~(To go by same mail as l.f. directed on P.Q. file.)~~



DOWNING STREET.

8 SEP 1938

August, 1938.

2 DRAFT<sup>B</sup> conson.

KENYA.

NO. 233

Governor.

Sir,

I have etc. to ~~refer to~~ <sup>transmit</sup>

<sup>to you</sup>  
my despatch NO. ~~of the~~  
of August enclosing copies of

(P.Q. file.) answers to three questions

concerning the closing of the  
native school at Mukui.

2. The reply to Mr. Riley's

Question of the 20th of July,  
which was based on the information

contained in your telegram No.104

of the 18<sup>th</sup> July, was not in

accordance with the facts and it

was fortunate that your telegram

No.110 of the 26th of July was

received in time to enable me to

supplement

(3)

**FURTHER ACTION.**

Action on B on  
38307/38 P.Q.  
l.f. by same mail.

*Copy to Kenya  
170 cuts 1500  
38307/39*

*1 in PQ file 38307/38*

*2 in PQ file 38307/38*

*To Mr. Riley 29th July*

*2 in P.Q. file 38307/38*

*3 in PQ file 38307/38*

*To Mr. ... 79 38*

supplement that reply in my ~~reply~~ <sup>answer</sup> to

Mr. Adams's Question on the 29th of

July.

3. I enclose a copy of a letter

which I sent to Mr. Riley when I

discovered that my reply to his

Question had been incomplete, and also

of correspondence with Mr. de Rothschild.

I and request that I may be furnished with

a full report, including particulars of

the charges which were brought in each

of the various prosecutions that have

taken place.

I have, etc.

(Signed) MALCOLM MacDONALD.

*(3 on P.Q. file)  
It was submitted 27<sup>th</sup>  
order to be on  
29<sup>th</sup> accordingly)*

C. O.

Mr. Burridge. } 22/8.

Mr. Paskin. }

Mr. Dawson. 23.8

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

X Perm. U.S. of S. 15/8

Parly. U.S. of S.

Secretary of State.

*Ans'd 12*

For Mr. Trafford Smith's signature.

*85*

August, 1938.

W-SEP 1938

**DRAFTS** Conson.

J. de ROTHSCHILD, ESQ., M.P.

23, St James Place

*copy to Kenya*

*Done with Mr. Rothschild  
M. MacDonald*

Before the ~~Secretary of State~~

~~When~~ left London he asked me to  
reply on his behalf to your letter

(3) of the 20th of July. In this

letter you referred to certain

prosecutions in connection with

the closing of the African school

at Mukoi in Kenya, which you had

raised in your Question on the

21st of July. A few days after

Mr. MacDonald had replied to your

Question he received a telegram

from the Governor of Kenya to the

effect that further prosecutions

had taken place and he gave all

the

G. & A. Mr. Adams 29/7  
(No. 2 on P.Q. file.)

Ordinance ~~1938~~ No. 11 of 1937

Ordinance ~~1938~~ No. 8 of 1936

(1 on P.Q. file.)

**FURTHER ACTION.**

Copy to <sup>copy</sup> P.Q. in draft below.

*Recd R 29. 6/9.*

C. O.

Mr. Surrudge. } 22/6

Mr. Paskin.

Mr. Dune. 23.8

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S. x f s

Parly. U.S. of S.

Secretary of State.

*Start*

~~(To go by same mail as l.f. directed on P.Q. file.)~~



DOWNING STREET.

18 SEP 1938

August, 1938.

2 DRAFTS conson.

Sir,

K E N Y A.

NO. 533

Governor.

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to you my despatch No. of the

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accordance with the facts, and it

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No. 110 of the 26th of July was

received in time to enable me to

supplement

(copy below.)

**FURTHER ACTION.**

Action on P on 38307/38 P.Q. l.f. by same mail.

Copy to Kenya W.O. cuts 15 on 38307/39

(3)

1 - in P.Q. file 38307/38  
2 - same file  
4 - P.Q. file 38007/24/38

To Mr. Riley 29th July  
2 in P.Q. file 38307/38

From Mr. Riley 30/7/38 (4 in P.Q. file 38307/38)  
(3) in P.Q. file 38307/38  
To Mr. ... 29/38

C. O.

Mr. Burridge. } 22/8.  
Mr. Paskin. }  
Mr. Dawson. } 23.8

Ans'd: 12

Sir H. Moore.  
Sir G. Tomlinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
X Perm. U.S. of S. VS JS  
Parly. U.S. of S.  
Secretary of State.

For Mr. Trefford Smith's signature.

August, 1938.  
SEP 1938

2 DRAFTS Conson.

J. de ROTHSCHILD, Esq., M.P.

23, St James Place  
SW1

Copy to G. & A. Adams (3)

G. & A. Mr. Adams 29/7  
(No. 2 on P.Q. file.)

Ordinance 2400-1000 (1937).  
Ordinance 2400-1000 No. 2 of 1936

(1 on P.Q. file.)

FURTHER ACTION.

Copy to P.C. in draft below.

Recd R 290 6/9.

supplement that reply in my reply to

Mr. Adams's Question on the 29th of

July.

(2 on P.Q. file)  
29 July 1938  
29<sup>th</sup> July 1938

3. I enclose a copy of a letter

which I sent to Mr. Riley when I

discovered that my reply to his

Question had been incomplete, and also

of correspondence with Mr. de Rothschild.

I request that I may be furnished with

a full report, including particulars of

the charges which were brought in each

of the various prosecutions that have

taken place.

I have, etc.

(Signed) MALCOLM MacDONALD.

Dear Mr de Rothschild  
H. MacDonald  
Before the Secretary of

State left London he asked me to

reply on his behalf to your letter

of the 20th of July. In this

letter you referred to certain

prosecutions in connection with

the closing of the African school

at Mukui in Kenya, which you had

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Mr. MacDonald had replied to your

Question he received a telegram

from the Governor of Kenya to the

effect that further prosecutions

had taken place and he gave all

the

the information then at his disposal

in replying to a Question asked by  
Mr. David Adams on the <sup>29<sup>th</sup></sup> 29<sup>th</sup> of July.

I enclose a copy of this  
reply.

Mr. MacDonald's reply to your  
Question was based on brief reports

which his predecessor had received,  
and he had not then heard of the further

prosecutions. As regards the grounds  
for those prosecutions, he has, so far,

only had a ~~telegram~~ telegraphic report  
from the Governor in which it was stated  
that the proceedings were taken under

section 34 ~~(a)~~ of the Education Ordinance,  
of which I enclose a copy, ~~together with an~~  
~~amending Ordinance of 1936 which, however,~~  
~~did not alter this particular sub-section.~~

It was on the strength of this telegram  
that Mr. MacDonald stated, in his reply to  
Mr. Adams's Question on the 29th of July,  
that the fines were imposed "for continuing  
to conduct the school" which seemed to him

(2 on P.Q.  
file.)

(No. 1 on the  
(P.Q. file.)

(No. 5 on -/37  
and No. 1 hereon.)

C. O.

Mr.  
Mr.  
Mr.

Sir H. Moore.  
Sir G. Tomlinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Perm. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

to be a fair summary of the position.

The Governor is, however,  
being asked for a full report,  
including particulars of the charges  
which were brought in each of the  
various prosecutions that have  
taken place, ~~and on receipt of this~~

**DRAFT.**

~~report to MacDonald will not be~~  
~~you again.~~

*J. I.*  
*Agg. S. Smith*

**FURTHER ACTION.**



3c

RECEIVED  
17  
60

COPY FOR REGISTRATION

Police and from the Deputy Governor of Kenya to the Secretary of State for the Colonies

25th July 1938 Received 9-47am 28th July 1938

38086/24/38

Following information supplements my telegram of 20th July 1938  
M. K. K. School: Although ordered to be closed as reported

5 on 1937 file

in my telegram No. 369 on 12th July 1937 remains open until

September 1938 when the Director of Education under Section 34

of the Education Ordinance 1931 as amended

Ordinance No. 10 of 1936 ordered its closure. Head teacher was later fined 500 shillings under section 34

of the Education Ordinance 1931 as amended. Appeal and sentence were upheld by Chief Justice

in June 1938 school had been re-opened in defiance of the order. Head Teacher

was sentenced to fine of 1000 shillings and two Assistant Head Teachers to 500 shillings each. Notice

of appeal has been lodged. Above explains reference to 2000

in Association's telegram to you of 9th July

28 on 38086/24/38

Amind. 8

Cop 16 Kenya  
15 on 38307/39



Extract from Governor's telegram  
No 104 of 18738 regd on 35086/24/53

18

Mukui School. See my despatch of the 17th  
July 1897 No. 369. Two teachers referred to in paragraph 3  
of that despatch were fined 10/- each by the Native Tribunal

KENYA  
No. 54



GOVERNMENT HOUSE  
NAIROBI  
KENYA

CONFIDENTIAL.

8 March, 1938.

Sir,

(11) on 23006/34

With reference to Mr. Thomas's Confidential despatch of the 12th December, 1935, regarding an amendment of the Education Ordinance, 1931, with a view to enabling this Government to exercise more effectively the supervision of Independent African Schools in Native Reserves, I have the honour to enclose a copy of a report which has been furnished by the Director of Education regarding the closure of schools under the legislation in question during 1937-8.

As regards the closing of Karinga School at Makui, reference is invited to Sir Armigel Wade's despatch No. 562 of the 12th July, 1937.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*D. Brooke-Popham*

AIR CHIEF MARSHAL,  
GOVERNOR.

THE RIGHT HONOURABLE

W. ORMSBY GORE, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W. 1.

Ag D of E minute Conf.  
1297/II/174 of 31.1.38

(5) on 38307/39

Copy to Kenya.  
15 on 38307/39

31st January, 1938.

CONFIDENTIALThe Hon'ble the Colonial Secretary,  
NAIROBI.INDEPENDENT AFRICAN SCHOOLS.Ref: Sectt. Confidential letter No. S/A.NED.1/8/  
2/107 of the 27th January, 1938.

I beg to submit the following details regarding the closure of Schools in 1937 under the Education (Amendment) Ordinance :-

- (a) Kisumu Karinga Education Association. The Kisumu District Education Board, at a meeting on the 31st May, 1937, considered reports on five Karinga Schools, namely, Ndari, Ndaiya, Mangan, Mahinga and Gatina, and recommended these schools to be closed. The resolution, which was passed unanimously, was moved and seconded by African members of the Board. I accepted the Board's recommendation and ordered the schools to be closed. In August, 1937, after the Karinga Association had given a written undertaking to co-operate with Government and to conform to the Departmental syllabus, permission was given to re-open the five schools. They are now open.
- (b) Kisumu Independent Schools Association. The South Nyari District Education Board, at a meeting on the 9th August, 1937, considered a report on an independent school at Kabirani and recommended the school to be closed. In this case, also, the resolution was passed unanimously, the mover and seconder being Africans. It is noteworthy that Jehanga Kunyia, President of the Association, is a member of this Board and voted in favour of the resolution. I accepted the Board's recommendations and the order to close was issued on the 16th August, 1937.

(c) **Kisumu Karinga Education Association.** The Kisumu District Education Board, at a meeting on the 5th November, 1937, considered a report on the Karinga school at Makui. This is the school referred to in Kenya Despatch No. 288 of the 15th July, 1937, (your Ho. 3/A.HED.1/3/38 of the 15th July, 1937,) and connected correspondence. The Board recommended the school to be closed, and the order to close was issued on the 11th November, 1937.

5 or  
-13)

(d) A recommendation from the Port Hall District Education Board, at its meeting held on the 15th January, 1937, to close the independent school at Giaroti was not accepted, partly because the voting had shown considerable difference of opinion, and partly because a subsequent report showed that the school authorities were making a definite attempt to carry out the Inspector of Schools' recommendations and to improve the work of the school. On my suggestion, the Board re-considered the matter and agreed that the school should be allowed to remain open.

2. It should be noted that all the schools, except Giaroti, were schools which had opened without the permission of the District Education Board and the Local Native Council. Though many of the existing registered schools could be closed under the terms of the Amending Ordinance, the agreed policy is not to apply the Ordinance in such cases until it has been seen whether the two Associations are prepared to co-operate with Government. It should be possible to reach a conclusion on this point during the course of the present year.

3. The Advisory Committee at home may also desire to know that the District Education Boards have taken steps to assist the independent and Karinga Schools. In each District, a sum of money has been set aside for the salary of an itinerant African teacher who is working under the supervision of an Education Officer, Mr. C. A. Buchanan, temporarily assigned to this work. In two of the districts, further sums have been set aside to provide equipment at independent schools recommended by the Inspector of Schools.

C. E. DONOVAN

CED/TG. for AG. DIRECTOR OF EDUCATION.