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A STUDY IN AGITATIONAL AND INTEGRATIVE POLITICS WITH SPECIAL REFERENCE TO JOMO KENYATTA

BY
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A Dissertation presented to the Faculty of Claremont Graduate School in partial fulfillment of the requirements for the degree of Doctor of Philosophy in the Graduate Faculty of Government

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We, the undersigned, certify that we have read this dissertation and approve it as adequate in scope and quality for the degree of Doctor of Philosophy.

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INTRODUCTION

In 1900 the American scholar and leader, Dr. W.E.B. Du Bois, uttered the historic statement that "the problem of the twentieth century is the color line."[1] By this he meant that the century's most critical problems would arise out of the relationships among (or conflict between) the races. Seven years later Winston S. Churchill found race to be the underlying factor of politics in Kenya: "Colour is already the dominant question at Nairobi."[2] He observed further that the problems of the East African Protectorate (as Kenya was then called) were "problems of the world. We see the social, racial, and economic stresses which rack modern society already at work here, but in miniature."[3]

The racial difference -- based on the common biology or ethnic identity -- is not, in itself significant. It is the non-biological factors that, when correlated with race, create the tensions that both Du Bois and Churchill had in mind. A

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[1] The Souls of Black Folk (Chicago: A.C. McClurg & Co., 1903), p. vii.

[2] My African Journey (New York and London: Hodder & Stoughton, 1908), p. 45.

[3] Ibid., pp. 64-65.

brief outline of Kenya's geography and demography help set the framework for studying and analysing her politics.

Geography and Climate

Kenya's boundaries were finally demarcated in 1925. Bisected by the equator, the country extends from latitude 4° N. to latitude 4° S.; and from longitude 34° E. to 41° E. Kenya (the old Colony and Protectorate) is flanked by Ethiopia and Sudan to the north; it borders on Uganda to the west; on Tanzania (Tanganyika and Zanzibar) to the south; and on Somali Republic and the Indian Ocean to the east.

With an area of 224,960 square miles, Kenya is slightly smaller than Texas and about twice the size of New Mexico. The northern part, comprising three-fifths of the whole, is arid and comparatively waterless. About 5,171 square miles of the total area are under water (mainly the eastern part of Lake Victoria and a large portion of Lake Rudolf in the north). Thus, out of 219,789 square miles of land,[4] the arable and inhabitable areas comprise only approximately 87,900 square miles. The prevailing climatic conditions, the rapid population increases, and the dominance of agriculture all account for the tensions that arose as this small cultivable land was parcelled out. It is easy enough,

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[4]Kenya, Ministry of Economic Planning and Development, Statistics Division, Population Census: 1962, Vol. III, African Population (Nairobi: Government Printer, October 1966), p. 19.

therefore, to see why the land policies of colonial as well as independent Kenya were so hotly debated.

The center of all economic production is the southern strip. This strip included the European-settled areas -- traversed by the main railway line from Mombasa on Kenya's coast to Uganda and by branch lines to important centers of production as Nyeri, Thomson's Falls, Kitale -- and the two main areas of native production, Nyanza and Central Provinces. These three regions were both the centers of population concentration and political conflict during the colonial period.

Climatically, Kenya provides a striking example of the modification of temperature by altitude. Except for the coastal areas (Mombasa's average temperature is 80° F.), the climate is cool and invigorating. The capital city, Nairobi, for example, is 5,500 feet above sea level. It enjoys a mean temperature of 67° F. with a maximum of 77° F. Kenya's average altitude is 3,500 feet although the highlands rise from the plateau at 5,000 feet. At this level and higher the resulting temperatures proved ideal for Europeans. It is in these areas that over 10,500 square miles were alienated to Europeans to form the "White Highlands."

The amount and reliability of rainfall are the basic limitations to land utilization in Kenya. The perfect conditions are largely limited to three regions: the highlands, including Central Province, Nyanza Province, and a narrow coastal belt. These areas have an annual rainfall of 30 inches and over. More than two-thirds of Kenya has less than 30 inches and is thus good

for grazing only. Grains, which are a vital staple food, can only grow with at least 30 inches of rain a year.[5] Consequently, droughts in the grain producing regions have generally caused famine.

Population

The real comprehensive country-side censuses were taken in February and August, 1948,[6] and in August, 1962. Fairly accurate population estimates for the years after World War II exists as table 1 on the following page shows.

Censuses for the immigrant communities are available from 1911 to 1931 and then from 1948 to the present as shown in table 2. There was a marked increase in this population category. The European increase -- figures included both officials and other whites -- was largely through immigration while those of Asians was through birth.

The earliest official estimate of the African population made by Sir Arthur Hardinge in 1897 placed the population of the East African Protectorate (later Kenya) at 2,500,000. Between 1902 and the outbreak of World War I, the population was estimated as between three and four million.

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[5]Great Britain, Colonial Office, Annual Report on Kenya 1961 (London: Her Majesty's Stationery Office, 1962), pp. 104-109.

[6]Always taken at night! See Report on the Census of the Non-Native Population of Kenya Colony and Protectorate taken on the night of the 25th of February 1948 (Nairobi: Government Printer, 1953).

TABLE 1

POPULATION 1947-1967[a]
ANNUAL ESTIMATES (IN 000'S) AT MID-YEAR

Year	Estimate	Year	Estimate
1947	5,273	1958	7,652
1948	5,662	1959	7,880
1949	5,839	1960	8,115
1950	6,018	1961	8,352
1951	6,201	1962	8,595
1952	6,390	1963	8,847
1953	6,581	1964	9,104
1954	6,783	1965	9,365
1955	6,993	1966	9,643
1956	7,209	1967	9,948
1957	7,432		

[a]These estimates are compiled from U.N. and Kenya Government sources. See U.N., Statistical Office, Demographic Yearbook 1966, Vol. 18 (New York: United Nations, 1967), pp. 120-21; Republic of Kenya, Ministry of Economic Planning and Development, Statistics Division, Statistical Abstract 1967 (Nairobi: [Government Printer], August 1967), p. 13.

TABLE 2

POPULATION BY RACE IN CENSUS YEARS[a]

Race	CENSUS YEAR					
	1911	1921	1926	1931	1948	1962
African and Somali	. .	. .	. .	. .	5,251,120	8,365,942
Non-African:						
Asian	11,787	25,253	29,324	43,623	97,687	176,613
European	3,175	9,651	12,529	16,812	29,660	55,759
Arab	9,100	10,102	10,557	12,166	24,174	34,048
Other	99	627	1,259	1,346	3,325	3,901
Total Non-African	24,161	45,633	53,669	73,947	154,846	270,321
Total	. .	. .	. .	. .	5,405,966	8,636,263

[a]Kenya, Statistical Abstract 1967, p. 13.

The African population increased from 2,549,300 in 1925 to 3,413,371 in 1939. These figures are very rough estimates indeed for they may have been based entirely on the Hut and Poll Tax records which obviously did not take into account several categories: adult males who evaded tax payment and "numbers of dependednts per adult male -- women, children and old men -- exempt from tax.[7]

Of considerable importance in the 1945 African population estimate is the distribution by provinces. Nyanza and Central Provinces accounted for about three million people. These were the areas of intense political struggles and the bedseed of African nationalism.[8]

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[7]Kenya, Population Census: 1962, Vol. III, African Population, p.1.

[8]The tribal analysis of the 1948 census yielded the following figures:

Province and Tribe	Population	% of Grand Total
Central		
Kikuyu	1,026,341	19.5
Kamba	611,725	11.5
Meru	324,894	6.2
Embu	203,690	3.9
Nyanza		
Luo	757,043	14.4
Luhya	653,774	12.5
Kisii	255,108	4.9
Rift Valley		
Kipsigis	159,692	3.0
Nandi	116,681	2.2
Others	1,142,172	21.7

They have continued to dominate all spheres of life in Kenya. When the predominantly urban districts of Mombasa and Nairobi are excluded, the land scarcity among certain residents of these provinces is revealed in the population density. Some of the rural locations in Kiambu and North Nyanza had population densities of over 1,500 persons per square mile.[9]

Table 3 on the following page shows clearly that even in 1962 Nyanza and Central Provinces were heavily populated, in contrast to other areas, with densities of 312 and 173 respectively.

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[9]Kenya, Population Census: 1962, African Population, p. 21.

TABLE 3

LAND AREA, AFRICAN POPULATION AND MEAN POPULATION DENSITIES OF PROVINCES AND DISTRICTS[a]

Province and District	Land Area in Square Miles	African Population	Density per Square Mile
Nairobi Extra-Provincial District	227	196,906	867
Northern			
Garissa	22,452	93,551	4
Isiolo	9,780	54,173	6
Mandera	10,292	75,421	7
Marsabit	23,991	29,102	1
Moyale	7,602	20,582	3
Samburu	8,026	56,512	7
Turkana	23,455	159,210	7
Wajir	17,869	99,750	6
Total	123,467	588,301	5
Coast			
Kilifi-Malindi	4,794	240,646	50
Kwale	3,187	155,842	49
Lamu	2,583	16,214	6
Mombasa	81	111,847	1,381
Taita	5,899	89,356	15
Tana River	9,168	28,880	3
Total	25,712	642,785	25
Southern			
Kajiado	8,094	67,550	8
Kitui	11,696	283,821	24
Machakos	5,790	548,862	95
Narok	7,147	109,874	15
Total	32,727	1,010,107	31
Central			
Embu	1,603	292,276	182
Fort Hall	702	343,880	490
Kiambu	730	402,886	552
Meru	3,763	468,223	124
Nanyuki	2,811	55,132	20
Nyeri	595	252,451	424
Thika	839	94,755	113
Total	11,043	1,909,603	173
Rift Valley			
Baringo	3,941	129,906	33
Elgeyo-Marakwet	1,009	160,896	159
Laikipia	2,736	68,643	25
Naivasha	1,369	69,747	51
Nakuru	2,432	225,915	93
Nandi	714	118,859	166
Trans-Nzoia	1,209	94,797	78
Uasin Gishu	1,637	96,524	58
West Pokot	1,960	58,869	30
Total	17,007	1,023,156	60
Nyanza			
Central Nyanza	1,816	652,768	359
Elgon Nyanza	1,500	347,231	231
Kericho	2,133	386,951	181
Kisii	752	518,226	689
North Nyanza	1,200	606,798	506
South Nyanza	2,206	480,785	218
Total	9,607	2,992,759	312

[a] Ibid., p. 20.

CHAPTER I

THE PROBLEM

> It is not difficult to see that our epoch is a birth-time, and a period of transition. The spirit of the age has broken with the world as it has hitherto existed, and with the old ways of thinking, and is in the mind to them all to sink into the depths of the past and to set about its own transformation. It is indeed never at rest, but carried along the stream of progress ever onward .... The spirit of the time, growing slowly and quietly ripe for the new form it is to assume, loosens one fragment after another of the structure of its previous world. That it is tottering to its fall is only indicated by symptoms here and there. Frivolity and again ennui, which are spreading in the established order of things, the undefined foreboding of something unknown -- all these are hints foretelling that there is something else approaching. This gradual crumbling to pieces, which did not alter the general look and aspect of the whole, is interrupted by the sunrise, which, in a flash and at a single stroke, brings to view the form and structure of the new world.
>
> Georg W.R. Hegel

Statement of Purpose

New nations, born of revolutions, are now in a transitory stage: transition from the obvious colonial, tribal, ethnic, plural "societies" through what we characterize as state-nations to the unknown world of nation-states. A study of the role played by political leaders in this task may be illuminating as to the type of society that will emerge.

The process of creating -- or, more accurately, of aspiring to create -- a Kenya nation within the state boundaries is analyzed in chapter eight. State is merely a political designation for purposes of international action. Leaders of the new states are striving to give this formal unit some substance -- the feeling, by the citizenry, of belonging to a unified "nation-state." Thus in Kenya it is hoped that people will consider themselves as Kenyans and not just as members of a particular ethnic group living in Kenya.

A good distinction between state-nation and nation-state is made by Otto Pflance. In "Characteristics of Nationalism in Europe: 1848-1871" he presents two ideal types:

> (1) the nation-state of central and eastern Europe in which ethnic and political frontiers coincide and in which nationality is generally regarded as a matter of ethnic identity, and (2) the state-nation of western Europe and American, in which the historical state has created a new cultural synthesis which transcends ethnic differences and in which nationality is generally regarded as a matter of personal decision.[1]

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[1] "Varieties of Nationalism in Europe and Africa," The Review of Politics, XXVIII, No. 2 (April 1966), 140.

Pflance writes that this distinction was the end product of the bifurcation in the development of European nationalism. The state-nation (nation formed by state) is found in Western Europe where different peoples having lived together for centuries under common sovereignty cultivated a sense of nationhood that transcended the cultural differences. But in central and eastern Europe

> the idea of the nation could only develop within the chrysalis of the individual culture....Here the nation was first defined as a cultural rather than a political entity. The growth of a national consciousness created a demand for the creation of the 'nation-state'.[2]

Kenya's nationalism and the resulting entity will approximate the second type although Philip Curtin states, in the second article, "Nationalism in Africa, 1945-1965," that African nations now are establishing a subtype of Pflance's second type: they are merely aspirant state-nations.[3]

Our study focuses on Kenya nationalism and the role Jomo Kenyatta played in it as nationalist leader and coordinator of nation-building. Comments on the current stability in Kenya politics are often juxtaposed by those reflecting anxiety about Kenya without Jomo Kenyatta: "After Kenyatta, who or what?" There is not as much concern over succession after Harold Wilson. Nor was there any before Lyndon Baines Johnson left the presidency.[4]

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[2] Ibid., 139-140.

[3] Review of Politics, XXVIII, 144.

[4] These statements are based upon our observations, reading and evaluation of different types of political systems.

Chalmers Johnson has well stated the conditions for revolutionary potential. He writes that one variety of revolution may be "motivated by a belief that the system [to be restored] had been betrayed by its elites."[5] For Kenya this is the system which was envisaged for the future following the attainment of independence. Further, the potential revolutionary conditions "may persist for a long time until some occurrence . . . reveals that the existing elites are incapable of performing their roles. The typical remedy for these conditions will be a purge of the elites by the masses."[6] In Kenya this one occurrence may be the departure of the President from the political scene followed by a rebellion over succession to his mantle. Should this rivalry at the political leadership level persist, a general condition for revolution from below will have been established.

Some observers of the Kenya scene give the impression that only those who have invested in economic development schemes (having taken advantage of Kenyatta's real or apparent leadership) are really the ones concerned about a possible succession crisis. This concern, whether justified or not, suggests something about Kenya politics and Kenyatta's political character. The hypotheses investigated in this study may point out answers to some of these questions.

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[5] Revolutionary Change (Boston & Toronto: Little, Brown & Co., 1966), p. 137.

[6] Ibid. The distinction between revolution and rebellion is well made by Johnson in chapter seven: "Varieties of Revolution," especially pp. 136-139.

This dissertation analyses the extent to which Kenyatta was the creator or the product of the Kenya nationalist movement. His success or failure in integrative politics (post-independence) is also evaluated. Two hypotheses are derived from this postulate: (1) that if Kenyatta was largely the creator (i.e., acted in a preponderant role) of the nationalist movement, and if this movement is viewed as (and believed to be) headed for national integration, then he should be succeeding in laying the foundations for a Kenya nation-state; (2) conversely, if he was merely the product of the movement (that is, he assumed leadership because he happened to be around when the movement needed one) he may have been a successful revolutionary or agitational leader but may not succeed as an integrator. In which case, after he leaves the Presidency a leader of a different caliber will be needed to carry out the integrative process (we make the assumption that this is the desired goal) as a prelude to providing basic human needs and satisfaction.

It is in this light that the forces that worked towards establishing a Kenya state-nation and those working towards or against the establishment of a nation-state are examined. Any writer or student of emerging nations must inevitably be, to pun the famous proverb, a jack of all disciplines and may not be a master of any. The nature of the new polities calls for an eclectic method. Because of his training, and general orientation, this writer will, therefore, wear the hat of historian, political biographer, and sociologist.

Jomo Kenyatta was one of the most ardent promoters of nationalism in Kenya. He became the rallying point for nationalists whether or not he was physically present and free to campaign for an improvement in the status of the oppressed. He, like any other agitational leader, placed a high value on the sentimentalised response of rank and file. Using this strategy, Kenyatta led a successful revolution towards independence. He relied upon the efficacy of symbols, -- the cane, the belt, simplicity in dress, gesture -- slogan and polemic to champion and even to awaken the dormant demands of the African masses.

Some of these qualities are reflected in a comment by one of Kenyatta's neighbors in England who wrote:

> It is odd to reflect that, of all people on earth, Jomo Kenyatta was especially sympathetic. . . . Handsome, magnetic, debonair, Jomo had bright eyes which glittered like diamonds . . . . I think, now, they were the eyes of a fanatic but when I knew him during those war years they were usually alight with laughter rather than afire with zeal . . . . He argued well, loved power, had great personal ambition and a certain flashy but not really offensive flamboyance.[7]

Kenyatta's imprisonment in 1953 brought a further polarization in colonial society: those who favoured the status quo (and/or gradual change) and those who favoured the radical altering of the system.

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[7]Quoted in George Delf, Jomo Kenyatta: Towards the Truth About 'The Light of Kenya' (London: Victor Gollancz, Ltd., 1961), pp. 123-124.

In many of his writings[8] and speeches Kenyatta is found orienting demands around remote and abstract goals. (These goals appeared remote and abstract relative to the colonial environment in which they were formulated. Some of them, of course, were to be realized in future -- in the attainment of independence and later.) Integrative politics is almost the antithesis of agitational politics. The agitator is generally spokesman for the oppressed. But as administrator, he attempts to unify the different cultural, ethnic and economic groups within the country under one banner for nation-building. For this purpose, Kenyatta coined Kenya's motto: HARAMBEE (Let's all pull together). His coterie notwithstanding, he is responsible for co-ordinating the activities that affect the whole Kenya society. Kenyatta, the administrator, is preoccupied with the more immediate and concrete problems.[9]

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[8]Kenyatta wrote numerous articles and letters to journals and newspapers in the twenties and thirties. In 1938 he published his magnum opus, Facing Mount Kenya (New York: Vintage Books, 1962). He also wrote two monographs: Kenya: The Land of Conflict (London: Panaf Service Ltd., ca. 1944); and My People of Kikuyu and The Life of Chief Wangombe (London: United Society for Christian Literature, 1942). This latter monograph was reprinted with a new forward by President Kenyatta in 1966. Singificantly, the forward was dated October 20th celebrated as Kenyatta Day. It commemorates his arrest in 1952 and the beginning of Emergency in Kenya. In the sixties he has published Harambee! The Prime Minister of Kenya's Speeches 1963-1964 (Nairobi: Oxford University Press, 1964) and Suffering Without Bitterness: The Founding of the Kenya Nation (Nairobi: East African Publishing House, 1968).

[9]On this double role of leaders, see Harold D. Lasswell and Abraham Kaplan, Power and Society: A Framework for Political Inquiry (New Haven and London: Yale University Press, 1950), pp. 153-154. Frantz Fanon expresses a similar view in The Wretched of the Earth (New York: Grove Press, 1963), pp. 60-61.

Aristotle once wrote concerning leaders and followers that "ruling and being ruled . . . not only belongs to the category of things necessary, but also to that of things expedient; and there are species in which a distinction is already marked, immediately at birth," between those to be ruled and those who are intended to rule.[10] Following in the tradition of Aristotle, a theory of authority and its legitimacy has been constructed and refined in the twentieth century. Social scientists have studied authority in terms of its source, its holders and how such authority is transferred. The precursor of this theory was Max Weber. He constructed three types of authority -- traditional, charismatic and rational-legal -- and proceeded to show how each one became legitimized, i.e. obtained the "title to rule."[11]

Charismatic authority, in which we are primarily interested, "rests upon faith in a leader who is believed to be endowed with great personal worth: this may come from God, as in the case of a religious prophet, or may simply arise from the display of extraordinary talents."[12] These extraordinary talents may, in turn,

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[10] Politics, I, chap. 5, sec.2.

[11] On Weber's ideal types of authority the author has relied heavily on Reinhard Bendix' Max Weber: An Intellectual Portrait (Garden City: Anchor Books, 1962), Part 3.

[12] Seymour M. Lipset, The First New Nation (New York: Basic Books, 1963), pp. 16-17. Rudolf Sohm's comparative analysis of religious leadership provided the basis on which the concept of "charisma" was later formulated. See his use of the term in Outlines of Church History, trans. May Sinclair (Boston: Beacon Press, 1958), pp. 66. The author thanks Professor Goodall who mentioned that Sohm was the first modern writer to use the term charisma.

lead the followers and the nation as a whole to worship the particular leader. Adherents of certain separatist churches (those that broke away from the "parent" Missionary-led churches) in Kenya viewed Kenyatta as the leader through whom their deliverance from colonial oppression was to be realized:

> Lord God Jehovah, come to the rescue of your black children. Children of the Lord, pray for your leaders and their safety as the ones who have been set apart by our God to be our guides in our present condition of slavery, which we knew not before the Europeans came into our country . . . . Thou, Lord Jehovah our God, it is Thou who hast set aside to be our masters and guides Harry Thuku and Johnstone Kenyatta; may they be chiefs of us all.[13]

Kenyatta never led any of these religious sects. But the reason for his being connected with them is not far to find. They (and independent schools which were affiliated with them) usually provided a medium of political expression following the suppression of political organizations. In the Congo, for example, the same grievances as existed elsewhere were couched in religious and sometimes in Biblical language:

> God of Abraham, God of Isaac, God of Simon Kimbangu, God of André Matswa, when shall we receive the blessing and be free? Thou shalt no more hear the prayers of the whites, for Thou hast heard them for a long time and they have blessing enough. Hear us now![14]

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[13]Quoted in George Padmore, How Britain Rules Africa (London: Wishart Brooks, Ltd., 1936) pp. 360-361. For a further discussion of the role independent churches played in the nationalist movements see chapter V.

[14]Quoted by Vittorio Lanternari, The Religious of the Oppressed: A Study of Modern Messianic Cults. (New York: Mentor Books, 1963), p. 31. Kimbangu and Matswa were the founders of the sects bearing their names.

Another significant characteristic of charismatic leadership is its instability. Charisma, according to Weber, is the product of crisis and enthusiasm. It therefore undergoes a radical transformation when the charismatic leader dies, or loses his position in the power structure. Of course there are leaders who do not exploit their charismatic potential to the full. (Among these are those leaders who willfully relinguish their positions.) When this happens, charismatic appeal is either transferred to the nation or is transformed into the rational-legal type of authority.

George Washington's withdrawal from the Presidency while seemingly in good health "doubtless pushed the society faster toward a legal-rational system of authority than would have been the case had he taken over the charismatic role in toto and identified himself with the laws and the spirit of the nation . . . . The charismatic aspects of Washington's appeal were consciously used by political leaders as a means of assuring the identity of the young nation."[15] This, despite the fact that some of his countrymen had been irked by the "Washington cult."[16]

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[15]Lipset, op. cit., p. 21. The mark of respect Washington left on the office has continued even when it has been occupied by mediocre men. Washington, the legendary leader from the Revolution on, "reached the final stages of his apotheosis with the adoption of the Consitution and the establishment of the new government." Ibid., p. 19, n. 5.

[16]In his biography of Washington, Marcus Cunliffe adds that people like John Adams "felt that adulation had gone too far -- as in the suggestion that God had denied Washington children of his own so that he might assume paternity for the whole nation." George Washington: Man and Monument (New York: Mento Books, 1960), p. 15.

The success or failure of an agitational leader of the colonial type parallels Washington's. However, present leaders' success must correlate with their success as administrators (leaders of governments that must redefine the goals of society within the independent state).[17]

Chapter eight examines three policies: regionalism, secessionism and racial harmony and tries to explain why Kenyatta assigned top priority to them. In the colonial period he assumed the role of conciliator, party chief, representative of the majority but oppressed group. Now he must widen these roles to encompass all people living in Kenya if he is to continue being considered as the creative leader he was in the agitational stage.[18]

We need now to delineate the scope of our study and define the two crucial terms, agitation and integration. Agitation is "the keeping of a political or other objective constantly before public attention by appeals, discussion, etc.; connected with the promotion of discussion on public questions."[19] Agitation stresses both vigorous argument and a practical objective and usually implies

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[17]This approach of analysis is particularly relevant because, generally, it is the same nationalist leadership that occupies the high decision-making positions of the newly independent nations with no sign of early withdrawal from the centre of politics.

[18]This idea of creative leadership is found in James McGregor Burns' biography of Roosevelt: Roosevelt: The Lion and the Fox (New York: Harcourt Brace, 1956), especially the chapter "A Note on the Study of Political Leadership," pp. 486-487.

[19]A New English Dictionary on Historical Principles, I (Oxford: Claredon Press, 1888), p. 184.

active propaganda and a determination to bring about change. Webster's Dictionary of Synonyms quotes Henry William Paget (1st Marquis of Anglesey) as having said: "If you really expect success, agitate, agitate, agitate."[20]

The change sought and effected through agitation by Kenya nationalists ranged from minimum demands for equal treatment of all persons residing in the colony (e.g. through proportional or communal representation in matters political) to preferential treatment for the majority ethnic group. Kenya's colonial society was well established by 1930. African nationalism was also on the rise aimed at challenging and changing the political, economic, and social relationships upon which this society was founded and seemed to thrive. The emergence of this concentrated struggle coincided with the rejoicing, by the settlers and the Government, over the triumph against British humanitarianism that had hitherto championed native interests.

We will demonstrate that the more adamant the colonial regime was to African demands, the stronger agitation became. In this struggle to gain equality and predominance, Africans employed most of the known techniques of seeking political change: constitutional agitation -- through Legislative Council and Local Native Councils; petitions and delegations to the colonial and British Governments; appeals to the United Nations; strikes and boycotts;

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[20] Ibid., p. 260. Emphasis in the original.

demonstrations and riots; non-cooperation and civil disobedience; terrorism and even armed revolt.[21]

Eventually nationalism triumphed. Then began the arduous job of legitimizing the institutions of the state and aspiring to create a nation within that state. This process of national integration involves the separate elements forging ahead to become a cohesive unit: a unit different from merely the sum of its parts. Our view of integration as the creating of a community coterminous with the boundaries of the state closely approximates that of Myron Weiner:

> Integration may refer to the process of bringing together culturally and socially discrete groups into a single territorial unit and the establishment of a national identity. When used in this sense 'integration' generally presumes the existence of an ethnically plural society in which each group is characterized by its own language or other self-conscious cultural qualities . . . . National integration thus refers specifically to the problem of creating a sense of territorial nationality which overshadows -- or eliminates -- subordinate parochial loyalties.[22]

National integration, therefore, refers to the complete assimilation of the different cultural elements so as to produce a homogeneous culture of mutually adapted traits. The resulting order must be more of a synthesis that can properly be termed

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[21]Thomas Hodgkin, Nationalism in Colonial Africa, (New York: New York University Press, 1957), p. 11.

[22]Political Integration and Political Development," Annals of the American Academy of Political and Social Science, CCCLVIII (March 1965), pp. 53-54. Weiner defines four other senses in which integration is generally understood. The above, however, is the most common usage of the term.

Kenyan.[23]

Integrative politics deals with mechanisms and processes of trying to destroy or reduce the original lines of demarcations before and during colonial period. Integration has often been created by employing several methods -- force, overt persuasion, or indirect socialization process -- singly or in combination. In some new states, the breakdown of traditional and colonial-legal systems of authority has produced conditions conducive to the emergence of charismatic leadership.[24] Whereas the pressure to establish a unified central authority has come from the nationalist elite "concerned with creating an important arena of effective operation through which the new nation, and they, can demonstrate competence,"[25] it is the charismatic appeal which initially has contributed to the achievement of national cohesion.

But Benda views the unity that exists shortly after independence (one wrought during the colonial period) as a negative

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[23]The problem of creating a feeling of national unity among discrete elements is discussed by Edward Shils, particularly in "The Concentration and Dispersion of Charisma," World Politics, XI, No. 1 (October 1958); "Primordial, Personal, Sacred and Civil Ties," The British Journal of Sociology, VIII (June 1957); and "Political Development in the New States," Comparative Studies in Society and History, II (1960). In the last article Shils comments thus: "The parochialism of the constituent segments of the societies of the new states has been observed . . . . The sense of membership in the nation . . . . is still very rudimentary and very frail." p. 283.

[24]Ann R. Willner and Dorothy Willner, "The Rise and Role of Charismatic Leaders," Annals, CCLVIII (March 1965), p. 80. This whole issue of the Annals was devoted to "New Nations: The Problems of Political Development."

[25]Lipset, First New Nation, p. 27.

one of anti-colonial, anti-Western nationalism. It has to give way to a different kind of unity if the new states are to avoid being "confronted by some of the dissensions and antagonisms which nationalist aspirations have so often brought in their wake elsewhere."[26] Kenya has gone through one such problem spearheaded by Somali nationalism -- or, according to Kenyans, anti-nationalism.

The kind of positive unity envisaged is going to paralled Hegel's conception of the relationship between bondsman and lord -- master-slave relationship -- during the colonial period and the ensuing genuine societal unity. In the early stages of this relationship, according to Hegel, the two forces are opposed to each other -- each seeking the destruction and death of the other. It is solely by risking life that freedom is obtained. As time passes both severally come to learn that their freedom can be realized in the other. At a higher (synthesis) stage they recognize that their freedom is meaningful only through the mutual dependence one upon the other as equals.[27]

This is what Frantz Fanon calls liberating the souls of both the colonizer and the colonized. He expressed true freedom

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[26]Quoted in Ibid., p. 35.

[27]See G.W.F. Hegel, The Phenomenology of Mind, trans. J.B. Baillie (2nd ed.; London: George Allen & Unwin Ltd.; New York: The Macmillan Co., 1931), especially the chapter on "Lordship and Bondage," pp. 231-233, 239-240. See also David E. Apter, The Politics of Modernization (Chicago & London): University of Chicago Press, 1965), p. 56.

thus: "After the conflict there is not only the disappearance of colonialism but also the disappearance of the colonised man."[28] Independence and national integration are indispensable conditions for the existence of men who are truly liberated i.e. men who are truly masters of all the material means which make possible the radical transformation of society.[29]

During the colonial period the white settler subsociety (and culture) systematically failed to incorporate the politically subordinate groups to form a real Kenya society. With the attainment of independence one of these subordinate groups -- Africans -- has become the hegemonic group. The decisions this group makes for full integration must, in our view, include the eventual incorporation of the former dominant group (European). Moreover, it also involves the transference of loyalties from tribes and from other communities -- Asian, European, Goan, Arab -- to the state. Once the state becomes the ultimate focus of these varying loyalties and once it has consciously minimized the influence of any other groups vying for the same loyalties, a Kenya nation will have been consummated. Only then can one talk about a nation-state in which there is a sharing of common prescriptions and proscriptions for conduct, belief and valuation.

This is a longtime process in any political community. This study merely looks at the ground-work being laid for such a nation-state. We are not suggesting that without such integration

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[28] Wretched of the Earth, pp. 197-198.

[29] Ibid., p. 251.

the state will fail to perform the functions usually attributed to sovereign authority. Neither are we intimating that integration in this sense refers to the attainment of a known permanent end-state. We have chosen a five year period in the history of Kenya as the basis for our analysis of integration -- 1961-1965.

CHAPTER II

THE SETTING: FROM COMPANY RULE TO CROWN COLONY

Although the greater portion of our dissertation deals with agitational politics, one needs to comprehend the political, economic and social structure of the setting within which the game was played. This calls for a short analysis of the formative years of British East Africa (later Kenya). The period prior to the establishment of "Kenya colony and Protectorate" (1920) falls into three sections" Company rule 1885-1895; East African Protectorate under Foreign Office jurisdiction 1895-1905; the Protectorate under Colonial Office 1905-1920.

The outline of the present boundaries of Kenya roughly coincides with the maturation of European ideas of the last quarter of the nineteenth century. Europeans, in a sudden spirit of altruism, came to the conclusion that their real mission was to introduce their civilization (in the form of their religion, trade, joint-stock companies, and government) into the "uncivilized," "savage," "dark continent." The Berlin Conference of 1885 solidified these ideas and made them operational. This "scramble for Africa" added new dimensions to classical imperialism. Imperialism became so all

inclusive that Langer has so accurately defined it as "simply the rule or control, oplitical or economic, direct or indirect, of one state, nation or people over other similar groups, or simply the disposition, urge or striving to establish such rule or control."[1]

In the 1880's as during the Napoleonic wars, that political animal par excellence, the Briton, once more exhibited one of those qualities characteristic of him, i.e,, that he allows his political action to be determined not be self-interest but by morality, by an active sense of what is right and wrong.[2] That venerable Irishman, George Bernard Shaw, writing in 1896, detected this crusading spirit when he made Napoleon remark that

> . . . every Englishman is born with a certain miraculous power that makes him master of the world. When he wants a thing he never tells himself that he wants it. He waits patiently till there comes into his head, no one knows how, the burning conviction that it is his moral and relitious duty to conquer those who have the thing he wants. Then he becomes irresistible. Like the aristocrat he does what pleases him and grabs what he wants; like the shopkeeper he pursues his purpose with the industry and steadfastness that come from strong religious conviction and deep sense of moral responsibility. He is never at a loss for an effective moral attitude. As the great champion of freedom and independence, he conquers half the world and calls it Colonization. When he wants a new market for his adulterated Manchester goods, he sends a missionary to teach the natives the gospel of peace. The natives kill the missionary; he flies to arms in defense of Christianity;

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[1]William L. Langer, The Diplomacy of Imperialism, 1890-1902 (2nd ed. rev.; New York: Alfred Knopf, 1960), p. 67.

[2]Leonard Woolf, Empire and Commerce in Africa: A Study in Economic Imperialism (London: Labour Party Research Department & George Allen & Unwin Ltd., n.d.), p. 230.

> fights for it, conquers for it; and takes the market as a reward from heaven . . . . There is nothing so bad or so good that you will not find an Englishman doing it; but you will never find an Englishman in the wrong. He does everything on principle. He fights you on patriotic principles, he robs you on business principles, he enslaves you on imperialistic principles, he bullies you on manly principles, he supports his King on loyal principles, he cuts off his King's head on republican principles. His watchword is always duty; and he never forgets that the nation which lets its duty get on the opposite side of its interest is lost.[3]

Company Rule

In 1885 no European State held or owned an inch of the vast region soon to be known as British East Africa. The complete destruction of African sovereignty and independence, and the complete absorption of land and population into the imperial system of Europe, took less than a decade. Thus, simultaneously with the Berlin Conference, to quote the Secretary of State for Foreign Affairs, "some prominent British capitalists" gathered in London to found an association which is largely responsible for creating and maintaining the British sphere of influence in East Africa.[4] The East African Association became the Imperial British East Africa Company on April 18, 1888; on September 3rd it received a Royal Charter authorizing the Company to "administer and exploit the territories for which it held, or should obtain, grants and concessions whether from the Sultan of Zanzibar or chiefs and tribes

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[3] The Man of Destiny in The Complete Works of George Bernard Shaw (London: Constable & Co., Ltd., 1931), p. 171.

[4] Frederick D. Lugard, The Rise of Our East African Empire (2 vols.; Edinburgh & London: William Blackwood & Sons, 1893), II, chap. 42.

'with a view of promoting trade, commerce, and good government.'"[5]

With the formation of this august capitalist body begins Kenya's formative history. The composition of the Company's board of directors is significant in that it set a precedent for the aristocratic flavor so characteristic of colonial society. The renowned board members included a Marquis, a Field-Marshall, three Generals, and several other prominent imperial agents decorated (or soon to be decorated) in recognition of services rendered to the development of British interests in Africa.

But the history of the first ten years is not, in retrospect, so famous. The Company was so embroiled in noncommercial affairs that it promoted very little trade. The military, political, and diplomatic matters took prominence. The Company's personnel spent its evergies and funds organizing military expeditions and setting up fortresses against natives who were so impudent as to challenge "its authority." At the end of these campaigns, these financiers and traders had acquired for the Empire an immense stretch of some of the most valuable territory in Africa. The price of this acquisition was financial loss to themselves

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[5]Woolf, Empire and Commerce in Africa, p. 252. There is, of course, no mention of attempts by the British Government nor the capitalists to find out the wishes or attitude of the populations concerned, whether they were or were not willing to exchange the rule of the Sultan and chiefs for that of Sir William Macknnon's company. (Sir William was Chairman of the Company from 1885 until his death in 1893, and was the founder of the British India Steam Navigation Co.) In the future, nationalists used this as one of their strong arguments agaisnt colonialism.

and a considerable amount of bloodshed to the Africans. Captain Lugard, himself an invaluable empire builder, did not hesitate to acknowledge the necessity of shedding blood for a worthier cause: "The introduction of law, order, and restraint into a savage country, is necessarily accompanied at times by strong measures, involving perhaps war . . . with its attendant suffering, to many who are not the principal offenders." Lugard continues to defend himself against his critics by pointing out that he killed far fewer Africans in Uganda than General Gordon killed in the Sudan.[6]

The Company vigorously campaigned in Britain (largely through the Press and speeches by some of its leading personnel like Captain Lugard) for public support for its noble programs. The influential Times of London was the Company's medium of public opinion molders. Once it bluntly stated the fact: "Whether we like it or not, the British East Africa Company must be identified for all practical purposes with national policy." It is not, therefore, surprising that the bankrupt company received compensation for all this endeavor from, among others, the Church Missionary Society, active in East Africa.[7]

It is not necessary for us to go into the diplomatic deliberations in which the Company was involved. We must allude to one

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[6]Lugard, Rise of Our East African Empire, II, p. 256.

[7]The C.M.S. paid the Company £250,000! Sir Thomas Fowell Buxton, a member of the Company's directorate, was also the Vice-President and Treasurer of the C.M.S. Religion, trade and politics were not strange bedfellows in these formative years.

aspect of this diplomacy which has become significant only in recent history. It is the importance attached to the treaties signed (contracted) by Company officials with native chiefs and other rulers, including, to a lesser extent, the Sultan of Zanzibar. Such "treaties" abound upon which the Company established its claims to the territory between the coast and Uganda. One such treaty appeared in Sessional Paper on Africa No. 4 (1892). As reproduced by Leonard Woolf, it reads

> "'Treaty No. 63.
> Done in Arabic and English
>
> "'M'Boli, Chief of Ivati, Ukambani, hereby declares that he has placed himself and all his territories, countries, peoples, and subjects under the protection, rule, and government of the Imperial British East Africa Company, and has ceded to the said Company all his sovereign rights and rights of Government over all his territories, countries, peoples, and subjects, in consideration of the said Company granting the protection of the said Company to him, his territories, countries, peoples, and subjects, and extending to them the benefit of the rule and Government of the said Company. And he undertakes to hoist and recognize the flag of the said Company.
>
> "'As witness his hand at Ivati, this 4th day of August 1889.'"[8]

The validity of such treaties was challenged during the nationalist period (agitational politics). But the controversy has raged more (especially as it affects International Law) following independence. The fundamental source of International Law -- treaties and other international agreements -- is being

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[8]Woolf, Empire and Commerce in Africa, p. 239

challenged.[9]

The Company's campaigns for favorable public support were not all that successful. From the time it was granted the Royal Charter there had emerged a vocal minority opposing its aims. Its methods of administration brought demands for government's intervention. After five years the Comany had not only failed to establish an administration and a government (in conformity with Charter provisions) but had also failed to pay dividends. By 1893 it was so bankrupt financially that it had to be deprived of its Charter and its territory. Thus, preoccupation with territorial aggrandizement (acquiring more territory than originally provided for in the Charter) resulted in (1) the failure to develop bases for commercial exploitation and (2) the failure to establish proper administration and government.

This, in turn, led to the government assuming direct control of British East Africa. Although the British Government had been rather hesitant in taking this step, the report issued in 1893 finally precipitated the change. Sir Gerard Portal had been commissioned to inquire into all aspects of Company rule.

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[9]Africans, as other developing polities, have argued that these treaties were signed under duress and, therefore, were not valid or binding. R.P. Anand of the World Rule of Law Centre of Duke University's School of Law discusses this and other aspects in "Attitude of the Asian-African States Toward Certain Problems of International Law" in International and Comparative Law Quarterly, XV, (1966), 55-75. The ramifications of it were felt during the last stages before Kenya became independent, i.e., in the tripartite negotiations between the Sultan, Britain, and Kenya leaders over the ten-mile coastal strip historically known as Protectorate.

His report contained severe criticism of the Company's methods. He summed up his findings thus:

> Without wishing to criticize, and still less to blame, the company's methods of government, the history of British East Africa for the last five years, and its present condition show us clearly that the experiment of combining administration and trade in the same hands has proved a failure, so far as this part of Africa is concerned; and the sooner this system is discontinued the better it will be for native races, for British commerce, for Zanzibar, and, as I believe, for the Company itself.'"[10]

Foreign Office Jurisdiction

On the basis of Sir Gerard Portal's recommendations, the British Government in June 1894, announced its decision. First, it was not going to pay the Company more than £250,000 for its possissions and improvements. Second, the Company was to surrender both the Charter and the Concession. The temporary failure of economic imperialism culminated in the proclamation (of June 18, 1895) creating the British East African Protectorate.[11] The course of history was not radically altered, however. The affairs of the territory were placed temporarily under the Foreign Office. This action was merely a prelude to opening up East Africa for colonization. The Imperial Government's officials were by no means new faces. When the Government first took over the vast territory, it engaged, as salaried servants of the Crown, a large number of the Company's officers.[12]

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[10] Woolf, Empire and Commerce in Africa, p. 300.

[11] Ibid., p. 302.

[12] W. McGregor Ross, Kenya From Within: A Short Political History (London: George Allen & Unwin Ltd., 1927) p. 277.

Whitehall was not just content with establishing systematic administration. "Feasibility" studies and exploratory travels were undertaken, aimed at encouraging European settlement. In 1893 Captain Lugard had written of other more important motives for the British going to East Africa than those of introducing "civilization, peace, and good government. [and abolishing] the slave-trade . . . ." He was convinced that East Africa would be useful in providing for "our ever-growing population -- either by opening new fields for emigration or by providing work and employment which the development of oversea-extension entails -- and to stimulate trade by finding new markets."[13]

Lugard was not alone in predicting the significance of East Africa to Britain. Chamberlain, then Foreign Secretary, saw the extension of the Empire as advantageous to the working men of England: "'Your hope of continuous employment depends upon our foreign commerce, . . . I say that the future of the working classes of this country depends upon our success in maintaining the Empire as it at present stands, and in taking every wise and legitimate opportunity of extending it.'"[14] Finally, from the London Chamber of Commerce report of 1893 we get a picture approximating the reality of the period 1895-1920. It was, we might add, a statement which was approvingly quoted by Captain Lugard:

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[13]Lugard, Our East African Empire, I, pp. 381-381. Lugard also emphasized this theme by hinting at colonization. See Ibid., pp. 487-488.

[14]Ibid., p. 381.

> New colonial developments cannot be expected to pay at once, but almost invariably they do pay in the long run. The uniform experience of this country from 1568 down to the present reign is, that colonies amply repay the first expenditure in blood and money.[15]

In order to (i) link the coast with Uganda, (ii) realize more systematic and economical colonial administration and (iii) open up the interior of the Protectorate, it became inevitable to improve the means of transportation. The railway (Uganda Railway as it came to be called) was, as Lugard put it, "a sine qua non for successful colonization." Lord Cranworth, one of the pioneer settlers, writing in 1912 observed that any writing on Kenya was incomplete "without reference to the line, if only for the fact that without it there would have been no colony,"[16] After six years and at a cost of £5,244,000, the railway line reached Kisumu on the shores of Lake Victoria in 1901.[17]

The Making of a Colony

Kenya's real colonial period dates back to 1903. It was then that the first allocation of land to European settlers took place. Second, the railway was handed over to the Protectorate government by the construction committee. Thereafter solicitations for more settlers were launched. To this end no better combination of factors could have been found anywhere. The settlers

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[16]Lord Cranworth, A Colony in the Making (London: Macmillan & Co., 1912), p. 192.

[17]Ross, Kenya From Within, p. 40.

"struck by the beauty of the scenery and climate and by the obvious fertility of the soil and abundance of labour, . . . thought to make it their home."[18] But the growth of the settler population was not without its political aspects. They demanded Colonial Office jurisdiction where they hoped for more sympathetic officials than had been the case hitherto at the Foreign Office.

Their demands were met in 1905 by the transference of the Protectorate to the Colonial Office. But this was only a first step. It was not long gefore the settlers began clamoring for constitutional advancement, eventually leading to self-government. The Commissioner for East Africa was redisignated Governor. Executive and Legislative Councils to advise him were created. These changes took effect in 1907. The settlers wanted and got the fertile regions reserved exclusively for European settlement. This controversial "White Highlands" policy continued unaltered unil 1960, when some Africans were granted land in the highlands.

The period between 1905 and 1920 is one (1) of considerable conflict between Europeans and Indians: (2) during which the British Government met the demands of the Europeans, often to the neglect of the other inhabitants of the territory: (3) of decidely rapid constitutional developments, albeit for one racial group. It is, in brief, a period in which colonial society solidified. The structure of society formed during these years persisted throughout the colonial era. We shall examine some of the ingreadients of

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[18] Lord Cranworth, op. cit., p. 76.

this society in the next chapter (Colonial Society).

Kenya: The Commissions Era

The 1923 White Paper was merely a prelude to a succession of commissions studying Kenya's problems. As asserted above, the Kenya Government was not about to safeguard native interests. But before examining some of these commissions we need to note the change in Kenya's political status after 1920.

Settler agitation for elective representation on the Legislative Council began only a year after its creation -- 1908. When this principle was finally conceded in 1919, it became necessary that the name of the Protectorate be changed. To have permitted such representation in a Protectorate seemed improper. The only solution lay in outright annexation of the territory -- a demand that the settlers had never stopped making -- to be governed like many other colonies as a Crown Colony. Legally the East Africa Protectorate was considered a foreign country until 1920. Even though its administration was handed over to the Colonial Office in 1905, the area and its inhabitants continued to be foreign. The British Crown had acquired, in part by certain treaties with its tribes, and more certainly by international agreement, certain rights and duties. This foreign power (Britain) acquired the <u>absolute</u> ownership of the whole of the land by merely behaving as its owner. Britain, the protecting power, exercised complete sovereignty from the beginning. Thus, the title of

Protectorate corresponded with nothing whatever in fact or law.[19] Treaty obligation under shich Britain ruled the Protectorate were abrogated when Kenya became a Crown Colony in 1920.[20]

There was also a technical need for change in name. After Britain became the mandatory power administering Tanganyika following World War I, her influence over the whole East African region was indisputable. It, therefore, became desirable to eliminate what Julian Amery, then Secretary of State for the Dolonies, called the apparent confusion arising from the application to a particular colony of a general geographical designation more appropriate to the whole of the territories under British Administration in East Africa.[21]

The Kenya (Annexation) Order in Council 1920 completed this process. From September 11, 1920, to December 11, 1963, the Protectorate was known as Kenya Colony and Protectorate, but otherwise administered as a colony.[22] When Churchill visited the area

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[19] Norman M. Leys, Kenya (London: Leonard & Virginia Woolf at the Hogarth Press, 1924), p. 81.

[20] Marjorie R. Dilley, British Policy in Kenya Colony (New York: Thomas Nelson & sons, 1937), p. 44.

[21] House of Commons, Debates, CXXXI, 5s (July 12, 14, 1920), cols. 1980-1981; 2393-2394.

[22] The Protectorate proper was a ten-mile coastal strip which had been recognized as part of the Sultan's domain since 1886. Administratively, however, the strip was completely united to the Colony. The Sultan drew from the British coffers an annual rental of £10,000. This area later became the centre of controversy as Kenya approached independence status. See infra, chap. viii.

in 1907 he was astonished that "a centre so new should be able to develop so many divergent and conflicting interests; or that a community so small should be able to give each such vigorous and even vehement expression."[23] In Nairobi, Churchill found, in miniature, all "the elements of keen political and racial discord, all the materials for hot and acrimonious debate."[24] The European-Indian conflict was "settled" in 1923. But other burning issues confronted the colonial and home governments: among these were the conflict between black and white; economic development (how to make the colony self-sufficient); native policy; immigrant races' association in the colonial government; and closer union of all British territories in East and Central Africa (Kenya, Uganda and Tanganyika; Northern and Southern Rhodesia, and Nyasaland).

These problems held the centre of interest of both politicians and policy-makers for about a decade. As some of them appeared near solution, gold was discovered in one of the most populous Native Reserves around Kakamega (1932-1933).[25] Each major issue became the subject of commissions of inquiry, select committees, recommendations and counter-recommendations. Although this practice continued into the 1950's, the real "commissions era" covered the years 1924-1936.

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[23]Winston S. Churchill, My African Journey (New York & London: Hodder & Stoughton, 1908), p. 21.

[24]Ibid.

[25]Dilley, op. cit., p. 18.

During the "commissions era," the sending of a commission to Kenya became a "byword and an object of sardonic amusement to the local population."[26] These commissions examined basically the same matters over and over again. We contend that the issuance of their reports served a very useful prupose -- the concealment of the real motives behind Government policies. Sir Charles Eliot, the first Commissioner (Governor) succinctly expressed this double behavior in private correspondence with the Foreign Office concerning land: "'No doubt on platforms and in reports we declare we have no intention of depriving natives of their lands, but this has never prevented us from taking whatever land we want . . . .'"[27] It did not take long for Africans to discover this hypocrisy.

In 1923 His Majesty's Government unequivocally announced a new policy asserting the paramountcy of the natives. Eight years later a Parliamentary Committee thought it safe to re-interpret the meaning of paramountcy: Paramountcy, to the Committee, meant "no more than that the interests of the overwhelming majority of the indigenous population should not be subordinated to those of a minority belonging to another race, however important in itself [an obvious reference to the European community]."[28]

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[26] Ibid.

[27] Stanley Diamond & Fred G. Burke (eds.), The Transformation of East Africa (New York & London: Basic Books, Inc., 1966), p. 109.

[28] Dilley, op. cit., p. 133. Dilley quotes the report of the Joint Parliamentary Select Committee on Closer Union in East Africa.

While of limited value as primary evidence of fact, the significance of these commissions lies in their composition and the people or groups of people whose testimonies they consented to hear and accept. We examine below the most significant commissions as they affected and/or were affected by agitational politics.

In August, 1924, a Parliamentary Commission (the Ormsby-Gore Commission) visited East Africa. In 1925 its Report of the East Africa Commission 1924 (cmd. 2387) was published. It was the first and most comprehensive report on closer union, land, and the operation of the trusteeship system. On closer union, settlers had been convinced that Kenya should be the nucleus of any federation. Lord Delamare believed that Kenya could become the centre of opinion and thought in East Africa, "with a civilising influence going southward to meet those radiating north from Rhodesia [and South Africa]." However, the majority of Kenya Europeans maintained that federation could not come until the elected unofficials controlled the Legislative Council.

This particular issue was further examined by another commission in 1927-1928. This Hilton Young Commission published its report -- Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa (cmd. 3234) -- in January 1929. The report is significant in several respects. First, it raised the problem of Kenya's political future by reiterating the 1923 declaration on the paramountcy of native interests. Second, it moderated Europeans' extreme demands by introducing a word that was to become the basis of imperial policy in multi-racial territories: partnership.

On elected majority the report was equally conclusive: there could be an unofficial majority in the Legislative Council "only if the interests of the native races were 'adequately represented' and Imperial control was maintained until the natives could take a share in government 'equivalent to that of the immigrant communities.'"[29] The settlers' dream of responsible government for themselves was brushed aside for the time being. (The unofficial majority on the Council had to wait until the Labour Government allowed it in 1958 although it is arguable that by then the Africans were adequately represented. They had four nominated members in the Legislative Council as against seven for Asians and eleven for Europeans, all elected.)

The conclusions of the Hilton Young Commission's report were the subject of discussion by a Joint Select Committee of Parliament which met intermittently from November, 1930, to September, 1931. Not unexpectedly, this Committee, in turn, recommended investigations into specific problems. In 1932, Lord Moyne was sent to study the financial structure, particularly the racial distribution of taxation and services derived therefrom; the following year Mr. Roger Gibb investigated railway rates and finance; the (Morris) Carter Land Commission looked into native claims and land needs (1933-1934); the Bushe Commission took up the problem of judicial administration and reorganization; and Commissioner

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[29] History of East Africa, II ed. Vincent Harlow and E.M. Chilver (London: Oxford University Press, 1965), p. 309.

Sir Alan Pim was sent to inquire into finance and taxation generally in 1936.[30]

The "commissions era" coincided with the embryonic growth of African agitation. The "Indian Question" having been settled (adversely for the Indian, of course), and Europeans having been denied their cherished goal of "self-government in the near future," the focus of attention in Nairobi and at Whitehall shifted to native affairs and agitation. More precisely, it shifted to the relationship between Europeans and Africans. Several of the commissions of inquiry had accepted testimony from some Africans whose names had largely been suggested by the colonial Government in Nairobi. The views of the leaders reflecting popular opinion were not entertained or, if entertained, never incorporated in the final reports. Even outstanding leaders like Jomo Kenyatta were generally denied a hearing.

These and other practices were reflections of colonial society. The structure and characteristics of Kenya society are discussed in the following chapter. This chapter has dealt, in the main, with

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[30]The composition of these commissions is striking. Two of them will illustrate the point. The Carter Land Commission comprised Sir Morris Carter, former Chief Justice of Uganda and Tanganyika; Captain F. O'B. Wilson, Kenya settler; and Rupert W. Hemsted, former administrative officer in Kenya. The Bushe Commission included Mr. H.G. Bushe, Legal Advisor to the Secretary of State; A.D.A. MacGregor, Attorney-General of Kenya; W. MacLellan Wilson, Kenya settler; E.C. Law, a judge in Uganda; and Philip Mitchell, Secretary of State for Native Affairs in Tanganyika. In 1944 he became Governor of Kenya as Sir Philip Mitchell and was the only man to hold that office for more than five years, his term lasting eight years.

the establishment of a Kenya Colony. The assertion of greater dominance by Europeans was sanctioned with the publication, on October 6, 1931, of the report of the Joint Select Committee of Parliament. The principle of native paramountcy had, by 1931, been supplanted by that of dual policy. Closer union of the East African territories was postponed. Finally, African political associations that had been functioning for almost a decade either faded away or were forced underground by the repressive colonial Government. These political movements will be analyzed in chapter four. But since the regime expressed the wishes of, and catered to, the dominant group in the colonial society, it is necessary to examine the pattern of this society. One of the consequences of its stratification was the rise of agitation politics.

CHAPTER III

COLONIAL SOCIETY

. . . There are two distinct standpoints from which I view the African.

As a spectator and student of social evolution, I see a people infinitely more wise than we. The absolute logic of their life bewilders our distorted minds. We can never learn to understand them. They soon see through us. We think them fools. They think us mad; and there is little question who is nearer the mark. They are happy. They want nothing. No man grows fat while his brothers starve. In absolute content they doze along their dreamy path of life.

In this light I love them and weep to think that we, the strenuous, the snob-ridden, the crude dross-hunting victims of a hideous mesh of blatant greed and misery meek, have ever crossed their path.

The other point of view is that of a man in their midst with work to do. We are dependent upon their aid. To assist us they must be moulded to our ways. But they do not want to be, and yet they must. Either we give up the country commercially or we must make them work; and mere abuse of those who point out this impasse can never change the fact. We must decide and soon. Or rather the white men of South Africa will decide. May history (the philosophy, [sic] which teaches by example) teach us at last to be discreet. I have seen too much of the world to have any lingering beliefs that Western civilization benefits native races. Socially, physically and morally its advent is their death-knell . . . . For sure as the tide, comes the moment when there is no longer room for both peoples to live their own individual lives; at that moment one must bow or leave the path.

I have small sympathy with the capitalist regime . . . . But it is the regime in which we live as yet, and till it top-heavy crumbles to the ground the native too must fall in line. We have stolen his land. Now we must steal his limbs. The setting apart of native reserves does but defer the issue. In time the white man will have all.

Ewart S. Grogan

Pluralism in Colonial Society

The concept of pluralism in political and sociological analyses was well developed by 1948 when Furnivall, a keen student of colonial societies, published Colonial Policy and Practice. He noted that all tropical countries had in common certain distinctive characters in their social structure that derive from a dual economy, capitalist and pre-capitalist, with a Western superstructure of business and administration rising above the native world. A plural society of the colonial type is, therefore, unique. Its medley of peoples -- European, Indian and native -- "mix but do not combine. Each group holds by its own religion/s̄ ʃ̄/, its own culture, and language/s̄ ʃ̄/, its own ideas and ways. As individuals they mix but only in the market place in buying and selling."[1]

In settler-dominated colonies, like Kenya, a new system was created reminiscent of the feudal era. The "squatter system" patterned after South Africa's added a new dimension to Furnivall's conceptualization of pluralism. As land under native occupation became scarcer, some Africans found an outlet on European farms. Under the system natives lived on land legally owned by Europeans and were liable to the exaction of rent in cash, in kind (crops) or in labor. Africans were given small stretches of land on which to grow their own crops and/or graze their livestock. During the late 1920's and the 1930's, however, this system which had gradually

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[1] J/ɔ̄hn/ S. Furnivall, Colonial Policy and Practice (New York: New York University Press, 1957), pp. 303-304.

been acceptable to both parties was disrupted.

Partly due to opposition from smaller farmers who wanted to carry the "White Highlands" policy to its illogical end, legislation curtailing the number of resident Africans -- the squatters -- was enacted in 1928. Settlers, who had played the role om improving landlords, were now required to be "farmers or nothing." As farmers, therefore, they preferred straightforward wage-labor to villein service that had been rendered since before World War I.[2]

In 1933 the Native Affairs Department reported that squatters on Sotik farms were proving a "source of embarrassment." The 2,000 squatters on these farms had over 25,000 head of stock. Londiani farmers rejected squatters owning livestock. They were commended by the Department which, in turn, requested other farmers to do the same: "It is hoped that other districts will follow this lead."[3]

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[2]History of East Africa, II ed. Vincent Harlow and E.M. Chilver (London: Oxford University Press, 1965), p. 257. By 1928 the number of squatters had reached 112,000, of whom 33,000 were adult males. When the system was discouraged, a hardship was created for these Africans. Thereafter, they lived and worked at the mercy of their employer. The Resident Labourers' Ordinance of 1937 further curtailed the privileges of these labour-tenants, especially in respect of grazing land. In 1938 the plight of squatters had decreased their number to 104,000.

[3]Kenya Colony and Protectorate, Native Affairs Department, Annual Report 1933 (Nairobi: Government Printer, 1934), p. 108. Such actions by other districts led to the famous Kambe tribesmen marching on Government House in 1938 to protest reduction of their cattle. Kenyatta, then in England, carried their cause to the British people through the press.

Such policies created bitterness among the already oppressed. One colonial administrator expressed it thus:

> Whether it be by appropriation and dispossession in favor of immigrants or whether it be by ordinance declaring all lands Crown Lands, a specious but dangerous policy, the sense of insecurity at once creates a feeling of distrust and marks a definite cleavage between the native and the white. The white is looked upon as an usurper, the black feels himself relegated to a position of landless serfdom, and gradually acquires a serf mentality and a consequent lack of confidence which inhibits any spiritual growth.[4]

Whether before or after 1928, the European-African relationship approximated that between master and slave. Different sections of the colonial "community" lived side by side, but separately, within the same political unit. Even in the economic sphere there was a division of labor along racial lines.[5] The emphasis here is primarily on the political and, secondarily, on the racial aspects of this community.

Plural communities are political societies by reason of the very great dominance of the political over all other institutions and settler interests stimulated the settlers to a more intense political involvement as they strove, incessantly, for self-government status. Although Britain denied them this status, they, nevertheless, exercised appreciable de facto political control.[6]

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[4]J.H. Driberg, The East African Problem (London: Williams and Horgate Ltd., 1930), pp. 55-56.

[5]Furnivall, Colonial Policy and Practice, p. 304.

[6]Our insight into this particular conception was influenced

The racial characteristic in these societies is not, in itself, an essential prerequisite to their establishment. It is the social and political consequences derived from the cultural meanings associated with racial differences that are important. The features unique to white settler societies like Kenya had their source in the conditions of European colonization, in the political philosophies or ideologies of the colonial powers (which led to the various colonial policies they formulates), and "in the manner in which structural use was made of the racial identity in the constitution and government of colonial societies."[7]

Interpretations of cultural differences -- so central in the philosophies and ideologies of colonization -- affected Kenya's history: Indians were systematically relegated to second-class citizenship and Africans became and continued to be third-class citizens in their own country. A belief in the civilizing mission of the colonial power was sustained by such interpretations. Settlers saw themselves as carriers of higher values of white civilization to the "culturally" inferior peoples of Africa, and justified therefore in exercising domination. This cultural difference

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greatly by Leo Kuper's paper on political change. See his "Political Change in White Settler Societies" (unpublished paper, Interdisciplinary Colloquim, University of California, Los Angeles, March, 1966), pp. 2-6. Whereas other authors on plural societies have strongly emphasized the racial aspect, Kuper contends that it is the rationalizations about race that have affected political structures in those societies.

[7] Ibid., p. 3. Emphasis added.

provided a rationale for a qualified franchise under such formulate as the vote to all "civilized" persons, i.e., educational qualifications; wealth derived from a money economy -- each having been obtained with the education in the alien standards as a prerequisite; urbanity -- a mark of partaking of the civilized values.[8]

Rationalizations of Cultural differences extended to the whole social relations between the communities: (1) in labor relations, to justidy taxation, or low wages under a "civilized" labor policy (à la Grogan), or compulsory labor; (2) in commerce, to restrict competition and to control and expropriate (Africans were not allowed to grow cash crops like coffee, tea); (3) in residence, to segregate, to discriminate in provision of amenity, and to exclude from desirable localities.[9]

Europeans

We have hinted all along at the existence of a European community or settler community. We prefer the former term which included colonial administrators, businessmen and, of course, settlers. For a majority of Kenyans, European was synonymous with

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[8]This relationship was similar to that between Prospero as the embodiment of culture and Caliber, the depraved, uncultured knave of Shakespeare's The Tempest. Frank Kermode has written an excellent introduction to this play. See The Tempest, ed. Frank Kermode (Cambridge, [Mass.]: Harvard University Press, 1958).

[9]Kuper, op. cit., pp. 7-8.

white. Politically, one would assume, and rightly so, that colonial administrators -- as agents of the Crown -- were impartial to all communities (i.e., they sought first and foremost to create and maintain a balance among the disparate racial groups). This impartiality prevailed for a very brief period. By the time Kenya became a Crown Colony (1920), the distinction between officials and the settler community had become meaningless.

Administrators had made peace with the settlers (i) for the sake of simplifying their work, and (ii) in order not to be "exterminated," as E.S. Grogan put it. (Grogan settled in Kenya in 1904 and was instrumental in the introduction of pyrethrum. He later regretted that this insecticide could not exterminate bureaucrats as well as bugs. He hated officialdom with a passion. Short of that, extermination meant: premature transfer from the colony, delay in promotion to higher rank, or forced resignation.) By 1925, for example, the European settler influence on Government officials was unquestionable. The official majority in the Legislative Council had ceased to have any separate identity for it contained "members with local training whose 'whole instinct' was to vote with the European elected [unofficial] members."[10] European unofficials referred to these European officials in the Legislature as "part of us" much to the annoyance of Indian and African representatives. This collusion continued well into the 1950's.

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[10]George Bennett, Kenya: A Political History (London: Oxford University Press, 1963), p. 59.

A former senior official once wrote that "the first consideration in the choice of Governors in East Africa is a man's ability to satisfy and serve financial interests in London and in Kenya."[11] The underlying assumption was that the prosperity of Kenya depended upon how fast, and to what degree, the colony absorbed European capital. Nearly all the Governors were sympathetic to the interests of settlers who were responsible for producing the bulk of the profits. The financial interests were thus entrusted to the Governors. While nominally under the control of the Colonial Secretary, they paid allegiance to the settlers. So did other officials. "Anyone, from the Governor downwards who was disagreeable to the amateur statesmen [settlers] of Kenya's political world, stood marked for destruction."[12] A few examples will suffice to substantiate the assertion that Governors were under the clutches of the "Political Machine" -- colonists' political associations. Commissioner Sir Charles Eliot and two of his immediate successors, Sir Donald Stewart and Sir James Hayes Sadler, strongly favored a policy of reserving the highlands for white settlement. Sir Charles persuaded white South Africans with money to accept grants of land in the Protectorate. He resigned over the issue of granting land to two prominent South

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[11]Norman M. Leys, Kenya (London: Leonard and Virginia Woolf at The Hogarth Press, 1924), p. 138.

[12]W. McGregor Ross, Kenya From Within: A Short Political History (London: George Allen & Unwin Ltd., 1927), pp. 256-257. Emphasis in original. This is not to deny that there were some officials who were consistently sympathetic to the native cause. This included the maverick, W. McGregor Ross, Director of Public Works. But he, too, was forced into retirement, at the age of 46[illegible]

Africans because the Foreign Secretary refused to approve the transaction.[13]

In 1906, under Sir James Sadler, settlers achieved a major constitutional demand, the establishment of a Legislative Council. Winston Churchill was to remark a year later that "never before in colonial experience has a Council been granted where the number of settlers is so few." In 1905 there were only 600 settlers! By 1926 the total European population had risen to 12,529. The high increase of permanent immigrants following the Second World War merely shows that there still were areas in the Highlands to be so populated. The availability of land to whites only started when Sir James approved the unfortunate pledge that "'it is not consonant with the views of His Majesty's Government to impose legal restrictions on any particular section of the community, but as a matter of administrative convenience grants in the upland area should not be made to Indians."[14]

Table 4 shows (surprisingly, at first) that some of the highest yearly figures of immigrants were registered at the peak of the Mau Mau emergency (1954-55).

The intention of the White Highlands policy had been to reserve them for the pure English blood. But for the purposes

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[13]Elspeth Huxley, White Man's Country: Lord Delamare and the Making of Kenya (2 vols.; London: Macmillan and Co., Ltd., 1935), II, pp. 125, 129. This is an excellent biography of Lord Delamare.

[14]Bennett, Kenya: A Political History, pp. 21-24. The pledge was initially made by Lord Elgin, then Secretary of State for the Colonies. Emphasis added.

TABLE 4

EUROPEAN PERMANENT IMMIGRATION 1946-1960[a]

Year	European Population (Mid-Year Est.)	Permanent Immigrants
1946	24,900	3509
1947	27,500	5040
1948	30,800	6501
1949	33,800	4968
1950	36,600	3503
1951	38,600	3719
1952	40,700	4827
1953	42,200	4781
1954	47,900	4904
1955	52,500	5715
1956	57,700	4553
1957	62,700	3148
1958	64,700	2818
1959	66,400	3058
1960	67,700	2167

[a]L.H. Gann and Peter Duignan, White Settlers in Tropical Africa (Baltimore: Penguin Books, 1962), p. 165.

of rapidly settling these areas, Boers from South Africa were tolerated. So were British soldiers after both world wars. But, to borrow John Bright's illuminating phrase, Kenya was "going to be 'a gigantic storehouse of outdoor relief for the aristocracy.'"[15] The pioneer settlers included a goodly number of barons -- as the membership on the board of directors of the East African Company had portended -- some of whom later became absentee land owners. Lord Delamare who

[15]Ross, op. cit., p. 310.

had admiringly eyed this country during his travels alienated over 100,000 acres in the highlands. (European settlers owed so much to this one man in the pioneer spirit, the introduction of new methods of farming and stock raising, and in his agitation for self-government for the Europeans.)[16]

Other pioneers included Lords Hindlip, Cardross, Cranworth. Lord Cranworth later became an active member of the British House of Lords. Two points should be made in the manner of settlement. Leaders of the European community discouraged the immigration to Kenya by "poor whites" who, presumably, would have rendered ineffective the white civilization's goal of leaving a respectable imprint on native peoples: "As the population increases it is to be hoped that a poor white residuum will not appear. The experience of South Africa makes one apprehensive, for the existence of such a community is a serious manace to the prestige of the European, which is no unimportant matter."[17]

Indeed, the suggestion that English working class families be settled in Kenya -- in groups -- was not looked upon with equanimity by these gentlemen-settlers. However, their opposition was not as pointed as the one to Joseph Chamberlain's idea of creating a national home for Jews in Kenya. The influential

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[16]See Huxley, White Man's Country.

[17]C.W. Hobley, Kenya: From Chartered Company to Crown Colony (London: H.F. & G. Witherby, 1929), p. 223.

Planters' and Farmers' Association authorized their President, Lord Delamare, to cable Whitehall violently opposing such an offer to the Jews.[18] He also cabled The Times on August 28, 1903 expressing the same protest:

> Feeling here very strong against introduction alien Jews. Railway frontage fit for British colonization 260 miles. Foreign Office proposes give 200 miles best to undersirable aliens. Is it for this that the expensive railway was built and large sums spent on country? Flood of people that class sure to lead to trouble with half-tamed natives jealous of their rights. Means extra staff to control them. Is British taxpayer, proprietor East Africa, content that beautiful and valuable country be handed to aliens? Have we no colonists of our own race? Country being settled slowly surely by desirable British colonial settlers. Englishmen here appeal public opinion, especially those who know this country, against this arbitrary proceeding and consequent swamping bright future of country.[19]

In the same year (1903), Lord Delamare wrote a pamphlet on the subject entitled, The Grant of Land to the Zionist Congress and Land Settlement in British East Africa. But that was not the end of offers to Jews. The Balfour declaration was yet to come. Burke observes that instead of Britain "compensating African troops for service during the [Second World War] 3,300,000 acres of Kenya land was offered to the Zionists as a home for the Jews . . . . [Also] to British ex-servicemen but not to their African comrades."[20] Settlers also attempted to restrict (if not stop) Indian immigration as well.

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[18] Huxley, op. cit., I, p. 120.

[19] Ibid.

[20] See Stanley Diamond & Fred A. Burke (eds.), The Transformation of East Africa (New York: Basic Books, Inc., 1966), p. 208.

Sir Percy Girouard who succeeded Sir James Sadler, was very endeared to the settlers. For the first time the Colonial Office was confronted with a monolithic powerful combination of settlers and Governor. Lord Delamare informed the Governor that the disappearance of the division between settlers and officials had been effected during his (Sir Percy's) administration. Another lord, Cranworth, arrived at the same conclusion: "Under the present Governor the healing process was resumed, and at an even faster rate . . . . Now it may be said that ill-feeling is almost, if not entirely, obliterated."[21]

Sir Edward Grigg (later Lord Altrincham), asked in 1926 what the Kenya Africans thought of the ideas of "Closer Union" among the three British territories -- Tanganyika, Uganda and Kenya -- replied that "the African, of course, has no views at all."[22] Later, speaking at a dinner of the all-white Caledonian Club in Nairobi, he stated that the European request for progress towards self-government had his "instinctive sympathy." Examples of such closeness among the Europeans could be cited ad infinitum. Suffice it to record that the old triad of the Bible, trade, and the flag, was evident again in the colonial society. Missionaries, not to be left behind, joined the campaign to deprive the African

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[21] Lord Cranworth, A Colony in the Making (London: Macmillan & Co., 1912), p. 78.

[22] Norman M. Leys, A Last Chance in Kenya (London: Leonard & Virginia Woolf at The Hogarth Press, 1931), p. 3.

of most rights beyond mere existence. The two Anglican bishops and the head of the Scottish Mission in East Africa, for example, signed a memorandum favoring compulsory labor for the Africans. Stating that "labour must be forthcoming if the country is to be developed as it should," the prelates summarized their long memorandum thus:

> We believe that ideally all labour should be voluntary. We recognize that, at present, this is impossible, and that some form of pressure must be exerted if an adequate supply of labour necessary for the development of the country is to be secured. . . .
>
> . . . . . .
>
> We are strongly of the opinion that -- 1. Compulsory labour, so long as it is clearly necessary, should be definitely legalised.[23]

When Churchill visited East Africa in 1907 he found every white man in Nairobi a politician and most of them were leaders of parties.[24] The colonists' interests were, however, articulated through a succession of political associations led by pioneers like Lord Delamare and the colorful Captain (later Colonel Ewart Scott Grogan.[25]

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[23]Leys, Kenya, pp. 397, 403. Emphasis in the original. See appendix II for the entire memorandum of the Bishops.

[24]Winston S. Churchill, My African Journey (New York & London: Hodder & Stroughton, 1908), p. 21.

[25]Norman Wymer, Grogan's nephew, records an exchange

These associations federated into the Convention of Associations in November 1910. The Convention was dubbed the "Settlers' Parliament." This was not without justification for many problems pertaining to the settlers, and to the European community in general, were discussed by the Convention first before being formally presented to the Legislative Council by their representatives. It was common to find strong resolutions framed by the Convention on burning questions like land, labor, and race relations. (The Convention even went to the extend of requiring government officials to attend its meetings and to submit reports on their respective departments.)

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between Grogan and his fiancee's stepfather fromwhich the idea of traversing Africa materialized: "'You have the audacity to talk of marriage!' he shouted at Grogan. 'My dear sir, do you consider yourself in a position to marry? Sent down from Cambridge! No job! Forgive me, sir, if I say that I do not consider you worthy of my stepdaughter. Go off and do something worthwhile before you think of marriage.'" See Wymer, The Man from the Cape (London: Evans Bros., Ltd., 1959), pp. 31-32.

The young Cambridge University graduate undertook, and successfully completed, the difficult feat of crossing Africa from the Cape to Cairo (1898-1899). Grogan not only won for himself a wife but also fought the Boers and the Matabele during the Anglo-Boer war, and later the Germans during the First World War. He settled in Kenya in 1904 and became President of the Colonists' Association in 1907. He was elected First Chairman of the Convention of Associations. The idea of this central body to which all associations could belong was Grogan's Ross, Kenya From Within, p. 182, said of the Convention: "In modern parlance it is the colony's 'Big Noise.'" This is the Grogan who described himself in colonial politics as the "baddest and the boldest of a bold bad gang.'" See Burnett, Kenya, p. 32.

This brief excursus has demonstrated that in Kenya politics the use of the term "European" community is more appropriate than "settler" community.

Indians

Kenya's colonial society was a three-layered one. Europeans--as the dominant minority -- formed the upper class. Indians occupied the middle rung economically as well as politically. At the bottom of the political and economic ladder were the Africans.

Since the days of railway construction, the terms Indian and Asian were used interchangeable. Historically, politically, socially and economically, they were treated as a single community until the consequences of partition of the Indian subcontinent in1947 reverbrated upon Kenya politics. Religious differences manifest since 1931 were finally politicized. Beginning with 1948 political representation in the Legislature was based, primarily, along religious lines. Muslims and non-Muslims (predominantly Hindus) were alloted separate seats. Europeans, who, for some time had considered Hindus less friendly to them, supported the idea of special seats for the Muslim "community."[26] Bennett suggests as the reasons for European support the growing

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[26]According to the 1948 census, the Asian community consisted of 45,238 Hindus, 27,583 Muslims, 24,174 Arabs and 10,621 Sikhs. See Diamond & Burke, Transformation of East Africa, p. 86.

ties between Hindus and African leaders.[27]

However, to the African rank and file, this distinction was academic. Indians or Asians represented, in their minds, the same phenomenon: economic exploitation of the African, especially in trade (commerce), and in white-collar jobs. Therefore, unless a specific meaning is intended, we shall refer to this group as the Asian community, while acknowledging Stephen Morris' observation that "the Indian community as such was frequently a polite fiction" particularly after 1947. The Asian community in Kenya has three derivations: (1) descendants of the merchants who remained on the coast throughout the period of Arab rule and influence; (2) Hindus who opted to settle in East Africa after their term of service as indentured labor for the Uganda railway; and (3) immigrants who, by virtue of contacts with resident Indians, had entered East Africa during the colonial period.[28] Indians were very assertive from the time the traders were encouraged to move farther inland from their coastal enclaves and ever since

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[27]Bennett, op. cit., pp. 107-108. This connection was not new. It had been alleged by Europeans as far back as 1922 that Harry Thuku's movement had been financed by Indians. (Hindus). During the thirties Isher Dass, the Indian leader, helped Africans in their organizational efforts.

[28]Stephen Morris, "Indians in East Africa: A Study in Plural Society," British Journal of Sociology, VII (1956), 195,197

the railway construction workers (coolies) were given the alternative of remaining permanently in East Africa. But this was a time when the European community was composed almost entirely of officials, missionaries and businessmen. The Government itself was favorably disposed towards Indian settlement. Prior to 1920, the political game was played as if Europeans and Indians were the only residents of British East Africa. They might as well have been since African "organized" political agitation lulled until 1921.

The assertiveness of the Indians and of the settlers could not fail to lead to a confrontation. The conflict started early but a showdown was postponed by external forces -- World War I. The recommendations of high officials that the interior of East Africa be opened up for European settlement created suspicions and resentments among the Asian community. In 1905 Lord Delamare headed a Land Commission created to investigate and make recommendations concerning land laws, and settlement as a whole. Its report of April 4, 1906 became the offical British Government policy on land. As approved by the Colonial Secretary, Lord Elgin, it laid down clearly that "'considering that only a comparatively small area of the Protectorate is suitable for European settlement and colonisation, it is desirable that land within the area [Highlands] should be reserved for the support and maintenance of a white population.'"[29] This declaration of

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[29] Ross, Kenya From Within, p. 304.

policy prompted Indian leaders to call a mass meeting of Indians (April 1906) "to consider their rights and to protest against discrimination."[30] Open conflict had begun. They were now demanding equality of treatment with Europeans. Disclaimers notwithstanding, Lord Elgin's pledge remained the Imperial policy until 1923.

Indians brooded over the white Highlands policy and other discriminatory measures through the war years. By the outbreak of World War I, the unofficial side of the Legislative Council was still in minority, nominated, but all white. After the war, Europeans soon attained a significant step in constitutional advancement they had been pressing for since 1907 when the Legislative Council first met. Partly in recognition for their contribution to the war effort they were granted an elective Council with universal suffrage. The first elections were held in 1920.

Meanwhile, in 1918, the report of a local Economic Commission of Enquiry (dubbed the Comic Commission) into post-war development was published. It contained very unsavory references to the Indians and even advocated strict control of future immigration from India. The report merely added to the feeling of bitterness among the Indians who immediately renewed their pre-war demands

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[30]Marjorie R. Dilley, British Policy in Kenya Colony (New York: Thomas Nelson & Sons, 1937), p. 142. A second edition of this classic study of British colonial policy by an American scholar was published by Barnes and Noble in 1966. It includes a useful bibliography on Kenya since 1937 by Marion E. Doro.

for equal rights with Europeans. This time they were supported actively by the Indian Government and the India Office in Whitehall. European-Indian tensions focused on five issues: (1) urban residential segregation; (2) property restrictions outside urban areas; (3) immigration regulations: (4) political representation; and (5) restricted access to public facilities. These were spelled out on two other occasions besides the "Comic Commission" report.

First, in 1919, the annual meeting of the Convention passed several resolutions requesting the British Government to declare forthwith that

> The right of self-determination rests with the European Government of this country acting for the Europeans and in trust for the native peoples and should ask the Secretary of State to rule that the position should not be prejudiced by giving any system of franchise to Asiatics nor by allowing them to acquire land except in townships on short leases, nor by the employment of Asiatics in Government work and that steps should be taken at once to restrict Asiatic immigration in order that this stronghold of European Colonization in Central Africa may stand beside her sister Colonies [a probable reference to Australia, South Africa and Southern Rhodesia] in their Asiatic policy.[31]

Two months after this resolution had been passed, General Northey, the new Governor, granted an interview to the Nairobi Indian Association. He drove the point home: "that 'the principle had been accepted at home that this country was primarily for European development, and whereas the interests of the Indian would not be lost sight of, in all respects the European must predominate.'"[32] Indians decided to challenge European privileges

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[31]Ross, op. cit., pp. 323-324.

[32]Ibid., p. 327.

on all but the last issue (discrimination in public facilities).

The interracial conflict that ensued was surpassed in intensity only by Mau Mau in the 1950's. The Under-Secretaries of State for India (the Earl Winterton) and for the Colonies (Edward Wood) opened protracted discussions in an attempt to reconcile the racial differences on all the points at issue. In September, 1922, the outcome of the negotiations were cabled to the Kenya Government in the now famous (notorious?) "Wood-Winterton report." These proposals, while retaining the white Highlands policy, suggested that restrictions on urban accommodations and immigration be eliminated and that a common electoral roll qualified only by educational and property tests be instituted.

Before these recommendations could be discussed by the Kenya Government (and Legislature), the contents were "leaked" to the press and the storm fell. Settlers were outraged by any proposals that reversed the European economic and political primacy. They went into a frenzy. Public meetings all over the colony were called to discuss probable courses of action. Resolution after resolution warned that if the colonial Government granted Indian claims, Europeans would prevent, by all means necessary, the implementation of the decision. According to them, this necessary action would have included a coup d'état.[33] Charges of imperial expansion against India were heard. (The India Office had pressured the Colonial Office into publishing the

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[33] Ibid., chap. xxi, "The Coup d'Etat That Was Not Needed."

Wood-Winterton report.) The panic-stricken community was fed with slogans similar in content to the cablegram addressed the previous year to Queen Mary by European ladies in Nairobi imploring her "'assistance to protect us and our children from the terrible Asiatic menace that threatens to overwhelm us.'"[34]

One thing was clear -- Europeans rejected the Wood-Winterton proposals outright. A new formula had, therfore, to be worked out to avert a racial crisis. The following year (1923) the British Government reversed themselves after "further re-examination of the matter." A White Paper, Indians in Kenya, finally "solved" the conflict: (1) it denied Indian demands for a common roll in preference for communal representation on the Legislative Council; (2) it refused to reconsider the Highlands policy (i.e., of reserving the Highlands for Europeans only); (3) it reaffirmed the principle that racial segregation was to be adhered to in residential and commercial areas.[35]

Europeans had won the conflict. Indians, having been denied the ideal of social equality with Europeans, resigned themselves to alien second-class citizenship. They were now to play the "middleman" in politics, economics and society as a whole. But not before they had considered alternative ways of protest. The radical wing of the East African Indian Congress had influenced the Congress into adopting a policy of non-cooperation. In 1924

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[34] Ibid., p. 348.

[35] Indians in Kenya. Cmd. 1922 (1923), p. 4.

Indians refused to pay any taxes although they gave that alternative up the following year. The 1923 White Paper had granted Indians elective representation on communal basis. They were to return five members as against eleven for Europeans. Having rejected the White Paper's recommendations, Indians boycotted the elections preferring representation by nominated members. However, they withdrew from the Legislative Council sessions in 1927, never to return until 1933.[36]

Africans

But of greater significance than the resolution of the "Indian Question" was the discovery of the vast majority of Kenya's population. The White Paper declared first, that

> Primarily, Kenya is an African territory and His Majesty's government think it necessary definitely to record their considered opinion that the interests of the African natives must be paramount, and that if, and when those interests and the interests of the immigrant races should conflict, the former should prevail.[37]

Second, in denying settler demands vis-a-vis the natives, the Paper asserted Whitehall's sole trusteeship on behalf of the latter and likewise refused to consider prospects for self-government in the near future. (Whites wanted self-government status as that granted to Southern Rhodesia around this time, 1923.) The Paper categorically stated that "in the administration of Kenya

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[36]George Bennett, "The Development of Political Organizations in Kenya," Political Studies, V (June 1957), 118.

[37]Indians in Kenya, p. 9.

Her Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust, the object of which may be defined as the protection and advancement of the native races."[38]

Neither the Colonial Office nor the Kenya Government had any intention of really primarily safeguarding native interests any more than they had safeguarded Indian interests. This hypocritical character was evident in the treatment of the "Indian Question." We saw policies formulated one year only to be reversed the following.

Throughout the colonial period Africans formed a community of the oppressed.[39] Its significance was always determined in relationship to that of the immigrant communities -- Europeans and Asians. If at the height of the European-Indian controversy the main bone of contention was social equality, if was in the economic sectors -- labor, taxation and land -- that European-African hostilities polarized. In both conflicts, however, the issues were often politicized. The failure to resolve each issue at the proper time merely led to an intensification of agitational politics.

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[38] Ibid. During the agitational period Africans often argued that Britain had failed to keep this promise.

[39] Before the advent of alien rule, the largest social, economic and political unit among Africans was the tribe. Sometimes the clan was the unit. To the average man, therefore, the concept of "African community" was slow in taking root. But there are enough common characteristics that justify their being discussed as a community right from the beginning of settlement. Their treatment, by Europeans and Asians, as a distinct community to which communal rather than individual justice was to be rendered, fostered this community spirit.

Relations between Europeans and Africans were strained right from the early years. The primary reason can be found in the logical theory advanced by Europeans that in order to realize the goal of European settlement -- prosperity and the good life -- the native had to be induced to work European farms. No less a figure than Governor Sir Percy Girouard was to assert that taxation was the only possible method of inducing natives to come out of their areas to work for Europeans. We examine here the methods used to validate this theory.

Settlement in Kenya altered the classical pattern of colonial settlement. The colonists were not going to do the labor themselves as their kin had done in America, Australia, Canada or New Zealand. Earlier it had been thought that the climate was not suitable for settlement. Hobley, a former company (and later colonial) official, believed that the European's role would be supervisory only: "Taking East Africa as a whole, the natural role of most of the Europeans working on the land will probably be that of supervisors of native labor, and there is, at present, ample opportunity for all."[40] He was supported by Lord Cranworth, himself a landholder, who wrote that Kenya was "essentially an overseer's country."[41]

The racial element and place of origin added a new dimension to Hegel's theory of the relationship between lord or master

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[40]Hobley, Kenya: From Chartered Company, p. 223.

[41]Lord Cranworth, A Colony in the Making, p. 185.

(European) and bondsman of slave (African). The racial element which proved rather significant in agitational politics has spilled over into the present.[42] The conflict between master and slave was intensified by the fact that both did not share the same cultural orientations. The basis for the Hegelian synthesis that emerges from the conflict of the opposites was, therefore, lacking. (It must be added that what is being done in independent Kenya -- creating a society out of disparate groups -- is unparalleled in emerging polities.)

According to Hegel, the servent qua servant exists only for the sake of the master. He exists only in a dependent capacity. The servant's "essence is life or existence for another."[43] The European is the power that dominated the existence of the African. The reduction of the African to a state of dependence was a calculated one, accomplished through (1) compulsory labor; (2) taxation; and (3) depriving the African of his land and dictating the crops he could or could not grow on the remaining meagre acreage. The wage structure and scarcity of land were both linked to the imposition of taxes on the African. Even the squatter system had the

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[42] I.e., integrative era in which racial overtones are not uncommon: "Africanization" policy rather that "Kenyanization" of the civil service, industry, and the professions. Note the exodus of Indians and Pakistanis from Kenya.

[43] George W. F. Hegel, The Phenomenology of Mind, trans. J. B. Baillie (2nd ed.; London: George Allen & Unwin Ltd.; New York: The Macmillan Co., 1931), p. 234.

characteristics of forced labor.[44]

Compulsory labor

As early as 1902 Captain Grogan had declared that a "good sound system of compulsory labor would do more to raise the native in five years than all the millions that have been sunk in missionary efforts for the last fifty." He favored compelling the native "to work so many months in the year at a fixed and reasonable rate, and call it compulsory education, as we call our weekly bonnet parades church . . . . Thereby the native will be morally and physically improved; he will acquire tastes and wants which will increase the trade of the country."[45]

By "reasonable" Grogan meant that the first essential in opening up a new country in Africa was for the Administration to fix a rate of pay, and make that rate a very low one.[46] Missionaries, too, endorsed this idea of compulsory labor. Grogan's ideas were incorporated in the labor policies of the colonial Government

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[44]Under this system, an employee and his male dependents over sixteen were each required, by law, to work for the master for 180 days in a calendar year. The Resident Natives Ordinance of 1918 required natives living outside their reserves to sign a work contract of not less than a year. Raymond Buell observed that "under any system which requires a native and all the male members of his family over the age of sixteen to work at least half the year for a European farmer in return for the right to use land, a feudal system involving elements of involuntary servitude is likely to develop." See The Native Problem in Africa (New York: The Macmillan Co., 1928), I, pp. 325-326. In 1926 the Convention demanded changes in the law to require a squatter to work for nine months a year for the European. Ibid., p. 327.

[45]Grogan & Arthur H. Sharp, From the Cape to Cairo: The First Traverse of Africa From South to North (London: Hurst & Blackett, 1902), p. 366.

[46]Ibid., p. 368.

(e.g., the squatter system). On October 23, 1919, the Chief Native Commissioner, through the Governor, issued the famous labor circular accurately characterized by Ross as "the High-water mark of exploitation by a British Government in our times." Entitled "Native Labour Required for Non-Native Farms and Other Private Undertakings," the circular merely formalized a practice that had existed in one form or another since settlement began.[47]

The British Labour Party termed this treatment of natives the"new slavery."[48] There are examples of incidents in which Government officials collaborated fully with settlers in forcing natives, including boys of fifteen and sixteen, to work without pay as punishment for "desertion." This was done even after the initial contract -- six months -- had been fulfilled.[49] There were, of course, a number of Government officials who protested against this behavior. They must have concurred in what the Bishop of Zanzaibar said then, in 1919, he condemned forced labor as being "immoral." The Bishop concluded that "forcing Africans to work in

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[47]The entire circular and the missionaries' views on it are reproduced in appendixes I and II.

[48]British Labour Party, British Imperialism in East Africa, Colonial Series No. 1 (London: Labour Research Department, 1926). The Party asserted that the real struggle in East Africa was not between white planters and Indian merchants, but "between British capitalism and the African masses who have been robbed of their land and are now being robbed of their labour. As the process of exploitation goes on,, . . native labour will be used in factories under slave conditions such as already exist on the railways and plantations." Ibid., p. 60.

[49]Ross, Kenya From Within, pp. 112-114.

the interests of European civilization is a betrayal of the weaker to the financial interests of the stronger race."[50]

Tax structure

Linked directly with the labor supply was the institution of hut and poll taxes for the natives. Kenya colonists reversed that famous American dictum, "No taxation without representation." Their slogan seemed to be: "Representation without taxation." The European community, which included a goodly number of settlers who had been induced to accept large tracts of land in Kenya, was not about to accept the financial responsibilities upon which good government depends. Europeans demanded elective representation while at the same time as they vehemently opposed direct taxation.

In modern societies the poor are expected to pay into the public chest much less than they take out. But in Kenya they paid more and got less. Driberg objected to natives being taxed for the sole benefit of the immigrant community and urged the State to distribute its services proportionately to the contributions of the component elements. The Chief Native Commissioner, giving testimony to the East African Commission of 1925 (Cmd. 2387), estimated the amount spent for exclusively native services in 1923 to be slightly over one-quarter of the taxes paid by them. Even in 1928 native education was not commensurate with native taxation.[51]

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[50] Ibid., p. 107.

[51] Driberg, The East African Problem, pp. 45, 56. The Chief Native Commissioner's evidence showed that the Akamba district had remained disappointingly undeveloped although it had paid L207,749 in direct taxes over a ten-year period (1914-1924). "'If we left that district tomorrow,' he concluded, 'the only permanent evidence of our occupation would be the buildings we have erected for the use of our tax collecting staff.'" Ibid., pp. 56-57, n. 1.

In 1924, the yield from such direct native taxes was £561,818 while that from Europeans amounted to less than £9,000. The figure below clearly shows who bore the tax burden.

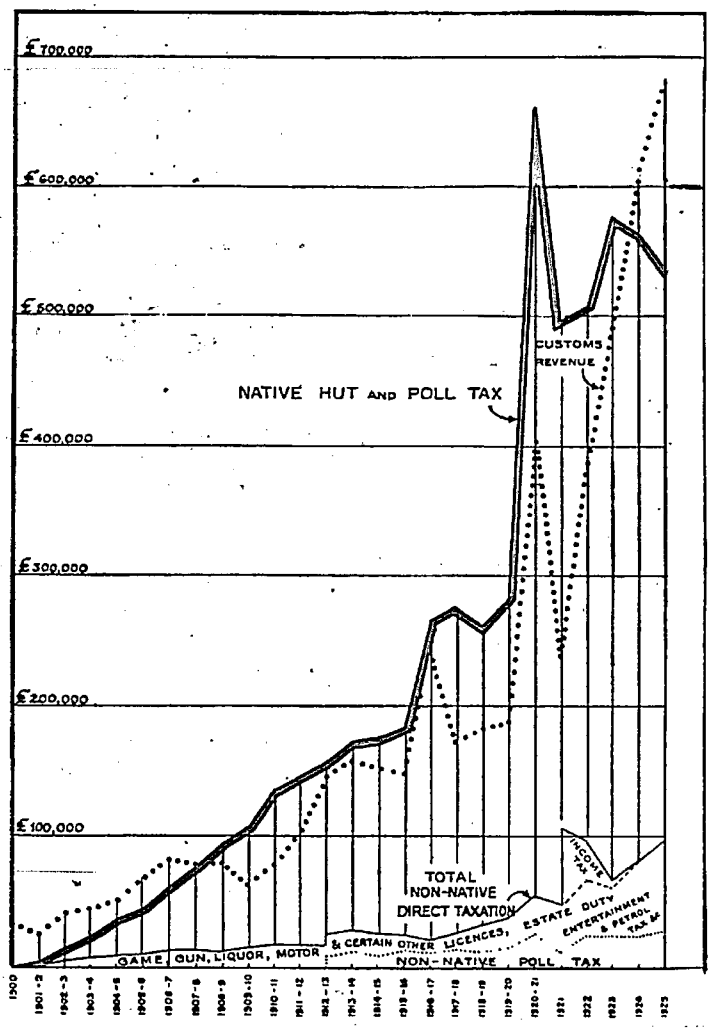

FIG. I.—NATIVE AND NON-NATIVE DIRECT TAXATION FOR A QUARTER OF A CENTURY IN KENYA. ALSO THE TOTAL CUSTOMS REVENUE FROM IMPORT DUTIES (AND EXPORT DUTIES UP TO 1922).

Although Income Tax was only levied for one year (1921) and then withdrawn, arrears, due for 1921, were collected in 1922 (£30,373), 1923 (£5,287), and in 1924 (£280).

Due to the fact that Europeans nowadays pay upwards of £100,000 a year as duty on intoxicants, the non-native contribution to Customs Revenue may, since 1921, be a trifle higher than the native contribution; but over the whole period of twenty-five years an overwhelming proportion of the Customs Revenue was derived from native sources.

> The total yield of native hut and poll tax represented above is L5,839,236. The total yield of the only non-native taxes of general application is L231,942 from poll tax and L231,942 from poll tax and L94, 654 from income tax.
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> (In the curve of non-native taxation, liquor, game and other licenses, etc., have been included in order to give the non-native community the benefit of every doubt as to their share of direct taxation. Actually, certain of these items represent payments to the State for very valuable privileges; and some authorities would exclude them from the category of direct taxation. Thus, the Parliamentary Commission in 1925 said: "The only direct tax on non-natives is a uniform poll tax of 31s." -- Cd. 2387. p. 175.)[52]

This pattern began to change only after political agitation on the part of Africans became more pronounded.

The extension of British rule to the native population had, of course, been premised on natives paying for the expenses of administration. Tax collection for this purpose proved to be a difficult task at first partly because Africans did not have enough money to pay in taxes. The settlers' demand for labor eased this problem. Cooperation between them and officials -- especially tax collectors -- was quite common. Farmers paid for labor in cash and the officials rested assured that tax money was available. It was inevitable that African laborers be uprooted from their own homesteads since the farms on which they sought jobs were hundred of miles away. The system of migrant labor, internal to Kenya, developed. Since it was not so easy for Africans to accept such jobs, pressure was employed to force able-bodied men to go and work for Europeans.

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[52] Ross, op. cit., pp. 145, 150-151.

Native taxation started when the levying of a tax not exceeding two rupees (2s. 8d.) upon every native dwelling was sanctioned. In 1901 this HuttTax was collected in three regions. Two years later the tax was raised to three rupees and extended to three more regions. By 1910 taxation had become general, collectable over the entire Protectorate. In 1916 this amount was raised to five rupees.[53] The idea for this increase was simply to compel more Africans to join the labor market. Between 1901-and 1914, labor was the real economic and social problem. Even though Africans had lost a lot of land through alienation, they still had plenty to live' on. Consequently, it took only one member of a family a few months to earn money for taxes and return to his village.

Therefore, the scarcity of labor could not be remedied by the economic theory of increasing wages in order to increase the s supply. In fact, the opposite would have occurred: fewer Africans would have earned enough money in fewer months to pay more than one year's taxes. The Hut Tax was aimed at heads of households. The labor difficulties of 1907-1908 led to increased demands for raising native taxes or introducing a new one.

The 1908 Labour Inquiry Board recommended a poll tax to be imposed on every adult male African.[54] In 1910 a poll tas of two

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[53]Dilley, British Policy in Kenya, p. 240/

[54]The only tax which affected natives and non-natives alike was a ten per cent duty on most imported foods excluding agricultural implements, seeds and plants, and livestock for breeding purposes. Ross, op. cit., p. 146. The three-man Board was chaired by one official with no "direct experience in the administration of natives and two settlers." Ibid., p 186

rupees for single males was approved by the Secretary of State. If a native worked for one month for an "authorized" person or for himself, his poll tax could be remitted. In May 1920, a bill was introduced in the Legislative Council providing for increasing native taxes: the hut tax to seven and one-half rupees and the poll tax to ten rupees. On the same day a bill for an income tax for non-natives was also introduced. Although both bills became law, what soon followed further demonstrated that natives shouldered the greatest financial burdens faced by the colony.

A European Taxpayers Protection League was formed to challenge the constitutionality of "direct taxation upon Europeans as long as the elected members did not control the Legislature." Lord Delamare often told audiences who refused to fill out their returns that they were perfectly justified for, he believed, "the tax itself is unconstitutional."[55] Europeans' organized anti-income tax campaign was so strong that in 1922 the income tax law was repealed. The natives who lacked organizations through which to protest, continued to pay their taxes.

In the mid-1920's Raymond Buell was to marvel at this practice: while Europeans were refusing to pay income tax, a farmers' association was urging the Government to increase the natives' taxes. The settlers' purpose was, of course, to relieve the acute labor shortage since they recommended remission of the tax for the native who worked a certain period of time for a European.[56]

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[55] Ibid., pp. 156-157.

[56] Buell, The Native Problem in Africa, I, p. 331.

Reduction of native areas

We have indicated the manner of alienation for the purpose of attracting a well-endowed, self-sufficient type of settler who would contribute substantially to the economic development of the colony. This policy which had necessitated reserving large tracts of land -- 1,000 acres of agricultural land or upwards of 5,000 acres of pasture -- to each applicant inevitably led to the designation of special areas for native residence.

For a while these areas were adequate in providing for the basic needs of the people. But as population increased, land therein became scarce. The result was the squatter system -- both voluntary and involuntary. Indirect pressure for Africans to become laborers was brought through their being limited in what they could grow. The cultivation of coffee, tea and cotton started early. A few Africans did develop a keen interest in growing them for market. When labor shortages developed, some European settlers toyed with the idea of stopping native production of these cash crops.

They feared that any improvement in the productivity of African agriculture would raise the price of labor. C. C. Wrigley quotes one of their more candid members as saying that:

> It stands to reason that the more prosperous and contented is the population of a reserve, the less the need or inclination of the young men of the tribe to go out into the field. From the farmers' point of view, the ideal reserve is a recruiting-ground for labour, a place from which the able-bodied go out to work, returning occasionally to rest and to beget the next generation of labourers.[57]

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[57]"Kenya: The Patterns of Economic Life, 1902-1945," in History of East Africa, II, p. 246.

To increase the supply of labor by preventing some group from growing certain crops was not strongly advocated before World War I. (But shortly after the war, legislation prohibiting natives from growing tea and coffee was enacted. It was not until the 1950's that Africans were allowed to grow coffee. This prohibition became a hot issue during the nationalist era.)

Many settlers preferred the alternative of reducing acreage in native reserves; of increased native taxation; and of native registration for the purpose of keeping a tab on "deserters." The Native Labour Commission of 1912-1913 heard evidence on all these points. Some officials recommended the opposite: increasing the amount of land in native areas to reflect the growing population. But the pressure was on land reduction: "Native Reserves should be reduced in area as the surest means of crowding natives out on the wage market," urged forty-nine witnesses.[58] The final report was noncommital. It "advised the 'demarcation of undemarcated reserves with a view to reserving sufficient land for the present population.'"[59]

The Commission's report did not allow for future growth in native population. One conclusion to be drawn from this "non-commital" position is that the Commission was intent on "crowding natives out" of the reserves so that they could supply European farms with cheap labor. Ross, an ardent critic of the system later reflected:

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[58]Ross, Kenya From Within, p. 93.

[59]Ibid., p. 98. Emphasis added.

> It must be made perfectly clear that any such concerted display of negrophobe malevolence as is exhibited in some of the evidence before the Commission would be impossible in Kenya of 1927 . . . . The ruthlessness of some of the members of this early group of settlers is almost unbelievable . . . . One of them supervised his labourers from a chain at the door of his hut by firing a rifle in the direction of any whom he thought to be slacking. The bullet kicked up the soil near the delinquent one and reminded him that master's eye was upon him.[60]

Such is the society we have tried to describe in this chapter. The Crown Lands Ordinance of 1915 vested all unalienated land in the Crown. The Crown's agent was the Kenya Government headed by the Governor. He could dispose of the land as he saw fit, in the name of the Crown. Africans and Indians were, of course, the victims of this system. In 1915 Europeans had achieved a major victory in land matters as they had in the passage of successive native taxation measures. Labor policies that were to apply generally throughout the colonial period took effect after the First World War. The Native Registration Ordinance of 1915 was strictly enforced.[61]

These policies concerning land, labor and taxation left no doubt that the native was to be, in law as well as in fact, subservient to the European. The Masters and Servants Ordinance

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[60] Ibid.

[61] Kenyatta complained that although tens of thousands of Africans lost their lives fighting a war to preserve democracy, democratic Britain's reward was "taking away the best lands from the Africans and the introduction of Kipande with its diabolical system of finger-prints as though the Africans were criminals . . . . " See Facing Mount Kenya, p. 204.

of 1906 (the Ordinance, patterned after the law of Transvaal, South Africa, allowed both payment in kind and imprisonment of laborers for breach of contract) continued to operate with few modifications. The basic economic, political and social structure laid during Kenya's first three decades -- 1903-1930 -- remained intact until the mid-1950's.

The struggle to change this state of affairs became highly concentrated after the Second World War although there had been attempts during the 1920's and 1930's to effect radical changes.

CHAPTER IV

THE RISE OF POLITICAL AGITATION

The Decline of Humanitarianism

The discussion in chapter two included a section on the Royal Commissions that studied the problems facing East Africa. From the final reports of these commissions of inquiry emanated Britain's colonial policies of the inter-was period. Three policies affected multi-racial Kenya for a decade (1920-1931): native paramountcy, dual policy, and closer union of all the East African territories.[1] The terms closer union, dual policy, and native paramountcy had caused so much controversy and been subjected

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[1]The doctrine of native paramountcy was declared by the Duke of Devonshire in the 1923 White Paper, Indians in Kenya (Cmd. 1922); that of dual policy by Julian Amery's White Paper of 1927, Future Policy in Regard to Eastern Africa (Cmd. 2904); Sidney Webbis two White Papers of 1930 embodied the policy of closer union and of a revived native paramountcy. These were Statement of the Conclusions of His Majesty's Government in the United Kingdom as Regards Closer Union in East Africa (Cmd. 3573) and Memorandum on Native Policy in East Africa (Cmd. 3574).

to so much investigation and definition that they no longer had much value. Consequently, British Governments never affirmed any of these policies in their statements relating to East Africa after 1931.[2]

The ideas of closer union were revived later -- albeit in watered down form -- and formed the basis of the East African High Commission (established in 1948) and the Central African Federation (promulgated in 1953). On the other hand, native paramountcy was virtually negated by dual policy which asserted the equality of interests between Europeans and natives (but actually Europeans were more equal than Africans):

> His Majesty's Government wish to place on record their view that, while these responsibilities of trusteeship must for some considerable time rest mainly on the agents of the Imperial Government, they desire to associate more closely in this high and honourable task those who, as colonists or residents, have identified their interests with the prosperity of the country . . . .
>
> Their /European/ claim to share progressively in the responsibilities of government cannot be ignored . . . .
>
> The dual policy in regard to economic development should have its counterpart in the political evolution of the territories . . . . And although in some places it may be many years before the native can take a direct part in the central Legislatures, his place in the body politic must be provided for, and steps taken to create the machinery whereby native self-government . . . can be developed.[3]

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[2]Robert G. Gregory, Sidney Webb and East Africa: Labour's Experiment with the Doctrine of Native Paramountcy, University of California Publications in History LXXII (Berkeley and Los Angeles: University of California Press, 1962), 137.

[3]Future Policy in Regard to Eastern Africa, pp. 5, 7.

Dual policy was designed to benefit the European as much as the African community. One of the chief architects of this new policy was the Governor of Kenya, Sir Edward Grigg. Sir Edward, on returning to Kenya in 1927 after consultation with Amery, the Colonial Secretary, "described dual policy as 'the complementary development of native and non-native communities' and by this he meant political as well as economic development."[4] To Europeans dual policy was but the first step towards political and economic paramountcy.

Political ascendency of Europeans was obvious long before publication of the Hilton Young Commission's report in 1929. In recommending a franchise for Legislative Council in Kenya, for example, this commission categorically stated that "the establishment of a common roll is the object to be aimed at and attained, with an equal franchise of a civilization or education character open to all races."[5] Two vital qualifications for the common roll proposed in 1929 were based on the amount of tax individuals paid and on their educational attainment.

When the report was published, Africans were apprehensive for they possessed neither of these qualifications. Individually, the European paid to the State more than the African paid. But European community, as a community, still paid about half of what

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[4]Gregory, op. cit., p. 63.

[5]Quoted in a memorandum to the Joint Select Committe of Parliament by Rev. W.E. Owen, Archdeacon of Kavirondo. See Joint Select Committee on Closer Union in East Africa, Report, Vol. III, Appendices, (1931), p. 7.

the African community paid. Rev. Owen observed that considered from the community standpoint, the proposal debarred Africans from the status which their tax contribution to the State entitled them. He, therefore, favored a communal roll on which Africans were to be admitted on the basis of payment of direct taxation demanded from them.[6] The educational criterion was equally unfair since the colony's policy as endorsed by the Hilton Young Commission was designed to train Africans as artisans only while Europeans and Asians continued acquiring a general education.[7]

Two schools of thought permeated British colonial policy since the early 1840's. The humanitarian school endeavored to promote the welfare of the natives under British trusteeship or tutelage. In Kenya, this element found expression in the native paramountcy doctrine. The other school dates back to Lord Durham's recommendation that Britain promote the welfare of colonial peoples of British origin. Kenya Europeans obtained many of their wishes when the dual policy was accepted. The decline of British humanitarianism and the subsequent triumph of the Durham concept proved disastrous for British administration in the multi-racial areas of Africa.

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[6] Ibid., pp. 7-8.

[7] Ibid.

[8] Gregory, Sidney Webb and East Africa, pp. 2-3, 137. The Durham report of 1839 (after the rebellions in Canadian provinces) set it down that as a matter of policy British colonists should be permitted to exercise an increasing control over their own affairs until at last they attained responsible government and dominion status.

Native leaders who had followed the deliberations of these commissions were deeply disappointed with their final reports. The Africans became convinced the accommodation between them and Europeans was unattainable within the existing racially stratified society. Two other factors -- besides the decline of the humanitarian influence -- contributed to the hardening of attitudes among colonials and the emergence of organized militancy within the African associations: (1) the increasing restrictions upon African political expression, and (2) the interference, by missionaries, with native customs and traditions.

The Rejection of Colonial Society

These events led to the presentation of numerous petitions to all those "concerned" with colonial problems. One of the leaders who played a key role in this regard was Jomo Kenyatta. He briefly visited England in 1929 on behalf of the Kikuyu Central Association. Another leader -- who accompanied Kenyatta on the second trip in 1931 -- was Parmenas Mockerie.[9] Both attempted

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[9]Although Mockerie was attending a teachers' refresher course at Makerere college when he was called to join Kenyatta on the delegation, he really expanded his horizons while in England. He studied at one of the Quaker Selly Oak colleges, Fircroft Working Men's College, in Birmingham and wound up at Ruskin College, Oxford. Before returning to Kenya Mockerie toured Europe. But the "feeling of friendship between the whites and coloured people" at Selly Oak impressed him most. See Mockerie, "The Story of Parmenas Mockerie of the Kikuyu Tribe, Kenya," in Ten Africans (Evanston: Northwestern University Press, 1963), p. 167. The book is edited by that British humanitarian and Africanist, Dame Margery Perham.

unsuccessfully to give evidence before the Joint Select Committee of Parliament on Closer Union of East African territories.

Mockerie returned to Kenya in 1935. But this time Kenyatta stayed on until 1946. He became spokesman for and on African problems. The following analysis of African organization will show the interplay of the above factors in the rejection of the colonial society in which they operated.

Any agitation requires a certain amount of organization. Certain ideas and ideals a people have must be expressed through an organization. And without an ideology few people are willing to risk their lives in revolutionary action. In Kenya it is doubtful that the revolution of 1953-1956 would have occurred but for the integrative ideology developed over a period of some thirty years by numerous political, religious, educational and trade union associations. These ariculated and brought into focus various African grievances and set forward certain political, economic and social objectives.[10]

In their earlier days these organizations, in addition to presenting specific grievances, also provided their members with a sense of belonging. This latter function was particularly significant in urban areas where there were many tribal associations satisfying this need. The multi-tribal solidarity that emerged

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[10]Donald L. Barnett & Karari Njama, Mau Mau From Within: Autobiography and Analysis of Kenya's Peasant Revolt (New York &London: Monthly Review Press, 1966), pp. 35-36.

succeeded because the different tribes had experienced the same oppression from an immigrant community. Organizationally, however, Africans learned much from Indians and Europeans. They had become aware that the achievements of those two communities were the outcome of political pressures the Indian Congress and the European's Convention of Associations exerted on Kenya and British Governments.

African associations emerged soon after Kenya became a Crown Colony. The most prominent among these were the Kikuyu Association, the Young Kikuyu Association, the Kavirondo Taxpayers Welfare Association (KTWA) and the Kikuyu Central Association (KCA). Initially all were convinced that the "best way to advance African interests was to cooperate fully with 'constituted authority.'"[11] When this constituted authority failed them, they looked for alternative ("unconstitutional") ways of achieving desired reform.

In 1925 organs of the "constituted authority" were established throughout Kenya. These were Local Native Councils (LNCs). The Administration viewed them as the best channels for giving Africans, especially "young men", practical experience into the working of Government machinery. After 1925 the Government ignored any groups that purported to speak for Africans. It even contemplated banning the associations altogether.

By the outbreak of the Second World War those associations that had not fizzled out were proscribed and others went into

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[11]Carl G. Rosberg and John Nottingham, The Myth of 'Mau Mau': Nationalism in Kenya (New York: Praeger, 1966), p. 84.

voluntary liquidation. But this was only the culmination of an arduous road punctuated with constant harassment from colonial authorities. The more nationalistic the associations -- the KCA, the Abaluhya Central Association (ACA) -- the closer they were watched by the Administration.

When these associations tried to express their nationalism through the LNCs, they found their efforts frustrated by the District Commissioners who were chairmen of these bodies from their inception down to the fifties. Even when European spokesmen of African interests accepted the activities of these organizations, they were very selective. For example, they recognized the KTWA and the Kikuyu Association (transformed into Loyal Kikuyu Patriots) but were hostile to the KCA and the ACA. The latter was the northern branch of the Rev. Owen-led KTWA.

Political Protest in Central Province

The Kikuyu Association was formed in 1920 (although in giving evidence before the 1924 Ormsby-Gore Commission it claimed to have been organized in 1919). Chiefs and headmen dominated this Association whose major attention was focused on grievances concerning the alienation of Kikuyu land and the Government's increasingly compulsive labour practices. It told the Commission:

> Deprived of our land, we Kikuyu should be dispossessed wanderers, dependent upon the Whiteman for home and livelihood. We feel we have reason, as we hope to show, still to feel insecure about this matter, despite the many appeals we have made and the answers we have received.[12]

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[12]Rosberg and Nottingham, op. cit., p. 89.

On representation, the Association expressed gratitude for the formation of LNCs.

This memorandum (and that of the KTWA) showed clear signs of missionary guidance and influence. The memorandum noted that the Association was formed with the consent of the Administration and

> its meeting take the shape of open gatherings of Headmen and people of all classes, landholders and non-landholders, educated and uneducated, Christian and non-Christian . . . . The Association welcomes the presence and advice of the Administration officers at its meetings, as also certain Missionaries of long residence in the Kikuyu country and close acquaintance with its people.[13]

In 1931 the Kikuyu Association, always more moderate, changed its name to Loyal Kikuyu Patriots to reflects its true character and in order not to be confused with the KCA.

Meanwhile, in June 1921, Harry Thuku, a telephone operator at the Treasury in Nairobi, had launched a more militant organization -- the Young Kikuyu Association. Of this new group the Native Affairs Department reported in 1921:

> The formation of a Kikuyu Association with a membership composed largely of office boys and domestic servants in Nairobi is a sign of the times. The old machinery of representation through Native Chiefs and Councils is not suitable to progressive modern conditions.[14]

The organizational meeting was under the complete direction of the youths.

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[13] Ibid., p. 90.

[14] History of East Africa, II ed. Vincent Harlo & E.M. Chilver, p. 357. Thuku was immediately discharged for political activity.

The Association's programme included protests against (1) the enactment of the Crown Lands Ordinance of 1915;[15] (2) continued evictions of Kikuyu sub-clans and alienation of their land for European occupation; (3) the doubling of the native Hut and Poll Tax; (4) the one-third reduction in African wages imposed in 1921 (European farmers decided on the reduction on the pretext that the fall in world prices offered for their produce had created a hardship on them); and (5) the kipande or labor registration system passed in 1915 but delayed, on account of the war, until 1920. According to this system all African males aged sixteen and over were fingerprinted and made to carry, on penalty of imprisonment, a combined identification and employment card.

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[15]Norman N. Leys, Kenya (London: Leonard and Virginia Woolf at the Hogarth Press, 1924), p. 81. This Crown Lands Ordinance was only one in a series since 1898. Substantial acreage had been alienated between 1902 and 1915. Under the 1915 ordinance, "Crown Lands" was specifically defined as "including 'all lands occupied by the native tribes of the Protectorate, and the lands reserved for the use of the members of any tribe.'"

By 1920 the Crown had become the absolute owner of all the land in Kenya. The Crown had, in turn, granted rights in land to all except natives: "To Europeans some 2,000 square miles in freehold, and some 5,500 square miles in leasehold; to Indians, 22 square miles; to Africans, no land at all." Shortly after enactment of this Ordinance, some areas came to be known as native reserves. The word "reserve" was really a misnomer but it was generally understood to mean the unalienated Crown Land in native occupation. The policy pursued in regard to land proved to be decisive of the whole history of the colony. Land policy "is, in short, the clue to the true interpretation of all that is characteristic of life in Kenya to-day." Ibid., p. 80. Land policy in the integrative period has also determined the pattern of politics.

The protest movement spread quickly to other districts. From Nairobi Thuku toured and addressed mass meetings in the entire Province. Harry Thuku even went as far as Nyanza Province to enlist support for a wider political association, encompassing the whole of East Africa. Early in 1922 Thuku's organizational efforts were realized when the East African Association was formed under his leadership.

Harry Thuku's speeches and the aims of the new Association were definitely nationalistic, and, according to the Government, distinctly anti-European and anti-Missionary. The "ideas of March" were not too distant. On March 15, 1922, Harry Thuku and his brother were arrested and held charged with being "dangerous to peace and good order." Thuku's arrest sparked the first general strike in Kenya's history. Several thousands gathered in protest outside the Nairobi Jail where their leader was awaiting deportation. They demanded his release. Given a crowd that large in a hostile colonial environment, something was bound to happen. Somebody clicked the gun and the police opened fire on the crowd, killing twenty-one Africans and injuring hundreds.[16]

Thuku was deported, without trial, to Kisimayu, an island off the Kenya coast. Considerable pressure in England -- especially from humanitarians -- led to his return home in 1920. His

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[16] W. McGregor Ross, Kenya From Within (London: George Allen & Unwin Ltd., 1927), pp. 228-233. Ross has the best description of Thuku's movements and the events of March 1922. See also Barnett & Njama, Mau Mau From Within, p. 37.

deportation and the banning of the East African Association were portents for the future. In 1938 the Akamba tribesmen marched on Nairobi to protest the Government's destocking measures. Their leader, Samuel Muindi, was similarly treated. That September he was deported to Lamu, another island.[17]

Two years later the KCA was declared an illegal society on the pretext that it was in contact with the King's enemies in Ethiopia. Twenty KCA leaders, along with those of the Teita and Kamba associations, were arrested and detained or imprisoned at Kapenguria.[18] Thirteen years later this isolated Kenya town was the scene of court proceedings against Kenyatta and his Kenya African Union's executive.

Political Protest in Nyanza

Nyanza tribes, particularly the Luo and the Abaluhyâ, formed the Young Kavirondo Association (YKA) out of similar circumstances that led the Kikuyu to organize. Insecurity of land tenure was a prime grievance. Large numbers of the Abaluhya had become resident labourers (squatters) on farms acquired by soldier-settlers after the First World War. When this experiment with soldiers as farmers failed, the consequence was large scale unemployment for these squatters.

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[17]George Bennett, "The Development of Political Organizations in Kenya," Political Studies, V (June 1957), 125. Muindi remained in exile until after the Second World War.

[18]Barnett and Njama, Mau Mau from Within, p. 39.

The inception of the YKA goes back to October, 1920, when the East African Protectorate became Kenya Colony. A Muganda telegraph instructor at Masena, the Church Missionary Society's headquarters in Nyanza, forecast the gloomy events of the following year: increased taxation, reduced wages, enforcement of the kipande system and more land alienation. This, in part, led to a strike by the students. When the school's authorities asked the District Officer (D.O.) to come and explain the whole situation, he made the factual error of asserting that Colony status applied only to the White Highlands and that Native Reserves remained a Protectorate.

Archdeacon Owen immediately corrected the administrator's error. But African suspicions were not allayed by this exchange. They continued to attribute their ills to this change of status.[19] Administrators had considerable difficulty justifying the position that the rights of Africans were not curtailed by the change in name and that increased taxation, fall in wages and the strict enforcement of the Registration Ordinance had nothing to do with the country's changed status.[20]

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[19]J.M. Lonsdale, "Archdeacon Owen and the Kavirondo Taxpayers Welfare Association," a paper read at the Conference of the East African Institute of Social Research held at Kivukoni College, Dar es Salaam, January 1963, pp. 3-4. Kenyatta also recalls that back in 1925 the KCA was protesting against this changed status. See Suffering Without Bitterness: The Founding of the Kenya Nation, p. 25: "We knew the Africans would have less legal claim to their territory in a Colony than in a Protectorate."

[20]Lonsdale, op. cit., p. 3.

Thus, political activity was sufficiently organized by the time Harry Thuku visited Nyanza in 1921. But the existence of YKA only became widely known when it called a mass meeting for December 23, 1921. Expressions of nationalism were manifest at this meeting. The YKA's sentiment was shown when three D.O.'s were barred from attending the meeting. The African interpreter left behind when the Administrators were turned away observed accurately that "feelings ran high among the rising generation."

Although this behaviour took the Administration by surprise, more shock was yet to come. The Provincial Commissioner (P.C.), in order to normalize the situation, held a public meeting on February 7, 1922. The unusually large attendance at this official meeting (4,000 people) and the verbal harassment of the P.C., coupled with the events of December 23, 1921, prompted the P.C., to issue circular letters to all Missions admonishing them to "order their adherents to abstain from all political activity." He also warned that those Africans who contined to hold "secret" meetings faced deportation. It is significant, in retrospect, to note that all his warnings came a month before Harry Thuku's deportation and a month before the deaths of twenty-one in Nairobi.

The P. C.'s 1922 annual report was very candid on this meeting:

> Although both the demeanor and sentiments of the speakers were at times disrespectful and at times defiant, the Chiefs, Headmen, Elders and youngmen -- both Mission-adherents and pagans -- who spoke, were so palpably acting under strong emotion that it would have been both impolitic and inadvisable to have silenced them.[21]

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[21]Quoted in Ibid., pp. 1-2.

Lonsdale argues that had Nyanza produced a leader of Thuku's demagogic powers the Nairobi riot might well have been paralleled in Kisumu (the Provincial Headquaters), for "the basic material of unrest [was] just as combustible among the Luo and Abaluhya as among the Kikuyu."[22]

The lack of "demagogic" leaders among the Kavirondo may be due to the neutralizing influence of the CMS and its head, Rev. Owen. The CMS allowed Africans to participate in religious councils and soon they came to appreciate and accept responsibility. But when they wanted this practice extended to the civic sphere (a demand the Government considered too radical), a clash between the Government and the CMS ensued. Since all the office bearers of the YKA were CMS adherents, the Administration seemed justified in blaming the CMS for the trouble among the Nyanza tribes. Rev. Owen put the situation in a nutshell in his correspondence with the P.C.:

> I want to put it to you as clearly as I can, that we of the CMS in Kavirondo, are deliberately working under ideals which inevitably tend to bring out whatever of initiative, and leadership, and steady work for a cherished end our converts possess, and that we cannot continue to work on these lines and at the same time promise that our converts will be content not to progress towards political ideals more in accord (? word omitted in original) practice than those held by their fathers. Unless Government can recognise this fact, and make provision to meet it halfway, I am of the opinion that our activities are bound to embarrass Government. I have no doubt that our Mission methods of associating our converts with us in the most intimate way for the purpose of trying to build up a Native branch

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[22] Ibid.

> of the Church are bound to have reflex results in directions outside of the purely ecclesiastical sphere. It is very likely, to say the least, that the spirit of co-operation which we foster in them, moves them to desire co-operation with the Government, in the advancement of the people, and it seems to me that their abilities could be put to very profitable use.[23]

The Government was considering banning the YKA when Rev. Owen made amends by remodelling it. Towards the end of 1922 he wrote the P.C.:

> I have to-day asked the assembled teachers at Maseno about the YKA. As I expected, a certain number, the leaders, are our teachers . . . . If the Organization is illegal, I can endeavour to pursuade our teachers not to take part in it, and if they refuse I can dismiss them from the ranks of the teachers . . . . On the other hand, if the Association be not illegal, and you wish our co-operation to guide it (and it members are in many ways ignorant of the correct methods of prodedure) I can promise you that the Natives would gladly welcome guidance from us . . . . I am definitely suggesting to you that <u>we discuss ways and means of advising and controlling the Association</u>.[24]

Early in 1923 the YKA was reformed as the KTWA with Owen as its first President. The P.C. and District Commissioners were Vice-Presidents.

The P.C., in his 1926 report, commended Rev. Owen: "Archdeacon Owen, through the Association, has done much to restrain political agitation, and the Administration owes him a debt of gratitude."[25]

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[23] <u>Ibid</u>., p. 7.

[24] <u>Ibid</u>., p. 9. Emphasis added.

[25] Bennett, <u>Political Studies</u>, V, p. 120. There is a difference in dates. Lonsdale says that the commendation was made at the end of 1924. See Lonsdale <u>op. cit</u>., p. 12. His is the more logical date considering the fact that shortly after 1925 officials began attacking Rev. Owen for the increased political activities of KTWA members.

We have seen how the Government hoped that LNCs would provide a forum for Africans to air their views and to learn to be "responsible citizens." LNCs were anything but representative. This fact nullified the oft-made claim that natives who wanted to play a role in the government machinery were to obtain experience here first. The fact is that the LNCs provided the Administration with one more channel through which to keep a close watch on (and control of) the political activities of Africans. (When Kenyatta requested the Governor to appoint him to the Legislative Council soon after his return to Kenya in 1946, he was advised to seek election to the LNC, obtain experience there before he could think of the Legislative Council. Needless to say, Kenyatta was deeply humiliated.)

Like the Kikuyu associations, the Government felt it had little use for the KTWA. It was only a matter of time before they were all discredited as "unrepresentative" of the people. When at the end of 1927 the KTWA produced a Memorandum for the Hilton Young Commission, the P.C. dismissed it as not the work of the KTWA but of its President acting alone! But in the same year the Chief Native Commissioner wrote that the KTWA's activities appeared to be "'chiefly political and of a nature likely to damage the reputation of the Association for natives use the meetings for airing grievances, often imaginary, instead of going to their Administrative Officers.'"[26]

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[26]Quoted in Rosberg and Nottingham, Myth of 'Mau Mau'; p. 96.

Although Rev. Owen continued in the Presidency until 1936, the organization's militancy had by then declined. Most of its original leaders had obtained positions within the colonial framework. In the early thirties, however, a situation arose which made the Abaluhya Central Association continue its political agitation. The discovery of gold at Kakamega, in the heart of a Native Reserve, created new problems that could not adequately be solved within the existing instituions -- LNCs, Legislative Council or Chiefs' councils.[27]

In 1930 a Native Lands Trust Ordinance was enacted by the Kenya Legislative Council -- with the blessing of the Colonial Secretary. Its primary objective was the "fullest protection of native interests." The major provisions of the Bill as passed were:

> (i) If land is taken away from a Native Reserve for public purposes, there shall be added to the Reserve an area equal in extent, and, as far as possible, equal in value, except in the case of land taken for the track of a road or railway, or merely for the site of a building, thus ensuring that the total area of a Reserve will not be diminished.
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> (ii) Fair compensation to be made to the natives affected by any exclusion of land from a Reserve so as to cover all disturbance of loss incurred by them.

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[27]These problems did not include that arising out of the squatter system. The Abaluhya tribe, next to the Kikuyu, supplied the bulk of the squatters. The ACA, like the KCA, established branches among their people working outside their respective Native Reserves.

(iii) Leases of land in a Reserve will be limited to 33 years, save in exceptional cases when, with the prior sanction of the Secretary of State, leases not exceeding 99 years, may be granted.

(iv) The Governor was to be the President of the Central Board whose function was to manage and control land in the Native Reserves.[28]

The discovery of gold in Kakamega necessitated an amendment to the Ordinance granting gold prospectors a legal right to move into the area. This Native Lands Trust Ordinance (Amendment) of 1931 passed the Legislative Council with all due speed. It was further amended in1932. The problems thus created were well expressed in a petition by seventeen Africans residing in Kakamega:

> The Native Lands Trust Ordinance which was intended to secure their lands for ever, having been amended without the consent of the native authority [LNC], they have grave cause for anxiety as to the future as money cannot compensate them fully for lands taken.[29]

The petitioners further asked that gold prospecting be done by the Government rather than by individuals whose arrival in large numbers had greatly disrupted their social life. They also protested against the new law requiring them to carry registration badges in their own Reserve.[30]

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[28]House of Commons, Debates, 5s, vol. 231, November 6, 1929, cols. 1034-1035.

[29]Ibid., vol. 277, May 9, 1933, cols. 1337-1338.

[30]Ibid.

The carrying of badges, the eviction of natives to make room for gold prospecting (without adequate compensation) and the influx of Europeans into an area legally delineated as a Native Reserve [31] all combined to generate deep resentment among the Abaluhya, represented by the ACA. These factors, together with poor working conditions in the mines made the ACA extremely vocal, next only to the KCA.

In fact, both associations permanently opted out of the Government/Mission nexus. When they enjoyed a measure of freedom, they frequently exchanged ideas and strategies. This was in addition to advice from Indian politicians like that European community's bête noir, Isher Dass.[32] The ACA went into voluntary liquidation on hearing that its close ally, the KCA had been proscribed in May 1940.

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[31] At the beginning of 1933 there were about eight hundred Europeans in the Kakamega goldfield, including a considerable number of women and children. See House of Commons, Debates, 5s, vol. 274, February 9, 1933, col. 374.

[32] Born in India in 1901, Dass arrived in Kenya in 1927 and immediately plunged into politics. He was the General Secretary of the East African Indian Congress for four years in addition to serving in the Legislative Council. Dass supported African nationalism both in Kenya and in England where his connections dated back to his student days. He accompanied Kenyatta on his 1929 trip to England, introducing him to some influential people including left wing politicians. Dass's untimely death in 1942 while serving as Director of Indian Manpower was a great loss to the Africans. See Rosberg and Nottingham, Myth of 'Mau Mau', p. 103, n.

This chapter has only the barest analysis of the Kikuyu Central Association. We had to do it that way so as to do justice to other associations. But the more significant reason is that the KCA and Kenyatta's activities were inextricably linked. Our next chapter is, therefore, primarily devoted to an analysis of its agitation and Kenyatta's role within it.

CHAPTER V

KENYATTA: PERSPECTIVE ON POLITICAL AGITATION

Come, young nations, proclaim
the fight for freedom, rise up
the banner of invincible faith.

Build bridges with yourlife
across the gaping earth,
blasted by hatred, and
march forward.

Do not submit yourself to
carry the burden of insult
upon yourhead, kicked by
terror, and dig not a trench
with falsehood and cunning
to build a shelter for your
dishonoured manhood; offer
not the weak as sacrifice
to the strong to save yourself.

Rabindranath Tagore

For Kenyatta the years 1920-1930 were a decade of political indoctrination and maturity. He laid the groundwork for future agitation by working closely with the Kikuyu Central Association (KCA).

African nationalism received its baptism with Harry Thuku's arrest and deportation. Members of his banned East African Association continued to operate underground. As Kenyatta later remarked, they "kept touch with each other secretly, and continued their work of protest and agitation. The Africans had their Maquis long before Hitler appeared on the European scene."[1]

Although Kenyatta did not join the Association, he sympathized with its objectives and aims.[2] But he was a member of the Young Kikuyu Association from 1922. However, the nature of his jobs did not permit him to engage actively in politics. His role during this period was limited to helping draft the association's memoranda and petitions. Politics as a vocation was deferred until 1928.

The Kikuyu Central Association

In 1924 the KCA was launched at the initiative of members of the banned East African Association; of the Young Kikuyu Association; and of others who rejected European dominance in Kenya. For two decades thereafter, the KCA leadership tried to establish links with other tribal or regional associations with

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[1]Jomo Kenyatta, Kenya: The Land of Conflict, p. 11.

[2]Kenyatta, Suffering Without Bitterness: The Founding of the Kenya Nation, p. 24.

the hope of creating a truly organized national political party or movement. Were it not for the stifling of African political activities by the Government, this objective might have been achieved sooner than 1945 for even other associations were desirous of such links.[3]

The KCA, in 1925, presented the newly arrived Governor, Sir Edward Grigg, with a list of demands. Their petition requested (1) permission for Africans to grow coffee, a most valuable cash crop; (2) the appointment of a Paramount Chief for the Kikuyu (as had been done for the Abaluhya in Nyanza with the elevation of Chief Mumia to the position); (3) the publication of the laws of Kenya in Kikuyu language; and (4) the release of Harry Thuku.[4] Needless to say, Sir Edward did not act on any of these minimum demands.

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[3]The KTWA, in giving evidence to the Hilton Young Commission in 1928, lamented the absence of such a national organization: "That no machinery has yet been devised which would enable Africans of Kenya from the Coast to the Great Lake, to meet by their representatives, and interpret African opinion and sentiment to such a body as your Commission, seems to us one of the strongest arguments for the application of the Dual Policy to the Political Sphere. No rulers can be as just as they might be who do not consult those over whom they rule." See Rosberg and Nottingham, The Myth of 'Mau Mau': Nationalism in Kenya, pp. 95-96.

[4]George Bennett, "The Development of Political Organizations in Kenya," Political Studies, V (June 1957), 121. Rev. Owen had demanded that for the benefit of all Africans, these laws should be written in a language understood by more Africans, namely Swahili.

The KCA was not sufficiently organized to present a formal memorandum to the Ormsby-Gore Commission which visited East Africa in 1924. Part of its organizational effort entailed the leadership persuading Jomo Kenyatta to leave his job with the Nairobi Town Council and join them. An outline of Kenyatta's activities up to this point needs to be presented.

From all published records he was born in Kamau wa Ngengi around 1889. The missionaries he associated with christened him Johnstone. By the time he arrived in Nairobi around the outbreak of the First World War, Johnstone Kamau had had an education based on both the traditional African teachings and the new Western and Christian teachings. He later wrote: "Like any other Gikuyu child, therefore, I acquired in my youth my country's equivalent of a liberal education . . . . Following the tribal custom, I had to pass through the several stages of initiation along with my age-group."[5]

He "participated in the activities of my age-group, and was chosen as its leader," Kenyatta further tells us.[6] His brother, James, corroborated this point when interviewed. James further said that Kenyatta used to wear a large hat with beads on it, and an embroidered belt." He acquired the name Kenyatta (dropping

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[5] Facing Mount Kenya, Preface, pp. xvi, xix. When writing Kenyatta preferred the spelling of his tribal name Gikuyu. To avoid any undue confusion, we shall use the spelling Kikuyu.

[6] Ibid., p. xix.

Kamau), the Kikuyu word for a fancy belt.[7] A wide embroidered belt, a beard and cane became Kenyatta's symbols.

When he later dropped Johnstone for Jomo ("Burning Spear"), Kenyatta already had acquired the outward symbolism of charismatic personality. As a leader he had already "come out" among his own age-group (he had the personality and the ability required of a political leader.) The added symbolism was for future. Africans began referring to him as the "Light of Kenya," a play on his name.[8]

Having graduated from a Church of Scotland Mission school near Nairobi, Kenyatta joined that small group of Africans who were often referred to as "mission boys," a reference to their education. From this group largely came the leadership of the various associations. (This was true all over Kenya. The entire executive of the KTWA, for example, was educated by the CMS.)

Upon graduation Kenyatta took a job with the Supreme Court of Kenya as an interpreter from English to Kikuyu and/or Swahili and vice versa). Afterwards he was employed by the Water Department of Nairobi Town Council as a meter reader and supervisor. At this time the Department was part of the colony-wide Public Works Department under the directorship of a Scottish engineer, William

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[7]George Delf, Jomo Kenyatta: Towards the Truth About 'The Light of Kenya', p. 47

[8]The Swahili word for lamp is taa. A slight alteration of the name Kenyatta yielded Kenyataa (Kenya + taa). A proper translation from the Swahili would therefore have been the "Lamp of Kenya." But the symbolism is clear enough. Note the subtitle in Delf's book, Towards the Truth About 'The Light of Kenya.'

McGregor Ross.[9]

Both men struck a friendship which Kenyatta found to be very valuable when he got to England in 1929. Kenyatta must have excluded Ross from those "professional friends of the African" about whom he wrote so scathingly in Facing Mount Kenya. These professionals were "prepared to maintain their friendship for eternity as a sacred duty, provided only that the African will continue to play the part of an ignorant savage so that they can monopolise the office of interpreting his mind and speaking for him."[10]

We have seen that Kenyatta was not one of the founders of the KCA (at least not at the leadership level). Its officers, however, knew his potential for leadership and wished only to see this potential actualized within the association. Kenyatta did not have to fight or manoeuver his way to the top. In 1927 Joseph Kang'ethe and Jesse Kariuki, for KCA, formally asked him to join their ranks. But in order to make it worthwhile, the executive voted to make him their General Secretary.

When Kenyatta took the position early in 1928, a new era had begun for him, the KCA and Kenya Africans as a whole. He now had the credential for vigorous agitation. He demanded, for "love

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[9]On retirement, Ross published Kenya From Within. This book provides one of the best accounts of early political and social life in Kenya. We have relied upon it in our chapters two and three. Ross was a staunch critic of the settler community in Kenya and its harassment of officials in the execution of their duties.

[10]Preface, p. xvii.

of country," a restructuring of Kenya society to give Africans their inherent rights of freedom, equality and dignity within their own country. He wrote that "the spirit of independence, love of freedom in thought and action, and hatred of autocratic rule" were ingrained in the minds of the people. They "cherished the system of democratic government"[11] which, he insisted, had been taken away with the advent of British occupation.

It is unlikely that Kenyatta read Thomas Jefferson. But a passage in My People of Kikuyu sounds like Jefferson in defending freedom: "The tree of liberty is watered with blood.[12]

Kenyatta's assumption of the office coincided with the arrival of the Hilton Young Commission to assess the views of East Africans regarding the proposed federation. The KCA now had a competent leader -- a moving force -- who could also express himself clearly in the English language. Both the KCA and the Kikuyu Association rejected the idea of federation outright.

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[11] My People of Kikuyu and The Life of Chief Wangombe.

[12] Ibid. Had Jefferson not accepted revolution once every so often? Commenting on Shays' Rebellion he had said: "God forbid! we should ever be 20 years without such a rebellion . . . . What country can preserve its liberties, if their rulers are not warned from time to time that this people preserve the spirit of resistance? Let them take arms! . . . The tree of liberty must be refreshed from time to time with the blood of patriots & tyrants. It is its manure." Quoted in Thornton Anderson, Jacobson's Development of American Political Thought (2nd ed.; New York: Appleton-Century-Crofts, 1961), p. 272. Emphasis added.

(The KTWA conditionally accepted federation provided Africans would have representation on any Federal Council that might be created and provided also that European commercial and planter interests would not be paramount.)

Having disposed of the federal issue, the associations' memoranda proceeded to enumerate their demands: representation of African interests in the Kenya Legislative Council, advancement of African education (paid for out of hut and poll tax funds), title deeds for their land. This latter demand was also made by the KCA leaders, including Kenyatta, in an oral evidence to the Commission on February 14, 1928.[13]

On representation, the KCA wanted twelve representatives all to be Africans; the Kikuyu Association provided that only four of the twelve be Africans and the rest administrators and missionaries. The KTWA, on its part, requested nine representatives to include one official and one senior missionary (presumably Rev. Owen, their President). But most radical of all was a demand by the KTWA for representation of Africans on the Executive Council by three people: a senior official, a missionary and an African.[14]

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[13]Rosberg and Nottingham, Myth of 'Mau Mau', p. 93. The question of who owned the land was "settled" long before by the Crown Land Ordinance of 1915. Those who knew better could only press for its repeal.

[14]Ibid.

Kenyatta in England

The Commission's report, published early in 1929, fell far short of the expected. In the meantime, the KCA had planned on sending a representative to present their case directly to the British Government. The disappointing report merely accelerated the delegate's departure.

After considering several candidates for the trip, a KCA committee finally selected their General Secretary, Jomo Kenyatta to make the trip. His primary purpose was to interview the Secretary of State concerning the KCA demands and, secondarily, to discuss the problems left unresolved by the Hilton Young Commission's report.[15]

With the advantage of hindsight we need to make an observation about these decisions to send unofficial representatives to London. The KCA was intent on pleading its case before His Majesty's Government. Its demands had been ignored by the Governor (a representative of the Crown in Kenya) in 1925. Now the Commission, approved by the British Parliament and appointed by the Secretary of State, had failed them. It is not easy to explain what made the KCA think that the Secretary of State would be more sympathetic. Was he not part of those two institutions?

Nevertheless, within the confines of colonial society in 1929, the KCA still hoped that Africans would obtain redress of

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[15] The Times (London), February 21, 1929, 14. The paper reported fully Kenyatta's impending trip to England.

their grievances if their case were heard at the seat of imperial power. To a frustrated and oppressed people the fine points of British political system did not make much difference.

Writing in 1942, Kenyatta commented, a propos, that "since the British Government entered into the Kikuyu country, the documents which have been sent by them to the Government protesting against the alienation of their land would fill hundreds of pages."[16] Perhaps it was this sense of resignation that impelled him to go along with the decision to send a representative to England. Kenyatta himself had authored some of these documents.

In February, 1929, Kenyatta left his duties -- including the editorship of Muigwithania (The Reconciler) -- and sailed for England.[17] The demands he was to present to the Secretary of State were already drawn out: (1) title deeds to all land held by Africans in the Reserves; (2) return of alienated land, or just compensation; (3) removal of restrictions on the planting, by Africans, of commercial crops like coffee; (4) the training and employment of Africans as agricultural instructors; (5) compulsory primary education for African children, sufficient high schools, and opportunities for higher education abroad for Africans; (6) abolition of the kipande system, exemption of women from Hut and Poll Taxes, and removal of all measures restricting the freedom of movement or

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[16]Kenyatta, My People of Kikuyu, p. 26.

[17]Muigwithania, a monthly journal, was started at Kenyatta's initiative. It was the first African-owned paper in Kenya.

compelling Africans to leave their gardens to work for Europeans; and (7) elected representation in the Legislative Council, Local Native Councils, and a promise of ultimate African predominance in these Councils.[18]

As can be seen, although Kenyatta (and the KCA) were direct representatives of the Kikuyu in the immediate, they spoke for all. Kenyatta never got to see the Secretary when he got to London. The Colonial Office was too important to allow a colonial to interview the Secretary. However, the Secretary of State, "eventually saw it [the petition] by devious means." And then nothing was done about it.[19]

Although Kenyatta was disappointed by this cold reception at the Colonial Office, he had learned a great lesson: the importance of cultivating friendship, particularly with influential personalities. Only through them and the Press could African problems be heard at Westminster, if not at Whitehall. The press was important too as a means of enlisting the sympathy of the British public.

Kenyatta, therefore, spent the remainder of his time establishing these contacts and touring Europe. Such early acquaintances proved valuable when he returned to England in 1931. We can classify Kenyatta's contacts during this period and later into four groups:

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[18]Barnett and Karari Njama, Mau Mau From Within, pp. 37-38. This time Kenyatta asked for five African representatives elected by Africans -- three of them Africans and the other two Europeans.

[19]Delf, Jomo Kenyatta, p. 69.

Members of Parliament, the Press, Organizations and individuals. Admittedly, the categories are not mutually exclusive.

In scanning Parliamentary records of 1929 and after one finds more entries dealing with Kenya and Africans than in the preceeding decade. The awareness (of Kenya problems) on the part of M.Ps was made possible largely through Kenyatta's presence in England. The nucleus of this group of sympathizers found in the Labour Party was generally critical of colonial policies. A few members who, throughout the thirties and the forties, were to champion the African cause included Colonel Wedgwood, Fenner Brockway, Sir Stafford Cripps, Charles Buxton, John William Banfield. The man who did most was the Labour Party's chief spokesman on Colonial affairs, Arthur Creech Jones. He became Secretary of State for the Colonies in the Attlee Government after the war.[20]

Before returning to Kenya in October, 1930, Kenyatta made his debut with the British Press. His Letter to the Editor of The Times set down in detail his (and KCA's) political aims. This letter is worth quoting in full:[21]

> Sir, May I be permitted to throw some light on the so-called "Unrest among Kikuyu Natives" referred to recently in your paper? I should mention, en passant, that I am a Kikuyu, and, with all public-spirited men of my tribe, regard with considerable uneasiness the policy which is being advocated by certain influential people, both in Kenya and in this country, of further alienating our land from us, for the use of non-natives, in conjunction with attempts to abolish wholesale our tribal customs. General Smuts has recently condemned most wholeheartedly a similar policy which is being carried out in South Africa.

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[21] The Times (London), March 26, 1930, 12.

The K.C.A., of which I am the General Secretary, is not a subversive organization. Its object is to help the Kikuyu to improve himself as a Mu-Kikuyu -- not to "ape" the foreigner. Our aims and objects may be summarized briefly under the following five headings:

1 Land. To obtain a legal right recognized by the local goyernment to the tenure of the lands held by our tribe before the advent of the foreigner, and to prevent further encroachment by non-natives on the Native Reserves.

2 Education. To obtain educational facilities of a practical nature to be financed by a portion of the taxes paid by us to the Government.

3 Women's Hut Tax. To obtain the abolition of the Hut Tax on women -- which leads to their being forced to work outside the Native Reserves, or into prostitution for the purpose of obtaining money to pay this tax.

4 Representation in the Legislature. To obtain the representation of native interests on the Legislative Council, by native representatives elected by themselves.

5 Tribal Customs. To be permitted to retain our many good tribal customs, and by means of education to elevate the minds of our people to the willing rejection of the bad customs.

Evolving from these points, we hope to remove all lack of understanding between the various races who form the population of East Africa, so that we may all march together as loyal subjects of His Britannic Majesty along the road to Empire prosperity. I would like to ask of any fair-minded Briton considers the above outlined policy of the K.C.A. to savour in any way of sedition? The repression of native views, on subjects of such vital interest to my people, by means of legislative measures, can only be described as a short-sighted tightening up of the safety valve of free speech, which must inevitably result in a dangerous explosion -- the one thing all sane men wish to avoid.

Later on Kenyatta wrote occasional letters to, among others, The Times, The New Statesmen and Nation, The Daily Worker, The Liberal Manchester Guardian. He also wrote for monthlies like the left wing The Labour Monthly. We shall give the gist of some of

these articles in the next chapter.

Kenyatta's earliest helper and adviser was his old boss, William McGregor Ross, then retired from colonial service. The League Against Imperialism, formed in 1927, also aided him adjust to Britain. Kenyatta also met the man he was to work closely with in the future. This was a Trinidadian, George Padmore. Padmore was a revolutionary through and through (at least among colonials in Britain). He had been active in the Comintern -- soon thereafter he was to become an "unperson" -- particularly as Moscow's link with the colonial and coloured peoples."[22]

In 1953 when Kenyatta was tried, the prosecution used, as evidence against him, the fact that he had visited and studied in the Soviet Union. Colonial officials connected Kenyatta's visits with the revolutionary fervour of communism and the revolutionary activities of Mau Mau. The court was told that after Kenyatta's return from Russia he "joined the Communist Party [presumably of Britain] and in 1930 attended the Communist inspired International Negro Workers' Congress in Hamburg, proceeding to Berlin where he contacted leading Communists."[23]

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[22]James R. Hooker, Black Revolutionary: George Padmore's Path from Communism to Pan-Africanism (New York: Praeger, 1967), p. 16. In his final years Padmore was Nkrumah's adviser on African affiars. When he died in 1960, he was living in Ghana.

[23]Historical Survey of the Origins and Growth of Mau Mau, Cmd. 1030 (1960), p. 42. This is the Corfield report, named after the man who wrote it. Corfield, after a long career in colonial service and living in Kenya, was commissioned by the Kenya Government to write this report. He relied almost entirely on Kenya Government sources, particularly Police records.

Because of these contacts, it was alleged, Kenyatta was "able to blend the technique of revolution, undoubtedly learnt while he was in Russia, with an appeal to superstition . . ." in laying the foundation of Mau Mau.[24] Kenyatta, of course, denied all this. His own account of the two visits to the Soviet Union (1929, 1932) is that they were made purely out of curiosity: "Many people had tried to persuade him that Russian techniques in dealing with backward areas could have useful application in Africa, and he wanted to see for himself."[25] From other sources we can surmise that he did not join the Communist Pary as alleged above.

Through his contacts in Britain -- one likely source of funds was Padmore -- a trip to the Soviet Union was arranged. In September, 1929, he left for Moscow. We have no evidence of his impressions of the Soviet Union or of communism. Hooker points out that even after all these flirtations with communism, "Kenyatta became stridently anti-communist, at least among friends."[26] Futhermore, although Kenyatta had been helped by the League Against Imperialism -- an obvious Communist front organization -- they soon parted company. Kenyatta was convinced that the League could not help him much. The League, on its part, lost interest in him because he was less interested

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[24] Ibid., p. 52. Emphasis added.

[25] Suffering Without Bitterness, p. 33. The authorship of this book needs to be explained in the light of grammatical constructions -- the use of third person where the first person would apply. Although the book bears Kenyatta's authorship, two men wrote running commentaries to quotations from Kenyatta's speeches and other statements.

[26] Hooker, op. cit., p. 16.

in the wider issue of colonialism, that is, beyond Kenya's.[27]

This evaluation of Kenyatta by members of the League was not quite just in the light of his activities in the Pan-African movement in the thirties and forties. He, like many other colonials, was very indignant when, in1935 Mussolini invaded Ethiopia. They soon learned that Stalin (leader of Comintern and the custodian of the truths of communism) was selling oil to Mussolini. If there were any doubts as to where Kenyatta's sympathies lay, this incident should have eradicated them. Kenyatta and others formed the International African Friends of Ethiopia discussed below.

Kenyatta returned to Kenya in October, 1930, only to find a crisis among his people -- the break with the Church over the issue of female circumcision. This crisis was partially the fault of the colonial Government. We have shown, as Raymond L. Buell put it, that "the Association fills a place in Kenya as useful as that of a political party in a European state."[28] But the Government refused to accord these organizations the same rights as political associations held in other states. African nationalism was treated as seditious and its leaders "dismissed as agitatos instead of being recognized as the vocal chord of a whole people."[29]

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[27]Delf, Jomo Kenyatta, pp. 70-71.

[28]The Native Problem in Africa (2 vols.; New York: The Macmillan Co., 1928), I, p. 369.

[29]Oginga Odinga, Not Yet Uhuru: An Autobiography of Oginga Odinga (New York: Hill and Wang, 1967), p. 123.

Having been denied all legitimate outlet, this nationalism turned to violence as the last resort for achieving its goals. But not until the quasi-political associations -- religious, educational and trade union -- had equally been stifled. Commencing with 1930 even members of the British Parliament were becoming increasingly concerned that the prohibition and arrest of Africans for attending meetings described as "unauthorized" would encourage unrest. To wit, if you prevent public discussion you invite trouble. Such Government restrictions included Africans being barred from collecting money to be used for various activities connected with the associations.

Local authorities (Headmen, Chiefs and Governor) had power to prohibit any meetings which, "in their opinion may tend to be subversive of peace and good order."[30] Such powers -- emanating from the Native Authority Ordinance -- were actually aimed at the politically active members of the various Associations like Harry Thuku, Samuel Muindi, and others.

In 1930, Joseph Kang'ethe, the KCA President, was tried and sentenced to two months in jail and fined £7 10s. for disobeying an order of a headman and attending a public meeting. When the case reached the Supreme Court on appeal, it not only upheld the original sentence but fined Kang'ethe an additional £7 10s. on the grounds that the offense was an impudent challenge against authority and good government, as he, an educated man, was setting a wicked example

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[30]House of Commons, Debates, 5s, vol. 237, March 26, 1930, cols 409-409.

to the less fortunate members of his tribe.'"[31]

The restriction on African political activities went beyond organized Associations. For example, after the opening up of gold prospecting in Kakamega, working conditions became quite deplorable. In 1934 a group of natives were prohibited, by the D.C., from collecting funds intended to aid in the protection of the interests of Africans working in the goldfields. These natives promptly protested to the Secretary of State. When asked about this petition in the House of Commons, the Secretary replied that he did not accept memorials and petitions to him unless they went through recognized and prescribed channels (i.e. through the Governor).[32]

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[31] Ibid., vol. 240, July 3, 1930, cols. 2155-2156. If disobeying an unjust law was wicked then Kang'ethe was to be commended for his wickedness.

[32] House of Commons, Debates, 5s, vol. 295, December 5, 1934, cols. 1563-1564. Of course the Governor did not always forward the petitions to the Secretary. But in fairness to these officials, one must point out that Parliament's own rules did not automatically permit petitions. Replying to a question about an ACA petition the Secretary told the questioner that it had been returned because "the form in which it [the petition] had been prepared was not in accordance with the Rules of this House governing the presentation of petitions." See House of Commons, Debates, 5s, vol. 322, April 14, 1937, col. 1013.

Quasi-Political Movements

In the thirties and forties African independent churches, particularly of the separatist kind, had been closely watched by the Government. Most of their leaders -- Prophets, Priests -- had even been jailed. During the trial at Kapenguria, the prosecution attempted to show that these churches and independent schools had been breeding grounds for Mau Mau. Indeed, all independent schools were summarily closed following the declaration of the State of Emergency on October 20, 1952.

One of the "evidences" against Kenyatta was really guilt by association. In May 1947, scarcely a year after his return to Kenya, he became the head of a Teachers' Training College when its principal left for England. It is true, however, that when constitutional channels through which political grievances could be aired were closed, political agitation found new channels -- schools and churches.

This was a world-wide phenomenon among the oppressed peoples as Vittorio Lanternari has succinctly shown.[33] Lanternari points out that natives' religions were definitely involved -- albeit subtly -- in nationalist movements all over Africa, Asia and the Americas. The birth of these religious societies and educational associations can only be understood, historically, in relation to the colonial experiences and to the striving of subject peoples to became emancipated.[34]

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[33] Religions of the Oppressed: A Study of Modern Messianic Cults (New York: Mentor Books, 1963).

[34] Ibid., preface, p. vi.

Independent Churches

The essential point of the separatist Church was, as Thomas Hodgkin points out, to "transfer to the spiritual and ecclesiastical plane opposition to European authority in general, and to make possible . . . the reconstruction of African communities under African leadership." This is a process which "is particularly liable to occur under an authoritarian colonial system."[35]

In Kenya the challenge to this authoritarianism started when the Kikuyu and the CMS split over the issue of customary practices, especially cliteridectomy. From about 1923 the Church of Scotland had adopted a "get tough" policy on this matter by demanding that African Church elders accept all Church laws and directives including one prohibiting female circumcision.

The final confrontation came between the missionaries and the KCA which threw its support behind those elders who refused to follow this particular directive. The Association had, from its inception, always objected to missionaries infringing upon native customs in this way.[36]

In 1928, Kenyatta announced the KCA's intention of contesting the LNC election on a "platform of preserving tribal customs, including the circumcision of girls." The following year a leading missionary,

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[35]Nationalism in Colonial Africa, pp. 104-105.

[36]Rosberg and Nottingham, Myth of 'Mau Mau', p. 118.

Dr. Arthur, countered:

> I gave the reasons why both circumcision and the KCA must go. There could be no discussion: it was an order. The Church has made its laws . . . . The KCA had made the law the test of the allegiance of its followers: it had joined issue with the Church and therefore they must now choose the church or the KCA.

Dr. Arthur added that "Joseph Kang'ethe and Johstone Kenyatta [President and General Secretary of the KCA] deserve to be hanged."[37]

If, indeed, the choice was between the Church and the KCA, then the latter triumphed for during this upheaval "a large section of the people broke away from the main Christian body and began to seek other means to satisfy their spiritual hunger." But, as Kenyatta pointed out, the issue was wider than merely the spiritual. A part from religious sentiments,

> there was a general discontentment about political and economic affairs of the country . . . . At this time the people who broke away from the missionary influence, together with the indigenous population, began to form their own religious and educational societies.[38]

Following his return from England Kenyatta held long discussions with members of some of the "new religions," especially Watu wa Mungu (People of God). Adherents of this sect always prayed to God "facing Mount Kenya."[39]

Prior to 1928 there had existed, in Kenya, a number of purely nativistic and messianic religious movements. Although most had been

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[37] Ibid., pp. 120-121. Emphasis added.

[38] Facing Mount Kenya, p. 263.

[39] Ibid., p. 264. The title of Kenyatta's book may have been derived from this position of the worshippers.

harassed out of existence, they must be kept separate from those that appeared after 1929 as a direct result of disagreements on various points with Christian missionary churches. The term seperatist churches is used to describe the latter category. After that date, many religious sects sprung up throughout Kenya with varying degrees of political and violent intensity.[40]

Julian S. Huxley visited Kenya at the hight of the 1928-1929 upheaval. In a letter to The Times he criticized missionaries for their unflinching position on tribal rites. By "striking at the whole tribal system of initiation and age-classes," he wrote, the missionaries had created "a first class political problem."[41]

After 1930, all these movements -- nativistic and separatist -- had similar grievances and goals. They expressed hostility to the white man (his institutions like religion, schools, hospitals, were obvious symbols of oppression). At the same time they purported to protect the natives from the effects of sorcery and black magic. Thus, by seeking to strike a medium between the traditional and the new imported culture, they had a considerable following.[42]

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[40]A good summary of these separatist Churches can be found in Rosberg and Nottingham, op. cit., pp. 324-331.

[41]March 25, 1930, 12.

[42]Lanternari, Religions of the Oppressed, pp. 60-61. Some of these sects called for a total rejection of things European.

It did not take long before these societies clashed with the civil authorities. The Government suspected them of planning to defy authority. Kenyatta says that some of their shrines were closed down "on the assumption that they were used for secret meetings of a political character."[43] These societies were looking for a messiah, regarded as the re-creator of a better world. The messiah was to come through the person of some national hero whose return had long been awaited.[44]

Kenyatta fitted this role of "redeemer" twice: during his long sojourn in England (1931-1946) and also when he served a prison sentence during the fifties. New nations, quite unlike the new nations of yesteryear, have chosen their leaders by an entirely different process. Whereas the nation's highest office used to go to military men -- George Washington, Napoleon Bonaparte, Simon Bolivar -- now it goes to those leaders imprisoned for their political activities. The rank of P.G. (prison graduate) has propelled men into important positions -- Nehru, Nkrumah, Kenyatta, Ben Bella, among others.

Although Kenyatta of 1930 was definitely a leader in his own right, deference went to Harry Thuku who was still in exile. They shared the people's praise. Some of the religious sects composed

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[43] Facing Mount Kenya, p. 268. Although Kenyatta denies that they never indulged in politics, it was only because he did not want Government surveillance to increase. It would have been impolitic to admit of the political activities. He himself asserted (p. 267) that the refusal of the Arathi (prophets) to defend themselves when taken to court was "a demonstration against the foreign institution."

[44] Lanternari, op. cit., p. 240.

songs to their leaders:

"'When Johnstone [Kenyatta in England] shall return/With the King of the Kikuyu [Thuku in restriction].'"[45] We have cited in chapter one a prayer in which Kenyatta features prominently.[46] But when Thuku was released and began participating in politics, his reputation waned. He split with the KCA leadership and founded his own party, the Kikuyu Provincial Association.

From then on the absent Kenyatta remained the only "messiah" who would save the people from oppression. Kenyatta was lucky to be residing so far away from Kenya. His reputation might have been scarred if he had to participate in the party squabbles that led, for a while, to the existence of the two KCAs.

Independent Schools

In African societies -- as throughout history everywhere -- religion and education were inseparable. It was no different in colonial Kenya. The crisis of 1928-1929 led to the emergence of two school associations: Kikuyu Independent Schools Association (KISA) and Kikuyu Karing'a (Pure) Educational Association. These, in turn, worked closely with the new religions.

In 1930, these two groups won recognition by the Kenya Government. However, this recognition did not free individual

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[45]Quoted in Rosberg and Nottingham, Myth of 'Mau Mau', p. 122.

[46]Supra., p. 18.

schools and teachers from mistreatment. Some schools were ordered closed on the pretext that they encouraged disturbances or that they opened in defiance of some local authority. Others were accused of refusing to conform to the Education Department's syllabus.

It is true that some of the teachers' intransigence arose out of their rejection of colonial rule. But the fines they had to pay were too exorbitant. For example, in 1937-1938 alone, six schools were closed either once or several times. Kenyatta complained, in a letter to the Manchester Guardian, that closing Mukui independent school and fining its three teachers £100 was unfair: "its forcible closing is an outrage on the vestiges of initiative which are still permitted among Kenya Africans.[47]

Although understaffed and poor in funds and facilities, these schools fulfilled a real gap in African education. (They cannot have failed to foster the spirit of nationalism either.) In 1946 Kenyatta found over three hundred such schools in existence with a total enfollment of about sixty thousand. He was obviously impressed since in 1934 he had presented the Secretary of State a memorandum from a joint committee of Kikuyu organizations which urged, among other things, the opening of a college for secondary education for Africans.

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[47]July 13, 1938, 18. These facts were also brought out when members questioned the Secretary of State about the sutuation in Kenya. See House of Commons, Debates, 5s, vol. 338, July 21, 1938, cols, 2428, 3504 and July 29, 1938. This was the time when the Wakamba cattle dispute reached a showdown.

Without response from the Government, the Africans established such a college themselves early in 1939. Kenya Teachers' Training College at Githunguri was started at the initiative of a highly educated African, Mbiu Koinange. Koinange had ambitions of developing African education to university level.[48] In 1947, Kenyatta became the head of the College. The College later became the target of Government investigation during the Mau Mau era and was shut down.

Kenyatta and Koinange were not the only leading Africans connected with educational and religious societies. Many of the most intelligent and capable Africans were involved in these ventures down to 1952 when they were banned en masse. This, to say the least, was a sad commentary on the Government which had lost touch with its most valuable citizens.

Two Royal Commissions -- appointed by His Majesty's Government -- were also responsible for this state of affairs. The Hilton Young Commission's failure to incorporate the demands of the KCA into its final report precipitated Kenyatta's first trip to England the important contacts he made then. The Joint

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[48]Koinange spent the years 1927-1935 in the United States obtaining his B.A. from Ohio Wesleyan University and M.A. from Columbia University. He took post-graduate studies at St. John's College, Cambridge in 1936. In 1937/1938 Koinange studied for the Longon University Teacher's Diploma before returning to Kenya. When, in May 1947, he returned to Britain to take his Ph.D Kenyatta assumed leadership of the Kenya Teachers' College. But nationalism had reached such a high pitch that Koinange could not stay away too long.

Select Committee -- selected to examine further the former's report on Closer Union -- was responsible for Kenyatta's second trip which was to last for a decade and a half.

CHAPTER VI

KENYATTA: AGITATOR AT LARGE

In giving evidence at his trial in 1953, Kenyatta told the Court: "I do not know when I was born -- what date, what month, or what year -- but I think I am over fifty. I was educated first in the Church of Scotland Mission and after that I educated myself. I am a Christian."[1]

Kenyatta was over fifty long before the trial. He had educated himself in the widest sense of the word, reaching a point where in him and the Kenya African Union (formed in 1946) "all the Kikuyu organizational strands eventually met -- independent schools; the Teachers' Training College at Githunguri; age-group organizations; ex-soldiers' associations; trade unions; and, lastly, the K.C.A."[2]

This chapter will trace Kenyatta's intellectual development; his role as chief spokesman for Kenya Africans and his involvement

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[1]Quoted by Montagu Slater, The Trial of Jomo Kenyatta (2nd ed. rev.; London: Secker & Warburg, 1959), p. 147.

[2]Historical Survey of the Origins and Growth of Mau Mau, Cmd. 1030, (1960), p. 51.

in Pan-African activities. These activities and influences made Kenyatta the undesputable leader of the Africans and later propelled him into the highest office his nation could offer.

Kenyatta left for his second trip to England in April, 1931, accompanied by Parmenas Mockerie. Their mission was to give evidence (as KCA representatives) before the Joint Select Committee of Parliament. Although they arrived too late to appear before the Committee, the Government's official African delegation -- Chief Koinange (Mbiu Koinange's father), James Mutua from Ukambani and Ezekiel Apindi representing Nyanza -- had given the Committee the gist of African grievances. Kenyatta and Mockerie wrote the Committee a memorandum which included a plea that their views should not be thought of as "expressions of a few semi-educated agitators as some of us have been dubbed in the past."[3]

Back in 1928 Mockerie had written an article in Muigwithania appealing for all Kikuyu to become educated. He himself was not unaware of his inadequate knowledge in the western ways. They needed to expand their education. In August, 1931, Kenyatta and Mockerie attended the Fabian Summer School in Surrey. In October they started college, Mockerie going to Fircroft College for Working Men in Woodbrooke.

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[3]Parmenas Mockerie, An African Speaks for His People (London: Leonard and Virginia Woolf at the Hogarth Press, 1934), p. 81. Mockerie returned to an active role in Kenya becoming inspector of independent schools in the forties.

Intellectual Development

When Kenyatta returned to England in 1931 his friends must have advised him to stay and widen his liberal education. They were ready to help too. On the second trip he met Dr. Norman Leys and Leys' brother who was then teaching at a Quaker college in Birmingham, and many Quakers of the Quaker Friends' Council for International Service.[4]

Kenyatta commenced his studies in the autumn. He moved to Woodbrooke, one of the Selly Oak colleges where at first concentrated on improving his English and getting acquainted with English life. At last Kenyatta's opportunity to study Western ideas first hand had come. While at Woodbrooke he developed a particular interest in lectures on international and social affairs. He spoke at some of these lectures about troubles in his own country and tribe.[5]

Kenyatta did not isolate himself in Birmingham. He used to attend meetings and deliver lectures on Kenya although he did not limit himself to Kenya. For example, the Scottsboro Boys case in the United States aroused his anger so much that "he took an active part in organizing public protest in England."[6]

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[4]Dr. Norman Leys had published some highly critical comments on British rule in Kenya after retiring from working there. We have referred to two of his books: Kenya and A Last Chance in Kenya, 1924, 1931 respectively.

[5]George Delf, Jomo Kenyatta, pp. 90-91.

[6]Ibid., p. 92. This involved nine Negro youths indicted in March 1931 on a charge of raping two young white women. The Alabama trial court sentenced eight of them to death. They were denied the right to counsel, the jury was all white and all evidence indicated that they were not given "a fair, impartial and deliberate trial," as the U. S. Supreme Court ruled. See Rayford W. Logan, The Negro in the United States (Princeton: D. Van Nostrand Col, 1957) pp. 147-150.

Reading Kenyatta's speeches since independence, one finds frequent references to "let us forget the past," "we should forgive," and "let us work together." All these admonishments are encapped in his recent book, Suffering Without Bitterness. As we can see, the "Spirit of Woodbrooke" was not exactly effaced by his long and difficult struggles of the following decades. One gets the flavour of this spirit from Kenyatta's own words:

> What then is the real Spirit of Woodbrooke? It is the Spirit which forces men and women to realize their mutual responsibility in life; it teaches them to think of others, and not to take thought alone for their own comfort, pleasure or salvation. This Spirit I hold must grow to pervade all classes of the community, irrespective of rank or station, colour or race. It is a Spirit that will raise men by its unselfishness, will redeem them by its personal appeal, will broaden their views, so that where now they see but creed and dogma, they will see Truth. It will indeed teach us that we, the children of humanity, being brothers and sisters, must serve one another in the love of all-mankind, to the benefit of all life, and to the advancement and ultimate perfection of those who are yet to come.[7]

With this spirit, Kenyatta moved from Woodbrooke to London, where he stayed through 1939. In giving oral evidence to the court in 1953, Kenyatta said that he spent two years (1932-1934) in the Soviet Union during which he attended Moscow University. His other activities during the same period tend to contradict the story. (It is plausible that Kenyatta said that out of bitterness, knowing full well that whether he spent a day there or two years the prosecution would use that as evidence against him.) During this period Kenyatta published several articles and letters bearing his

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[7]Quoted in Delf, op. cit., p. 94.

London address. In June, 1932, he gave evidence to the Morris Carter Land Commission before it left for Kenya.

Several accounts agree that he visited the Soviet Union twice but we cannot prove that he studied, as Corfield said, "at the Lenin School of Subversion."[8] That he stayed there for the months of May-August, 1933, is fairly accurate for an article of his appeared that November in The Labour Monthly on "The Gold Rush in Kenya." The following May he wrote to the New Statesman and Nation concerning the same issue of gold prospecting in Kakamega.

In London, Kenyatta shared quarters with two men he was to associate with for a long time. Both were exiles of sorts: Paul Robeson, the American Negro singer, who had moved to London where he felt more at home than in the United States; and Peter Abrahams, the South African writer. This comradeship was quite rewarding for they exchanged information about their respective countries and nurtured ideas for Pan-African movements.

When Peter Abrahams visited Kenyatta in 1952 he found him a bitter man: "I tell you frankly, man, I am bitter. These people think they are gods here. In England they wouldn't [sic] be seen in the same intellectual company I keep."[9] This company was cultivated during Kenyatta's formal intellectual achievement in the period 1933-1938. Throughout this time he was connected with

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[8]Historical Origins of Mau Mau (Cmd. 1030), p. 43.

[9]Return to Goli (London: Faber and Faber Ltd., 1953)., p. 206. Emphasis added.

London University in various capacities: teacher, student, scholar. Kenyatta was employed in the Department of African Phonetics as an assistant ("informant" as they called him then). At the same time he taught Kikuyu, language of the Kikuyu people, in another part of the University, the School of Oriental and African languages -- now School of Oriental and African Studies (SOAS).

For three years he had established his own reputation in academic circles. In 1936, he enrolled at London School of Economics in a post-graduate course designed for students who, although they did not hold any degrees, "had 'a special acquaintance with native life.' Kenyatta's fees were paid by an organization of impeccable reputation in the academic world . . . the International African Institute."[10] Ironically, for nationalists like Kenyatta, the chairman of the Institute's executive council was Lord Lugard, the Grand Old Man who conserved East Africa for the Empire. Lugard had written of his adventures in a two-volume work, The Rise of Our East African Empire (1893).

After studying under that eminent anthropologist, Professor Branislaw Malinowski, Kenyatta obtained a diploma in the field. Apart from Malinowski, his classmates found him brilliant both in seminar discussion and in written papers. Even those who found him "clearly ambitious and an intriguer," did not fail to acknowledge

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[10]Delf, Jomo Kenyatta, p. 99.

Kenyatta's ability, self-confidence and eloquence.[11]

One of these classmates was Elspeth Huxley (Lord Delamare's biographer), herself an accomplished and prolific writer. She recently wrote of Kenyatta: "In the discussions he was fluent, alert, cogent and authoritative -- one of the stars." She still recalls those 1936 days when they

> lunched together at a Chinese restaurant, where he was a genial loquacious and sometimes evasive companion, whose conversation hinted at the tortuosity masked by humour common to almost every intelligent man of his tribe. The spark of oratory was always smouldering, but a crowd provided the bellows; then he could become as compelling as a modern Savonarola or Mark Antony, riveting by devious subtlety an African audience.
>
> He was always a showman . . . . He wore the now familiar heavy ring with its dark stone -- a garnet, is it, or carnelian? -- carried an ebony walking stick, although I cannot remember whether it had an elephant's head, like today's or whether, like the fly whisk and beaded cap, that came later. To aid the cause of what was then called subversion, but now the struggle against colonialism, he would be photographed in a leopard skin, gripping tribal weapons, above the caption 'Burning Spear.'[12]

Two other advantages resulted from Kenyatta's association with London University. He and Prince Peter of Denmark, a fellow classmate in anthropology, became close friends. At the end of the course, Kenyatta visited Denmark at the invitation of Prince Peter. He was very impressed with the Danish co-operative agricultural colleges and had visions of starting some in Kenya. Of lasting importance, however, was the encouragement he received to

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[11] Ibid., p. 100.

[12] With Forks and Hope: An African Handbook (New York: William Morrow & Co., 1964), pp. 171-172.

write Facing Mount Kenya: The Tribal Life of the Gikuyu (1938).

Professor Malinowski's introduction to the book gives Kenyatta hight recommendation as an accomplished scholar:

> For several years past Mr. Kenyatta has been a member of my discussion class at the London School of Economics, He was thus associated in research and discussion, in original contribution and extempore critical activity with a number of brilliant, experienced and highly competent young scholars, many of whom had done their own term of field work, and all of whom had had years of previous academic training. In this group he was able to play an active, indeed creative part, giving us illuminating sidelights, inspired by the inside knowledge of an African, but formulated with the full competence of a trained Western scholar.[13]

When the war broke out, Kenyatta was still living in London. With the KCA on the verge of being banned, his funds -- the KCA had been sending him money in dribbles -- were running low. Many of his friends who were members of the Workers' Educational Association found him a job as lecturer in anthropology. Shortly thereafter, he moved to Storrington, forty miles south of London. He became an agricultural labourer as part of the Government's "directed labour" policy.

Kenyatta stayed in this Sussex village town through the war years -- but not just as a farm hand. He lectured for over five years on African Affairs to the British Army in various searchlight units and in military barracks. Thus, the "KCA representative in England, far from being detained under the Defence Regulations, was allowed to educate the British Army about Africa."[14]

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[13] p. viii.

[14] Rosberg and Nottingham, The Myth of 'Mau Mau', p. 190.

Twisting the Lion's Tail

During the war years, Kenyatta found time to write. He published two monographs, My People of Kikuyu (1942) and Kenya: The Land of Conflict (1944). The latter was a brief survey of the Native Problem in Kenya. It also gave a good substantive summary of the articles he had previously written. But, above all, it was a political testament of a revolutionary who had come to know the Colonial Office and its "collusion" with settler interests in Kenya.

Kenyatta wrote that whatever one may think of the methods employed by the British in establishing themselves in Kenya, "their foothold is secure, and it would be impossible to turn them out without a bloody insurrection." This could be averted only if "a fundamental change in the present political, economic and social relationship between Europeans and Africans" were instituted so that Africans could share in the "new society" as equals rather than as "serfs doomed to labour for bare existence."[15] As we can see, Kenyatta had come a long way. In 1944, he concluded that

> it is not in human nature, it is not even physically possible to submit for ever to such complete oppression . . . . The Africans make their claim to justice now, in order that a bloodier and more destructive justice may not be inevitable in time to come.[16]

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[15] Kenya: Land of Conflict, p. 22.

[16] Ibid. Was he prophesying "Mau Mau" or did this come as a result of good reading of history?

Kenyatta's immediate target was always the Colonial Office and its political head, the Secretary of State for the Colonies. Although he had many influential friends within the Labour Party, he was aware that its colonial policy did not substantially differ from that of the Conservatives. On May 12, 1955, the influential Times proved him right: "Happily for the colonies, there is little basis in fact to support the thesis . . . that the policies of the Conservative and Labour Parties in colonial affairs are widely divergent."

Lord Passfield (Sidney Webb), Labour's Colonial Secretary, pledged (1930) that there would be no more alienation of native lands. As embodied in the Memorandum on Native Policy in East Africa (Cmd. 3573), the pledge said:

> The first essential is to remove from the native mind any feeling of insecurity in regard to his tribal lands -- that the lands from within the . . . Native Reserves are reserved for the use and benefit of the natives for ever. Any derogation from this solemn pledge would . . . be not only a flagrant breech of trust, but also, in view of the inevitable effect upon the natives, a serious calamity from which the whole Colony would not fail to suffer.[17]

This solemn pledge was broken following the discovery of gold in one of these reserves. Kenyatta noted the rapidity with which an amendment to the Native Lands Trust Ordinance of 1930 was rushed through the Kenya Legislature with the blessing of Sir Cunliffe-Lister, the Conservative Colonial Secretary, a man with "the interest of the natives at heart." The 1931 amendment gave

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[17]Quoted in Ibid., p. 16. Emphasis added.

gold prospectors a legal right to mine in the midst of a Native Reserve.[18]

In 1935, Kenyatta had witnessed another example of the continuity in colonial policies. Long before the Labour Party was formed, British Government (1906) had accepted for Kenya a policy of segregation in the ownership of land -- the policy of reserving the best lands for white settlement. In 1935, Malcolm MacDonald, Labour Party's Colonial Secretary, approved the Kenya Order-in-Council which formerly excluded Africans and Indians forever from owning land in the White Highlands.[19]

Kenyatta, having discovered that policies were formulated by a few Colonial and Civil Servants whose names are never heard of by the British public, turned to the Press as a sure way of making the public know what Africans' grievances were.

The article in Labour Monthly (November, 1933) and the letter to The New Statesman and Nation the following May, were sparked by the removal of the Abaluhya from their ancestral land to make room for gold diggings. On April 27, 1934, Sir Cunliffe-

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[18]"The Gold Rush inKenya," The Labour Monthly, XV (November 1933), 692.

[19]Another irony of history is that MacDonald, after a long distinguised career as Colonial administrator, became Kenya's last Governor (1963), its first and last Governor-General and on Kenya's promulgation of Republic (December 12, 1964) became Her Majesty's first High Commissioner in Kenya. See Suffering Without Bitterness, pp. 249-251 for Kenyatta's farewell speech in which he lauded MacDonald as a personal friend and a statesman.

Lister spoke to a luncheon of the East African Group of the Overseas League concerning his recent tour of Kenya and, particularly, the Kakamega gold field. He told his audience: "I say with absolute conviction and without fear of contradiction that nowhere else in the world would you find such good relations existing between Natives and Europeans."

Kenyatta questioned these "good relations" in the light of a memorandum the Abaluhya Central Association presented to the Colonial Secretary citing several specific instances of the terrible conditions under which the Abaluhya had suffered since the "gold hunters were allowed to occupy" their country.[20]

Kenyatta was sure that if Sir Cunliffe-Lister had not refused to meet representatives of African communities he would have been well informed of the African grievances. Whenever Kenyatta wrote an article on a specific issue he often made references to other injustices: "The soul of the African is stricken nigh death by confiscation of its ancestral lands . . . and its subjugation to an imperialist system of slavery, tax paying, pass-carrying and forced labour."[21] On forced labour he would point out that "Natives are

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[20] New Statesman and Nation, VII (N.S.) (May 12, 1934), 707-708. Kenyatta appended the momorandum to his letter. This had been sent to him direct by the KCA which also complained that the Secretary had refused to meet with the Abaluhya people as "he refused to meet the Masai Association, the KCA and a Joint Select Committee, representing the whole Kikuyu community.

[21] Labour Monthly, XV, 691.

compelled to work for Europeans for . . . not less than 180 days per annum." He also often lamented the denial of the most elementary democratic rights: freedom of speech, movement, press, organization and collective bargaining.[22]

The lack of representation in the Legislature was also a preoccupation of Kenyatta. The appointment (1936) of two unofficial members to represent Africans was not enough. He wrote that while "we congratulate the Government for taking the initial steps to increase African representation, we, the African people, feel strongly that no one can better represent our interests than one of our own race. We have demanded, not the representation by white men, but the right to be represented in the Council by Africans . . . Until this representation of Africans by Africans is justly settled, there can be no peace or prosperity in Africa."[23]

For five months in 1938 a dispute between the Wakamba and the Government concerning cattle reached a climax. The Government embarked on a very injudicious policy of making them reduce (by selling) cattle on the pretext that large herds were causing soil erosion. In one area armed troops were used to collect

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[22]New Statesman, XIII (N.S.) June 27, 1936, 1022-1023. See also "Native Rights in Kenya," New Statesman (April 24, 1937), 674, concerning the forcible removal of the Tigoni tribe to another part of Kenya since their ancestral land fell within the "White Highlands."

[23]The Times (London), April 24, 1934, p. 10.

several hundred thousand cattle for sale. (The Government offered the Wakamba from 11s. to 15s. perhead when the average market value ranged from 50s. to 100s.)

A series of letters appeared in the Manchester Guardian and The New Statesman in which Kenyatta drummed up support for the plight of the Wakamba tribesmen. He asserted that all Kenyans were inflamed by this policy, for cattle played a very important role -- wealth, prestige -- in every tribe: "The Africans of Kenya are well aware that this question does not concern the Wakamba alone . . . . To them the news of a forced sale among the Wakamba is the presage of a disaster."[24]

At the height of the dispute, two things happened. Kenyatta learned that the Government had actually encouraged a private company to build a meat factory in the vicinity of the Wakamba Native Reserve. The company was assured of a regular supply of cattle -- 100,000 head per annum. Failing to convince the Wakamba to sell their cattle, the Government had resorted to these measures to fill the quota. The Wakamba leaders organized a protest march to Nairobi. The five thousand marchers vowed never to leave unless the Governor remedied their situation. Kenyatta remarked that they must have been terribly disturbed by the attitude of Malcom MacDonald who, "in reply to their telegram asking that they be

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[24]Manchester Guardian, July 2, 1938, 18. Subsequent letters appeared on July 13; August 11, 19; and October 1.

allowed an opportunity to state their grievances to the Colonial Office, has instructed the Governor to order the Wakamba back to the Reserve."[25]

For the Colonial Office, the cattle dispute could not have come at a worse time and, especially, with a revolutionary in their midst. Kenyatta reminded Britons of what was going on in Germany and Italy:

> The people of England object to Fascism; they are ready to fight to save other democratic countries from coming under the Fascist or Nazi yoke. But if ever they are to fight in earnest they will need the support of the colonial peoples themselves. How can they expect that support unless they convince them that British methods are different and that British claims to stand for democracy and freedom are true?[26]

On this matter Kenyatta had used the Press very effectively. When the dispute was settled, he thanked, in identical letters, the two papers for showing a readiness to give publicity to the matter from the beginning: "It is unquestionable that the attention they have received in the press has helped the Wakamba in checking the high-handedness of the Government."[27]

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[25] Ibid., August 19, 1938, 158.

[26] "An African Point of View," The New Statesman, XV (N.S.) (June 25, 1938), 1060. Other letters on the same subject were published on July 16 and October 1.

[27] Manchester Guardian, October 1, 1938, p. 5. See also The New Statesman, XVI (N.S.) (October 1, 1938), 487. When Kenyatta wrote these letters he did not know that Samuel Muindi, leader of the march on Nairobi, would soon be deported.

Throughout his stay in England, therefore, Kenyatta had established himself as the spokesman for Kenya Africans as we have shown in the examples of gold prospecting among the Abaluhya; land and representation among all Africans; and the cattle dispute among the Wakamba. All these matters were also discussed in Parliament. Whenever Africans had any grievance, they simply sent Kenyatta a cablegram asking him to acquaint "all friends of the Africans in England" with the problem. If appropriate, he then drew up a memorandum (or they sent him one which he merely refined).

The next step was either to give it to Arthur Creech Hones, Labour's spokesman on colonial affairs, and/or to write a letter to an influential paper as we have shown above. It is no wonder that his return to Kenya was so enthusiastically received. But his reputation had been enhanced by activities in a third area: Pan-African movements.

Black Brothers Unite

The League Against Imperialism had criticised Kenyatta for being too narrowly preoccupied with colonialism in Kenya. The situation did not remain so for long. By the time he left Birmingham to join his "Black Brothers" in London, Kenyatta had expanded his horizons considerably. He had never missed an opportunity to travel.

In June, 1931, the International Labour Organization held a conference in Geneva to discuss colonial child welfare (left-wing circles dubbed it the "Save the Children" conference). Kenyatta was one of the seven blacks who attended the conference in an

unofficial capacity. After Geneva and the next few years, Kenyatta visited several other European countries. By the time he wrote on the Ethiopian situation (1935), he was widely read. In "Hands Off Abyssinia!" Kenyatta reviewed Italy's late arrival to the "community of nations" in Europe; her disastrous defeat at Adowa in 1896 by Emperor Menelik's troops and her defeat during World War I. The article was prompted by Mussolini's threatened invasion of Ethiopia.

The blacks living in London had formed the International African Friends of Abyssinia to "assist by all means in their power, in the maintenance of the territorial integrity and the political independence of Abyssinia." The practical purpose of this organization was really to arouse the sympathy and support of the British public for the victim of Fascist aggression. In the true revolutionary spirit, Kenyatta declared that "the people of Africa will oppose the destruction of Ethiopian independence with all their might . . . . We ask all members of other races sympathetic to us to join us against the organized forces of reaction."[28]

Kenyatta was the honorary secretary of this organization. Other officers were: C.L.R. James from Trinidad, chairman; Dr. Peter Milliard of British Guiana and the Hon. T. Albert Marryshaw of Grenada, vice-chairmen; Mrs. Amy Ashwood Garvey, former wife of the famous Negro leader, honorary treasurer. These and Sam Manning of Trinidad, Mohammed Said of Somaliland and George Padmore, formed the executive council. In 1936 this committee organized a reception for Emperor

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[28]Labour Monthly, XVII (September 1935), 532, 536.

Haile Selassie and his entourage when they arrived in London to begin the long exile.[29]

Soon after that the committee disbanded, its work having been taken up by an English group, the Abyssinian Association. But the members of the society were to play a leading role in future Pan-African organizations. In 1935, George Padmore moved to London permanently. He was instrumental in the establishment of the International African Service Bureau (IASB). The bureau, organized in March, 1937, "represented progressive and enlightened public opinion among Africans and peoples of African descent. It supported the demands of colonial peoples for democratic rights, civil liberties and self-determination."[30]

Membership was confined to blacks although "Europeans and others who desired to demonstrate in a practical way their interest in African welfare" could become associate members. Kenyatta became assistant secretary of IASB with three new men, Chris Jones of Barbados, Wallace-Johnson of Sierra Leone and T. Ras Makonnen (he had adopted this Ethiopian name and dropped his real name, Griffiths) of British Guiana.

In July, 1938, the IASB started publishing the journal, International African Opinion. Kenyatta was one of the two Africans

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[29]George Padmore, Pan-Africanism or Communism? The Coming Struggles for Africa (London: Denis Dobson, 1956), p. 145.

[30]Ibid., pp. 146-147.

on its seven man executive board. Its patrons included such well known figures on the left as the Rev. Reginald W. Sorensen; D.N. Pritt, Q.C. (who later was chief Defence Counsel for Kenyatta and his colleagues in 1953); Arthur Creech Jones, later the Colonial Secretary in the Attlee Government; and Victor Gollancz, founder of the publishing firm that bears his name and publisher for the Left Book Club.[31]

The IASB carried on with its activities through the war years. Topics discussed in its journal included "methods and forms of organization to be adopted by colonial peoples; the tactics and strategies of the national freedom struggle; the applicability of the Gandhian non-violent, non-cooperative techniques to the African situation."[32] In 1944, it merged into the Pan-African Federation. Colonial and Coloured People's organizations could affiliate with the Pan-African Federation. Among the affiliates were the KCA (although still proscribed). It became, in effect, the British section of the still American based Pan-African Congress movement under the leadership of that venerable "Father of Pan-Africanism," Dr. William Edward Burghardt DuBois.

The Pan-African Federation also created a publications branch the Panaf Service, Ltd. Its members submitted monographs on specific

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[31]James R. Hooker, Black Revolutionary: George Padmore's Path From Communism to Pan-Africanism, p. 49. See also Who's Who 1963, pp. 1176, 2475, 2854.

[32]Padmore, op. cit., p. 150.

colonial issues. George Padmore edited the series, aided by an editorial advisory committee composed of Jomo Kenyatta, Peter Abrahams, Makonnen, C. L. R. James and Wallace Johnson. Kenyatta's pamphlet, Kenya: Land of Conflict was published under this auspices. Towards the end of the war, Kwame Nkrumah, recently arrived from the United States, was added to the list of militant brothers.

On August 14, 1941, the Atlantic Charter was published, being a joint statement of policy to be pursued by the United States and Britain in the post-war period. This Charter -- the work of Churchill and Roosevelt -- was endorsed by other major powers. Of the eight principles enunciated, two were of particular interest to members of the Pan-African Federation and other colonies elsewhere:

> Second, they /signatories/, desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;
>
> Third, they respect the right of all peoples to choose the form of government under which they will live. . . .

In 1945, therefore, the Pan-African Federation was not oblivious of the proceedings in San Francisco to create an international organization (the United Nations). The Federation presented a manifesto to the great powers asking that the faith they showed in the Atlantic Charter should also apply to Africa. Among the signatories of this manifesto was Jomo Kenyatta. The manifesto pointed out that certain rights in the political, economic and social spheres were due the Africans. They had won these rights during war service.[33]

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[33]Hooker, op. cit., pp. 87-88.

When the war ended, the Pan-African Federation, at the urging of Padmore, began thinking about a Pan-African Congress to be held in England. Preparation for it was assigned by Dr. W. E. B. DuBois, the International President, to the executive of the Federation. Thie special international conference committee--Dr. Peter Milliard, chairman; T. Ras Makonnen, treasurer; George Padmore and Kwame Nkrumah, joint political secretaries; Peter Abrahams, publicity secretary; and Kenyatta, assistant secretary--was busy during the summer preparing for the conference scheduled for October. (This was to coincide with the second conference of the World Federation of Trade Unions due to meet in Paris from September 25 to October 9.)

The Lord Mayor of Manchester opened the Fifth Pan-African Congress on October 13, 1945.[34] This gathering was important in several respects. It was the first Congress attended by so many of "Africa's young leaders: a collection of unknowns soon to win fame, notoriety and power in their own countries."[35] The resolutions passed show a shift in emphasis. They called for active organization of the masses: "Today there is only one road to effective action--the organization of the masses. And in that organization the educated colonials must join."[36] It was also the last Congress held outside

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[34]This should really be the Sixth Congress since the first was held in 1900. Most writers on Pan-Africanism tend to discount it.

[35]Colin Legum, Pan-Africanism: A Short Political Guide (New York: Praeger, 1962), p. 31. This is the best source for the Pan-African movement, including the Manchester conference. See also Padmore, Pan-Africanism or Communism?

[36]Padmore (ed.), History of the Pan-African Congress: Colonial and Coloured Unity (2d ed.; London: The Hammersmith Bookshop, Ltd., 1963, p. 7.

Africa. The next one convened in Ghana in 1958 as the All-African Peoples Conference.

Kenya was represented by that agitator extraordinary, Jomo Kenyatta. Besides being rapporteur for East Africa, he was Chairman of the Credentials Committee. At this conference, Kenyatta met the Nigerian, H. O. Davies, Q. C., who was to join the defense team representing Kenyatta in 1953.

The Conference sent a congratulatory message to Prime Minister Attlee also requesting that his Government honour, by putting into effect, the principles of the Atlantic Charter. (Because of its connections, the Pan-African Federation had considered entering their own candidates for the Parliamentary elections. Had this materialized, Hooker avers, Padmore, Dr. Milliard, Moody and Kenyatta -- the "Kenya Chieftain and lecturer in Anthropology" -- were the most likely candidates.)[37]

When Kenyatta reported to the Conference on East Africa, he said that he "recognized the value of European energy in Kenya and hoped that, after independence, Europeans would stay and become integrated under some form of socialism."[38] Since his release from detention in August, 1961, Kenyatta's theme was just that: harmonious integration. "Some form of socialism" was initiated in 1965 based on Kenya Sessional Paper, African Socialism.

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[37]Black Revolutionary, p. 89.

[38]Delf, Jomo Kenyatta, p. 126.

The Fifth Pan-African Congress had issued a challenge to colonials living abroad. It made them realize that "Whitehall would be more likely to change its mind on colonial policy if it is faced in the colonies with massive popular organizations which could not be contained even by force." Kenyatta's usefulness in England was over and he had to return home to face the challenge. For a man who never had to fight an election, it is difficult to know whether Kenyatta thought the challenge would include working his way to the top. Perhaps he was confident in himself that the leadership role would simply be bestowed on him as soon as he got back. He obtained it soon after his return.

CHAPTER VII

THE LONG ROAD TO POWER

> I believe that white settlement in Africa is but a ripple on the sands of Time; that the future map of Africa will be coloured Black and that we shall be submerged as a white speck in a Black ocean . . . . We stand at the parting of ways littered with past failures to find a just solution of the relations between Black and White.
>
> J. H. Driberg

Agitator Extraordinary Returns

The African contribution to the war-effect was recognized and used by colonials as a leverage to demand equality with all other races. Although the settler oligarchy could not deny the contribution, they, nevertheless, still refused to allow any promises to colonials that might jeopardize their political, economic and social dominance. The settlers saw any discussion about the fitness of Africans to have their own elected spokesmen in this regard.

The attitudes that prevailed in regard to local government bodies -- LNCs, Municipal Councils -- were equally applicable to the centre: that Africans were inherently incapable of participating equally with other races in government. Some influential Indian representatives held similar views. The arguments advanced in support of these attitudes were that there could be no meeting-ground since "they [Africans] do not think the way Europeans think." To the charge that Africans could not think in terms of the whole community (including all races in the term) opponents said that Africans had never really been given the chance to interest themselves with "the community as a whole."[1]

An 1945, for example, one Councillor and ex-Mayor of Nairobi was "against adding African members to the Council, for they will have the privilege of speaking on all matters that affect more or

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[1]Mary Parker, "Political and Social Aspects of the Development of Municipal Government in Kenya with Special Reference to Nairobi," (London: Colonial Office), Unpublished, pp. 184, n., 183.

less the European and Indian communities." Africans, according to the Mayor, were only to be consulted: "They should only be allowed to take part [how? one may ask] in questions that affect the African people."[2] Implicit in these views was the belief that what Africans needed-- what was good for them-- was a long apprenticeship through their own LNCs and laterly the locational councils.

The Labour Government boosted these positions by putting into effect Labour's "experiment in democracy" which was to start at the bottom. The experiment called for direct election to LNCs and the participation of Councillors in important decision-making. (European District Commissioners continued to be Chairmen of the LNCs. Even by 1961 with independence approaching, only 9 of the 24 LNCs -- renamed African District Councils -- had Africans as Chairmen!)[3]

On August 26, 1943, Kenyatta published a letter in The Listener (p. 243) challenging these assumptions, particularly with reference to the Legislative Council:

> It is said by the British in Kenya that there is no native-born African well enough educated to sit in the Legislative Council. As a matter of fact, although Africans in Kenya who want to obtain a higher education are faced with almost superhuman difficulties, there are a few who by initiative, persistence and good fortune have triumphed over these difficulties [Kenyatta, Koinange among them], and who are today even better educated than some of the Arab and Indian representatives whose competence is not called in question, and not less learned than some of the most respected of the Europeans.

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[2] Ibid., p. 184, n.

[3] John Nottingham, "The Development of Local Government in Kenya." Paper (Mimeo.), n.d. [ca. 1965].

On October 10, 1944, Eliud Mathu became the first African appointed to the Legislative Council. This appointment raised high hopes -- soon to be dashed -- for rapid political participation by Africans.[4] This, however, did not alter the Europeans' views vis-a-vis African representation. In the same year two other developments, significant for Kenyatta, occurred. The KCA leaders, detained or imprisoned since May, 1940, were released. Finally, on October 1st, thirty-three Africans from all over Kenya met in Nairobi and formed Kenya African Union (KAU). The organization had a twofold purpose: to advance African interests and to aid Eliud Mathu in his new task -- presumably as Mathu's direct link with the people.

KAU's interim officers were Harry Thuku as Chairman; Francis J. Khamisi (Coast Province) as Secretary; and Albert Owino (Nyanza) as Treasurer. But because of Government pressure the group changed its name to Kenya African Study Union. The first delegates' conference on February 3, 1945, elected James S. Gichuru President (Harry Thuku had resigned that January). A year later the group dropped all pretence of being a study union and reverted to its original name, KAU. Two Abaluhya, Joseph D. Otiende and W.W.W. Awori, were elected Vice-President and Treasurer respectively.

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[4]Mathu was educated at Alliance HightSchool and Oxford University. In 1934 he founded the first Kenya African Teachers Union. He was well known in Government and missionary circles. At the time of his nomination, he was Principal of the Kikuyu Karing'a independent school at Waithaka. Whereas Mathu's colleggues represented geographical constituencies, his official title was "Nominated Unofficial Member for the African Community."

These events must have influenced Kenyatta's final decision to return. In September, 1946, he sailed for Mombasa where an exuberant audience met him. Among those were leaders of the KCA. (Although not functioning, the KCA had contributed financially to his return trip.) Kenyatta immediately started working in the independent schools system. He became head of the Kenya Teachers' Training College in 1947.

Soon "history was to repeat itself." As had happened in 1928 with the KCA and would later take place with Kenya African Union (1961), the way was open for him to join the party as the top man. On June 1, 1947, James Gichuru stepped down as KAU's President to make room for Kenyatta's unanimous election. His assumption of the Presidency legitimized KAU as the vehicle for African nationalism. Many tribal associations that had mushroomed in urban centres transferred their political functions to the Party.

Kenyatta had voted for (and perhaps he helped draft) the Manchester Conference's resolution that called for the organization of the masses. He, therefore, set about to widen KAU's popular base in areas outside the large urban centres. Oginga Odinga pointed out that with Kenyatta's arrival, "the Luo people began to think in terms of the whole country for the first time. Up to the Second World War, teachers taught in terms of the tribe; they did not think in terms of a nation. Kenyatta's role was one of political education."[5]

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[5]Rosberg and Nottingham, Myth of 'Mau Mau', p. 214.

KAU could properly be called a Party. It was characterized, throughout its existence by:

> (a) a broad nationalist objective, the elimination of the existing colonial system; (b) looseness of structure -- taking the form often, of local and functional associations, grouped around a central junta which has entire control over policy; (c) emphasis on the idea of representing 'all the people,' the national will made articulate; (d) an aggressive strategy, associated with the lack of constitutional mechanism for the realization of the nationalist objective.[6]

Although the activities of KAU and its President did not make a dent with the colonial Government, they caused some extemists concern. This group toyed with the idea of having Kenyatta deported. The Governor, Sir Philip Mitchell, did not improve matters. While accepting increased African representation on appointive basis, he refused to meet or negotiate with KAU leaders. In 1946, Kenyatta expressed an interest in participating in national affairs. Sir Philip insulted him by advising Kenyatta to take part in the business of his LNC before asking to participate in national affairs.[7]

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[6]Thomas Hodgkin, African Political Parties (Baltimore: Penguin Books, 1961), p. 51. Hodgkin calls an organization with these characteristics a Congress, reserving political party for one which is competing for votes with another party in an attempt to capture control of the Government.

[7]Sir Philip E. Mitchell, African Afterthoughts (London: Hutchinson, 1954), p. 259. Sir Philip was Governor for eight years, longer than any other Governor ever served. He left the Governorship (on June 21, 1952) exactly four months before the Emergency declaration.

Once more this rebuff led to political activities taking place outside the constitutional framework. A man of Kenyatta's stature could not sit in an LNC and see his suggestions frustrated by a District Commissioner, its Chairman. The programme of KAU was well publicised through the African press which grew rapidly after 1945. Many political leaders at various times edited one or more of these papers and news sheets. Most of them were published in the vernaculars -- Kikuyu, Luo, Luhya, Kamba -- although a few were written in English and Swahili. Some of the better known ones included the Coast African Express owned by the Coast African Association; Nyanza Times associated with Oginga Odinga and the Luo Thrift and Trading Company; and KAU's own Sauti ya Mwafrika (African Voice).[8]

Since nearly all the demands that previous political associations made had not been fulfilled, it was only logical that KAU take them up. There were two significant differences. Earlier associations often sought remedies at the source of imperial power. But post World War II developments convinced KAU that any redress of African grievances could only come through political control of the country. Second, KAU had become a truly nationalist movement with a stronger organization than previous ones.

By 1948, KAU had lost all confidence in the colonial regime. Wide unrest was evident among natives. Speaking in the Legislative Council, S.V. Cooke, an arch critic of the settler oligarchy, accused

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[8]Rosberg and Nottingham, Myth of 'Mau Mau;' p. 211.

the Government for "their weak, vascillating policy so far as the Africans of this country are concerned." Suspicion of Government intensions was "rising and sweeping like a tide." He rhetorically asked what the Government was "proposing to do to restoresin the African that old faith in the bona fides and good faith of the British Government."[9]

The main contributing factor to this situation was the "constant breaking of Government pledges and promises to the African people." This breech involved His Majesty's Government as well. Following conclusion of the war, the Labour Government revived the idea of federating East Africa. Their proposals embodied the principle of equal representation of Africans, Europeans and Indians. Africans had welcomed these proposals warmly. But Kenya settlers were infuriated. They viewed this principle at the Ferderal level (Central Legislative Assembly) as a threat to their political hegemony in Kenya. Although a modified form of federation -- the East African High Commission -- was established in 1948, settlers had clearly won over the British Government.

In 1949, the Electors' Union, successor to the pre-war Convention, drew up its own plan for federation. Its famous -- or notorious -- Kenya Plan was a statement of European intentions to maintain the paramountcy of their already entrenched position. African leaders interpreted it as an authoritative restatement of

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[9]Kenya Legislative Council, Debates, January 8, 1948, cols. 686, 684.

of European plans to create an East African dominion under white control. The Chairman of the Electors' Union succinctly explained their plan in 1950: To the Africans we offer the sympathetic tutelage which will lead them to full participation in the Government of this country. But we have made our position clear. We are here to stay and the other races must accept that premise with all it implies.[10] In the mid-fifties, the Kenya Empire Party worked to "unite all unofficial Europeans in Kenya into one party" pledged to a programme similar to that of the Kenya Plan. The Party sought to "obtain Home Rule for Kenya under European Settler Leadership at the earliest possible moment."[11]

KAU had clearly established itself as the African political organization. It fulfilled an array of vital functions in seeking a territorial base for postwar nationalism. It presented African demands and grievances to the Administration, tried to secure support overseas in Britain, India and at the United Nations (KAU petitioned the U.N. twice in 1948 and again in 1951). But there is no gainsaying that its weaknesses in the context of colonial politics were apparent. With settlers determined and organized to maintain their hegemony, constitutional nationalism had achieved few African victories.

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[10]Mbiu Koinange, The People of Kenya Speak for Themselves (Detroit: Kenya Publication Fund, 1955), p. 92. See also Rosberg and Nottingham Myth of 'Mau Mau,' pp. 228, 241.

[11]Koinange, op. cit., p. 92.

Therefore, while some African leaders continued to work towards constitutional reform -- Mathu and his colleagues in the Legislature, Kenyatta and the executive of KAU -- others turned to, and found support for, political activity which directly challenged the laws and institutions of the colonial regime: mass resistance to government agricultural policies in the rural areas (including land terracing), urban strikes and political demonstrations and even political violence.

The end of the war was largely responsible for the situation that arose in urban areas. Nairobi and Mombasa became the focii of those seeking jobs -- including a sizable number of ex-servicemen. The tremendous increase in urban unemployed population with a serious shortage in housing accomodation compounded the problem. One legislator acknowledged that "conditions there [Nairobi's native locations] are admittedly deplorable."[12]

This situation could not fail to create, among the thousands of unemployed and low wage earners of Nairobi, a radical character to social and political protest. The trade union movement had become the organizational focus of urban African politics. The trade union activity in Nairobi during the months of March, April and May, 1950, illustrate the use of several methods to resist the colonial system.

An historical event in March-April, 1950, marked a turning point in African militant politics. African resistance to the European grip on ubban local government institutions reached a climax in those

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[12]Kenya Legislative Council, Debates, November 27, 1947, col. 520.

two months. The occasion was the granting of a Royal Charter elevating Nairobi to the status of a City, on the fiftieth anniversary of the establishment of local government there. Europeans saw this elevation as "setting the seal on their ability to govern themselves. Nairobi's achievement would be the stepping stone for a confident renewal of their move forward to political independence at the national level."[13]

Fred Kubai, later to be tried and imprisoned with Kenyatta, and the East African Trade Union Congress conducted a campaign attacking this Royal Charter and called upon all Africans to boycott the celebrations. Rumors spread that the occasion would be marked by an extension of the city boundary thereby bringing more African areas under the hated rule of the European-controlled city government.

During the celebrations there were attempted assassinations on Tom Mbotela, a moderate KAU leader and on a Nairobi Councillor, Muchohi Gikonyo. On May Day violence again erupted, sparked by the speeches of Fred Kubai and Makhan Sigh (a Sikh veteran trade unionist since the thirties). These two were arrested for being officers of an illegal trade union. Further mass meetings were put down by the Police but the scars remained.

This pattern of violence was to continue through 1952. Trade union leaders served prison sentences only to come out and be arrested again. Kenyatta opposed such forms of violence as inconsistent with the main strategy of KAU. But the tide had turned. To the radicals there seemed little room for gradualism. The urban militants even

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[13]Nottingham, "Local Government in Kenya," p. 13.

suceeded in wresting power from the KAU moderates and from November, 1951, they extended their influence to the national movement throughout the country.

In this atmosphere, even Kenyatta found his powers of manoeuver very restricted. Although there was not any challenge to his leadership, it was only human for a man in his position to adopt a more militant attitude. It is also possible that "at this stage Jomo Kenyatta decided to try to use the dangerous energies of the growing numbers of the embittered young men in Nairobi. Words had so conspicuously failed to influence Government policy that he might have felt that a certain amount of violence might do it."[14]

Given the nature of events during these years and also assuming that some leaders of KAU took oaths that bound them together, these "oaths were no more and no less 'wicked' than the ideas which motivated the EOKA gunmen, who claimed Archbishop Makarios as a leader; or the Jewish gunmen who fought to create Israel; or the Phoenix Park gunmen in Ireland, or even those thousands of young Indians who, but for the extraordinary influence of Gandhi and the last-minute wisdom of the British, nearly attacked their British rulers in Nehru's name."[15]

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[14]George Delf, Jomo Kenyatta, p. 192. A civil servant admirer of Kenyatta agreed with him that "some things have to be destroyed before they can be built up." Ibid., p. 160.

[15]Ibid., pp. 192-193. Emphasis added.

Political Interregnum

Colonial politics was disrupted when, on October 20, 1952, a State of Emergency was declared. When the decision to that effect was made in the Executive Council, the African member was not present. This declaration set the stage for mass arrests beginning with the top leadership of KAU, of the trade unions and of African religious bodies. This first wave numbered about 130 including Kenyatta and four of the five associates tried with him. Nearly all the atrocities committed by both Mau Mau and Government forces and the miniature civil war that followed occurred after the arrest of the KAU leadership.[16]

The case against Kenyatta and his five colleagues was declared by the Crown Counsel as a criminal one. "It would have been the same if 'Queen against Kenyatta and others' were for a felony of picking a pocket; to describe it as a state trial would invest it with a halo it does not possess." The Prosecution acknowledged that

> Kenyatta was an exceptionally widely travelled and educated African who had had the advantage of contact with a great many people of standing both in Kenya and in Europe, and who has interested himself in politics, in his fellow countrymen . . . through his connection with education and his presidency of KAU. Perhaps the shortest and best description of Jomo Kenyatta is that he is in a class by himself.[17]

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[16]Montagu Slater, The Trial of Jomo Kenyatta, pp. 13-14. Slater's book providesthhe best summary account of the trial with its moments of drama, humour, boredom and anger.

[17]Ibid., pp. 7, 35.

The "halo" was duly bestowed on the case by anyone interested in the fate of Africa. The international interest regarding the proceedings was seen in the composition of the Defense Counsel: from Nairobi came a Punjabi, a Sikh and a Goan; from Tanganyika, a Jamaican; from Nigeria came H. O. Davies Q. C., a key member of the team. D. N. Pritt, a well-known English Q. C. from London led the Defense team, assisted by Chaman Lall, a distinguished lawyer from India, who until just before the trial, was Indian Ambassador to Turkey.

The scene of the trial also attests to the fact that it was no ordinary trial. The settling was the remote, dry northwestern Kenya town of Kapenguria, three hundred miles away from Nairobi. Kapenguria had no accommodation and other facilities to speak of. Lawyers, magistrate, clerks, journalists had to live in Katale, twenty-four miles away. To compound the difficulties of the African and Indian defense lawyers the only hotel in Kitale was for "Europeans only." Whenever they wished to hold consultations among themselves, they had to use an Indian businessman's house. Europeans later boycotted the merchandise of Indians who continued to house the defense lawyers.

The "Queen against Kenyatta and others" opened on November 24, 1952, with R. S Thacker, a retired Kenya Supreme Court judge, presiding. Thacker was a Resident Magistrate in the Northern Province and yet he was named to hear the case which was in the Rift Valley Province. This jurisdictional question did not bother the Government at all. Kenyatta and his colleagues were charged with and convicted

of managing Mau Mau and of being members of the society.

The Prosecution sought to prove that Kenyatta had been associated with Mau Mau even after its proscription in 1950. The Prosecutor contended that Mau Mau was the "militant part" of KAU, similar to the "Jewish terrorist organization called the Stern Gang, which had caused the British a good deal of trouble in Palestine after the war."[18]

Kenyatta denied all the charges. In a short concluding speech, he accused the Government of using him and the other five -- Fred Kubai, Achieng Oneko, Bildad Kaggia, Kungu Karumba and Paul Ngei -- as scapegoats to "strangle KAU, the only African political organization which fights for the rights of the African people . . . . What we have objected to -- and we shall continue to object -- are the discriminations in the government of this country."[19]

After five months the trial ended. On April 8, 1953, the accused were found guilty -- not that it was ever in doubt that they would be. Addressing Kenyatta the Magistrate said:

> You have much to answer for and for that you will be punished. The maximum sentences which this Court is empowered to pass are the sentences which I do pass, and I can only comment that in my opinion they are inadequate for what you have done.[20]

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[18]Delf, Jomo Kenyatta, p. 186.

[19]Slater, op. cit., p. 240.

[20]Ibid., p. 243.

After commenting that he did not regard the accused as "truthful witnesses," His Honour said: "All the Prosecution witnesses impressed me as speaking the truth." The flavour of the Magistrate's belief is captured in this remark: "Although my finding of fact means that I disbelieve ten witnesses for the Defence and believe one witness for the Prosecution, I have no hesitation in doing so."[21] (emphasis added)

This point is emphasized in the light of later findings. In March, 1959, Rawson Macharia, one of the star prosecution witnesses was found guilty of perjury. The Crown was foolish enough even then to bring Kenyatta from his place of imprisonment as witness at the Macharia trial. (This was the first time in seven years that he had appeared in public.) Macharia's conviction did not alter Kenyatta's sentence. This fact and two others were more than enough to convince anybody of a travesty of justice in 1953. The accused had been sentenced each to seven years' hard labour with the Magistrate recommending restriction at the expiration of the sentence. On appeal, the Supreme Court of Kenya confirmed the sentences of five and acquitted one.[22] The case then moved from Kenya to Downing Street where the Privy Council shocked many by refusing the petitioners leave to appeal, that is, their Lordships refused to review the case.

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[21] Ibid., p. 243.

[22] On September 7, 1954, the Governor announced the restriction orders -- that Kenyatta and others would be "restricted indefinitely" after the prison term.

Whether Kenyatta was really guilty of the charges against him or not, his conviction merely cemented African resentment of the colonial system. Kenyatta in prison became the symbol of this ultimate oppression.

In January, 1954, the Supreme Court of Kenya heard Kenyatta's case. At the same time (January 8 - January 26) a Parliamentary Delegation toured Kenya to assess the problems of the country in the wake of the Emergency. For that time their political recommendation was startling:

> We believe however, that it is necessary to provide an outlet for African political thought. Discussion should be undertaken without delay with representative Africans with a view to arriving at an acceptable basis for the election of African Members of Legislative Council at the coming general election of 1956.

On political organization the Delegation's report said: "Africans should be encouraged to develope their own political organizations, thus filling the vacuum created by the banning of the Kenya African Union for complicity in Mau Mau."[23]

It is even more startling to note the incredible speed with which African political development moved during the next few years. Delf observed, a propos, that there was no "good mythological reason why it suddenly became 'right and proper' to give African politicians as much as, and more than, Jomo Kenyatta had asked for during those dead years after the war."[24]

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[23] Report to the Secretary of State for the Colonies by the Parliamentary Delegation to Kenya, January 1954, Cmd. 9081 (1954), p. 10. Emphasis added. KAU was officially banned on June 8, 1953.

[24] Jomo Kenyatta, p. 181.

New nations have frequently been blamed for their flagrant disregard for constitutions. Reasons given for this state of affairs are varied. The key factor, we believe, lies in the rapidity with which constitutions were written, promulgated and abrogated preceding independence. If each had been framed with enough foresight and had lasted long enough, it would have provided the body politic and political leaders with adequate knowledge of the lasting ingredients of a constitution. This, in turn, would have fostered a respect for the constitution as the "nation's" basic law.

The merits of this argument go beyond the pre-independence constitutions. Even a new nations autochthonous constitution is usually not accorded due respect by the politically enlightened citizenry. The Kenya of the period 1956 to 1963 provides ample material for anybody interested in constitutionalism -- the futile exercise in constitution-making. Constitutional developments, particularly African gains therein, were very dramatic. (Neither does this auger well for the future of constitutional Government.)

In those seven years, it took six constitutions and five able Colonial Secretaries to steer the politically delicate colony to independence. Even as late as October, 1963, (two months prior to independence) constitutional compromises were being hammered out in London. Promises were made then when it was only too obvious that they would not be kept. Britain's policy of gradualism in granting her colonies responsible government when "they were ready" and the people's appreciation for the Westminster Parliamentary model were out of the question for Kenya. Time was too short.

Although European extremists -- including founders of the Kenya Empire Party and some in the Elector's Union -- blamed Mau Mau on Nehru, the British Labour Party and the United Nations, their woes must have been greater to observe the disintegration of the Empire being presided over by the Conservative Party. The recommendation of the Parliamentary Delegation concerning direct election was realized when the Lyttelton Constitution went into effect in 1957. The first directly elected Africans (eight) sat in the Legislative Council in 1957.

Even before the elections in March, 1957, some of the men who eventually were elected had rejected the Lyttelton constitutional arrangements as inadequate. They demanded more representation, the removal of special privileges for Europeans and Asians, and the lifting of the ban on African nation-wide political organizations. This group set the pattern for all constitutional discussions that followed. They wanted nothing short of majority rule and self-government -- which meant, of course, African control of the Legislative Council and of the Government.

The refusal of this group to accept any ministerial posts (one had been allocated to Africans) created a crisis which necessitated a new constitution. The Lennox-Boyd constitution of 1958 retained the central multi-racial features of its predecessor but increased African representation to fourteen. For the first time African representation was at par with the European's.

In the spring of 1959, Ian Macleod accepted African demands for a constitutional conference which opened at Lancaster House in

February, 1960. Under the Macleod Constitution, Africans obtained a majority of the seats in the new Legislative Council -- 33 out of 65 and four of the eight non-official cabinet posts. This constitution was the watershed for Kenya's arduous political history, at least for Africans. The last two Colonial Secretaries -- Maudling and Duncan Sandys -- merely put the finishing touches to what Macleod had laid down. They attempted to smoothen the road to independence with the major compromises being negotiated between the two national parties -- Kenya African National Union (KANU) and Kenya African Democratic Union (KADU) -- that had formed in the interim.

The Second Coming

Britain's colonial policy seems to have included an unwritten proviso that popular political leaders had to be imprisoned while she sought remedies to the conditions that gave rise to disturbances that initially sent them to jail. It can also be suggested that the Colonial Office always needed a dose of violence to awaken it to the hard realities of a situation.

An equally plausible reason is that she was intent on discrediting the imprisoned leaders while promoting new ones who would be less militant. If this were the intent for Kenya, then the manoeuver failed completely for the new leaders refused, after 1959, to discuss conclusively, constitutional matters unless Kenyatta was released. The 1954 Parliamentary Delegation had seen the necessity of creating a "new leadership" (but not the kind that soon emerged):

> In addition there are personalities in other tribes indirectly affected by the Emergency who have more right to claim to be representatives of African opinion than many who have gravitated to the ranks of leadership through predominantly Kikuyu political bodies. It is again from the ranks of these that material of present and future leadership must be found.[25]

Although Britain appeared strong enough to stave off African determination to gain power, the ensuing protracted conflict proved that military victory would not be a license to re-establish the old colonial system. On the basis of this recommendation she permitted some political activity including the formation of political organizations on district or local level -- definitely a reversal of the national orientation that Kenyatta and KAU had achieved. (This was the nucleus of regionalism discussed in chapter eight.)

In 1955, a Nairobi lawyer and former executive of KAU, Argwings-Kodhek, formed the Kenya African National Congress. But it was only registered in April, 1956, after its scope and activities had been narrowed to Nairobi District African Congress.

Other leaders included the astute trade unionist, Tom Mboya; Masinde Muliro; the seasoned politician, businessman and former teacher, Oginga Odinga; Ronald Ngala; University of California - trained political scientist, Dr. Gikonyo Kiano. These and others are credited with bringing about the constitutional changes of the period 1956-1963. This was achieved in their capacity as members of the Legislative Council and not as leaders of the various district political associations.

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[25] Report of Parliamentary Delegation to Kenya, p. 10. Emphasis added.

They also began a campaign for Kenyatta's release. The leader in this was Oginga Odinga. The bombshell came in a Legislative Council debate concerning the welfare of all prisoners. On June 26, 1958, he electrified the Council and horrified the settlers and the Government by declaring: "Even at this very moment, in the heart of hearts of the Africans, they are still the political leaders." He demanded that Kenyatta be treated as Makarios was: "He was taken to Seychelles [Island in the Indian Ocean] and he was put on the Governor's lodge there. . . . The same thing with Mr. Jomo Kenyatta should exactly be done."[26]

From that date on, Kenyatta's name was to dominate the scene. Tom Mboya's Nairobi People's Convention Party (notice the name similarity with Ghana's Convention Peoples' Party) was formed after he returned from the first All-African Peoples Conference held in Accra, December 5-13, 1958.[27] It made Uhuru (freedom) its battle cry and Kenyatta its hero. Macharia's conviction for perjury simply strengthened their demand.

The campaign to free Kenyatta received a boost from the Pan-African movement. The second All-African People's Conference held in Tunis, January 25-30, 1960, endorsed a resolution on Kenya which demanded the immediate release of Jomo Kenyatta, the Kenya

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[26]Kenya Legislative Council, Debates, (June 26, 1958), cols. 2402, 2406.

[27]The Pan-African Congress movement moved from Manchester and abroad to Africa. Symbolically, the first Congress to meet on African soil was held in Ghana, the first black independent state to emerge from colonialism.

African National leader "detained without reasonable cause," "to come out of detention and lead his people."

The resolution of the third Conference meeting in Cairo March 23-31, 1961, was even more emphatic. It vehemently deplored the "obdurate attitude of the British imperialists in Kenya" towards independence and their continued refusal to the "immediate and unconditional release of Kenya's National leader, Jomo Kenyatta." The Conference was convinced that

> Kenyatta is the only leader who can and will bring unity, peace and stability to Kenya; and taking note of the pledge made by Kenya nationalists to stand firm and that without Kenyatta's immediate and unconditional release and leadership they would not participate in the Government, endorses this stand and calls on all Kenya leaders to work energetically and positively for Kenyatta's immediate and unconditional release to come and lead his people in unity to complete independence.[28]

Just when the campaign was gaining momentum, the Governor, Sir Patrick Renison, announced on March 31, 1960, that "the release of Jomo Kenyatta would be a danger to security." On another occasion he pronounced that fateful statement -- that Kenyatta "was the African leader to darkness and death." Sir Patrick's speeches had the effect of intensifying the demand as the resolution just quoted shows.

On April 11, 1961, Kenyatta held his first news conference since he was arrested. Predicting his impending release, he told the Press:

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[28]Colin Legum, Pan-Africanism, appendix 22, pp. 244, 252.

> With all sincerity, in view of my disadvantageous position as a restricted person, I will try to answer your question as best as I can.
>
> I hope one day to meet you as a free man and I think this will not be very long.

Within four months newsmen and photographers from all over the world gathered to witness the beginning of an era. They gathered "to be faced by the nationalist firebrand who, in his own lifetime had become a myth."[29] On August 14, 1961, Kenyatta left Maralal, the last place of his restriction, to return to his home (newly built since his original house had been demolished during the Emergency) at Gatundu, near Nairobi.

In the eight years of imprisonment and detention Kenyatta had never made any public political pronouncement. The absence of any such statement may, in itself, be a political act of prime importance. He was safely insulated from the day-to-day function of a free political leader: that of decision-making. Kenyatta was content to leave those outside do the work at hand. A wry remark by a British critic is worth quoting:

> We have not only built Kenyatta into a powerful political legend by protecting him from responsibility for eight years but we have even cured him of near-alcoholism so he can better get on with the job of throwing us out.[30]

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[29]"Enigma of Jomo Kenyatta," Ebony, XVI (August 1961), 83.

[30]"From Jail to Power," The New Republic, February 6, 1961, 10. Richard Cox wrote later to the contrary: "Kenyatta himself, with remarkable self-discipline, had given up smoking and drinking." "A Legend Returns," The New York Times Magazine, September 10, 1961, p. 30.

The era of politics under the guidance of the legend was over. Kenyatta's cumulative influence was soon to be tested in his role as an integrative leader. Even though most of his high ranking Ministers made certain crucial decisions, he alone was held responsible. His constant references to "my Government" had a fatherly tinge to it.

CHAPTER VIII

TOWARDS NATIONHOOD

The Lancaster Constitutional conference of 1960 bestowed political victory on the Africans. With full control of the Legislative Council, independence was virtually assured. When in August, 1961, Kenyatta was released, there also was no doubt who would lead the government of independent Kenya. The primary preoccupation was in sorting out things and making compromises so as to speed up the actual independence day.

But political victory brought in its wake losses in other spheres, particularly the economic. According to one observer, Africans lost the confidence of the racial minorities who effectively determined the economy's modern sector. Africans were in "danger of acquiring control of a declining economy."[1] The flight of capital abroad which followed conclusion of the constitutional conference was accelerated by the release of Kenyatta from detention.

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[1]M.D. McWilliam, "Economic Problems During the Transfer of Power in Kenya," World Today, XVIII (April 1962), 165.

However, three years of his administration convinced the outside world that he was not really the African leader to darkness and death.

"Kenyatta's government," wrote Hugh Moffet, "has gained European and American confidence. In 1965 , for the first time since independence, more whites came into Kenya than left." Clyde Sanger reached the same conclusion: "In the two years that have passed since independence Kenyatta's reputation has grown abroad to the point where he is now the only African leader whom government officials in Washington and London would mark on a list as 'dependable.'"[2]

Kenyatta, the revolutionary who was convinced that some things had to be destroyed before they could be built up again, learned quickly when he emerged from restriction to hold the reins of power. The years that followed saw him constantly preaching "unity," "forgiveness," "understanding," and "harmony." Perhaps this was an attempt to apply in the realm of politics what he had gotten out of his intensive study of comparative religions during his confinement.

In prison, Kenyatta developed a particular interest in oriental religions (Hinduism, Buddhism and Confucianism). He wanted to trace the history of non-violence in Hindu thought.

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[2]Moffett, "Kenyatta and Kenya," Life, August 5, 1966, p. 36; Sanger, "The Transformation of Jomo Kenyatta," The Reporter, March 10, 1966, 37.

He received books through his close Indian friend in Nairobi, Ambu Patel. Patel himself had fought for India's independence before establishing business in Kenya. (He compiled and edited a booklet, Jomo the Great: A Short Pictorial Story of the Great Patriot of Africa, published the day Kenyatta was released.)

Kenyatta, the administrator, soon found out that political independence was not a guarantee of the creation of a nation. Indeed, there were many pressing problems some of which threatened the very existence of the state or its viable existence. Three of these problems -- regionalism, secessionism, and racial harmony -- are examined in this chapter to determine what was involved and how Kenyatta went about solving them.

Regionalism

For all practical purposes the Kenya of pre-1960 was administered as a unitary "state" -- local government bodies (Provinces and Municipalities) having no powers that did not derive from the centre. As it came to haunt politicians, majimbo (regionalism) had several sources: rivalries among politicians, the existence of African political organizations only at the district level (and the restriction of nation-wide political parties) and the "white island" concept. The latter source was the africanization of a concept Europeans used to demand complete control of their local government bodies -- Municipal Councils and County Councils. The stronger the centre appeared to be, the more

vehement their demands for autonomy became.

When the Kenya African Democratic Union came to draw up its plan for regionalsim, this idea loomed high in their minds. They aimed essentially at allowing regions in an independent Kenya conrol land, local government and security forces with as little interference as possible from the central government.[3]

In January, 1960, a few weeks before the Lancaster Conference opened, Emergency Regulations were suspended. Although differences existed among African Legislative Council members along "party" lines, they were patched up and the African group formed a united front in their demands to the Colonial Secretary and to other delegations. But after London, their rivalries could not be contained within one political organization on a national scale.

There emerged, therefore, two parties: Kenya African Union and Kenya African Democratic Union (KADU). The Government refused to recognize the former because the name was similar to the banned pre-Emergency KAU and also because its leaders had chosen Kenyatta (still in detention) the President. By August, the split had become final and these two were registered "KAU" having become Kenya African National Union (KANU) with James Gichuru as President; Oginga Odinga, Vice-President; and Tome Mboya, General Secretary. Ronald Ngala, President of KADU, and other KADU spokesmen said that "they had been 'forced' to create their party because African

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[3]John Nottingham, "The Development of Local Government in Kenya," p. 1.

leaders like Mboya, Odinga [Luo], Kiano and Gichuru [Kikuyu] gave every sign that they would overlook the needs of the 'minority tribes' in the interest of their own land-hungry tribesmen."[4]

KADU drew its support from the various political associations that had been operating in districts inhabited by the so-called minority tribes. KADU received strong active or implied support from Europeans. KANU appealed primarily to the urbanites and its leaders had a much more nationalistic outlook. The first test of strength came in February, 1961, elections. KANU obtained a much larger share of the popular vote than KADU did. KANU even made inroads into KADU strongholds. But the tally of seats was disappointing for the number of seats was not commensurate with this popular vote. KANU got 19 seats to KADU's 14.

KANU's single campaign issue had been Uhuru na Kenyatta (freedom with Kenyatta). After the election, they refused to participate in the Government unless Kenyatta was released. A near crisis was averted when the minority party accepted an invitation to join the Government. In September, both met under the Governor's chairmanship to discuss constitutional details including ministerial distribution between the two parties.

When no agreement was forthcoming, the Governor suggested that the Presidents meet to hammer out their differences. It is

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[4]Robert A. Manners, "Regionalism in Kenya," The Spectator, February 2, 1962, 130. Manners states that in the early stages of their existence there were hardly any significant policy differences. They both wanted independence and Kenyatta's release immediately.

during these two-man talks that Ngala dropped the regionalism bombshell. James Gichuru promptly reported it to the press and majimbo became official. The two parties' positions were to polarize thereafter. KADU issued a Plan for National Unity in which it mentioned the regional structure. KANU rejected the idea outright.

Since his release, Kenyatta had tried to unite the two parties from "Mount Olympus" in Gatundu. We have seen that KADU was formed out of fears by smaller tribes of domination by the larger. The special importance of Kenyatta in this dangerously divisive situation was that he had sought to present himself as being demonstrably above the party (à la De Gaulle). Kenyatta, the symbol of African nationalism while in prison, could retain that prestige if he could succeed either in uniting the parties or in remaining above the struggle.

But in October 28, 1961, he accepted a month-long invitation to take up the Presidency of KANU. Kenyatta's decision aggravated the tribal fears. KADU members accused him of having ceased to be a national leader by his joining KANU.[5] For the next two years after that date, the controversy in Kenya politics revolved around the regionalism policy and, in fact, contributed to independence being delayed. Some KADU members spoke of "an open war" if they did not obtain what they wanted -- variously described as autonomy,

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[5]See "Kenyatta's Fateful Choice," The New Statesman, LXII (November 3, 1961), 636.

federalism, cantonism. Confusedly, the regionalists gave examples of the United States, Switzerland, Canada and Australia in support of the workability of their plan.

The issue had become one of unitary versus decentralized government. In February, 1962, Kenya leaders were back in London for further constitutional talks. By this time KANU's delegation was led by Kenyatta, recently elected, unopposed, to the Legislative Council.[6] (Kariuki Njiiri had resigned thereby enabling Kenyatta to run in the constituency.) KADU's fear of centralism was clearly stated by its President, Ronald Ngala, on his arrival in London:

> Unfortunate experiences . . . have shown just how easily the Westminister pattern of Government can be perverted into a ruthless dictatorship . . . . The adoption of an orthodox Westminister pattern for Kenya would inevitably result in placing absolute power in the hands of a dictator . . . . Our principle of a decentralisation of powers to six regions means giving practical democracy to the working of the regional governments, thus avoiding a concentration of powers in one person or one party.[7]

The Colonial Secretary, while favouring a stable and competent central government, nevertheless leaned to the KADU view:

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[6]Kenyatta was formally sworn in as Legislative Council member on January 13, 1962. The Constitutional conference commenced on February 15, 1962.

[7]East Africa and Rhodesia (London), February 15, 1962, 585. Ngala reiterated this point several times. He cited Ghana as an example of the dangers of unitary Government. See Ibid., 609. See also his article, "Regionalism and the Future," Kenya Weekly News (Nakuru), January 18, 1963 in which he makes precisely the same case for regionalism, fear underlying all the demands of his supporters.

> If the rights of individuals are to be safeguarded, and if there is to be confidence that they will be, Kenya will need, in addition other governing authorities with their own defined rights which do not derive from the central government, but are entrenched and written into the constitution; and the constitution must be one that cannot be so changed that the purposes agreed to . . . are frustrated.[8]

Kenyatta was less bent on compromise than on emerging victorious -- through KANU. The only "compromise" was that their consent to the regional scheme had the purpose of speeding up independence. In the early phase of the regionalism debate, Kenyatta was content to let KANU's General Secretary, Tom Mboya, do the talking. But on June 29, 1962, he openly accused KADU of delaying independence: "At the [constitutional] conference, instead of fighting with us for immediate independence [they] concentrated on the demand for 'majimbo' . . . . A number of concessions were made, but KANU's stand and efforts saved Kenya from disastrous disintegration." On another occasion Kenyatta explained how he and KANU had "fought to establish on a permanent footing the pattern of parliamentary Government with which we are familiar. It is not without reluctance that we have accepted variations . . . to meet the views and wishes of others."[9]

The powers bestowed upon Regional Assemblies permitted a very limited kind of autonomy. At most regional provisions created a cumbersome and unwieldy constitution and would have proved

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[8]Report of the Kenya Constitutional Conference, 1962, Cmd. 1700 (1962), pp. 7-8.

[9]Suffering Without Bitterness, pp. 184, 196.

very expensive. Although the general issue of regionalism posed a danger to the unity of Kenya, the specific powers of regions (however minimal) merely provided Kenyatta with a weapon with which to rally Kenyans to his Government.

He obtained this support in the pre-independence elections of May, 1963. The election also spelled the demise of regionalism for its survival had been predicated on whoever won the elections. It was less a question of the Constitutional provisions for regionalism than the entire concept. KANU was intent on scrapping it in substance if not in form while KADU was bent on preserving it intact. KANU won 83 seats in the House of Representatives; KADU won only 33, and KADU's election ally, the African People's Party (APP), 8. The Senate line-up was KANU 20 seats, KADU, 16 and APP, 2. Both KANU and KADU each won control of three Regional Assemblies although KANU had 158 seats to KADU's 51 (KANU won the larger Regions).[10]

Kenyatta's genius was reflected in his Cabinet. He took care to balance the tribes and factions within KANU inside the Government framework. He also took note of the minority groups

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[10]Clyde Sanger and John Nottingham have given a good analysis of this election in "The Kenya General Election of 1963," Journal of Modern African Studies, II, No. 2 (March 1964), 1-40. The APP was led by Paul Ngei who was imprisoned with Kenyatta. He broke with KANU in late 1962 to form APP. Three months after the election the APP members of Parliament joined the Government Party. They crossed the House floor denouncing majimbo. Thus Kenya moved to independence with Kanu in absolute control of both Houses. These figures do not include representation from the North Eastern region for the Somalis completely boycotted the election.

by naming a long time KANU supporter, Bruce McKenzie, to the important Agriculture Ministry, a position he has held since. A Goan became Deputy Speaker of the House and a Sikh Parliamentary Secretary. Finally he rewarded the defeated KANU candidates (those from KADU areas) with diplomatic and other posts.

KANU's overwhelming victory was interpreted as a mandate for Kenyatta to seek the end of regionalism. He demanded changes in the constitution which were the consequence of "massive compromises, artificial feelings of mistrust and fear and arbitration by the Secretary of state."[11]

Mboya had long warned that KANU would amend the constitution to remove any parts which proved unworkable, expensive or likely to hinder progress. In March, 1963, he viewed majimbo as "an experiment which must justify itself or perish."[12] This attitude found expression in KANU-controlled (pre-May 1963) Government's summary of the Kenya constitution: "In certain circumstances the Central Legislature will be able to assume the legislative and executive authority of a Regional Assembly if the Regional Assembly is impeding or prejudicing the exercise of the executive authority of the Central Government or failing to comply with a law made by the Central Legislature."[13]

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[11]See The Daily Nation (Nairobi), September 26, 1963, p. 1 and East African Standard (Nairobi), September 26, 1963, pp. 1, 3.

[12]East African Standard, March 9, 11, 1963, pp. 1, 3, respectively.

[13]Kenya Constitution: Summary of the Proposed Constitution for Internal Self-Government. Cmd. 1970 (1963), p. 4.

The attacks on regionalism were meaningful primarily on the considerable financial outlays and the difficulties engendered in the drawing up of regional boundaries. A Commission was set up to draw boundaries for six regions. On August 14, 1962, Kenyatta presented KANU's position whose strong points were that (1) regionalism would promote tribalism and result in chaos; (2) Kenya could not afford regionalism and the cost of setting up new regional headquarters; and (3) there should be freedom of movement in the Kenya of the future and that people should not be insulated by tribes.[14]

Other critics substantiated Kenyatta's testimony. The costs of regional members' salaries (i.e. members of Regional Assemblies), the added complications for economic planning and development were expensive problems to be considered. At the same time the "Economy Commission was recommending a drastic prunning of the staff and activities of the civil service [one] the advocates of majimbo were were pushing for it with the addition of six more civil services."[15]

Regionalism in an African setting is not workable especially given the criss-crossing of ethnic groups across state boundaries.

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[14] Kenya: Report of the Regional Boundaries Commission, Cmd. 1899 (1962), p. 45. An independent financial commission had reported on Kenya's serious financial situation earlier that year.

[15] Donald Rothchild, "Majimbo Schemes in Kenya and Uganda," Boston University Papers on Africa, ed. Jeffrey Butler and Alphonso A. Castagno (New York: Praeger, 1967), pp. 299-300. Emphasis added.

Since regionalism was advocated essentially to ease minority anxieties, it is not surprising that those peoples placed in a minority in each region were fearful and resented it. As a consequence, regionalism might have well promoted new minority frustrations and new claims to regional status. Kenya's lack of well-entrenched regional units gave rise to a series of boundary disputes that were beyond the Boundaries Commission. The commissioners found endless cases of open expression of fears and animosities likely to raise tribal tensions to new heights.[16]

The constitutional demise of regionalism came during the final constitutional talks in London in September-October, 1963. KANU sought and eventually got these important changes in the constitution: central control over police and planning; the establishment of a single public service commission(instead of eight -- one central and seven regional) and simplification of the amending procedure. Kenyatta had warned that unless central government was left hegemonous in all fields, his KANU Government would not feel themselves bound by the constitution![17]

Kenyatta often argued during this tansitional period that KANU's large victory indicated that people desired unity and not secession (except, of course, the North Eastern Region). On September

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[16] Ibid., p. 301. Because of the Somali demand for secession the Northern Frontier District was transformed into the seventh region, North Eastern Region.

[17] Suffering Without Bitterness, pp. 210-211.

21, 1963, he said that he appreciated the people's response to his call for unity and understanding: "We have been impressed with the way the ordinary man in Kenya has been keen to serve his country, and is not committed to tribalism or secesseion."[18]

On October 20, 1963, he reported to the nation the final constitutional arrangements. He said there was no room for autonomy or secession. And then indirectly accusing KADU he asked:

> Why should anyone deny the Kalenjin, Masai or Coastal tribes [KADU strongholds] the right to be part of the new Kenya nation? Why should anyone try to deny these tribes the right to participate in and contribute towards . . . creating a new nation? . . . I have no hesitation in saying that the people will reject petty and negative leadership.

Thereafter Kenyatta attempted to rise above party by inviting the "Opposition leaders to forget the past, and come together with us to form a united front to fight our real enemies -- poverty, ignorance and disease." He referred to the London talks in the same speech: "I do not regard our mission . . . a victory for KANU. This is a victory for Kenya."[19]

By the end of October it was clear that he and KANU had definitely succeeded in winning support away from the Opposition (if electoral victory is taken as a measure). Kenyatta's apparent rise above party was, therefore, an attempt to consolidate the revolution and thereby further create confidence in his regime.

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[18] Harambee! Prime Minister's Speeches, p. 12.

[19] Ibid., p. 211.

In June, 1964, emphasizing unity again, he told Parliament that Kenya had reached a stage where

> We must keep the confidence we created. Unless we maintain confidence, people will become jittery. People [foreign investors] will be afraid of bringing their money here if they see that we are not united. . . . I say to everyone that we should work together -- KANU and KADU should work together -- so that we can build a new nation, strong nation, and have a prosperous country.[20]

The accent was on nation-building, the challenge posed by regionalism having dwindled by mid-1964. Although the Regional Assemblies remain in existence, their "administrative powers and powers of making enactment having the force of law" had substantially been curtailed. They became simply local government bodies when most of the remaining functions of their autonomy were removed by the Republican Constitution which went into effect on December 12, 1964. Kenyatta was thoroughly pleased to see Kenya attain the status of Republic united, without an Opposition party. On November 10, 1964, Ronald Ngala, KADU's President, had announced: "The Opposition is dissolved as of today."[21]

Secessionism

When majimbo was being debated, some leaders talked freely about secession and even threatened a Congo-like situation for Kenya. Tribesmen were called to sharpen their spears and prepare for war. Such secession did not occur within the context of the

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[20] Ibid., pp. 8-9.

[21] New York Times, November 11, 1964, p. 4.

regionalism structure. Nor did it come from the Coastal Strip to which the Sultan of Zanzibar lay claim. The latter was easily settled following the recommendations of a one-man Commission in 1961. The Commissioner found the Sultan's sovereignty in the area to be "very nebulous and little more than a vague sentimental idea."[22]

African leaders, of course, would have opposed any "arrangement which would diminish the national integrity of Kenya as a whole." Both the British and Kenya Governments paid the Sultan a cash sum to settle any historical or other claims he might have had in the Strip.[23]

The Somali secessionist threat was not so simply disposed of. It called into question three principles: how far self-determination could be carried; should unification of peoples of the same ethnic and historical background be allowed regardless of the consequences to neighbours; and the sanctity of colonial boundaries in an independent, African setting. It is not surprising that by the end of 1965 the Kenya-Somali dispute had not yet been settled.

In 1945, the Manchester Pan-African Congress resolved that

> In the interest of justice as well as of economic geography this Congress supports most heartily the claims of the Somalis and Eritreans to be returned to their Motherland instead of being parcelled out to foreign powers.[24]

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[22] The Kenya Coastal Strip: Report of the Commissioner, Cmd. 1585 (1961), pp. 13-14.

[23] Ibid., p. 37.

[24] Padmore (ed.), History of the Pan-African Congress: Colonial and Coloured Unity, p. 63.

It is doubtful that when Kenyatta voted for the resolution he knew its implications for Kenya in later years. During the integrative period, he denied Kenya Somalis of their demand to join the Somali Republic. In July, 1962, Kenyatta visited Mogadishu, the Somali capital, and in numerous discussions and speeches made it clear that the Northern Frontier District (NFD) was an "inalienable part of Kenya, and [he, Kenyatta] was not to be moved by the Somali issue."[25]

In 1948 the Somali Youth League -- the nationalist movement demanding the unification of all Somalis into a Greater Somalia -- was proscribed in Kenya for demanding the "union of all Somali territories under United Nations trusteeship." Shortly before Somali became independent in 1960, the Kenya Government lifted the ban as a friendly gesture. Somali merged with British Somaliland to form the new state of Somalia.

Its flag has five points symbolising the two which merged and the three yet to join: French Somaliland, NFD of Kenya, and the three regions of Ethiopia inhabited predominantly by Somalis. As Kenya's independence approached, Somalis became more active in their demands to secede and join their brothers in Somalia. This was the conclusion of a Commission appointed by Britain to "ascertain the wishes of the people" in the eastern

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[25] I.M. Lewis, "Pan-Africanism and Pan-Somalism," Journal of Modern African Studies, I, No.2 (June 1963), 157-158.

Kenya region.[26]

When Britain procrastinated in giving its position in the light of the Commission's findings, Somalia several diplomatic relations with her in March, 1963. Somalia accused Britain of failure to recognize the wishes expressed by the overwhelming majority of the NFD residents. Even though the NFD was made a separate region, the Somalis refused to take part in the 1963 Kenya elections. This quarrel between Somalia and Kenya proved a severe test for the newly independent state. It was estimated that Kenya was spending nearly $9 million a year for keeping up the war.

It also had other international repercussions. In the summer of 1963, Ethiopia and Kenya concluded a mutual defense pact for the sole purpose of staving off Somali "aggression." As soon as Somalia learned of the pact, she sought to equip her defense forces too. Weapons and other aid was readily available: £7 million worth from People's Republic of China and £11 million worth from the Soviet Union.

This tense situation was aggravated by continual inflammatory broadcasts from Mogadishu Radio. They were aimed particularly at Kenya between September and November, 1963. Colin Legum has compiled the songs and broadcasts monitored by the BBC. Those devoted

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[26]Report of the Northern Frontier District Commission, Cmd. 1900 (1962). See also Radio Magadishu broadcast on October 23, 1963 quoted by Colin Legum, "Somali Liberation Songs," Journal of Modern African Studies, I, No. 4 (December, 1963), 510.

to the NFD give one a "sense of a jihad (holy war); and historically unjustly treated people denied justice; of the oppression of the Muslim religion." There were criticisms of the new Kenya Government and of Kenyatta himself:

> If you look at the present Kenya Government there is not a single Muslim Minister . . . . Muslims of Kenya have not a single Minister or junior Minister . . . . NFD people have come to know the tricks and deceits of the British colonist Government very well. They /will not/ listen to false policies whether they come from Mr. Sandys or Mr. MacDonald or Jomo Kenyatta.[27]

Again the "NFD people have increased the hatred and bitterness of British officers and Kenya Government leaders." Then early in November came the call to arms:

> Tighten your belts and pull up your socks.
> Be ready to recover your missing brothers
> And our land under the enemies' administration.
> Never sleep nor rest until they join us.
> Somalis, take up arms and fight for them.

These broadcasts, the numerous raids on the Kenya/Somali border and the assassination of a District Commissioner and a senior chief in the NFD infuriated Kenyans. In stormy parliamentary debates, members called for an armed retaliation on Somalia. Argwings-Kodhek warned that if Somalia did not stop supporting these raiders and murderers, Kenya would have to "talk tough to these people and insist that if, in future, they do anything which is detrimental to the lives and property of Kenya people,

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[27]This and other excerpts are freely quoted from Legum, Journal of Modern African Studies, I (December 1963) especially 510-519.

we shall hit them [Somali Republic] where it hurts."[28]

Kenyatta, however, moved slower than legislators wanted even though the police and units of the Kenya army were tied up in the area spending funds that could be used either for developing the area or for some other useful purposes. Kenyatta told the House that his Government was exploring diplomatic channels through which the dispute could be settled. He still commanded a certain amount of respect among Somali leaders -- dating back to his Pan-African activities in London which included organizing the Somali Youth League -- and did not want to jeopardize this respect.

The Somali Foreign Minister visited Nairobi that November, 1963. Kenyatta strongly protested the inflammatory broadcasts from Mogadishu and the general attitude of the Somali Government towards the whole situation.[29] The Foreign Minister promised to "investigate" these broadcasts from Mogadishu "which were likely to cause unrest among NFD residents." The Somali Government obliged and in a carefully worded statement announced suspension of "all propaganda mounted from the Government press and radio which could possibly be

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[28]Kenya, House of Representatives, Official Report, vol. I, November 28, 1963, cols. 2408, 2410. See also Ibid., July 25, 1963. A motion was introduced concerning secessionism: "That this House . . . takes a most serious view of the dangerous moves in certain areas calculated to encourage the dismemberment of Kenya and secessionist designs of a few ill-wishes [sic], calls upon the . . . Government to take effective steps to stamp out these lawless and seditious activities of such secessionist groups." col. 1368.

[29]Ibid., cols. 2410-2412.

construed as being directed against the Kenya Government."[30]

This announcement did not bring any closer prospects for peace. Nor did Kenya's acknowledgement of the Organization of African Unity (OAU) as the appropriate body to arbitrate improve the situation. But there seemed little basis for negotiation: Somalis in NFD wanted to secede and Somalia backed them up. Kenya, on the other hand, wanted to maintain the status quo. On this question of readjusting colonial boundaries (after independence), the OAU's position was quite clear: readjustment in one case would create a serious precedent.

At the instigation of President Nyerere of Tanzania, the Presidents of Kenya and Somalia met in Arusha, Tanzania, to try to settle their countries' differences vis-a-vis the NFD and the fighting. In December, 1965, these talks broke down.[31] And the "war" regained momentum.

Racial Harmony

The severest test of Kenyatta's reputaion as an integrator came in the area of race relations during 1961-1965. Had he not been convicted of managing and belonging to a conspiratorial organization aimed at driving all white men from Kenya? The belief in

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[30] Legum, Journal of Modern African Studies, I, 519.

[31] New York Times, October 29, 1967, p. 3. On October 28, 1967 Kenya and Somalia reached an agreement to curb the border war and resume diplomatic relations. President Kaunda of Zambia acted as mediator while the Presidents of Tanzania and Uganda attended as observers.

his guilt was so embedded in the Europeans' mind that the thought of Kenyatta's return to public life was too horrifying. One prominent Nairobi Presbyterian Pastor, addressing the General Assembly of the Church of Scotland in Edinburgh said: "Our people in Kenya have greeted with incredulity the suggestion that Kenyatta should be released. He is demoniac and satanic and many people are still in his evil grip . . . . Even in isolation he exercises his evil power."[32] (This same Pastor had said in 1949 that Kenyatta was assuming the role of a "black saviour.")

Even as late as 1960 high Government officials were still reaffirming Kenyatta's guilt (Governor Renison's description of him as the leader to "darkness and death"). The fear brought about by Kenyatta's release is partially reflected in immigration figures.[33] The number of European emigration jumped from 3,813 in 1960 to 6,052, 8,379 and 8,407 in 1961, 1962 and 1963 respectively. Permanent immigration for those years was much lower than that for the period 1957-1959.

Whereas many Europeans and Asians may have accepted the inevitability of the "winds of change" for the sixties, they did not think it would bring, in its wake, all those detained or imprisoned in connection with Mau Mau activities. However, the Kenyatta who returned to normal life in 1961 did not fit the caricatures of

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[32]G. McLeod Bryan, "Kenya and Kenyatta," Christian Century, August 9, 1961, 950.

[33]Infra., pp. 209-210, tables 5 and 6.

him in words or deeds. His stated goal was the creation of a nation in which everybody would enjoy equally the "fruits of life." It is these unprepared groups that needed assurances from Kenyatta himself that he would not avenge or revenge for past injustices.

Those leaders who visited Kenyatta in detention had found that he harboured no bitterness. Six African church leaders visited him in May, 1961. A group of Quakers spent six hours with him on another occasion and concluded that Kenyatta was "widely read in the literature of the great religions of the world and has a deep respect for all of them . . . . He declared that he had no bitterness in his heart towards anyone."

After six hours with Kenyatta, Bryan -- accompanied by Rev. James Robinson, Director of Crossroads Africa and Kariuki Njiiri, Legislative Council member -- found him at "71" to be

> vigorous, with the humour, the wisdom and the looks of a Lincoln . . . . Kenyatta gave the impression of a man mellowed by a growing spiritual interpretation of his part in history.[34]

Others who made the pilgrimage represented a variety of audiences: political leaders of various factions and parties, professors, civil servants. They returned completely satisfied that Kenyatta harboured no ill-feelings. A British journalist remarked that Kenyatta "enjoyed the constant stream of pilgrims who came to his last place of restriction, Maralal, like mortals to the oracle."[35]

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[34]Bryan, Christian Century, 951.

[35]Richard Cox, "Kenyatta: A Legend Returns," New York Times Magazine, September 10, 1961, p. 31.

At the first news conference (April 11, 1961) since 1953, the oracle dropped its first hint at racial harmony -- a theme that runs through most of his major speeches of the following four years -- by saying that white farmers who remained Kenya citizens after independence had nothing to fear.

Since we have not conducted a survey to determine how much confidence various communities had in a Kenya run by Kenyatta, we have confined this section to an examination of Kenyatta's speeches, the broad policies his Government formulated and evidence from external sources which all point to the degree of confidence.

Kenyatta's immediate concern in 1961 and 1962 had been unity among African leaders themselves. He knew that without it independence would be delayed. In the meantime Kenya was experiencing economic difficulties which continued through the first year of independence. This was aggravated by the large flow of money from the country.[36] As Minister in charge of Economic Planning in the (1962-1963) Coalition Government, Kenyatta was fully aware of the seriousness of the problem. But, he said, the situation was not hopeless:

> Being responsible for planning to effect rapid economic recovery, we are determined to make sure that these difficulties are overcome in the very near future . . . . To do this our attention is directed both to appropriate investment from abroad, and to widespread expansion of local industries.[37]

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[36]The World Bank mission reached this grim conclusion after an intensive survey of all aspects of the economy.

[37]Suffering Without Bitterness, p. 176.

Accent was on foreign investment. International bankers and businessmen always have long range calculations and know where it is safe to invest. The fact that they expanded or started their operations in Kenya can be cited as evidence that Kenyatta had established an atmosphere conducive to their investment. One United States Government publication reported that "Kenya's political stability and expanding economy are attracting the growing interest of U.S. exporters and investors. . . . The climate for foreign investment is favorable and should remain so." The same journal pointed out that United States exports to Kenya had risen from $13.5 million at independence in 1963 to $31.6 million in 1966. "During 1966 alone, U.S. sales rose by almost 32% above previous levels."[38]

In 1968 for example, Kenyatta's Government had established its reputation abroad. It was remarked that the country had an "enviable record of attracting foreign private investment and governmental aid, particularly from the United Kingdom, World Bank, North America and Western Europe."[39] Kenya's "enlightened leadership, political stability and economic progress" continued to attract American businessmen. U.S. firms in Kenya increased in number from a low 22 in 1962 to 50 in 1966 and 71 in 1967. Private investment had jumped the $100 million mark in the same period.[40]

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[38]U.S. Department of Commerce, Bureau of International Commerce, International Commerce, (October 2, 1967), 20, 21.

[39]Ibid., (April 22, 1968), 27.

[40]Ibid., 29.

Kenyatta's Government initiated certain policies that created this confidence in him among foreign governments and investors. The Government had enacted legislation affording the investors the rights of accelerated depreciation and full repatriation of profit and capital. This law existed before independence as the East African Income Tax Act of 1958. Under the Foreign Investments Protection Act of 1964, investors can transfer out of Kenya in the approved foreign currency:

> (a) the profits, after taxation, on the investment of foreign assets; (b) the approved portion of the net proceeds of sale of all or any part of the approved enterprise, either in liquidation or as a going concern; (c) principal and interest of any loan specified in the certificate.[41]

Kenya's course in economic development lay heavy emphasis on the private sector thereby encouraging private investors. In its Sessional Paper, African Socialism and Its Application to Planning in Kenya, the development plan clearly rejected nationalization as a tool of economic policy. It affirmed a commitment to the concept of a mixed economy. Finally, Kenya signed, with the UnitedSStates, the Investment Guarantee Agreement. This is the U.S. programme whereby the Agency for International Development (AID) guarantees U.S. private investments against losses from a number of factors: inconvertibility of currency, expropriation; war, revolution, or insurrection.[42] AID

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[41] Morgan Guaranty Trust Co., Doing Business Abroad (New York: Morgan Trust Co., 1966).

[42] United States Code, 1964,ed., Title 22, secs. 2181 - 2184 Particularly pp. 4656-4657.

guarantees for Kenya amount to $24 million. Obviously AID would not guarantee such investments unless they were in a country whose regime was stable, durable and showed signs of continued stability.

Kenyatta had also to appeal to the pillars of Kenya's agricultural economy, the European farmers. They needed assurances that there would not be wholesale expropriation of their lands. Kenyatta promised fair compensation for those whose lands may be needed for resettlement (of African farmers) schemes. Before the transfer of power, Britain provided funds from which such farmers as wished to leave Kenya could be paid. Kenyatta's problem was to induce as many as possible to stay and continue farming for Kenya's economy largely depends upon agricultural production. The products yielding the highest foreign exchange -- coffee, tea and pyrethrum -- were raised (and would continue to be raised) on large-scale farms.

Kenyatta's Government in this instance wanted to retain the benefits of European know-how in the agricultural sector. On August 12, 1963, Kenyatta addressed one of the most important gatherings. In Nakuru, the centre of the Highlands, he told hundreds of European farmers to forgive and forget the past: "If I have made a mistake, I ask you to forgive me and vice versa." Kenya needed white, black, yellow and brown people who would work together for the prosperity of its people.

He told his searching audience:

> We want you to stay and farm well in this country: that is the policy of this Government /which needs/ experience, and I don't [sic] care where it comes from . . . Continue to farm your land well, and you will get all the encouragement and protection of the Government . . . . Kenya is large enough, and its potential is great. We can all work together harmoniously to

> make this country great, and to show other countries in the world that different racial groups can live and work together.[43]

The editor of Kenyatta's speeches tells us that after this "European concourse all rose up to their feet, joining him in cries of HARAMBEE! Lord Delamare [descendant of the pioneer] called this a unique and historic occasion."[44]

As evidence that Kenyatta meant what he preached, he had included Bruce McKenzie, a European, in his cabinet. McKenzie, as Minister for Agriculture since June, 1963, is in charge of problems of European farmers and also in charge of dividing lands formerly held by Europeans, for African farmers. McKenzie, Gichuru (Finance) and MBoya (Economic Planning and Development) form the "inner cabinet." They have been responsible for negotiating loans and investments from foreign investors and Government.

The theme of racial harmony was climaxed on independence day when Kenyatta said:

> We are all human beings. We all make mistakes. But we can all forgive. That is what we need to learn in Kenya. Where I have harmed you, I ask for forgiveness. We must put the past behind us.

The New York Times correspondent reported from Nairobi that "it is increasingly accepted here that Prime Minister Kenyatta is determined to submerge the racial bitterness of the past and to assure whites of

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[43] Harambee! Prime Minister's Speeches, pp. 108-109. Emphasis added.

[44] Ibid., p. 108.

a place in 'nation-building.'"[45] He had extended the same assurance to Asians as well.

The United Kenya Club (formerly an exclusive all white club) honoured Kenyatta at a luncheon in November, 1961. He used the occasion to give some blunt advice: "You Europeans and Asians must learn and learn very quickly, how to respect Africans and how you can work with Africans on an equal basis. If you can do that, you will have no difficulty with us."[46]

On Kenyatta Day, 1964, Kenyatta asked all Kenyans again to erase from their minds all the hatreds and difficulties of those years which had become history: "Let us agree that we shall never refer to the past. Let us unite, in all our utterances and activities, in concern for the reconstruction of our country and the vitality of Kenya's future."[47]

Commenting on the situation in Kenya, Stanley Meissler recently said that the "government of Kenya belongs to its 9.7 million Africans, but the country's shops, factories and banks, its wholesaling, distributing, and importing, its whole private economy, belong, in the main, to the 235,000 Asians and whites who live here."[48]

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[45] New York Times, December 12, 1963, pp. 1, 18.

[46] New York Times, November 23, 1961, p. 9.

[47] Speech on October 20, 1964. See Harambee! Prime Minister's Speeches, p. 2.

[48] Los Angeles Times, Outlook Section, September 17, 1957, pp. 1, 7.

This observation reinforces our contention that economic growth (large and stable foreign exchange) has outstripped that other stated goal of the Kenyatta Government -- Africanization.

In this regard we need to point out that statistics may not be a very good indicator of the degree of confidence in a man, institution or regime. Facts about citizenship and immigration become relevant in this situation. Every independent sate has provisions regulating citizenship. Those for Kenya were a little unique -- as most things have been in the last seventy years of her history. Theoretically, all residents of Kenya Colony and Protectorate were British subjects and became either Kenya citizens or "resident aliens" on independence day.

The Kenya Citizenship Bill was debated for two whole days (November 27 and 29, 1963).[49] It was a simple straight forward bill but its implications would be far-reaching. The Minister for Home Affairs, Oginga Odinga, introduced it in the House of Representatives by pointing out that Kenya would not accept dual citizenship. Any residents had the option to register as Kenya citizens or as aliens. However, the Kenya Government allowed a grace period for those who did not become Kenya citizens on December 12, 1963.

This Bill gave residents of Kenya who intended to take out Kenya citizenship two years "within which to make their minds with

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[49]Kenya, House of Represantatives, Official Report, vol. 1, November 27, 1963, cols. 2357-2369; November 29, 1963, cols. 2453-2469.

regard to whether they are going to renounce their former citizenship and take out Kenya citizenship."[50] The Minister assured these residents that they would be accorded all citizen rights and privileges during those two years. Thereafter, they would be regarded as aliens and treated as such. The Bill was approved and became part of the Kenya Constitution as Kenya Subsidiary Legislation 1963, chap. 1, sec. 2 (1).[51]

If Kenyatta's success as an integrative leader was to be judged by immigration figures, one would conclude that at the close of the period under analysis Europeans had regained confidence in Kenya. In 1965 more of them came into Kenya than left -- reversing a trend that had continued since Kenyatta's release from restriction. The reverse was the case for Asians and Arabs. In 1964 and 1965 more Asians left Kenya than entered. We can presume that this trend continued after 1965. The European category is unusually high because of the British staff which had to leave Kenya after independence. The corresponding figures appear in tables 5, 6, and 7 below.

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[50] Col. 2358.

[51] Pp. 25-26. The law provided that any person desiring to become a Kenya citizen had to apply before December 12, 1965. The consequences of this law were really felt after 1966 when Kenya enacted other legislation specifically to protect citizens.

TABLE 5

REPORTED NEW PERMANENT IMMIGRATION[a]

1957-1966

(including Visitors becoming Permanent Immigrants)

Race and Sex	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
European										
Male	2,887	2,552	2,384	1,895	1,699	2,104	2,001	1,862	2,804	1,497
Female	2,654	2,550	2,297	1,733	1,505	1,852	1,788	1,638	2,281	1,231
Total	5,541	5,102	4,681	3,628	3,204	3,956	3,789	3,500	5,085	2,728
Asian and Arab										
Male	2,600	2,036	2,153	1,541	1,189	1,147	1,278	822	689	369
Female	2,458	2,030	1,901	1,260	1,093	1,030	1,070	844	783	251
Total	5,058	4,066	4,054	2,801	2,282	2,177	2,348	1,666	1,472	620
African and Other										
Male	93	70	73	63	72	108	127	147	176	79
Female	79	46	61	61	52	77	76	93	85	40
Total	172	116	134	124	124	185	203	240	261	119
Total										
Male	5,580	4,658	4,610	3,499	2,960	3,359	3,406	2,831	3,669	1,945
Female	5,191	4,626	4,259	3,054	2,650	2,959	2,934	2,575	3,149	1,522
Total	10,771	9,284	8,869	6,553	5,610	6,318	6,340	5,406	6,818	3,467

[a]Kenya, Statistical Abstract 1967, p. 24.

TABLE 6

REPORTED PERMANENT EMIGRATION[a]

1957-1966

Race and Sex	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
European										
Male	1,694	1,853	1,821	1,976	3,144	4,437	4,165	3,464	2,668	2,428
Female	1,114	1,401	1,573	1,837	2,908	3,942	3,942	3,213	2,501	2,143
Total	2,808	3,254	3,394	3,813	6,052	8,379	8,107	6,677	5,169	4,571
Asian and Arab										
Male	835	1,262	1,378	1,338	1,595	1,183	1,035	1,605	1,018	557
Female	412	650	818	792	934	739	640	1,339	751	359
Total	1,247	1,912	2,196	2,130	2,529	1,922	1,675	2,944	1,769	916
African and Other										
Male	34	72	73	60	136	133	90	141	125	91
Female	18	32	30	29	54	65	60	98	84	38
Total	52	104	103	89	190	198	150	239	209	129
Total										
Male	2,563	3,187	3,272	3,374	4,875	5,753	5,290	5,210	3,811	3,076
Female	1,544	2,083	2,421	2,658	3,896	4,746	4,642	4,650	3,336	2,540
Total	4,107	5,270	5,693	6,032	8,771	10,499	9,932	9,860	7,147	5,616

[a]Kenya, Statistical Abstract 1967, p. 24.

TABLE 7

REPORTED NEW PERMANENT IMMIGRATION AND EMIGRATION[a]

By Nationality, 1964-1966

Nationality	New Permanent Immigration			Permanent Emigration		
	1964	1965	1966	1964	1965	1966
American	525	818	454	310	420	362
Australian and New Zealander	24	74	38	19	66	39
Belgian	4	14	10	17	14	11
British	1,977	3,287	1,776	5,802	4,827	4,206
Canadian	82	132	85	51	38	52
Danish	58	67	41	40	36	56
Dutch	154	105	69	94	118	79
French	36	43	24	43	43	45
German	102	176	98	85	53	96
Greek	11	25	11	19	16	14
Indian	1,186	800	375	2,258	713	225
Israeli	43	48	21	23	49	22
Italian	143	201	77	148	112	46
Kenyan	-	-	-	15	13	3
Malawian	12	32	4	3	6	6
Norwegian	14	72	69	7	17	9
Pakistani	86	72	18	104	18	25
South African	63	34	8	112	47	19
Swedish	59	58	41	12	44	24
Swiss	45	33	26	52	30	28
Tanzanian	152	131	3	28	27	1
All Other African Nationalities	189	192	52	145	124	50
All Other Asian Nationalities	211	186	68	297	207	101
All Other European Nationalities	191	180	86	93	51	46
Any Other	39	38	13	83	58	51
Total	5,406	6,818	3,467	9,860	7,147	5,616

[a]Kenya, Statistical Abstract 1967, p. 25.

There may be a discrepancy in Asian figures. It is the Asians who were or would be affected by any legislation dealing with non-citizens already in Kenya. In 1963 there were approximately 185,000 Asians in Kenya. Of these, 40,000 automatically became citizens on December 12, 1963. As of December 12, 1965, only 8,126 had become citizens as stipulated in the Kenya Citizenship Bill. Thus, by the deadline date there were 135,000 Asian non-citizens.[52]

If these figures mean anything, it is this. For all his preaching about racial harmony, Kenyatta does not seem to have created enough confidence in the Asian community -- at least the average man -- to sever its legal ties with Britain. We contend, as one Asian scholar put it, that the place of the Asians in Kenya still constituted the dominant problem in the field of race relations. The crux of the issue is economic.

Kenyatta may have succeeded in rallying, at the political leadership level, Asians to his "national unity" call. But beneath it the problem still remained. One elderly Indian said in July, 1962, on the desolution of the Kenya Indian Congress that "The time is

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[52]These figures do not include 10,000 Asians whose applications for citizenship had not been processed by October 1966. The Kenya Government must be criticised in this matter. For two years these applicants lived in limbo, having had no communication from the Ministry for Home Affairs. See Kenya, House of Representatives, Official Report, vol. X, October 6, 1966; September 27, 1966, oral and written replies to questions regarding these applications.

not far when we shall have to face discrimination from our African brothers."[53] The nature of this discrimination would inevitably come from the economic sphere.

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[53]George Delf, Asians in East Africa (Nairobi: Oxford University Press, 1963), p. 41. See also a symposium on Asians in East Africa, Dharam P. Ghai, (ed.), Portrait of a Minority: Asians in East Africa (Nairobi: Oxford University Press, 1965).

CONCLUSION

Essentially this has been a study in colonial nationalism in Kenya which arose out of the unique relationships among the three major racial groups: African, Asian and European. The social and cultural pluralism of the colonial society found expression in the political institutions of the country. Early protest movements aimed at obtaining equality before the law and their leaders often spoke the language of civil liberties in search of human dignity. In demanding these rights, African political associations paid little attention to the problem of territorial political control.

We saw that their demands were directed at Britain's local agents. But when these colonial civil servants closely allied themselves with the settler community, the politics of confrontation began. At the same time the colonial system had induced conditions which could no longer be controlled by the old order. Kenya had to be brought to a level of administrative efficiency competent to deal with the strains and stresses of the period after the Second World War.

The turning point came with the organization of the colony-wide nationalist movement, Kenya African Union and the return of Kenyatta to lead it. We have demonstrated that Kenyatta's agitation had a cause which, as Brooks Adams once put it, "is as deserving of study as is the path of a cyclone." Through the Kenya African Union, Kenyatta became the embodiment of the nation-to-be. The shortage of highly educated Africans placed him in an especially advantageous position. The influence and reputation he thus built as an agitational leader was a contributing factor to the initial success of laying the foundations of the Kenya nation-state.

In the integrative period Kenyatta was quick to recognize that the old order had passed away and that it was time to examine how best the new society could be initiated. It is true, politically, that a nation's leaders are responsible for safeguarding the unity of the nation, the progress of its citizens towards a state of well-being and the right of all people to bread and liberty. New nations tend to relegate some of these duties to second place in preference for those deemed as threatening the unity of the nation.

Although Somali secessionism was a challenge to the regime, Kenyatta managed to instill the ordinary peasant and workingman with a sense of the "sacredness of the nation." We contend that Kenya has passed the "danger" point as far as organizing a sovereignty strong enough to preserve order is concerned. The problem of economic growth versus Africanization must now be the preoccupation of the leaders. This dilemma springs from the incompatible goals of rapid

economic growth and rapid Africanization of the economy.

The British Conservative Specatator commented, on December 18, 1964, that "it is comforting that the two key economic Ministries are under the command of Mboya and Gichuru . Much is going to depend on whether their moderate expansionist policies prevail." Moderation prevailed through 1966. But beneath all this success some groups may not have been provided for. The magnitude of their challenge to the regime is beyond analysis here. It may very well determine Kenyatta's real accomplishment. Africans have begun demanding a larger share in the scheme of things -- Civil Service jobs, businesses, and preferential treatment in general.

If we consider the overall period covered, Kenyatta has been quite successful both as agitator and administrator. Administration here is viewed broadly as the "capacity of coordinating many, and often conflicting, social energies in a single organism, so adroitly that they shall operate as a unity." This presupposes, on the part of the leader, "the power of recognizing a series of relations between numerous special interests, with all of which no single man can be intimately acquainted."[1]

Kenyatta stands unique among leaders of nationalist movements. We have shown that he was the moving force behind Kenya nationalism. A significant fact is that he never had to fight an election as many leaders did. This may have been recognition of his abilities.

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[1]Brooks Adams, The Theory of Social Revolutions (New York: The Macmillan Co., 1913), pp. 207-208.

But that fact also enhanced his stature. Consequently, Kenyatta has seemed always to stand above politics. Kenyatta's recent preoccupation with integrative politics has tended to push the game of normal politics to second place. This has the potential of eradicating politics altogether. Therefore, besides carrying out the broad policies formulated by Kenyatta, his successor will also be confronted with the problem of the revival of politics.

APPENDIX I

LABOUR CIRCULAR No. 1

Nairobi, 23rd October, 1919.

NATIVE LABOUR REQUIRED FOR NON-NATIVE FARMS AND OTHER PRIVATE UNDERTAKINGS

There appears to be still considerable shortage of labour in certain areas due to reluctance of the tribesmen to come out into the labour field; as it is the wish of Government that they should do so, His Excellency desires once again to bring the matter to the notice of Provincial and District Commissioners, and at the same time to state that he sincerely hopes that by an insistent advocacy of the Government's wishes in this connection an increasing supply of labour will result.

2. His Excellency trusts that those Officers who are in charge of what is termed labour supplying districts are doing what they can to induce an augmentation of the supply of labour for the various farms and plantations in the Protectorate, and he feels assured that all officers will agree with him that the larger and more continuous the flow of labour is from the Reserves the more satisfactory will be the relations as between the native people and the Settlers and between the latter and the Government.

3. The necessity for an increased supply of labour cannot be brought too frequently before the various native authorities, nor can they be too often reminded that it is in their own interests to see that their young men become wage-earners and do not remain idle for the greater part of the year. They should be informed that the Governemnt is now taking steps to keep all native labourers while out of their Reserves under supervision, and the conditions of camps, etc., regularly inspected.

4. In continuation of previous communications on this very important subject, His Excellency desires to reiterate certain

of his wishes and to add further instructions as follows:

(1) All Government officials in charge of native areas must exercise every possible lawful influence to induce able-bodied male natives to go into the labour field. Where farms are situated in the vicinity of a native area, women and children should be encouraged to go out for such labour as they can perform.

(2) Native Chiefs and Elders must at all times render all possible lawful assistance on the foregoing lines. They should be repeatedly reminded that it is part of their duty to advise and encourage all unemployed young men in the areas under their jurisdiction to go out and work on plantations where their people are employed.

(3) District Commissioners will keep a record of the names of those Chiefs and Headmen who are helpful and of those who are not helpful, and will make reports to me from time to time for the information of His Excellency. The nature of these reports will be communicated to the Chiefs. In case where there is evidence that any Government Headman is impervious to His Excellency's wishes, the fact should be reported to me for His Excellency's information together with any recommendations you may desire to make.

(4) District Commissioners will, as often as occasion required, hold public meetings at convenient centers to be attended by the native authorities. At these meetings, labour requirements, places at which labour is offered, nature of work and rates of pay must be explained. District Commissioners will invite employers or their agents to attend such meetings.

(5) Employers or their agents requiring native labour will be invited and encouraged to enter freely any Native Reserve and there get in touch with the Chiefs, Headmen and Natives.

(6) Requirements of native labour for Government Departments should be met as far as possible from the more remote areas which do not at present supply an appreciable number of men for labour on plantations.

5. His Excellency instructs me to state that constant endeavors will be made by this Government to obtain labour from the adjacent Conquered Territory in order that the supply of native labour in this country may be augmented. The Native Authorities might be informed of this, and it be pointed out to them that should

any considerable number of natives be so introduced into this country it will probably mean less money going into our native districts.

6. It is hoped that the Resident Natives Ordinance, 1918, and the Native Registration Ordinance, 1915, will soon become operative. The provisions of these Ordinances should help to ameliorate the position.

7. Should the labour difficulties continue it may be necessary to bring in other and special measures to meet the case; it is hoped, however, that insistence on the foregoing lines will have appreciable effect.*

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*Reproduced from Ross, Kenya From Within (London: George Allen & Unwim Ltd., 1927). pp. 103-105.

APPENDIX II

A Joint Memorandum by the Bishops of the Church of England in East Africa and Uganda, and by the Senior Representative of the Church of Scotland in East Africa.

"We believe that ideally all labour should be voluntary. We recognize that, at present, this is impossible, and that some form of pressure must be exerted if an adequate supply of labour necessary for the development of the country is to be secured.

"We are convinced that the present proposals for securing labour, which stop short of definite enactment, but put large undefined powers in the hands of native chiefs, will lead to very unsatisfactory results, and that these powers will inevitably be abused.

"We are strongly of opinion that-

1. Compulsory labour, so long as it is clearly necessary, should be definitely legalized. Such a legal obligation would, from the native point of view, be more satisfactory than indirect pressure brought to bear through native chiefs.

2. It should be confined to able-bodied men. No Government pressure should be brought to bear on women and children. When they work on plantations it should be of their own accord.

3. All compulsory work should be done under proper conditions, guaranteed by the Government, and secured by regular inspection and visitation.

4. The labour obligation of each man should be clearly defined, and the man be free on the completion of his time to follow his own business.

5. Such work should be exacted uniformly, from each tribe, and each individual man in the tribe.

6. Each man should be free to choose his own employer, none being forced to any particular plantation against his will.

7. Reasonable exemptions should be allowed; of all those in permanent employment or engaged in work of national importance.

8. The compulsory labour should be directed primarily to State work, leaving the voluntary labour for work on private estates.

"The Missions welcome His Excellency's general policy, as expressed in his recent memorandum, and recognize, in his labour proposals, the earnest effort to meet by all possible constitutional means a great and pressing need. We believe, however, that it places far too great a power in the hands of native chiefs and headmen, and we therefore desire to see it modified on the lines above suggested."

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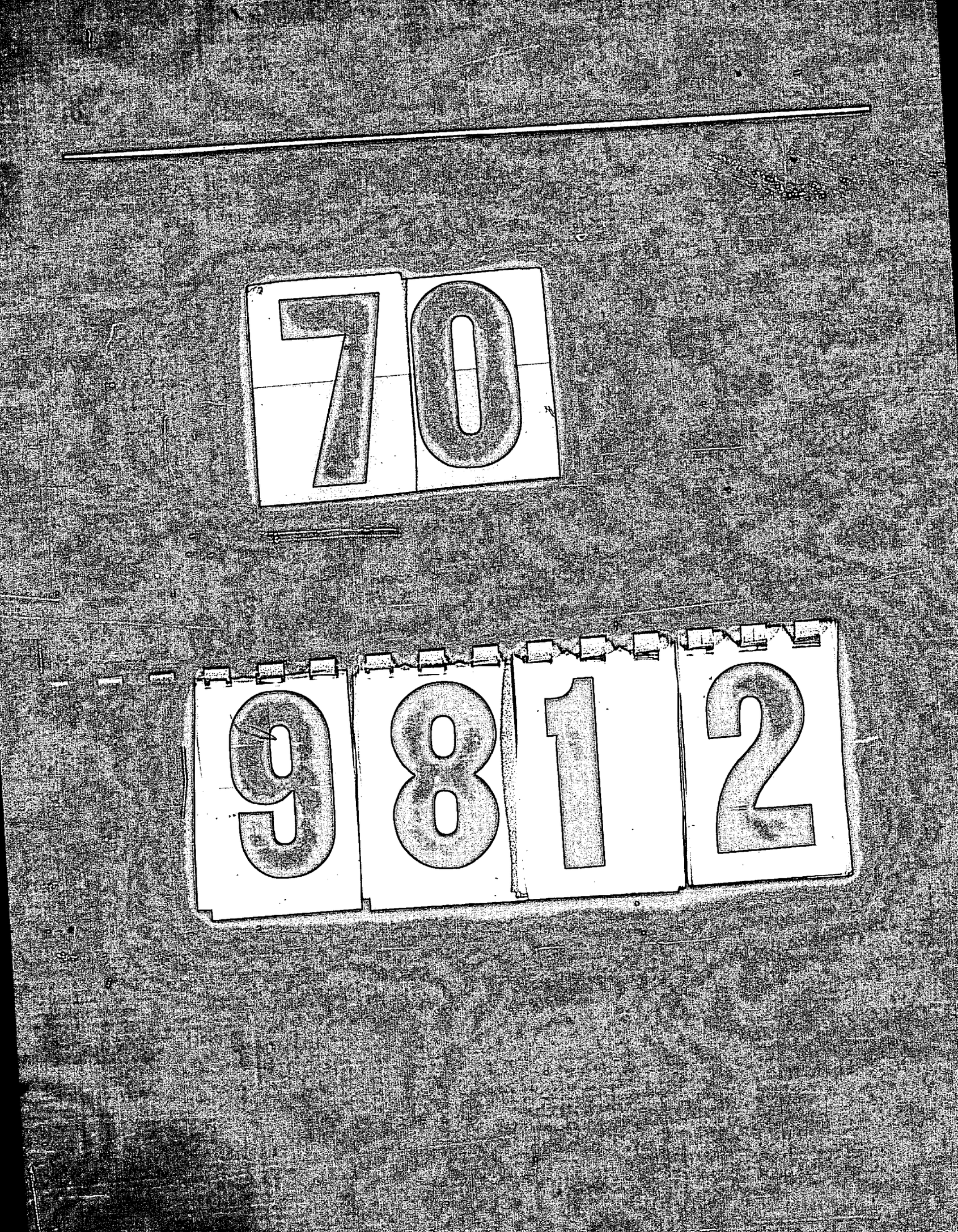
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