

1925

KENYA

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Date

31 OCT 25

OF DURHAM. PRIVATE. 14th October 1925.

ULATION

CONDITIONS IN KENYA, AS REPRESENTED IN
MR NORMAN LEYS' BOOK.

U.S. of S.

Asks for a true statement of the position
in Kenya, in view of the allegations made in
the book.

U.S. of S.

U.S. of S.

ary of State.

Previous Paper

MINUTES within.

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Subsequent Paper

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DATE 11/19/2001 BY 60322
PAPER RECORDS SECTION
LONDON

November 4th 1925

Auckland Castle,

Bishop Auckland.

Dear

283

My dear Amery,

I must not delay
thanking you for your letter,
which, indeed, it was very
good of you to write in the
midst of your great labours.

If I do not comment on
your answers to my questions,
it is because I have not

you seem able to find the
 time to read & digest the
 Report which you are good
 enough to send. Do not
 suppose that I fail to
 perceive & allow for the entire
 difficulty of the problem
 which we have to solve
 Africa, & not only in Africa.
 And I have a really

large trust in your good
 faith and good will.

Again thank you
 I am,

Ever affec^t

Herbert Dunelm:

The Right Hon^{ble}

L. S. Amery M.P.

29th October 1928.

Forgive my delay in answering your letter of the 14th about Mr. Norman Leys's book. The book is clever but admittedly inaccurate and exaggerated on many points. The picture he draws is coloured throughout by a prejudice which no doubt began in a keen sympathy for the natives, but has ended by becoming definitely anti-European. It is undoubtedly a book calculated to do great harm, to distress the public at home and to do grave injustice both to the Government and to the white community in East Africa.

Kenya problems lend themselves to prejudice and distortion: an energetic European community already desiring to manage its own affairs, among native peoples not naturally progressive, and weakened, before our administration began, by many years of inter-tribal fighting; with an administration unable by poverty to do as much for the people as we should have wished.

There have been mistakes - chiefly, we may claim, local errors of judgment, which came too late to the notice of the Secretary of State; but there has been no blindness or indifference to native interests. The administrative staff

are

Yours faithfully,
The Lord Bishop of Durham

are and have been to count on any where in the Empire, and the unofficial Europeans are an uncommonly good lot of men, though in their struggle to make good in their new houses they are sometimes impatient of what they regard as Government disregard of their interests, and they are too easily drawn to plain wild speeches under the provocation of unfair criticisms here. There has for some time been good evidence that they regard the welfare of the native not only as affecting their own prosperity but also as a duty.

You will get a good idea of the position from the report of Ramsey-Bore's Commission (Cmd. 2387), which I send it by by no means uncritical, but it is fair. You should also read Churchill's despatch (Cmd. 1509) of 1921, dealing with various aspects of the labour question. I also I enclose

Taking your questions in order :-

1. Is the provision of native labour for the European concessions really the dominant motive of the Government.

No, and it never has been. The "dual policy" of native cultivation and European farming with native labour has been the object of native administrators since well before Mr. natives were encouraged to work, either on their own land or for wages, at their own free choice. In particular

the decision was urged to check the loafing propensities of the young unmarried men, whose military occupation (offensive or defensive) had been upset by settled administration. The local Government have issued instructions from time to time to their officials, either because the balance between native and European cultivation seemed to incline too much to one side or the other, or because of the increasing evil, to the country and to themselves, of the idleness of the young men. These instructions have caused criticism but they are necessary, and are in fact now consulting with the East African Governors with a view to a further pronouncement of policy.

There will always be natives who prefer to work (if work they must) among novel surroundings, and the problem of the future, for the Europeans, is whether these natives will be efficient for their requirements. Generally, the most considerate employers have not gone short of labour.

One of Dr. Lays' gravest mis-statements (because of the irresponsible carelessness in an apparently serious book) is where, on page 186, he attributes to Sir Percy Girouard the intention to compel the natives by increased taxation to leave the reserves for work. The passage (incompletely quoted in any case) is part of a newspaper's critical comment on a speech

speech made by Sir P. Girouard's successor. The Governor has never said anything of the kind, and no such policy has ever been contemplated.

2. Are the fiscal burdens so distributed as to spare the European minority and crush the African majority? No, they are not so distributed and have not the effect.

In direct taxation the agricultural native pays 12s. a year and the non-native 30s., which is of course relatively very low. An attempt has been made to introduce income tax, but it coincided with the commercial depression and would have brought in practically nothing, except for officials, and would have been very costly. The attempt was abandoned and revenue was made up by a great increase in customs duties, by reason of which it has recently been calculated that on the average the European pays £33 in taxation and the native 1s.5d. I give these figures with reserves, and allowance must be made for the fact that the natives are out of touch with commerce, so that the average for the rest must be higher. But I see no answer to the claim that the Kenya European is more heavily taxed

than we are at home.

One point is being taken up: the possibility of modifying the system of native direct taxation so as to press less heavily on certain sections of the community, particularly widows.

The question whether the native has had full value out of his taxation is a different matter, and it can only be answered in the light of one's individual ideas of the benefit which he gets from the expenditure on settled administration and public security. Our answer for practical purposes is that he does not get as much as we should wish, and you will see from Sir Byssie Gore's report that the need of further expenditure on native agriculture and native education is fully realized. Already work has been done to improve the position in this respect, and more will be done in the future. The question (which the new Governor is busily considering at this moment) is how the extra money is to be found, and that will necessitate the most careful investigation of the relative burdens now endured by the different communities in Kenya, and their capacity for further taxation.

3. Does slavery exist in all but name?

Except as regards the Government policy of preaching the gospel of industry, and, except in so far as the liability for

compulsory paid labour for the Government exists, the native is absolutely free. On this question of compulsory labour for the Government, I refer you to Mr. Churchill's White Paper. The power of calling out natives was used this year in order to collect labour for new railways, which were urgently needed either entirely or partly for native purposes. I imposed a limit of 4,000 men as the maximum but it was not reached, and the supply of voluntary labour increased and compulsory measures were abandoned.

4. Can Europeans treat the Africans with abominable cruelty and escape punishment?

There have been, I think, not more than six cases of alleged cruelty over a period of 14 years, and I am satisfied that this small number reflects the generally humane treatment of natives by European employers. The real question is whether the verdicts of juries and the sentences of judges have been adequate. I can only say that the various cases have been considered here, and that after consultation with Government has not been possible to say that there has been any abuse on racial grounds. Legal technicalities are unavoidable anywhere but I have decided to replace the present applied Indian criminal law by something closer to English law.

5. Has the Imperial Government really capitulated to a handful of greedy concessionaires?

Neither the Imperial Government nor the local Government has done so, and it is unjust that these settlers, who are trying in circumstances of great difficulty to build up their homes in a new country, should be exposed to this attack. They could not be the last to admit that they have had even adequate consideration, to say nothing of favour, from the Government.

The main point is as to the reservation of land for the natives. Mr. Harcourt went carefully into this before the much discussed Crown Lands Ordinance of 1915 was passed. He decided that the Governor was the best possible trustee for the natives, and the reserves, declared to be Crown Lands, were made subject to various stringent conditions intended to prevent their being alienated except for very special reasons. There can be no doubt that the natives have recently felt serious misgivings as to their position, and this has arisen from two causes; first, that a former Governor did in fact cut off for European settlement portions of native lands not yet expressly proclaimed as reserves, and, secondly, a judicial obiter dictum, which has received general circulation, that the natives had no legal rights to land. These misgivings must be removed, and at a

very early date the proclamation of the reserves will be complete and trust boards will be in existence to hold the land for the benefit of the natives.

I enclose, since I think it may interest you, an extract from a letter which reached me only a few days ago from Mr. Denham, the officer administering the Government of Kenya during the inter-regnum between peer Coryndon's death and the arrival of Grigg. The letter is of a quite personal nature, such as I receive from, and send to, Governors in order to keep in touch with local conditions. These unofficial communications throw much more light on questions, very frequently, in a few lines than do masses of official dispatches. You will see what Denham says about the prevailing sentiment among the natives.

as to spare the European minority in
crust the African majority? Does
slavery exist in all but name? Can
Europeans treat the Africans with
abominable cruelty & count upon
escaping the due reward of their ^{wickedness} cruelty?
Has the Imperial Government really
capitulated to a band full of greedy
Commissioners?

With many apologies for troubling
you, I am,

always affectedly

Herbert Dunelm:

The Right Honorable

L. S. Amery M.P.

Island Castle
Bishop Rockham.

My dear Amery,

I have just finished
reading through a book by one
Norman Leys entitled Kenya.
and it has left on my mind an
impression so unpleasant and
indeed, painful. That I cannot
but address myself to you.
The writer, who personally
unknown to me, claims to be one
who knows Africa & Africans
well, and this claim

endorsed by Gilbert Murray in

brief Introduction

If the statements in this book
are true, then oppression of a very gross
kind has proceeded, and is proceeding,
under the British flag. Indeed, we
appear to be treating the natives of Kenya
with a harsh injustice, equally cynical
and short-sighted, as was readily equalled only under the rule of Germany,
and short-sighted. I cannot imagine
any book more calculated to confirm
in working men's minds the hostile
attitude towards the Empire, which
is unfortunately already too common.
I think if this book gives a true
picture of British Imperial Administration,
I do not see how any just man

Empire.

You are an old friend, for whom
I feel both affection & admiration,
it would be difficult to make me
doubt any assurance which you give
me: & therefore, as well for the
relief of my own mind, as for the
guidance of my own public course,
I shall be grateful if you could
find time to tell me how the
matter stands in Kenya. Is the
promise of native labour for the
European concessions really the
dominant
~~governing~~ motive of government?

The Secretary
 Sir
 his residence

I submit acceptably to
 Bishop of Durham. I am sorry
 I have been a week over it - my first
 dictated effort was prompt but
 wretchedly long, and a measure of
 anxiety has left little leisure for
 compression. It is too long still.

W. G. S. M. M. M.

26.10.25

S. H. G.

24.10.25

Type with 3 carbon

DOWNING STREET

16/10

- Mr. Strachey, 2/6
- Mr. F. Shuckburgh
- Mr. T. Davis

~~Private~~

My dear Mr. ...

I have your letter of

Mr. Grindle.
 Mr. S. ...
 Mr. Ormsby-Gore.
 Mr. Amery. 16/10/10
 DRAFT. for the ...
 Rev. ...
 Bishop ...
 Durham.

14th of October about Dr. Norman Leys'

book. I can assure you that the

picture is highly coloured by a
 prejudice so keenly pro-native as to
 have become definitely anti-European.

This led to a disciplinary transfer to

Nyasaland a dozen years ago, but, as
 it now appears, he had been steadily
 making notes (and continued to do so)
 while receiving a Government salary,
 with the intention of attacking the
 Government when he had retired on
 pension. Not a high standard of
 honour. People who knew him in East
 Africa say frankly that he is mad.

The book is clever, but
 admittedly inaccurate and exaggerated
 on many points, and that has proved

2357
 1917

~~its being the subject of full dress debate.~~

It is simpler to assume that it is authoritative,

as when a noble Lord said "I will not refer to past

scandals." That sort of thing will go on, and I

agree with you that the book may be very

*It is necessary to have
collected to a good hand
to be able to tell at once & to
be prepared to be able to find
it in the Commission's report*

Many
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European community already aspiring to manage

its own affairs, among native peoples not

naturally progressive, and weakened, before

an administration began, by many years of

inter-tribal fighting; with an administration

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as we should have wished.

There have been mistakes - chiefly,

we may claim, local errors of judgment which

came too late to the notice of the Secretary

of State: but there has been no blindness to

native interests. The administrative

staff

- Mr. Strachey.
- Sir J. Shackleton.
- Sir J. Danks.
- Sir J. G. G. G.
- Sir J. Masterton Smith.
- Mr. Ormsby-Gore.
- Mr. Amery.

DRAFT.

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 as any where in the Empire, and
 the unofficial Europeans are an
 uncommonly good lot of men,
 though in their struggle to make
 good in their new homes they are
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You will get a good idea of the position from the report of Ormsby-Gore's Commission (Cmd. 2387) ^{which I enclose} ~~which I enclose~~.

It is by no means uncritical, but it is fair. You should also read Churchill's dispatch (Cmd. 1509) of 1921, dealing with various aspects of the labour question.

That also I enclose.

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order:-

1. Is the provision of native labour for the European concessions really the dominant motive of the Government?

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Mr.

Mr.

Mr.

Mr. Strachey

Sr J. Shackleton

Sr C. Davis

Sr R. Grindle

Sr J. Masterton Smith

Mr Ormsby-Gore

Mr Amery

DRAFT.

In particular the headmen had been to check the young unmarried men, whose military occupation (offensive or defensive) had been upset by settled administration. The local Government have issued instructions from time to time to their officials, either because the balance between native and European cultivation seemed to incline too much to one side or the other or because of the increasing evil, to the country and to themselves, of the idleness of the young men. These instructions have caused criticism but they are necessary, and I am in fact no consulting with the East African Governors with a view to a further pronouncement of policy.

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DRAFT.

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would have been very costly. The attempt
was abandoned and revenue was made up by
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reason of which it has recently been
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European pays £33/1/- in direct taxation and
the native 1/5 s.d. I give these figures with
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One point is being taken up:
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- Mr. Curzon
- Mr. Shackleton
- Mr. C. Davis
- Mr. G. Grindle
- Mr. J. Masterton Smith
- Mr. Ormsby-Jore
- Mr. Amey

DRAFT.

investigation of the conditions now suffered by the Government in Kenya, and their capacity for further taxation.

3. Does slavery exist in all but name?

Except as regards the Government policy of preaching the gospel of industry and, in so far as the liability for compulsory paid labour for the Government exists, the native is absolutely free. On this question of compulsory labour for the Government, I refer you to Mr. Churchill's White Paper. The power of calling out natives was used this year in order to collect labour for new railways, which were urgently needed either entirely or partly for native purposes. I imposed a limit of 4,000 men as the maximum but it was not reached, as the supply of voluntary labour increased and compulsory measures were abandoned.

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These misgivings must be ^{removed} removed, and at
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I enclose since I think it may
interest you, an extract from a letter which
reached me only a few days ago from Mr
Denham, the officer administering the Govt of
Kanga during the interregnum between Fort
Carpenter's death and the arrival of Grogg.

The letter is of a quite personal nature -
and as I receive from and send to Gannors
in order to keep in touch with local conditions -
"the official communication" throws much more
light on questions, the fragment, is a further
than so masses of official reports
with recital Denham says about the
contact among the natives.