

# KENYA NATIONAL ARCHIVES

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Description of Document LEGISLATIVE COUNCIL DEBATES. VOL. LVIII.

Covering Dates 20th Oct., to 11th Dec., 1953.

Reference No. From Central Government Library.

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Date of Reproduction 8<sup>th</sup> January, 1966.



COLONY AND PROTECTORATE OF KENYA

# LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

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10th COUNCIL INAUGURATED  
JUNE, 1952

VOLUME LVIII

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1953

THIRD SESSION — FIRST SITTING  
20th October, 1953, to 11th December, 1953



# List of Members of the Legislative Council

## *President:*

HIS EXCELLENCY THE GOVERNOR

## *Vice-President and Speaker:*

HON. W. K. HORNE

## *Ex-Officio Members:*

CHIEF SECRETARY (HON. H. S. POTTER, C.M.G.)  
MEMBER FOR LEGAL AFFAIRS (HON. J. WHYATT, Q.C.)  
MEMBER FOR FINANCE AND DEVELOPMENT (HON. E. A. VASEY, C.M.G.)  
MEMBER FOR AFRICAN AFFAIRS (HON. E. H. WINDLEY, C.M.G.)  
MEMBER FOR AGRICULTURE AND NATURAL RESOURCES (MAJOR THE  
HON. F. W. CAVENDISH-BENTINCK, C.M.G., M.C.)  
MEMBER FOR EDUCATION AND LABOUR (HON. C. H. HARTWELL).  
MEMBER FOR HEALTH, LANDS AND LOCAL GOVERNMENT (HON. SIR  
CHARLES MORTIMER, C.B.E.)  
MEMBER FOR COMMERCE AND INDUSTRY (HON. A. HOPE-JONES).

## *Nominated Members:*

HON. T. F. ANDERSON, O.B.E., M.D. (Director of Medical Services).  
HON. D. L. BLUNT, C.M.G.  
HON. F. W. CARPENTER (Labour Commissioner).  
HON. C. H. G. COVENTRY.  
HON. M. H. COWIE.  
HON. G. M. EDYE.  
HON. E. N. GRIFFITH-JONES (Solicitor General).  
HON. S. D. KARVE, O.B.E., M.B.B.S.  
HON. CHIEF U. MUKIMA.  
HON. I. OKWIRRY, M.B.E.  
HON. E. J. PETRIE (Secretary to the Treasury).  
HON. SIR EBOO PIRBHAI, O.B.E.  
HON. J. L. RIDDOCI, O.B.E.  
HON. G. M. RODDAN (Director of Agriculture).  
HON. SHEIKH MOHAMED ALI SAID.  
HON. R. W. TAYLOR, C.M.G. (Director of Public Works).  
HON. G. A. TYSON, C.M.G.  
HON. W. J. D. WADLEY (Director of Education).

## *European Elected Members:*

HON. M. BLUNDELL, M.B.E., Rift Valley.  
GROUP CAPTAIN THE HON. L. R. BRIGGS, Mount Kenya.  
HON. S. V. COOKE, Coast.  
HON. W. E. CROSSKILL, Mau.  
LT.-COL. THE HON. S. G. GHERSIE, O.B.E., Nairobi North.  
LT.-COL. THE HON. E. S. GROGAN, D.S.O., Nairobi West.  
HON. N. F. HARRIS, Nairobi South.  
HON. W. B. HAVELOCK, Kiambu.  
HON. R. C. J. LETCHER, Trans Nzola.  
HON. L. R. MACONOCHE-WELWOOD, Uasin Gishu.  
HON. LADY SHAW, Ukamba.  
HON. MRS. A. R. SHAW, Nyanza.  
HON. H. SLADE, Aberdare.  
HON. C. G. USHER, M.C., Mombasa.

**Asian Elected Members:**

**Non-Muslim:**

**Muslim:**

**Central Area:**

**East:**

HON. CHANAN SINGH  
HON. C. B. MADAN.

HON. S. G. HASSAN, M.B.E.

**Eastern Area:**

**West:**

HON. A. B. PATEL, C.M.G.  
\*HON. R. B. PATEL (Acting).

HON. VASIER I. E. NATHOO.

**Western Area:**

HON. J. S. PATEL.

**Arab Elected Member:**

HON. SHEIKH MAHFOOD S. MACKAWI

**Representative Members:**

**African:**

**Arab:**

HON. W. W. W. AWORI.  
HON. M. GIKONYO.  
HON. J. JEREMIAH.  
HON. E. W. MATHIU.  
HON. B. A. OIANGA.  
HON. J. M. O. TAMENO.

HON. SHERIFF ABDULLA SALIM.

**Clerk of the Council:**  
A. W. PURVIS.

**Assistant Clerk of the Council:**  
H. THOMAS.

**Reporters:**

MRS. P. HUBBARD.  
MISS E. M. VAIL.  
MISS S. E. FARWELL.

\* The Hon. R. B. Patel acting for the Hon. A. B. Patel, C.M.G., with effect from 17th November, 1953.



COLONY AND PROTECTORATE OF KENYA

LEGISLATIVE COUNCIL DEBATES

TENTH COUNCIL

THIRD SESSION—FIRST SITTING

**Tuesday, 20th October, 1953**

The Council met at five minutes past Ten o'clock.

[Mr. Deputy Speaker in the Chair]

in 1946 to £20.7 million in 1952. The expenditure on the main social service groups in that period grew from £1.7 million in 1946 to £5.4 million in 1952.

**PROCLAMATION**

The Clerk read the Proclamation summoning Council.

But in a part, an important part, of the country a check to the growth of good relations, to prosperity, to all forms of hopeful development, has been suffered, and suffered as a result of a conspiracy aimed at assaining power by violent means—the conspiracy of *Mau Mau*. The circumstances are too well-known for me to discuss them at length. For the country to recover it must become both secure and prosperous. I have felt since I came here that, given the conditions of Kenya, relations between the various peoples of the country were good. I believe that these relations will improve still further in a climate of economic development. I also believe that the primary need for that development is a sense of security, prosperity and security go together.

**PRAYERS**

**ADMINISTRATION OF OATH**

The Oath of Allegiance was administered to the following Member:—

Mr. G. A. Tyson, C.M.G.

**TEMPORARY SUSPENSION**

Mr. Deputy Speaker suspended the Council to await the arrival of His Excellency the Governor.

His Excellency arrived and took the Chair.

**COMMUNICATION FROM THE CHAIR**

His Excellency delivered the following communication from the Chair:—

**MR. SPEAKER, HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:**

A short time ago, before the Emergency, Kenya appeared to be on the way towards prosperous development. How rapid that development was can be seen in the figures of the growth of our national income rising from £53 million in 1947 to about £107 million in 1952, with an annual net expenditure on capital and recurrent account going from £8 million

I will deal first with security, not because it is the most important, but because it is the most immediate need of the country. The military campaign will be pressed to a conclusion. The whole country owes a tremendous debt both to General Erskine personally and to all members of the Security Forces under his command. The United Kingdom Government have generously sent us both troops and weapons to fight our enemy. With the troops at our disposal it should

**[H.E. the Governor]**

be possible to destroy *Mau Mau* as expressed by gangs of criminals in the forests. Let me tell any in this country who doubt it that, if troops are withdrawn and a similar situation should arise again—and every step will be taken to prevent this—then troops would immediately be sent back a second time. There is therefore no hope for success for the *Mau Mau* leaders, or for those of any similar disruptive organization, in a campaign of violence either now or at any future date. *Mau Mau* is doomed and the quicker its end the better.

To prevent a recrudescence of *Mau Mau* or any other form of anti-social violence, and to avoid the need to use troops in large numbers a second time, the first—and most important measure will be the maintenance of an increased Police Force. A notable feature of our security arrangements will be a Special Branch at its present strength maintained permanently as far as we can see the future now. A second will be a strong Police Striking Force with military training, capable of going quickly to any part of the country. A third will be a number of training and other measures to make sure that this big Police Force will be of high quality. The presence of Kenya Police in the African areas is a permanent and not a temporary measure.

The Central Province has for some months had a greatly increased Police Force and it has been decided to institute closer policing and to build new Police Posts in other areas, the aim being to expand and extend the Police cover throughout the Colony as rapidly as possible. A Police Commission has visited Kenya and it is proposed to bring before the Council its report. Government has already accepted the interim report of the Commission and has decided to implement a decision discussed in 1947 to follow the United Kingdom precedent and fix the terms of service of the Police separately from those of the Civil Service. It is hoped to present a Bill to the Council during the new session to give effect to this decision and to such other recommendations of the Police Commission

as may require legislation. A very great strain has been placed on the whole Force under the Commissioner, on the regular Police, on the Kenya Police Reserve and on the Special Police. The rapid expansion of the Police Force as a whole has inevitably resulted in a shortening of the training of recruits. But in spite of this all branches of the Police have carried out their task during the past year in conditions of great difficulty with great efficiency. I thank all ranks for the loyal and unsparring manner in which they have spent themselves.

Closely connected with the expansion of the Police has been a necessary expansion in the Prisons Department. The prison population has doubled since October, 1952. Prison Authorities and all ranks serving under the Commissioner for Prisons deserve the thanks of the people of Kenya for the manner in which they have coped with this great increase without there being any breakdown in the Prison Administration. Many convicts from security prisons have been dispersed to temporary prison camps and it is intended to employ them to the economic advantage of the Colony as a whole. Already many are working in Nyanza on such undertakings as soil conservation and bush-clearing as an anti-tsetse measure.

As is well known, it has been necessary to detain the leading members of the unlawful *Mau Mau* Society.

The Commissioner for Community Development has been put in charge of a special "Rehabilitation Department". The object of his work is to win back where possible Africans in prisons, in detention camps, or in the African land units, whose minds have been polluted by *Mau Mau* propaganda. He has visited Malaya, and from the work of this nature done there learnt many useful lessons. In such a difficult operation it is impossible to foretell the degree of success which will be attained, but an attempt can and must be made to win some of these people back from subservience to the false doctrines and false promises of *Mau Mau*. In particular it is hoped that success will

**[H.E. the Governor]**

be obtained with the many thousands of Kikuyu who have left farms, forests and other African areas and come back into the Kikuyu land unit.

After an upheaval such as the Emergency, and the lessons learned from it, it is essential to overhaul the administrative machine in the districts and provinces—for on that ultimately all depends. An extraordinarily heavy burden has fallen on administrative officers during the Emergency. They have had to shoulder heavy responsibility and take many difficult decisions. I welcome this opportunity of thanking them for the way they have done their duty.

Steps are being taken to ensure that there is closer administration of the reserves and that there will be a greater continuity than in the past of service of administrative officers in their districts. There will be encouragement, and indeed more than encouragement, for the learning of a vernacular language of the province in which an officer is stationed. With increased staff more touring will be done.

In case any should think that these measures will be frustrated let me add that I am authorized with the full concurrence of the Secretary of State to say that neither he nor I can see any likelihood of a situation developing in which it would be possible to permit the return to any area where they might cause trouble, under any conditions whatsoever, of the leading personalities of the *Mau Mau* movement. (Applause.) Steps will be taken when necessary to give effect to this exclusion.

These vile men, self-seekers who hoped to attain their ends by subversion and violence, have done incalculable harm to all in Kenya, and particularly to the members of their own tribe. It is felt that some striking action should be taken against the few most villainous leaders of the *Mau Mau* movement. For this reason a Bill will shortly be introduced providing for the forfeiture of land held in the Kikuyu land unit by two classes

of persons. First, those convicted of certain serious offences connecting the offenders closely with the direction of the *Mau Mau* movement, and, secondly, any still at large who may be declared subject to the provisions of the Bill—that is, in practice, the best-known gang leaders now opposing the forces of law and order. In connexion with this forfeiture of *Mau Mau* leaders' land I wish to make clear two points. The first is that the Government have no intention of taking any action against land other than that of those I have already mentioned. The second is that the land, which will be forfeit will be put to a public purpose—for example it might be used for a clinic, for a school, or for agricultural experiment.

Our present troubles have come out of the Kikuyu land unit. I will therefore start with some further remarks on security in this area. For the Kikuyu land unit the Provincial Commissioner of the Central Province will be given special powers and a special staff, both administrative, police and agrarian, for some time to come to assist him in the heavy task of reconstruction and of the restoration and maintenance of peace and security. Measures will be taken to see that Kikuyu are as closely associated as possible with him in the implementation of these measures. The Kikuyu chosen for this purpose, to whom the Government will give protection, help and responsibility, must be those who in the testing time of the recent troubles have proved themselves to be the friends of peace and the enemies of the *Mau Mau* movement.

In the African areas outside the Kikuyu land unit steps must be taken for many years to come to control the entry of Kikuyu and to see that those Kikuyu who still live in them do not again start a *Mau Mau* movement.

In the settled area the present arrangement to forbid the return of Kikuyu who have left farms and forests to go back to the Kikuyu land unit will, for the time being, be continued. More generally the terms and conditions of the return of any such Kikuyu and of Kikuyu residence and work on farms and in forests must

[H.E. the Governor]

be compatible with the maintenance of security.

After saying this let me add that I do not believe it is possible either for the work on farms and in forests to be carried on without any Kikuyu at all, or, on the other hand, for there to be a return to conditions before the Emergency when on many farms and in many forest areas for more Kikuyu families lived than was realized either by the Government or their employers.

The forests are the special responsibility of Government. Any considerable reduction in their area might seriously affect the water supplies, and therefore the agricultural health, of Kenya. I have also little doubt that there is the possibility of the development here of a very valuable forestry industry through the growing of softwoods, and I trust that we can develop it as successfully as has been done in the Union of South Africa. But most softwood timber produced from Kenya will have to be exported and not, as is the case in South Africa sold on the home market. It will have to face competition in world markets after bearing the expense of the long haul to Mombasa and it is for this reason that economy in the cost of production has been and is very important. As is well-known, at present production depends on the forest squatter system. Our aim will be the reform, and perhaps in some cases an alteration of this system; but definitely the maintenance of the forestry industry with the cheapest production methods possible, subject always to the paramount need for security and for a reasonable degree of European supervision. The details of this must be settled by the Government as a whole, the Forestry Department, and local authorities in consultation.

On farms I visualize development in the future down certain lines. One is an increase in the amount of cottage labour and a decrease in the number of squatters. This will be carried out carefully in close consultation with local authorities and local production committees and having regard to the

varying conditions in different farming areas in this country. But of one thing I am certain and that is that in the future labourers must live in small groups of houses on each farm and not in many scattered huts—for it is the condition of scattered huts, both on some farms and in some forest areas, which has helped the spread of *Mau Mau*. Secondly, if European farming is to develop it will be necessary to take measures in the interests not only of economic prosperity, but also of security, against farms where many Africans live with but little European supervision. I hope that with the development on farms of groups of houses which will be something like small villages, it will be possible to provide services as has already been done in some forest villages and in some farming areas.

These measures for security must be taken along with others closely allied to them and often overlapping them, but having as their purpose the reconstruction and the development of the country. But it will not be possible for Kenya to finance all this development out of its own resources. The annual estimates of revenue and supply will be laid before you early in this Session. With the change that is taking place in the financial year the Council will have before it during this Session two budgets, the first dealing with the period 1st January to 30th June, 1954, and the second for the period 1st July, 1954 to 30th June, 1955. From these it will be seen that financial help is required and what I am about to say must be considered in the light of this requirement.

The Government believe in the future of European farming. In fact they consider that the greatest asset Kenya possesses is the soil of its upland country on which are most of the European farming areas as well as the whole of the Kikuyu land unit, and to the west the Nandi, the Kisii and the Kipsigis. We do not have the minerals enjoyed by many other African countries, but we do have in a temperate climate perhaps the best soil for the production of food to be found anywhere in East, Central or South Africa. This land, I repeat, is partly in European and partly in

[H.E. the Governor]

African occupation. The Troup Report on European agriculture has suggested a way to the development of Kenya as an important, instead of as a small, food exporting country. It is Government's intention to develop European agriculture to the greatest possible extent and as quickly as possible. The reason why no White Paper on the Troup Report has yet been laid is the uncertainty of Kenya's financial position. We hope, however, to lay a White Paper on the report during this Session.

Along with this we should concentrate on the development of industry. Since the Emergency, investment and the growth of industry have undoubtedly received a check, but the check has been by no means a complete one. Big companies have been prepared to investigate, and in fact to start, industries right in the middle of the Emergency. I hope that once security returns this industrial development will be enhanced. The growth of factories in the towns implies an increase in the number of Africans living under family conditions in those towns and for this the provision of more family housing is an urgent necessity which the City Council of Nairobi, other local bodies, and the Government, have under consideration. A stable African working population in towns is essential. Only in that way can productivity, skill, and thus wages, be increased.

Perhaps the most urgent reconstruction problem facing the Government is the absorption into the Kikuyu land unit of the large number of Kikuyu who have moved there either off farms and forests or from other places. This must be set in its proper place in the general picture of African development. African agricultural development must depend on the provision of finance and on our ability to obtain the necessary staff to supervise works. This development will cost several millions. Plans are already well advanced. The timing and the extent of the implementation of these plans will depend on the general financial position and prospects of the Colony which will become clearer

after discussions which the Member for Finance is shortly to hold in London. But given the money and given the men we have in preparation schemes for greatly intensified agricultural development in African areas. Within the means at its disposal the Government's intention is that the development of African land units should continue in spite of the great burden, both in finance and manpower, which is falling on the country through the Emergency. First there are our development plans for areas such as Nyanza Province and the Wakamba; and this development is the cardinal point in our policy. It will be possible later to explain our intentions in greater detail. There is also the Kikuyu land unit and the need to assist with the absorption of displaced Kikuyu. Our aim is to help the Kikuyu land unit by using on it, when possible, some of those Kikuyu who have to be kept in custody. We intend that by these measures the capacity of that land unit, which includes Embu and Meru, to support the increasing Kikuyu population may be increased. There will be irrigation schemes. There will be clearing, development and cultivation of the bracken areas, careful regard being had in both cases to existing rights. There is the possibility of the development in these areas of a dairy industry. There will be also an intensification of measures which have already proved highly successful, for example, soil conservation in the cultivated areas of the Kikuyu land unit. It is already established policy to increase the carrying capacity of African areas and to improve the standard of living there by raising the African production of cash crops where the soil and climate is suitable and where there can be an economic unit. In the conditions of to-day an increase in the capacity of the African areas to support a larger population is an urgent necessity and we must press on with this process of encouraging African cultivation of cash crops, a process which has already begun. We hope that the Government will receive assistance from the country's many skilled and experienced farmers of these cash crops.

[H.E. the Governor]

If there is to be real agricultural progress in African areas attention must be given both to the consolidation of fragmented holdings into economic units and to the grant to good farmers of greater security of tenure than they have at present, for well-farmed smallholdings. An experiment with the issue of special land titles—that is rights of occupancy—will be pursued. For this legal sanction is required by an amendment to the rule-making powers of the Native Lands Trust Ordinance, and work is now being done on this. It may also be necessary to accelerate the training of African surveyors—the Department of Survey already has a scheme for the training of African land surveyors and as a start there are nine prospective pupils. Government are considering making a start by a concentrated effort on one particular African area in order to gain experience both in the consolidation of holdings and in the grant of land titles.

We foresee the development of African local self-government to take its place by the side of the County Councils recently established in European areas, which, I am sure, will prove a great success. Kenya is notable for its African District Councils. We shall develop them and we shall also make a special point of developing under them and increasing the present responsibilities of the Locational Councils in order to bring local government closer to the mass of the people—and in order that it may become something concerned with the daily life of the ordinary African. Just as in the United Kingdom, County Councils cannot flourish without District Councils under them, so in the very populous district of the African areas, such as Nyanza, I believe that the success and the increase in the responsibilities and the duties of African District Councils will depend, and very largely, on the growth under them of the Locational Councils. Experimental schemes are also in progress to give financial help by way of a loan to African businessmen who operate in the reserves where the existing system of land tenure and other factors hinder their power of raising

capital. We are also instituting experiments in two schools, one in Nyanza and one in Wakamba, to train African handymen from boys who would otherwise leave school at or before the end of the primary class. A third experiment is being made with adult education near Machakos.

I have spoken at some length on measures for African agricultural reconstruction, since, owing to the great shift of population, this is, I believe, the most immediate problem facing the country. I also believe that unless we can succeed in the measures we take in this matter, there will be no security and therefore no prosperity.

But I do not wish in any way to imply that developments in other matters are of secondary importance. On the contrary I attach the greatest importance to maintaining our development programme.

The Development Committee Report envisaged expenditure of some £15½ million over the ten-year period. This plan has been further revised and, including military expenditure covered by reimbursement from other administrations, estimated expenditure over the ten-year period is now £42½ million, of which over £23 million had been spent up to the end of 1952, and a further £6 million will have been spent by the end of 1953.

The Planning sub-committee of the Executive Council is now engaged in preparing a revised development plan for the period 1954/56, a task made difficult by the need to fit a large programme of desirable capital expenditure into a limited financial framework. Applications to the Planning Committee total over £16 million in addition to the carry-over of some £13 million on the existing Development Plan.

Financial limitation which is likely more than ever to be the governing factor in the rate of development expenditure makes it necessary that priority should be given to those schemes likely to increase the national income and the economic strength of Kenya, so that the expansion of the social services can continue on a sound foundation.

[H.E. the Governor]

The total Planning Committee allocation for roads including £500,000 for the Nyali Bridge, was £5,896,000, of which some £4,280,000 will have been spent up to the end of 1953, plus £460,000 from the Colonial Development and Welfare Grant for the Great Trunk Road. The Road Authority will in the first half of 1954 receive a capital grant of one-half of the amount provided in 1953 which will enable it to go ahead with projects already in train. A comprehensive survey has been carried out of the road system in African areas, and estimates made of the money required for its proper development and upkeep. Every effort will be made to improve roads in African areas within the limits of the finance available.

As honourable Members will be aware a Central Housing Board under the chairmanship of the Deputy Governor has been set up to deal with the pressing and important work of providing more African housing in urban areas. A large scheme to provide housing for 15,000 Africans and Arabs at Mombasa is already well advanced and discussions are taking place to see how the Board can best assist the early building of more houses for Africans at other centres, particularly in or near the City of Nairobi. The Board has a £2 million loan and other funds for its purposes.

I have already mentioned the need for a stable African working population in the towns—men of regular employment, substance and security. That will never be achieved, in my view and that of my advisers, by providing only bed spaces. Homes are required—and it is no excuse for not providing them to say that homes cannot be provided for Africans for financial reasons. If the African population of our towns were reduced to the required numbers for all forms of employment, including new industry, and no more, the African housing problem in our towns might, I feel, assume more manageable and known proportions and enable us to provide decent homes for families rather than sleeping spaces for individuals. It would also materially assist

our security problem. The present operations in Nairobi will afford valuable lessons.

I shall now deal briefly with the affairs of some of the main departments of Government. It is our aim to maintain our programme of development in education, but this must be considered in the light of the money available. In connexion with education I wish emphatically to make one statement. This is that experience has shown that independent schools in African areas cannot with safety be allowed. Powers of supervision and inspection are not sufficient to avoid the young from being led astray, the Government must also have a financial control through a grant-in-aid. This is the lesson learnt from the history of the K.I.S.A. schools which have been closed and which will not in any circumstances be reopened.

The work of the Medical Department will be severely handicapped should the Emergency continue. The Emergency places increased responsibilities and commitments upon limited technical and professional staff, but the policy of carrying the benefits of modern medicine and the advantages of preventive and social medicine closer to the homes of the people through the medium of rural health centres will be prosecuted energetically. Government believe that this will provide an integrated health service for a greater number of people than would the spending of the same amount on additional hospital beds. Close attention will also be paid to health education and the study of social factors affecting health, and negotiations are proceeding with the World Health Organization and the United Nations International Children's Emergency Fund for obtaining financial assistance in this endeavour. A notable example of good work recently done has been the development of blood transfusion services and work among the blind with the capable assistance of voluntary organizations such as the Red Cross and the Kenya branch of the British Empire Society for the Blind.

Much good work has been done in trying circumstances by the officers

[H.E. the Governor]

of the Department of Labour. Government attaches great importance to the report of the Committee now sitting under the chairmanship of the Labour Commissioner which is examining wages and conditions of employment in relation to skill and output both in the agricultural and in the urban industries. It is hoped the report of that Committee will be received towards the end of the year. The report will be laid in the Legislative Council and debated here. I do not wish to anticipate its contents, but I feel that in Kenya, as elsewhere in Africa, the growth of industry is bound to give rise to certain developments. One is a growing need for family housing for Africans in the towns. Another is a wage level, at any rate in certain industries, adjusted to the requirements of a worker living with his family in the town; and in this respect the work of the Wage Councils recently established in Kenya is notable. A third is a requirement of security for the worker, particularly in his old age, and this is not confined to Africans. These are questions which will require careful attention as industry develops.

In matters of defence the Government have many serious commitments to meet. There will be opportunity to consider and debate these later. Today I wish particularly to say that it is the Government's policy to maintain both the Kenya Regiment and the compulsory military training scheme. During the Emergency those in charge of the training scheme have made a great contribution. The Kenya Regiment itself has played an outstanding part in the difficult and dangerous work of fighting the Mau Mau movement. (Applause.)

As honourable Members are aware, the Salaries Commission is now well advanced in its work and its report will be received during this Session. Its findings will be subject, I have no doubt, to a certain amount of debate by the Council. Those findings cannot be anticipated, but I would say that my Government, in unison with the Governments of Uganda and Tanganyika, advised the Salaries Commission of its wish that the three-fifths

rule which is at present applicable to posts of the Unified Service level should be abolished. (Applause.)

The Public Service Commission should begin its very important work during the present Session.

Honourable Members will be well aware that the question of financial control is one to which my advisers have been giving careful consideration. Before long a White Paper will be laid dealing with the Cusack/Padley Report on the introduction of a consolidated fund procedure and consequent alterations in the structure and system of financial control.

It may be helpful to many Africans who are in doubt about the future, and it may clear the minds of those who, from uncertainty as to that future, are wavering in their loyalty to Government, if I attempt to summarize Government's attitude to and plans for the future of Africans.

While African development and progress towards a prosperous life and the chance of holding positions of responsibility, will be assisted in every way possible having regard to their ability and to the country's economic resources, there is no place whatsoever for violence or for subversive secret societies as a way of achieving any aspirations or any progress. Government will not tolerate such violence or such activities. The longer Mau Mau continues, the less there will be to spend on African development and particularly in the operational areas the more delayed will be the start of that development. Our schemes for Africans will cost money and at the moment, until the method of financing the special costs of the Emergency has been settled, it is not possible to say finally what sums will be available for such development; but we hope to clear this issue soon with the United Kingdom authorities and then to embark on schemes of the nature mentioned. In these schemes we will not forget the Africans who have loyally and in many cases bravely, helped to keep the Queen's peace. (Applause.) If the Kikuyu people are not to miss the benefits of future development they

[H.E. the Governor]

should give up at once any tacit support of Mau Mau, any servile obedience to its threats.

I must emphasize one other point about the future. It is that Africans of the Colony must work hard for their own future improvement—especially the young men of the Kikuyu tribe. There is no easy way in any country to prosperity and there is certainly no easy way in Kenya. If the Africans of the Colony want, as I know so many of them do, more and better education for their children, a better standard of living for themselves, better housing, and better opportunities for higher-paid employment, they must work for these things, must increase their productivity and so qualify for better wages, must be reliable in their work and get away from the need for constant supervision to ensure that the work is done at all—above all they must co-operate with Government, which has their interests at heart, and they must be loyal to their Queen.

Mr. Speaker, honourable Members, it is often said that an individual who has suffered a very serious illness, who has known the extremity of weakness and the depth of depression, and yet who has conquered and recovered, rises from his sick-bed a man of more than usually great vitality and determination. President Roosevelt was such a man, I hope that Kenya will be such a country. (Prolonged applause.)

#### PAPER LAID

The following paper was laid on the Table:—

The Instrument under Clause XXIV of the Royal Instructions.

[By the Chief Secretary]

#### ORAL NOTICES OF MOTION

##### APPOINTMENT OF STANDING COMMITTEES OF COUNCIL

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

"That the following Standing Committees of the Council be appointed:—

1. *The Sessional Committee*, consisting of—
  - The hon. Chief Secretary (Chairman).
  - The hon. Member for Legal Affairs.
  - The hon. Member for Finance and Development.
  - The hon. M. Blundell, M.B.E.
  - The hon. W. B. Havelock.
  - The hon. A. B. Patel, C.M.G.
  - The hon. I. E. Nathoo.
  - The hon. E. W. Mathu.
2. *The Estimates Committee*, consisting of—
  - The hon. Member for Finance and Development (Chairman).
  - The hon. Member for Health, Lands and Local Government.
  - The hon. Secretary to the Treasury.
  - The hon. G. Maitland Edge.
  - The hon. Sir Eboo Pirbhai, O.B.E.
  - The hon. M. Blundell, M.B.E.
  - Col. the hon. E. S. Grogan, D.S.O.
  - The hon. N. F. Harris.
  - The hon. S. V. Cooke.
  - The hon. Sheriff Abdullah Bin Salim.
  - The hon. J. S. Patel.
  - The hon. I. E. Nathoo.
  - The hon. E. W. Mathu.
  - The hon. B. A. Ohanga.
3. *The Public Accounts Committee*, consisting of—
  - The hon. M. Blundell, M.B.E. (Chairman).
  - The hon. Member for Finance and Development.
  - The hon. Solicitor General.
  - The hon. G. Maitland Edge.
  - The hon. W. E. Crosskill.
  - The hon. C. G. Usher, M.C.
  - The hon. S. G. Hassan, M.B.E.
  - The hon. E. W. Mathu.

[The Chief Secretary]

4. *Select Committee for the purpose of superintendence and management of the catering for Legislative Council*—(Applause)—consisting of—

Major the hon. F. W. Cavendish-Bentinck, C.M.G., M.C. (Chairman).

Dr. the hon. T. F. Anderson, O.B.E.

The hon. M. Gikonyo.

The hon. N. F. Harris.

The hon. W. B. Havelock.

Dr. the hon. S. D. Karve, O.B.E.

The hon. C. B. Madan.

The hon. I. E. Nathoo.

AMENDMENT—STANDING ORDERS OF LEGISLATIVE COUNCIL

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

"**BE IT RESOLVED** that this Council do adopt the amendments to the Standing Orders of the Council proposed by His Excellency the Governor in the Instrument made by His Excellency under Clause XXIV of the Royal Instruction on the 16th day of October, 1953" and laid just now on the Table.

AMENDMENT—PENSIONS (INCREASE) ORDINANCE

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

"That this Council approves an amendment being made to the Second Schedule to the Pensions (Increase) Ordinance, 1951, by order of the Governor in Council made under proviso (iii) to sub-section (2) of section (3) of the Ordinance to provide that with effect from the 1st September, 1953, where the pension is a pension specified in the First Schedule to the Ordinance then subject to the provisions of the Ordinance:—

(a) if the pension does not exceed £70 per annum the increase shall be 30 per centum of the amount of the pension;

(b) if the pension exceeds £70 per annum but does not exceed £210 per annum the increase shall be

30 per centum of the first £70 of the pension and 11½ per centum of the remainder of the pension;

(c) if the pension exceeds £210 per annum the increase shall be 17½ per centum of the amount of the pension, subject to a maximum of £175 per annum."

BILL

FIRST READING

*Customs Tariff (Amendment) Bill*

(The Member for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-morrow.

THE DEPUTY SPEAKER: Hon. Members that concludes the business of the Order Paper for to-day.

ADJOURNMENT

THE DEPUTY SPEAKER: Council will stand adjourned until 9.30 to-morrow morning.

*Council rose at five minutes past Eleven o'clock a.m.*

**Wednesday, 21st October, 1953**

The Council met at thirty-five minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL NOTICE OF MOTION

HIS EXCELLENCY'S COMMUNICATION FROM THE CHAIR: THANKS OF COUNCIL

MR. COVENTRY (Nominated Member): Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

**BE IT RESOLVED** that the thanks of this Council be recorded for the exposition of public policy contained in His Excellency's Communication from the Chair on the 20th October, 1953.

MOTION

APPOINTMENT OF STANDING COMMITTEES

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move that the following Committees be appointed:—

*Sessional Committee*

The hon. Chief Secretary (*Chairman*).

The hon. Member for Legal Affairs, The hon. Member for Finance and Development.

The hon. M. Blundell, M.B.E.

The hon. W. B. Havelock.

The hon. A. B. Patel, C.M.G.

The hon. I. E. Nathoo.

The hon. E. W. Mathu.

MR. HAVELock (Kiambu) seconded.

THE DEPUTY SPEAKER: Would it be well to take them one by one? I think so.

*Question proposed.*

The question was put and carried.

*Estimates Committee*

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move—

That the Estimates Committee be appointed, consisting of:—

The hon. Member for Finance and Development (*Chairman*).

The hon. Member for Health, Lands and Local Government.

The hon. Secretary to the Treasury.

The hon. G. Maitland Edye.

The hon. Sir Eboo Pirbhai, O.B.E.  
The hon. M. Blundell, M.B.E.  
Lt.-Col. the hon. E. S. Grogan, D.S.O.

The hon. N. F. Harris.  
The hon. S. V. Cooke.  
The hon. Sheriff Abdullah Bin Salim.

The hon. J. S. Patel.

The hon. I. E. Nathoo.

The hon. E. W. Mathu.

The hon. B. A. Ohanga.

MR. HAVELock seconded.

*Question proposed.*

The question was put and carried.

*Public Accounts Committee*

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move—

That the Public Accounts Committee be appointed, consisting of:—

The hon. M. Blundell, M.B.E. (*Chairman*).

The hon. Member for Finance and Development.

The hon. Solicitor General.

The hon. G. Maitland Edye.

The hon. W. E. Crosskill.

The hon. C. G. Usher, M.C.

The hon. S. G. Hassan.

The hon. E. W. Mathu.

MR. HAVELock seconded.

*Question proposed.*

The question was put and carried.

*Catering Management Select Committee*

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move—

That a Select Committee for the purpose of superintendence and management of the catering for Legislative Council be appointed, consisting of:—

Major the hon. F. W. Cavendish-Bentinck, C.M.G., M.C. (*Chairman*).

The hon. T. F. Anderson, O.B.E., M.D.

The hon. M. Gikonyo.

The hon. N. F. Harris.

The hon. W. B. Havelock.

The hon. S. D. Karve, O.B.E., M.B.B.S.

The hon. C. B. Madan.

The hon. I. E. Nathoo.



[The Chief Secretary]

This Committee is generally received with acclamation!

Mr. HAVELOCK seconded.

Question proposed.

The question was put and carried.

### MOTION

STANDING ORDERS OF LEGISLATIVE COUNCIL: AMENDMENT

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move—

BE IT RESOLVED that this Council do adopt the amendments to the Standing Orders of the Council proposed by His Excellency the Governor in the Instrument made by His Excellency under Clause XXIV of the Royal Instructions on the 16th day of October, 1953, and laid on the Table of the Council.

These amendments, Sir, are not major amendments.

Item 1 arises because there is a conflict between clause 26 of the Royal Instructions and the existing order—Standing Order No. 57. The position is, Sir, that clause 26 of the Royal Instruction provides that the Governor or the Speaker shall not have an original vote but shall have a casting vote. It also lays down, Sir, that in the absence of the Governor and the Speaker, the presiding Member shall retain his original vote but shall not have a casting vote. Our existing Standing Order No. 57 provides that the Chairman of Committees shall have an original vote and also, if upon any question the votes shall be equally divided, a casting vote.

As I say, Sir, there is, therefore, a conflict and Standing Order No. 57 is *ultra vires*. I regret to say, Mr. Deputy Speaker, that the object of this is to deprive you of one vote and also to leave you one vote on a comparable basis with His Excellency the Governor and Mr. Speaker.

Item 2, Sir, refers to Standing Order No. 91 in regard to Bills. Owing to the present constitution of this Council there is one category of Members who are omitted. I refer to Nominated Members. The object of this is to make the Stand-

ing Orders cover all Members of this Council.

Item 3, Sir, provides that not more than one stage of a Bill should be taken at the same sitting. This is in accordance with the House of Commons practice. It was thought desirable to provide specifically for this in our Standing Orders.

Item 4, Sir, arises from the Audit Amendment Bill recently passed by this Council. Standing Order No. 133 provides that "The Annual Estimates shall be laid on the Table not later than the first day of November and the Financial Statement shall be delivered not later than the fourteenth day of November". This amendment which is proposed to come into effect from the 1st January next provides, as I say, for the change in the fiscal year to run from July to June.

Item 5, Sir—Our Standing Order No. 145 provides that "If, for any reason, a Member of a Select Committee is unable to act, the Sessional Committee may appoint another Member to act in his stead for the period during which he is unable to act". But no provision exists, Sir, for the position where a person ceases to be a Member of this Council and the object of this amendment is to provide for the replacement of a person who ceases to be a Member of this Council.

Item 6, Sir. There is a discrepancy or a difference between the heading of Standing Order No. 146 and the substance of it, inasmuch as the heading says, "Mover to arrange time of first Meeting" and the substance goes on to say, "the Chairman of a Select Committee shall arrange a time for the first meeting of the Committee". The heading is brought into accord with the substance of the Standing Order.

Item 7, provides formally that a Select Committee may sit during an adjournment of the Council and itself may adjourn from time to time.

Finally, Sir, Item 8 provides for the constitution and working of the Estimates Committee, the setting up of which has already been approved by this Council.

All hon. Members, Sir, are aware of the extreme interest that Mr. Speaker

[The Chief Secretary]

has taken in the Standing Orders from the time he undertook his onerous duties and I should like to say, Sir, that Mr. Speaker is in agreement with these Standing Orders, and, in fact, himself initiated some of these amendments. (Applause.)

The amendments were also considered by the Sessional Committee.

Sir, I beg to move.

THE MEMBER FOR FINANCE AND DEVELOPMENT seconded.

Question proposed.

The question was put and carried.

### MOTION

PENSIONS (INCREASE) ORDINANCE: AMENDMENT

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to move—

That this Council approves an amendment being made to the Second Schedule to the Pensions (Increase) Ordinance, 1951, by order of the Governor in Council made under proviso (iii) to sub-section (2) of section (3) of the Ordinance, to provide that with effect from the 1st September, 1953, where the pension is a pension specified in the First Schedule to the Ordinance then subject to the Provisions of the Ordinance—

- if the pension does not exceed £70 per annum the increase shall be 30 per centum of the amount of the pension;
- if the pension exceeds £70 per annum but does not exceed £210 per annum the increase shall be 30 per centum of the first £70 of the pension and 17½ per centum of the remainder of the pension;
- if the pension exceeds £210 per annum the increase shall be 17½ per centum of the amount of the pension, subject to a maximum of £175 per annum.

As hon. Members are aware this is merely a continuation of the policy which has been accepted by this Council on several occasions in the past. If the Resolution is passed, and we usually

take it as a formal Resolution, there will be no additional supply asked for because the supply was provisionally granted in the Supplementary Estimates, No. 6 of 1953.

I do not think I need to detain Council any longer.

I beg to move.

THE MEMBER FOR LEGAL AFFAIRS seconded.

Question proposed.

MR. COOKE (Const): Mr. Deputy Speaker, if I may just make a few remarks—I must declare my interest as a Government pensioner, not that that interest amounts to very much, but it enables me to purchase a bottle of whisky a month and half a bottle of gin! Perhaps that is a tactless remark to make to you, Sir, with your well-known views on temperance! (Laughter.)

But there is a feeling that we are being done an injustice in this matter. It is not an equitable arrangement that pensioners are receiving only half, 50 per cent, of what serving officers receive. Of course, the real reason is that serving officers can bring pressure to bear on Government, but unfortunately, pensioners cannot! I am afraid it is very often that point of view which prevails. But the East African Pensioners' Association have asked me to make this point.

I know the Government reply will probably be—it has been in the past—that the pensioner has not got the same family responsibilities, perhaps, or the same expenses as a younger person has. There is probably a good deal of truth in that. On the other hand, to-day it is difficult for the pensioner to get another job—although I have succeeded in the last 15 years in having one—(Laughter)—but there is the fact that pensioners have other expenses, very heavy medical expenses—as people get on, they probably have to have more severe operations and that sort of thing, which run up their expenses quite a bit. Government servants have hidden emoluments, such as medical attendance.

I will not go into further argument because we have found the hon. Member for Finance and Development sympathetic though firm—at least he listens



[Mr. Cooke] to what we say, which is more than they did in the past! I do ask that further consideration will be given to this matter, even though the pensioners may not get as much C.O.L.A.—which I may explain to my farmer friends on this side means Cost of Living Allowance—(Laughter)—it does not enter very much into their budgets as farming and market prices are very high!—but we do feel, Sir, that even if Government is very firm and will not give us a full 100 per cent, they might consider giving us a little bit more than we get at the moment.

I support the Motion.

THE DEPUTY SPEAKER: No other Member rises to speak, I will ask the hon. Mover to reply.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, my hon. friend, the Member for the Coast knows, of course, the reason which the 50 per cent base was given by Government in its original paper. He is also well aware that a question was asked in this Council not very long ago and we gave the answer that Government was considering this matter and had approached the Governments of the neighbouring Territories as to their attitude on a review of this matter.

The hon. Member knows my own personal view that the present position is pressing very heavily on—particularly the lower range—of pensioners. It is not a good thing for a Colonial Government, or, indeed, any Government, to have even a feeling that a reputation is growing that its servants, once they have ended their career, are no longer cared for.

The hon. Member may rest assured that whatever the final decision, the matter is being given sympathetic consideration.

The question was put and carried.

#### BILL.

##### SECOND READING

#### THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL

(Governor's consent signified)

Order for Second Reading read.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to move that the Customs Tariff

(Amendment) (No. 2) Bill be now read a Second Time.

I would like this opportunity of rectifying an omission of mine yesterday of signifying that the Governor's consent had been given to this measure.

The Bill, I think, is self-explanatory. Hon. Members are well aware that a provisional order was issued under The Customs and Excise Duties Ordinance relieving wireless sets of a value not exceeding Sh. 140 from the 22 per cent *ad valorem* duty they have paid. The object of this, Sir, is to endeavour to persuade Africans, particularly in rural areas, to purchase cheap wireless receiving sets which will enable them to listen to propaganda and national broadcasts, world news and educational broadcasts. There is no doubt that some revenue will be lost by this measure but it will be impossible to assess how much. I doubt if it will reach any great sum. I would say that in other territories, particularly the Rhodesias and Cyprus, where there are measures of this kind giving relief to the lower range of wireless sets, it has had a beneficial effect in persuading the poorer section of the population to purchase sets which enable them to listen to accurate news broadcast from authoritative sources, rather than growing rumour spread from mouth to mouth, which so often becomes distorted.

I feel sure that hon. Members will feel there is no need for me to waste time further on this. I feel sure it is a measure which will receive unanimous support from both sides of Council. (Applause.)

THE CHIEF SECRETARY seconded.

Question proposed.

MR. HAVELOCK: Mr. Deputy Speaker, Sir, may I ask the hon. Mover if the Post Office officials are quite satisfied that the Sh. 30 licence will be collected from owners of these sets when they are distributed all over the reserves, as Government hope they will be and as I hope they will be. I presume there will be no waiving of such licence fees for the owners of these sets.

MR. BLUNDELL (Rift Valley): Mr. Deputy Speaker, Sir, I would like to make the point—if it is the intention of this Bill to disseminate—or to allow—movement of wireless sets more easily, amongst the poorer section of the population, and if it is solely concerned with

[Mr. Blundell] those of Sh. 140 or something around those figures, it seems to me illogical to keep the licence fee for these people at Sh. 30. That might be as much a deterrent as the customs fee we are remitting. I think the hon. Member for Kiambu wishes to point out that it is necessary to examine the licence fee as well as the customs.

MR. HARRIS (Nairobi South): Mr. Deputy Speaker, Sir, I personally welcome this Motion, but I would ask the hon. Member for Finance and Development in replying, whether he would give an indication in the event of companies or local authorities being interested in radio diffusion, whether he would suggest to Council that similar concessions should be made.

From time to time the Nairobi City Council have discussed the question of radio diffusion in the locations. Companies from overseas have been interested, but we have never got very far. I hope a little publicity now might encourage the idea of radio diffusion coming to the Nairobi locations.

THE DEPUTY SPEAKER: No other hon. Member rises to speak, I will ask the hon. Mover to reply.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, having listened to the hon. Member for Nairobi South, I am not sure who has thrown the sprat to catch the mackerel!

At this stage, without consideration, I could give no assurance of any kind of reduction of duties on radio diffusion material. Needless to say, if a good case were put up, the Treasury would, as usual, give it careful consideration.

With regard to the hon. Member for Kiambu, I rather thought his point was a little different from that of the hon. Member for Rift Valley. In that respect I thought there was a slight "rift"! (Laughter.)

MR. HAVELOCK: We want it clarified!

THE MEMBER FOR FINANCE AND DEVELOPMENT: I think the hon. Member for Kiambu asked me something that is impossible to answer—that Post Office officials would be satisfied that all the licence fees would be collected. I do not

think any Post Office official in the world has ever been satisfied that all wireless licence fees have been collected; if he gets a fairly good average, that is as far as he hopes to get. However, I will go into the matter with the Post Office officials to see that the machinery to collect these licence fees is as efficient as it can be.

I think the point made by the hon. Member for Rift Valley was a completely different one. It was a question of whether we could consider the reduction of licence fees to purchasers of these sets. Well, Sir, the hon. Member will be aware, if he thinks the matter over, that it is not such a very easy thing to arrange. If you reduce a wireless licence fee, you have (a) no guarantee that the man is going to keep that particular set, that he will not dispose of it to-morrow and buy a more expensive set. You have no guarantee that a man who is getting a reduced licence fee is the purchaser of the set, unless you compel him to bring in his receipt.

The hon. Member is well aware that we have an agreement with Cable and Wireless, Ltd., who do the broadcasting in this respect, that they themselves get a proportion of the wireless licence fee. So that the matter has got quite a number of complications and, quite frankly, I would hesitate to start throwing away revenue on licence fees unless I could be perfectly confident that the person to whom the benefit was intended really got it.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, I should like the hon. Member to give it his attention for this reason. It seems to me we shall be putting these persons in this position; either they will not be able to benefit from the result of this amendment because they cannot afford the Sh. 30 licence fee, or they will benefit from the result of the amendment and break the law by not paying the Sh. 30. I suggest that the matter needs due consideration.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I thought the fact that I am explaining this would show that I have already given it careful attention—

MR. BLUNDELL: I had not gathered that.

THE MEMBER FOR FINANCE AND DEVELOPMENT:—and that Government is able to outline the difficulties at this stage—ensuring that the benefit of a reduced licence fee will get to the person intended. There is very little doubt in my mind that it is not as easy to achieve as it is to make a statement. The hon. Member for Rift Valley is, in fact, suggesting we should reduce licence fees on wireless sets of Sh. 140 and under. I thought I had already outlined to Council the difficulties that that does bring into operation. We recognize that, of course, and we will give it careful consideration. We have, indeed, given it careful consideration, but it would mean a direct subsidy from the taxpayer in many cases. Under the agreement we have already made—

MR. BLUNDELL: But you are already doing it!

THE MEMBER FOR FINANCE AND DEVELOPMENT: But if we can get the fact home under this amendment that the benefit will go to the person who purchases the low-price set—that is the difficulty, but I rather feel it is outside the scope of this debate, in any case—(Laughter)—although I have taken the trouble to answer this. The difficulty is in the operation, but we will give it careful consideration, and we will keep a watch on the situation, but I can give no assurance that we can bring into operation anything in the nature of reduction of licence fees.

The question was put and carried.

**ADJOURNMENT**

THE DEPUTY SPEAKER: That concludes the business on the Order Paper for today. Council will adjourn until 9.30 to-morrow morning.

*Council rose at five minutes past Ten o'clock.*

Thursday, 22nd October, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

**DEATH OF SIR ROBERT BROOKE-POPHAM**

THE DEPUTY SPEAKER: Hon. Members, before we proceed further with the business of the day, I have a brief Communication to make from the Chair. Hon. Members will have received the news with deep regret of the death of Sir Robert Brooke-Popham who, during the course of his very distinguished career, was for some three years the Governor and Commander-in-Chief of this Colony and Protectorate. All those of us who remember him will do so with affectionate regard for his high personal qualities and for his lovable personality. I am sure it will accord with the wishes of all hon. Members if I, on their behalf, convey to Lady Brooke-Popham an expression of our deep sympathy in her bereavement. (Hear, hear.)

**COMMITTEE OF THE WHOLE COUNCIL**

Committee of the whole Council—Order for Committee read. Mr. Deputy Speaker left the Chair.

**IN THE COMMITTEE**

[Sir Charles Mortimer, C.B.E., in the Chair]

**THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL**

Clauses 1 and 2 agreed to.

Title and enacting words agreed to.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report back to the Council.

*Question proposed.*

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

**REPORT**

SIR CHARLES MORTIMER: I have to report that a Committee of the whole Council has considered, clause by clause, the Customs Tariff (Amendment) (No. 2) Bill and has approved the same without amendment.

**THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL**

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Customs Tariff (Amendment) Bill be now read a Third Time.

*Question proposed.*

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

**MOTION**

**HIS EXCELLENCY'S COMMUNICATION FROM THE CHAIR: THANKS OF COUNCIL**

MR. COVENTRY: Mr. Deputy Speaker, Sir, I am rising to-day—and feel the honour which has been accorded me—in putting the vote of thanks to His Excellency the Governor for his speech at the Opening Session. I do it with certain misgivings, as I have always understood that a vote of thanks or a motion of thanks is accepted by all parties without any disagreement and I hear that there is likely to be opposition to a vote of thanks.

There may be reasons for it. May be some of them were not mentioned in His Excellency's speech and they feel left out of it. On the other hand, Sir, there may be a certain community who feel they have been made too much fuss of, spoken about too much and they themselves might feel they might voice their disapproval, disagreement, or that something has been omitted. All those may be as they are but I do feel it essential for this Council to have complete unanimity at the present moment.

Since I have been here I have listened to debates and I have noticed with extreme pleasure the conciliatory attitude by both sides of Council. Where they have obviously disagreed, they have tried to get together and make some go

of it without having votes of censure or where matters are opposed by one side and not by the other. We have always some one in our midst who is diametrically opposed to every argument we put forward—usually they come from some foreign country. These ideas are unfathomable, their sincerity is unquestionable, but their digressions are indigestible! The person to whom I refer is a great friend of mine and I am a great admirer of the hon. Member for the Coast. (Laughter.) I understand that even to-day he is prepared to oppose a motion of thanks to His Excellency the Governor. (Laughter.)

It has been suggested that I take a point from His Excellency's speech and deal with it. A matter on which I do not say I am conversant but I know a little about it—with that intention—Sir, I am suggesting that His Excellency made reference to the development of the African. Now, Sir, I know the African, I like the African, but for his development he lacks several qualities. This is not a diatribe, it is not a condemnation of the African, it is trying to help where we and they do not quite agree. It is a very difficult matter and probably mostly—

MR. MATHU (African Representative Member): On a point of order, Sir, is it not proper that the gentleman should move the Motion formally and then speak to it?

THE DEPUTY SPEAKER: He can move the Motion at what stage in the speech he likes.

MR. BLUNDELL: May I suggest that the hon. gentleman is making his maiden speech, to which I was listening with great pleasure, and the ordinary courtesies of Council are that he should be allowed to proceed.

MR. COVENTRY: Already, obviously I have fallen down in the procedure. (Cries of No!) May I continue the point I was getting at in regard to the remarks His Excellency made great note of in his speech. That was the development of Africans. When I was interrupted, I was trying to illustrate where we found difficulty—I am saying Europeans and Africans—there are certain points which I feel that we ourselves consider he lacks.

[Mr. Coventry]

They are reliability, stability and productivity. I want to hasten to say that productivity is not generations of families, it is the production of work and so on!

Reliability surely means competence. With due respect to my brother Africans, there are few who trust themselves. There are few who have confidence in their fellow-beings. I realize that a similar state of affairs exists amongst Europeans, but I do not think, Sir, to the same extent or in any like degree as it does in the Africans. I am mentioning these points because I would like as much as anybody in this Council to see the African with the same reliability as I feel we have ourselves. One of the biggest things amongst reliability must be discipline. Discipline starts at home and unfortunately, in view of the numerous Africans who come to urban towns, the discipline that was effective in tribal areas is lost in the urban towns.

A further point in the reliability is dependability. We have all, and I am sure the Africans themselves, have tried to depend on him. You leave him alone, you go to town, you may be on a farm, you may be in a house, you leave the African, you depend on him to do certain things. When you come back you find it has not been done. You ask him what is the reason and he will say *Nimekosa*—"I was wrong".

Now, Sir, you can do nothing if a person admits he is wrong. You can do nothing—what action can you take? I think most of us have found the position where Africans cannot be depended upon. I know, Sir, I sound as if I am condemning the African, but I am showing where our difficulties lie in trying to balance up an equal partnership.

Sir, there is another point, and a very strong one, which is law and order. Now, Sir, law and order as we know it in England, a policeman is a policeman. He can control many hundreds, nay, thousands, and is respected. From a child, I, maybe, feared the police; as an adult, I respect them. Now, Sir, I regret there are few African policemen who are either feared or respected by fellow Africans. I do not know whose fault it is—maybe we have not given enough power or support to the *arkari*, as we should have done, but I do feel that law

and order, certainly in England, is maintained by the police force, and that police force is respected. In East Africa, and in Nairobi particularly, there is very little respect shown to the police. At home, if you see a policeman having a row, or in trouble with civilians, one goes to his assistance. Here, Sir, it is not so.

The only example—a recent example—is one in Mombasa where an Arab went to the assistance of the police and unfortunately was killed.

Sir, all these matters are of vital importance if we are going to try to live together in harmony. Our ideas of reliability are so different from theirs.

Regarding stability—stability is firmly established, firm in character, constant. Now, Sir, I do not want to make out that the African lacks all these qualities, but he does suffer from breaking away from his home, coming to the urban towns, being detribalized, has no wazee to control him. We have, I think, his African Councils to take their place, but very few African Councils contribute the same disciplinary powers over them as the wazee in the reserves. What responsibility do we give to the African Councils in the urban towns? Are they allowed to make laws and decide what is best, particularly in a state of Emergency, as we have here in Nairobi to-day? We have heard the hon. Member, Mr. Mathu, complain about wiring in. Whether it is right or wrong, is not for me to decide. I presume that all these matters were taken into consideration by the officer in charge, and the African Council in that part.

Sir, the other point of stability is firm character. I feel, Sir, rightly or wrongly, that the majority of our really firm-character Africans have been murdered, have been murdered by the *Mau Mau*. Now, Sir, it is obvious there are certain types who dislike law and order, the African who commands respect, and the *Mau Mau* must do away with them. I feel these matters are of vital importance if the African is going to advance to the civilization at which we have now arrived. Unfortunately, a majority are self-seekers.

The final point is the productivity of the African. His knowledge of farming is not great—it cannot be—we have got

[Mr. Coventry]

to teach him all we can to help him. There is opposition on the African side, opposition from lack of knowledge and new ideas. A day's work—to do a job of work in a day is very difficult. If an African is left on his own he spends half his time sitting down. I am making this more a general thing, because I feel it is what we, the European side, are rather bitter about. We feel we cannot leave an African on his own. I am only now appealing to Africans to try and help themselves and do it themselves. To-day, if you want a job done properly, you have to do it yourself. I agree it is the same as far as many Europeans are concerned—I would not say a majority—but unfortunately one can say so of the Africans.

Sir, this Motion is really a Motion of thanks on behalf of this Council to the Governor for his opening Address. I feel, therefore, that it should be supported by every single Member in this Council. It seems to me, I may be wrong, ill-mannered—we cannot possibly expect a speech to appease everybody, and I would like—although I know it is a forlorn hope—to get the support of every single Member. Some might, Sir, quite rightly turn round and say I have not contributed to getting harmony and unanimity in this Council by my remarks, but these remarks are made very sincerely, and from a desire for the African to advance, but his advance must be, first of all, from the bottom and hard work. I do not want him to go back, I want him to go forward, but he must learn the basic principles on which we have been brought up.

Sir, I therefore beg to move the following Motion:

BE IT RESOLVED that the thanks of this Council be recorded for the exposition of public policy contained in His Excellency's Communication from the Chair on the 20th day of October, 1953. (Applause.)

SIR EBOO PIRBHAI (Nominated Member): It is with great pleasure I rise to second the Motion proposed by my hon. friend, Mr. Coventry, welcoming the exposition of public policy contained in His Excellency's communication from the Chair.

First I would like to congratulate my hon. friend upon his maiden speech in this Council.

If the policy outlined by His Excellency is to be put into action effectively, it is essential that all sections of the community should give their whole-hearted support and unreserved loyalty to Her Majesty's representative in this country.

In welcoming His Excellency's speech, I would like in particular to associate myself with one or two points that His Excellency made.

First I am glad that the Government has been able to find the means, however small in the first instance, to assist African traders to develop and take their growing place in the commercial and trading life of the people of Kenya.

Secondly, I would like to say how much I welcome the remarks made about the provision of homes for Africans, and the recognition of the need for a stable urban African population in which African families will begin to play a part in the establishment of a stable urban structure amongst advancing Africans.

Thirdly, I would like to say how much the people of my community welcome the announcement that the Government of Kenya has advised the Salaries Commission of its desire that the three-fifths rule at present applied to posts of unskilled service level should be abolished, for it is through measures of this kind, which show a practical recognition of the part that all communities can play in the affairs of our country according to their fitness for responsibility, that a real and lasting peaceful structure of Kenya, social and economic, is likely to be built.

Sir, I beg to second. (Applause.)

Question proposed.

MR. NATIHOO (Muslim, West Electoral Area): Mr. Deputy Speaker, Sir, in the first place, I would like to congratulate the hon. Mr. Coventry and the hon. Sir Ebooo Pirbhai on their maiden speeches in this Council in moving and seconding this Motion. (Applause.)

Sir, arising out of the remarks of the hon. Mover, may I enquire when one of the more experienced speakers, either from the side of the Government, or this side of the Council is speaking to tell us whether it is always necessary and

[Mr. Nathoo] essential that one must agree with whatever is being said in an Address from the Throne. Whilst I agree, Sir, that as a representative of Her Majesty, His Excellency the Governor, is entitled to, and I am sure none of us grudge him, the honour and respect due to him, and the loyalty which we owe to Her Majesty, but Sir, I ask—is it necessary that we must not even criticize or point out defects or omissions which have taken place in this Address. I think, Sir, we are starting on a new procedure whereby this vote of thanks is being moved, and for the information of all those people I am talking about, particularly myself, who are ignorant of Parliamentary procedure, a light on this subject will be of immense advantage to future speakers and their conduct in this Council when this vote is being moved.

In the first place, I should like to say that it is a matter of satisfaction that the Governor has given such immense thought to the question of European agriculture, when they have appointed an expert in the person of Mr. Troup who has presented a report making some recommendations which would result, I am told, in the increasing of the national income of this country. Now, Sir, this is a very welcome step, but I would like to ask the Government to tell us—do they not consider that the question of African agriculture is in a greater need of such assistance, and that something concrete should be done at the very first opportunity to see that the land which is being ruined by ignorance of farming methods, is brought under some control, and that unified plans for the African land units are prepared and put into execution as soon as possible, so that along with European agriculture the African agriculture can also go towards producing the wealth of this country?

The mention of cash crops was referred to by His Excellency in his speech. Some time ago, we were given an assurance from the hon. Member for Agriculture and Natural Resources that Government was paying great attention to cotton in the Nyanza Province, which is one of the cash crops. For the last four years this assurance has been repeated every year, but so far, Sir, I regret to say, that I have not seen any increase in the production of cotton in

that area. Now, Sir, it is of paramount importance that these crops should be increased, and increased immediately, and not be treated with just pious platitudes every year when this question is being raised.

The question of African housing has been, I think, completely dealt with in His Excellency's speech, and I am sure I am voicing the feeling of the general public in this country when I say that it is a need of such vital importance that without this attention, we cannot possibly hope to achieve, what we are about to set ourselves in this country, and that is the fullest development of our resources both in the urban and agricultural areas.

His Excellency the Governor has referred to the fact that, in view of the Emergency and other commitments, the amount available to Government for social services will be, of necessity, smaller than would have been the case if times were normal. Now, Sir, we are fast coming to a stage when we will have to consider seriously what is going to be the ultimate fate of all our social services, particularly education and medical facilities. With the rising population, and rising expense, it is, I think, already evident that we cannot possibly go on, much as we would desire it, to provide the fullest possible education for all sections of the community, and it is therefore of great urgency that some definite plan over a period of years should be made now and put into action immediately, so that the various communities can go forward, knowing what they are going to get from Government and the Colony's finances regarding their social services.

His Excellency the Governor has dealt with the question of security, not because it is of paramount priority, but because it is of paramount urgency. Sir, it is a matter of great regret that throughout His Excellency's speech, which I am sure must have been prepared with great consideration and thought, that His Excellency has not thought fit to refer even one word to the Asian community which, whether people like it or not, are part and parcel of the community in this country, and whether people like it or not, are going to stay as part and parcel of this country. Sir, I am sure that we have not been able to play as great a part in the security measures which have

[Mr. Nathoo] been taken by the Government, but that has been no fault of ours. We have been pressing on Government to allow the Asian community to take its rightful place in the life of the community by offering them opportunities to serve in measures of security and other defence of this country, and if we have been deprived so far, surely the blame cannot be thrown at our doors. I am really sorry to see that His Excellency the Governor did not even think fit that a mention of this new Asian manpower which has just been created should have been mentioned in an important speech such as this.

The other point which I would like to mention is the hospitalization scheme on which the Asian community at the moment is busy trying to evolve a scheme on the lines of the one the European community has developed in this country. Surely, when a community is going in for efforts of this kind, it is but right that the head of the state should mention something encouraging to the community, so that they can devote further efforts, so that the effect on the Asian community is that, not only did the Governor not think fit to say anything nice about them but they are being completely ignored in all things. Sir, I hope that when one of the Government speakers gets up to speak they will tell us, as they are the advisers to His Excellency the Governor—they will tell us as to why the omission was made in His Excellency's speech. Perhaps there are sound reasons—let us hear them.

Sir, another point that is conspicuous by its absence is the point of Asian agriculture. We know in this country that there is a very limited amount of good land which is available to us, but with what little we have, I am sure the Asian community has done its best to prove that, given an opportunity and the openings, they are in a position to do all that other communities are doing with the land they have got.

And finally, Sir, there is a point, which I would like to refer to, in His Excellency's speech, and that is the abolition of the three-fifths rule. For the last many years we have been pressing for the removal of the stigma on other races, and I must say that the Member for Finance and Development, in the course of the long discussions we have had with

him, has always shown a very sympathetic attitude to this question and I am glad to see that, due to his efforts and his support, and also to the efforts of the various people in this country, that this rule is being abolished, not only in Kenya, but in East Africa, and we will I maintain, have to prove to the people that we do mean business when we say that this sort of discrimination is going to be removed completely from this country.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, on behalf of the group which I represent I rise to welcome the speech from the Throne. I would like to record that we hope that the same resolution will be shown in carrying out many of the measures envisaged therein as was shown in delivering the speech from the Throne.

It is obvious, I think, that much of this debate to-day must of necessity be tentative, because until the financial position is cleared up, I would like to give Council and the country a warning that very little of what was envisaged in the speech can be carried out. We are indeed debating something that, until the financial position is clearer, must of necessity be unreal. I think it is only right to say that, in my judgment, at any rate, from our financial position, that unless we get assistance from elsewhere it will be difficult for us to maintain the development programme at the level which we have in the past, and expand it as envisaged in this speech. Therefore, I think it only right that we should record and accept responsibility for recording what in our view should be priorities over the whole of the subjects which were developed in the speech.

The first priority, we believe, must of necessity be the re-establishment and future maintenance of law and order. The second urgent priority, and it is one to which we have drawn attention now for many years—certainly for the last four it has been a particular subject in which I have been interested—is the vital necessity to develop more quickly those productive, immediately productive resources, which will carry ultimately the social services which we wish to create in this country. The last, must, I am afraid—as a result of the Emergency—the last priority must be the expansion of certain services. Now, Mr. Deputy Speaker, I

[Mr. Blundell] have been connected with the work of the Council long enough to know that it is easy enough to say those things, but it is very difficult indeed to decide at what point a service ceases to be immediately developmental and becomes a long-term one. The particular service I have in mind is education. Unless we can get our people more educated in this country, we will not get them accustomed and their minds so expanded that they will accept the necessary changes in outlook in the methods which are necessary if we are to develop further the immediate resources which will bring cash into our till. It seems to me, therefore, that the second warning which we ought to give to-day is this. We may be moving a little nearer—the last speaker touched upon it—when the services which the State can provide will have to be at a certain all-over level and the communities which wish to accept services above that will have to consider finance from themselves for the services above the general level.

Now, dealing with the three priorities I would like to record a very deep concern—that the report of the Commission on the Police should be dealt with rapidly and, if accepted by the Council, be put into effect. We believe it most essential that in the future there should be no hesitation in creating in the police force a proper, disciplined, strong, respected force, which will stand between us and the destruction of law and order. Secondly, Sir, we would like to record a very strong support of the statement made to the effect that the vile leaders of the Mau Mau movement will not be allowed to return to trouble the citizens of this country again, and in recording that, we would like to draw the attention of the Council to the precedent established in the Laibons Resettlement Ordinance some 20 years ago.

On development, we regret the lack of certain statements in the speech on development—we wish to record very strongly that we think one of the most urgent priorities before the country is the most swift expansion of its actual resources and capabilities to provide immediately cash, so that we can make up the destruction of our surplus balances which the Emergency has caused by increasing the flow of prosperity in the

country. For instance, we regret there was not a more specific reference to a clear-cut policy on forest industry. We know that although the Hiley Report was produced some years ago, no decision has yet come from Government on it. We wish to give warning that during this Session we shall move a full-dress debate on forest policy, especially, because that industry is moving into a condition of a poor financial state; it is becoming a non-paying industry both to the State and to the millers who exploit it.

Secondly, Sir, we regret that there was no specific reference to the introduction of the Agricultural Bill. We believe it is essential, if agriculture is going to be developed both in the European and African areas, that development must take place on a firm foundation of a Bill designed to control, guide, lead and develop agriculture to its maximum state.

We note that there does not seem to be any decision yet about the Ibbotson Report. We think the development of agriculture must go hand in hand with marketing facilities for it.

From that we would like to welcome the remarks made about the Troup Report. Regarding that, we hope the hon. Member for Finance and Development will have success in his mission in order that we may implement the Report properly. I do feel, on the Troup Report that there is in the country a certain lack of vision. I do not believe that the targets in this Report are unattainable. If hon. Members will cast their minds back to the last decade, 1943 to 1953, and take the enormous expansion and development in European agriculture, they will see that without the specific assistance of that Report, a tremendous amount, more than 50 per cent of the envisaged development, has equally taken place in the last ten years. For that I would like to pay tribute to the hon. Member for Agriculture and Natural Resources opposite. (Applause.)

I would like to endorse strongly the remarks of the hon. Asian Member for Western Area which he made in regard to African agriculture. Our group will support strongly the development of agriculture in African areas and the expansion of cash crops of value, such as coffee, tea and pyrethrum. If we could double the production of those crops by

[Mr. Blundell] extending the facilities in African areas for growing them, then we would inject into the economy of the country many millions of money which, revolving round, would ease the burden of the hon. Member for Finance and Development.

On development in towns we wish to record and ask one or two questions. We agree entirely with the policy which is outlined for development in towns of housing and better standards for Africans, but we wish to make this one point: we believe it is essential that in building houses for Africans in towns two principles must be accepted. We must move to a wage economy which does not need subsidy for housing, and we must take care that we do not build housing beyond the capacity of the wage-earner to use.

These are two points which need some explanation. We have got to improve the productivity of the Africans of this country so that they can pay an economic rent for a house without a subsidizing element either from the Municipal or from Governmental sources.

Secondly, as we are now embarking on a programme of about £2,000,000 or so, it is most essential that we should not create housing which, in the foreseeable future, the productivity of the African will not be able to carry. These are two further aspects of the same problem which need explanation.

Secondly, we would like to hear from the hon. Members opposite what is their intention with regard to the development of industry outside Nairobi. We believe that one major error they are making is to allow a constant creation and influx of industry into Nairobi with its attendant problems. We think we may be building up a monster which, with all due respect to the hon. Member for Nairobi South, it will be difficult to control if we allow industry to go on creating itself around Nairobi.

We know there are outside schemes at Thika, but I believe we must embark upon a resolute policy of trying to develop industry outside our urban areas—or at least in the smaller urban areas.

The last point we would like to hear from hon. Members is the most difficult

one. If we are to embark upon the policy envisaged in this speech—if we are to create conditions it is necessary to create in urban areas, then we shall be faced with the problem of dealing with the influx of people into the urban areas, drawn by the attractions of housing and amenities which we have created. If we are going to spend £2,000,000 in Nairobi, it is necessary to know—we would like to hear from hon. Members—how they intend to control the population of Nairobi so that we are not having constantly an influx of persons who are merely destroying what we have already created, in the sense that, having built houses for those people already in Nairobi, there will be a large flow of people into Nairobi, possibly without work, who will probably recreate the conditions which we have been at such pains to destroy.

We also, Sir, support the remarks in this speech which aim at the abolition of the three-fifths rule. I would like to record that, although hon. Members who have spoken have taken a leading part in discussions with Government, that is a matter the support of which we recorded some considerable time ago. The only point we want to record on it is this: we accept it in principle. We think it is right. We have got to be careful to see that the expenditure which may arise from it does not unduly reduce the services we are now providing. That is a possibility.

Lastly, Mr. Deputy Speaker, Sir, I should like to say a few remarks arising out of the two speeches made and the paragraphs in the report dealing with the Kenya Regiment. We should like to record our very deep sense of gratitude to the Kenya Regiment from this side of Council. (Applause.) I think as time goes on memory gets dimmer, and Members may have forgotten the early days when we had only the Lancashire Fusiliers, a few King's African Rifles and the Kenya Regiment. The latter Regiment provided the "I" Force, the striking force, officers to assist the Administrative Officers in the reserve and increasing the Police. They acted as liaison officers with the British regiments and were the natural leaders for the King's African Rifles, and the burden on them has been heavy.

(Mr. Blundell)

We would like to suggest to hon. Members that it will be necessary for them to consider some scheme—such as this may cause the Member for Finance and Development worry—to devise some scheme whereby those young men, and especially those older men who have served so long in the Regiment, may receive some form of gratuity upon their release from the Regiment, to enable them to set up as citizens again in a life so disrupted by military service.

The last—it is not exactly the last, I must add one more. The carrying out of the intentions of the speech will make a great burden upon our manpower, and we would like to hear from hon. Members how they are going to supply manpower, and especially European manpower, for the policies which are outlined; for forests, development policies in African areas, closer cultivation, greater development, more crops, closer administration in the Kikuyu country, an attempt to clear the bracken areas, to develop an irrigation scheme, the expansion of the police and a closer framework in the Administration. All that—and I say it advisedly—is completely outside the scope of existing manpower of this Colony. Other groups, I know, will willingly assist us, but necessarily at this stage of development we will need manpower, and it will have to come in large measure from the European group.

Much of what has been envisaged in this programme is not within our capacity—within our existing manpower—and we would like to hear from hon. Members opposite how they intend to deal with that problem.

The last point I wish to make is this. I would like to record on behalf of our group our sincere recognition of the effort which the Asian community has made. (Applause.) I was talking only a week ago to an officer from the King's African Rifles, with whom I had served in the war, and whose gallantry I have every reason to know was exceptional—who was decorated twice for that gallantry. This officer is in charge of the young Asians who are being trained at Gilgil, and I thought the Council, and the country, would like to hear that he told me that the material he had, and

was working on, was first class—(Applause)—and it would be, I think, as well that we should record that and, in so doing, pay tribute to the hon. Mr. Hassan for the very straightforward and forthright way in which he carried out his duties. (Applause.)

I want, Sir, to conclude on this note. I would ask hon. Members in this debate to try and put their minds to the future, because that is, in effect, what the speech from the Throne is attempting to do. I do not believe we are going to get very much further by discussing whether we have dependable or reliable material in some sections of our population. The truth of the matter is that whatever may be our wishes, whatever may be our thoughts, a large element of development of this country will have to be done by the African people themselves. They are the material—the majority material—in this country. They are one of the assets of this country, just as soil is one of the assets of the country. I believe that the proper way to look at it is the way the good farmer does. He accepts the soil as an asset of his estate. He develops his assets by wise guidance and control to the maximum that is possible, and if he is an exceptionally good farmer, he brings out of the assets in his estate more than was ever originally in them. If we regard African people in that light, we shall undoubtedly move to a great many solutions of the problems which are to-day pressing upon us.

Mr. Deputy Speaker, I support the Motion. (Applause.)

Mr. COOKE: I must accept, with all humility, the rebuke administered to me by the youngest Member of this Council, to one who may describe himself as the oldest Member on this side of Council! In spite of the rebuke, however, I am determined to pursue the evil tenor of my ways! Having been returned by my constituency in five or six elections, my constituents must at any rate not disapprove of my continuance of my attitude, both inside and outside this Council, towards Government and the other side of Council.

I would like to congratulate him on his courage and forthrightness, because I think that very welcome in this Council. I think it is a pity that, having started

(Mr. Cooke)

in the way he did start, he did subsequently rather provoke those very antagonisms which in the beginning he deprecated! I think that was a pity.

I have got several criticisms to offer concerning the address by the Governor. I know that although the voice was the voice of His Excellency, the hands were the hands of certain hon. gentlemen on the other side of Council. Therefore, any criticisms I make are really criticisms of those gentlemen.

My chief criticism of the address was that I could not discover any clarion call to victory either against the terrorists or in the matter of our financial and economic position. There were certainly a great many indications of promises that might subsequently be fulfilled, but few indications of how those promises would be fulfilled. I have now been listening in this Council—to several addresses—since the end of the war. They have all, I think, been filled with intentions and promises, but how few of those intentions and promises have been fulfilled? It is said, Sir, that the road to hell is paved with good intentions. I am afraid, Sir, that some of those intentions unfulfilled have created rather the hell which we are undergoing in Kenya to-day.

It was impudently to me when I addressed this Council in a Motion last week that I did not bring out sufficiently succinctly certain points. I think that is both a mendacious and malevolent charge because, having read over my speech several times, I found I brought in some very distinct charges against gentlemen on the other side of Council. Because it was not convenient for them to answer the charges, of course, they did not answer them! Such an admission would be intolerable in the House of Commons!

THE MEMBER FOR FINANCE AND DEVELOPMENT: Is the hon. Member in order in referring in this Session to something that happened in another Session of Council?

THE DEPUTY SPEAKER: That, as the hon. Member is aware, is strictly against the rules of debate in this Council. I must ask the hon. Member to refrain from breaking the rules, of which he is better aware than most Members of this Council!

Mr. COOKE: Thank you. If the hon. Member had exercised more patience he would have found I was leading up to what I am going to say now. (Laughter.) It was necessary to make those remarks in order to lead up to what I am going to say now. Now I am going to leave no doubt whatsoever in the minds of hon. gentlemen on the other side of the Council that what I say to-day will be quoted paragraph by paragraph from His Excellency's speech—in order to avoid any feeling that I may be going to quote from all the paragraphs in the speech, I will hasten to say that I am only going to quote from a few paragraphs.

Now, the first paragraph to which I take a certain amount of exception is paragraph 3. I do not like the expressions that have been put into His Excellency's mouth. One of these is: "The military campaign will be pressed to a conclusion". Of course, we all knew it would. Then—"With the troops at our disposal it should be possible to destroy *Mau Mau* . . .".—Of course, we all know that it will be possible. I think, too, with other sentences like that, that it creates doubt; the thought that there might be no finality in this campaign is very much to be deprecated. If Dedan Kimathi knew his Shakespeare as well as I, and possibly other hon. Members, he might have said "Methinks the lady doth protest too much!" I do not think it is necessary to warn the terrorists in this country that they are going to be beaten in the end. We all know that. The point is this—are they going to be beaten with great urgency and expedition? That is the point of view I have taken ever since the Emergency started.

Now there is another point in paragraph 4. His Excellency quite rightly insisted that there must be a large police staff. I say that they may increase the police staff manifold but unless the police have the confidence of the people of the country, it is quite useless to increase them. But there was no indication whatsoever that Government is in any way perturbed by the charges which have been brought by certain people in this country against certain allegations about the inefficiency in the police.

I welcome the fact that increased touring will be done by administrative



[Mr. Cooke] officers but we have had promises many times in the past and they do not seem to have been very strongly implemented. I can remember on several occasions hon. Members urging Government to see it was done—I believe reports were sent to the Chief Native Commissioner—I often wonder whether he follows those up. I know I have warned the Council before—there was one instance where the District Commissioner in three years only left his station for two nights! Of course, it is the increased facilities for travelling, motor-cars, that sort of thing, which has dissuaded administrative officers from travelling but I think it is a matter where we do not want verbal promises, we want action. As an old administrative officer, I do think it is one of the causes of the present unrest. It has been said many times before that the administration lost touch with the common people, with the ordinary people of this country. It is the same charge brought probably in every Colony in the Empire.

Paragraph 12—however good fines and forfeiture are, they are not the final answer. I have seen fines and forfeiture in punitive expeditions here where they have had no effect at all bar making people much more anxious to regain what they had lost. It may seem a very savage thing to say but I do contend that the only way to deal with rebels is on the basis of "Those who take to the sword shall perish by the sword". General Sir George Erskine emphasized the fact that he is taking steps in the forest that will lead to that. If you fine a man too much, you only make him and his relatives disgruntled, make them more determined to make nuisances of themselves in future. I was glad that the Government had made it plain that there would be no forfeiture of land of Kikuyu other than that of *Mau Mau* criminals. I was sorry to see the mischievous suggestion made by the hon. Member for Nairobi West. I entirely agree that any forfeiture of land should be forfeiture only of the land of the hard core of the rebels. I cannot reconcile how the hon. Member for Nairobi West one moment asks for the forfeiture of the land of the Kikuyu and in the next moment is having a flirtation with

Jomo Kenyatta! Perhaps he could explain that himself.

As regards paragraphs 16 and 17, I have asked the hon. Member for Agriculture and Natural Resources a week ago if he would see the forests were divided into blocks but I did not get a very hopeful or helpful response. But surely that is the way to do it, both for administrative reasons and for firebreaks and for travelling. With this present modern road-making machinery it should be possible to divide up the Aberdares and the Kenya forest into administrative blocks. I am entirely in favour of the squatter system properly supervised. They should be regulated, put into ranks with sergeants and lance-corporals and properly dressed and properly provided with schools and proper amenities. I would like to say that I, as a farmer in a very small way, have never kept squatters, but I do think the squatter system as envisaged by such a man as Mr. Mervyn Ray is quite desirable—I think it is a great mistake that because a certain number of Europeans abuse that privilege, and the Government have allowed that abuse to continue, that for that reason a decent settler should be penalized. I think the squatter system has many good points. The cottage labour system, of course, if not well supervised, will fall into the same abuse as the squatter system—that is quite inevitable. It is no use Government saying they have not been warned, they have been warned time after time that certain settlers are abusing the squatter system.

I entirely deny that there is room in the Kikuyu Land Unit even if you cut down the bracken areas—really, you cannot play with the bracken areas. They are very important catchment areas in the country—you may be able to graze a few cattle or sheep on the cleared land but I believe it is quite obvious, with all due respect to the hon. Chief Native Commissioner, that you cannot provide sufficient room—not sufficient for the pre-war population in Kenya, to say nothing of the over-population produced by the Emergency.

I have discussed this question since I brought it up before with several officers in the Kikuyu Land Unit and every one of them said that it would not be possible to solve the problem along those

[Mr. Cooke] [Mr. Cooke] may be some mitigation of the problem but it is not a solution.

Now the Government always say they have never been warned in advance. I am warning them now in advance and I think my hon. friend, Mr. Mathu, will probably join me, that it is a complete illusion to imagine that you can provide for this terrific surplus population by putting them into the Kikuyu Land Unit. Therefore, I suggest that the good Kikuyu, of whom there are very many, should be re-absorbed into the farming areas in the Highlands.

Of course, two of the most important matters, I think, in this country, certainly in the urban parts of the country, are housing and cost of living. We had a very perfunctory allusion to the matter of housing; we were not really told in strong determined language that Government were determined to deal with this very intractable problem. I think it is no use asking us to accept a set-up by which the Deputy Governor, able as he is, can handle this problem. For one reason, he is without the criticism of this Council and I think it is essential we should have some one on the other side of Council subject to the criticism of this Council. As has been said, "the best form of Government is when they can find out the best man to hang"! We have often tried to hang other Members, on the other side of the Council—

MR. BLUNDELL: With no success!

THE MEMBER FOR LEGAL AFFAIRS: Make it a two-way stretch!

MR. COOKE: In other times, of course—I agree with that interjection!—there would have been a few gibbets outside the Hall on which certain gentlemen would have been hanged! That is only metaphorically speaking, of course! (Laughter.)

On this question of housing, surely the Thika Pilot Scheme which, with all due deference to the hon. Member for Finance and Development, has not proved the success anticipated—we must have learned lessons from the past, we must, in my opinion, have someone on the other side of the Council. I think there should be a Minister of Housing. His total and only job would be the ad-

ministration of this £2,000,000; that would be a job in itself. It is no use—my hon. friend, the Member for Finance and Development, who loves to take on his broad shoulders any extra work he can—it is a very great mistake to do so. It is the same with the other Members on the other side of Council. I would ask the Government to appoint from amongst its own ranks, a Minister of Housing, someone entirely responsible for carrying out the housing scheme.

With regard to the cost of living. This is a matter which enters into the daily life of every race in this country. Some of us have been talking for years about this and practically nothing has been done. Cost of living is higher than ever and was, in spite of what the Governor says and in spite of what Mr. Oliver Lyttelton says, I think cost of living has been largely responsible for the present state of this country. I believe it has produced a lot of disillusioned people and many starving people in towns and that they have been just the right food for the terrorists.

Sir, I do urge on Government—I deplore there was nothing in the Governor's address about the necessity of this—that the cost of living problem should be put in the forefront of any programme we have out here.

The hon. Member for Finance and Development indicated in his Cost of Living Report that he was rather in favour of subsidies, but since he went to the other side of the Council he seems to have changed his tune. But I think subsidization of maize is one of the essential factors to the reduction in the cost of living, but we had no reference in His Excellency's speech to that effect. Along with what the Member for Rift Valley said about the lack of reference to Indians and to the Arabs—those loyal people who have shown great loyalty during the past 60 years in this country, I think it is more than a pity that nothing was envisaged for their future. It may be, of course, that it has been overlooked, but we get too much in this country of vital matters being overlooked.

Now, Sir, finally what I do miss in His Excellency's speech is not only a clarion call to victory in the resounding terms of what Mr. Churchill would use. I do not

[Mr. Cooke]  
say that false hopes should be held out—Mr. Churchill said he was only offering us blood and tears and fighting on the beaches, but he said all that in a tone that soon produced the defeat of the Luftwaffe and the magnificent campaign in Libya and, of course, the landing on the beaches of Normandy. We want something—a little bit more of that determination in this country—it has been lacking ever since the end of the war. There have been plenty of promises but no performances. I would have liked to have heard him say that racialism will not be tolerated in this country by any class or by any race. I would have liked to have had him say in unmistakable terms that that would be the policy. I would have liked to have heard him say, "A plague on both your Houses". I would like to have heard him say there will be no advance by any political party in this country until we have reached economic and financial stability. I would like to see a moratorium, as it were, on any politics; that we should concentrate on the building up of the financial stability of this country of Kenya. I would have liked him to have forestalled Sir George Erskine and to have said in the strong language Sir George Erskine is reported to have used in to-day's paper that he thought the future of Kenya lay in all races getting together. I think most Members would agree with that. I believe, Sir, the right spirit in this country is the spirit which we found in the letter from Mr. Mervyn Ray, one of our oldest and most respected settlers in this country, and I believe that that is the spirit which must prevail. We all owe a lot to Africans and Africans owe a lot to us. The great General Smuts once said: "Africans need Europeans as much as Europeans need Africans", and that is the spirit of Mervyn Ray's letter and I would like very much to endorse it.

I have had a letter, curiously enough, from a Government official, in which he said that that letter should be read wherever the English language is spoken. Certainly it would do much more good than some of the feeble efforts of the Voice of Kenya! It would show that there are in this country a large number of settlers who are determined, come what may, that this country will not be

ruined by racial antagonism. I would conclude with a quotation from Mr. Winston Churchill which he made in Margate the other day. I think it is very applicable to the conditions in Kenya today. He said, "What the world needs today is patience. It needs a period of calm rather than a vehement attempt to produce clear-cut conclusions". I believe it is incumbent on everyone in this country, under the leadership of His Excellency, to see that patience is used and that patience wins the day and that there should be an end to all this racial antagonism and to all these foolish utterings from some of the wilder men up country!

Mr. AWORI (African Representative Member): I rise to support the Motion before the Council. I appreciate quite a number of points raised by His Excellency the Governor in his opening address two days ago.

I can see that he has worked on two policies. There is one policy which is for the future development of this country, and there is another one of fighting the Emergency.

Now, Sir, I do not intend to speak very much about the Emergency, because since the Emergency started we have all had an opportunity to express our feelings. (Hear, hear.)

Presently I shall concentrate my speech on the future development—on the policy that Government intends to pursue for the development of this country. I could see a number of schemes, particularly towards the Africans, and as the hon. Member for Rift Valley said, a short while ago, we should not expect that all these will be done, due to the present state of affairs in this country, which means that by the time the Emergency ends we might be short of money as at present we are short of money.

Mr. Deputy Speaker, Sir, I appreciated one point that His Excellency mentioned in his speech—that is affording Africans titles on land. For years we have been dissatisfied. Although we might possess land we do not legally own it. It is going to be difficult to get all the land surveyed, but I hope that a pilot scheme will be started in areas that have not been affected, and eventually the whole African Land Unit.

[Mr. Awori]

The other point, Sir, concerns African District Councils. I should say that I have the pride to come from one District Council which has set an example to the other African District Councils in Kenya. My people have all the time asked Government to be given more responsibilities and more power to run African affairs. I could see in the Governor's speech that Government will pursue a policy of giving African District Councils some sort of self-government in local areas. This is a point which we appreciate from His Excellency's speech, and I personally hope that in my own areas Government will accept the request that has been brought forward many a time that we should have an African president of the Council. Of course, I might be told that we are not yet ready, but I feel that an experiment should be done. Let us learn by trial and error.

Presently I should say that we have got District Commissioner Leslie for whom I have got a great admiration. I feel Government has been wise in sending a person of such integrity to a district which is progressive, and I hope that he will be able to advise an African president of the Council on how to tackle the affairs of the country.

Mr. Deputy Speaker, the other point, Sir, concerns loans. Already in my areas that pilot scheme is going to be started. I hope it will prove a success.

The question of adult education was touched by His Excellency to be started in Nyanza, Wakamba and Machakos country. I hope the Government will go ahead in pursuing the matter.

The question of housing: It is good to see my friend on the other side, Mr. Tyson, who has always taken a great interest in housing, and I hope he will be able to advise this Council on the question of housing.

Now, Sir, I will touch on one point raised by the Hon. Mover, Mr. Coventry, on the other side. He said something about police—how the African cannot appreciate, he cannot fear or respect the police in this country. That is true. I admire the police in England and other countries. Now the mistake made in this country was, particularly in Kenya, when the police force started. The Government recruited the illiterates who did not know

very much about courtesy. I could compare this with Uganda which started earlier than Kenya in having training schools for the police. I have stayed in Uganda for some time and I admire the police there. Although I cannot compare them with the police in Great Britain, but they are better than our police here. Now, of course, we have got police who are trained, and as far as I know, they match very well with other Africans.

I hope that Government will year after year continue to train African constables in the proper manner of handling citizens. It is their way of handling that has brought antagonism in this country.

Finally, Sir, I do not want to detain Council any longer, but I should say a word about racialism in this country. I feel that we have all to stay—Europeans, Africans and Asians—there is no way out. I do not believe in any dogma of throwing anybody out of the country, and until we can accept that and respect for each other—I do not contest if the African is denounced of not being dependable, we are learning and where we make mistakes I hope that so much criticism will help us to follow the right part. (Applause.)

However, Sir, what I do not like is people who raise the seed of antagonism. I hope if we restrain ourselves and if we avoid throwing mud at each other, we shall be able to build a better country and a better future for ourselves and the generation to come.

I support the Motion.

THE DEPUTY SPEAKER: It is now about time for our customary break. Council will suspend business until eleven fifteen.

Council adjourned at eleven o'clock and resumed at fifteen minutes past eleven o'clock.

Mr. CHANAN SINGH (Central Area): It was a pleasure to listen to the maiden speeches of the hon. Mover and the hon. Seconder. I would have wished to support them in their maiden effort, but the subject is such that it is with reluctance that I have to oppose them.

I agree with the hon. Mr. Coventry when he says we do not expect an address from the Chair to please everybody. That is quite true, but we also do



[Mr. Chanan Singh] not expect an address that completely ignores one section of the population and I am sure that that is an aspect of to-day's debate with which the hon. Mr. Coventry will also agree. Now, Sir, when I say that I oppose the Motion I do not mean that everything in His Excellency's address is such that it is not liked by us or by the group to which I belong. There are very many admirable proposals. There are proposals which suit the occasion and which are very badly needed, but I cannot help feeling that the writers of the address—there are bound to be more than one—have had in their minds something like the dual policy which was advocated in this country some years ago, and I suggest that somebody from the Government benches should give us an assurance that the omission of the Asian community—the omission of even a mention of the Asian community—was not of set design; it was either accidental or the Government did not have anything particular to say about the Asian community at this particular juncture. If my impression that the advisers of His Excellency have in mind only two races, the African and the European, is correct, and if that is the policy of the Government, it would certainly be a retrograde step. Now, Sir, so far as the African community is concerned, I agree that because of their numbers, because of their historical connexion with this country, and because of the geography of this country, they do deserve special attention on the part of the Government. The needs of the African community have received the attention of the Government and I am indeed pleased about it. One may not agree with all that is stated in the address. I especially notice one omission with regard to the African community, and that is, the Government seems concerned about the economic and social needs of the African community, but their aspirations in other directions—especially in political directions—do not seem to be receiving the same attention.

Now, Sir, as far as immigrant races are concerned, I feel that the Government is wrong in giving people the impression that they exist only for one section of one race. The address speaks mainly of the efforts of the European

farmer and ignores everybody else. That, I think, is absolutely without justification. There are other groups of people living in this Colony. There are other races living in this Colony, and I think to concentrate attention on one small section of the population and to ignore the others is entirely wrong. The address speaks of the needs of the European farming community; it speaks of the assistance skilled European farmers can give to African farmers. It speaks, in more than one place, of European supervision. Now, Sir, I have no criticism of the policy of allowing Europeans to supervise the work of Africans. They are as much entitled to be appointed as supervisors as members of other races, but to say specifically that what is needed is "European" supervision is in fact to say that any participation by other races is excluded. I think that is one aspect of this matter that can be objected to.

I must make it clear that I do not begrudge the attention that they are getting from the Government of the Colony. They deserve all that attention and I wish them good luck. All I say is that we Asians also exist in this country, and it is time the Government recognized our existence. I do not say that we have a right to any greater attention than other groups, but I do say we have a right to the same attention as other groups are getting, or are entitled to get. We have also our needs, desires and aspirations. I suggest that the Government should recognize them. Now, Sir, there is a story about the great Persian poet Sa'di. He was one day walking in the street. He had no shoes on and he was cursing his luck. All of a sudden, he came across a man who had no feet, whose feet had been cut off. He said, "Thank God, I at least have feet; this fellow has not even got feet".

I realize that His Excellency's speech, as far as the Asian community is concerned, could have been worse.

There is one matter with which I have been concerned for many years, because of my connexion with Government service. That is the three-fifths rule. First of all, I wish to refer to the remark which the hon. Member, Mr. Blundell, made. He mentioned to the financial implication of the abolition of this rule.

[Mr. Chanan Singh] At the present time there are less than twenty people involved, so that the financial implication cannot be other than negligible.

So far as I am concerned, there is one thing I have been unable to understand. Government has been talking about the abolition of the three-fifths rule for about a year. It was six or seven months ago that His Excellency announced at a meeting of the Asian civil servants that the three Governments, with the concurrence of the Secretary of State, had abolished this rule. If the three Governments had agreed, if the Colonial Office had agreed, what is the cause of the delay? I suggest if there was no disagreement between Government on the one hand and employees of Government on the other, and if the principle had been accepted by the Colonial Office, where was the need to refer the matter to the Salaries Commission if it was so referred? This was a simple matter and could have been settled by issuing a circular from the Secretariat, saying, from to-morrow salaries are one hundred per cent instead of sixty per cent.

There is another matter connected with the three-fifths rule, to which I wish to invite the attention of the Council, and especially the attention of the Government benches, and that is the method of recruitment to the Service. When the three-fifths rule is abolished, I suggest some definite test of fitness for appointment to the Service be laid down. It is now the practice in most countries of the world that appointment to senior services are made as a result of competitive examination supplemented, of course, by interview. I think the same procedure should be adopted in this country and that is the only procedure which would be fair to all races. Otherwise, if the appointment to these Services is left to certain officials or to a board, there will be no test, and however honest and sincere these people try to be, there are bound to be injustices. Therefore, I suggest that this definite test of examination should be laid down when the three-fifths rule is abolished.

One big complaint about His Excellency's address that I have is that it does not say anything at all about the biggest problem that has faced this

Colony since its inception. That problem is the political problem. I think it is entirely wrong to say that our ills are economic or social ills. I think the problems of the Colony are more political in nature than economic or social.

Another speaker referred to the speech of General Erskine which has been reported in the *East African Standard* this morning. With your permission, Sir, I wish to read one small paragraph which is part of his speech. This is it:—

"The General continued that the big problem which the people of Kenya must solve was how to create harmony on a long-term basis among Europeans, Asians and Africans. Though this was purely a political problem it was urgent."

My complaint is that the advisers of His Excellency do not seem to agree about the urgency of this problem.

SHEIKH MAHFOOD MACKAWI (Arab Elected Member): I rise to support the Motion laid down by the hon. Mr. Coventry and seconded by the hon. Sir Eboe Pirbhai with regard to the Arab community. I beg to thank His Excellency for the reference he made to the housing scheme for Arabs and Africans at Mombasa.

Sir, I beg to support.

Mr. GIKONYO (African Representative Member): I rise to welcome the speech from the Throne. There are one or two points that I would like to raise in connexion with that address. The first is the statement from His Excellency the Governor where he said that there was a need for a stable African working population in the towns; men of regular employment, substance and security. He further said that that would not be possible in his view and in the view of his advisers by providing bed spaces for the Africans. Homes and not bed spaces were required. He said that it is no excuse for not providing them to say that homes cannot be provided for Africans for financial reasons. I do know that Nairobi City Council are pressing forward on big programmes for African housing. In my view, the problem will not be solved by simply providing bed spaces. I know there are schemes for which Africans should be grateful. They have provided an estate for African-built

[Mr. Gikonyo] houses so that Africans can own their own property. I think by that method we are encouraging a stable African population where Africans who own property can feel that they are part and parcel of the town because they own property.

Mr. Speaker, I do feel that everything possible should be done to encourage the Africans to forget that there is anywhere else, apart from their work, so that they can rely on their employment so that they do not have to have one leg in the town and one in the reserve. (Applause.)

I think that is very important if you are going to have a stable African population. I want to refer to one thing that has happened recently in connexion with housing. Those who know Kaloleni location will agree that that location was built as a family estate and those families who have been living in Kaloleni have been living harmoniously and to their own credit Kaloleni has been one of the most quiet locations in the whole of the African locations, but recently by order of the Government some Kikuyu families had to be removed from Kaloleni to Bahati, which is, I think, one single-roomed houses. These families do feel that injustice has been done to them, and my colleagues have interviewed the officer in charge trying to put the viewpoint that these fellows should, if possible, be accommodated in equivalent houses instead of being taken from family houses to single-roomed houses. Something should be done so that they do not lose equivalent accommodation. I hope that those people who are responsible will see that this injustice does not continue.

I also wish to refer to another thing which is connected with this question of houses. Shortly an order, I think, will be published prohibiting Kikuyu, Meru and Embu from Eastleigh. In fact it has been published. In Eastleigh there are Kikuyu men and women who have built themselves homes; they will have to lose their homes and perhaps be moved to single-roomed houses. I do feel, Sir, that a law should be made in such a way that exemption should be afforded because if no exemption was afforded to these fellows, they are going to lose their homes. I think that would be most unfortunate. The hon. Mr. Blundell did speak on the question of subsidy. At the

moment Africans are paying rents on a subsidized basis. I do not think anybody will object to paying an economic rent provided that there is an equivalent increase in wages. When we talk about subsidies we cannot separate the two. Subsidies and increases in wages go hand in hand. His Excellency the Governor did say, and I think quite rightly, that there is no easy way in any country to prosperity. I do know that there is a certain element of young Kikuyu people who decline to work but, at the same time, there is a large number of Kikuyu people who know that there is no short cut to prosperity—they have got to go on the same way as other people have done.

I want to refer also to an incident that has occurred in connexion with an order about segregation. As a result of that policy a certain number of Kikuyu traders have been victimized. I refer to about eight very well established Kikuyu traders in Kaloleni location. They have been ordered to move from Kaloleni to nowhere. They have not been provided with alternative accommodation. Most of these traders have been trading in that location for many years. Some of them are very good, outstanding business men and it is unfortunate if we are going to encourage them to work for their own prosperity that a thing like that should happen. If they are to be moved, I suggest alternative accommodation should be provided. At the moment these people are going round town looking for somewhere to dump their goods and some people have not got anywhere—they have taken them into their single rooms in the location. If we are going to follow the advice of His Excellency, a thing of that kind should not be allowed to happen. At the same time, I refer to quite a number of petty traders who have been trading in the town. Most of them had believed that by doing petty trade they would learn later on, and having acquired a certain amount of capital, they would proceed to a better business. Now, from time to time, by policy of the Government, these people have lost their business. I appreciate certain things have to be done for security reasons. But I do think that indiscriminate action can do harm. There are some very genuine people who have been doing petty trade, but they believe it is the only way they can succeed. I

[Mr. Gikonyo] refer to two registered trade unions: Master Tailors and Master Cobblers. They are registered trade unions and they say their members have been refused permits to reside in Nairobi so that they can continue their businesses. We have made representation to the right quarter but so far no success has been obtained. Whatever action we take, we must go into details and not victimize the good man who is doing what he should be doing for the economy of this country. I also want to refer to the indiscriminate discharge of Kikuyu labour. In the town there are a lot of unemployed Kikuyus. Most of them are willing to work but many employers feel it risky to employ Kikuyus. It is most unfortunate that that should be so, but I am going to appeal to employers not to discharge Kikuyu employees because they happen to be Kikuyus. Most of them are in need of employment, and if you do not employ them what is going to happen? Nairobi being geographically situated near Kikuyu country, these people will be moving to and from Nairobi. It will be very difficult to control them and I think the answer is not to send them back to the reserve, the answer is to give them employment. If we do not employ them we are asking for trouble. They will go to the reserve, come back, and steal anything from everybody because they have nothing to do. I do appeal that we should encourage young Kikuyus to work and show them that there is no other way to prosperity but working. If we do not employ them they are going to go round stealing, making life impossible.

Mr. Speaker, I do hope that Members will take this into consideration and whenever we can encourage these fellows to work. I appreciate the situation here and it is most unfortunate that we are in the position we are at the moment, but we should look at this problem from two sides: from the security side, we must do everything we can; on the other side, we must encourage those who are willing to work to go into employment instead of loitering in town with nothing to do.

Mr. Speaker, I beg to support the Motion.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy

Speaker, I rise to support the Motion. Of course, as has been stated by one or two hon. Members—it is quite a common practice and quite justifiable and understandable that while welcoming the speech from the Throne, one can regret that certain measures are not taken or not alluded to. One can also express one's disagreement with the policies enunciated in the speech from the Throne. Today, Sir, certain hon. Members have taken the opportunity of regretting omissions, and of expressing disagreement with certain policies that have been enunciated and, Sir, as a member of the Government, I would like to refer to one or two of those remarks and statements which have been made in that connexion. I would, however, first of all like to say that in any speech, however long, at the beginning of a new Session, it is impossible to cover all aspects of the Government's policy. There are, indeed, one or two matters that have not been covered that I, as a member of Government, would have very much liked to have seen alluded to in His Excellency's speech.

Now, Sir, the hon. Mr. Nathoo welcomed certain allusions to European agriculture which I will deal with later on, but he expressed the view that perhaps not sufficient allusion was made to African agriculture and he rather insinuated that very little had been done in this country in regard to African agriculture. Well, Sir, once again I would say without, I trust, being accused of complacency that, as is substantiated by the opinion of visitors who have visited other parts of Africa and who have some knowledge of this subject, it can possibly be claimed that in the last ten years or so, this country has done more for African agriculture, has made more progress in rehabilitation of native land, than perhaps any other parts of Africa. (Applause.) Again, Sir, I repeat, do not let that be interpreted as showing complacency but when attacks are made, it is only right that those of us on this side of Council forming part of the Government of the day, should repudiate them.

The hon. Member then went on to detailed questions of one crop-cotton—of which he has some knowledge—and in which, I believe, at one time he took some interest. Sir, I do not

[The Member for Agriculture and Natural Resources]

think that I have a guilty conscience in regard to the encouragement of the growing of cotton in this country. There is not unlimited land suited to the growing of cotton in this country. Part of the Central Nyanza Province is good cotton land and part of the Lake shore in Southern Nyanza is good cotton-growing land. We have recently investigated a number of experimental stations and we are keeping in the closest possible touch with the Nebulongi cotton centre in Uganda in administering this scheme. We are endeavouring to improve the type of cotton grown in this country and to increase the yield per acre. We have never had any shortage recently of improved seed dusted against "black arm" for issuing to persons who wish to grow cotton. The acreage put under cotton varies from year to year in accordance with requirements for food crops. It invariably happens in Nyanza Province when there is a shortage of food there is a diminution in cotton acreage. But I repeat I think we have done as much as can reasonably be expected in the encouragement of that particular crop.

Now, Sir, Mr. Nathoo also went on to say, as regards Asian agriculture, nothing was done. I have on many occasions had to reply to that criticism in this Council. I am afraid my reply has nearly always been on the same lines. We have in the Nyanza Province an area which is cultivated by Asians, most of whom come from farming stock. I hope that I can claim that I have always done everything I can to help and encourage those people. They are very hard-working people and they are very good citizens of this country—(Applause)—but we have not always been so fortunate in our efforts to encourage farming by Asians in other parts of this country. I fear that sometimes the claims made as to the desire to have land and cultivate it are perhaps possibly based more on politics than on any real desire to farm. I will repeat that, subject to limitations that exist in this country in respect to land and others, that this Government is only too anxious to assist any Asian who wishes to farm in every possible respect, and we are quite prepared, and indeed, have shown our

willingness to give financial assistance to Asians in the same sort of way that financial assistance is given to other races in that regard, but there is one condition that I insist upon—that is that those persons who wish to farm, who wish to be assisted to acquire land, have got to farm that land themselves and not let it out to others.

I will now turn to the remarks made by the hon. Member for Rift Valley and if he would not consider it an impertinence, I would like to say that I think his speech was one of the best I have heard him make in this Council. (Applause.) Not that it was not to some extent critical of some of the activities of the Government.

Now, Sir, some of his opening remarks are no concern of mine, they do not come within my portfolio. He then went on to deal with a number of subjects connected with agriculture, forests and water and suchlike activities. He first of all complained that no decision had been taken on the Hiley Report despite the very long interval which has elapsed since that report was made. Now, Sir, I agree that a very long period of time has elapsed but I would draw hon. Members' attention to the fact that I did lay a Paper which tabulated Government's views on that Hiley Report. That paper was also laid a long time ago. I also, Sir, in case hon. Members fear that the opportunity will not occur, I did give an undertaking that still holds, naturally, that we on our side of Council would present an opportunity for debate at any time really suitable to hon. Members on the other side on the Hiley Report. I quite agree that it would be a very good thing to have such a debate in the very near future. It may be said: "Why has there been a long delay despite the assurances you gave and despite the importance of forests and forest development to the economy of this country?" I submit that during the last year where we have had tremendous and, indeed, active operations going on in the forest, at a time when feelings run very high indeed about such questions as squatters, control of Kikuyu and such matters, was probably not the best atmosphere or time to discuss the report which deals with the forest policy for the next hundred years or so. I, therefore, have no guilty conscience whatsoever

[The Member for Agriculture and Natural Resources]

that we have not investigated the debate, to which reference has been made, until now.

MR. BLUNDELL: I think hon. Members will agree that the Hiley Report was made about three years ago so there has been at least two years before the Emergency began in which the opportunity could have taken place.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I am afraid I disagree with the hon. Member. I do not think there was an opportunity. There was a year and a half in which a great deal of information had to be assembled and a good many people consulted and all that culminated in the White Paper.

Now, Sir, we turn to the Agricultural Bill, and the inordinate delay that has occurred in introducing that measure. Here again I would say that the Agricultural Bill—I think I can claim—is to some extent a baby of mine. I, therefore, would be the last person to wish to delay its introduction into this Council. I had always hoped that the first of a series of measures connected with agriculture, to which I have referred on more than one occasion, would be the Agricultural Act. That has not happened. It is a very lengthy Bill, it had to be drafted in England. When it came back again, a great number of suggestions, a great number of criticisms and finally the Troup Report, all of those have affected to some extent the original draft provisions of that Bill. The Bill is now in its final stages of redrafting, if it has not already been redrafted, and it will appear in printed form, in the form in which it is going to be laid before the Council, before the end of this year, I hope in the very near future.

I would like now to express if I might and I am sure hon. Members will allow me to do so, my appreciation of my hon. friend the Attorney General's efforts to get the Bill redrafted despite the colossal amount of work he has had to deal with in the last few months.

We now, Sir, turn to the Ibbotson Report. Now the Ibbotson Report has been laid some time and I do not believe that any statement has ever been

made in the Council as to whether the Ibbotson Report has been accepted by the Government or not. The question which was tabled at the end of last session which I will have repeated and answered shortly. But I can here and now say that Government has, in principle, accepted the Ibbotson Report. The difficulty though again under the circumstances in which we have found ourselves recently is to find a suitable Chairman for the Statutory Board which it is intended to set up. Secondly, of course, any such implementation of the recommendation that Statutory Board should be set up, will entail an Ordinance, a Bill. I can assure hon. Members, of what probably they are unaware, that such a Bill, in the form in which a layman can draft it, has been drafted. It is being and will be sent up to Executive Council in the immediate future.

We copied similar enactments in other parts of the world which I believe are applicable and we have in mind a person to be the Chairman.

Quite apart from all this, I have another reason which I am not ashamed of, though I may be blamed for it. I am quite prepared to be blamed for not having hustled too quickly the implementation of that Board. We have found ourselves recently—though I am glad to say, we have got through, I think, that bad period—we have found ourselves during the last two or three months in a very parlous condition in regard to food supplies. So much so, I have made statements from time to time to hon. Members to keep them in touch with the position. The position is now very much improved in comparison with the last statement I made to hon. Members here but I was not prepared during that difficult time to make any changes in the control of the particular matter of essential supplies in a time of emergency.

MR. BLUNDELL: If the hon. Member would give way—would he forgive me if I presented to him the thought that the Ibbotson Report was laid about eighteen months ago. Possibly the decision could have been made before this difficult period of three months arose recently?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I do not agree. We accepted the recommendations in

[The Member for Agriculture and Natural Resources] principle; we accepted them but I think the hon. Member is aware that implementation was not so simple as it seems. Anyway, again I do not myself feel particularly guilty about the matter. The Ibbotson Report has been generally accepted. I do not think it could have been adopted before now. I again repeat Government has accepted its provisions in principle and has gone on to prepare the necessary Bill to deal with it. I hope very much I will be able to announce shortly the composition of an interim committee on the lines of the Ibbotson Report.

Now, Sir, I turn to the Troup Report which is welcomed and no doubt I will again be accused of not having produced a White Paper. Some reference to this was made in His Excellency's address from the Throne. A White Paper is being prepared and will be laid when we have a clearer knowledge of our financial position. It is not for me to presume to say very much in any way to impinge on any statements that the Member for Finance may see fit to make next week, but it must be obvious, I think, to everybody that for some time to come we are going to have a very difficult time as far as finance is concerned and it must be obvious, I think, to everybody that even the present rate of expenditure on development may have to be curtailed unless, my hon. friend, the Member for Finance, can devise ways and means of replenishing his resources. Therefore it would be impossible for us to embark on or accept recommendations which entail on a very large scale extra expenditure or the foregoing of income. Until the Member for Finance has seen fit to make his ideas or to give publicity to his ideas, it would be quite the wrong time to publish a White Paper on a report of such importance to the future of this country. I might, however, say that, of course, when £55,000,000 is mentioned in the Troup Report it does not necessarily mean Government is going to beg, borrow or steal £55,000,000 and hand it over to the farming community. I mention that because that seems to me the sort of idea abroad in certain quarters. What it means is that the injection of capital and financial stimulus, from various sources over the next ten years, might

accelerate the development of the agricultural industry, which is what we all require. However, that can be debated when the time comes.

The hon. Member then turned to African agriculture. Several speakers—I am not alluding to my hon. friend, the Member for Rift Valley—have suggested that little mention was made of African agriculture and, therefore, it can be implied that Government has its eyes focused, to too great an extent, on the development of European agriculture, rather than on African agriculture. Here again nothing can be further from our thoughts. I think we all realize that not only the economic future of this country, but possibly the security aspect also, of the future of this country, depends largely on a great stimulus of productivity from the African areas. As I have said, I think we have done a good deal in building the foundation for that, but we have had a serious set-back during the last year due to the Emergency and we must make up our minds that from now onwards we have got to make up the leeway, and to my view, we have got to endeavour to intensify the work that was being done in African areas prior to the Emergency. We have a special reason for that, quite apart from the other, and that is that we do wish to try and employ, even temporarily, those displaced Kikuyu that are on our hands and against whom we know nothing very much. We want to keep those persons in employment—we want to give them useful employments and in many cases, I think, that very useful employment can be found in Kikuyu areas or round about the Kikuyu areas.

Now if we do that, I maintain that we have equally to intensify agricultural development amongst those tribes that have been loyal to the Government, and we, therefore, have drawn up plans in some detail for a very considerable intensification of general agricultural development from now on. But again before I go into details of precisely what those plans are and what they are likely to cost, we have to await such negotiations or whatever will take place, as will be conducted in by my hon. friend, the Member for Finance. But as soon as the hon. Member responsible for the

[The Member for Agriculture and Natural Resources] economic difficulties—(Laughter)—I will not say responsible for our economic difficulties but for us getting out of economic difficulties—(Laughter)—who has perhaps the most difficult task anyone ever had in this country, can tell me where I stand financially, I will make a statement in this Council explaining what our plans are and what they are likely to cost. But again I say we are not unmindful of this and we are working very hard on plans which are already in existence.

The hon. Member went on to say that he realized that all these developments will depend on manpower and he asked from what source were we going to obtain the necessary men, and that, Sir, is a most pertinent question because, although manpower does not entirely rest with me—in fact, it is not within my portfolio at all, it will probably be the greatest headache we have to face. It is possible and, indeed, we shall have to import manpower, suitably trained persons—young people from overseas—but when you have them here they do not know the country, they do not know the language and it is a most difficult problem to provide persons for security, for supervising camps, for the hundred and one things we need. We know people have to be provided for the armed forces and over and above for the type of development to which I have just referred. All I can say is that every possible effort is being made to recruit suitable people locally and people will have to be, and are being, recruited from overseas.

Now, Sir, the hon. Member said that he thought that in this debate we would try and look ahead and I would like to support him on that and I tried, I hope, in my speech to show how we are trying to look ahead. I do not believe any person, and I just quote it because it is a very good example, who attended the Royal Show last week could have attended that very well organized yearly meeting or whatever you like to call it, without a feeling of confidence being restored. (Hear, hear.) Certainly some persons who came from overseas and who had heard and read of the very exaggerated, in some cases, accounts of how we live in this country and what

was happening here, when they went there and saw the crowds and animals and, above all, scented the atmosphere, I think that it probably did us more good than most things have done for a very long time. (Applause.) I, Sir, feel that far from being knocked off our legs by this Emergency, apart from having suffered a very severe blow, I believe and I do really believe that when this Emergency is terminated we shall go forward with renewed vigour and I believe we may find ourselves progressing at a very intensified rate. I have every hope, in so far as those activities are concerned, with which I am concerned, that we have provided a basis on which we are now going to build very, very much quicker than we have in the past. I am absolutely confident as to the future of the agricultural side of the economy of this country.

My hon. friend, the Member for the Coast, asked about dividing the forests in blocks as done in Canada and he mentioned the squatter system in the forest areas and so on. Well, we shall be able to deal with that when we discuss the Hiley Report, but, of course, we have got the forest divided into blocks and we are trying to do our replanting programme in circles so that you have the forest divided into areas suitable for milling.

Mr. Chanan Singh, Sir, referred to European supervision and he was a little bit inclined to suggest that over-emphasis on European supervision had been laid by Government and possibly in the Governor's speech.

Now, Sir, whether we like it or not, the fact remains that certainly in those activities which come within my responsibility at the present stage which this Colony has reached, progress depends entirely on having a cadre of suitably equipped enthusiastic Europeans. I repeat that because it has been proved again and again. That does not mean that for all time we are going to think that we can have nothing but Europeans. On the contrary, we are training both Asians and Africans to follow on and help in this work and perhaps I would record that in the Agricultural Department we have unfortunately lost at least three and, I think, more, of the very progressive type of African Agricultural

[The Member for Agriculture and Natural Resources] Officer who was, for instance, trained at Makerere and afterwards did a course in England. They have been brutally murdered and they are a loss which this country can ill afford and I would pay my tribute now to those men. (Hear, hear.) (Applause.)

There were Africans who were working amongst their own people and it is our intention to try and encourage further and larger quantities to follow in their footsteps. Only recently I went to Makerere College where we now have a very outstanding agriculturalist who is the Deputy Principal and is also organizing the new agricultural faculty, and after having a long talk to him I am confident that we shall now put agriculture in its proper place in educational plans at Makerere College, and instead of having very few candidates, we will probably have many more candidates than can be accepted. That, of course, is looking ahead. They are developing a really good farm there and I hope we will be able to send our quota of Kenya boys to Makerere to get a really good grounding there and that is very important.

Sir, I am afraid I have wasted a long time but I have tried to cover some of the points which have been made. I do not think I have omitted any important ones. I would only end up by saying that I think these debates—in the spirit in which they have been carried on this morning—are of great value. They enable us to see our shortcomings and possibly they enable the other side to appear to understand our points of view and sometimes perhaps our difficulties. Actually I do not like making difficulties an excuse; because, although you may not believe it, we on this side of Council believe that sometimes difficulties are there to be overcome.

MR. J. S. PAYLE (Western Electoral Area): Mr. Deputy Speaker, Sir, while I appreciate the points represented by the Asian Members on this side of Council, it is a deplorable fact that His Excellency the Governor, while laying out a policy for the next twelve months, has completely ignored any development schemes as far as the Asians are concerned.

I, for one, am particularly going to touch on one point and I am glad my hon. friend, the Member for Agriculture, has mentioned the Indian settlers around Kibos area (inaudible). I was only on this part of land last week and I am going to mention to him the fact that the statement made by him in this Council that the road between Kibos and Mimani is completed at a cost of so many thousands of pounds is not absolutely correct. The road was started at one end and has been completed up to five miles. The road was started at the other end and there is a gap of two miles in between. (Laughter.)

I would also like to know from him that in spite of the limitations that are laid in front of the Asian development, and as far as agriculture is concerned, there is, at the moment, attached to these farms quite a valuable piece of land which is reserved for veterinary quarantine, and I wonder whether he will, in fact, consider investigating the possibility of offering this piece of land to those settlers who have proved themselves, and provide roads from the development scheme, so that better contribution should be made to the sugar industry, and in this way the necessity of importing sugar into this country can be avoided.

I will join my colleagues in mentioning again that we, as an Asian group, feel very sad to notice the fact that the Government have completely ignored us, and as we tour round the country everyone comes and asks us where we are. We have been waiting for a policy which would have included the Asians and we would have liked to have told them of their position at least and thus created confidence in their minds.

As the hon. Member mentioned, there are three communities—you cannot forget there are three communities. It is all very well for the hon. Mover to say that the mere omission of a community should not create such an uproar, but I wonder, if the European community had been omitted from mention in His Excellency's speech, where would we have been?

MR. BLUNDELL: Nowhere. (Laughter.)

MR. MADAN (Central Electoral Area): Back to Government House. (Laughter.)

MR. SLADE (Aberdare): Mr. Deputy Speaker, Sir, I support this Motion, and I should like to congratulate the hon. Mover not only because it was his maiden speech, but because I think he set a very fine example in his outspokenness. That is an example we badly need, because it is only by plain speaking that we are going to achieve the mutual respect and mutual understanding that we must have to go where we ought to go. In that way, I think, Mr. Deputy Speaker, his speech was a kind of criticism of the speech from the Throne, because while appreciating that speech and indeed agreeing with the main objectives stated there, it did occur to me that it was not outspoken enough and it did not boldly enough face facts and issues that may be contentious.

I do not want to take up much time of the Council in discussing those omissions, but I would say that they fall under four heads. In the first place in stating, as I have said, sound objectives there was not a clear enough indication of how we are to achieve those objectives, particularly as regards finance and manpower. Now the hon. Member for Rift Valley has spoken on that and the hon. Member for Agriculture has replied and I need not say much more, but I would point out that in the speech from the Throne we find that such and such will be done for the African Land Unit "given the money and given the men", and indeed that applies to almost every policy outlined in that speech. It is all "given the money and given the men" and I am not sure that it is quite clearly enough faced that our money is bound to be limited, and we are bound to have to choose priorities as the hon. Member for Rift Valley so clearly state. On the other side, if we are to have the men we must have a bold and imaginative immigration policy. It is the essence not only of men indeed but of money too, because in so far as money cannot be found from public sources it will have to be found from individual enterprise, and you will only get the money coming in with the men, so I do beg of Government to appreciate openly the necessity for a vigorous immigration policy at the earliest possible date.

The second omission with which I would like to deal, Mr. Deputy Speaker, has again been touched on by other

speakers, but it is the failure to face openly the difficulties that we have by being a three-racial community. This speech was largely a speech on African policy and, in my respectful submission, a very sound one in that field, but I do agree with my hon. Members representing the Asian community that it is an astonishing thing that we find no mention of their community at all—(Applause)—because the whole essence of development in this country is an appreciation that there are three races here and we each have a part to play, and an effort to assess what is the need for each race here and what is the obligation of that race. What particular contribution could each race make? In that respect, Mr. Deputy Speaker, hon. Members representing Asian interests have already spoken for the Asian community. I would, if I may, add a few words for the European community. I should have liked to see in this speech a recognition of what I believe to be an absolute fact that the European community here is a vital necessity to the progress of the Colony in the interest of all races. We, the Europeans, who belong here already have at heart—the majority of us—the responsibility that we as leaders carry for the other races. We would like to see that recognized. We would like to see a recognition that we have already shown that responsibility. It is a fact that the security of the Colony, that the development by private enterprise, the introduction of capital and even more important the introduction of traditions and culture, the teaching of primitive peoples, all races, is to a very great extent on the shoulders of the Europeans and, in my respectful submission that duty has been very bravely discharged up to date and particularly during the last 15 months. So when one finds in a speech these words, "The Government believes in the future of European farming", one would like to see following that a more outspoken statement of the reason for believing in European farming. But in the speech this is all we see. "In fact they consider that the greatest asset Kenya possesses is the soil of its upland country, on which are most of the European farming areas, as well as the whole of the Kikuyu Land Unit, and to the west the Nandi, the Kisi and the Kipsigis".

[Mr. Slade.]

Mr. Deputy Speaker, soil by itself is not the greatest asset of Kenya. The value of soil in Kenya depends to a very great extent on the men who live on that soil and deal with it. What was the value of the soil of the Rift Valley Province 50 years ago?

MR. MATHU: The Masai had it.

MR. SLADE: It is a half-hearted justification in support of European farming.

The third omission, Mr. Deputy Speaker, is, in my submission, a failure to recognize openly and fearlessly the difficulties and dangers we will have to face here if we are to reach the goal that is set for us, in particular the enemies that we have both here and abroad—not only the *Mau Mau* in this Colony but also other enemies here and outside. We know that we share enemies with such places as British Guiana, Nyasaland and other places. Let us face it and let us also face the limitations at present among all of us—every race—particularly the lack of discipline to which reference was made by the hon. Mover and such other limitations which, until they are cleared out of the way, will stand right in our way.

The last point, Mr. Deputy Speaker, I would most strongly support was what the hon. Member for Coast said in regretting that this speech did not amount to more of a clarion call, as he called it. There is not very much in the word always, but in the atmosphere there is a great deal and the lack of clarion call in this speech did strike me as symptomatic of a certain lack of determination to which we have had to refer before. It would have been good to hear in this speech a clear expression of confidence such as the Member for Agriculture and Natural Resources uttered this morning that we are going to come through this dark night to what Homer called "The rosy-fingered dawn". It is there ahead of us but we would like to have heard the clear determination that we are going to get there and get there very soon.

In the very last paragraph of the speech His Excellency said "That an individual who has suffered a very serious illness, who has known the ex-

tremitry of weakness and the depth of depression, and yet who has conquered and recovered, rises from his sick-bed a man of more than usually great vitality and determination. President Roosevelt was such a man. I hope that Kenya will be such a country".

Mr. Deputy Speaker, I should have liked to hear him say "I know", not "I hope". I know that Kenya will be such a country. I can say this for those whom I represent, Mr. Deputy Speaker, that they know that Kenya will be such a country because they are determined that it shall be so. (Applause.)

MR. LETCHER (Trans Nzoia): Mr. Deputy Speaker, Sir, we have seen during the last 12 months how valuable local experience can be. For many years I have felt that our local youth have not had a fair deal. Far more encouragement, I do feel, should be given to our local youths to join the Administration.

I consider selection committees or a selection committee should be formed to hand-pick useful lads at school and these lads should be given the necessary training to fit them for administrative posts.

We have, I know, Sir, one or two local district officers and I think from the experience gained through their employment we might go further. We have, as I say, one or two—at the present stage of development there should be not one or two, there should be many more.

I beg to support the Motion.

THE MEMBER FOR AFRICAN AFFAIRS: I would wish briefly to comment on certain points raised by hon. Members. I would particularly wish my hon. friend, Mr. Gikonyo, to believe that I am not unsympathetic to some of the hardships to which he referred which have been inflicted on the Kikuyu in Nairobi, but at the same time, Sir, the hon. Members of this Council will be only too painfully aware of the serious situation that has arisen in Nairobi, or particularly in the African locations owing to the dominance in those locations by the supporters of *Mau Mau* terrorism. Among those supporters, very largely there was the active and passive support of the very large majority of the Kikuyu population of Nairobi. Bearing this in-

[The Member for African Affairs]

mind, Sir, I feel that it is inevitable that this Kikuyu population should suffer some hardship. It is Government's policy to provide protection and support in so far as it can be done to the non-Kikuyu and, indeed, included in this the active Kikuyu loyalists who are, I fear, very few in number who are showing signs of active support of the Government.

Mr. Gikonyo referred to Kaloleni. It is now well known that it is Government's intention to move the Kikuyu out of this area and replace them by members of other tribes. There will be very special cases of active Kikuyu loyalists who will be given special consideration and allowed to remain. Only those who have been active supporters and not passive sitters on the fence—those who have, for some time, thanked their stars that they have no occasion to give active support to the forces of law and order.

I think until the Kikuyu people of Nairobi abandon this attitude and give active support to suppress this terrorism, they must bear part of the blame and the hardships that must be inflicted on them in the course of Government's policy of restoring law and order.

The hon. Member referred also—Mr. Gikonyo referred also to the shopkeepers in Kaloleni. I know there are a number of shopkeepers and they will have to move—they are in the process of being moved. Every assistance is being given them. I can assure him—I think he knows it—in finding alternative shops by process of swapping with shopkeepers in other areas of other tribes who can move into Kaloleni. Also, where necessary or desirable, they are given the opportunity of taking up plots elsewhere in locations particularly in new areas such as Makadara.

In certain cases the District Commissioner in Nairobi has offered accommodation for the goods of these shopkeepers when moving. So far as I know, they have not yet availed themselves of this offer. Believe me, no stone is being left unturned to mitigate these hardships in so far as it can be done. I repeat that the remedy for avoiding this still lies in the hands of the Kikuyu themselves in Nairobi if and when they wish to give us active support. I trust that this

may not be far distant as we develop the confidence and contact by the process of closer administration and by setting up the protection afforded by increase in the forces of law and order in Nairobi. This still remains in the hands of the Kikuyu to follow the lead that we endeavour to give them.

It will be of interest, I think, to Members to know that we have made considerable progress with the establishment of closer administration of Nairobi. To date, chiefs and headmen have been appointed and are on the ground, of whom three have been recruited locally from Nairobi residents and 27 of whom have been appointed from outside—Nyanza, Ukamba and from loyal Kikuyu in Kikuyu districts. They have with them a number of regular tribal police and also some two hundred special tribal police recruited from these areas.

The hon. Member referred to Kaloleni also as an area—I think he said—where there had been exceptionally little crime or words to that effect. I would also like to mention that in the process of closer administration, the District Commissioner, Mr. Small, and district officers have been holding a series of *Barazas* in this endeavour to establish contact and confidence with Africans in the locations. In only two cases so far have these *Barazas* been a failure. One was in Bahati, the other in Kaloleni where the audience that turned up was practically entirely Kikuyu and the meetings, in fact, ended in some disorder with booing and hissing and cat-calls. This, Sir, was Kaloleni which we are endeavouring to clear up and leave there members of other tribes, of proved loyalty and to give them a chance to establish themselves under their own chiefs and headmen with their own committees and confidence in themselves to resist Kikuyu domination.

I would refer also, Sir, to the speech made by my hon. friend, Mr. Awori, on which I would congratulate him—(Applause)—and his references to local government. I would like to assure him, Sir, that in this aspiration that there should be African Presidents of African District Councils, I should like to reassure him, Sir, that in due course, in the course of time there certainly will be the fulfilment of African aspirations.



[The Member for African Affairs] I would like him to have the patience in gradual development of these Councils which he will agree with me has been very rapid in post-war years. The difficulty of training African staff to compete with the complexity of business involved has been the big burden of the European staff of the Provincial administration who have had to bear the burden of this training, guidance and development particularly, Sir, on the financial side. He will know, I think, in North Nyanza of the enormous sums of money involved, the large areas, the large population, it is indeed the largest African District Council we have. The difficulties of coping with finance and the ramifications of this Council has called for special measures, and attention by the Local Government Department to training measures under European supervision, which we hope, will bring this into order. I hope he will see, we will all see, an African President of African District Councils as they become ready to assume such great responsibility but I think also the real need at the moment is not so much development higher up as development lower down, as His Excellency referred to in his Address the development of locational councils which I believe, in the structure at the lowest level, close to the people, is going to be the most important development of the next few years and a development within the locational councils within the structure of the district councils, within their orbit, is going to be of highest importance demanding our closest attention.

I would like to comment on one point made by the hon. Member for Coast, a point I am sure he will know is close to my heart. The point he made—the necessity for closer contact, closer travelling by district officers. I would like him to know that every effort is being made towards this, every effort is being made in the development of sub-stations to relieve these officers close to the ground of the paper work. That we regard as vital. Such paper work has grown indeed with the complexities of post-war years and it should be done in district headquarters largely by trained officers who, I hope, will be specializing in this kind of paper work. I refer to such people as officer superintendents,

district revenue officers and the like who will relieve the district officers of this work which has hitherto been done by them. But I do support the point he makes. As somebody has said, continuity, contact and camping are fundamental to the administration of African people. I would not agree with him in saying this has been one of the main causes for the present trouble.

MR. GIKONYO: Will the hon. Member for African Affairs reply to the question of the position of Eastleigh traders and property owners?

THE DEPUTY SPEAKER: It is now 12.45. The hon. Member for African Affairs will have the opportunity of passing his reply to some other hon. Member who has not yet spoken who will take part further in the debate.

#### ADJOURNMENT

Debate adjourned.

*Council rose at forty-five minutes past Twelve o'clock.*

Friday, 23rd October, 1953

The Council met at thirty-five minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS MOTION

HIS EXCELLENCY'S COMMUNICATION FROM THE CHAIR—THANKS OF COUNCIL

Debate resumed.

THE DEPUTY SPEAKER: Debate will be resumed on the Motion proposed by Mr. Coventry.

MR. A. B. PATEL (Eastern Area): Mr. Deputy Speaker, Sir, yesterday I had been waiting to hear some reasonable explanation from the advisers of His Excellency the Governor why any reference to the Asian community was not made in the speech of His Excellency the Governor. So far, Sir, I have not heard any explanation except a remark which was made by the hon. Member for Agriculture that all matters cannot be included in a speech of this nature. But, Sir, practical politics require in this country, that as long as we do not approach and consider our problems from the point of view of the population of Kenya as a whole and treat the problems in compartments as Europeans, Asians and Africans, one has to take notice of all the three sections and, in my view, Sir, the omission in the speech is a very serious matter. Now, Sir, I may say that if His Excellency the Governor or his advisers intended to say something at least about the Asian community, I may remind them about one very important matter and that is that for now more than 30 years the Asian community has been asking that in trading centres and townships security of tenure should be given to those people so that they can build permanent buildings. Every time we have received the answer that there are no surveyors. If His Excellency can say Government will give individual titles to Africans and as this will require surveyors they will train African surveyors, His Excellency could very well have stated that it is essential that in townships and trading centres security of tenure will be given as soon as possible and Asian surveyors will be trained very quickly for the purpose and they will not delay it another 30 years.

I can give other instances of this nature, but it will be sufficient for me to say that the omission about any reference to the Asian community is very serious.

I welcome many points of constructive approach to various problems in the speech but I feel there are other important omissions also. There are certain matters of which legitimate criticism can be made. For instance, one notices in the speech mention made about European supervision in regard to certain matters. Now the hon. Member for Agriculture in this connexion attempted, in my view, in a feeble manner to explain why the word "European" supervision has been used. He stated that at this stage there are only Europeans who can do that work. Well, Sir, if the word "competent" supervision had been used, then we could certainly employ Europeans if they are the only people who are competent but that would have left the door open for others to acquire competency and to get into it when the time comes. Where is the harm in using the word "competent" supervision instead of "European" supervision which naturally creates controversy and offends others.

Sir, this leads me to another very important omission which has been made in the speech. As I understand the speech contained not only the consideration of immediate problems but also contained long-range policy and in my opinion, Mr. Deputy Speaker, Sir, one of the most important things which could have been referred to in the speech—at least in the present stage of development in this Colony—that the time has come when emphasis should not be laid on race but on the quality, character and ability of a person, no matter to which race he belongs. Now, if that declaration could have been made from the Throne, I am quite certain that it would have had a very great psychological effect in favour of a peaceful and orderly progress in this Colony. Sir, that would have, in my view, won over the educated minority among the Africans towards us and would have given a feeling of confidence to the Asian community as to their future in this Colony. And one should not overlook the fact that ultimately whatever we may say now, the educated African minority will control their community more than we can hope to do and for

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that purpose, I feel it is necessary whenever such an important speech is made, to say that quality, character and ability of the educated African will count and not his race.

Sir, I believe that there is another important omission in regard to the need of Africans for land. Whether it is imaginary or real the average African in this country believes that he has a very serious grievance in regard to land and wisdom lies in recognizing that and trying to remove that grievance. I would have welcomed on this occasion when there was a long-range policy about agriculture discussed at some length in the speech of His Excellency, to see that a White Paper will be also placed before the country in regard to meeting the needs of the Africans in regard to land. I would have liked to see some reference to a possibility of irrigation projects in the Tana River area for settling Africans there if not in the near future, as early as possible so that the overcrowding in the African reserves could be relieved to a great extent.

Neither of these important matters has been referred to in the speech. Therefore, I believe that the advisers of His Excellency the Governor have not given careful thought to all the matters which would have created a feeling in favour of the forces of law and order at this juncture.

Sir, I was very glad to hear a reference made by the hon. Member for Rift Valley in regard to the fine material in the Asian youths who have been sent by my hon. friend Dr. Hassan, as Director of Manpower, but that should, in my view, completely demonstrate that the Government had at an early stage of the Emergency shown a lack of appreciation of the need of training Asian youths, and even now the Government is pursuing the policy of not giving military training to the Asians which, in my view, is a wrong policy. In view of the fact that there is such a good report from Gilgil, I hope that the Government will revise its attitude in this connexion. I would have liked to see some reference to that also in the speech of His Excellency the Governor.

Now, Sir, on page 11, paragraph 23 of the speech, there is a reference made

in this way: "We foresee the development of African local self-government to take its place by the side of the County Councils recently established in European areas". Now, Sir, I would personally like to contest the use of the word "European" areas. There are more Africans and Asians living in those areas than Europeans and even townships, which are full of Asian traders, are included under the jurisdiction of County Councils. Therefore, the proper word to be used by His Excellency the Governor would have been "settled areas" instead of "European areas". The small things go a long way in creating unnecessary trouble and heart-burning and it is time Government should learn to use proper terminologies in such matters. Probably a class will have to be opened in the Royal Technical College for that purpose! (Laughter.)

Mr. Deputy Speaker, there is another matter on which I would like to make reference. My hon. friend, the Member for Central Area, Mr. Nathoo, raised a question of Indian agriculture and my hon. friend, the Member for Agriculture and Natural Resources, replied to it. Now, I am not satisfied with that reply and I would like to remind him about one or two things. It may be that perhaps the correct position has not reached to his level from the level where these matters were discussed. I would remind the hon. Member for Agriculture and Natural Resources that after the Indian and Arab Settlement Board was appointed, the Board investigated, Sir, the areas near the Tana River and all Government experts gave the opinion that that was not a suitable place for the Indian and Arab Settlement Board and the project had to be abandoned. Then the Indian and Arab Settlement Board made investigation near Mackinnon Road. There were two boreholes made there for the purpose to see if water can be found for use of dairy farming. It proved unsuccessful as the water was not even fit for cattle. Therefore, that area also had to be abandoned.

Lastly, a small area of 3,500 acres was considered at the coast and there also a borehole was made and it was found that the land was not suitable for annual crops or for vegetable crops but was suitable only for fruit-growing. Now the applicants did not desire to go in for

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farming of that nature, they wanted to have either dairy farming or some kind of annual crop. Some farmers from Nyanza Province who felt that there was no room for expansion in that area, went to the coast and saw the place themselves and found that it was not suitable for them; that is why all those who went to the place and investigated it did not renew their applications. Now that is really the position. The Indian and Arab Settlement Board was to look for land in the area that is known as "D" area outside the European Highlands, African reserve and game reserves and forest reserves. This "D" area was the only area available for the Indian and Arab Settlement Board. We investigated the possibility at all three places and found it to be a failure; that is the explanation and not that there was no desire of Indians to make a success in farming.

I would also like to remind the hon. Member for Agriculture and Natural Resources of the fact that on a large scale, two Indian firms have made a great success of sugar plantations, namely, at Miwani and Ramisi.

I have stated in the Council in the past that they have made success, where two Australian firms have failed. I would also like to remind him that Indian farmers have succeeded well in two or three areas in Tanganyika Territory, in fairly good number. Therefore, the only reason, I would like to tell this Council, in Kenya against Indian settlement, is that there is no suitable area where the Indian and Arab Settlement Board can lay its hands for the purpose of Indian and Arab settlement; that is the reason why the scheme has failed. If I do not explain, it would appear that the Indians were the guilty party and did not show sufficient interest in the matter. We had agreed that any Indian who takes land must reside on the farm and do work and not use land merely for investment.

We were prepared to support the hon. Member in regard to that point, but even for that purpose no land was available.

Mr. Deputy Speaker, these are my points of criticism of the speech of His Excellency the Governor and I am very sorry these serious omissions have been made. (Applause.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, it falls to my lot to answer quite a number of the points that have been raised in this debate so far. The hon. Member for the Coast says it falls to my lot to lecture him. If a lecture is the transmission of facts, then that is what I am about to embark upon, Sir. (Applause.)

The hon. Member for Central Area, Mr. Chanan Singh raised the point as to why there had been this delay, as he put it, in the implementation of the three-fifths rule and quoted something that His Excellency had said at the meeting of the Asian Civil Service Association reported in *The East African Standard*. Now, Sir, I would like to quote from *The East African Standard* of the 16th February, 1953, where it says "Members of the Kenya Asian Civil Service Association attending the annual meeting of the Association in Nairobi applauded the Governor, Sir Evelyn Baring, who opened the meeting, which he declared that the Governors of the East African territories had agreed that the "three-fifths" rule governing Asian salaries should be abolished."

The Governor said that the Secretary of State for the Colonies had expressed his concurrence with this view in a speech in Parliament."

"The implementation of this decision in the three territories is, however, difficult," said Sir Evelyn. "I tell you this frankly but I also tell you frankly that in all three territories we are hard at work to discover a method of doing it while keeping more or less in step with one another."

Sir Evelyn then went on to talk about the Civil Service Association, its contribution, where it was drawn from, they should realize East Africa was their home and went on to say "the Salaries Commission was about to start work in East Africa and they would consider many of the points the Association had raised".

Now, Sir, it is fairly obvious that there are so many difficulties in the implementation of a measure like the three-fifths rule, it was only right and correct—I think the report says, that His Excellency realized and said this matter should be referred to the Salaries Commission in



[The Member for Finance and Development] order that it should be brought into line with any other recommendation. That has been done. Government has expressed its opinion to the Salaries Commission and that was then expressed by Sir Evelyn Baring.

There is one point I would like to make, however, Sir; that is, that there is another avenue of, shall we say, remedying what hon. African and Asian Members in the past have felt to be an injustice, which was available for early and quick action, and that was promotion from "C" to "B" and "B" to "A" scales. That needed no reference to the Salaries Commission, and the hon. Member has heard Government Members say, and has seen figures published to show that we have already taken action in that regard. I trust that he will realize that the only delay that has been caused has been through the absolute necessity of referring this matter to the Salaries Commission.

Now, Sir, the hon. Member for the Coast, once again, raised this point about the Cost of Living Commission and my sins of omission and commission of the past. Now, Sir, this has been dealt with in this Council before by myself, but I suppose, as long as the hon. Member for the Coast insists on ignoring the facts of the reply and bringing up the facts again, to once again I must delay this Council by putting the report on record.

Now there are two points in this report, Sir. On page 17, paragraph 72, it says:—

"The characteristics of any payments, loans or subsidies made as a result of these recommendations are, therefore:—

- They are in respect of a temporary phase or a situation which can be overcome by a determinable degree as assistance.
- They are designed to improve the balance and the basis of the agricultural industry.
- They will have the effect of keeping prices low and stable."

Now, Sir, let us turn to the conclusions which are to be found on page 25.

"The Committee appreciates that, with three exceptions, there is little so far in

this Report which offers specific immediate relief to the cost of living. We believe, however, that we have set out principles which, if the Government adopts them, would result in a long-term stability of those prices which Kenya has it within her own power to control. Three steps may be taken which can bring immediate relief."

Now, Sir, let us note the following words:—

"They are steps which can only be worked out in detail with full knowledge of all the financial implications. Because of continually changing factors in revenue and expenditure levels, factors unknown to us we have not made specific recommendations. These steps are:—

- The subsidization of certain items of food. Whether this subsidization should be provided, and the measure of it, is a matter for the Legislative Council to decide, because that body will have before it all the facts. It is the opinion of the majority of us that some measure of subsidization is proving essential, but it is more than likely that, in order to have any general appreciable effect on the cost of living, the figure of subsidization might well be in the region of £500,000."

The next paragraph is the record of Mr. Havelock's dissent to this recommendation. The second point was the immediate withdrawal of customs duties on the Cost of Living Index, and (3) was the re-imposition of Price Control on all essential articles in short supply appearing in the Cost of Living Indices. It says:—

"It is unlikely that any of these steps should be accepted as other than temporary measures, particularly that which deals with the direct subsidization of food. The body of our Report has been directed towards the principles of long-term effect."

Paragraph 111. "If steps such as these are not taken, the opinion of the Commission is that wages will have to be allowed to reach the level appropriate to the prevailing economic conditions of the Colony. In this connexion, it is important to remember that an increase in wages is almost certain to be reflected throughout the price structure. If these steps are taken, they must be regarded as temporary measures pending either

[The Member for Finance and Development] increased output such as to justify higher wages, and/or greater efficiency of production leading to lower prices such as to result in the levelling of prices and wages to an economic standard or any general fall in overseas prices. The adjustment of the standard of living of certain groups in the Colony will have to play its part."

Now, Sir, I think that that page and those conclusions—

MR. COOKE: Just everything I said.

THE MEMBER FOR FINANCE AND DEVELOPMENT:—adequately put on record my opinion, and the fact remains that this Legislative Council, having regard to the expenditure level and revenue level, has never accepted the principle of subsidization, and more important, the fact remains that in every country that I can think of where the principle of subsidization was accepted at that time, in view of the trend of economic events, the Governments have dispensed with it, sometimes at the cost of great political difficulty, but in the full knowledge that if they had maintained it, they would have been in greater financial difficulties.

MR. COOKE: What is the date of the Report?

THE MEMBER FOR FINANCE AND DEVELOPMENT: 1950. The hon. Member knows that well, and since that time things have developed along the lines I have just explained. Indeed, Ceylon and England, to mention two main countries, have been dispensing with subsidies as they could no longer stand the financial strain.

MR. COOKE: My point was, that the hon. gentleman recommended he was in favour of subsidies—he has changed his mind. The hon. gentleman has had every opportunity—he has been three years on the Government side—to bring in a Motion to that effect; if he has changed his mind—

THE MEMBER FOR FINANCE AND DEVELOPMENT: I seem to have wasted a whole page of reading. Nevertheless the record will speak for itself, but there is no indication in that that the hon. gentleman has changed his mind.

MR. COOKE: The hon. gentleman is always so vague.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. gentleman is being pretty blunt on this occasion, but the hon. Member for the Coast always regards vagueness as something which says "No" to him, and a positive assertion something which agrees with him entirely.

The hon. Member for the Coast also raised the question of housing, as did the hon. Member for Rift Valley. The question of ministerial responsibility is, of course, not within my province—my hon. friend, the Chief Secretary, will deal with that matter—but in the absence of the hon. Member for Health, Lands and Local Government, and because of the financial implications, I must deal with it. I hope, however, that the hon. Member for the Coast will not, because I am dealing with it in debate, continue with what seems to be a misapprehension of his, that I was responsible for housing, or had anything to do with housing, other than a general acceptance of the collective responsibility for both the good and bad decisions of the Government.

MR. COOKE: . . . (Inaudible).

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. gentleman has no need to fear in this particular instance! But I would like to deal with some of the points that have been made on this. The hon. Member for Rift Valley said that he hoped two things would happen—wages would reach a point where an economic rent for all housing was possible, and (2) that the standard of housing would not be of a standard beyond the economic capacity of the wage earner. Nobody could be more worried and disturbed than the Member for Finance and Development at the great growth in the subsidization of housing. The hon. Member for the Coast is very fond of quoting certain reports in which he says I have changed my mind. Perhaps he will quote the Report which I published on housing in the days I was responsible for it, and he can see that this is one particular activity where he cannot accuse me of vacillation.

MR. COOKE: A very good Report, if I may say so. (Applause.)

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Thank you. Now, Sir, one of the great dangers of this interim period—and I do say interim period—of African development is that, if we are not careful, we shall produce, what I would term, the sub-economic man—a man who looks automatically to the State without having passed through what I shall call the wage-earning and wage-productive phase of man's development. One of the ways in which we can prevent that happening is obvious. It is a pressing forward with the principle of African ownership in housing in urban areas, so that the whole economic training is available to the African and is possible for the African. And it is because of that, that in a large element of Government housing to-day Government policy is pressing forward with the principle of letting the African own, build or purchase by tenant-purchase terms, his own housing. At that point, Sir, the two principles laid down by my hon. friend, the hon. Member for Rift Valley must, I think, emerge naturally, but he has raised something which must be in the minds of everybody who has to deal with a housing problem, because it is more than housing that it concerns, it is the economic basis of development of a large proportion of our population.

Now, Sir, Government is often told that it is doing little in this matter, and, perhaps, this would be a good opportunity to point out what is being done, partly by Local Government authorities, partly by Government inspiration, and partly by Government directly. In the years 1945 to 1952, the Nairobi City Council have built accommodation for some 12,000 people. In the first quarter of 1953, some 432 accommodation places have been built, and in the second quarter of 1953, 420.

Now, let us look at the progress since June of this year in the Nairobi City Council. Housing for rent—completed—accommodation for 774 persons; housing for rent, under construction—accommodation for 2,686 persons; Makadara, the low-standard, owner-built area, since June, 1953—800 persons, accommodation completed; African-built permanent, completed—accommodation for 70 persons; employer-built, completed, accommodation for 100 persons; which

shows that there is a considerable move on now with this matter.

In Mombasa, between 1946 and 1953, accommodation for 2,500 has been built. This programme—six blocks of 12 flats for staff housing, costing £50,000, and 62 two-storey blocks of eight rooms each for general renting, costing £145,000 are under construction in the development of further African housing. Changamwe is now being considered by the Central Housing Board and plans being got out, now that finance looks like being available.

In other urban areas accommodation has been provided to the tune of some £450,000, which includes 2,200 accommodated in owner-occupier housing at Thika and a scheme which will house 1,900 persons is under construction and partly completed at Nakuru.

In addition to that, since 1946, Government has provided the following family quarters:—

In the Central Province South, including Nairobi—3,764.

Central Division South—547.

Coast—1,279.

Rift Valley—1,095.

Nyanza—1,025.

A total of 7,710.

The Government's future programme will provide an additional 2,310 quarters at a cost of £800,000.

Now, Sir, let us say that these are no mean achievements in a country of limited resources, and that indeed, a considerable amount of money and forethought are now being given to a speeding up of the expansion of that programme. A number of hon. Members spoke as if the only money that was being made available for African housing was £2,000,000. I think there is some misapprehension in the minds of some of the hon. Members. The Nairobi City Council programme for 1953-1957 has £2,000,000 in it for African housing—that is, over five years at the rate of £400,000 a year. It is a stupendous programme for what, after all, is a small city of 150,000 people, most of whom are not direct ratepayers, even though they contribute indirectly. The Council will

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will be well aware that, only recently, the Council agreed to the setting up of a local Loans Authority and Government has granted £1,800,000 to that Authority to make available money for the local authorities' projects. Now, one-sixth of those projects, that is another £300,000, is for housing. That is in addition. In addition to that, thanks to the assistance and co-operation of Her Majesty's Treasury in Great Britain, we were able as a Colony to break new ground and obtain £2,000,000 on loan from the Colonial Development Corporation—the final terms are yet to be settled during my visit to England next month—for the purpose of African housing. Now, if we put the total effort that has been made, and the total effort that is now being possible, because of the availability of finance, I think you will see that Government has given this African housing drive a tremendous impetus.

**MR. COOKE:** Who said they had not?

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** The hon. Member opposite. The hon. Member opposite can read his own speech.

**MR. COOKE:** On a point of explanation, if the hon. Member will give way—

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Yes, I am giving way, we get tired of this—

**MR. COOKE:** I did not mention the housing scheme—I requested the hon. gentleman to see that the £2,000,000 which is going to be lent by the Colonial Development Corporation is put into the hands of a certain person on the other side of the Council, whose sole responsibility it will be. I made no criticism of the housing problem in my speech. I said the pilot scheme at Thika was being criticized.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** The hon. Member will correct himself—he never mentioned the Colonial Development Corporation.

**MR. COOKE:** Yes.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** The hon. Member implied that some Minister for Housing

must be created, and that was criticism of the housing programme. The hon. Member must allow me to defend the programme. If he desires to criticize and hit the Government, he must appreciate that Government will defend itself.

**MR. COOKE:** It is the usual Government attitude!

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I am glad to hear that "hitting back" is at last becoming the usual Government attitude! (Applause.)

Now, Sir, with that money available, and with the Central Housing Board operating on the principle of the three groups, the money being made available for housing for renting, for loans to employers to build houses and for loans to Africans to build their own houses, it seems to me there is nothing to stop employers and Africans and local authorities coming forward with a very definite advance in their programme, to use that money, because I should hate to think, having obtained the money, it should lie idle and cost us further money for any further period of time.

On the question of the Thika Housing Scheme, I think the hon. Member used the words he rather thought "it had been a failure". I would not agree with that of course.

The scheme was a pilot scheme. It provided accommodation for some 2,200 Africans at a very small cost indeed to the Government public funds. It provided a large number of Africans with ownership of property in Thika. Let me say straight away it has not been entirely successful.

There is an excellent report drawn up by the Local Government Inspector on the reasons for the success and failure of the scheme, and I suggest the hon. Member and, indeed every Member of this Council, should ask for a copy of that report, because it contains some very useful lessons for the future; that was the idea of a pilot scheme. We found, of course, probably due to the early switch over to local authority, that supervision has lapsed at a certain point. For instance one of the principal ideas in that scheme that there should be created from African owners of property, a small village committee to give them the sense of responsibility for their own areas; that had not

[The Member for Finance and Development] been followed up. That was one of the integral parts of the scheme, and there are a number of things that, indeed, have not been done in the final issue which were contained in the original report and recommendations. There has been an over-letting, but surely one of the great advantages of that letting is that at least the African owner of the house is provided with an economic income to enable him to purchase his house. After all, houses are essential and important, and they have provided accommodation, as I say, for some 2,200 Africans, who before were sleeping we know not where.

The hon. Member for Rift Valley dealt with the question of industry and the decentralization of industry. The Government agrees it is desirable to decentralize, but in industry there are a great many difficulties about decentralization. In the first place, as the hon. Member is well aware, the main four principles which will guide industry in siting itself are the availability of water, the availability of power, the availability of transport and the availability of housing.

MR. BLUNDELL: None of those four items are readily available in Nairobi.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. Member is correct only to a degree. If they are not available in Nairobi, they are unfortunately less available in other industrial areas, so that the difficulty of those four points, and the fact that power—to a very great extent—and water—to a very great extent—transport—to a very great extent—and housing—to quite a reasonable extent—are available as compared with other places, has drawn most industries to settle themselves in Nairobi, plus, of course, the fact that Nairobi is the focal point of transport and communications—which is a very great point.

MR. COOKE: I—

THE MEMBER FOR FINANCE AND DEVELOPMENT: I want to explain this point because I know what the hon. Member is going to get at. (Laughter.) I should like to explain this.

In our attempt to decentralize we offered land at very low prices at, for instance, Thika, as compared with

Nairobi, but, strangely enough, most of the firms have preferred to pay the much higher prices for land in Nairobi than the lower prices for land at Thika because of the commercial considerations involved.

Now, Sir, what does the hon. Member wish Government to do? You are not suggesting that we should direct industry to go to a certain place, irrespective of the economic considerations, because if you do that then you can turn round and say "Industry will not come to this place". Industry is not going to be dictated to in terms like that, and all that we can do is to offer the greatest possible incentive to them to go to places we think are desirable.

Now, Sir, in the proposals submitted to the Planning Committee, we have asked for the provision of sufficient funds to enable development to be carried out in places like Nakuru, Kisumu, Eldoret and Kitale—to develop on lines which will be attractive to industry, and if the funds are available, there is little doubt but that progress will be made in those directions; and I believe the correct method to be used is that of encouragement and incentive, rather than that of direction.

MR. COOKE: May I correct one thing? I think the hon. gentleman said I alleged that the pilot scheme had been a failure. I did not say that. I said it had not proved the success that was anticipated. (Laughter.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, the charming incoherence of the hon. gentleman's Irish nature comes out from time to time and gives us both pleasure and, at times, pain. (Laughter.)

Now, Sir, I think that has covered most of the points with which I have to deal. The hon. Member for African Interests, Mr. Gikonyo, will, I trust, take the remarks I have made on African housing and African ownership as being an answer to himself, and an assurance that this is definitely a part of the Government housing policy.

There is one last point, Sir, which arises out of the remarks made by the hon. Member for Rift Valley, and the hon. Member for Central Area, Mr. Nathoo, and my old friend, the hon.

[The Member for Finance and Development] Member for the Coast. Now, Sir, this is dealing with the financial position. I think the hon. Mr. Cooke used the words that there was "no clarion call to victory" in the financial sense. Quite frankly, I am not sure at this particular stage what clarion call to victory there could be in a financial sense. The financial position is an extremely difficult one—and a very delicate one. Mr. Cooke also knows well enough that I am laying the Estimates for the first six months of 1954 next week, and he would not expect me to fall into the trap at this stage of anticipating a long discussion on the financial procedure: but the hon. Member for Rift Valley said that a large number of the proposals made from the Chair were of a tentative nature. The hon. Member, Mr. Nathoo, said we must give consideration to the ultimate fate of the social services. Both are very right, Sir—both are right—because in many of the things we are planning to do there can be no possible answer until we know the final position. The Emergency has been a drain upon our surplus balances. Money has had to be used for the purposes of destruction which could well have been used for the purposes of construction—for our people—and which, as I have said before in this Council, I, personally, as Member for Finance, would have been in favour of making available for development purposes, even though it meant running our surplus balances down to some extent: but the plain fact is that the money is not there and, until we know where the money is coming from, it would be misleading to the population of this country to offer more than tentative proposals. His Excellency's speech is quite definite in that. It says: "This is what we will do if we can find the money"; if we can find the money, that is what will be done. Money is not an easy thing to find.

MR. COOKE: A platitudinous remark!

THE MEMBER FOR FINANCE AND DEVELOPMENT: It may well be that hon. Members opposite, when they look to the future, will be prepared to accept the burden of extremely heavy taxation, so that money can be found. I should have been delighted to have heard somebody in this debate express a willingness to that effect because that would have

enabled us to turn with confidence from the tentative basis to the positive.

MR. HAVELOCK: You kill the goose that lays the golden egg!

THE MEMBER FOR FINANCE AND DEVELOPMENT: That is a matter for argument and discussion and, in any case, if the hon. Member had not anticipated this matter—at least he could have paid me the compliment of waiting until after Thursday before talking about the lack of the clarion call to victory. (Applause.)

MR. MATHU (African Representative): I should like to congratulate the hon. Mover, Mr. Coventry, for his excellent maiden speech, but to say that, of course, I do not agree with everything that he said.

I should like, Sir, to preface my remarks on this Motion by saying that the first priority for the future development of this country, in my view, is harmonious relationship of the communities that live in this country. (Applause.) We can have as much money as we can get from the hon. Member for Finance and Development, or as much money as we can get from the communities here, but unless we reduce the racial tensions that hinder development in this country, I do not think we can achieve very much. Therefore I do say that to-day and to-morrow and; in days to come, the future of this country depends upon the friendly relationship between all communities that live here and, following from that, I should like to say that I was sorry to see two things that do not past that test, which I say is first priority.

The first was the omission in His Excellency's speech of the place of the Asian community in the development of this country. The second was the remarks of the hon. Mover, Mr. Coventry, where he denounced the whole African community by saying that their development is hindered because they lack three qualities—reliability, stability and productivity.

I think I had better deal with this remark first. I should like to deal with them in reverse order—that is, to show that he is entirely incorrect to say that Africans, as a community, lack productivity. (Laughter.) Individually, he

[Mr. Mathu] may have something to say, but colloquially, it is incorrect I shall try to be as objective in pointing out to him that his basis of argument is utterly incorrect.

First of all, Sir, the African plays a very important part in the development of this country—not only in his own areas, but also in the settled areas and in the urban areas. I need not say, Sir, that it is important to have the three main factors of production, which are accepted by all the economists—that is, land, capital and labour—and outside his own areas he contributes, indirectly if you like, to the production of agriculture and to commerce and industry as a wage-earner, and any person who studies the Government reports from the Labour Department, and who studies the quarterly Economic and Statistical Bulletin produced by the East African Statistical Department, will see that nobody can deny that fact—that the African plays a very important part in production outside his areas. Not only that—he does that—but he is also expected to produce in his own areas for his own consumption and for surplus for marketing outside—and he does that also—and if anybody can tell me that is not the case I cannot believe it because it is not so.

My hon. friend did say that the African is handicapped through lack of knowledge of modern agricultural methods. I hope when the Estimates come he will support the African Members when they ask that more money should be spent on agricultural education for the African, in order that he can have the knowledge that is necessary for better farming in this country.

I should like to say, Sir, that, in introducing the Estimates for 1951, the Financial Secretary told this Council that our national income for 1950 was £82.7 million, and he went on to break up the figures—break down the figures—to show how he got £82.7 million. Agricultural production contributed £36 million towards our national income in 1950. Out of that, £13.4 million came from non-African agriculture. The Financial Secretary at that time did not tell us what the balance was, and we had to do the calculations ourselves, and we found that, by subtracting £13.4 million

from the agricultural contribution of £36 million, the result was that the contribution from African agriculture was £22.6 million.

Now, if my hon. friend tells me that Africans lack productivity when he contributed nearly double the amount of national income than other communities in 1950, I do not know what he means.

MR. BLUNDELL: Will the hon. Member give way? Only for the purposes of record I would like to make a note of the figures which the hon. Member has quoted which relate in particular to subsistence agriculture.

MR. MATHU: Mr. Speaker, for the purposes of record I will quote in due course the export figures from African agriculture. Those will not be subsistence—they are all in the books here. Even if subsistence agriculture contributed that, I would say that is an important factor—you have to keep body and soul together in order to produce. In any case, if African agriculture contributed £22 million odd, that is a very important factor.

The next point I want to make is about the productivity of the African. I would like to quote only one—one which is the group production of maize. In the 1947/1948 period the maize which was delivered to the Maize Control by the various communities, as regarded in the Department of Agriculture Report for 1948, is as follows: "European maize delivered to the Control of that year was 395,471 bags. Maize delivered to the Maize Control by the African community was 668,194 bags". Nearly double the amount!

Now surely the figures show that out of 1,063,665 bags produced in that year the African community produced nearly 50 per cent of the maize delivered to the Maize Control. The maize consumed by Africans in their own areas—the maize that is marketed through some other channels than the Maize Control—are not reported for 1948, and if my hon. friend says that Africans do not produce—lack productivity as a community—I suggest that we cannot support that.

Now, I will give you one further figure, Sir, of livestock. The livestock produced by Africans in the 1947/48

[Mr. Mathu] period as again reported in the Department of Agriculture Report of 1948 were as follows, to give you a round figure—European cattle, sheep, pigs and poultry, 1,047,800 all put together. In the African areas—cattle, sheep and goats put together—the total given here 10,500,000 in the 1947/1948 period and I notice, Sir, that in the case of the African livestock, no estimates, no statistics were given in the case of pigs or poultry. As you know, Sir, if poultry was included I think there is a chicken in every African village in this country. There are millions. The Wakamba alone have been feeding this country for years with chickens, but it is not recorded here, and then we are told, Sir, that Africans lack productivity. It is very difficult to follow.

Now last year, Sir, when the Estimates for this year were being presented the Financial Secretary suggested that there had been a tremendous output in non-African agriculture and did not indicate what the African production was in the case of African agriculture. But His Excellency the Governor had held a Press conference some time last year and he gave us the information, and with your permission I would like to read the HANSARD of my speech of 18th November, 1952, column 92. "On the 15th November, His Excellency the Governor of this country, Sir Evelyn Baring, held a Press conference and is reported to have said this: 'The Government also have very much in mind the development of African agriculture. It had often been said that Africans in Kenya were not allowed to grow the more valuable plantation crops—coffee, sisal, tea and pyrethrum. We are coming out of that stage now, the figure for the sale of surplus African cash crops in 1946 was £1,377,000. In 1951 the figure was £3,268,000'."

Now, Sir, that does not support the view expressed by the hon. Member that Africans lack productivity. Neither does it support the point of the hon. Member for the Rift Valley, who interrupted me by saying that was subsistence agriculture. These are cash crops, they are sold for export and in fact it is known and they are all recorded in this quarterly Statistical Bulletin which my Member

can study and see what the African contribution is. Now, Sir, those are facts and I said I want to be as objective as possible, and if I wanted to take the time of the Legislative Council, I could quote more figures just to show how irritating it is when I hear incorrect statements made against a community that, in spite of its shortcomings, is doing all it can to contribute to the development of this country.

I would like to give one final example of this quality of productivity. I do not know whether my hon. friend the Mover has had the opportunity of touring African areas outside the Mombasa Island. (Laughter.) If he has he will see that remarkable progress has been made by the African in building better homes and better farms within a very short time. I would like to invite him, if he would care to come with me, to tour some of the areas in Ukambani in the Central Province, in Nyanza Province, and in Nyanza I would like to take him to Kipsigis where they are clearing grass and trying to produce better cattle—I would like to take him to Kisil Highlands and show him there how the African is working as fast as possible to produce good coffee. I should like to take him, Sir, to North Nyanza to see Kitoshi farmers working hard to produce most of the maize with which we feed the labour of this country. I would like, also, to take him to Nandi to see one of the best bush-clearing schemes in the country, the better cattle the Nandi are producing, and better farms—I would like to show him all that. I would like to take him to the shopping centres to see African shops put up with permanent materials, although not very big, like the big shops in Mombasa. That shows in 50 years where they have got to.

I would like to take him to some of the homes of the people there. You will see as good a cottage as in parts of rural England.

I can take him next door here near Nairobi and show him lovely homes run on the English style. If I take him to the rural areas he will see the quite good development of the Africans, and as my hon. friend the Member for Finance and Development has indicated, the way Africans are building their own homes.

(Mr. Mathu) taking out plots and building their homes in Thika, Nairobi, Nakuru and elsewhere.

Now, all these things, Sir, I had to go into in great detail, because I think it is important to keep a record so as to give the other point of view.

The other two qualities that the Africans are accused of lacking as a community—I shall deal with them in less detail.

If a community can do what I have described, Sir, can you say that community lacks stability and reliability? I do not think you can—a community able to do that within 50 years of British rule in this country cannot be accused of lacking reliability and stability. Some of them have no reliability or stability. Is that a peculiarity of the African community? Have we not seen unreliable non-Africans and unstable ones in mental asylums of other countries? No, Sir, it is better we should keep our feet on the ground.

I would like, Sir, having dealt with my hon. friend the Mover, Mr. Coventry, to deal with the other point which I thought was unfortunate, because as I say the basic factor of a happy future of a Colony is the living together as brothers and sisters and giving our contribution in the best way that each person can.

That was the position of the Asian community. Now historically the Asian community is a member of this Colony and they will stay here just as Europeans will stay here. I do not think I need say Africans because the Africans have got no other home—whether we like it or not, we have got to die here and we cannot go anywhere else.

MR. HAVLOCK: Ours too!

MR. MATHU: I beg your pardon?

MR. HAVLOCK: Ours too!

MR. MATHU: I agree entirely with the Member for Kiambu, because without that, there could be no partnership, we have got to be partners here now and forever. It is for that reason I do suggest that Government slipped by not including a remark on the Asian community, but the irony of it all is that the Asian community have had wonderful opportunities

given them by Government here. In every department they are the seconds—in public service they are there—Europeans on top and Asians second. In fact Indians run the departments—the European just sits and asks for the file to sign! That is the irony of the whole thing! In the education world we have big Asian schools run by the Government—we have the biggest school run by the Government in the whole of East Africa—there are about 3,000 Asian children at one school in Nairobi, it is run by Government. Look at the buildings for Asians in Nairobi, perhaps the best building for schools I have ever seen anywhere. You leave them out—that is the irony! Look at the business opportunity the Government of this country has given them in preference to anybody else! Look at the shops in Nairobi, Nakuru and Mombasa. Indians get licences wherever they go—Africans cannot, that is not the same—that is the ironical side of the whole thing. What does it mean? Does it mean that Government knew that the Indian has everything he requires in the country? That it was unnecessary to mention him? (Laughter.) It amounts to it because he has everything in this country, and therefore, I suggest—I would like to support the hon. Asian Members in their protest, to say that it was unfortunate that that happened.

Now, as for the rest of the speech, I will detain the Council only for a very short time. Now the policy as outlined in His Excellency's speech in regard to African development—the point that I feel that Government needs an opportunity to tell us exactly what they are going to do is what they are going to do to reduce the congestion in the most congested African areas. I refer to the three Kikuyu districts in particular and possibly to certain districts such as North Nyanza and places like Teita Hills, where you have a very high density of population. What is the solution? Government did tell us in His Excellency's speech that they are going to try to improve the agricultural capacity in Kikuyu districts by absorbing those Kikuyu people who have been displaced from elsewhere. How are they going to do that? Irrigation schemes, clearing the bracken areas, soil conservation and cash crops. That is no solution! You have brought over 100,000 Kikuyu from the settled areas, they are

(Mr. Mathu) land now, and you tell me that these schemes will ever solve our problem! The bracken areas—I know all of them in the three Kikuyu districts. It is a fringe near the forests of perhaps—varying in width—of one mile to three miles deep. It is already inhabited, people are there with cattle. Even if you remove the bracken how many people can you settle there? What I would have liked Government to say, subject to financial and staff availability, is a sort of Kenya T.V.A., as they did in America. The Tennessee Valley Authority. Something on a large scale where you can move these Kikuyu and others living in rural slums—that is what we want to get from Government. Then say, "That is the scheme—how are we going to finance it?" Government has indicated in His Excellency's speech that we have to get financial assistance from elsewhere. Surely that is the scheme? Not only that His Excellency did realize that our security and prosperity depend on this particular problem—the agrarian reform amongst the Kikuyu people. I also believe unless we can succeed in the measure we take in this matter that is agricultural reconstruction, there will be no security and no prosperity. It is a serious matter, Sir, he admits it is a serious matter. The way that they have suggested here is not the way of tackling the problem. It is the way of removing nearly 30 or 40 per cent of the population from these areas and settling them elsewhere—that is the only solution. I know that Government is hard-pressed in certain directions—they are being told "If you did that, when the Kikuyu is causing trouble, it is a form of appeasement, we do not want to do anything like that", then in the same tone he says, "If we do not succeed in this matter, we shall have no security and no prosperity". If the matter is of such great moment, of such great importance, can anything stand in the way of making the scheme enabling us to have the security and prosperity we desire? My answer is no. My answer is that we should go ahead and produce a scheme that will solve the problem.

The other scheme they mentioned here is the question of security of land tenure. It is a matter with which I, personally, and the African Members—with the support of other Members of the Council—

have pressed very hard indeed. But the proposal here of special land titles, Sir, does not go far enough. It is prefrayed by the right of occupancy. We have the right of occupancy now under the provisions of the Native Lands Ordinance. What we want is the right of ownership where the land is owned individually, not the right of occupancy; we have that already under the law. I suggest that it is a matter Government should consider very seriously. Similarly we want security of tenure in our trading centres, in markets, where Africans have put up permanent shops—they have no security whatsoever. I suggest the time has come when we should give them title deeds which they can transfer—in other words, negotiable instruments to raise capital, which they can use. It is not necessary to go into a cadastral survey, it is possible to improvise, somehow, until we have sufficient surveyors to help in this work. But Government only went half way in that and it is a very important matter, Sir, and I suggest that Government should reconsider this matter as they said they would like to have a pilot scheme—a pilot scheme to give individual titles, not rights of occupancy but rights of ownership. Proprietorship, that is what we want in a number of areas.

I would like to make one more comment on the Governor's speech and then I sit down. I refer to this question of roads. Now, His Excellency did say the survey had been made of the road system in the African areas, and there are plans which will have to be put into operation for the improvement of these roads. Now, my view has always been for many years that there must be a programme where you have to hard-surface main trunk roads in African areas. There is nothing that has hindered the execution of the Emergency in African areas more than this question of communication. In wet weather it is impossible for the Military police or other members of the security forces to get to the areas of crime quickly. They cannot get there as it is a lake of mud and they cannot pass, and I do suggest, Sir, the time has come when we should have a progressive programme of hard surfacing of some of the major roads in African areas, not only for strategical purposes, but for the economic life-movement of produce from African

[Mr. Mathu] areas to the marketing areas. That is not possible unless we have a network of good roads. I am not referring to the urban roads. They are looked after very well by the Road Authority. I think we are being left out in that respect—I think something should be done.

Now, Sir, I support the Motion. (Applause.)

MR. DEPUTY SPEAKER: Hon. Members it is now the time of our customary break. Council will adjourn until fifteen minutes past Eleven o'clock.

*Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.*

MR. MADAN: Mr. Deputy Speaker, Sir, on this Motion which has been moved by Mr. Coventry to express thanks for the speech from the Throne, I feel he cannot be feeling very comfortable after the speech of my hon. friend, Mr. Mathu, and he must bear in mind that if we criticize the speech we are not being ill-mannered to His Excellency, but we are trying to bring home to Members opposite, the advisers to His Excellency, certain home truths.

As I see it, Sir, this country is like a stool with three legs, the Africans, the Asians and the Europeans. On top you have the country, and then you have three legs supporting the country. It has to be hammered home to the Members opposite that the omission not to deal with one leg could make this country fall flat. If the omission not to deal with the Asian community was accidental, then I submit it is proof of shallow wit on the part of hon. Members opposite; if it was deliberate, then, in my opinion, it is a proof of no wit at all.

In the speech itself great emphasis has been laid upon the agricultural problems of the Colony and, indeed, as we are situated it must be so. An attempt has been made to enunciate the policy from a long-term point of view. Again, indeed, it must be so. It is from that angle that I look upon this speech in this connection. Are we to understand, Sir, that not only now but even in future, the Asian community will have no share in the agricultural projects of this Colony because references are confined to Africans and Europeans only and, al-

though the hon. Member for Agriculture would say that opportunities have been offered to, Asians who have not taken advantage of them, I still join issue with him, although my hon. friend, Mr. A. B. Patel, has already answered him effectively. What has been offered to the Asian is a school at Morogoro which turned out to be a fiasco in my opinion—I am sorry the hon. Member for Agriculture and Natural Resources is not present; and the second scheme at Mackinnon Road was also a fiasco. What we were offered then was a gardening scheme at the Coast with three defects inherent in the land that was offered to the Asian community: first, there is no water there; secondly, it is disease-ridden—infested with Malaria; and thirdly, it is not real agricultural land. I have heard from the hon. Member for Agriculture often the same type of rigmarole as yesterday, that Asians refused to take advantage of the opportunity offered. Where are those opportunities I ask, Sir? Can anybody honestly and logically say that Asians are incapable of taking their share in the agricultural projects in this country and developing them to the advantage of the country? I submit, Sir, that no one could honestly say that, but I feel, and the Asian community feels, that we are left out of the agricultural projects and other projects of great importance, not because we are not capable of carrying them to their successful conclusion; but because, either the Government will not just have us, or they are too afraid of the European settlers to give us a share in these projects. And, on the occasion of the making of this speech, a golden opportunity was provided to show to the Africans and the Asians that not only the Government of this Colony but the Unofficial European population trusts these two communities by having recruited the necessary numbers for the police force locally instead of having gone abroad to do that. As you are aware, Sir, Government has been recruiting English police officers in London; on contract basis, at salaries of, I understand, £100 a month. Compare that to the Kenya Police Reserve here—the Asian and European Kenya Police Reserve. I understand the Asian is paid £20 a month, and the European about twice that salary. The Africans must be

[Mr. Madan] less than half. Even compare that to the £100 a month offered to be paid to recruits in London, or in England if you like, and also bear in mind that the recruits in London are ignorant of the conditions of this Colony, new to the problems with which they will have to deal and very much more expensive. On the one hand, the hon. Member for Finance talks about reducing the expenditure arising out of the Emergency, on the other hand, this is a perfect example of throwing away good money. But the point I want to bring out, in connexion with this, is, Sir, that the venture to recruit police officers abroad shows lack of confidence in the Africans and Asians in the Colony, and it is in my submission disgraceful. We cannot, on the one hand, state that three communities should march together to restore law and order as speedily as possible, and in the very next instant tell them, at least two of the communities, that we do not trust them at all. That is exactly the inference to be drawn from the recruitment of police officers in the United Kingdom.

Now, Sir, I have always noticed that recently in the past when Government is driven into a tight corner, as a result of an attack from this side, they either put up the Member for Agriculture or the Member for Finance to defend them. The Member for Agriculture has already spoken, so has the Member for Finance, although the latter very wisely refused to be drawn out—some Members on this side tried their best—but neither of them, including the Member for African Affairs, who has also spoken on behalf of Government, have even attempted to deal with the most serious charge which my hon. friend Mr. Nathoo and other Asian Members, have levelled against the Government, and I mention this now because I expect, in fact I am pretty certain, the hon. Chief Secretary will be speaking in this debate, and we would like an answer from him as to why the Asian community has been completely ignored. They may not have the courage to answer it, I agree with you, and I am going to give the reasons, Sir, why we insist upon an answer: Let the answer be what it may, but it is as essential for the Asian community to acquire confidence in their

stay in this Colony as it is for Europeans themselves, and as it is for the Africans, that Government will provide the Africans with means to acquire stability and means to share economic advantages of this Colony. I do specifically ask, Sir, for an answer, and we are hammering home the point, as I said, to see that such an omission will not take place in future. (Applause.)

MR. MACONOCHE-WELWOOD (Uasin Gishu): Mr. Deputy Speaker, I would like first of all to congratulate the hon. Mover on a very well put maiden speech, and in doing so, I would like to say that I appreciate that although his speech has been taken by some speakers on this side as carping criticism of the African, that was not the intention of the hon. Mover. The intention of the hon. Mover was to put certain points candidly as a means of telling the Africans their shortcomings which had to be cured by themselves as no one else could do it and his whole intention was to give assistance and, in saying that, I should also like to congratulate the hon. Mr. Awori for the spirit in which he took the remarks of the hon. Mover. (Applause.) It was to me, at any rate, particularly refreshing to hear Mr. Awori take those remarks, not as criticism, not in the usual spirit of this Council—bitterly and racially—but as something he may not have liked but was intended to help his people. Mr. Gikonyo in his speech made a great point of certain injustices that are being done, in his view, in Nairobi to the Kikuyu people due to necessary steps to restore law and order. I want to refer to this briefly because I think it is a matter of great importance.

Before I do so, I would like to quote from a White Paper issued in Malaya during the present troubles in which the policy of the Government was clearly laid down in this way. I am quoting from memory, but I think I am correct. It said that when a movement exists for the overthrow of ordered Government and the constitution of the country, it then becomes necessary to take steps which are unthinkable in ordinary times and it is often necessary to put people under restraint, and this is the point, not for what they have done but what circumstances have shown they are likely to do. Now that is probably one of the



[Mr. Maconochie-Welwood.]  
strongest things put in any White Paper by the British Government in any country dealing with a revolt of the type existing in Malaya—which is not dissimilar to that here—and nobody more than myself deploras the injustices inevitable to-day, but I think we should not lose sight of the fact that at this time in Nairobi the restoration of law and order is so vital that the whole Kikuyu people may well have to suffer to some extent for that and ultimately this disastrous Emergency emanated—I say this advisedly—from the vast majority of the Kikuyu people. Now that can be proved, and is being proved, all over the country even in areas where there is no intimidation whatsoever by the fact that with Kikuyus, generally speaking, 60, 70 and 80 per cent have taken one or other of the *Mau Mau* oaths, and I say that in order to get some sort of realization into the heads of the Kikuyu people that when measures are taken which cause injustice to some who may be innocent, it is a thing that the tribe have brought on their own heads and the overwhelming majority of the tribe have brought on their own heads. I should like to see a position where those who come openly on the side of Government are rewarded and given everything we can think of to help them, but those who remain on the fence should suffer various and increasing civil disabilities until they declare on which side they are.

I would like to refer briefly to the Hiley Report. I am sorry the hon. Member for Agriculture is not here. What was stated in the speech from the Throne about forestry is somewhat evasive and lacks decision and in this I would like to say that it has been a very great pity that the whole matter of the Hiley Report has been shelved for so long by Government, and nobody better than myself knows how that came about. It was pushed to and fro, to the Colonial Office and out here again and no decision was reached, and unfortunately, with changes in the administration of the forests, there have been differing views on the Report with the result that no settled policy exists to the very great detriment of the forest state and the very great detriment of the milling industry.

The hon. Mr. Mathu, in a speech in which he sought, perhaps unfortunately to exonerate the African from some of the charges that the hon. Mover made—made one or two points that I cannot let go by without comment—he seems to think that the contribution of their own subsistence food by the African is in itself a contribution to the economy of the country. Now I realize that it is not the African's fault he does not contribute more. I realize also that, as the hon. Member for Rift Valley said, the Africans are the overwhelming majority of the people of this country, and it is up to us to lead them to greater productivity, and there is no real point in arguing about their merits or demerits; nevertheless, it is important that they should realize that subsistence, agriculture as such, is not a contribution to the wealth of the country. The contribution that an individual may make to the wealth of the country is not in keeping himself alive but the surplus he contributes to raising the standard of living and the general well-being of the country.

He also mentioned the number of cattle and stock owned by the Africans, and that I feel I must touch upon briefly because it is a very vital matter. In point of fact, the numbers of stock owned by the Africans are, in many cases, not a contribution to the wealth of the country but a terrible contribution to its poverty. In point of fact, cattle stock, apart from those eaten by the people, can only be of value if they are sold at the proper time and are not kept to further deteriorate the land upon which they live. I don't want to go into figures but I believe the cattle population is something in the region of 3,000,000 and the numbers sold out of that were less than 200,000 per annum, and any stockman knows that that must be the road to disaster in any ranch, or in any country.

Now, the bracken lands have been mentioned both by my hon. friend, the Member for the Coast, and the hon. Mr. Mathu, rather on the lines that there is very little of them and that they are catchment areas, and as the hon. Member for Agriculture has already spoken, I would like to take it upon myself to point out that the bracken areas are

[Mr. Maconochie-Welwood.]  
180,000 acres which is by no means contemptible, and they are not in fact catchment areas whose use for agriculture would be disastrous.

MR. COOKE: Question!

MR. MACONOCHE-WELWOOD: The hon. Member questions this but he can find out the facts from the Agricultural Department at any time. What I am discussing is a matter of fact.

The other point on which the hon. Mr. Mathu seems to be confused is that Government should have said something about the way of solving the agrarian problem by giving more land to the Kikuyu people or any other tribe hard-pressed for land. It comes up perpetually in this Council, and I do not think it should pass without comment. The time comes in the history of any peasant people when some must live by the land and some by earnings outside, and what really, perhaps, is a defect in the speech we are discussing is that there is insufficient mention of Government plans for giving employment, for ultimately the duty of Government in times of difficulty is often giving employment, but is never, in my submission, the giving of land. If the Kikuyu people are going to pass through a period like the enclosures in Great Britain when land will gradually pass to individual ownership, this is an essential stage of development; but I hope when they press for it, they will realize that the problem of landless people must be met by work and not by the ownership of more land and farming. If that point is not appreciated, we shall go through worse troubles and worse disasters than this Emergency.

The other point is the prevention of fragmentation of land which is just as important as individual ownership. That again, is a matter which the Kikuyu people are considering and they are an intelligent people, I know this, as some of them have already realized the danger of fragmentation.

One other point raised in debate by the hon. Mr. Madan. I feel I must mention. This debate—it always happens in this Council—invariably ends up racially. All of us say we do not want racialism, we want to work together,

and so on, and underneath racialism runs riot, and it is pretty generally the fault of the people on my left.

MR. A. B. PATEL: Is it not generally the fault of the European Elected Members?

MR. MACONOCHE-WELWOOD: No.

MR. MADAN: No, you are all angels.

MR. MACONOCHE-WELWOOD: We are far from angels, but I am going to be racial now because I think it is necessary to be blunt. The hon. Mr. Madan said why do we not use Asians to lead African police and solve the manpower problem cheaply? If it is to be racial to state undoubted fact, then I am racial. In point of fact the hon. Mr. Madan knows as well as I do that for reasons, nothing to do with the superiority of one race over another, but due to hard facts, the African is led at the moment more easily and better by Europeans than by any other race. That is a statement of hard fact known to every African and Indian in this Council, therefore, I think it should be stated—rather than meandering round about it.

In conclusion, there is one point I would like to raise, as it has been raised before by the hon. Member for the Coast and the hon. Mr. Chanan Singh. Reference was made to an alleged statement by the General Officer Commanding—and here I am on very delicate ground—but I think it is very important that the last speaker of Government should dispel a feeling in the country which exists, of disquietude due to what is apparently a discrepancy in that statement and the speech from the Throne we are discussing. It does appear from the Press reports, and I hasten to say they are only Press reports, that the General Officer Commanding rather takes the view that the military side of this Emergency is drawing to a close, and that it is now turning into a mainly, if not purely, political situation. Now I, as well as anybody else, realize that probably this report is not necessarily exactly what the General Officer Commanding said, but it seems to be a matter of the greatest public importance in this Emergency that Government should make it clear what their views are, because in war or in battle, unanimity in point of view is absolutely vital in the winning of a victory.

[Mr. Maconochie-Welwood]

Mr. Deputy Speaker, I support the Motion. (Applause.)

THE DIRECTOR OF PUBLIC WORKS: Mr. Deputy Speaker, Sir, the hon. Member for African Interests in his speech seemed to show some lack of appreciation of the means by which roads are done and the funds that are available for them in African areas. Now, Sir, as he knows well, the funds and programme of work on those is allocated and arranged by the Roads Authority. I am not sure that I can properly speak for the Roads Authority but I am at least a member and I am aware of what that Authority does and what it contends.

Now, Sir, there are in the African areas, three classes of roads involved. There are the trunk roads. I have always been very puzzled by the assumption so often made that the trunk roads start in a European area and end in a European area. What happens to that trunk road? When it passes through African areas, nobody seems to take any account. Now there are very large sums of money allocated every year to the trunk roads of Kenya and many of them pass through the African areas. I have only got to quote a few examples like the Nairobi-Mombasa road, the Nyeri road, parts of the road to Kisumu, the Kisumu-Kakamega road, the Uganda and Tanganyika roads—there are many others.

In addition to that there are, in the African areas, a large number of secondary roads which are a direct responsibility of the Government with funds allocated by the Road Authority. The majority of these are located in Nyanza and there are a number of them in Kikuyu country as well.

The third class of road is that class, the responsibility for which directly lies on the African District Councils. Now, the Road Authority makes grants to the African District Councils for work on these roads. In 1953 the Road Authority made available £30,000 for maintenance and £20,000 for capital work. In addition to that the Road Authority has made available a certain quantity of plant and have provided for funds for the purchase of plant. The African Councils themselves have found a certain degree of difficulty in expending that

money and it has been one of the purposes of this survey which was undertaken early this year to work out ways and means by which African Councils could have been improved in efficiency and been able to expend properly the sums of money which would be made available to them every year by the Road Authority.

The hon. Member mentioned these roads in connexion with the Emergency but in actual fact it is not so much the trunk roads and even the secondary roads, which have caused any hold up, if there has been a hold up on a few road works in connexion with the Emergency, but the fact that so many new tracks have been needed through country which hitherto has not been opened up. But I would like to assure the hon. Member that the Road Authority is very, very conscious indeed of its responsibilities for assisting in every way it can the development of roads in African areas. It has done quite a lot; it has made quite a lot of funds available and it has every intention of making a lot more available.

DR. HASSAN (Member for East Electoral Area): I rise to support the Motion offering thanks to His Excellency the Governor for his address from the Throne. The speech of His Excellency has given us information as to what is contemplated by the comprehensive schemes to help and assist the agriculture in this country—the European agriculture and the African agriculture. No doubt no hon. Member in this Council would hesitate to be pleased or lack appreciation of the work done by the agriculturalists of this country, not only the Europeans and Africans but even the Asians. The whole economy of this country depends entirely on agriculture. We have no means of making money for the revenue of the country in mines or mining and so on, therefore this is one of the projects—irrespective of which community is engaged in it—which must be appreciated by the head of the Government.

The annual speech of His Excellency the Governor is an event which every Member of this Council, particularly this side, anxiously awaits every year. It is something similar to a sort of New Year's greetings that we come up to receive in this Council.

Mr. HARRIS: A valentine!

DR. HASSAN: Most of them nicely polished up and brought up, everyone given permission to bring one of their friends to come and sit down and hear that greeting. But no doubt my Asian friends and even most of the Elected Members this side of all nationalities have felt that Asians were not mentioned in the speech. They did not get their usual New Year's greeting. It may be that our New Year's greetings are still in the post box, the keys of which have been mislaid by the hon. Chief Secretary.

After the speech had been delivered, it is no good trying to suggest what else should have been added in it, but I feel personally on one or two points some bold statements should have been made. One of them especially, the appreciation of those of the services, of those who are now acting and helping the Government in this State of Emergency. The forces of Her Majesty the Queen as well as the Kenya Police Reserve and the Police, of all nationalities. There are a large number of young men, Sir, who have been conscripted and volunteered for national service, some of them offering great sacrifices to their future career. A little more appreciation was needed of what they were doing and some promise of appreciation for them after the Emergency is ended.

Secondly, I feel, Sir, that one point which always creates headaches to all multi-racial communities here is why some particular regard is not given to the people of Kenya, who have made this country home, and who want to have some priority over outsiders. Some sort of statement was needed to give assurance to the people of Kenya that priority will be given in all lines in Kenya to British people and the British subjects who have made this country their home.

With that, Sir, I would like to sit down and again I say I support the Motion. (Applause.)

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I should explain that the hon. Mover of this Motion has waived his right to reply. Quite apart from the substance of the formal Motion which he moved, and I am very grateful to

him for moving this Motion, he did touch on certain matters to which he has already had some comments in reply. I understand that he has been promised further education. (Laughter.)

In the first place, Sir, the question was raised of the propriety of criticism of the speech. My hon. friend the Member for Agriculture and Natural Resources touched on this, but I would wish to amplify it by saying that there is, of course, no question of disloyalty and no objections whatsoever to criticisms being made, where this is criticism of what is actually contained in the Motion, or criticism of what is left out. The primary object, Sir, of this procedure is to enable constructive suggestions to be made from the other side of the Council in a debate on policy. One particular aspect of that, Sir, is that suggestions in connexion with policy should be made in time for consideration in the framing of the Estimates for the following year, in which connexion policy may well impinge.

I think, Sir, I am justified in saying that there was not so much material criticism of the substance of the Communication from the Chair as there was criticism of emphasis and criticism of omissions. Indeed, Sir, I would expect this to be the case, particularly in respect of the latter point—that is omissions. Because however much was included, I am quite sure that all of us could think of something which he or she would think should have been included but was left out.

Now, Sir, the most important point that has been made in connexion with the Communication from the Chair and in connexion with an omission is that made from a variety of quarters regarding the absence of any specific reference to the Asian community. I say, Sir—I was asked and I apologize for being so long in replying to this particular point, but it was one on which I, myself, should reply, and being the last speaker on this side I had to wait for others.

MR. COOKE: Question!

THE CHIEF SECRETARY: No question at all. I say I was asked, Sir, whether it was of "set design or accidental". I say emphatically, Sir, it was not a set design, nor is any reflection whatsoever implied



[The Chief Secretary] in respect of the Asian community. It has been said that specific reference was made to Africans, although this is not, for various reasons, made the subject of criticism I do not think—largely in view of their numbers—and geographical reasons were mentioned; but there was specific mention of Europeans. Now I suggest, Sir, that a closer examination of the Communication from the Chair will show that the emphasis lay, not so much on the race—nor certainly was it intended—as it lay on the particular activities concerned, and it was an ancillary to that that mention was made of Africans or Europeans, as the case may be. I suppose if it was a question of this omission being of "set design or accidental", then I must plead guilty to "a shallow wit" because if it is to be one of those two, it has to be "accidental", as to the question of either set design or accidental. I do very much regret the discomfort caused to certain members of the community of Kenya in this respect. I am sure that all hon. Members appreciate the place of the Asian, who belongs to Kenya, as an integral part of the community of Kenya, both the Colony and the Protectorate. Sir, even if the Asian community is not specifically mentioned by name in the Communication, it is of course covered in a number of passages, which refer to the people of Kenya in general. For instance, in commerce and industry the Asians have for long played a large part, and continue to play a large part, and I am sure will continue to play a large part.

His Excellency's tribute to the Police Force and Prison Service—that also covers Asians. I agree there is no specific reference to them as such, but it does cover them. And, Sir, I would like to associate myself with the hon. Member for Rift Valley in his tribute to the material which has been coming forward for training at Gilgil, and in respect of which the country—I do not say the Government only—the country is indebted to Dr. Hassan. (Applause.) It was suggested also that reference should have been made to the prospective scheme for Asian hospitalization, which is being evolved I understand, and a committee has reached agreement and produced a favourable report on

this scheme, which has been referred to the Asian community as a whole. I regret that I have not myself had an opportunity of reading that report, but I have been told that the Asian community is likely to accept it, and Council, if that happens, will no doubt hear more of this in due course. But in any event, I do congratulate those concerned in this progress in a matter of self-help.

I trust, Sir, that my Asian and other friends, and indeed, those whom I have not got the fortune to count my friends, will accept my assurance that the lack of specific and separate reference to the Asian community was not intended to imply any lack of recognition of their place in Kenya. In this connexion, Sir, I have been asked by my hon. and learned friend, the Member for Legal Affairs, and I am very glad to associate myself with him, to pay a tribute to those Asian counsels who have assisted in proceedings during the Emergency, and more particularly in recent times, and to the acting judges from the Asian community, and in particular to the hon. Mr. Madan for making arrangements in this connexion at short notice. (Applause.)

In connexion with this particular omission, Sir, the point was raised regarding the survey of plots in townships and trading centres—a matter in respect of which I understood that the Asian community had been making requests for some 30 years with a view to obtaining security of tenure. The reply had been, "No surveyors". Well, Sir, I can assure the hon. Member who raised this point that the difficulty of surveyors has not affected one community alone. He went on to refer to the reference in the Communication from the Chair to the matter of African titles, which would also require surveys—the implication being, as I understand it, that we should finish off what is on our plates before we ask for a second helping. Well, Sir, I can say that progress is in fact being made with surveys in townships and trading centres. It has been made and it is being made, but a set-back was received when most of the survey staff was taken off ordinary peace-time work to be put on work in connexion with the Emergency. As regards the matter of surveys required in connexion with

[The Chief Secretary]

African titles, I am advised, Sir, that the standard required will be lower than that which is required for surveys in other areas.

The hon. Mr. Gikonyo yesterday inquired about the matter of Eastleigh and the removal of Kikuyu, Embu and Meru therefrom. The particular regulations in fact do not come into force until 1st November and the general situation and reasons for this particular action in respect of Eastleigh are substantially the same as those which were given by my hon. friend the Member for African Affairs in respect of the removal from Kaloleni.

The hon. Member for Uasin Gishu explained some of the reasons for such action. I may say, Sir, that provision is made for exemptions from the operation of these regulations. I am unable to say to what extent the exemption will be granted, but I can say that "sorting out", if I may put it that way, is taking place at the moment and that consideration will be given to the cases of proved loyalists. I repeat proved loyalists.

Now, Sir, the hon. Member for Rift Valley has drawn attention to the necessity of ensuring that when a considerable amount of new African housing is constructed and with development in the towns, with the influx of Africans, he drew attention to the necessity of avoiding the situation which we have already experienced by which there are far more people in the town than houses to house them.

Well, Sir, the Member for African Affairs has already referred to the closer administration of Nairobi and to my mind, Sir, that closer administration will have to continue and that in the light of our experience should provide the best means of ensuring that the chaos, if you would like to call it so, the confusion of an overpopulation in relation to accommodation available is avoided in the future.

Attention was drawn also to the question of manpower, Manpower for carrying out the schemes which were mentioned in the Communication from the Chair. It was mentioned partly in conjunction with finance: it was suggested that so much of so many of these schemes depended upon the provision of

manpower and finance. My hon. friend, the Member for Finance, has already dealt with the latter issue and, of course, to some extent the manpower issue depends upon the availability of finance, but, Sir, I do appreciate the points made by the hon. Member for Rift Valley that the manpower of this country is worked pretty well to the full in so far as the Europeans are concerned: and please believe me that I am not introducing a racial issue. The point concerned certain posts for which it was considered that the experience was more likely to be found in that particular portion of the community of Kenya. I repeat the community.

Certain action has been taken, as Members are aware, to recruit supernumerary posts in the Police Force. Some of these people may, in due course, be absorbed into the regular Police Force. Others, it is hoped, will appreciate the country and decide to settle here, even if they do not carry on with their service in the Police Force. That, Sir, will not make an immediate increase of manpower available, I appreciate that. But the intention of that action taken was, as hon. Members are aware, that some of these additional police should provide an actual increase in the existing Police Force; others were to assist in the run-down of the Kenya Police Reserve; but over and above that arrangements have been made to recruit now a number of additional officers which should make available either from their own numbers, but more likely from those already serving with the security forces, make those people available to carry out the various jobs in respect of which this matter of manpower was raised. In that, Sir, I say that it is more likely that these additional recruits will not be diverted to those jobs because they are being engaged for police work and they will, for the most part, anyway, lack local knowledge; whereas for most of the jobs for these schemes mentioned in the Communication from the Chair, local knowledge is most desirable, and the candidates are therefore more likely to come from those serving now in the security forces.

Now, Sir, the question of ministerial responsibility for housing was mentioned. In particular, it was raised in his usual

[The Chief Secretary] gential destructive way by the hon. Member for the Coast. (Laughter.) I say destructive way, as I understand it, his idea was to add a further Member to this side of the Council, thus making a collection of ninepins, and knock down the ninth pin straight away! In fact I gathered that he had not sufficient scope for his destructive intention. (Laughter.) In passing, Sir, he mentioned other days and I gather he meant better days. Then there would be eight—or nine if he had his own way—gibbets outside on each of which a Member would be hanged. I would refer him, Sir, to even better days when the hon. Member would have been beheaded, or hung, drawn and quartered before he ever had the opportunity of making this remark. (Laughter.) On the other hand it was not entirely his intention to be destructive although it appeared to be in the first instance. We all, Sir, do realize the importance of this matter of housing, but I do think, Sir, that the hon. Member overlooked the responsibility of one of my absent colleagues, the Member for Health, Lands and Local Government. Now, Sir, in that connexion his main point was to ensure that a particular person should be fully available to deal with the whole of the business. Hon. Members are probably aware that there is returning to this country an officer who served here before, Mr. Colchester, and he has had a very considerable experience of this matter of African housing, and it is proposed that on his arrival he should be put into full executive charge of African housing and all its branches.

Mr. COOKE: Will he be a Member of the Council?

THE CHIEF SECRETARY: On that question as to whether he should be a Member of the Council, he may or may not be a Member of the Legislative Council. He will not be an *ex officio* Member. For constitutional reasons. We are unable to set up a ninth pin for the hon. Member for the Coast to knock down.

Mr. COOKE: Why not put him in the place of one of the others and send them away?

THE CHIEF SECRETARY: I should say, Sir, that the Deputy Governor, who has

been concerned in other places with housing schemes of a large scale and who has particular experience of that sort of thing will, of course, retain his close interest in the work.

The matter was raised, Sir, of local recruitment for the Administration. That is recruitment of local persons as the hon. Member said. He said that he was aware of one or two who had been recruited to the Administration, whose homes were here, and who had been born here. I know that there is every prospect of an increase in that number, as indeed my hon. friend, the Member for the Coast will know from our consultations in another place.

A new point that he raised was the matter of selecting them while still at school and thereafter training them. I have reason to believe, Sir, it is a new method of going about it, but I have reason to believe that that particular issue may well receive consideration, having been raised in another direction.

Now, Sir, the hon. Member for Uasin Gishu referred to what he called a discrepancy between what was said in a Communication from the Chair and the words of General Erskine as reported in a newspaper. I am not absolutely clear as to the discrepancy that he had in mind, but I would suggest that there is, in fact, no real discrepancy. There is the military campaign on the one hand, but the military campaign is not going to be the final clearance of all our troubles. (Hear, hear.) (Applause.)

Now, Sir, for the hon. Member for the Coast—I am sure that he would be very hurt if I did not mention certain other points raised by him. He quoted from certain paragraphs of the Communication from the Chair. He said, I think, that these paragraphs gave a feeling of doubt. In particular he said that he referred to the words "The military campaign will be pressed to a conclusion and regretted that there was no mention of the greatest possible urgency and expedition. But, Sir, that is, of course, the intention and that is why the word "pressed" was used.

Mr. MADAN: Pressing the point.

Mr. COOKE: . . . . Inaudible.

THE CHIEF SECRETARY: That, Sir, is a matter of opinion and personally I consider there are other people whose

[The Chief Secretary] opinion is more worth taking than that of the Member for the Coast, but I agree that it is a matter of opinion—

Mr. COOKE: The country can judge, no doubt.

THE CHIEF SECRETARY: The hon. Member for the Coast also said that fines and forfeiture were not the final answer. I entirely agree with him, Sir, on that. It is merely part of the answer. It is appropriate in certain cases and not in others, but it is a contribution to the whole answer. He referred to those who have taken to the sword perishing by the sword and I suggest, Sir, that although he may have other people in mind, a considerable number of those concerned are in fact meeting with violent death. I gave figures last week and since then there have been considerable increases in those who have suffered that particular penalty or form of death, as hon. Members will no doubt have seen from the Press. I regret that I have not by me the latest figures, but I did want to make clear, Sir, that it is not only a matter of fines and forfeitures. I am quite aware of certain objections which were mentioned by my hon. friend. Reference was made again, not at great length, but reference was made to the Police: the fact that an increase of the Police Force was of no use unless it was accompanied by public confidence in the Police. Well, Sir, it is a fact that in different countries the police are viewed by the public in different ways. I do not pretend that all our police are archangels! If they were, they would have got promotion long ago—(Laughter)—but they have done a very good job of work in spite of difficulties, and I repeat this. There have been difficulties of the expansion and resultant difficulties caused by the necessity to reduce the period of training; and I agree with my hon. friend who mentioned that the matter of training is a very important matter.

He mentioned education, too, but I trust he meant education in the wider sense which is part of training. I am well aware, too, of the institution to which he referred. I think he must have had a lucky trip, because I have even heard complaints about the police in Uganda from time to time. However, Sir, for a very considerable time we have been aiming at increased training for the

police here and I know good work has been done and it is really regrettable that it is one of these things that have been interrupted or have had to be reduced, by these troubles that are upon us.

Now, Sir, the hon. Member for the Coast again and another hon. Member, referred to a "clarion call to victory". It is a nice catch-phrase, Sir, but I realize what they mean. It might be held to be somewhat reminiscent of the headlines in the more purple part, of the Press from overseas, but by mentioning that, I do not wish to detract from the intentions of the hon. Members who used the phrase, nor do I wish to imply any disrespect to Sir Winston Churchill, or Mr. Churchill as we better know him, to whom reference was made in this connexion. But, Sir, I submit that the Communication from the Chair was a meal of solid fare; it was not airy-fairy sugar icing.

I would refer in that connexion to the remarks of the hon. Member for Aberdeen. He referred to the last sentence, which reads, "I hope that Kenya will be such a country". He said it should have read, "I know that Kenya will be such a country". In that, Sir, we may well have confidence. I, like the other hon. gentlemen who instituted the remark and the one who said "Hear, hear" just now, I share their confidence; but, Sir, it is for all of us on both sides of this Council and outside this Council, and I say deliberately all of us, to work together in such a way that the alteration of those words—"I hope" to "I know"—in the mouth of one who has been in the country a year, and that in troubled times all the time, to justify that alteration of the phrase if it appears in his mouth again. (Applause.)

THE DEPUTY SPEAKER: If no other hon. Members rises to speak, I will put the question.

The question was put and carried.

#### ADJOURNMENT

THE DEPUTY SPEAKER: Hon. Members, that concludes business on the Order Paper for to-day. Council will stand adjourned until Thursday next, 29th October, at 10 a.m.

Council rose at thirty-five minutes past Twelve o'clock.

Thursday, 29th October, 1953

The Council met at Ten o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

Survey of Kenya—Administration Report, 1952.

[BY THE CHIEF SECRETARY]

(a) Draft Estimates of Revenue and Expenditure of the Colony and Protectorate of Kenya for the half-year from 1st January to 30th June, 1954.

(b) Draft Development Estimates, 1st January to 30th June, 1954. (Applause.)

[BY THE MEMBER FOR FINANCE AND DEVELOPMENT]

MOTION

COMMITTEE OF SUPPLY—APPOINTMENT

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move—

"That the Committee of Supply be appointed, consisting of the whole Council to consider of the Supply to be granted to His Excellency the Governor."

THE CHIEF SECRETARY seconded.

Question proposed.

The question was put and carried.

MOTION

COMMITTEE OF WAYS AND MEANS—APPOINTMENT

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move—

"That the Committee of Ways and Means consisting of the whole Council to consider of the Ways and Means of raising the Supply to be granted to His Excellency the Governor."

THE CHIEF SECRETARY seconded.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

Order for Committee read.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker. (Applause.) I beg to move that Mr. Deputy Speaker do now leave the Chair.

Sir, the Draft Estimates of Revenue and Expenditure which I am now presenting cover the period from January 1st to June 30th, 1954. Honourable Members have already approved the change of the financial year in principle and the Audit Legislation has been amended accordingly. It may well be that the change will bring in its train other necessary amendments and changes in dates with regard to the collection of taxation, but the changes will be as few as possible and will be made in the light of experience gained.

The Estimates for the new fiscal year July 1st, 1954-June 30th, 1955, will, subject to the agreement of Legislative Council, be laid before the end of April which will give the Council exactly the same period for consideration as that allowed under the present Standing Orders.

Since I presented the Draft Estimates for 1953, exactly one year ago to-day, we have set up the Estimates Committee which I suggested at that time and it has begun its work. The Committee as a whole has considered as a first and vital effort the "Estimates" for the Weights and Measures Department and will be submitting its report on those Estimates in due course. A Sub-committee under the chairmanship of the Member for Health, Lands and Local Government is studying the Report on the Registrar General's Department made by Lt-Col. M. Asher, and another Sub-committee under the chairmanship of the hon. Member for Nairobi South is considering a Report on the Accountant General's Department, also made by Lt-Col. M. Asher. Those Sub-committees will consider the Estimates of the two Departments named in the light of Col. Asher's Reports and will report to the Main Estimates Committee which, after consideration, will lay a final report before the Council. I hope that some of these Reports will be laid before the Council early in the new year to enable any conclusions to be made effective in

[The Member for Finance and Development]  
the 1954-55 Estimates, for, of course, the Estimates Committee works only on Estimates already submitted and approved by the Council, but its conclusions act as a guide for future Estimates.

At the other end of our financial procedure the Public Accounts Committee has continued to act as the Council's check on the use of moneys authorized and expended, and is, under the guidance of my honourable friend, the Member for Rift Valley—I would emphasize the country owes him a great debt of gratitude for the work he has done on that Committee—growing in strength and thereby in its effect upon those entrusted by the Council with the expenditure of public funds.

I had hoped, ere this, to have laid a White Paper on the introduction of a Consolidated Fund procedure to the Finances of the Colony, but pressure of Emergency work has prevented my doing so. However, there have been numerous meetings between the people concerned, there are one or two meetings still to be held and before long I hope to place before the Council proposals for the initiation of this, to my mind, desirable step in the control of expenditure. When that is adopted by the Council, and I hope it will be, the chain of parliamentary control is complete in principle as far as one can see, and with the perfecting of detail this Legislative body will have reasonable control on expenditure from the beginning to the end.

In the 1953 Estimates the Council agreed to the setting up of an Economic Research Division. We are undertaking a measure of joint economic research with the Government of Uganda, but the staff required for our Economic Research Division has been difficult to obtain and we are only now getting the personnel essential to carry out this important work. The importance and need of such a Division has been underlined by the Emergency, for until trained personnel were and are available to carry out investigations, much of the opinion formed on the effect of the Emergency on our economy could and can remain but surmise. I use "were and are" and "could and can" advisedly because there have been certain sectors of

our economy upon which, thanks to the co-operation of the East African Director of Statistics, Mr. Martin, whom it has been agreed will be in charge of our Economic Research Division in addition to his statistical duties, we have been able to turn the light of the trained investigating mind.

In my Budget Speech of a year ago I was able to give this Council a picture of an almost universally expanding economy, supporting it by detail. The trend of national income had been upwards and in almost every section of our national economy there were signs of a continuing and encouraging development. The 1952 geographical income which is the latest I have to report has been estimated at £107 million or 4 per cent higher than the figure for 1951. The net value of our agricultural production was, however, nearly 6 per cent below the figure for 1951, or if we take non-African agriculture alone, the drop in that particular section was nearly 16 per cent against the 1951 figure. Some of the fall was due to natural causes, coffee and maize in particular suffered from these.

Honourable Members will realize that in addition to a fall in agricultural production there began a fall in world prices in some of our leading commodities, a trend which brought with it a more cautious approach from merchants and traders to purchases and to the dangers of over-stocking on a market which it appeared at that time might show an even faster downward trend.

Against that, however, the net value of our manufactures increased by an estimated £1½ million. Commerce, though showing a smaller expansion than in 1951, still had an upward tendency, increasing from £16.1 million in its net product to £17.8 million in 1952. Our trade in 1952 gave net imports valued at over £59,300,000 against domestic visible exports of about £25,800,000. Exports reflect past production and in this total coffee showed a 70 per cent increase in quantity over 1951, while maize showed a phenomenal increase of over 300 per cent compared with the previous year. Sisal exports were down 10 per cent in quantity and 35 per cent in value, and hides and skins fell 50 per cent in value, although the quantity only fell 20 per cent. Together coffee and sisal again

[The Member for Finance and Development] accounted for 45 per cent of the total of our exports although their relative importance was reversed. Of our imports, producer materials and producer capital goods, this instrument of capital development was valued at £35,200,000 or about 59 per cent of the total.

Our capital formation in 1952 was again estimated at around £30 million. In June, 1952, the purchasing power of the £ in Nairobi, as compared with the end of 1946 was placed at Sh. 14. In August, 1953, it was assessed at Sh. 13. Last year I gave comparisons with one or two other countries. Members will be interested perhaps to have the comparison continued as between June, 1952, and the middle of 1953. It is as follows: Southern Rhodesia remains almost identical in step with us. Australia still experiences a greater fall although there seems to have been stability over the last year. In the United Kingdom in June, 1953, the purchasing power was about Sh. 14, but I would like at this stage to repeat the warning I gave last year concerning the possible error in these comparisons.

I would like to give honourable Members this year a comparison of the types of income which make up our national income, between 1951 and 1952, for there are some useful conclusions that could be drawn from it. In 1951, Group 1—Profits and Surpluses: (a) Profits, interests and the earning of self-employed persons—£37.8 million; (b) Public Services—£2.9 million. Total of Group 1—£40.7 million. In 1952, Group 1 (a) had fallen by £2 million to £35.8 million, whilst Group 1 (b) had risen to £3 million. Total of Group 1—£38.8 million; a fall of £1.9 million. Group 2—Rentals, had risen from £3 million to £3.4 million. Group 3—and this the group I would like hon. Members to pay particular attention to—Salaries and Wages had risen from £32.4 million in 1951 to £37.4 million in 1952; a jump of £5 million. Group 4—African marketed produce, in 1951 was £4.7 million, in 1952—largely due to natural causes and falling prices—it had fallen to £4 million. African subsistence agriculture had risen from £22.1 million to £23.4 million. Thus from a study of those figures it will be seen that the salaried man and the wage

earner had begun to take a larger share of our national income.

For the first six months of 1953 both imports and exports have been running at a lower level. Exports compared with the similar period last year were 32 per cent lower. In connexion with this it must be remembered that during that period this year we have not been a big exporter of maize and it is estimated we may be £2 million down over the year. In addition there has been the world trend of falling prices.

To illustrate this trend I will quote from a Food and Agriculture Organization Publication dealing with the world economic outlook: "By the end of 1952, prices of primary commodities on international markets had receded to the June, 1950, level or close to it. This general downward adjustment and, in most cases, stabilization of prices at the lower level, was in part due to an improvement in the supply position, but in the main to a decrease in the demand for both speculative and strategic stockpiling". I should like to give a few examples in terms of U.S. dollars per 100 lb. The price of U.S. cotton in May, 1951, was 45.23 dollars. In January, 1953, it was reported as 32.49 dollars, a fall of nearly 30 per cent. The price of Malayan rubber fell from the peak of 73.50 dollars in February, 1951, to 22.43 dollars in April, 1953. The indicators of commodity prices showed a general fall from 1951 and the greatest decline was in the fibre index; this includes sisal for which the decline was from £245 per ton, No. 1, c.i.f. London, in the middle of 1951 to about £90 in May, 1953. Hon. Members will see how far those falling prices affect our national income in 1952 which still managed to maintain a rise of 4 per cent. The figure of our net imports is £23.7 million or 14 per cent below the value for the similar period in 1952.

Thus the first indication for the period January to June of this year is that the geographical income has been running at a rate below that experienced in 1952. It is difficult, with much conflicting material, to provide a quick estimate, but it is thought that our income from January to June of this year may have been slightly below that for the similar period of last year. The effect of this, together with its wider repercussions,

[The Member for Finance and Development] must be felt later. There has been some decline in agricultural production, not altogether connected with the Emergency, for we have been subject to climatic conditions which have not operated in our favour.

The output of the building industry is lower than last year but here again this fact must not be laid entirely at the door of the Emergency; the building and construction industry is one subject to wide fluctuations and particularly in a developing country can be a contributory factor of both inflations and recessions. Honourable Members will be aware that there are several big projects in hand and in the planning stage which will help the construction industry and indirectly the whole economy. Again, in the first six months of 1953 there has been in commercial and industrial spheres some caution which in itself is not without merit. World conditions, as well as the conditions in our own country, have contributed to this.

At my request the National Income Section of the East African Statistical Department took a sample group of firms and carried out an investigation of business conditions. I cannot mention those firms by name for obvious reasons but I would like to thank them for the assistance they have given us. Some businesses have shown a fairly heavy reduction in turnover, others have managed to maintain their level of business to a great extent. In some cases the firms have been using the present very difficult period as a time of review. Others have introduced new lines of activity with good results.

A study of our trade statistics for the first six months of 1953 shows that certain commodities have been imported at a lower rate than during 1952. This is particularly true of textiles. Unfortunately the information as provided cannot give a completely accurate picture, because with the phasing programme of Mombasa Port, many more goods, particularly textiles, came by parcel post.

It is likely that there was overstocking of textiles in 1952. There has been a reduction in spending in some quarters that, combined with the fall in prices

of raw materials, has, I think, resulted in merchants being cautious in ordering. Some firms, waiting for a clearer indication of things to come, have been importing their commodities frequently and in small—sometimes very small—lots to guard against being caught with heavy surplus stocks should world prices continue to fall. A reduction in the price per unit in textiles will naturally reduce the total value of such imports, even if the same amount is imported.

It is encouraging to note that there has been an increase in imports of base metals and their manufactures, but I feel hon. Members that as a whole we must not gaze too deeply at this stage into the statistics through the Port of Mombasa or compare them too precisely with those for previous years, for phasing has had an effect on imports. Many items await shipment to the Colony. There has also been the priority which has had to be given to equipment for the use of the security forces, and to the import of many thousands of tons of food, to meet our own shortages caused by drought conditions. All these priorities have had to be given at the expense of general cargo and therefore at the expense of our general trade and national income. I am afraid that we must be prepared in the last six months of this year for the same or perhaps even greater rate of decline.

The Plewman Committee, in its report, commented on the value of statistics of land transfers as another indicator of development. Since the time that that Committee these statistics have been maintained and studied with interest. They showed a steady upward trend in 1952 when the estimated value of land transfers in the Colony amounted to some £8.8 million. For the first nine months of this year the value of land transfers points to an annual estimate of £7,200,000, a fall of some £1,600,000, but although there has been a fall compared with 1952 this figure if reached will still be higher than for any other year since these statistics have been collected.

It has been said, and I think there is a great deal of truth in the saying, that the prosperity of any community rests on a foundation 90 per cent of which consists of confidence. We have on a

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number of occasions heard of businessmen who have thought of investing money in Kenya and who did not. I think honourable Members may be interested in some statistics and information covering the whole Colony. When confidence is weakened the first effect is often felt in the financial structure, but if we look at the financial statistics in Kenya the picture is quite encouraging. The small saver by means of the Post Office Savings Bank deposited between January and June, 1953, nearly as much as between January and June, 1952, the difference being only £83,000. Withdrawals during these periods differed little and compared with June, 1952, the balance at the end of June, 1953, of savings was some £600,000 greater.

The Bank statistics for the Colony give no cause for alarm. There are always fluctuations depending on seasonal conditions but deposits at the end of the second quarter of this year were only £2,300,000 less than at the end of the similar quarter in 1952, and I would point out that although they were lower than a year ago, they are still higher than at any time prior to the beginning of 1952. Credit granted by the Banks was only about £350,000 less in June of this year compared with 30th June, 1952. Over this period balances abroad held by the Banks rose from some £27 million to nearly £31 million.

Another source of information on capital movements to which I referred last year is the statistics of the East African Currency Board. This information is only available for the East African area but since East Africa has a common currency and no customs barriers, the economic effects felt in one country must finally be felt in the others too. The currency in circulation as at 30th June, 1952, in Kenya, Tanganyika, Uganda and Zanzibar amounted to £39,900,000. By 30th June, 1953, it was estimated to have risen to £43,300,000, an increase of £3,400,000. I would remind honourable Members that the currency in circulation in East Africa can only increase when a similar amount of sterling has been placed with the Currency Board in London as a 100 per cent backing for new currency being made available here.

Before the Emergency the rise in the cost of living gave cause for both comment and concern. It is something which the Government is continually watching. The price level in Nairobi increased from June, 1952, to June, 1953, by some 5 per cent. Usually, if there is little confidence and people are unable to buy goods through lack of income the price level falls, but to date retail prices here seem to have kept their stability.

A brief glance at the migration statistics shows that there has been no heavy rush to leave the Colony. The number of permanent emigrants, people who reported that they were leaving the country with no intention of returning was only 1,133 in the second quarter of 1953, compared with 912 in the second quarter of 1952. The recorded number of visitors has not shown a great decline. In the second quarter of 1952, 2,240 people living outside East Africa were recorded as visitors to Kenya; the figures exclude, of course, passengers in transit. In the second quarter of 1953 the number was 1,747, so that whilst there has been some decline it can hardly be said that Kenya is being shunned or that there has been anything in the nature of an exodus from the Colony to other parts of the world. (Applause.)

As I have said, the national income has declined slightly compared with 1952. That decline is understandable in view of world and local conditions. We must not forget that in the last year £2,100,000 has been pumped into the economy from Government sources. Over one-third has been paid in personal emoluments and one-quarter in travelling expenses. The rest has gone on food, equipment, building and construction and many other items. It is realized that not all the money paid in personal emoluments is an extra, as incomes from businesses and salaries from employment have sometimes been reduced. It is obvious that this money has had some effect in supporting the economy. The economic consequence of this input is a matter for study by the Economic Research Division of the Treasury which is only now getting the staff to carry out these important economic exercises. If one were to assume that the money paid in personal emoluments and travelling allowances was given only to employees there would have been a 2 to 3 per cent increase

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over the 1952 figures of wages and salaries. Of course, these direct comparisons are not valid, but I give them to illustrate the size of the Emergency spending, and to point out to Members in some measure the contributory factor to our income and the position of our Emergency spending.

It is believed that one effect of the Emergency with its resultant change in social activities may have been a change in the pattern of consumption. It is thought that savings may have been maintained sometimes at the expense of consumption. I have shown that there has been an increase of savings through the Post Office Savings Bank. I would add that savings deposits with commercial Banks also increased during the last year.

I would be the first to admit that individual examples and personal experiences are valuable, but in looking at the economy of the Colony, facts based on the experiences of many are safer guides than those based on the experiences of the few. Great harm is done to our country by people who spread alarmist talk about the conditions of our Colony based on what they know of Mr. "A" and Mr. "B". Facts which take the whole Colony into account show that although our economy is beginning to and is feeling the strain, nevertheless, it has stood up remarkably well so far under the impact of world and local conditions. (Applause.)

Now let me turn to the operations of the year 1953, in so far as the Colony's revenue and expenditure is concerned. When I spoke a year ago, I estimated that the General Revenue Balance at the 31st December, 1952, would be £8,534,539, allowing for an increase of £1,302,878 over the General Revenue Balance of the 1st January, 1952. When the year's accounts were complete, the surplus for 1952 was £1,689,528, which after including £40,583 for appreciation of investments resulted in a General Revenue Balance at the 31st December, 1952, of £8,961,773, an increase which was achieved after the provision of £750,000 by Supplementary Estimate for the Emergency Fund. (Applause.)

The Estimates for 1953 forecast a surplus of £328,386, but at the time I

warned honourable Members that Council had already agreed to an increase in cost of living allowances which would reduce that figure by some £220,000 and that therefore the estimated surplus for 1953 was really £108,386. In making that estimate I made no allowance for contributions during 1953 to the Emergency Fund. As honourable Members are aware, no less than £2,500,000 has had to be voted to the Emergency Fund, and it is probable that I shall have to ask for a further £250,000 for the Emergency Expenditure Fund before the end of this year.

The estimated surplus for 1953 was arrived at after allowing for an estimated revenue of £18,914,078 and an estimated expenditure of £18,585,692. Both of these figures excluded a sum of £279,757 in respect of expenditure on behalf of other Governments' participation in joint services.

It is now estimated that the gross revenue for 1953 will amount to £20,692,262 and that the gross expenditure will amount to £22,900,000, or £20,400,000 if the Emergency contributions are left out of account. The increase in (revenue of just under £1) million is accounted for by a very considerable increase under the head "Licences, Duties and Taxes". That rise is approximately £1,600,000 and is almost entirely accounted for by an estimated increase in the collection of income tax from £4.2 million to £5.7 million. (Applause.) Other material increases are £54,860 in Revenue from Government property and royalties, £118,000 from the Sale of Government property, £110,830 from miscellaneous receipts.

The collection of income tax has been considerably in excess of the estimate, and while it is possible to attribute part of this excess to the collection of arrears, present indications are that the level of income on which tax is now being collected, that is the level of income for the year 1952, is not less than the level for 1951. However, until more returns in respect of income received in 1952 have been assessed it is too early to say whether the present level of collection will be maintained.

Against those probable increases have to be offset an estimated fall of £425,000 from Customs and Excise and a fall of £104,195 in the Revenue of the

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Forest Department. In so far as Customs and Excise is concerned, as the accounts for the first half of 1953 which I laid on the Table showed, there were collections of £3,600,000 in the first six months as against half the estimate for the year of £3,905,000, showing a shortfall against estimates of some £305,000. Normally, we expect to receive rather more than half of the total receipts in a year during the second half of the year, and as there are indications of some slight improvement in the rate of collection of Customs Duties, the estimate for the whole of 1953 has been placed at a shortfall of £425,000, an estimate which may indeed prove to be a little optimistic.

I would draw the attention of hon. Members also to the considerable fall of £104,195 in the estimated revenue to be derived from the operations of the Forest Department, a loss which is mainly if not wholly attributable to the Emergency.

The increase in estimated expenditure for 1953 is over £4,000,000. Of that increase, £2,500,000 is in respect of contributions to the Emergency Fund. In spite of the use of savings to offset requirements of new provision, and honourable Members will be aware that for new items I seek token provision when savings are specifically available, there will inevitably be some under expenditure of the total provision as originally estimated and supplemented.

The following are some of the larger amounts which in the Revised Estimates it is expected will be spent in excess of the originally approved provision. I must point out to honourable Members, however, that these figures do not take into account Emergency Fund Expenditure this year estimated at £24 million which has been mainly spent on the security forces: Administration increase—£90,000, Police—£420,000, Prisons—£170,000, Information Services—£65,000, Guarantees to Farmers—£45,000, Medical—£75,000, Civil Aviation—£165,000, East African Airways—£39,000, Loans from Revenue—£75,000, Miscellaneous Services—£200,000, Education Department—£40,000.

Allowing for the contributions already made to the Emergency Fund during

1953 the estimated net deficit on the year's workings for 1953 will be £2,207,738. If I have to seek a further contribution to the Emergency Fund the deficit will be correspondingly increased. It is interesting to note that if the contributions to the Emergency Fund are ignored it would seem that the general current transactions of the Colony for 1953 will have resulted in a surplus of £292,262, which is, I think, a justification of the Government's decision last year not to increase taxation. (Applause.) However, facts are facts, and the cold fact is that there is likely to be a deficit in 1953 of £2,207,738 due to the Emergency and that as a result our estimated General Revenue Balance at the 31st December, 1953, will have fallen from £8,961,773 to £6,754,035.

Last year I placed before honourable Members a pamphlet which came to be known as the Budget booklet and which proved to be very popular. A similar booklet has not been produced for the present Estimates because we are only dealing with a six months period and because of the great amount of work involved. I hope to be able to present an up-to-date edition with the Draft Estimates which will be laid in April.

And now to turn to the Draft Estimates for the first six months of 1954. Comparisons between the proposals made in these Estimates and the revised figures for the current year on the lines we followed last year are difficult and, I must warn Members, in some cases would be valueless. Therefore although I will give general comparisons I shall not attempt them in great detail. The estimated total revenue for the six months is placed at £10,526,274. The estimated ordinary expenditure—I would emphasize ordinary, not including Emergency—is assessed at £10,481,105, which would—and I repeat would—have left us with a surplus of some £45,169. The Revenue Estimates have been carefully assessed in the light of all the information available, much of the background of which I have tried to convey to the Council this morning. At present there seems every reason to believe that our revenue is placed at a figure which, with the level of taxation proposed, is within reach of attainment.

We have placed the estimates for the collection of Customs and Excise at

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£20,000 more than the amount actually collected in January to June, 1953. Trade trends seem to point to that figure as being a reasonable objective. For Licences, Duties, Taxes, etc., we have placed the collection figure at some £300,000 below the corresponding figure of last year. Those are the two major groups of our Revenue.

On the expenditure side we have made this Budget to the greatest extent possible a "standstill" Budget. In a number of "Heads", as honourable Members will see from the memorandum notes, we have inserted token votes because the expenditure is of a type which should largely be met from the Emergency Fund or because whilst the establishment asked for has in many cases already been granted it is doubtful whether personnel can be obtained or it will be possible for the money to be spent during the period under discussion.

With those qualifications a general comparison could be given between the Revised Estimates of 1953 and the present Estimates. The Revised Estimates of 1953 are £22,900,000, of which £2,500,000 is a contribution to the Emergency Fund. Half of the Revised Estimates of 1953—I hope hon. Members will keep pace with this particularly difficult arithmetic—less the proportionate contribution to the Emergency Fund will bring us to a net ordinary expenditure figure of £10,200,000. The 1954 estimate for a half year is £12,481,105 which, less the £2,000,000 contribution to the Emergency Fund, gives us a figure of £10,481,105, thus showing an increase of only £281,105 over the revised 1953 half-year estimates. I have pointed out already that there are many things which must qualify this comparison—the token votes, the fact that the Emergency Fund for the time being is carrying a share of, for instance, Prisons expenditure.

With the exception of increases forced upon us by Emergency conditions in such Departments as Police, Prisons, the Administration, the Department of Information, the Government has taken the attitude that only in the most exceptional circumstances could any increase be allowed in establishment or personnel employed unless there was a definite

statutory commitment to fulfil a service or there had been acceptance of a commitment in Supplementary Estimates or the failure to provide staff would have meant wastage of an asset already created.

The Education Department is a typical example of the attitude that has been taken in these Estimates, and on page 204A of the Draft Estimates, honourable Members will read the explanatory note: "The total estimate exceeds six months' provision at the 1953 rate by £255,081 (there is an error in the printed amount) or 20 per cent. This is the minimum which will cover the Department's statutory obligations and enable teachers and auxiliary staff to be provided for the larger school populations in new schools built under the Development Plan. Additional provision is also made to cover normal staff increments, increased cost of living allowances and increases in the cost of school equipment and foodstuffs. There is no increase in administrative staff". That has been the attitude adopted in regard to the present Estimates.

I must point out as well that the Government is awaiting two important Reports which are sure to have an effect upon these Estimates. I refer, of course, to the Salaries Commission, whose Report is, I understand, likely to be received by Government some time in the early months of 1954, and to the Report of the Police Commission which it is hoped to receive before the end of this year.

In view of the fact that our revenues are fully committed I have found it impossible this year to make the usual contribution to the Development Fund from Colony Revenues.

There is, however, the item "Contribution to Emergency Fund" £2,000,000, which is the amount estimated to be required to meet Emergency expenditure for the six months. This will turn our surplus on our ordinary Budget into a deficit of £1,954,831. Our estimated General Revenue Balance as at the 31st December, 1953, is £6,754,035; and after allowing for the estimated deficit I have just mentioned it will fall to an estimated £4,799,204. Against that we have the contingent liabilities as shown in the financial statement.



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Members at this point will be interested to see how the Emergency is altering the pattern of our expenditure. In last year's Budget Speech I gave a review of the period 1946 to that date, showing percentages of "true net current expenditure, that is the gross expenditure after deduction of the share of other Governments of joint services expenditure, of expenditure covered by reimbursements and transactions in which the Government has acted as an agent for some other body, transfers to the Development and Reconstruction Authority—I am quoting from last year's speech—and expenditure as a direct result of which revenue is earned for a specific service rendered to the individual as for instance educational fees". Royalties were not, of course, regarded as off-setting revenue. On that basis we had shown a pattern where, on the average, about 25 per cent of the taxpayers' money was being spent on the group of services shown as Development of Resources, and about the same amount on the Social Services group.

The percentages in 1952, excluding money spent through the Emergency Fund, were as follows:—

	Percent
Administration	7.4
Maintenance of Law and Order	11.9
Collection of Revenue and Control of Finance	2.95
Public Debt	4.2
Pensions and Gratuities	5.3
Defence	5.45
Development of Resources—	
Agriculture and Animal Husbandry	10.8
Forestry	1.3
Lands and Mines	1.3
Waterworks	2.2
Transport	1.1
Labour	5.2
Miscellaneous	0.9
Grouped as Social Services—	3.0
Education	12.0
Health	8.7
Social Welfare	0.6
Miscellaneous	1.5
Public Works (unallocable) (which includes such things as Government housing, Government offices, etc.)	8.2
Other Expenditure (unallocable)	7.4

In 1953, without Emergency Expenditure, the pattern has been altered:—

	Percent
Administration	6.6
Maintenance of Law and Order	15.7
Collection of Revenue and Control of Finance	3.4
Public Debt	5.4
Pensions and Gratuities	4.7
Defence	4.55
Development of Resources—	
Agriculture and Animal Husbandry	9.5
Forestry	1.3
Lands and Mines	1.5
Waterworks	0.3
Transport	8.2
Labour	0.9
Miscellaneous	3.3
Grouped as Social Services—	
Education	12.9
Health	8.2
Social Welfare	1.1
Miscellaneous	1.05
Public Works (unallocable) (which includes such things as Government housing, Government offices, etc.)	4.5
Other Expenditure (unallocable)	6.9

I give hon. Members these figures and figures of the 1954 Estimates because I think they will be of great use to them in the study that I am going to propose at the end of this speech. The 1954 pattern, as now laid before Members, excluding the Emergency Fund, is:—

	Percent
Administration	7.5
Maintenance of Law and Order	14.5
Collection of Revenue and Control of Finance	3.7
Public Debt	6.5
Pensions and Gratuities	4.2
Defence	4.5
Development of Resources—	
Agriculture and Animal Husbandry	9.8
Forestry	1.6
Lands and Mines	1.45
Waterworks	0.6
Transport	6.8
Labour	0.9
Miscellaneous	2.25

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Grouped as Social Service—	
Education	15.2
Health	8.3
Social Welfare	0.6
Miscellaneous	0.8
Public Works (unallocable) (which includes such things as Government housing, Government offices, etc.)	4.9
Other Expenditure (unallocable)	5.9

We have, therefore, tried to maintain the pattern of progress both for the development of our resources and for our social services. One cannot, of course, ignore the impact of Emergency expenditure and if that were allocated as it should be to the Groups of Administration, Law and Order and Defence together, then the percentage of that group jumps from 26 per cent to 36.1 per cent in 1953 and from 26.5 per cent to 40.4 per cent in 1954, which means that in 1954 40 cents out of every shilling of the taxpayers' money will be spent on the maintenance of law and order and the defence of human life and property.

Those figures alter the pattern of expenditure which had been operating in favour of the development of our resources and the improvement of our people. It is a grim figure, underlining with dreadful emphasis the harm that these evil, misguided men have done, not only to their own particular tribe, but to the whole of the people of Kenya of whatever community or group. (Applause.) (Hear, hear.)

Last year I pointed out to honourable Members the changing pattern of our national revenue with our movement to a greater dependence on tax as opposed to non-tax revenue and on direct taxation as compared with indirect taxation. I pointed out that in 1946 the ratio had been as 31 direct is to 69 indirect. By 1951 the ratio was 38:62, by 1952 it was 36:64. If the collection of revenue works out as is proposed in the Budget now presented, the proportion will be 44:56, which shows that the trend is continuing.

Honourable Members may be interested in the following comparable figures, all of them for the year 1950. Australia was 62:38, Canada was 44:56, New Zealand was 64:36 and

the United Kingdom was 56:44. In any comparison of those figures honourable Members must remember that in more advanced countries, that is advanced politically as well as economically, the pattern of taxation often changes with the political aspect of the elected Government.

Now let me turn to the Development Estimates. During the year the Council decided that the Development and Reconstruction Authority should disappear. A sub-committee of Executive Council was set up as a Planning Committee and the Council accepted Government's intention that in future the execution of approved capital works and projects should be the responsibility of the Member concerned in consultation with the Member for Development and that the control of the expenditure of the funds voted by the Legislative Council would be carried out by the Treasury. The Planning Committee would be responsible for the indication of priorities.

This means that the Treasury is responsible for the guidance of economic planning for development but not for the execution of works. At the present moment and only as a temporary measure during the Emergency I do in fact carry responsibility for the Public Works Department. That is only intended to be a temporary measure since it is obviously undesirable that the Member responsible for fiscal and economic policy, financial control and economic planning should also be responsible for a large-spending department. (Hear, hear.)

The Planning Committee is now engaged in preparing a revised Development Plan for the three-year period 1954-1956, and I do not wish to anticipate the debate which will undoubtedly take place when the new Development Programme is submitted. I have already told Members that I have found it impossible this year to make the usual annual contribution from General Revenue to our Development Funds, and it seems in present circumstances that it is unlikely that such contribution could be made for some years to come. This widens the gap about which I spoke last year and means that even if a Development Programme at our present level is to continue more loan money will have to be

[The Member for Finance and Development] said that was originally visualized. Loan money carries with it a recurrent burden.

I regret that under these circumstances I have not found it possible to forego the revenue from export taxes, which although estimated at only £125,000 for the first half of 1954, will assist in financing essential development expenditure. The necessary measures will be placed before the Council to extend the life of these duties.

I do not therefore wish to say much about the Development Estimates except to point out that provision is made for the continuation of the present Development Plan at a similar rate to that provided for in the 1953 Estimates.

The only new project for which provision is made is the construction of the new airport at Embakasi, which has already been approved by the Council. Other new urgent proposals for capital expenditure are being considered by the Planning Committee and for some of these it may be necessary to submit to Council Supplementary Estimates early in 1954.

I would like, however, to draw the attention of honourable Members to a few changes which have been made in the presentation of the Development Estimates.

The Summary of Expenditure over the ten-year period given on page 3 brings up-to-date the Summary given on page 6 of the Planning Committee Report, and the last column of this statement relates estimated expenditure in the first half of 1954 to Planning Committee allocations, a relationship which is set out in greater detail in Appendix H.

The Financial Statement on page 4, instead of starting with an estimated figure of the total funds expected to be available for the ten-year period is based on the actual balance in the Development Fund on the 1st January, 1953, which I think gives a more realistic approach.

The estimated deficit on the ten-year plan has been recalculated, taking into account the inability of the Colony to continue to contribute £300,000 a year to the Development Fund and the

additional grant, for which we should express our thanks, made by Her Majesty's Government during this year of £500,000 of Colonial Development and Welfare Vote money. (Applause.)

The revised Expenditure Summary shows that expenditure in 1953 is expected to reach nearly £6 million as against £5.35 million in 1952. Expenditure would have been even greater if the capacity of the Public Works Department had not had to be diverted to quite a large extent to Emergency works.

The Expenditure Summary on page 5 shows what expenditure in the first half of 1954 will be a direct charge to Kenya Development Funds, and what expenditure will be covered from other sources.

The Revenue Estimates on pages 7 and 8 show under the column headed "Total of Grant" the amount of money we expect to receive from the Colonial Development and Welfare Vote.

A new Revenue head has been inserted setting out the revenue expected to be received from sources other than the Colonial Development and Welfare Vote in the first half of 1954.

Throughout the expenditure estimates memorandum notes have been given showing the progress of expenditure against the Planning Committee allocation of funds for the ten-year period. I think hon. Members will agree these steps will be easier and a clearer picture of what is happening under our development programmes.

It has been decided to make separate provision for General Works staff and to abolish the system of charging establishment charges on individual works, a decision which has already been endorsed by the Planning Sub-committee of Executive Council. This will simplify accounting procedure.

The Expenditure Estimates have been reframed more on the lines of the Colony Estimates and it is proposed to make further changes in this direction in the next Draft Estimates, all of them being designed to bring the time nearer when both recurrent and capital expenditure can be presented to Council within a single Budget framework.

I regret that due largely to Emergency conditions it has been impossible

[The Member for Finance and Development] to introduce Savings Certificates for the purpose of the provision of financial assistance to the Development Plan which I said last year I hoped to do. I can only say the scheme will be proceeded with and brought into operation at the earliest possible moment.

The provision of increased facilities for local investors to help in the raising of loan money locally, is like that of the provision of short-term finance, something to which I have been giving very careful thought. In so far as short-term finance is concerned, in conversations with finance houses in London and with our local Banks, I have met with a very encouraging response. With the running down of our General Revenue Balance our cash position may from time to time become difficult because, as honourable Members are aware, we need periodically to advance money for various crop transactions, etc. I hope during the present Session to lay before the Council proposals to authorize the raising of short-term loan moneys through private negotiation or on a Treasury Bill basis.

There is also a need to provide facilities for long-term local investment in Kenya Government funds. The local investor has loyally supported our major loans floated on the London market, but I think we might get even more money if we could make additional facilities available locally. (Hear, hear.) I have been considering the possibility, therefore, of local issues, either of the "tap" issue type or of the direct loan issue dealing at first in comparatively small amounts. It seems to me that there are certain things necessary in order to ensure what the local investor must seek, negotiability and the possibility of realization without too great a loss, both meaning a probable exit from his investment should there be need.

To some extent I think this could be helped by the setting up of an Equalization Fund to cover each loan. The money in that Equalization Fund would be used by the Treasury or whatever agents the Treasury appointed to deal in the stock, buying and selling according to the position at the time, thereby helping to keep the market steady. By this means

one would have Government funds available to ensure support for the loan and a reasonable amount of negotiability for the investor. The Fund would obviously need careful handling but I think it might prove an experiment and a risk well worth undertaking.

Another need is, of course, a live local money and Stock and Share market, particularly in the gilt-edged sector, and in the creation of this a local Stock Exchange could play a great part. (Hear, hear.) It was with this in mind that when I went to the United Kingdom in June I took with me one of the leading local stockbrokers, whose name I will not mention, but to whom I would like to express my great thanks for the valuable assistance he gave me. Together with him I interviewed some leading members of the London Stock Exchange Committee and their reactions were most gratifying. They said that under the conditions I had suggested, which included Government assistance, but I assure hon. Members no element or vestige of Government control, they would be prepared to recommend at a very early date, if not immediately, the granting of Dominion status to a local stock exchange, even with a very few members. (Applause.) Of course, this carried with it the obligation that all rules, etc., covering the creation and operation of the exchange must meet with the approval of the London Stock Exchange Committee.

On my return, I interviewed the local stockbrokers and must say quite frankly that I found the reaction of some of them disappointing. Since then, however, they have, I understand, been meeting amongst themselves and there seems every hope that a Stockbrokers' Association and a New Issues Approval Committee will emerge before long. I will continue to urge upon them the need in the interests of the country to hurry forward to the major step of obtaining London recognition—(Hear, hear)—for I need hardly tell honourable Members who have knowledge of these matters what tremendous assistance such a step would be in the creation of a gilt-edged money market and the provision of additional loan facilities to help in the raising of capital to assist the financing of our development programme. (Hear, hear.)

[The Member for Finance and Development]

I shall be laying before the Council a Bill to amend the Income Tax Rates and Allowances Ordinance of 1952 in order to revise the East African non-resident allowances, something which arises from the 1952 United Kingdom Finance Act which increased the personal allowances and reduced the initial rates of tax in the United Kingdom, thus making revision of the East African non-resident allowances necessary. The measure is likely to involve us in a loss of revenue which will not be more than £1,000 in the current year.

I do not propose any other alteration in taxation in connexion with the present estimates. (Applause.)

And now let me turn to the concluding phase of this review of our position. By 30th June, 1954, that is in 18 months, our General Revenue Balance will have dropped from almost £9 million to £4½ million, and we have not the reserves to stand this drain much longer. The money which I had hoped to make available for development purposes is no longer there. The Planning Committee has before it requests for expenditure which total some £30 million, quite apart from any special measures for reconstruction which may have to be undertaken in the post-Emergency period, expenditure which can to some extent be said to have arisen specifically as a result of the upheaval caused by the Emergency. The additional recurrent burden of a Development Programme of that size is likely to amount to between £2 to £3 million, to which must be added the expending costs of services already begun or well under way.

Some honourable Members may be asking why, therefore, no increase in taxation in the present Budget? Fortunately the Estimates I have just laid deal with a period of six months only, which means that further estimates will be submitted again soon. The shortness of the period has enabled us to order, as I have said, almost a "standstill" on ordinary expenditure. Thus we are fortunate to have a short time in which to consider which of the courses open to us we can or must take.

The Council is aware that I am going to London next week to discuss with

Members of Her Majesty's Government the possibility of financial assistance either by grant or by loan or both. When those discussions are complete we shall be able to assess what lies before us. The country will be in a position to judge what size of development and reconstruction programme it can undertake, and what money is likely to be available to meet recurrent expenditure during the non-productive years of any of the proposed schemes. We should also be able to judge our financial capacity to meet the at present increasing expenditure on our already established services.

In a developing country of this kind, one of the most difficult decisions that has to be taken is: "On what shall our money be spent?" I would remind honourable Members of what I said last year: "In many of the more established countries with longer histories the basic services were established and the first cost met many years ago. For those countries the problem is one of maintenance and expansion upon a foundation already laid and paid for, but in territories like Kenya, it is not only the maintenance which has to be paid for, but indeed, the very foundation of the service. We are still and will be for many years paying not for the standard of social services that we would like to obtain, but for the establishment of the minimum education and social services that the people regard as necessary".

Should our money therefore be spent on short-term productive projects, on things such as water development, agricultural development, roads, industrial development—those things which should bring in their train an early expansion of national income through a greater use of and quicker access to our natural resources, bringing improvement to the standards of living of our people to-day and to-morrow, or should we spend money on the long-term productive projects, such as, shall I say, education and forests, expenditure which is highly desirable, but which brings no immediate return, carrying rather an immediate burden because of the long-term nature of the development of the human or natural resources involved, bringing, however, benefit to the nation of the future, which is not likely to prosper unless the foundation of those services is laid to-day. There is as well always the

[The Member for Finance and Development]

human and the political aspect of expenditure or lack of expenditure to be taken into account.

Now, hon. Members, the problem which faces this Council is this—if we cannot get adequate financial assistance from the United Kingdom what paths lie before us? We can, by very heavy increases in taxation, try to maintain our present pace of economic and social progress, carrying through that taxation the non-productive period of our development programme. That course presents, however, one very great danger. A country like ours at this stage in its development needs a continuous inflow of capital from external sources if it is to maintain its progress and provide the services its people need. (Hear, hear.) These injections into our economic bloodstream are more than important, they are vital to us and to our people.

That capital has to be offered attractive conditions, chief amongst them being the possibility of a fair reward for the risks involved. Should the burden of taxation reach the point where that fair reward could not be expected or foreseen, then the good flow of capital which we have seen in the past few years might well become a meagre trickle. If that happened our development would be slowed down to the pace and amount which we could provide from our own resources and our own accumulated savings. There must at that stage follow a time lag before we could increase our wealth and our resources to the point where the onward march of economic progress and social services could be resumed.

The other way, if adequate financial assistance is not available from external sources, would be to increase taxation only to the point where we could maintain a minimum range of social services at minimum standards. For instance, our entire educational programme for all races would have to be reviewed and slowed down. We should have to consider whether we could continue to provide secondary education at the present level for so many of our children. We might have to decide that beyond a certain point almost the entire burden of the cost of education of a

child must fall upon the parents, many of our hopes and our favourite social schemes would have to be abandoned.

These steps might lead to discontent amongst many of our people, but they are steps which in those circumstances might have to be taken in order that the whole of our available resources could be turned to what I have called "short term productive projects", hoping to produce the necessary increase in our national income to pay for the desirable increase in our social services.

The latter policy would bring a period of denial and self-sacrifice to all our peoples, a period of standstill in the social development of our people. It would mean that even some of our short-term productive projects could not be immediately carried out. There is the grave danger, as I have said, that this would bring amongst some of our peoples a period of bitter discontent. At the end, however, it would bring a surer foundation, I believe, for progress in the future than a policy of taxation increased to a point which might enable us to maintain our services at the level of to-day, but by driving the external investor from our shores, would almost inevitably lead to a decrease in the prosperity of our country and a reduction of social services in the years to come. (Applause.) (Hear, hear.)

It is to these points—these alternatives, that I suggest hon. Members should turn their attention and on them express their views.

For my own part, I cannot but believe that with the position placed squarely before it, with the past history and the future potential of our country fully recognized, with the understanding that through economic advancement, an increased pace of development in our agricultural industry, a stepping up of our educational programme so that the skill and knowledge of our people can be multiplied, that through these progressive policies of development, reconstruction and rehabilitation lies the only path to the restoration of peace—stable peace—in the years to come, with those things realized and with the knowledge that the people of this country will bear their share of the financial burden to the limit that economic wisdom dictates, I cannot

[The Member for Finance and Development]  
but believe that Her Majesty's Government will do all in its power to assist.

But such is my faith in this my country and in the bulk of its people that I believe if necessary they, the people who make the country, will face the necessary period of sacrifice and hardship, to stint and save so that from our own resources we shall build up, not quite so quickly as we would like, but slowly, painfully and surely until we can resume that rate of economic and social development of which in those years before October, 1952, we were so proud. (Prolonged applause.)

Mr. Deputy Speaker, I beg to move.

The CHIEF SECRETARY seconded.

Question proposed.

#### MOTION

##### ADJOURNMENT OF DEBATE

Mr. HAVLOCK: Mr. Deputy Speaker, Sir, I beg to move that the Debate be now adjourned.

Mr. BRUNDELL seconded.

Question proposed.

The question was put and carried.

#### ADJOURNMENT

The DEPUTY SPEAKER: Council will now stand adjourned until 10 a.m. on 17th November.

Council rose at twenty minutes past  
Eleven o'clock a.m.

Tuesday, 17th November, 1953

Council met at Ten o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Member:—

Mr. R. B. Patel.

#### PAPERS LAID

The following papers were laid on the Table:—

Schedule of Write-offs Authorized by the Member for Finance and Development during the September quarter of 1953 for amounts exceeding £250 each.

The Public Works Department Annual Report, 1952.

[BY THE SECRETARY TO THE TREASURY for the Member for Finance and Development]

The Department of Agriculture Annual Report, 1952 (Vol. I).

[BY THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES]

The Education Department Annual Report, 1952.

[BY THE MEMBER FOR EDUCATION AND LABOUR]

The Report of the Commissioner for Local Government for the years 1951 and 1952.

[BY THE CHIEF SECRETARY, for the Member for Health, Lands and Local Government]

E.A.C. Budget and Operational Plan for 1954 (with Table of Fares and Rates as annexure).

[BY THE MEMBER FOR COMMERCE AND INDUSTRY]

#### ORAL NOTICES OF MOTIONS

COMMISSION OF INQUIRY ON THE SITUATION GIVING RISE TO THE EMERGENCY

—GROUP-CAPT. BRIGGS (Mount Kenya): Mr. Deputy Speaker, I beg to give notice of the following Motion:—

"BE IT RESOLVED that this Council requests His Excellency the Governor to appoint one or more Commissioners under the Commissions of Inquiry Ordinance and to commission such person or persons to inquire into the following matters:—

(a) Having scrutinized all relevant intelligence reports, despatches, reports of Legislative Council proceedings or other documents, and called such witnesses as were considered necessary to report whether such documents or evidence gave reasonable information or warning of the existence of serious subversive activities and if so by what dates.

(b) If it should be shown that such warning was given—to affix responsibility (if any) for the failure of Government, or of individual members thereof, to appreciate the potential seriousness of the *Mau Mau* movement in the earlier stages and to take action accordingly.

(c) To report whether in the Commissioner's opinion the Colonial Office or any individual officer serving in the Colonial Office having been acquainted with the situation and of the steps which this Government desired to take to deal with the situation retarded actions or steps which were recommended at the time and which have since had to be taken."

#### VOLUNTARILY UNEMPLOYED PERSONS (PROVISION OF EMPLOYMENT) ORDINANCE, 1949

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, I beg to give notice of the following Motion:—

"BE IT RESOLVED that the Voluntarily Unemployed Persons (Provision of Employment) Ordinance, 1949, shall remain in force until the 31st day of December, 1954."

#### INCREASED PRODUCTION OF CROPS ORDINANCE, 1942

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

"BE IT RESOLVED that the Increased Production of Crops Ordinances, 1942, shall remain in force until the 31st day of December, 1954."

#### EVICTON OF TENANTS (CONTROL) ORDINANCE, 1949

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

"BE IT RESOLVED that the Eviction of Tenants (Control) Ordinance, 1949, shall remain in force until the thirty-first day of December, 1954."

Mr. COOKE (Coast): On a point of order, Sir, is it necessary to give notice of Motions when they are already on the Order Paper as Motions?

THE DEPUTY SPEAKER: It has been regarded by the Speaker as necessary that notice shall be given orally, in addition to appearing on the Order Paper.

#### HOTELS (CONTROL OF TARIFFS AND ACCOMMODATION) (TEMPORARY PROVISIONS) ORDINANCE, 1952

THE MEMBER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

"BE IT RESOLVED that the Hotels (Control of Tariffs and Accommodation (Temporary Provisions) Ordinance, 1952, shall remain in force until the 31st day of December, 1954."

#### ORAL ANSWERS TO QUESTIONS

##### QUESTION No. 1

Mr. MATIU (African Representative) asked the hon. Chief Secretary to state when he is likely to make necessary arrangements to enable the African Unofficial Members of the Legislative Council to visit the Athi River Detention Camp?

If the answer to this question is in the negative, will the Chief Secretary give reasons why?

THE CHIEF SECRETARY: There is no objection to any Member of the Legislative Council visiting the Athi River Detention Camp, subject, of course, to compliance with the relevant regulations. Any Member wishing to make such a visit is requested to make prior arrangements direct with the Commissioner of Prisons.

## COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read.

## MOTION

## ADJOURNMENT OF BUDGET DEBATE

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move under Standing Order 135—for the purposes of Standing Order 135—that the debate be adjourned until to-morrow, the 18th November.

I should explain that this is in accord with a request received from the other side of the Council and I trust that it will receive support.

MR. MACONOCHE-WELWOOD (Uasin Gishu): Mr. Deputy Speaker, I beg to second the Motion of the hon. Member. But in doing so I would like to lodge a protest from this side of the Council that we were not informed that the hon. Member for Finance would not be able to attend the debate to-day. Under those circumstances it would appear to me that there has been great waste of public money and of the time of Members in bringing them together here to-day when, in fact, to debate the speech of the hon. Member for Finance in his absence would be a discourtesy in our view, which we do not want to commit. In saying this, I would like to point out that the practice of this Council in meeting very often for purely formal business is again the cause of great expense to the country and inconvenience to Members and it seems to me that in future it might be considered whether the formal business of the Council might be taken on a Monday when a *quorum* would suffice in order to save the money of the country and the time of the Members.

Also, in view of this adjournment, I think in the course of debating the matters before Council in this Session we might have at least five or six Sessions a week, that is to say, morning and evening sessions on two or three days a week in order that the business of Council should be rapidly concluded and so save the money of the taxpayer. (Applause.)

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I have taken note of the points made by the hon. Member and in any event, it had been in mind to review the whole question of procedure and

attempt to stream-line it upon moving in to the new home of this honourable Council. But I do appreciate the points made by him particularly in respect of those Members who live a long way away. I am grateful to him for making a point that the hon. Members opposite did not wish to commit a discourtesy by debating the speech of the hon. Member for Finance in his absence. It was only at the end of last week that we received news of his delayed return and arrangements had, in fact, been made to put him fully in the picture as soon as he got off the aeroplane as to what had happened before his arrival.

As I say, Sir, I apologize for the inconvenience caused to hon. Members and the Sessional Committee will review the whole question of times of sitting and that kind of thing.

The question was put and carried.

## LEAVE OF COUNCIL TO TAKE MOTIONS ON DAY OF BRINGING UNDER S.O. 32

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, under Standing Order 32, I beg to move that the leave of Council be granted to take the Motions set out on the Order Paper of which notice has already been given—that is to say, Items 7, 8, 9 and 10 but not Item 11 on the Order Paper of which notice has not yet been given.

THE MEMBER FOR LEGAL AFFAIRS seconded.

## Question proposed.

MR. BLUNDELL (Rift Valley): Mr. Deputy Speaker, Sir, as hon. Members know, we have always objected from this side of Council to the taking of business under the suspension of Standing Orders but in the particular circumstances of the moment we are prepared to agree to this.

THE CHIEF SECRETARY: Without any disrespect to your ruling, Sir, is it a question of suspending Standing Orders? There is provision for leave of Council to be given and it is for leave of Council that I ask. (Laughter.)

THE DEPUTY SPEAKER: Under what Standing Order is that?

THE CHIEF SECRETARY: Standing Order No. 32, Sir.

THE DEPUTY SPEAKER: The Standing Order reads, "Unless otherwise provided by these Standing Orders no Motion shall be moved on the day on which Notice thereof is given except by leave of the Council."

I agree that if the leave of Council is granted everything will be in order and we may proceed with Orders Nos. 7, 8, 9 and 10. If any hon. Member has any objection to the proposal, will he please rise and say so.

MR. BLUNDELL: Might I amend my remarks as follows—I think I speak for all hon. Members—we would not ordinarily wish to give leave but in the particular circumstances reigning at the moment we will have to do so. (Applause.)

THE DEPUTY SPEAKER: As no hon. Member rises to object, leave of the Council is granted.

## MOTION

## VOLUNTARILY UNEMPLOYED PERSONS (PROVISION OF EMPLOYMENT) ORDINANCE, 1949

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, I beg to move:—

BE IT RESOLVED that the Voluntarily Unemployed Persons (Provision of Employment) Ordinance, 1949, shall remain in force until the 31st day of December, 1954.

Sir, section 1 of this Ordinance reads as follows: "This Ordinance may be cited as the Voluntarily Unemployed Persons (Provisions of Employment) Ordinance, 1949, and shall come into force by notification in the *Gazette* and shall expire at the expiration of a period of one year from that date: Provided that if at any time while this Ordinance is in force a resolution or resolutions of the Legislative Council is or are passed praying that this Ordinance should be continued in force for further period or periods of one year at a time from the time at which it would otherwise expire, the Governor in Council may by order direct that this

Ordinance shall continue in force for that further period or periods as the case may be".

Under that section it is necessary, in order to keep this Ordinance alive, for a resolution of this kind to be passed each year by Council and, as Members will recall, that has been done year by year since the Ordinance was enacted. Although in the past there has been some criticism of the Ordinance itself from some quarters of Council, and of the way in which it was operated, from other quarters of the Council, I think there is general agreement that it is a useful piece of legislation which it is worthwhile keeping on the Statute Book. I hope this resolution will be passed without very much discussion.

I beg to move.

THE SOLICITOR GENERAL seconded.

Question proposed.

MR. MATHU: Mr. Deputy Speaker, Sir, I rise to oppose this Motion. I have done it many times before, but I do not think I have ever heard a strong reason for not keeping it alive as at the present moment.

The Ordinance is designed to remove from—mainly from urban areas—those people who wasted their time doing nothing and therefore who are very good instruments to make mischief. They are spivs. Under Emergency Regulations, Sir, we have quite a collection of Regulations which deal with these particular people. They are collected—picked up—when ever they are found and brought to book. Is it then necessary to continue with this Ordinance at this present moment when we have other ways of dealing with the situation? That is the first point.

The second point is that the operation of this Ordinance is a very expensive affair. If you have studied the Estimates which we are about to discuss presently you will find that it is a very big item of operating this Ordinance. Is this the time, when our financial position is tight, that we should spend money this way when we are achieving the same end by using Emergency Regulations?

For those two reasons I feel I must oppose this resolution very strongly.

MR. USHER (Mombasa): Mr. Deputy Speaker, Sir, there is a good deal of

[Mr. Usher] doubt among Members on this side of Council as to the manner in which the Ordinance is applied; that is to say, whether it is having the effect which it was designed to produce. So far as concerns the part of the world which I represent, we believe it to be rather more expensive than is justified, and we feel that if it is to be continued it must be applied rigorously. No doubt in his desire to save the time of the Council, the hon. Mover did not give us details of its operation during the last year such as would justify our agreeing to its continuance, and unless we find that there is not only a good account to be given of the operation of the Ordinance for the last year, and some promise that it will be rigorously and usefully enforced in the coming year, I, for one, and, I believe, other Members on this side of Council, will be unable to give support to the Motion.

Mr. COOKE: As one of the inspirers of this Ordinance—some years ago—I give this Motion my strong support. I join with the hon. Member for Mombasa in hoping it will be rigorously enforced.

With regard to Mr. Mathu's remarks, I suppose it is just possible—we hope it is possible—that the Emergency will be over before a year's time, and then I should like to see this Ordinance continued for the next two or three years. I think if it is passed and not rigorously enforced there will be a great deal of trouble in Nairobi—trouble which we are at present experiencing.

Sir, I strongly support the Motion.

MR. JEREMIAH (African Representative): Mr. Deputy Speaker, I rise to oppose the Motion.

The Motion is that the Ordinance is to provide for the employment of those people who are regarded as unemployed. Now, Sir, the hon. Mover did not tell us of anything that has taken place last year. He simply asked us to approve the Motion without showing us any useful purpose it will serve. Apart from being expensive, I think it has no use whatever. At present we have the Emergency Regulations which control everybody—not only spivs but even those who are not spivs—and the intention of the Bill is already accomplished.

Furthermore, Sir, I think that by what we are doing at present we are also increasing the possibility of spivs in the town here. I refer particularly to what has happened since the eviction of people from Eastleigh, and the loss of employment for those people. Those people are still in Nairobi, having nowhere to live and no employment. Now, if it is intended that this Bill should provide employment for those people, I think it is better for the hon. Mover to tell us.

Another point, Sir, which makes it unnecessary for such a Bill to be introduced is the housing shortage in town. I think we are very fortunate that we have got a firm which can manufacture houses easily and quickly, and provide houses for people in Nairobi—as many houses as people could buy. What I am afraid of is that the City Fathers are not prepared to let that kind of temporary housing be built in the City.

Now, Sir, are we intending actually to try and harass the people who are in some cases genuinely interested in trying to find employment? That is what is happening. People coming to Nairobi in search of employment are arrested immediately. I do not think the Bill has done its useful purpose. Therefore it should be discontinued.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, I agree with the hon. Member for Mombasa. I support this Bill if it is properly used but, if it is not used, I can see no object in prolonging it for another year.

I would ask the hon. Mover to give us details of a number of charges made under the Bill against persons—in other words, the degree of use which has been made of the Bill during the last year.

### MOTION

#### EVICITION OF TENANTS (CONTROL) ORDINANCE, 1949

THE CHIEF SECRETARY: Mr. Speaker, Sir, I beg to move that:—

BE IT RESOLVED that the Eviction of Tenants (Control) Ordinance, 1949, shall remain in force until the 31st day of December, 1954.

This legislation was originally placed on the Statute Book in 1948 and was

[The Chief Secretary]

replaced by a similar Ordinance in 1949. It applies to Mombasa Island, and its intention was to prevent the wholesale eviction of the poorer class of tenants who occupied houses on land belonging to somebody else. They were for that reason not protected by the Rent Control Ordinance. It had been hoped that it would be a temporary measure and it is still hoped that that will be the case.

The Member for Health, Lands and Local Government last year did express the view that it was hoped gradually to relax the application of this Ordinance to certain sections of Mombasa Island, but that has not as yet proved possible owing to the absence of alternative accommodation. In particular the Chamgamwe Housing Scheme is now well ahead in its planning, and it is hoped that houses will soon be on the ground. When that happens, Sir, it should be possible, *pari passu*, with housing going up at Chamgamwe, to relax the provisions of this Ordinance from certain sections of Mombasa Island. But in the meantime I submit that it is in the interest of these poorer people that the Ordinance should be kept in force for a further year.

Sir, I beg to move.

THE MEMBER FOR LEGAL AFFAIRS  
seconded.

Question proposed.

Mr. COOKE: I may be slightly out of order in suggesting the expediency of extending the Ordinance to protect unfortunate Europeans. It is proposed to turn out of railway land at Mbaraki. I do not know if that would be quite in order?

THE DEPUTY SPEAKER: I think the hon. Member is quite right in suggesting he is out of order. (Laughter.)

THE LABOUR COMMISSIONER: I should like to contribute something towards this debate. It is perfectly true that at this minute in Nairobi the operation of this Ordinance is virtually in abeyance for obvious reasons. It is quite wrong to say, in my view, that in the past it served no useful purpose. It has served a very considerable purpose as a very large number of jobs have been found for persons who are covered in the operation of this

Ordinance. I believe when this Emergency finishes that the same need will again occur as has occurred in the past.

I do not agree at all with the hon. Member for African Interests who insists that this Ordinance is operated harshly. We have the evidence of the members of the Committee which has operated this Ordinance in Nairobi, where it has been made law—mainly African members—and with one accord they themselves agree it is a useful Ordinance. My Department operates as a sort of financial agent and has no direct connexion with the workings of this Ordinance, except to provide the work for those persons who are brought before it; and when people are brought before the Committee they are only brought there in the last resort because we have failed to find any suitable work for them. It is at that stage that the operation of removal takes place.

Personally, I should like to see it perpetuated, if only for the reason that if we let it lapse now we shall find ourselves wanting it when the Emergency finishes) and will have to go through the rigmarole of instituting a fresh Ordinance.

THE DEPUTY SPEAKER: If no other Member wishes to speak, I will ask the hon. Mover to reply.

THE MEMBER FOR EDUCATION AND LABOUR: There is very little for me to say, in view of what the Labour Commissioner has already said.

In the case of Nairobi, as he said, the Ordinance has for all practical purposes been in abeyance during the past year, because other means of dealing with people with whom the Ordinance is designed to deal have been employed.

In the case of Mombasa, the District Commissioner, from whom I got a report before moving the Motion, says this: "During 1953 the Ordinance was operated during January, when fourteen persons were admitted—that means admitted to the Reception Centre—and the Reception Centre was then closed down as it was considered that the operation was an extravagant use of funds. It has since been kept on a care and maintenance basis". (Laughter.)



**[The Member for Education and Labour]**

However, he goes on to say—"The powers available under the Ordinance will again be of use, and I am of the opinion that the Ordinance should be allowed to continue in 1954".

The hon. Member for Rift Valley, in a recent debate, drew attention to the fact that in future, even when we have got very much more African housing accommodation in Nairobi, it will be very necessary to have some means of controlling the number of people who enter or remain in Nairobi. Otherwise we will find ourselves in future in the same predicament as we are in at the present time when African housing is grossly overcrowded. My opinion is that this Ordinance will prove a very useful instrument in future, when the Emergency Regulations are no longer available. Therefore the Government is strongly of the opinion it would be most unwise to allow this Ordinance to lapse and go off the Statute Book.

As regards Mr. Jeremiah's point, the people who have recently been removed for security reasons from Eastleigh are really not the type of people contemplated by this Ordinance at all. Under this Ordinance a voluntarily unemployed person has not been in employment in the previous three months. The people he is referring to have been in employment. They are not the kind of people contemplated by this Ordinance at all.

I beg to move.

The question was put and carried.

**MR. R. B. PATEL** (Eastern Electoral Area (Acting)): I would like to congratulate the hon. Mover of this Motion because I can say from the experience of the Asian community in Mombasa that this Ordinance is essential to give some sort of protection to tenants when the housing shortage is acute. (Applause.)

I beg to support, Sir.

**THE DEPUTY SPEAKER:** If there is no other hon. Member rising to speak, I will put the question.

The question was put and carried.

**MOTION****INCREASED PRODUCTION OF CROPS ORDINANCE, 1942**

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** Mr. Deputy Speaker, Sir, I beg to move that:

BE IT RESOLVED that the Increased Production of Crops Ordinance, 1942, shall remain in force until the 31st day of December, 1954.

As Members are aware, the draft Agricultural Act or Bill which will be presented to this Council shortly embodies most of the provisions of the Increased Production of Crops Ordinance and provides for its repeal. So if the Agricultural Bill in the form it is presented, is passed, it will provide for the repeal of this Ordinance. In the meantime it is necessary to continue this Ordinance if only to meet commitments under the Ordinance, many of which fall due in the early part of the year. For that reason, Sir, I beg to move that the Increased Production of Crops Ordinance, 1942, remains in force until the 31st day of December, 1954.

**THE CHIEF SECRETARY** seconded.

*Question proposed.*

**THE DEPUTY SPEAKER:** If no hon. Member rises to speak, I will put the question.

The question was put and carried.

**MOTION****HOTELS (CONTROL OF TARIFFS AND ACCOMMODATION) (TEMPORARY PROVISIONS) ORDINANCE, 1952**

**THE MEMBER FOR COMMERCE AND INDUSTRY:** Mr. Deputy Speaker, I beg to move:

BE IT RESOLVED that the Hotels (Control of Tariffs and Accommodation) (Temporary Provisions) Ordinance, 1952, shall remain in force until the 31st day of December, 1954.

Mr. Deputy Speaker, as hon. Members will remember, this Ordinance came into force at the beginning of the year. It is an annual Ordinance which expires on 31st December, 1953, unless the Governor, with the approval of Legislative Council, declares by notice in the

**[The Member for Commerce and Industry]**  
*Official Gazette* that the Ordinance shall remain in force until a date to be fixed or until repealed.

Now, Sir, the Control of Tariffs and Accommodation in Hotels is not a control that is in itself welcome to anybody on either side of this Council. It is an interference with the economic processes of supply and demand, and hon. Members will remember that in moving the Motion a year ago and in piloting the Bill through this Council I gave an undertaking that every effort would be made to relax the provisions of this temporary legislation as circumstances permitted. I feel that before speaking to the Motion, in terms of an extension, I should report that during the year the provisions of this Ordinance have been relaxed in respect of hotels in Nakuru, Kisumu, Kitale, Eldoret and Nanyuki, and the extension of the provisions of the Ordinance which is sought for one year is confined to the area of Nairobi and Mombasa Island. I had hoped that it would have been possible to go further than that during the year. It has not proved so, because as a result, principally of the Emergency, an extraordinary demand has been injected into the economy of the country in respect of rooms in hotels and there is not, therefore, a free play of supply and demand. I should like to give hon. Members certain figures. We have been advised by the military that in the near future we can expect that in the Nairobi area alone it will be necessary to find accommodation for 15 officers' families and 106 families of other ranks.

Now, Sir, that is a very large number of families to accommodate. Naturally, I imagine that an effort will be made to find more suitable permanent accommodation for them than is perhaps offered by residential accommodation in hotels. Nevertheless we are faced with pressure on available accommodation, principally on monthly terms, as they cannot afford to pay daily rates in many residential hotels, and I submit that that pressure is not in the ordinary order of normal demand on accommodation. I suggest it is an abnormal demand and, as such, merits a measure of control.

In addition to that, Sir, it will be

necessary to provide for a number of families coming into the country as a result of the recruiting drive for police. Again, Sir, those families, will, it is hoped, be provided with more suitable permanent accommodation. Nevertheless, there is that additional pressure on available accommodation, as a result of the measures taken to deal with the Emergency.

Now, Sir, I suggest that where such pressures are injected into a supply position that was beginning to meet normal demand—and that was the justification for the very big measure of decontrol that proved possible during the last 12 months—when suddenly such a new demand is injected into a situation, then I believe we are not only justified in interfering with the ordinary mechanism of supply and demand, but it is our duty to do so. Without going into the detail of argument about controls, particularly in this case hotel control, which from a long term point of view is not a good thing and cannot, from a long term point of view, encourage investment, although it is arguable how much it does discourage it, I believe it is necessary that the application of this Ordinance be extended for a further year. But in saying that—and it is only a very small minority who wish to exploit those who seek accommodation—I must emphasize that there is the other side of the penny. I believe it is necessary to do something in so far as we can, while retaining the principle of control for the reasons I have given, it is necessary to ease the shoe where it pinches; those who are providing capital and know-how and are, in fact, providing a service by which they must live. Very recently, as some hon. Members may know, a delegation from the Hotel Keepers' Association, which I accompanied, was received by His Excellency the Deputy Governor and as a result of a very helpful and friendly discussion, it has been agreed that a directive should be issued to the Hotel Control Authority, asking them, in consultation with the hotel keepers and the East African Statistical Department, to work out means by which, as long as a degree of control must remain, permitted charges should be related to the cost of living as it affects hotel keepers. In addition, that a date should be agreed from which this index—for

[The Member for Commerce and Industry] want of a better word—this index of hotel costs should be fixed, and finally, to consider that future individual applications for tariff changes to the Authority should be treated as individual cases and considered solely from the aspect of whether increased amenities have been provided or adequate standards maintained. That means increases due to increased costs should be considered separately from costs arising out of the provision of additional amenities. That in effect would make it possible for hotel keepers, many of whom are doing their utmost to increase their facilities, should not be penalized, in relation to the man who is merely struggling to carry on, in relation to increased costs.

This represents a compromise. Compromises, by their nature, are not always good, but I believe this represents an effort to do justice to the hotel proprietor, just as the extension of this Ordinance for a further year—as I confidently recommend to hon. Members—is an attempt to do justice to those who are entirely dependent on hotels for accommodation, which cannot be quickly extended, whatever is the long term objective of the industry. I believe, too, that the hotel industry is one of the most enterprising and far-seeing industries in this Colony.

I beg to move.

THE CHIEF SECRETARY seconded.

Question proposed.

MR. MADAN (Central Electoral Area): Mr. Deputy Speaker, I merely rise to support the Motion and to congratulate the hon. Mover.

MR. HARRIS (Nairobi South): Mr. Deputy Speaker, Sir, May I first of all, in opposing the Motion, congratulate the hon. Member for Commerce and Industry on the success of his recent trip to America and say, while speaking to the Motion, I imagined a forest of microphones in front of him, with the Bronx Park at the back of him! I liked tremendously his "know-how". (Laughter.)

I am very grateful to him for the explanation he gave of the directive which is being issued to, presumably, the Hotel Control Authority. I am a member

of that Authority, I have been for a year, but unfortunately their meetings almost always seem to coincide with the meetings of this hon. Council and I have not, therefore, been as regular an attender as I would have liked to have been.

I would like to make it clear that this is merely Tariff Control—there is still ample control over the conditions of hotels under permanent legislation. This is merely about how much is paid per room per night, per month, per year.

I believe this control, if it has been necessary and if it is necessary, has only been made so because of the control in the past. I believe that the longer we perpetuate this control, then so much longer can a case be made for its necessity.

The City Council of Nairobi, ten days ago, approved of building a City Hall. One of the chief claims for the building of a City Hall was the attraction of conferences to Nairobi. During the debate, one of the opponents of the City Hall made the point that it was very little good attracting conferences to Nairobi if there was nowhere for the conference to sleep—in fact, it was suggested, in the debate, that one of the banqueting halls would have to be turned into a dormitory to sleep those people who, during the day, were talking in the room next door! That sounds funny but, in fact, this Council and members of the Commonwealth Parliamentary Association are going to have a tremendous headache next year when they come to the problem of accommodating the delegates whom we hope will attend that Conference. As hon. Members know, there are other conferences—there are perhaps strings which can be pulled which are not quite so strong as those pulled in the case of the Commonwealth Parliamentary Association—and accommodation is going to be a very considerable headache.

Now, Sir, some years ago, Government advertised a hotel site in Lugard Avenue. Many hon. Members will know that a number of influential hoteliers have investigated that site—I would suggest that there is no hotel on that site because they have found out the conditions under which the hotel industry has to operate in this country. All the time

[Mr. Harris] those conditions are here, I am afraid we shall never get really good hotels and until we get really good hotels, we shall always have a crush in our present limited accommodation. I believe that had the Lugard Avenue hotel been proceeded with some three years ago, when first advertised, you would probably be able to get a room for Sh. 10 a night in most of the alleged good hotels in Nairobi. Even the Hotel Keepers' Association will admit that hotel accommodation in Kenya is probably the worst of any civilized country in the world. I believe the controls we have been imposing on this industry is the direct cause of that lack of decent facilities.

I did mention that I was a member of this Authority myself and I would like to give hon. Members an idea of what happens at a meeting of this Authority. On one occasion when I attended, half the female population of one of Nairobi's larger hotels turned up to tell the Authority what a complete scoundrel the manager was. The other half of the female population of the hotel turned up to say what a jolly good chap he was! We discussed whether the children got sufficient milk for their evening meal. On another occasion we discussed what to do with a gentleman who had a tremendous appetite and he managed, to the detriment of other residents of the hotel, to get two helpings of everything! (Laughter.) I do submit that if it is necessary to have a Government-sponsored organization sitting in judgment on people's appetites, the country is getting even stupider than some people would have us believe.

Another thing, Sir, about this control is, this Council has always tried to be completely non-racial in all its legislation, but in practice, this is a racial organization. It only controls European hotels and good-class Asian hotels. But I wonder how many of the *shauris* which occur in Pumwani every single hour of the week with these hotels, hotels within the meaning of the Ordinance—I wonder how many *shauris* are settled by the Authority. I wonder how many of the low-paid people in Nairobi, who have to live in some of the less reputable hotels—I wonder to what extent they are protected by this Authority? In fact, as so

often happens in Nairobi, it only interferes with the people it is easy to interfere with and ignores those rather more difficult.

The hon. Mover mentioned in this year of grace that he is only applying for a year's extension because of the extraordinary situation that has arisen and that tariffs should, in some way, be tied to the cost of living index. Hon. Members on the other side are very lucky, particularly the ones in the back bench, in that they are getting 35 per cent Cost of Living Allowance. Those in the front bench only get £350 maximum. But if you consider hotel tariffs—and hotels cater for the very things which the ordinary civil servant living in his house has to provide for himself—civil servants are getting 35 per cent Cost of Living Allowance on their 1948 salaries. I wonder how many hotels have had an increase of 10 per cent on their 1948 charges, and yet those hotels are providing everything for which this Council has very generously given an allowance to the hon. Members opposite!

Also, on the way in which this Authority works—there are in this city many able firms of accountants. Some of those accountants are even invited by Government to assist them in their deliberations, as chairmen of committees on such things as income tax. I think it can generally be said that the quality of accountants in this town is very high but one of the better-known accountants' firms applied, on behalf of one of their clients, recently for an increase in the tariff of a certain hotel. They were refused, so the accountants went back with figures and said, "Would you please give us the basis on which you refuse our application?"

This is the letter—may I repeat, to a reputable firm of accountants. "Dear sir, in reply to your letter of 15th instant, I point out that this Authority is under no obligation to give the reason for its decision. However, I am prepared to say that on the figure which you gave us it is very obvious that considerable saving could be made without reducing the standard of food supplied to the residents. This saving would, of course, be net profit. I am, yours truly, Richard Woodley, Chairman."

[Mr. Harris]

Now, Sir, I do not know whether the chairman of the Hotel Authority has some particular method of teaching arithmetic, but I would have thought the addressees of that letter would probably know better than he would what the net profit is. That is the danger of all control; that there is the inclination for those people responsible for control to consider that they are in a position where they can make a decision without giving a reason for it and generally to lecture people paying towards their expenses, even when they do work in an honorary capacity.

Now, Sir, the last point I would like to make is that the hon. Member for Commerce and Industry has almost, in words, said that the continuation of this control is only really necessary because of the influx of service families. Perhaps in his reply, Sir, he would say why the hoteliers of this country should be the people who have to subsidize those families, because that is what it amounts to. I would have thought, if Government are unable to pay sufficient salaries to the police or to the soldiers to accommodate their wives properly, that matter should be accepted by the country as a whole and not by one group of the country, namely, the hoteliers. I would have thought that that is a very bad case indeed to make because we instituted this control a year ago when these families were not here, in spite of the remarks of the hon. Member, I still believe we would be having this debate to-day whether the army and police families were coming or not. When you get a control there is a great reluctance to ever get rid of it. For these reasons—and many other reasons I have given, many I have not mentioned—I shall ask Council to oppose the Motion. (Applause.)

THE DEPUTY SPEAKER: It is now 11 o'clock, time for our customary break. Business will be suspended for fifteen minutes.

Council adjourned at Eleven o'clock and returned at twenty minutes past Eleven o'clock.

MR. COWIE (Nominated Member): Mr. Deputy Speaker, there are three points which I wish to draw attention to

in this debate. The first is the possibility of new investors providing more accommodation especially in Nairobi. I know that the hon. Mover of this Motion has, on several occasions, made it perfectly clear that there are possibilities for investors putting up a certain type of accommodation and getting exemption from Tariff rules. I do not think that is generally known. I hold the opinion that some investors have been driven away by the mere fact that there are controls in force. I do believe that it is a very great tragedy that here in Kenya when we have devoted so many efforts to the development of tourist traffic and, in my submission we have not been unsuccessful, that there is still not sufficient high-class accommodation in Nairobi, which is the bottle-neck. That I attribute partly to the existence of this control. I do hope the Mover in the course of his reply can, even at the risk of repetition, underline the rules which I believe operate in regard to new investors.

The second point is, I do hope it will be possible also for the hon. Mover to underline the possibility which I believe he is prepared to consider, of restricting the geographical limits which are at present imposed. He spoke of Nairobi district and Mombasa Island—is it not possible during the course of the year to make those limits smaller?

The third point is the question of the hotels themselves. I do not think it is generally known that some hotels in Nairobi, certainly parts of them, are free of these Tariff rules; and a few of the additions which have been constructed. During the course of the year is it not possible to consider exempting further portions of some hotels or even complete hotels? If that were done, the control could be made to operate where necessary and to exempt those enterprises which would then prosper in the free market of free trade.

I do hope the hon. Mover can cover those points in the course of his reply.

MR. USHER: Mr. Deputy Speaker, Sir, I should like to extend my sympathy to the Mover of the Motion because I feel that he would very much rather have made the speech made by my hon. friend the Member for Nairobi South! Reluctantly I am going to support the

[Mr. Usher]

Mover for certain reasons which I shall give. This matter has been considered in Mombasa by our Chamber of Commerce, which came to a rather different conclusion—an entirely different conclusion—from that reached by the corresponding body in Nairobi which, I believe, passed a Resolution to oppose this Motion, to advocate, that is, the abolition of the control, by a large majority. On the other hand, the Island which I represent took the opposite view and were unanimously in favour of the extension of the control. That is largely due to the difference in the conditions and I think they faced the facts which were that, of course, in Mombasa there is a very large number of people for whom there is no accommodation at all within their means. They also took into account the fact that there was quite a large proportion of visitors from up-country who have slender means and would appreciate the fact that the tariff was kept within the possibility of their purses.

I think, Sir, the hon. Member for Nairobi South as usual used glasses with long sight when he attacked this problem but I think they were also rosy-tinted because the cynical view taken in Mombasa is that if control were removed, we should not, as it were, have by the way of a wand halls of luxury where at present there is rather, in some cases, sordid accommodation. But the fact is that, as I say, we cannot accommodate the people who are resident in these hotels at present. The Government has already stated its policy in regard to rent control, that is, that it cannot be lifted until—Mr. Thornley said this as Acting Chief Secretary—there is more supply than demand; a hard saying but there it is and it would be utterly illogical, in my view, therefore, to remove this control at the moment. But I would ask the hon. Mover to consider whether he could extend the scope of the inquiry he envisaged a little bit and if he could try and find out what is the proportion of residents in the Mombasa hotels and what sort of residents they are. Many of them may be, in fact are, Civil Servants and are in receipt of Cost of Living Allowance which alters the situation, to my mind, very considerably. I think that should be gone into.

I think he might also consider whether,

if he has again to move this melancholy Motion in a year's time—(Laughter)—he would very much restrict the area as he has done already in the past year.

Again, Sir, I say with reluctance that I must support.

MR. NATHOO (West Electoral Area): Mr. Deputy Speaker, Sir, whilst I was listening to the very excellent speech of the hon. Member for Nairobi South, if I had to vote without thinking about it, I think I should have supported him in his opposition to the Motion. But from the personal knowledge I have of the conditions both of permanent residents and a large number of these hotels, I think we would impose a very great hardship on them if we were to lift the control because of the increasing pressure, foreseen by the Mover, there will be a certain section of the hotel-keepers who are bound to exploit the position.

The chief argument I have heard in favour of lifting the control has been the tourist trade and that several investors have been frightened away because of the control on building up new hotels. Sir, my knowledge is, I am afraid, quite different because I think every time any of these investors have made inquiries at the office of the Member for Commerce and Industry they have been told, provided they put up hotels which are going to cater for tourists they will be totally free from any tariff control. At the moment, Sir, we are dealing with the general population who are suffering from great hardships owing to increased cost of living. There is, however, one plea I would like to enter on behalf of the small hotels. That is, when certain applications for increases are made, instead of writing letters of the type which the hon. Member for Nairobi South has read to us, I think the Hotel Control Authority should take a more realistic view of the financial position and circumstances of the hotel proprietors and give them a more sympathetic hearing.

Sir, I beg to support.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, I shall support the Motion but there are two points I want to make which I will be grateful if the hon. Member will answer when replying. I do not believe

[Mr. Blundell] we will ever get the hotel position right, so long as we keep on the control. It seems to me, if we do this, we are embarking on the policy of negation and we shall not solve the problem.

The second point I would like to ask the hon. Member is this. In effect, the plea which he has put before us arises out of the special circumstances, which is the arrival of these additional people from the United Kingdom. I would like to ask him why it is not possible to do one of two courses—either to requisition one hotel in order to meet the accommodation for these people and release the others into the free market and let building solve the problem; or alternatively—as the hon. Member is frowning, he does not seem to like that one—why not accommodate them in a non-controlled hotel market by the provision of special allowances? I feel, Sir, that what we are really doing, it arises also in the speech of the hon. Member for Mombasa, in effect, we are asking the hotel-keepers to subsidize individuals whose incomes are not at the level which will enable them to use hotels.

In view of the circumstances, as I have said, I am supporting the Motion but I do wonder whether that is the correct policy. What we are doing is asking the hotel-keepers to pay part of the emoluments of these people coming from the United Kingdom because we feel that if the tariffs rose to a free level they would be penalized. I believe that is wrong. I do not believe it is right that we should shift the burden of the Emergency and public finance on to the shoulders of the hotel-keepers.

Mr. TYSON. (Nominated Member): This problem, as most Members are aware, is tied up with the housing problem and in Nairobi and Mombasa, as is well known, we are very short of small houses—housing for lower-income groups. Those groups are forced to live in what you might call second-rate hotels or boarding houses. As a member of the Hotel Control Authority, I also know something about the circumstances under which some of these people have to live—a good many of them young people with small families, forced to live there because they are unable to get housing.

Now if the control was released from this type of accommodation—grade two or boarding houses as you may like to call them—what is at present a very serious position would become much more so and the hardship—not only of Europeans but the same thing applies to Asians—there would be a good deal of hardship inflicted on a large number of people if the control from these establishments was released because, in my opinion, the position would be exploited by the type of person who is running these hotels.

In regard to the question of rates which these people are allowed to charge, the Hotel Control Authority are constantly considering applications from the owners of these places and from time to time revise the rates in order to meet reasonably the demands of the owners and, at the same time, to do justice to the people who are compelled to live in these places. It seems to me that the hon. Member for Nairobi South is concentrating his attention more on the luxury type of hotel rather than on the type where the difficulty is most serious. So far as most of these hotels are concerned, there is, in fact, no control and the market is left free to competition.

I support the Motion. (Applause.)

Mr. SLADE (Aberdare): Mr. Deputy Speaker, I have to declare an interest being a director of a company that owns two hotels in Nairobi. As such, I feel very much inclined to launch into defence of the hotels when I hear it suggested by more than one speaker that you can take it for granted that there will be exploitation if control is removed.

THE MEMBER FOR COMMERCE AND INDUSTRY: Not suggested by me.

Mr. SLADE: I will leave that one aside and argue it in another place.

I did want to ask one question. I understand from the hon. Member that the real case for keeping on control is the existence of the Emergency and the need to introduce quite a lot of people for the security forces to deal with the Emergency. What does strike me and I would like to have an answer on this, Mr. Deputy Speaker, is that this control only applies now to Nairobi and Mombasa, as I understand it. Is it too much

[Mr. Slade] to hope that most of these people who come to fight our battles for us here are not going to be residents or have their families resident in Nairobi or Mombasa but are going to be rather further afield? If that is so, his point is not an awfully good one.

THE DEPUTY SPEAKER: No other Member rising to speak, I will ask the hon. Member to reply.

THE MEMBER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, first of all, I should like to congratulate my hon. friend, the Member for Nairobi South on a very fine speech. (Applause.) It was suggested by my hon. friend the Member for Mombasa that I could have wished to have made that speech. Well, Mr. Deputy Speaker, my hon. friend, I think, said that I spoke as though I was in the Bronx Park Stadium. There are even bigger stadiums in New York City such as the Yankee Stadium. I believe my hon. friend qualifies for the Yankee Stadium. I could not compete! (Laughter.)

Now, first of all, I should like to deal with a point raised by my hon. friend the Member for Rift Valley and it was also raised by one of two other speakers and so, with your permission, I will deal with that point at once, which is, that in fact the hotel proprietors are being picked out to subsidize the cost of living of groups of people coming to this country and those already living in it.

Now, Sir, I did try to explain that there has been injected an extraordinary demand for accommodation which has interfered with the normal course of supply and demand.

I can also deal with the point raised by my hon. friend, Mr. Slade. There is no suggestion whatsoever that hotel-keepers of this country, taking them as a whole, wish to exploit anybody. They wish to supply a decent service but there is a small minority that would probably take advantage of a situation such as I have described where there is an abnormal demand for limited accommodation. There might be, I do not say there would be, there might be exploitation where prices would go up far beyond the normal that might be expected if

demand were normal. My suggestion, Mr. Deputy Speaker, is that Government is entitled and, indeed, has a duty to do its best to prevent that sort of thing happening. Now, Sir, I further went on to say, I do not know whether my hon. friend quite got the point in my opening remarks, that we are seeking to relate the cost of running hotels to the cost of living as it affects hotels. That is going to be a matter for discussion between the Hotel Authority, to whom a directive is to be issued, and hotel proprietors and the Statistical Department, and where further amenities are provided they should be taken into account separately.

I do not pretend that this represents a perfect conclusion—it is an attempt to do justice in an abnormal situation.

Now, I would like to come to an important point raised by my hon. friend, the Member for Nairobi South: I think he tried to envisage a set of circumstances in which I was supposed to have indicated, he did not say I had said it that if it had not been for this injection of special demand, it would have been possible to abolish the control altogether. All I can say is that I would have examined it in the absence of this special demand, and I would have hoped that it would have been possible to have abolished it. I cannot envisage a set of circumstances and go on record as saying I would have done this or that because I was not allowed to examine them in the circumstances envisaged as this process has been going on during the period when, after examination, I was able to recommend to Government a large relaxation on a geographical basis. That brings me to a point raised by my hon. friend, Mr. Cowie, who said would I examine the possibility of further relaxation along geographical lines. That point was also raised by my hon. friend, the Member for Mombasa. Naturally it would be my desire and my hope to relax the control, if possible, to vanishing point, though whether one can do that is dependent on the economic circumstances that prevail at the time an examination is made.

Now, Sir, on the question of the exemption of new hotels from tariff control—my hon. friend, the Member for Nairobi South, well knows this is the case—he did not touch on the point. I

[The Member for Commerce and Industry] am grateful to my hon. friend, Mr. Nathoo, for dealing with this point so clearly. The fact is that in the case of new hotels for the tourist trade of a class we wish to see here—I am entirely in agreement with what hon. members have said about the importance of tourist trade—there is no question that those hotels could be made exempt; just as, indeed, a great many extensions to existing hotels have been made exempt during past years.

I am not arguing that control assists investment—it cannot assist investment. All I am saying is that as far as possible under the system of control every effort is being made and has been made to prevent it interfering with investment. It is true that investment has not always come here when we wished it to but we have told them that control would not operate and it has been on the basis of their judgment that they would not come. I believe their business judgment has been pessimistic but after all it is their money and they are the people best qualified to decide whether to come or not.

I am sorry to take so much time but there were a great many points raised. I will answer them as far as I can. I took note of the point raised by the hon. Member whether it would be possible, in addition to geographical relaxation, to exempt certain hotels altogether. I hope that this possibility will be examined by the Authority.

My hon. friend the Member for Rift Valley raised a further interesting point: would it not be possible to requisition one hotel? I would point out that the percentage of occupants of hotel bedrooms in Nairobi at the present time is very high. Requisitioning an hotel, particularly of the type the hon. Member envisaged, would mean turning out the existing residents—there might be some of the hon. Members' constituents among them.

MR. BLUNDELL: My constituents do not live in Nairobi. The hon. Member might not have noticed it.

THE MEMBER FOR COMMERCE AND INDUSTRY: Certain of Mr. Blundell's

constituents still on the Voters' Roll in his constituency might have found it necessary to move to Nairobi. I do not wish to press the point. (Laughter.)

The hon. Member also said did I agree that control in itself is a negation of economic development.

MR. BLUNDELL: The point I raised was if the hon. Member was not attracted by the proposal that we might requisition some of the rooms in one hotel, would it not be possible to free the market and meet the question of people's salaries—increasing people's salaries—not being suited to new charges by special allowances.

THE MEMBER FOR COMMERCE AND INDUSTRY: As regards the vast majority—namely one hundred and twenty families of military personnel—their allowances and pay are not within the purview of this Government. I cannot comment on that. I would point out in regard to other groups one is getting into very deep water if it is suggested that special allowances to meet what in fact is an inflationary situation in a certain sector of economy should be paid. I doubt whether on reflection the hon. Member would wish to push that further; however, I am not attempting to deal with this in full—it is a very big question, as the hon. Member knows.

MR. BLUNDELL: I do really feel the point he is "skating round"—we understand the difficulty—I am supporting the Motion but I do find it difficult to acquiesce. For some considerable time in effect we are asking small groups of people because of inflation to subsidize what is in fact cost of living to other groups of people.

THE MEMBER FOR COMMERCE AND INDUSTRY: He has come back to safer ground. He has come back to the point I tried to deal with. Perhaps if the hon. Member had taken notice of what I said, he would not have made the point yet again. The point is this: that where there is excessive demand that is outside the ordinary economic demand, then, Mr. Deputy Speaker, it is legitimate, that where there is a small minority who would exploit those who are in that position—it is legitimate for Government to interfere and protect. Now, Sir, I cannot

[The Member for Commerce and Industry]

agree then that the hotel proprietor in this instance benefiting from demand outside ordinary demand is in fact subsidizing a particular group. They are being allowed, in my view, under the procedure I have outlined in terms of a directive issued, to bring their charges into line with the real cost of running an hotel. They are being prevented, a small minority, from exploiting the situation. I agree it is hard for the majority who would not seek to do that but I have tried to point out that there are other ways in which their position can be alleviated. I cannot accept the stricture of the hon. Member on the Government.

Now, Sir, I am sorry that I have had to speak at length but these points were all raised. I believe hon. Members wished me to deal with them as far as I could. Before sitting down I would like to pay a tribute to the Members of the Hotel Control Authority, including my hon. friend the Member for Nairobi South. They are dealing with a very difficult situation. They draw no pay; they draw no allowances; they are doing voluntary work. I am sorry that somebody on the other side of the House has not mentioned this. Although they may not always do what people wish them to do, at least they act according to their light with honesty and integrity and in the spirit of public service.

I beg to move.

#### DIVISION

The question was put and Council divided.

MR. HARRIS: On a point of order, Mr. Deputy Speaker, has the division bell rung?

THE DEPUTY SPEAKER: It has not.

MR. HAVELOCK (Kiambu): On that point of order, may I have permission to vote?

THE DEPUTY SPEAKER: I must apologize to hon. Members, I overlooked the Standing Order requiring the ringing of the division bell.

The question was carried by 39 votes to 11. (AGES: Dr. Anderson, Messrs. Awori, Blundell, Blunt, Major Cavendish-Bentick, Messrs. Carpenter, Coventry, Cowie, Edey, Gikonyo, Griffiths-Jones, Hartwell, Dr. Hassan, Messrs. Hope-Jones, Jeremiah, Dr. Karve, Sheikh Mahfoud Mackawi, Mr. Mathu, Sir Charles Morimer, Chief Mukima, Messrs. Nathoo, Ohunga, Okwirry, Patrie, R. B. Patel, J. S. Patel, Sir Ebooo Pirbhai, Messrs. Potter, Riddoch, Sheikh Mohamed Ali Said, Sheriff Abdullah Salim, Mrs. Shaw, Messrs. Chandra Singh, Tameno, Taylor, Tyson, Usher, Wadley, Whyatt. 39. NOES: Group Capt. Briggs, Messrs. Cooke, Crosskill, Lt.-Col. Gherrie, Lt.-Col. Grogan, Messrs. Harris, Hirvelock, Leicher, Macconochie-Welwood, Shide, 10. DID NOT VOTE: Lady Shaw, 1. ABSENT: Messrs. Madan, Roddan, Vasey, Windley, 4.)

#### ADJOURNMENT

THE DEPUTY SPEAKER: That concludes the business on the Order Paper for today; Council will stand adjourned until 9.30 to-morrow morning.

*Council rose at fifty-five minutes past Eleven o'clock a.m.*

Wednesday, 18th November, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYER  
PAPER LAID

The following paper was laid on the Table:—

Note on African Grown Plantation and Cash Crops and on African Owned Stock.

[BY THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES]

COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read.

MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

MR. HAVELOCK: Mr. Deputy Speaker, I claim half an hour, if I may. (Applause.)

Mr. Deputy Speaker, first of all, may I welcome the return of our hon. Member for Finance. (Applause.) From his healthy look I hope that is a flush of triumph I see on his face. I would also like to congratulate him on the most interesting review that he gave us when introducing this Motion. It is one, I think, of the most detailed reviews this Council has ever heard of to the economic position of the country and it does at least set out the position which we, in this Council, have now to consider. I also wish to congratulate him and the Treasury on the very close estimation which has been very apparent in this Budget and the last, in that it is very much closer than I have experienced in any other Budgets.

Now, Sir, we on this side of the Council are in rather an awkward position. It is obvious from the statement that the hon. Member made to the Press that he is not in a position to tell us what has been the result of his trip to Britain. We, in fact, at this time do not know what money may be available both for the development of the country and, indeed, possibly for recurrent expenditure. It is, therefore, not easy for us to make any comment on that aspect and, indeed,

on the aspect of expenses and expenditure. I hope, Sir, it will be possible for the hon. Member to make a statement to this Council in the comparatively near future, at least, during the course of this Session. If that is possible, at least the hon. Members on this side of Council will be able to make points in the debate on the heads, in view of the statement which the hon. Member may make.

I, starting off this debate on policy, am in the position of only being able to comment generally because the economic position is not yet clear.

I have no doubt, Sir, that Britain is feeling that her young family is rather an expensive one, but I would say that Kenya is rather in the position of a young member of the family who has been working his way through his college. Up to now he has been able to earn a great majority of the expenses necessary for his education. Owing to the fact that he has been struck down by a certain illness, the causes of which were not suspected or, shall I say, not properly treated, he is in the position now where he cannot continue to earn fees for his education. I am going to say this, I hope that Mother Britain will realize that young Kenya is well worth supporting, worth helping and that Kenya will be to Britain a great asset and a great pride in her old age. (Hear, hear.)

Now, Sir, if I may refer more specifically to the speech of the hon. Member. I would like to ask a question; it is a matter of detail but there was one passage which worried me slightly when the hon. Member said, referring to the change of date for the financial year, the hon. Member said it may well be that the change will bring in its train other necessary amendments and changes in dates with regard to the collection of taxation. I would be very grateful if, in his reply, the hon. Member would clarify that slightly and give us some indication as to what changes may be necessary. In this view I can see a certain amount of danger. There might be, anyhow, a certain amount of difficulty as regards the commercial world if changes in the collection of taxation were made.

The hon. Member went on to discuss and to tell us about the activities of the new Economic Research Division. I personally feel that it is an extremely useful

[Mr. Havelock]

idea, an extremely useful innovation. I welcome especially the appointment of Mr. Martin in whom I have great confidence as head of this division. I would only say that I hope that hon. Members on this side will not be bemused by figures just as I was bemused by Mr. Martin at the Royal Show when I pressed buttons in his particular cubicle and figures flashed out at me from a board behind. How he did it I do not know. I am sure there was something queer about it. (Laughter.) I hope, therefore, his statistics will not be on the same level. I also bring up the old warning that I hope the new department will not be too expensive.

Turning, Sir, to trade figures. The hon. Member for Finance told us that the adverse balance of imports and exports was in the region of £33,500,000. Actually, he did not give us that figure but I have done a little sum and that I think is what it comes to. He also stated, Sir—this was in 1952—he also stated that imports of producer materials and producer capital goods were in the region of £35,200,000. I would be very interested to know, within that figure of £35,200,000, what proportion was producer capital goods because it would seem to me that whatever we may spend on producer capital goods we may expect some return from that, whereas on producer material goods that does not apply to such an extent.

The hon. Member also touched on the building industry. He told us that the output of the building industry was lower. Is that because the demand is falling or are there any other particular reasons? I would like to suggest to him that it may well be because the demand is falling. If that is the case, may I also suggest to him it is an indication that rent control might come off. It may be, indeed, in fact, I believe if rent control were taken off it would stimulate the demand for building and help the industry in that regard.

I was not present yesterday when a similar matter was discussed on hotel control but I understand that figures were given on the number of officers and families that may have to be accommodated in Nairobi in the fairly near future. That was given as an excuse why hotel control should be retained—or one of them—

THE MEMBER FOR COMMERCE AND INDUSTRY: On a point of clarification, it was not an excuse but an explanation.

MR. HAVELOCK: That is entirely a matter of opinion. It may be the opinion of the Member for Commerce and Industry that it was an explanation but in my opinion it was an excuse.

Now, Sir, public buildings. I am told that a number of them, both Government buildings and Local Government buildings, may be done by direct labour in future. It is the wish or idea of the authorities that that system should be employed. We on this side of Council have touched on that matter often and I would like to suggest that Government consider a very generous proportion of the construction of public buildings to be given to contractors. We realize that not all can be. There must be a nucleus retained in the Public Works Department for the construction of buildings but I would suggest that the nucleus should be devoted to both the planning side and the advisory function and that private contractors should be given a considerably larger amount of work than may be visualized at the moment.

The next point I would like to touch on in the speech of the hon. Member is that of phasing at the Port of Mombasa. The hon. Member mentioned this matter at least twice. Other hon. Members on my side of Council will, I think, comment in more detail than I will but I personally feel that the phasing of Mombasa has, in fact, reduced our total import. It does seem to appear from the hon. Member's speech that that is the case. If that is the case, surely the phasing has been a failure.

Apart from that, the hon. Member stated that he could not give us the complete figure of imports because of many more goods, particularly textiles, coming by parcel post. I do not know what the proportion is but it is quite heavy these days. It is, of course, evasion of phasing. I am not going to comment on the rights and wrongs of that; but I would ask, do not parcels need declaration forms? Cannot we get the figure through such declaration forms?

I will come to a matter, I will admit it is rather deep for me; I am asking for advice and explanation from the hon. Member for Finance. That is where he



[Mr. Havelock] stated that the Currency Board in London requires 100 per cent backing for new currency in sterling. I would like to ask the hon. Member is it necessary for this country to back currency a 100 per cent in sterling? What advantage or disadvantage would there be if we did not do so? Do other countries do so?

I come to a matter which is in our minds the whole time, one cannot get away from it wherever we are or whatever we do in Kenya; that is the Emergency. It is not my intention to launch out into a long debate on the Emergency at this juncture. I know there are certain points other Members will wish to raise. There are only two I want to emphasize.

I understand that Government have accepted the policy of work camps which is the policy which has been advocated in this Council for a considerable period; in fact, a year ago I advocated it myself because, as Member for Kiambu, I was worried at the number of people being sent back to the Reserves. I understand that Government have now accepted that principle. I would ask that Government get on with it. It seems to me that delays have gone on and on. I would also say that it may be expensive but are the standards required not too high for work camps? Could we not make them of more temporary material? I passed one when I went up-country the other day and saw that the construction is going to be of such materials that I would not mind living in it myself. (Laughter—applause.) It is actually, I understand, aluminium.

Another thing I would like to bring up in this matter is the standard of feeding. I am sure I am right in saying that a number of loyal Africans are very upset at the standard of feeding given to detainees. I cannot see—

MR. MURPHY: Question!

MR. HAVELOCK: As far as I recollect, I think the hon. Member for African Interests raised the matter one day.

MR. BLUNDELL: Loyal Africans!

MR. HAVELOCK: I hope the African Member heard the Member for Rift Valley.

It does seem to me that the standards are unnecessarily high and could be moderated, and in that way we can save a considerable amount of money.

I do want to stress the urgency of this matter. I do not know what all the difficulties are but let us get over them and let us get on with it. Let us get the camps constructed and get on with the policy that has been accepted.

I would also ask the hon. Member for Finance, and the Treasury especially, to turn their minds to expenditure, especially at district level. In the Emergency I am certain there is a considerable amount of extravagance. I would like to suggest that the District Emergency Committees might be asked by the Treasury to turn their attention especially to the expenses in their districts. I do not think it has been emphasized to them the necessity for economy in this regard.

Now, Sir, the main point is income tax. I am a bit puzzled from the speech of the hon. Member—as to why the 1953 income tax collection is going to be so much higher than he estimated. He said to himself in his speech that it was not all arrears. Is it—I also understand that the 1953 national income has declined compared with that of 1952. That is only an indication, of course. If it is not arrears, and the earnings of 1953 were not greater than 1952, why are we going to—I am sorry, Sir, I think the figures should refer to 1952/1951—why are we going to collect so much more income tax this year? Is it because of stricter methods?

At this juncture I would remind the hon. Member for Finance of a suggestion I made to him not many months ago—that the point where super tax should be paid should be raised from £2,000 to £4,000, and also that super tax should be paid only on income over that point—not on total income. At that time the hon. Member was good enough to say he would consider it with sympathy. I should like him to continue to consider it with sympathy. I should like to emphasize that I am quite certain that the rate of super tax is holding up private development and, indeed, I know it is affecting production. I do not think there is any need for me to go into detail as to the reasons for that. They are pretty obvious. My own personal view, as far

[Mr. Havelock] as income tax is concerned, is that a reduced rate of income tax at this time would result in an increased revenue. I feel—I believe that because, first of all, a reduced rate will help to attract investment from overseas, I am sure of it; and, secondly, the higher the rate, the more people there are who try to avoid it—not evade.

The position at the moment, as far as I can see, is that people are paying out a considerable amount of money to employ experts to show them how to avoid income tax. If the rate was lower they would not go to that trouble. People are turning themselves into private companies—I can assure you, I am myself—all running round in circles. I am certain if the rate was lower we would actually get a greater revenue. I used the word "avoid", not "evade".

Turning to expenditure—the actual Heads which were quoted by the hon. Member—that is, expenditure over and above the estimate—ordinary expenditure, not Emergency expenditure. He gave us examples, for instance, Civil Aviation—£165,000 more than was estimated was expended: East African Airways—£39,000; Miscellaneous Services—£200,000. Those are the three points on which I should like further information: I would like information on Miscellaneous Services. Also, I have looked through the Budget, but I cannot really find out where this expenditure went.

I should also like to ask, while on the subject of miscellaneous things: could the hon. Member for Finance tell me what is included in Miscellaneous Receipts? I have to touch on this here, Sir. It is on the Revenue Budget. I would not be able to touch on it otherwise. The actual sum is £110,000, Miscellaneous Receipts, for 1953. I should like to know what they were—especially an item included under "Sundry" of £32,000 odd. It seems a lot of money without a particular Head.

I have overlooked in the sequence of the hon. Member's speech the matter of "Forests". I should like to say that there is, of course—I hope—in the very near future going to be a full-dress debate on Forests in this Council, when at last the Government might do something about the Hiley Report: but I would like to

suggest it may be—we are realists on this matter—that forest development—extra expenditure on forests—may have to be postponed. After all, revenue to be obtained from extra investment in forests cannot be expected for twenty to thirty years. At this particular juncture may that not be a Head which we might willfully postpone for two or three years until our financial position has considerably improved? We do not want, of course—in fact, to put it the other way, positively, we want to increase our assets in the way of forests and natural resources, but I think that we have to be realists at this juncture and not sentimentalists. In that regard, I believe there are too many sentimentalists mixed up with forests.

Another small point, and one which has puzzled me for some years and which I should like to have answered now, is this extraordinary item of Normal Staff Increments. It is an excuse for an increase in expenditure every year, and I have taken it and swallowed it! Why are there Normal Staff Increments? In the different departments surely people are leaving and others are coming in at the bottom on a cheaper scale. Therefore, logically, it should balance out—even out. Is it really a hidden expense for increasing staff? It seems to me that we cannot go on for ever with Normal Increments when we have people leaving and cheaper men being employed.

Now I come to a part of the hon. Member's speech in which he posed a question to us. He said: "What are we going to do if we do not get aid from elsewhere? Are we going to accept heavy taxation which might frighten investors, but which will allow us to keep up—perhaps increase—our standard of social services, or are we going to accept utility standards of social services and put all the money available into developing quickly productive resources which would—I understand from the speech—lead to quicker economic stability?"

The European Elected Members' Organization has recently given an answer in a public statement. Their answer is: "We feel we must sacrifice our social services to some extent and get ourselves as quickly as possible on to a stable economic level. If the standard of social services during this period are not satisfactory to the groups of people con-

[Mr. Havelock] termed, then it would seem to me if they insist on higher standards they, in some way or other, will have to pay for them directly.

In this regard I should like to ask the hon. Member, and direct his attention to the fact—to the trend which his figures show—that is, figures of expenditure on different groups. In fact, as far as I can see, he budgeted for a slightly higher expenditure in this six months on social services than last year, and a slightly lower expenditure on crops and natural resources than last year. It is not very much, but it is a trend and, in view of what I have just said, I do not like that trend.

Turning now, Sir, to the proportion of direct and indirect taxation. This is a matter which has been discussed in debate in this Council over many budgets. As I see it now, in 1954 the proportion will be five and a half as to seven direct-indirect, as against in 1951 four and a quarter to seven. That is approximately—I put it that way as it is easier for me to see—anyway for my simple mind. In reading the hon. Member for Finance's speech, it seemed to me he rather welcomed this trend. I hope I was wrong. I certainly do not—I think I am speaking on behalf of all my colleagues when I say that (cries of "Aye!"). In my view, that is an unbalanced form of taxation in a country where such a small proportion of the total population carries the main burden of direct taxation.

The hon. Member for Finance gave comparisons. One comparison was with Canada, where the proportion was exactly the same as ours. First of all I should like to say that comparisons with such countries as Canada, which are highly industrialized, are quite meaningless compared with Kenya. The situation in Kenya, to my mind, is so different. I should like to know, taking Canada for example, what are the proportions of population in Canada in the direct tax-paying groups. How many of the total population of Canada are in high direct tax-paying groups, how many in the medium and how many in the low groups? Those figures would be extremely interesting to compare with ours. I am certain that you would find it would prove that too small a proportion

of the people of Kenya are bearing too heavy a burden for providing services for the great majority.

We come now, Sir, to our old bug-bear—export taxes. The Elected Members are still opposed to the principle of export taxes, as they have been consistently—I should say the Elected Members' Organization, to make the matter quite clear. However, the main reason why there was opposition was because export taxes provide for a double taxation on selected industries. If this objection could be removed then I suggest that we would accept export taxes as such, but only on this objection being removed. An export tax is a legitimate contribution by the grower of the crop who does not pay any other form of taxation. I would suggest, therefore, that export taxes should be deductible from income tax. It is not new. I made it myself previously. What would happen would be that the export tax would be a contribution from the person growing, and income tax would be a contribution from those who pay it.

In this case, Sir, I would suggest that there is no need for export taxes—in fact, it would be wrong for export taxes to be allocated specifically to development. Revenue so collected should go into the ordinary recurrent budget. I would ask the hon. Member to give serious consideration to this suggestion which, I am sure he will agree in his heart of hearts, is really logical and fair.

Now, Sir, Development and Reconstruction Authority. Let me say straight away that the Elected Members welcome the ultimate absorption of the development budget into the recurrent budget and, apart from the priorities which I have already touched upon, of expenditure on quickly productive services, capital expenditure—apart from those priorities, I do not wish to comment on Development and Reconstruction Authority expenditure, especially as I am a member of the Planning Committee. I understand other Members will probably be making suggestions in this Council. I shall be very interested to hear them.

One part—section—of the speech of the hon. Member for Finance and Development which I welcome most heartily is the suggestion he has put up for facilities for local investment. I

[Mr. Havelock] strongly support this and, as far as detail is concerned, I wish to leave comment to the hon. Member for Nairobi West. However, I would add the urging of the European Elected Members to that of the hon. Member for Finance and Development to the stockbrokers to get down as quickly as possible to seek and obtain London recognition. I am certain—as the hon. Member for Finance said—that it is one of the most important things we can do to help local investors. (Hear, hear.)

I would thank the hon. Member for Finance and Development for the great interest and energy he has expended in this regard over a number of months, I know. (Applause.) Sir, next budget—

THE DEPUTY SPEAKER: When the hon. Member rose to speak, if I heard him aright, he said he was going to speak for half an hour. I took it that what he was really intending was to claim the right to speak for more than half an hour?

MR. HAVELOCK: Yes, Sir, that is correct. Is it over half an hour?

THE DEPUTY SPEAKER: The half hour is up.

MR. HAVELOCK: I only need a few more minutes, Sir. I am just working up to my climax! (Laughter.)

THE DEPUTY SPEAKER: All to the good. I am sorry I interrupted you.

MR. HAVELOCK: Mr. Deputy Speaker, the next budget, I hope, will be presented by the hon. Member for Finance and Development in the new building. This Memorial Hall has served us well, but there is a change in the air, and I suggest—I feel—that the Council's move from here to the new Legislative Council building is significant. We will have new thoughts, hope and endeavour, and I hope—in fact, we all hope—it will be a house of good will: but if our hopes for the country are to be realized we have got to carry with us, Sir, into that new building some of the atmosphere of austerity from this Hall. We have also got to carry with us a spirit of sacrifice and determination which, I suggest to you, is represented by that picture in this Hall. We are, Sir, entering a new epoch. When this Council moves to the new Legislative Council building, we are

entering a new epoch. We are again pioneers in a new country. The wheel is turning.

In financial matters I am absolutely certain that the hon. Member for Finance and Development will show that determination, that spirit and courage which is required of all of us. I merely say that I think the way he has handled the financial affairs of the country during his term of office needs every congratulation—(Hear, hear) (Applause)—and that on all general matters we—everybody in this Council—will have to take with them that spirit of austerity, that determination to fight through what still is a very black period for this country. (Prolonged applause.)

MR. CHANAN SINGH (Central Electoral Area): Mr. Chairman, Sir, I am sorry, Mr. Chairman, I may be a little longer than half an hour. I wish to claim the right to speak for more than half an hour.

THE DEPUTY SPEAKER: Granted.

MR. CHANAN SINGH: The increasing cost of the Emergency may make it necessary, as hinted at by the Member for Finance and Development, to fix priorities for expenditure. There has been a lot of talk about the directions in which expenditure should have first priority. It has been suggested over and over again that the development of natural resources should come first. I am not against the development of natural resources. In fact, in a country like Kenya, natural resources are very important, and we should give all the attention that we can to their development. But I do suggest that we are living in a country where human resources also are important. Education and medical services are of equal importance, to my way of thinking. In the advanced countries of the world there are social services which do not contribute to production as much as education and economic development do, but in Kenya the only important social services we have are education and medical services. I think they are as productive as land and other economic resources. If we want to make full use of our natural resources we must have men who are efficient and who know how to develop the natural resources with which we are endowed. From that point

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of view education is very important, and in allocating priorities I do hope that the education and the medical services will not be deprived of their due share in the provision of capital. In fact money spent on education and hospitals is a sort of investment for the future. It produces better human material, and in Kenya we definitely need more efficient human material than we have now. I think money spent on schools and hospitals will not be wasted. So that in planning for future expenditure we should not lose sight of the need for education and medical services.

Water supplies need to be developed. In many trading centres and small towns there is no water supply.

I admit water supplies cannot be provided at all these places at once. Government has been doing what it can in the past; I do hope it will continue its efforts and make plans so that two or three townships and trading centres have water supplies every year.

Now, Sir, the hon. Member for Kiambu suggested that if any group wants a higher standard of social services, it should be prepared to pay for them. That is not the first time this view has been placed before this Council. I personally think that is the wrong way of looking at things.

It would be right for any group in Kenya to say that Government should first provide services of the same standard for all racial groups. When that has been done, any racial group that wants higher services should be able to pay for them. But that is not the state of affairs in Kenya. When Government says it is prepared to spend the same sum for free pupils at school for all races, it will be the time then to say if any group wants a higher standard of education it should pay for it. Even that point of view would not be strictly correct. I say there would be some justification for that, but here we see that expense per pupil for a certain group is much higher than expense per pupil for other groups. I think it is wrong to say when certain groups have the type of education or the standard of education that they want, that other groups which want at least the same standard as provided to that group, should pay for it. I personally think that

Government should continue to improve the standard of education given to the non-European group. When the standard is the same for all three groups then people can, with some justification, demand that any higher standard should be at the expense of the particular community that wants it.

Then there has been some discussion in the country as to whether the United Kingdom can be expected to pay for the Emergency. I am of the view that it would not be fair to expect the United Kingdom taxpayers to pay for what is in effect our own creation. I do not think the United Kingdom Government or the United Kingdom people can be expected to pay for the Emergency in Kenya. I feel the Emergency is the creation of the people of Kenya themselves—whether the state of affairs arises from ignorance or superstition, it is our fault because we did nothing to remove it.

MR. BLUNDELL: We have done our best.

MR. CHANAN SINGH: I feel in these circumstances that it would not be fair to expect the United Kingdom to pay the Emergency costs.

It is only right that the people who are responsible for the creation of the Emergency should pay for it. I think to provide for additional expenditure there should be a percentage rise in all taxes. There is another point on which the Member for Kiambu made a few comments. He seems to think that the proportion raised by direct taxation in Kenya is higher than it needs to be. I do not agree with him there. I feel that as much money as possible should be raised by direct taxation. Direct taxes are the only fair taxes, because they bear a direct relation to a person's income.

MR. HAYLOCK: Poll tax?

MR. CHANAN SINGH: Poll tax is entirely the wrong form of tax.

MR. HARRIS: It is direct. (Laughter.)

MR. CHANAN SINGH: I apologise. It is a direct tax. When I say a direct tax is a good tax, I mean progressive taxes like income tax. (Laughter.)

[Mr. Chanan Singh]

The point of view that lower-income groups should be made to pay for some of the cost of Government is not new to Kenya. That is the reason why part of the revenue in all countries is raised by customs duties, because customs duties are not only borne by the rich section of the population, but by the poor population also. But in other parts of the world Governments stop there. They think the lower-income groups have paid their share if they have paid customs duties; but, here, the lower-income groups are made to pay customs duties—which I think is proper—but in addition they are made to pay poll taxes.

In other countries, for example the United Kingdom, the lower income tax group are expected to pay only indirect taxes such as customs duties. There is no poll tax, but, here, we make them pay customs duties as well as poll tax. I think it is entirely unfair in these circumstances to say that a greater proportion should be raised by indirect taxes. Indirect taxes, in my view, are as high as they can be.

There is one point which concerns expenditure on which I wish to touch. I see that where money is provided for services for the Asian community there is a trend to under-spend the vote sanctioned by Legislative Council—that has been happening for many years. In the Development Estimates on page 27 figures of expenditure on educational buildings are given.

Now, the amount provided by the Planning Committee for the Asian community was £1,793,900. Out of this a sum of £730,000 will remain unspent at the end of 1953. This is 41 per cent of the provision. That means that only 59 per cent of the provision made by the Planning Committee will have been spent by the end of this year. Now, take the corresponding figure for the European community. The total provision was £2,502,800. Out of this only £475,000 will remain unspent. That means 81 per cent of the provision will have been spent by the end of this year, against 59 per cent for the Asian vote.

That does not seem to be correct. Because, first of all, smaller sums are provided for the Asian community; when Legislative Council has been good enough

to sanction those sums even then they are not spent. The same complaint arises in regard to the civil servants' houses. Provision was made for the building of houses for European and Asian civil servants. The number of houses built for the Europeans is greater than the number built for the Asian civil servant; although about the same number of houses was planned originally. The same trend is visible, Sir, in the running costs of schools.

I have looked at the estimates of expenditure for the last eight years ending in 1952. I see, Sir, that out of those eight years in seven years the Asian vote was under-spent. In one year only was it over-spent. In the case of the figures for Europeans, in five years out of eight the vote was over-spent. In three years only was it under-spent. I cannot see the reason for this state of affairs. If money is provided by Legislative Council and it is needed—genuinely needed—there is no reason why it should not be spent. The Asian schools are under-staffed. Some of them have double sessions even now. Although the classes attending schools in the morning and evening are different, it is the same staff who have to take them. Nevertheless, here we have the money available, but it is not spent.

Now, Sir, I have a few comments to make with regard to the Emergency. In the past on several occasions we have asked the Government to make special arrangements for the protection of small trading centres and small townships in the rural areas. Whenever a raid or attack has taken place arrangements have been made for special protection, but as soon as the occasion has passed, protection has been removed. I think that the position of trading centres should be examined by the authorities responsible for the handling of the Emergency affairs. I think it should not be impossible to post one or two trained policemen at these places so that they could give signals to the nearest police station in case of need. Such need arose last month at the small trading centre called Kaggio. It is situated five miles from Saggua on the road to Embu. One day last month at about 11 p.m. a large gang raided this trading centre. One Asian shop was completely burnt down, some others were looted. Two African shops

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were also broken into. The raid continued for about four hours—all four hours firing was going on, to the accompaniment of singing and drinking beer. There are two police stations at a distance of about five miles from this place, but neither knew anything about the raid and it is strange to say that the ever vigilant Press even now does not appear to know anything about this raid. On remedies for the state of affairs now prevailing, everyone has his own ideas. I think a remedy on psychological lines is very badly needed—something to capture the minds of the African population so that they will be convinced that their right to political advance will not be artificially delayed. I am not suggesting that because of the Emergency, but something like that will have a very good psychological effect on the African mind.

I think to start with a senior African officer should be appointed to the office of the Member for African Affairs.

MR. MATHU: Hear, hear!

MR. CHANAN SINGH: I think the Member who deals with African Affairs throughout the Colony should have an assistant—some senior African—on whose advice and knowledge of things in Kenya he should be able to rely.

I have another suggestion to make of a similar kind. The facilities for higher academic studies are not sufficient in this part of the world. I think Government should send half a dozen selected Africans for higher education at the older universities of the United Kingdom. When the students have passed out they should be given opportunity to compete for recruitment as administrative cadets. If in five or six years' time we have, say, half a dozen African District Commissioners, that would make a very great difference to the confidence the African community has in the good will of the Government. Sir, that is all.

SHUKRI MAHMOOD MACKAWI (Arab Elected Member): Mr. Deputy Speaker, Sir, I associate myself with the remarks of the previous speakers in congratulating the hon. Member for Finance for presenting to the Council a very clear Budget and an excellent speech. (Ap-

Sir, I would like to make a few points. My first point is about education. I feel very much that compulsory education—whilst there is compulsory education for European and Asian children, education has been denied to our children. I feel this is racial discrimination. I strongly urge that compulsory education should be provided for Arab children in Kenya, and also that the Arabic language should be taught in Government Arab Schools.

My second point, Sir, is that I visited an Arab Primary School in Mombasa and I found 300 or 400 boys on the list awaiting admittance; for lack of accommodation, they were not admitted. Now, Sir, the Arab population has been increased by 50 per cent and I request Government to build another Arab boys primary school at Mombasa so that they will not suffer.

Also, Sir, I urge upon Government to increase their number of bursaries for Arab children to go overseas for further studies.

Sir, I support the Motion.

MR. MATHU: Mr. Deputy Speaker, Sir, I would like to join with the previous speakers, on behalf of the African Members, to congratulate the hon. Member for Finance for his very detailed exposition of the Colony's financial position in his speech to the Council. (Applause.)

I should like to claim, Sir, that if necessary, I speak for longer than half-an-hour.

THE CHAIRMAN: Granted.

MR. MATHU: The first question I want to deal with is the question posed by the hon. Member for Finance on the question of the two alternatives, either that we should be taxed to the hilt, to maintain our social services at the minimum standards, or to keep our taxation as it is and reduce the social services.

First of all, I do feel that the Member for Finance was very unwise to pose that question to hon. Members, because when he was on this side of the Council he said—and it was his policy—that next to bread, education was the most important thing. Now he comes to us, on the other side of the Council, and tells us to reduce education and medical services.

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of explanation, Sir, I think the hon. Member has misquoted what I said. In any case, if he has a copy of the speech with him he will see. I do not think I expressed any opinion when I posed the question.

MR. MATHU: I think the hon. Member for Finance is quite right; I have got him wrong! (Laughter.)

In his speech: "We should have to consider whether we could continue to provide secondary education at the present level for so many of our children. We might have to decide that beyond a certain point almost the entire burden of the cost of education of a child must fall upon the parents."

I say, that although he did not express an opinion, it was a very impertinent question, for without education, all development slows down. He said: "These steps might lead to discontent amongst many of our people, but they are steps which in those circumstances might have to be taken in order that the whole of our available resources"—not a part but the whole—"could be turned to short term productive projects." I want to suggest to the hon. Member for Finance that you cannot have any development in what you call short term productive projects with a population that is semi-skilled or unskilled, illiterate with no education, unhealthy, with their tummies upside down—(Laughter)—you cannot have that development and therefore I say, like the hon. Member, when he was on this side of the Council that next to bread, education, 100 per cent. Without that, you cannot do any sort of short term project development at all—it is impossible. Therefore, Sir, I first want to give an answer to that question: the answer is that we must be taxed to the hilt! Any person who says that in order to slow down social services is not doing anybody any good, taxation must be to the highest level. (Laughter.) It may be in the form of poll tax, it may be in the form of income tax or export tax—I support every measure so that everybody is taxed to the hilt. I am speaking for the African members of this Council and I think I am speaking for the African community in the country. The

hon. Member for Kiambu says that the Elected Members' Organization support this measure of slowing down the social services and using the whole of our available resources—quoting the hon. Member for Finance's words—to productive services. What does that mean? It means this: that the African community who are the most backward in this country will have only a smattering of education, they have only a smattering of education as it is now; but if we accept the hon. Member's question that we should slow down, it means there will be hardly any education at all for the mass of African people in the Colony. I think, Sir, that if this is a policy of this Government, the sooner it abdicates the better because it cannot have any other reason for holding responsibility in this country unless the masses of the people in this country are properly educated and unless they produce a healthy community amongst these people; there could be no other reason why they should hold the position they are holding to-day.

When a committee was appointed by this Government to investigate the needs for African education the Beecher Report was debated in this Council. In it a recommendation was made which was accepted by this Council that the whole burden of the first eight years of education should fall on the African taxpayers with grants from the Government which are usually very small. ("No, no, no" from Government benches.) (Laughter.)

For the first eight years the African parent has to bear practically the whole burden of the child's education. My hon. friend will have time to reply to this, if he would like me to carry on. The Beecher Report envisaged, in fact, recommended that all fees should go to the local authority so that school materials, books and the rest, should be provided to the children also; that capital expenses for putting up buildings and so on should also come from the funds from fees from the local taxation and Government grants. I would like to say, Sir, that is not having any effect at all because the buildings still fall on the parents—I am talking about primary and intermediate schools now. The building of schools falls on parents. I am a parent, Sir, and I would like to say that only

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this year I had to pay Sh. 150 for the building of the school where my child goes, and other parents have paid more in other places.

Exercise books—we were told they are going to have them after paying the fees prescribed, Sh. 25 to Sh. 30. My hon. friend, the Director of Education, knows that we are very unhappy about the system of assessing fees. We got him in the Public Accounts Committee not very long ago; he was not sure of his position in regard to this. The Africans are finding it extremely impossible to educate their children in these circumstances. The buildings are his, the fees are his and the exercise books do not come until June. When the term starts in February or March there are no exercise books for the child and the parent has to buy books until the books of the Education Department arrive at the school. What kind of education can that be? Then we are asked to slow down—we have already slowed down.

The African child is getting a very poor education. If you expect the African to accept the thesis that taxation slows down education and social services, we say, "No"; we say "No" very emphatically, because it will be to the dis-service of this country.

Now his particular reference to education was about secondary education, because that is where the Government comes in. If the African does not get any secondary education, or very little, he has no future in this country, except, of course, as a hewer of wood and a drawer of water—is that the implication my hon. friend has in mind?

THE MEMBER FOR FINANCE AND DEVELOPMENT: No!

MR. MATHU: I am glad to hear that! Africans must have secondary education; if it comes about by taxing the communities in the country, we must be taxed. I was surprised by the hon. Member for Kiambu's supporting the suggestion that we should slow down; I was very surprised to hear him say so, because he knows, and hon. European Elected Members know very well, that they will not accept any slowing down for the education of their children. The European Parents' Association had a

letter in the Press recently after the hon. Member's speech, protesting against that possibility happening. They will fight to the nail to see that that will not happen; we are going to do the same.

Not only that: I suggest, as one of the previous speakers suggested, that we do not only want full secondary education for our children, we want higher education; not only Makerere, but universities abroad. Government should contribute to this. I know they are doing it, but in a very niggardly way—two students is nothing in comparison with 3,000 in Nigeria and the Gold Coast—3,000 students in a year in those two countries. We support two in a year in the United Kingdom. You tell us Nigeria and the Gold Coast are not doing their job. I say they are doing it very much indeed.

I would like therefore to suggest that we feel we are not getting a square deal from Government in the way of educating African children. Per head, per capita we work out to about 25 cents, the Asians get so many shillings and the Europeans so many pounds per child. (Laughter.) Therefore we should like to press that there should be no question of slowing down African education. What we have to do is to increase financial facilities for the educating of the African child. Without that this country is doomed to failure because it will be very expensive to import those who are educated elsewhere and pay them highly to attract them here. You have not got to attract the African child here; he is here already. Therefore I do feel that a proposition that this Council and Government must consider very seriously a question for slowing down education and medical services will not be accepted by us. I think I should say we shall stand on that because we should pay taxes. We are not suggesting it should come down as manna from heaven, there is no suggestion of decreasing our taxes, but we should increase them, and in this Budget, too.

Now the second point I want to deal with is the question of the national income. My hon. friend talked about the geographical income for 1952 as £107,000,000. He did say there has been a fall in every direction, in fact, in agricultural production, non-African agriculture, forestry and industry. One of the reasons is Government's action of

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evacuating wholesale the Kikuyu working in the Highlands without discrimination and also those in the forests. No wonder representatives of the farmers want no taxation, because the money has gone down because the Kikuyu were removed without any discrimination. I suggest it is a point worth looking into.

For three years now, the previous Financial Secretaries have been unable to tell us exactly what the African contribution is to the national income. £4,000,000 plus is what they call African Marketed Produce and Subsistence Agriculture £23,000,000. I would like to suggest to the hon. Member that the Economic Research Committee is not doing the country any good by not giving us statistics of accurate African contribution to agriculture. We have had a Paper laid by the hon. Member for Agriculture in regard to cash crops. I think my colleagues are considering moving a Motion on that Paper because we think it is not properly estimated and we do think we should have more accurate information on the African contribution to the economy of this country. I suggest that the question of subsistence agriculture—£23,000,000 and we contribute only £4,000,000—the relation is very small and something is wrong somewhere. If my honourable friend does not want to show the world what the African contributions are, let him say so, but if he has an Economy Research Committee I suggest he should get them. But we are not going to acquiesce on a policy which shows up the African badly in the contribution he makes in the productive services of the country.

The Member for Finance talked about the domestic visible exports—we have £25,800,000 for the year under review. He showed to us, Sir, what contributions were in regard to the export of coffee, maize, sisal, hides and skins. I would like to say, Sir, that as far as coffee is concerned the whole hindrance for African coffee production is the restriction imposed by Government for Africans to grow coffee. One hundred trees per person. What kind of impact can a hundred trees per grower have on the export of the country? Although the Coffee Marketing Board of Kenya did say that the highest quality coffee produced came from Embu and Meru,

but what is the point of a hundred trees only? Why should you restrict the African to one hundred trees, why not grow a hundred acres if they can do that? Therefore, you are restricting the inflow of money into the country by restricting the African to the hill so that he cannot produce, although he is able and his soil is able.

MR. BLUNDELL: Would the hon. Member give way? I asked for the Paper from which the hon. Member is quoting to be laid by the Member for Agriculture and Natural Resources. I think it is reasonable to record that Africans are not restricted to one hundred trees only. In that statement they are, in effect, started at one hundred trees and when they prove that they are capable of running one hundred trees successfully and well under the advice of the Agricultural Department they can then expand further.

MR. MATHU: My honourable friend the Member for Rift Valley does not know the facts. The facts are that even if you have to be limited to starting at one hundred trees—how many hundred trees is the European started with to grow coffee? Who does the tending of the coffee trees in the European areas? The African does. The coffee manager walks around with a stick and says how it is done; that is how it is done. It is the African who tends the trees. What other knowledge do you want him to have in order to limit him to a hundred trees? He already has the knowledge, he tends the European coffee farms while the farmer just sits on the verandah and sees his trees growing. (Laughter.) (Cries of "Shame!") No shame to me, it is shame to the European manager.

This is a serious matter and I suggest that there should be no restriction for the growing of coffee trees by the Africans. If the climate allows it, if the Agricultural Officer is there to inspect the question of disease, there should be no restrictions. The Wachagga, why are they so prosperous? They have no restriction. Why have they established in Moshi a first-class business? Because they have no restrictions. Why restrict the Kikuyu, the Kisii and the Teita in growing coffee trees? This is a serious matter. If it is money we want in the country you must not restrict those re-

[Mr. Mathu] sources, for if you want money to come into the country it is coffee that is very important. Although my hon. friend the Member for Rift Valley is entitled to express his views, I suggest there should be no restriction whatsoever.

It goes on with pyrethrum and sisal. The African is not allowed to grow them as a plantation crop. Hedges, hedges, whether it is his land or not, he must grow only in hedges. There is no logic in the whole of this business, Sir. Why hedges? The Wakamba, who are always in difficulty over famine and their land is suitable for sisal, must grow in hedges he cannot grow in acres, ten acres—no—hedges! It does not make any sense. I suggest to this Council if we want money the African must contribute and the way is not to restrict him by law or any other regulation, and pyrethrum is the same.

I think I am getting on to my time. I would like to make a comment on hides and skins.

THE DEPUTY SPEAKER: He has no time limit and he has permission to exceed his half-hour. If he is getting on to another phase of his theme—(Laughter)—I think this will be a convenient time for the customary break.

*Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.*

MR. MATHU: When we rose for the interval, I was on the point of the export of hides and skins. There are two points I want to make in that connexion. The first is that the African would like to welcome the services provided by the Veterinary Department in regard to the caring of stock and improvement of livestock generally. But there is a feeling among the African community that that service is not mainly intended to improve African stock eventually but to eliminate the African stock completely so that the African depends so far as animal products are concerned on other types of farmers who deal with this kind of work. I say this not because I entirely agree with that point of view, but I do know that view is current in African areas and give the opportunity to Government to make it clear that that is not the intention. The Masai, for example, say that it is Government's policy although they

do not tell us expressly that we should not have any cattle at all so that we can be herd boys in other places and we become hired workers like the rest of the Africans in the rest of Kenya. That, I know, is not Government's policy but that view is current in African areas.

When the Member for Agriculture and Natural Resources laid a Paper this morning and tells us how much Livestock Marketing Organization has done in reducing the number of livestock in African areas, it is important that with that, the African should be told, and very plainly, that it is not Government's intention to make the Africans not keep any stock but to keep only the best stock that the land can carry. That is my intention in raising that first point.

The second point is in regard to the actual marketing of hides and skins. We have, Sir, a Government Ordinance which controls not only the marketing of stock but also of hides and skins. I am suggesting, Sir, that there is room for improvement of the administration of that law because there are quite a number of Africans who would bring hides and skins to market and find it difficult if they have to fulfil the conditions made by that law.

There is also the other subject of helping the African hides and skins dealer in improving his hides and skins by way of drying and curing and so on. I have mentioned in this Council before that the African is very dissatisfied with their service although the Colony pays for it and I would like to suggest that there is a long way to go by the departments responsible for that service in convincing the African that it is a good service and it earns money for him.

My hon. friend talked about the cost of living. I would like to comment, Sir, that, as far as the African population is concerned, particularly in Mombasa, Nairobi and Nakuru, they find it extremely difficult to make ends meet. Prices are soaring almost every day; wages are standing still and the African worker is almost—I was going to say broke—it is not a question of broke, he cannot live as a human being. Either the Government machinery keeps the prices down so as to enable the African worker to buy his needs with the money that he gets or that the wages have to be in-

[Mr. Mathu] creased very quickly and that is why I say that the Carpenter Committee have been sitting on their work for a long time and the African worker cannot go on waiting. In fact, I was told that one of the reasons why there is a boycott on buses is because the worker cannot go on not paying his cents every morning, he walks, because if he did, it would be difficult. I hope that is not the reason. If it is, I would like to suggest, Sir, that the Carpenter Committee should report quickly and I hope they have already decided they must increase the wages very considerably.

My final point, Sir, is a point on African agriculture generally. We have, Sir, the Troup Report on European agriculture and that Troup Report has been welcomed by the European farming community as we read in the Press. They do not like to pay larger land rents but on the whole they are pressing this Government to implement the recommendations contained in the Troup Report. What we are suggesting, Sir, is that there should be another Troup to investigate African agriculture and to make recommendations. It is absolutely vital that we have something from an expert in this matter. It will be another item of expenditure, Sir, but I think it is an item of expenditure that would be worth while to be met by this Government. Therefore, Sir, we are suggesting and recommending to Government that, instead of talking vaguely about what African agriculture's future is going to be, we should have an expert to go into it.

These are recommendations as to what should be done in African agriculture to enable the African to contribute what he should contribute from his endeavours in agriculture.

Finally, I have two or three points to comment on from the speech made by the hon. Member for Kiambu. I feel, like him, that there should be a very strict watch over the expenditure either on the Emergency or for normal times at district level. My hon. friend, the Member for Finance, did point out on one occasion in this Council that he feels that those who have authority to spend should make sure that they spend wisely, otherwise he would not carry any personal responsibility in that regard. I do

feel, Sir, that there is a case here for watching the expenditure of the country at district level.

The other point I want to comment on is the question of food, or rather, the rations given to the detainees. My hon. friend is worried that they are getting a very high type of rations and he would like to see it reduced. My information is to the contrary. My information is that these people are finding it extremely difficult to live as humans—not as people who live in their own homes, but as human beings, whether they are detainees or not. We cannot get out of the fact that they are human beings all the same. I should say that my point—the hon. Member for Kiambu's point—should be investigated and to see what the truth of the matter is.

MR. DEPUTY SPEAKER, I support the Motion. (Applause.)

MR. NATHOO: Mr. Deputy Speaker, in the first place I would like to make an inquiry on a point of order or procedure. That is, when a group or person claims half an hour, to speak for more than half an hour and does not speak, does that deprive another person of the same group from speaking or not?

THE DEPUTY SPEAKER: I have been giving some little consideration to that point as I thought it might arise. The Standing Order reads—"... the speeches of Members shall be limited to thirty minutes except in the case of the mover, and one *ex officio* or Nominated Member, and four Unofficial Members:

Provided that no Member, other than the mover, may speak for more than thirty minutes, unless, on rising in his place he requests and obtains the permission of Mr. Speaker so to do, or subsequently obtains the consent of the Council."

As I read that, if a Member claims the right to speak for more than thirty minutes and does not take advantage of the privilege so given, someone else may take his place and claim the right and use it.

MR. BLUNDELL: Twenty-five minutes now!

MR. NATHOO: Whilst claiming the privilege for speaking for more than half an hour, I hope I do not, but in case I have to, I want to make it quite clear.



THE DEPUTY SPEAKER: Granted.

MR. NATHOO: In the first place, I would like to join previous speakers in their welcome to the Member for Finance from his trip to England which, in his own terms, was most satisfactory. I am sure the country is anxiously awaiting his statement at a fairly early date.

In the second place, Sir, I would like to congratulate him on an excellent exposition of the financial situation of the Colony even at a time of an interim Budget where, as everyone will appreciate, no new principle can be introduced and no new theories can be advanced that may be challenged or accepted by this side of Council. That should lead us to complete this debate on the Estimates much quicker than in the past as one should not have so much to say as one does when a proper Budget is presented.

Now there are one or two policy points to which I would like to make some reference. The first is the question of forest policy. I notice, Sir, from the statement of the Member for Finance that he envisaged a drop in the revenue of £400,000 from forest income. Now that may be a very temporary fall and I hope it is but we cannot get away from the fact that resources such as forests must be looked on with a long-term view. I do hope that even in spite of the Emergency, our resources being limited, we shall not lose sight of our potential wealth and neglect it so that in a few years' time we may live to regret the decision we took to-day. But, Sir, when we are looking at the forest policy it is our duty to see that all people who are connected either in the forests or in any industry which is adjacent, have a share in the new plans which we are making and that proper consideration should be given to the representations made by these people when this policy is being discussed. The Hiley Report has been shelved for some years and looking at it one feels that some of the points made in it may be out of date. The Government has prepared a White Paper, Sir, and I was given to understand that there are some alterations and a decision is being made on that Report. When, Sir, the Report comes before the Council that will be the time to give consideration to all these points but I enter a plea here, Sir, on behalf of one section of the com-

munity who already feels that by the implementation of some of the recommendations made by this Report they will be greatly prejudiced and their interests jeopardized.

With regard, Sir, to the development in the reconstruction plans, I have always maintained, Sir, and perhaps I may not have been 100 per cent right, that because of building—when undertaken by the Public Works Department—it has always been much higher than what can be obtained in the market. Apart from the fact, Sir, that a very huge charge of nearly between 18 per cent and 19 per cent for supervision work has been levied on all work done by this Department in the way of D.A.R.A. charges, I do feel, Sir, that when our resources are so restricted and the Public Works Department is so full of work that they cannot cope with it, that it is our duty to give out as much work as we can on contract and surely, Sir, we have sufficiently good technical staff to see when the work is given out on contract, that the standard demanded is one laid down in the specifications.

With regard, Sir, to Emergency expenditure, I want to ask the hon. Member for Finance a question. The other day, Sir, in the course of the debate on the point of whether he required some more money, he made a disturbing statement in which he said that during the expenditure of money he was not satisfied that everyone was exercising the care one should when spending public money. I want to ask him now, Sir, that since then has he noticed any further change either for better or worse in this policy? Is he satisfied that all moneys being spent to-day are being spent in a way in which they get the fullest value for the taxpayers.

With regard to cash crops and the policy—I am sure we have not had time to go into a detailed study of the Paper laid by the Member for Agriculture and Natural Resources. I am sorry to say that on an important debate like this he is not here—I am sure he must have equally important work elsewhere—but there should be someone from his Department to hear what we say so that when the time for his reply comes we can get a satisfactory answer to the points raised. In regard to the cash crops, as I have

[Mr. Nathoo] said, and the hon. Member got very angry as he generally does when these points are raised; whilst platitudes are not much good, when dealing with these things over a period of years, surely we can get to a start where the policy can be implemented and things which are professed to be done in theory are done in practice. One particular fact, again, I always raise at these debates, is the question of cotton and cotton policy. Cotton also raises another interesting theory which the hon. Member for Kiambu touched on about export taxes. It was a matter of great surprise to me that as soon as this export tax was introduced on sisal, coffee, hides and skins and other things, there was a huge uproar about it but I am sure the hon. European Members must have known that export tax on cotton existed for all these years for the simple reason that there is export tax in Uganda and our cotton is linked up with Uganda as regards its administration. Now, Sir, what I ask is this that on sisal, coffee and other commodities—

MR. BLUNDELL: Not coffee—wattle.

MR. NATHOO: On sisal and wattle which are being taxed there is a minimum price fixed, under which no tax can be levied. Surely if these crops come in for that sort of treatment, surely the cotton-growers should "come in" for it, that when the price falls below a certain level the tax should be abolished. In Uganda cotton is the main thing in the Colony but here where this is not the case I think some consideration should be given to this matter. Also, I would like to ask that that money which is spent out of these cotton funds—we have always had the grouse to say that it is not spent primarily on schemes which are meant for cotton areas—and, Sir, I want again an assurance from the Member for Finance that whenever specific funds are being spent that all interested parties will be asked to give advice before any definite decision to spend money is taken.

There is a department I would like to touch on and that is the Department of Price Control. Yesterday in the course of conversation with a constituent of mine I was given to understand that the Price Control Department has addressed him a letter in which they are asking about

the price of radios. I know for a fact that radios are not controlled under Price Control. If Price Control has the time and opportunity to write a letter on a thing which does not matter, surely the Department ought to be looked into and the spare hands ought to be removed from there and go elsewhere and do more useful work.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Could the hon. Member tell me—was this perhaps relating to the recent reduction in Customs Duties or something different; I want to make certain before I do anything—

MR. NATHOO: What happened was that a certain number of radios were being auctioned as military disposals. Some firm bought the radios, repaired them, and advertised them at £10 a radio. Immediately they got a letter saying, "What was the cost of a radio?" Perhaps it came within the purview of the Department or some policy raised, but to me it seemed that we want Price Control to exist only for things most essential and which affect the cost of living. For that reason we are anxious to see the Department reduced to a minimum strength as soon as possible.

There is another control regarding which I would like to say something here. That is the question of Produce Control. The other day in an auction which took place in the new Produce Exchange the price of one bag of moong which is a commodity mainly used by the Asian community—the cost of that commodity before it came on to the new exchange was Sh. 55 per bag, which most of the Asian community used. The price realized at that auction was Sh. 155. With all due respect to everybody who is anxious to get the best possible price for the producer, is it right that an article of food used by one section of the community should be allowed to go from Sh. 55 to Sh. 150 because there is a shortage? Are we keeping the control to keep the cost of living down—otherwise, free everything.

I would like an answer from the Members opposite when the points are being replied to.

I also want to touch on the Troup Report and whilst, as I have said previously, I welcome it the fact is that it is our duty to develop the resources to the

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maximum in this country with every effort, by energy and money or the injection of new capital. We should do so but at the same time may I enter a plea on behalf of African agriculture that a similar detailed report should be prepared for the African Land Unit so that we do not go around saying that everything will be done and the matter examined, etc. We ought to have a proper report prepared on the African Land Units on the same basis as the Troup Report at the earliest date and some implementation of this report should be made.

Coming to the end of my few remarks I would like to emphasize the hope that, not only in the course of this debate but in all future debates, people speaking in this Council should remember that whatever remarks are made in an important assembly such as this are bound to have repercussions not only on the stock markets from which we get finance but on the political circles where some thoughtless remark may cause us a deal of trouble. It is our duty to see, particularly at a time when negotiations are going on and at a time when the fate of the country is in the balance as to what is going to happen to us. It is our duty to observe due moderation in whatever we say and not say anything which may jeopardize the chances of recovery in this country. I also have the greatest possible faith that under the wise and able guidance of the Member for Finance we will forge policies which will lead to the lasting success and prosperity of this country and its people. (Prolonged applause.)

LT.-COL. GROGAN (Nairobi West): Mr. Deputy Speaker, Sir, I was shocked a little while ago when I was creditably informed that this function cost the taxpayer £2 a minute! I came to the conclusion then that there could be very few occasions when any contributions that I could make to these debates could be worth £2 a minute but I suppose that the Budget occasion is one of the occasions on which one is allowed a little bit of latitude.

I do not often throw bouquets about to the opposite side, but on this occasion I must throw a bouquet to the hon. Member for Finance. It must be a source of

great satisfaction to us, on this side of Council, to realize the advantage he has taken of the opportunity that we have afforded him of studying and applying the principles of State finance. If I remember rightly on the last occasion when we were in Budget debate I ventured to suggest that the hon. Member was making great pecuniary sacrifices in not functioning on the kerb in the capacity of a bucket shop proprietor but having listened to him attentively on this occasion, it is quite obvious that he has matured to the point where he is justified in leaving the kerb and the bucket shop and becoming a full and respectable member of the Stock Exchange.

There are very few points, Sir, that I want to make; there is one which from the financial point of view is quite trivial but from the sociological point of view is of considerable importance. That is the pay of the police *askaris*. Now I am given to understand that they are paid at a consolidated monthly rate. Now in the ordinary course of events a large number of people who are paid at a monthly consolidated rate—this is not only confined to Africans—there is a tendency to spend the whole of one's money in the first fortnight and chance their hand in the remaining fortnight. Nothing could be more disastrous than to have a large number of only half-trained African *askaris* wandering about, after having spent their money in the first fortnight, trying to find means of existing in the last fortnight. It must be obvious during that period that they are at the mercy of every kind of attack in respect of their obligations, because a hungry African is almost anybody's prey. I do trust that some attention will be paid to the matter. It seems to me quite possible, certainly in urban centres, to devise some form of mess where these fellows can be certain of getting at least a full meal once a day or by some other method of paying them at shorter intervals. I really think that the matter is of very great importance at this particular juncture.

I want to compliment the hon. Member for what he says about the formation of a stock exchange here. It is a point that I have been interested in for a great many years. In fact, there is a building in Delamere Avenue known as Exchange Building which was, in the

[Lt.-Col. Grogan]  
days of optimism, right back to World War I, when we tried to start a stock exchange here but as there was nothing in those days to exchange, it did not go very far! (Laughter.) And so it is very right and proper that the matter should be resuscitated now and more especially in what the hon. Member draws attention to, that you should have a ready market and a liquid market for Government securities. I am quite convinced myself and, in fact, it is quite obvious to everybody, that there must be at any time, especially in a country like this, very considerable stagnant pools of money—after all, that is what is lacking and I am quite convinced that if you could devise some method of issues of Government short and middle term paper and, above all, make it free of income tax because, after all, if we go and borrow money in England every attempt to borrow money in England is always subject to a little succulent extraction which is regarded as the prerogative of the City of London. If we borrow here we have the full amount to use and I think it would be a matter of some comfort to a number of trustees and other people who have odd amounts of money quiescent at the moment to be able to hand them over to the State to use and more specially if those securities, whatever they might be—Treasury bills or otherwise—were made acceptable to the State at par in payment of taxes, I think that would help very materially in keeping a steady and negotiable market for these Government securities. I think that is a matter of very, very great importance and the Member for Finance should be congratulated on having brought it up at this particular juncture when borrowing money from England—apart from the succulent extraction which is the normal prerogative of the City—when we borrow money in London we get no income tax. Paying out interest locally is a very easy economic problem compared with paying out money to London especially in times of stress.

I think that is a matter which should be followed up very quickly.  
There is one other point I want to raise. I have always had a suspicion, which I must say is beginning to dissipate, that the hon. Member for Finance had a tendency to be allergic to the word

"land". Probably this is because for most of his distinguished career he has been immersed in urban occupations and it is a tendency of urban devotees to regard them with utmost suspicion people who provide them with their matutinal breakfast. Therefore, I do suggest that during this hiatus because, after all, it is a financial hiatus at the moment from the Budget point of view, the hon. Member turns his acute intellect to a very careful study of the impact of direct taxes on the landed industry, as distinct from all other industries because the landed industry is in a category by itself, as no other industry is subject, to the same extent, to the vagaries of the market and the general impact of the acts of God. After all, you cannot grease a farm and go and bask in the sun on Nyali Beach as the gentleman in most other forms of urban jobs can do. You cannot do that with the land. There is no doubt that the impact of direct taxation, unless adequate allowances are made for reduction in the way of reserves and replacements, the effect of heavy direct taxation will have a most disastrous effect on what is, after all, the base of all assured revenues. I do hope that the hon. Member will take advantage of this little breathing space which we have given to him to study the matter very closely and see if he cannot devise some method of very much more complete allowances, deductions and so on, to allow the basic landed industry of the country to proceed without further distortion. I think that is very important.

It is the last word in absurdity to take money away from relatively competent progressive farmers who want to develop their estates, in order to lend it to incompetent unprogressive farmers, and that is the procedure adopted to-day on quite a considerable scale.

In conclusion, all I want to suggest is that so far as I see the whole fiscal highway ahead of us is all aglow with red lamps and I see red lamps flickering on every avenue of approach to that highway. Therefore, I trust the Member for Finance will take advantage of this breathing space we have given him to study what can be done to meet the substantive Budget when it comes along, when he is going to get a very different sort of reception to the one he is getting to-day. (Applause.)

MR. SLADE: Mr. Deputy Speaker, Sir, the hon. Member for Kiambu has said on behalf of myself and my colleagues nearly all we want to say with regard to the very excellent speech made by my hon. friend the Member for Finance.

It is only in respect of the Emergency expenditure that I have a few words to add. We have urged, I know, often in this Council, the importance of economizing in our expenditure on the Emergency just as in any other expenditure and that importance has been emphasized again by the hon. Member for Kiambu—I think with particular reference to the Headquarter's staff; and other economies in the Kenya Police Reserve—and by the hon. Member for Finance, but there is another aspect of the Emergency expenditure in which one can make false economy and there are two points on which I want to urge the hon. Member for Finance not to be too afraid of further expenditure. These are both lines of expenditure which in my belief will greatly accelerate termination of this Emergency.

One, with a view also to save expenditure in the long run, the other with the view to earning income in the comparatively near future. The first is the matter of transport and inter-communication for all our security forces other than the army, which I imagine is adequately equipped already.

I am more qualified to speak of the settled areas where I live than other parts, but there, I can say, Sir, that for the last few months our security forces have been crying out, almost in vain, for increased transport and increased wireless facilities. Now without those we are paralysed. If an incident occurs, it is very often possible to know where the enemy is and hit if you can get forces there in time, but the opportunity is missed over and over again because the information cannot be got to the right sources quickly enough, or when it gets there the forces cannot arrive there quickly enough. With greater transport and inter-communication we can save in men and in transport expenses. If you imagine the position of some policeman in a fairly remote outpost who sees the opportunity to hit the enemy—perhaps he has a small force of African police with him—quite inade-

quate for the purpose. If he is not in a position to communicate straight away with his headquarters, he has to get there to give the information and if he has not got the transport he has to requisition someone else's car if he can—and we have to pay heavy mileage expenses. So, Mr. Deputy Speaker, on that point I am quite certain by better transport, better communication in the settled areas, anyhow, we would not only be much more effective, we would also save transport expenses and possibly manpower.

The other point is with regard to the establishment of labour camps on which the hon. Member for Kiambu has already touched. This is a matter of vital importance on which again we cannot afford to hesitate because of the cost. It has been apparent to us for more than a year that these camps would be needed and needed on a very large scale. The output of undesirable and suspect Africans in the settled areas, in the towns and other places is on a vast scale and I am afraid we must face quite squarely that it is likely to continue on a vast scale for a considerable time yet.

Indeed, speaking again of the areas I know best, the only alternative to the selected removal of mischief-makers or mischief-makers clearly suspect which is going on at present is mass removal which is a far worse project, far less desirable, but even with the selected removal in order to avoid the worse alternative of mass removal, you must go ahead without impediment of any kind. What are you to do with all these thousands of men, women and children? I am sure Government is quite right in its policy of putting them into camps where they can work and earn—be under discipline, and be of use to the community. But where are those camps? We have been led to expect their development for over a year now, but they are still only there in minute quantities, quite inadequate to cope with the continuing stream. I understand that one of the chief difficulties which worries the Government is the cost. I do ask the Government to think again on that subject. You cannot do these things piecemeal or by little bits, it will only cost you more, because it will not give you a return if you try to devise projects for labour camps which are quite artificial and not

[Mr. Slade] really needed—you are throwing money away and you can only do it anyhow on a very small scale.

There are, I believe, a few comparatively small projects which will work and be of use in the Kikuyu reserve. Those I welcome with open arms because that is the right place for these camps, if a proper project can be found. But the project that is sometimes suggested in the settled areas is quite another matter. The development that we need in the settled areas is hardly, in my opinion, suitable for these camps because it is of a temporary kind, and it is the kind we can deal with with our own resources. It is arguable also, very strongly arguable that it is not a proper use for these people that they should develop areas of any one community other than their own. It is also strongly felt by those who live in the settled areas that if Africans have to be removed to camps because they are suspects, we do not want to have them there next door to us still in labour camps with the expectation that as soon as they leave their camps they are back on our farms again. For all these reasons we have to look further afield and it does seem to many of us, Mr. Deputy Speaker, there are very great opportunities in front of us now which we should not be missing. We have had a Royal Commission here, and it is still working, to solve our great problem of population; and we know that we still have, in this Colony of ours, great areas that are at present of no use to anyone, but could be made use of and must eventually be made use of to the population if we are not to be completely ashamed of ourselves.

Let me give you two examples. One is the Tana River flowing away into the sea. The other is the Usain Nyeru River disappearing into the sand. Now, I am no engineer, Mr. Deputy Speaker, but I am convinced that sooner or later we shall have to develop those two great potential water resources which are now going to waste. We shall have to; we cannot leave them indefinitely unused and if we are going to develop them now is the time, when we have large numbers of labour unfortunately on our hands. There you have projects which will not merely provide a stop gap, they will provide employment for these camps

as long as you want to have these camps at all and longer. There will always be further and further development to continue in those great projects. I know they have been examined—I know the difficulties of both rivers have been disclosed. I will not believe they are insuperable difficulties—I am quite certain that we have to develop these things. We have to find a way—find a technician who will tell us the way. If it is a great cost to develop them, let me point out that the cost will be repaid. It will be capital well invested. Money spent on turning desert land into fertile land, irrigated by water always gives a return and it will be the easiest possible thing to get that return in my submission, because once you have developed these fertile lands irrigated by water now going to waste, you will be able to charge rent to those who wish to use them, whatever race they may be, and by that rent you will get in full measure a return of the money you have spent. In my submission that is a much better way of spending money than niggardly wasting time on smaller projects for these camps which are so desperately needed on a very much larger scale. (Applause.)

MR. HARRIS: Mr. Deputy Speaker, Sir, I think the hon. Member for Finance has, we have been told, posed two alternative questions. I would have said that the whole tenor of the speech was rather asking us to indicate to him a manner in which we would support his Budget being framed when he brings in his substantive Budget. I believe we have got to make a very careful choice as to how we shall advise him.

I would have thought that, Sir, the most important thing that he must consider in framing his next Budget would be to frame it in such a manner as to ensure that capital and the reinvestment of local profits are attracted to the Colony. I believe that without that great necessity there will be no question of discussing whether we will have cuts or whether we shall increase our social services, because, Sir, without the attraction of capital there will be no social services. The hon. Member for African Interests, Mr. Mathu, Sir, took the hon. Member for Kiambu rather to task for suggesting that if we had to make a cut, social services were probably the best place to do it.

[Mr. Harris]

Might I remind the hon. Member that Britain grew prosperous when they had far less education than granted to the people of Kenya to-day.

MR. COOKE: Question!

MR. HARRIS: Actually, Sir, I said Britain, I did not include Ireland. (Laughter.) Sir, It was the prosperity resulting from gaining the world's wool trade that enabled Britain to build up social services and other things that followed, that made Britain the most prosperous country in the world at the end of the 19th century. It was the original capital invested in the wool trade that made prosperity possible and the re-investment of profits of the wool trade. Therefore, Sir, if I may add my single word to this debate it would be to advise the hon. Member for Finance that above all else in framing a Budget, to try and attract capital and make the country attractive for the reinvestment of profits.

Finally, Sir, no other hon. Member has mentioned the allusion in the Budget speech to the Equalization Fund. I would like to tell the hon. Member, Sir, that I personally support that fund: it is not new in Kenya. The hon. Member in another place introduced an equalization fund, Sir. The result was that when the gilt-edged securities were falling fast on the exchanges of the world, Nairobi City loan was maintained at an exceptionally good price and that was entirely due to the operation of the equalization fund of the Nairobi City Council. I, therefore, welcome this same principle on a national basis. (Applause.)

MR. RIDDOCH (Nominated Member): Mr. Deputy Speaker, Sir, time is getting on and I do not wish to take up the time of Council to any extent. There is one point arising out of the address, the speech of the hon. Member for Finance and alluded to by other speakers this morning. That is the future of forest policy. Now, Sir, the hon. Member for Finance indicated in his address that should the Colony, should we, have to tighten our financial belt, we should have to choose between two alternatives. One, we should increase taxation so as to maintain what we have got and perhaps add to it; and the other alternative that we might have to concentrate on short-

term policies and schemes which might give a rather quicker return and cut down some of those longer-term policies and he mentioned two specifically—education and forestry. There has been a lot said about education already this morning and I do not want to dwell on that subject but I would like to make some allusion to forest policy.

I was very surprised to hear the hon. Member for Kiambu stating almost categorically that should we have to cut down expenditure on forestry, it might be quite a realistic thing to go for. He used the word realism—he said we should be realistic towards the forests and not sentimental.

I venture to say that while he is not sentimental, he is certainly not realistic. With your permission, I would like to outline very briefly what our present policy is and what would be the effect, should the measures suggested by the hon. Member for Kiambu be adopted.

Well, at present, Sir, our forest policy consists of exploiting our indigenous trees; then of preserving, as a protective measure, wide areas of woodland so as to ensure that the headwaters of our streams are preserved and adequately protected and thirdly, we have a development plan consisting of the establishment of what we might call exotic trees, mainly cypress and pines, with the view that in time we shall build up an industry in forestry far beyond what we have got to-day.

Now the development plan consists of establishing, I think I am right in saying, an area of 8,000 acres per annum. That area must be maintained year after year, so as to complete a cycle at the expiry of 30 or 35 years. I do not think the full term is yet known, but it is essential to the development plan that that fixed area we have embarked on, of 8,000 acres, must be repeated year after year, so that at the end of the cycle we shall be in the position to fell 8,000 acres and plant another 8,000 acres. In other words, we shall arrive at what is called a consistent and sustained yield.

If that plan is interrupted, even for a few years at one period, a hiatus is bound to occur in the establishment of the cycle. That will result in not only a very definite but incalculable loss to Government in the form of royalties,

[Mr. Riddoch]

but will also mean a loss, and a heavy loss, to the sawmilling industry which by that time should be geared up to deal efficiently and effectively with a constant and uniform supply of intake of logs. Now, Sir, that is a long-term loss but there is certainly a short-term loss, too. If the development plan is going to be curtailed, losses will occur immediately to the Forest Department and through it to the Government itself. I might read these notes in regard to this immediate loss.

"Skilled labour would have to be discharged and returned to the reserves. Essential maintenance of existing crops up to three or four years of age might have to suffer with a resultant loss of growing trees."

That is a very important point because unless the new plantations are kept clean there is a very grave danger of them being suffocated by rank undergrowth and creepers.

Thirdly, loss through fire which might occur if fire protection measures were curtailed in any way. Then there would be the loss of foodstuffs from the forest plantation *shambas* which would be established in the development plan, which would have to be cut out if drastic cuts were made. Then there is the possibility of loss of nursery plants we have been establishing in existing stations in anticipation of utilizing them at new stations, as visualized in the development plan. Lastly, loss through not making the most economic use of supervisory and head office staff. Those losses will be very real ones if this development plan is interfered with in any radical manner. Hitherto the Forest Department's forest development plan has been financed partly from revenues derived from royalties and partly from funds voted by this Council, both from the general revenue of the Colonial Development and Reconstruction Authority. It is inevitable, and you must expect it, that the revenue from royalties at this stage could not in any way meet the great expenditure of the development of our plan but the difference is not very great. It will amount to possibly £100,000 or £150,000 per annum. Is that a very large sum to find, bearing in mind the ultimate benefits that would arise from the fulfilment of our forest plan? Indeed, Sir, the

outlook, the prospects, are so good for this forest plan that if it were really impossible for this Council to vote the necessary funds for it, I do not see any reason why outside finance should not be brought in to help maintain our existing policy.

My reason for mentioning this at some little length is not only to sound a warning of the risks involved in interfering with the plan we have embarked upon but to realize the immense benefits accruing to the Colony when the development plan has reached maturity. It will not then be a question of a few thousand pounds in royalties, but millions which will accrue.

Therefore, I appeal to this Council to give full consideration to those points and not to sell our birthright for a mess of pottage. (Applause.)

MR. HAVELOCK: I wanted to interrupt the hon. Member before he sat down—if I speak now can it be taken as an interruption?

THE DEPUTY SPEAKER: If you have anything to say, we will regard this as an interruption.

MR. HAVELOCK: It was such a lucid interpretation and description of forest policy that I did not want to interrupt. The figures being quoted—I would like to make it clear I said I did not believe we should expand. Now, expansion in the Hiley Report is visualized at very much over and above the 8,000 acres quoted by the hon. Member—that is what I was trying to emphasize.

THE DEPUTY SPEAKER: Does the hon. Member wish to resume?

MR. RIDDOCH: I have finished, Sir.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, there are one or two points which affect my portfolio to which I would like to refer. In the first place, I would like to deal with a matter that is closely connected with the Emergency, that is the question of the works camps mentioned by the hon. Member for Aberdare and the hon. Member for Kiambu. Several remarks were made in reference to these camps, with reference to the employment of displaced persons, some suspect, some possibly not to sus-

[The Member for Agriculture and Natural Resources] In general I agree that hon. Members on the other side of Council have suggested that there should be works camps for some time past. It must, however, be remembered that there are dangers in creating unlimited numbers of works camps—there is not always as much to be said for them as is sometimes claimed. For one thing, unless they are very carefully organized they are apt to be the centre, not of stopping *Mau Mau* doctrine, but of indoctrination.

That is one disadvantage; the second disadvantage is that at the end of the Emergency you are left with a large number of disgruntled and displaced persons who you have not, in fact, made much attempt to re-absorb. I am putting this point of view not because I do not recommend that we should have works camps, but because hon. Members should bear the disadvantages in mind. What Government is doing at the moment is, as follows: there are already back in the reserves a very large number of displaced persons and we are endeavouring to enable those persons to earn a living by working for a reasonable wage. Money has been provided for the District Commissioners which will enable them to put the displaced persons in their districts to work and I would say now that that is now being done on a fairly large scale and what is more there appears to be a very great desire on the part of these people to work.

Now, I quite appreciate what the hon. Member for Aberdare said, that it is a waste of money to pay people just for the sake of giving them something to do without ensuring that what they are doing is of some use either to them or the country. For that reason, we have recently sent a technical officer around to every district to collaborate with the district teams to try and ensure that the work that is being done, is being done to a plan and with a definite useful object in view. I think we can say we have gone a very long way in that direction recently, and an increased and considerable sum of money has now been made available to enable us to absorb these displaced persons in this way. This, of course, will not be enough, we will have works camps—two camps at the moment are being constructed. At least, one is being con-

structed and one is about to be constructed, and those are for work of the type which the hon. Member for Aberdare has referred to. In both cases they are for labour to be employed on work in the nature of irrigation works. (Applause.)

Now, the hon. Member has also suggested that—it always comes up—that not enough is being done to try to see what progress could be made in trying to reclaim land at the moment not being used, and the hardy annual of the Tana River is nearly always mentioned. Now, I would again repeat that in my opinion the Tana River for purposes of work camps for displaced persons, suspect or not suspect, is not the most suitable place. First of all, I could not be a party, without very great previous experimentation, to sending large numbers of Kikuyu men, women and children to camps in a very unhealthy malarious area. I think we must bear that in mind. So far as the Tana River is concerned, we have at the moment one pilot scheme being carried out. It is by no means a small scheme and from that we may learn a great deal on how to use that land. Based on that we may be able to make more land available for overpopulated areas. It must also be remembered that part of the Tana River is already occupied. I would draw the hon. Member's attention to the very good map which you can find if they still have copies of the Carter Commission report which depicts the various areas which are actually Native Land Units. At the present time it will be found that a very considerable portion of the Tana River is, in fact, already occupied. As regards the Usasin Nyero River, which the hon. Member mentioned, one of the schemes we have in view is concerned with that River and we have more similar schemes prepared. We have a great number of schemes already considered which deal with the head waters of Usasin Nyero in areas where there is a great deal of water available. A lot of which at present is completely wasted. (Applause.)

A criticism was made of the expensive materials used in a work camp which I imagine was a work camp situated in the Rift Valley. The reason why these apparently expensive materials are being used is because in some camps of which this is one we have in mind that we may

[The Member for Agriculture and Natural Resources] eventually shift the people to other work, probably to what we consider a more suitable place, on to work probably of better economic value. For that reason in certain camps where we have this in mind material may appear to be extravagant. The whole idea is that it should be moveable. (Applause.)

As regards the standard of feeding I do not think that comes within my purview, but I do not think again that we could be a party to the presence of undernourished women and children in camps for which the Government are responsible.

Now, Sir, turning to an agricultural matter, there have been various remarks and I understand that Mr. Mathu expressed his disappointment that I was not present when he was speaking.

MR. NATHOO: I did!

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I beg your pardon, I was mis-informed. I apologize, but I am afraid some of us have quite a lot of things to do as well as attending here. I believe the hon. Member suggested first of all that the Paper which I laid this morning though not exactly a misrepresentation but did not present the picture as he saw it.

MR. NATHOO: Sir, I said that it was laid only this morning, we had not had time to study it.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I am afraid I was alluding to the hon. Mr. Mathu, not the hon. Mr. Nathoo!

The hon. Member did, I think, say that the picture I painted was not quite as he saw it. That is a matter of opinion, but my picture is at least factual and, I hope, will serve to draw attention to quite a number of aspects of agriculture in native areas.

The hon. Mr. Mathu complained that there were no restrictions, in so far as planting of plantation crop is concerned, for Europeans but that there were, as he thought, undesirable restrictions on Africans in that, in the first instance when they start on coffee, we try and limit them to 100 trees.

Now, Sir, I am completely unrepentant about that. I think it would be folly to depart from that system. Coffee is a very dangerous crop, it is subject to a great many diseases, we have had a good many disasters in this country with coffee. A good many people will remember what happened at Solik, and to some of the African coffee crop in Kisii at one time. What we want to do is to start the African on plantation and cash crops on the soundest possible basis, so that he does not get frightful disappointments, frightful losses by mismanagement or by planting greater acreage than he can manage, but as soon as the African has planted 100 trees to the satisfaction of the Agricultural Department and has shown that he can look after them properly there is no restriction whatever to his planting more if he has suitable land.

In the figures I have given, one or two might be of interest—for instance—as we are dealing with coffee, it is not without interest to know that the acreage planted in 1951 and 1952 showed a very great increase but the Emergency has been a very serious set-back indeed to the African sector of that particular section of the industry. The same applies to pyrethrum.

The hon. Member, I believe, or some hon. Member, also suggested that there was too much theory in our talks about agriculture in African areas but that we ought to turn theory into practice. I would ask hon. Members to turn, when they have leisure, to one of the tables of figures which appear on page 3 of the Paper that I circulated this morning. I feel I can claim that the policy and practice of the departments for which I have responsibility has proved a success when you look at the figures given as between 1946 and 1952—if that does not show practice—not theory—then I do not know what does. (Hear, hear.) (Applause.) The increase for so short a period—and agriculture is a long-term business—are I submit fairly satisfactory.

I believe the hon. Member was also critical of our policy in regard to the reduction of African stock. I think I have been in Africa long enough to appreciate the African outlook on stock and the inter-dependence of the African's finances on his stock, his whole idea of money and so on, the extent to which he regards his

[The Member for Agriculture and Natural Resources] income as based on natural increases from his stock. But all that cannot go on—and this has been said so many times that it is tiresome repetition—we cannot go on seeing more and more stock being kept of poorer and poorer quality. There is no truth whatever in the suggestion that there is any idea of eliminating African stock in order to make a better market for or help stock owned by other races; that is the most fantastic idea I have every heard put forward and I know the hon. Member does not subscribe to it.

We must be realistic also in our attempts to get rid of surplus stock. Africans must realize—not only Africans, everyone must realize—that there are limits to the carrying capacity of the land; you cannot even begin to improve the carrying capacity of land if you continuously over-stock it. Furthermore, we must realize that the only possibility of dealing with surplus stock is by finding a market for it but that in doing so it must be appreciated that the economic value of the type of stock that has been bred and kept on these very over-stocked areas is very low indeed. That this is realized by a great many Africans is manifest by the fact that a good many native authorities and district councils are themselves insisting on a quola being got rid of each year. That, to my mind, is one of the most hopeful signs in this particular theme. (Applause.)

The hon. Member also expressed some dissatisfaction with the marketing and generally with the scheme for the improvement of hides and skins. I am sorry, I rather hoped we had made considerable strides; it is not so long ago that shade-dried hides of the quality we are getting in now were almost unknown from certain areas. I had hoped that a considerable stride had been made. If the hon. Member would care to give me the substance in some detail of his criticism, I will be only too happy to go into it with him, and maybe, as a result, we can achieve some further improvement.

I believe the hon. Mr. Nathoo referred to the Produce Exchange. That does not really come within my purview at all,

except that I was invited to the first sale that took place in the Nairobi Produce Exchange. But I must say that to my mind the idea of these Produce Exchanges, from the point of view of selling produce—African and European produce—the idea seems to me a very sensible one. It emanated from the Chamber of Commerce and the idea was that instead of selling by tender, one would sell through auctions attended by members of the Produce Exchange. Now before the auction I attended was held—it was the first one—they had 180 members, if I remember rightly. I do not think all were present, but there were 180 firms who were members of this Produce Exchange. The result of the first sale was that comparatively high prices were fetched, but they were paid by people who themselves knew the business, were in the trade, were themselves members of that Exchange, and who themselves later, would have to dispose of what they bought themselves in the normal course of their business. It seems to me that on the whole that is a step forward in dealing with produce in this country. (Hear, hear.)

Lastly, Sir, I do not think I have left anything out, there have been several suggestions that there should be a Troup Report for the African areas. There have been a good many examinations of our agricultural activities in the African areas. Before one says we want a Troup Report for the African areas, let us consider what Mr. Troup was asked to examine? The original idea was that we should get somebody out from England to examine two things; one was to suggest what was a fair price for certain cereal crops, maize in particular; and, secondly, to carry out an investigation to give us some idea of the general agricultural indebtedness of the European farming industry. The original person we had in mind was a pure economist. I went to England to persuade Professor Menzies Kitchen, who was an agricultural economist and held the Chair of Agricultural Economy at Cambridge University, to come out here. He would have come but unfortunately he died. That was the background of the Troup Report. I do not think that a report of that nature would be at the moment applicable to African areas, nor do I think the report

[The Member for Agriculture and Natural Resources] of the type the Troup has produced would be entirely suitable for the African areas.

MR. MATHU: Give them different terms of reference.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Different terms of reference. But if something of that kind is considered necessary, I am quite prepared to consider it. I think we are making considerable strides in our agriculture for, as I say, agriculture is a long-term thing and you cannot go too fast.

Lastly, Sir, there has been a good deal said about forests. There is going to be a debate on forest policy in the near future and I think I would prefer to keep anything I have to say for that specific debate. I think I have covered most of the points so far connected with my portfolio.

MR. NATHOO: I think it is but right that I should explain that I have never criticized the setting up of the Produce Exchange. I asked whether it was right that essential foodstuffs should be allowed to go up to that price in that Exchange.

#### ADJOURNMENT

THE CHAIRMAN: It is now a quarter to one. Council will stand adjourned until 9.30 a.m. to-morrow.

*Council rose at forty-five minutes past Twelve o'clock.*

Thursday, 19th November, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

ORAL ANSWER TO QUESTION  
QUESTION No. 6

MR. JEREMIAH on behalf of Mr. Mathu—asked the Member for Health, Lands and Local Government to state whether the Government has considered the Report of the Committee on Indigent Africans laid before him on the 15th November, 1952, and if so will he state what decision the Government took on the Report?

THE CHIEF SECRETARY on behalf of the Member for Health, Lands and Local Government: The Government has not yet considered the Report of this Committee as the existence of the State of Emergency radically altered the situation on which the Committee had to report. Steps have, however, already been taken to submit the Report to the Government together with draft legislation dealing with the relief of distress amongst all races.

#### MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

MR. USHER: Mr. Deputy Speaker, Sir, I had not intended to intervene but my reason for doing so is that I think I shall not get a chance to speak on this subject during the debate on the Heads. I want to make a few remarks about tourism in this country and I shall support them with these figures. The contribution from revenue by the Territories during 1952 was of the order of £20,000 and I am credibly informed that the result was to create an invisible export of something to the value of £5,500,000 and of that sum I understand that about £3,500,000 accrued to this Colony and Protectorate. Those figures, Sir, speak for themselves and hon. Members will, I am sure, agree that it was a very small sprat that caught a very large fish; not yet perhaps the whale we would like it to be. I think, Sir, this has been done mostly through propaganda pamphlets and so on but a great



[Mr. Usher] deal, I think, would accrue, for instance, from the personal touch, as it was exercised in Bulawayo. The results of that can be seen already.

Although, Sir, I shall not, of course, during the present Budget suggest at any time that any item of expenditure should be increased I would ask the hon. Financial Secretary if he would give the most sympathetic consideration to any representation which might be made with a view to increasing the allocation of funds for this purpose in the next Budget.

MR. COWIE: Mr. Deputy Speaker, the hon. Member for Finance at the end of his Budget address invited comments from Members of this Council on the various roads which appeared to be open to us in the future. I think it is a pity that many of the speeches so far have not endeavoured to accept that invitation and contribute something towards those particular points. Therefore, somewhat as a voice from the wilds, I will offer one or two suggestions to the hon. Member.

I wonder, Sir, if it would be possible in framing future Budgets perhaps, in theory, though not in practice, expenditure could be divided into two groups. The first group I would like to call basic stability expenditure; the second group I would like to call flexible expenditure. If it were possible, Sir, to fix the minimum of basic stability expenditure then I believe each service or department would have a much better idea of how long that expenditure might continue. The flexible position, I believe, should be subject to fluctuation in accordance with the resources available. Only when there is a major financial crisis is it then feasible to accept a general abatement in all the stability expenditure groups. That is not a new idea and I know it is difficult in practice because every head of department would wish to grade his expenditure in the first group; but I think it is likely that some of the services would fall entirely into the stability group whereas others would reasonably fall into the flexible group. That is not so much a matter of accounting as policy, which I imagine will eventually be decided by this Council. If that were possible, then I think the Budget would show a pattern representing the Government policy of

this country because basic stability expenditure would, in fact, be continuous at that level as far as possible.

Having done that, it symbolizes the policy that has been accepted and allows departments and services to continue almost with a guarantee of no interruption unless there is a major financial crisis. That I recommend as a suggestion which may assist the hon. Member for Finance in deciding at what level we must face an increase in direct taxation, because it is only when there is necessity for that general abatement in all the stability expenditure group that we would expect the effect of a financial crisis.

The next point has already been dealt with fairly well by the hon. Member for Mombasa. That is my old hobby-horse of tourist traffic. I think it is unfortunate that in the address of the hon. Member for Finance there is only a fleeting reference to a number of visitors who entered this Colony in the last quarter of last year. I frequently refer to the value of tourist traffic, Sir, because I am so convinced that it is a potential, the fringe of which we have only just touched. One of these days I must hold out a threat to the hon. Member for Finance that I will bring into this Council and sit here in the Gallery a kind of ogre dressed up in the usual tourist paraphernalia so that he can see a real, living symbol of the benefactor who appears to be invisible. This ogre usually has pockets full of hard currency and a good deal of it slips out and jingles into all kinds of spheres of activity in this country. It is important, because whether it rains or it does not, whether prices of coffee are high or low, one can still hear the jingling of coins from his pocket. I do not know if I made the point clear but I hope I can invite the attention of the fertile brain of the hon. Member for Finance to this matter.

The next point—I have not seen it mentioned so far—having two Budgets in one year provides heads of the departments and others two opportunities or incentives—to join in that wonderful race at the end of each Budget period to spend whatever is left in a Vote Head. I know it always happens in any kind of annual budgetary system, but I think it is one of these things that might one day receive better attention, under a better method of control.

[Mr. Cowie]

That brings me to the reference in the hon. Mover's address to a consolidated fund. I do not personally believe that that would allow a carry-over from one year to another and I think it is a pity that the White Paper on it has not yet been presented but I understand it might be possible through that method to exercise more control over actual expenditure. What I have in mind is the way in which auditors usually work and I think their methods could be altered. I know so well that an auditor very often tries to find why 10 cents is lost from the stamp fund instead of finding out why so many letters were posted. I speak with some knowledge because some years ago I endeavoured to earn a living by that profession. I am justified I hope in criticising that group of people as I am one, and saying that they are always respected but sometimes detested. I hope it will not be long before we can see a White Paper on the consolidated fund and that it may bring in its train a better method of control of expenditure, particularly at the end of any Budget period.

Talking now, Sir, of my constituents, who are mainly dumb, as you know, I have recently acquired a new group of constituents—I refer to the men it has been my misfortune to call up into the Security Forces. It is not very fair for me to call them constituents because it is almost impossible for me to do anything that might be in their interest. I do, however, bring to the notice of this Council that there have been many tributes paid to members of the Kenya Regiment, and rightly so, but I have not heard very much said about the men in the Kenya Police Reserve. There are many hundreds doing full-time service and many of those have come from offices in towns; some of them have never previously handled a rifle. They have gone out into police stations and other duties and, in my opinion, have done extremely well. (Applause.) Apart from that there are many thousands, and I say thousands, in the Kenya Police Reserve doing part-time duty. I know from a number of people I have had to interview and from the complaints I have received, the kind of hardship which many of these people and their families are enduring. There are fellows in this town doing duty every second night and still trying to perform

a full-time job in their civil sphere. I would like to say this, if anyone thinks there has been any reluctance on the part of individuals to accept call-up, they are generally wrong. In most cases there has been a very real willingness to come in and do something. The difficulties have arisen in every case from either the employer or the Farm Production Committees or from other sources and never let it be said that the younger men of Kenya have shown any unwillingness to accept duty. (Applause.) As a tribute to the men in the Kenya Police Reserve, I would like to say that when the contribution which every group has made to the Emergency comes to be assessed, I would like it to stand on the record of this Council that we recognize that the men of the Kenya Police Reserve have rendered very first-class and sterling service. (Applause.)

MR. OIANGA (African Representative Member): Mr. Deputy Speaker, I do support the Motion before the Council that you do now leave the Chair, in order that we may now go on with the main business before us. Before you do that I would like to pose one or two questions, which I would like to be answered by the hon. Mover or any Members of the Government.

The first one is one which everyone who reads through the magnificent address which was addressed to this Council by the hon. Member for Finance and Development will not fail to see. It is this trend of the dependance of Kenya on the outside world as regards development materials. Here we have got two main ideas. First, that we are unable to go ahead with any of our main development projects unless we are able either to borrow from public funds elsewhere in the world, or to attract some capital from outside through private sources.

Now, anybody reading through his speech cannot help noticing how those two things occurred and re-occurred again and again. I should like to ask the hon. Mover if he would be able to tell us in his capacity as Member for Development when he thinks, in terms of years, Kenya will be in a position to say: "I have now borrowed sufficient from outside. I am now in a position to develop from my own resources": because it would appear from figures that

[Mr. Ohanga]

we have here, and still anticipated, that we are committing the coming generation heavily when they take over this Government in twenty or thirty years to come. They will find themselves landed with heavy debts which it will be impossible for them to pay, for which they have not been a party in negotiating to borrow.

I should like to make quite sure that our indebtedness to the outside world is not so great that it will cripple future development that will have to be handled by men who are not here at the moment. That is about finance, just as an indication as to how we will have to go.

Secondly, still in the same manner, Kenya depends not only financially from outside sources, but also for manpower for development. It depends on the outside world for human skill, although this Colony is very nearly sixty or eighty years old. It is a thing that people are sorry to see that we should still depend almost completely on outside skill and outside sources for all the skilled work that we want to be done. I refer now to the dependence of Kenya as regards human materials. It is all right for us to import experts to guide our main industries right at the top, but when skilled men are needed to do day-to-day work they should be people produced here within. In that line, I would like to say that one of the things which make our people in this country absolutely obscure, and so on, is that they have very little chance of playing any part so far as technical ability is concerned, because of lack of training. Training is a thing that does not come by chance. It is a matter of deliberate planning. They should know, or be able to know twenty or thirty years beforehand what the requirements should be, and make a plan which will produce results at that time so that we do not have to depend completely on the importation of brains and skilled hands from outside. Already the outside world is beginning to feel that Kenya Africans are a race of subordinate assistants. There is not one single African officer in the Government of the country; they are either an assistant officer or a subordinate officer of one type or another. Why that should be I do not know. Look at all the departments. You will not find one single African officer, as such, enjoying the

benefits of an officer in Government. I do not think it is a thing that any of us can be proud of at this stage, because it is known that ever since the system of education started, we have had no less than forty years' grace in which to make up our minds as to what we want to do. It appears that it is by plan that none of us should ever be an officer at all. Let us hope that is not the case, and, it has just happened to be as it is. We should do everything to correct it.

I shall have a few more remarks to make on it when we come to the relevant Head. Let me go on now to the policy regarding communications. Communications are the key to all development and one of the reasons why the national income of this country relating to African land units is not so marked is because we do not have an adequate system of communications, so necessary for development.

Let me refer specifically to Nyanza Province, one of the areas in the Colony which is able to produce a lot to maintain life here and to export so that we can get sufficient imports from outside to add to our wealth. That Province is not able to produce as much as it should, mainly because it has not got the necessary communications. To get from Malakisi to Kisii is not so many miles, it takes a lot of days doing it because of the nature of the communications that you have. It may be well to consider one day perhaps stretching the branches of the railways into those parts in order that our road development may catch on at the rate we are going now, in order to build the first foundations. When the Butere railway line was built in 1938, that section of the Province through which the line passed has had a tremendous development both in facilities and economic capacity. We have had gold in the Kakamega area and now in North Nyanza maize at Yala and Butere would be quite impossible and unavailable to this part of the world had it not been for that particular line. It may be advisable that that line should be extended in order to catch on to the main line at Myanga or Bungoma because the distance is small, about forty miles only between those two stations. It should be a fairly easy work so far as building of the line is concerned.

[Mr. Ohanga]

But what about South Nyanza? I am sure that the Kisii Highlands have great potentialities. Those Highlands alone are capable of producing three of the most important cash crops in Kenya—I refer to pyrethrum, coffee and maize, things which the whole world needs, but which will never be fully developed unless we have a deliberate comprehensive plan to develop them as such, and communications come first. We would like to see permanent all-weather roads in this area to enable this development to be made.

Now, the question of farmac roads between Londiani and Kisumu has been a question of great disturbance to people in that part of the world, both commercial and industrial. Originally this part of Eastern Africa's Great North Road, was to go through Kisumu. Suddenly one morning we woke up to find it was not going through Kisumu—it was going through Mau Summit, Eldoret and Tororo. We were cut out of the picture and had no alternative whatsoever. We have, in my opinion, the worst road in the whole of Kenya, which passes through the Lumowa Hills down into the Kano plains. If the plains themselves were flooded then the whole way into Nyanza Province is completely shut. No one can go into Nyanza except via the back door of going first of all to Eldoret, then to Kakamega and then Kisumu—many miles around. I think that is unnecessary. If we are going to be serious with development, we ought to be realistic. We should like to see this extension of the permanent main road go through Londiani, Kisumu and on to Busia at the same time, when other development of the main trunk road is going on. I would like to hear something specific about it when we come to the relevant Head.

I should like to support the idea—the suggestion—made by my hon. colleague, Mr. Mathu, that we have a comprehensive agricultural survey in the form that Mr. Troup had it in the European Highlands, in order that we may know where we are going with our agricultural development, and I hope that consideration will be given to this immediately—as soon as Government is able to do so.

There is only one point remaining to which I want to refer. When we know our requirements of agricultural develop-

ment in African areas, one question must be answered—that will be the question of manpower. I suggest to everyone in the country that the main bulk of manpower available for farming development in the country comes from Nyanza. Nyanza happens to be a place where agriculturally, we have great potentialities. Whether we are going to draft a whole lot of manpower from Nyanza into other parts of Kenya to enhance development, remains an outstanding question. At the moment we are running at about sixty to seventy per cent of available manpower in Nyanza being outside. The remaining thirty-five per cent I do not think would be able to do all the work of development necessary. When the report of such a surveyor is available, we may know what the needs are. Meantime, I would like some idea—some thought—to be put into that, so that it does not take us by surprise when we find that no more labour will come from Nyanza in the quantities they have been coming for the last few years.

Mr. Deputy Speaker, I support the Motion.

MR. COOKE: I have no bouquets to throw at the hon. gentleman on the other side for his speech, unlike some other Members, because we got what we expected from the hon. gentleman with his clear and logical outlook. We have got a very clear and concise statement of the position to-day. Indeed, I never look at the hon. gentleman when I do not visualize—envisage—a row—I rather think I am looking at a row of pigeon-holes from which he extracts his most clear and logical deductions. I think he gave us that in the speech he made three weeks ago.

I am sorry the hon. gentleman did not put a sufficient note of urgency into his speech—either urgency in the matter of finishing the Emergency, or urgency in the matter of the financial position. He told me in reply to remarks I made some time ago he could not quite understand what I meant by a "clarion call" in financial matters. What I meant was this: that he should at any rate give a clearer—clearer—warning to this country about the amount of waste, for instance, that was going on to-day in connexion with the Emergency.

[Mr. Cooke]

I know it is very difficult to get precise information or evidence, but one hears it so much from all sides that I think there cannot be any doubt about it that there is a tremendous amount of waste in the administration of funds at the disposal of those conducting the Emergency. I should like him to have told us, or emphasized more, the importance of finishing the Emergency—getting rid of it—much earlier. Of course he will say: "How is it to be done?" Some of us will—at any rate we will tell you how it is not going to be done; by some of the methods being used to-day!

Everyone would like to see a strengthening of the measures which we are taking against the rebels. I think that he might have emphasized that a penny saved is a penny gained—that if he could get rid of the Emergency more quickly he would save that £300,000 a month—whatever is the amount—which we are spending to-day.

Now, Sir, I think it a pity as well, whenever he speaks in this Council on the question of money, he has thought fit to issue a warning about social services. I agree that social services must be kept down; but I think it a pity to over-emphasize the matter so far as Africans are concerned, because the majority of Africans are no more responsible for the position than the Europeans or any other race—

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Before the hon. Member proceeds, I should like to thank him, and make one point clear. I hope I have never in any speech implied that social services of any one particular race will be cut down. All the references I have made have been to all races. The hon. Member knows my opinion on that very well, because we agree.

**MR. COOKE:** Thank you. The hon. Member for Nairobi South evidently misunderstood as well, because he made a reference to the education of the African. I think he said that in England industrial supremacy was gained before education was imparted to the mass of the people—something to that effect.

**MR. HARRIS:** I am grateful to the hon. Member for giving way. I have just

checked my HANSARD. I said: "Education of the peoples"—in the plural—"of Kenya".

**MR. COOKE:** Education of the peoples. He did draw a parallel, I think, and said that England went ahead industrially long before the people were educated. If he is referring to mass illiteracy he is right; if he is referring to education in the broadest term, he is wrong, because in England there was, for instance, the magnificent system of apprenticeship in Queen Elizabeth's time that contributed so much to the industrial supremacy of Great Britain.

In those days England was competing against the rest of the world which was itself illiterate but it is unfair to ask the illiterate African to compete against illiterate people in the rest of the world. I do not think many people realize that South Africa, for instance, is spending a tremendous amount of money something like £18,000,000 a year on the education of its people because South Africa realizes especially in industries around Port Elizabeth that Africans taught the three "R's" are much more susceptible, much more easily taught industrial habits.

Now I turn to our National Income which amounts to £107 millions. I think the proportion of expenditure is 21 per cent which is not a very large expenditure in proportion to the national income. I think in England it is 42 per cent and in Canada 30 per cent. Therefore, it would seem that we have great resources from which we can draw. I am not advocating it but increased taxation is bound to come, whether we like it or not, and I criticize those who oppose an increase in taxation—we, ourselves, in Kenya are spending much less in proportion to the national income than any other Colony—perhaps the hon. gentleman would give us figures as to what proportion the other Members of the Commonwealth are spending.

With regard to local loans, I would like to associate myself with what the hon. Member for Nairobi West has said and say that loans should be made free of income tax, that any loan taken up should be free of income tax and, indeed higher interest might be paid, for there is this to remember, Sir, that any loans subscribed to locally, will be paid locally to local investors and a lot of that money will

[Mr. Cooke]

circulate and come back, perhaps in the form of taxation. When we raised loans in England, the interest goes to the English investors; that money does not circulate necessarily in this country.

I was glad to hear the reference to labour camps because some of us, including the hon. Member for Kiambu and myself, have for many months past been urging strongly that use should be made of the people who have left the farms and cannot get work elsewhere. I think that when the history of this country is written in a few years time, it will be realized that one of the major blunders has been in not making use of these young Kikuyu who, for one reason or another have left the farms. I assume that they will be paid the ordinary rate of wages when they work in these labour camps and put on to really productive work. But even though Government has delayed a long time in this matter, it is good to see that they have realized its importance. I think it was unfortunate the name they first gave to these camps—"labour camps"—which savours of something in Russia or Siberia but now they are called "work camps", we hope they will be work camps in practice as well as in name!

With regard to forests, I would like to associate myself with what the hon. Mr. Riddoch said yesterday. If I may say so, it was a great justification of the creation of the Nominated Members on the other side of Council that we should have a speech of that nature. It is the speech of an expert—(Hear, hear)—and once or twice in the past, if I may say so, speeches from that portion of Council have been more of a political nature. I think it would be better to leave politics to the experts such as perhaps the hon. Member for Trans Nzoia and myself. (Laughter.)

I do not think there is any cause, Sir, to be too pessimistic about the development of forestry. I think personally that we must not lose our heads in this matter and we must try to devote to the up-keep of this great forest estate more money than envisaged by my hon. friend. It would be a fatal thing and short-sighted to the extreme to allow such a valuable asset to be dissipated or wasted.

With regard to housing, I was very glad to hear that—not a Minister for Housing

—but a special gentleman has been appointed to deal with housing. Personally I would like to see, as I have urged, with His Excellency and others, him sitting on the other side of Council so that we on this side could criticize him and use our influence in any way to urge him to get a move on. I would like to see in that respect some African associated with him in some such capacity. I will not mention Under Secretary in some capacity as I think an African should be associated with him in this matter which is of such tremendous importance, especially to the African people.

I have very little more to say, except in regard to tourism. I would like to agree with those who have spoken about the importance of tourism in this country, especially the hon. Member for Mombasa, because we have the great assets of sunshine and scenery which not even the *Mau Mau* can take away from us. I think we should use every means in our power to see that tourists are attracted to this country. I think the hon. Mr. Cowie will bear me out that last year something like £5,000,000 was spent by tourists and I think we should contribute more towards the tourist industry in the way of advertisement and so on.

While not throwing bouquets around to my hon. friend, I think we are lucky, as other people have said, in that we have brought to these intricate and difficult problems of to-day a mind so vigorous, so logical and so clear.

**MR. BLUNDELL:** Mr. Deputy Speaker, Sir, I wish in speaking in this debate to deal mainly with three points and those points mainly range around the financial aspects of the Budget.

First I should like to join in congratulating the hon. Member on his speech. I hope he will forgive me if I say and also adapt a very famous phrase—I do not think I have ever listened to a speech so interesting, so long and really, in effect about so little, because the hon. Member had very little to offer us other than a Holding Budget with no changes, either in services or taxation.

I want to reiterate the warning I have given over the last three years on the financial aspects of the Colony. We have been financing the Budget of the Colony

[Mr. Blundell] on money coming into the revenue which is largely "phony". We have been fortunate in some respects in that this process has enabled us to carry a Budget which, in my view, is probably higher than it is wise for the Colony to carry.

The problems before us are two; how to control demands on the Budget which, as the hon. Member must know as well as I, are tremendous and secondly, how to finance those demands when we are unable to control them.

Now the Budget for many years has been swollen on the revenue side by items we cannot expect to continue for ever. The first of those is the false prosperity which arose from the inflationary period after the war. The second, and I would estimate it as 20 per cent of the Budget, the prosperity from the flow of imported capital. It seems to me wise to anticipate that both those two items swelling our revenue may be reduced and, indeed, we have been meeting items with revenue which is directly attributable to the nourishment of imported capital into the country. I hope we shall be meeting that by contributions and assistance from the United Kingdom in the future.

But the significant fact remains that we are building a Budget structure that has been nourished for some years on revenue that we cannot expect to be a solid foundation for our economy, only being prolonged in the circumstances of to-day—a certain false element in the economy which will occur from Emergency expenditure and assistance from the United Kingdom in helping our revenue. One other point—again one of the false elements we have enjoyed for some time is the real salaries of civil servants. That is a contentious matter and we have tried to meet that point by giving civil servants cost of living. But I am quite, quite certain we have been enjoying an element in our Budget which will disappear when the Libbury Report comes forward. That element is the measure of sacrifice in terms of the 1939 purchasing power of their salaries. That is particularly so, I would emphasize, in two elements of the civil service, those Africans, who have risen to, shall we say, near-executive grades and those Members opposite who have reached the top executive grades. I am certain in my own mind we are not paying salaries

commensurate with what we are getting. In effect that is the third item which has enabled us to finance our Budget more easily than we ought to have done. I bring this forward because these are all aspects of our financial position which we have got to consider in estimating the Budget.

Again, Sir, another pressure on the Budget which we have got to consider, to realize what is happening, is the result of the social revolution in the United Kingdom. It is quite idle to pretend that one of the greatest nations in the world—and I believe, morally, the greatest—can possibly have a social revolution of that dimension without any effect rippling all round the globe. That indeed has happened, and I mention it now because I particularly wish to remind hon. Members that that social revolution was financed by two things. The first—a large measure of inherited capital, both in cash and in technical skill, which came, largely, from the era of the Industrial Revolution. The second point which enabled us to finance it was this—I would particularly stress it to the hon. Member for Central Electoral Area, Mr. Chanan Singh—the social revolution in England can be financed at the level it has been mainly because the people of Great Britain have come to the conclusion that the main element in families is quality and not quantity. As long as the people of Great Britain accept that, they can afford a great measure of social services for all. If the people of Great Britain decided they preferred quantity in their families rather than quality, undoubtedly the level for each individual of social services would have to drop.

There is merit in every hon. Member in this Council realizing the fundamental things which affect that natural desire to emulate what has happened in the United Kingdom—but none of those factors exists here. We have no great inherited capital, we have no great inherited technical skill. We have been moving largely with people who believe in quality rather than in quantity amongst their peoples. That is no insult, nor slight, Sir, we all wish to raise the quality as much as possible.

That brings me to my next point. The problem before us is how to marry the ideas, the thoughts and ideas of a Western economy to a country which is still

[Mr. Blundell] very largely—with the great mass of the people—on a peasant economy. It is for that reason that we must watch closely the relationship between direct and indirect taxation. In a mature economy, solely based on a Western financial standard, as the hon. Member for Finance and Development has said, it is according to the political party in power, that the ratio of direct and indirect taxation. What must govern the ratio in this country is not that factor. It is necessary to provide services for all from those dependent upon, and using, a Western economy and those who are dependent upon and using solely a primitive, peasant economy. No amount of direct taxation devised, as yet, can draw from the wealthy Masai, with, say, 600 or 1,000 head of cattle that contribution to the revenue of the Colony which would be paid if his economy and wealth was based solely on a Western standard. That is the justification for urging that the direct and indirect ratio of taxation in this country must not approach too close. The Plewman Committee Report gave us an indication we should keep the ratio at 1 to 2 but the hon. Member for Finance will, of course, have noted that that ratio has considerably closed of recent years.

Having said that, I do not believe that there is any solution to our problem by attempting to control demand. In particular, I would draw the attention of Council to the demands for education. I agree fundamentally with the hon. Member for the Coast—it is very unusual, but I do! (Laughter.) Perhaps I should put it the other way round—on this he agrees with me, that is the unusual thing.

I wish now to speak solely for the European community. It is all very fine to talk about controlling social services; let us get down to actual facts. As a member of the European community, nothing on earth is going to induce me to accept a reduction in the standard of education of our children because that is going to penalize our young people in the competitive world of to-day. Now if, as a European parent, I think like that, the European population thinks like that, then the Asian community must think the same and the African community must think the same. Now it fol-

lows in that one respect, I am quite certain that the communities in this country will not take any reduction in their educational facilities and from that we can deduce two things: first, that the economy of the country must meet the demand by some method other than control; that is, by expanding the economy. Second, that the desire of all communities to see their children properly educated is probably the greatest incentive among the great bulk of the people for an improvement in the general wealth of the economy. Indeed, I would advocate that we use that desire for education as an incentive for general production in the country.

Now, Sir, if we are going to meet the demands which are falling upon the Budget, it can only be done—and I stress this—by increasing immensely our productivity. I would like to tell the hon. Member, Mr. Mathu, that my group are completely with him in our anxiety to develop as fast as possible, as wisely as possible, production of good cash crops from the African areas. (Applause.) I was fascinated, entranced, by his description of how to run a coffee plantation and the veranda system! First of all, it seemed to me that it presented an immediate saving as in that way we could replace all the hon. Members in the front benches opposite by office boys! That would give us an immediate saving with pensions and emoluments! I would like to remind him that sitting on verandas is not a discriminatory practice at all; it is entirely non-racial. The only point where I would like to make a discrimination lies in the quality of the sitting. In that, those who come from a more advanced standard of society use chairs and those who have a rather elementary one continue to squat on their haunches! That is the discriminatory element—not racial—the quality of the sitting!

MR. MATHU: May I just say in explanation, that those who still have an elementary state of living do not squat; they sit on stools.

MR. BLUNDELL: Sir, I completely accept that. I go further and would tell Mr. Mathu that the most essential thing we should do in this country is to get the great majority of the people off their hunkers and stools and on to chairs, that

[Mr. Blundell] if the advance of his 5,000,000 so developed and they sat on chairs and used a Western economy, a great deal of our budgetary difficulties would disappear!

"So, in effect, Sir, we believe that one of the most important portfolios at the present time is that of the Member for Agriculture and Natural Resources and we wish to tell him that he has the complete support of our group in the maximum development of production in the African areas, and further, if the hon. African Members really feel that something like the 'Troup' Report will be of value to them in assisting us in this problem, we would support such an examination. (Applause.)

Again, one of the most important aspects of this matter, Sir, is, I believe, the hon. Commissioner for Labour because it is largely under his guidance and control that we can touch on one of the essentials in meeting the problem of our budgetary services, the maximum and best use of our manpower and industry, and I feel, Sir, there is a lamentable failure, not in himself, but in the outlook of his department. I feel that much of the outlook of the Labour Department is conditioned by the function of a similar department in the United Kingdom, a conciliatory medium between the employer and employee. I might call it vacuum oil in the machinery of industry. The trouble with the hon. Member's department in this country is that it is largely a vacuum and not so much oil. In other words, Sir, I believe if we are going to deal with budgets we have to get more production from people. I am not speaking racially—our people—the ordinary man—the Africans, Asians and Europeans but mainly the Africans, and I feel that that is a function which the Labour Department has not really, truly followed.

I feel there is an immense field for the study of incentive and production amongst our African people and I also feel we are not meeting that particular point.

The third point with which I wanted to deal is this—I believe the hon. Member for Finance touched on it in his speech but I have not checked it. In my view it is quite wrong that the Member for Finance should also be in

executive capacity. I believe the hon. Member mentioned it in his speech and we should merely endorse it. In effect he is in an executive capacity to influence development. I believe, that the hon. Member says "Road", but I believe he has also taken over the functions of development. What I really wish to record is that the function of the Treasury is control.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I think he is referring to the point I made in my speech where I said planning of development was, as is recognized in England, an economic and Treasury function, but not an executive side of carrying out that function.

MR. BLUNDELL: That is to what I am referring. The functions of the hon. Member are planning and control but not execution. That is a point to which I would like to draw the attention of the hon. Members opposite. I think it is at the present moment possibly a weakness and that an undue and improper burden is falling on the hon. Member.

The last point I want to deal with is this. I believe it is erroneous to suggest we can meet the tremendous pressure on the Budget by saying we must have taxation to the hilt. I think that such an outlook is negative and repressive to the true economy of the country. The proper way to meet this expanding and increasing burden on the Budget is, of course, by expanding and increasing the production of the country. In effect, all that one is doing is advocating taxation to the hilt and not clearly understanding the picture. All we are doing is removing what already is in existence on one side of the room to the other side of the room. There is only so much money in the country and taxation to the hilt is merely developing the country through the Government sources rather than through private sources. That is all it means—nothing more. It does not increase in any way whatsoever, other than use of the money for development purposes by Government, the actual national income. I do urge hon. Members opposite to accept that taxation to the hilt might have the exact opposite of what the hon. Member Mr. Mathu wants to achieve; in other words, it might slow down economy and cause it to wither away. So, the true way of dealing with

[Mr. Blundell] this Budget is not the presentation of racial angles—the true way of looking at the Budget is to realize that we will never stop this factor I have outlined, such as the tremendous impact of the views of Great Britain on the world and the demands on our Budget. The only way we can deal with those demands is not by hacking racially at the shares in the national income. It is by difficult but perfectly possible processes—by increasing the total of the national income to be distributed to all. (Applause.)

THE MEMBER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, first of all I would like to congratulate the hon. Member who has just sat down on one of the most thoughtful speeches I have heard for some time in this Council. I would also like to congratulate my hon. friend the Member for the Coast. I had intended to rise immediately afterwards, but in looking at his jovial features I found myself a little nervous possibly because my mind goes back a little further, and I think of Zeus. If I remember rightly Zeus used to carry about a number of thunderbolts in a quiver which he used to hurl at opponents. The hon. Member for the Coast hurled some of them: some of them blunted, some of them sharp and some of them the shafts a little bent—they may even come back and pierce the hon. Member's breast! Also, as he said, he is a politician, or should I say, a tribune of the people who can well deal with such a work. I congratulate him.

Now, Sir, I was going to deal with one point my hon. friend the Member for Kiambu asked me to deal with yesterday, which was the deficit in the operation of the East African Airways. I have noticed that it is inevitable in this debate that this matter will come out two or three times at a later stage. In the absence of the hon. Member for Kiambu, I wonder whether it might not be more courteous to postpone the full explanation. However, I will refer to it. He asked what the losses referred to amounted to. Well, Sir, it is the Corporation's losses in 1952. It will be necessary to go for supplementary estimates; it will also be necessary to refer to losses that have now been brought to account and incurred in 1951, and, thirdly, it will be necessary

to ask this Council to note what we considered is likely to be the loss in 1954. I do not believe, Sir, there is any useful purpose in pursuing this matter which must also come up individually in accordance with the usual procedure at this stage. I wish to assure him I will try my best to deal with them in full. I hope to his satisfaction. I do feel that it is owed to this Council at this stage to give a brief outline of what these losses portend, and give warning that it will be necessary to ask the Council to take note of what we anticipate will be the losses in the coming year.

Now, Sir, I have one criticism, hardly a criticism, of what my hon. friend Mr. Blundell said about the importation of capital. I believe he would wish me to refer to the wider effect of importation of capital, not because he would not have done so himself if he had not wished to, but he made his speech as short as possible—as I do myself—but I think it is necessary in case misunderstanding gets abroad. Importation of capital is important from the Budget point of view. Now, from the Budget point of view it is surely even more important from the point of view of development, and development is something that, in the end, not only increases the national income but eventually increases the favourable balance within the budgetary position. If, in other words, investment is wisely made there must be not only an immediate result in the budgetary position but surely a long-term and cumulative result in regard to the national income. Therefore, in regard to revenue, I do not wish to labour the point because I know the hon. Mr. Blundell agrees. I thought it necessary to say so. I could not underline more strongly the necessity, which the hon. Member for Finance and Development referred to in what I considered to be his very brilliant speech—his very brilliant exposition—that the absolute necessity for this country is to develop and that we should do everything in our power to make the country attractive to capital. On tourism—the Member did refer to its importance—I entirely agree; it is one of our biggest invisible exports. It is one that has been growing—it is one which can grow a great deal more and it is a form of development. Here the hon. Member for the Coast throws a

[The Member for Commerce and Industry] thunderbolt, sharp and truly aimed, this is one which exploits the natural advantages of climate and scenery in this Colony.

I must refer, not in a critical sense, to a remark made by the hon. Member for Mombasa when he directly related the amount of money spent by the Tourist Association—that body that is doing such magnificent work—he directly related that expenditure to £3,500,000 per annum gained by this country. I would prefer to be possibly a little more complimentary to the Tourist Association. There would, of course, be a degree of tourism in this country whether there was a Tourist Association or not. What I would like, and I believe the hon. Member will agree, is to say that with the limited funds available to the Association, they have done something far more difficult than directly to relate the money they spend to the money coming in. They have increased normal expenditure by 10 or 15 per cent. Surely that is their function—it is not to create a trade that exists, it is to stimulate and increase it more rapidly than it would otherwise have done. I am sure my hon. friend would agree with me.

MR. USHER: I thank my hon. friend for giving way; the argument was shortly that if they could, by the establishment of offices or personnel, touch, as it were, rather than by literary means—get across to the public wherever it might be—the advantages of this country and the beauty of its scenery and all the other assets—unwasting assets—which it has. We might expect an even greater return.

THE MEMBER FOR COMMERCE AND INDUSTRY: I thank my hon. friend and I am in agreement. I would make one point. He did ask my hon. friend to find more money. That must be in relation to the pressure on the budgetary position, as the hon. Member for the Coast rightly said. I would, however, make one further observation. In my experience certain very successful tourist promotion organizations, such as the Year-round Club in California, the Swiss and French Tourist Associations and many others do benefit greatly from private subscription from those likely to benefit—transport organizations, hotels and otherwise. In

this country also it has been the case and there has been great generosity on the part of those organizations.

I would like to ask the hon. Member to use his very considerable influence and, indeed, other hon. Members to point out that although the whole country benefits, there is a very great benefit accruing to certain sections of the Colony. I would not ask them, naturally that is their business, that they should find more money; some are finding as much as they can; I do believe the more we can pay the Organization the better and more effective in attracting that tourist trade. I believe the hon. Member for African Interests, Mr. Ohanga, raised the question of transport. The question of roads development will be dealt with by one of my hon. friends concerned with that matter. My hon. friend also mentioned the question of expanding rail facilities and improving services. Naturally we on this side of the Council, in referring to the activities of the East African Railways and Harbours are at a certain disadvantage in that we are not directly concerned with its operation and we have not executive responsibility. However, the hon. Member for Usin Gishu and I sit on various advisory committees connected with the East African Railways and Harbours. To that extent we are familiar with the working position and are in a position to make representations. I would say straightaway, I believe the hon. Member for Usin Gishu would agree with me, that it is the determination and, indeed, the endeavour of the East African Railways and Harbours to improve services where track already exists as rapidly as supply of rolling stock and locomotives permit. As soon as one gets on to the question of building additional branch lines and extending services in that connexion, you do face a much bigger issue because, by the Order in Council under which the East African Railways are operated, it is necessary that every branch line must earn economic revenue from its establishment or that the territorial Government meets the deficit.

Now then, I am not making that point to refute the desirability of what the hon. Member said. I am merely making the point to make it clear that whereas improving services on existing lines is a comparatively simple matter, largely

[The Member for Commerce and Industry] relating to traffic or availability of rolling stock, the construction of new lines does bring a much bigger issue into consideration. I do not wish to say more at this stage. My hon. friend the Member for Kiambu also raised a matter of the balance of trade. The hon. Member for Finance and Development will deal with this matter, I imagine, in his reply, but as other Members may wish to speak I would like to make one point very briefly, that, whereas accrued balance of trade in terms of imports and exports may appear to be unfavourable, with our balance of payments it may well not be. After all, we have just mentioned tourism. £3,500,000 net came to this country, I was told. That does not appear in exports statistics. Services offered by the Port of Mombasa, banking services, insurance services and other services—whether it be water for ships at Mombasa or other services I have mentioned—all amount to invisible exports which do not appear in the accrued trade figures. There is no point in labouring it—I am sure the hon. Member for Finance and Development will deal with it. I do feel it necessary all the time, in speaking of the accrued balance of trade figures, to bear in mind the balance of payments figures which is the basic thing that matters. I do not think there is any other point that I could usefully deal with at the present time.

I beg to support the Motion.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, it is my duty to deal as briefly as I can with a few points which have been made by hon. Members on the other side in regard to my portfolio.

Firstly, Sir, it relates to the relative expenditure on education for the various groups: European, Asian, Arab and African. Now, Sir, as hon. Members know, this is a very controversial subject on which intelligent, honest, fair-minded people hold very different views. I do not want to go into it in great detail today, but it is necessary to say this much on the general question. It is a fact that for many years the European community has enjoyed a specially favourable position in regard to education, in that by law the education of European

children, both boys and girls, up to the age of fifteen is obligatory in all parts of the Colony, and it has been the policy of Government for many years to make available secondary education above that age for those who desire it, which, in fact, is the majority. In the case of the Indian community—the Asian community—education is obligatory up to the age of fifteen only for boys and only in Nairobi, Mombasa and Kisumu. In the case of the Arab and the African community, there is as yet no obligatory education, although, of course, the Government, like the communities concerned, would like to see that come about.

It must be admitted that the fact that there is this legal obligation in the case of European children up to the age of fifteen, and this long-established policy in respect of children of both sexes, above the age of fifteen has had an effect—profound effect—on the amount of money, both capital and recurrent, which has been devoted to European education. It is easy to criticize that arrangement, but in fairness to the community concerned, I think it is necessary to bear in mind three facts: firstly, the fact that the European community has for many years, and still does to-day, made a contribution to the general revenue of the country by direct taxation—mainly income tax—out of all proportion to its numbers. I realize very well that this is not an unassailable argument, but nevertheless I think it a factor which must be taken into account in considering the rights and wrongs of this matter. Secondly, it is also a fact that the community makes a very substantial contribution by way of fees towards the cost of its education. It is rather more than half the gross cost of European education. Thirdly, the European community itself has come to recognize, and leading members of the community have publicly stated that they realize, the difficulties of the situation, and that the time may come—and I think the time will come fairly soon—when some special contribution must be made by the community, over and above what it has done up to the present time, towards its educational costs. The European Advisory Council on Education has recently asked me, or rather asked the Government, to appoint a Committee to investigate the question of setting up a



[The Member for Education and Labour] European Education Authority; and associated with that question is the question of the provision of money for education of European children; so that the community itself has already recognized the difficulty inherent in this matter.

Now, Sir, coming to the particular point made by the hon. Member, Mr. Chanan Singh—I regret I have not had the opportunity of reading his speech in HANSARD, and I have not been able to identify the particular figures he referred to; but the substance of the criticism was that if you compare the amounts voted and the amounts spent on European education, and Asian education, you will find that the rate of expenditure for the former is greater than for the latter. Now, Sir, I must admit there is justice in that criticism. It is true that the Department, in determining building priorities, has had at the front of its mind the obligations which I have referred to in the case of the European community. It is true that rates of expenditure on Asian education—capital expenditure—have tended to lag behind. That, Sir, is a fact for which I must accept responsibility for the Department is within my portfolio. It is a defect I will try to remedy in 1954 and future years. (Applause.) But, Sir, I think the hon. Member himself and other Indian Members will agree that in spite of that fact substantial progress has been made in improving the standards of Indian education and accommodation in recent years. I admit, of course, that a considerable share of the credit for that improvement must go to the community itself, which has provided large sums of money for capital expenditure—on the basis of a 50 per cent £ for £ grant-in-aid for Asian schools. During 1954 and future years, it is, of course, our intention to continue this process of improving the standard and amount of education which are available. The hon. Member also referred to under-expenditure on recurrent votes for Asian education. I have not had an opportunity of going into that in detail but I think it is certain that one of the major factors is shortage of teachers and the difficulty of obtaining teachers. One way in which Asian Members can help in that respect is by encouraging Asian youths and girls to adopt the teaching profession in

Kenya, because there is difficulty at the present time in keeping the Training Institutions full.

The hon. Mr. Mathu criticized the progress that has been made in African education and the amount of money that has been voted for that purpose. I must say that I was very disappointed with that criticism, because it seems to me the progress that has been made in that matter since 1946 has been dramatic, both in the amount of money spent and in the number of institutions which are available. In that year (1946) the amount of money spent on African education was about £120,000. In the current year the amount to be spent on African education is about £1,250,000; and educational facilities have increased correspondingly. I suggest that is a very creditable expansion. I think that when this Council approved the Beecher Plan and knowingly embarked on this very ambitious increase in African education, it was taking a very bold step. I think it ought to be recognized that that was so. The hon. Member referred in particular to expenditure on primary and intermediate schools. He said, I think, that the lion's share of the cost of the schools, capital and recurrent expenditure, is met by the African people themselves. If he will turn to page 216 of the Estimates for 1954 he will see that the amount of the grants-in-aid for African education over the half-year is £418,000-odd. Part of it goes to regional education boards for intermediate schools, and part to the district education board for primary schools; that large sum of money, for the half-year, is being voted by way of a grant-in-aid of African education in those schools. I understand from the Department that, although the proportion of the grant to the total cost of running the schools varies from one district to another, overall it is about half the total cost of conducting those schools. So I submit it is not true that practically the whole of the cost is borne by the African people themselves. That is not in any way to belittle or criticize the very great effort made by the African people to help themselves in respect of education. (Hear, hear.) It is true, as regards capital expenditure, that they do provide all primary schools outside urban areas and intermediate schools at their own cost. They get a grant from Govern-

[The Member for Education and Labour] ment to equip schools; but the cost of putting up the schools is borne by the African people themselves. In addition to that, they provide, either by way of school fees or by way of direct contributions to schools, or by reason of district council rates, the other half of the recurrent cost of financing these schools. I entirely agree with the hon. Member that the African people make a very big contribution towards their own education; both capital and recurrent, but I think he should concede the fact that very substantial assistance is given by Government, by means of grants-in-aid.

The hon. Member also referred to a number of bursaries granted to Africans for higher education outside Kenya. I entirely agree with him that it would be a good thing if we could spend more on this, but the problem is mainly a financial one. The amount of money available to be spent on African education is not unlimited, but the figures he gave were not quite correct. So far as Government bursaries to the United Kingdom are concerned, the figures are as follows: Government bursaries, 1949-2, 1950-2, 1951-3, 1952-4, 1953-4. By other means, which includes local authority bursaries, the numbers sent to the United Kingdom are one, one, three, ten, four. In addition to that, students go to other places than England for education; so that the number of African students going for higher education outside the country is substantially larger than the hon. Member suggested, though they are not so large as the hon. Member would like to see.

The hon. Member for African Interests, Mr. Obanga, made two points which I would like to refer to. The first one was the efflux of Africans from Nyanza Province for work in other parts of the country. I think he deprecated the large number which come at present from the native land unit at certain times of the year, because he thought this might be damaging to economy of the native land unit. I think it ought to be emphasized that that high figure—60 per cent—is only reached during part of the year—it is not the case that such a large number of people are absent all the time. Our aim should be to reduce numbers and increase regularity and efficiency; we need a permanent efficient labour force.

The Council adjourned at five minutes past Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.

THE MEMBER FOR EDUCATION AND LABOUR: Before 'break' I was referring to the remarks made by the hon. Mr. Obanga. I think there is nothing more to be said on the question of labour coming from Nyanza Province to other parts of the country.

He also referred to the technical education of Africans and the opportunity of the African for employment in the higher ranks of the public service.

With regard to the former it is, of course, the policy of Government to increase the facilities for technical education, and, as the hon. Member knows, we have already in existence three trade schools and we propose to increase that number. It is also the policy of the Education Department to give a practical bias in the Intermediate Schools, that is being done and special staff is being trained for the purpose. In addition, as hon. Members are aware, the Royal Technical College is in the process of building. That will ultimately provide technical education, we hope, up to university degree level for people of all three races in all the Territories, so at that time, there will be the opportunity for all people, including Africans, to receive technical education at all levels, and up to university degree level.

With regard to the opportunity for the Africans of employment in the public service, this is not a subject which falls specifically within my portfolio but since I was for some years closely associated with the public service, I would like to say something about it. It is within my knowledge that a deliberate attempt has been made by Government to provide opportunities for the employment and promotion of Africans, as they become fitted for it in the higher ranks of the service.

There is, of course, room for difference of opinion on the question when a man is ready to be put into a more senior post. I suppose it is only natural that a man who has spent the whole of his life in public service would look at that from one point, and an aspiring African who hopes for promotion or hopes to see his fellows promoted within the service would look at it from a slightly different

[The Member for Education and Labour] point of view, I am not aware of any case myself where an African who, in my opinion, is suited for a more responsible duty than he is performing at the present time is not given that opportunity. That is my honest opinion. Up to the present there has been no case that I know of where an African, fitted for more responsible duties, has not been given them.

The hon. Member for Arab Interests referred to Arab education. He asked two things—firstly, that Arab education might be made obligatory for Arabs; and secondly, that another school might be provided at the Coast. I am afraid it is impossible for me to say we can introduce obligatory education for that community, though we would like to do so for all communities but the thing is financially impossible. As regards an additional Primary school, if the Education Department come to the conclusion that a school is necessary, as it seems to be, in that case we will make provision for it at the earliest opportunity in our development plans. We are in that respect, as in others, limited by the total amount of money available. That is something that the Planning Committee sitting at the present time will have to consider—the money to be allocated for capital purposes including education.

The Member for the Rift Valley who, unfortunately, is not here at the moment, referred to the Labour Department. He said he thought they failed lamentably in that they do not endeavour to improve the standard of industry of the African worker. That is his criticism. Well, Sir, I think it is true to say that the Labour Department, of course, agree that is desirable, indeed, essential to improve the standards of industry, application and skill of the African worker, which at the present moment are generally low. But I do not honestly think that the Labour Department is in a very advantageous position to improve their position. Surely the person in the best position is the employer himself? He is in daily contact with the workmen, he sees them at their jobs, he supervises their work, he controls their conditions of service, it is he who decides whether to let them remain in service or sacks them. I think the real answer is to be found firstly in close supervision so that the efficient and diligent man can be advanced, and the lazy,

inefficient man got rid of; and secondly in the provision of adequate incentives, either in cash or some other way, to induce the worker to work harder, longer and better. It seems to me the thing lies very largely in the hands of the employer himself. He can do much more than a Government department can do.

Now, before I sit down, there is one point relating to what I said previously about European education which I want to make absolutely plain, although I think I made it plain enough when speaking before. I then said that a request had been made to me by the European Advisory Council on Education for the appointment of a committee to investigate the question on setting up a European Education Authority. Closely linked up with that proposal would, of course, be the method of financing European education. I must make two things plain. Firstly, that the request is still under consideration\* by Government but no decision has yet been made regarding the appointment of the committee or regarding the substantive question of creating an Education Authority. Secondly, I said, that—in my own personal opinion—it will be necessary for the community to make some larger contribution, by way of fees or otherwise, towards the cost of education than it is doing at the present time. Members will recall that in 1949 I happened to be acting as Deputy Chief Secretary, and was then chairman of a committee which reported on Indian education. At that time the committee including, of course, myself, expressed precisely the same view. We said we thought both in respect of the European and Asian communities that necessity would arise. There is nothing new in what I have now said, it is merely reiteration of what was then expressed. I must make it clear that that is my own personal opinion; it is not yet, and may never be, the opinion of Government.

LT.-COL. GHERSIE (Nairobi North): I wish to make one or two observations on the speech made by the hon. Mover when introducing the Draft Estimate. My first observation is on his reference to our estimated General Revenue Balance. He said in his speech that: "Our estimated General Revenue Balance as at the 31st December, 1953, is £6,754,035, and after allowing for the estimated deficit I have

[Lt.-Col. Gherisie]

just mentioned it will fall to an estimated £4,799,204. Against that we have the contingent liabilities as shown in the financial statement".

If you refer to the financial statement we find under contingent liabilities, we get such items as (b)—"the annual contribution to provide for pensions now being earned by officers at present in the service", "Widows and Orphans' Pensions"—" (£630,599 has been received and credited to revenue, and £160,987 has been paid out) . . ." so it goes on.

Finally we are informed "the contingent liability is in the order of £1,410,000".

Under (c)—"a sum of the order of £6,500,000 which would be required to be paid into the Sinking Funds in 1954 in respect of the Colony's portion of outstanding loans, if the loans were to be redeemed from Sinking Funds at the earliest due date or fixed due date and on the assumption that present Sinking Fund arrangements continue."

My point is this—I regard those particular items not as contingent liabilities at all, they are specific liabilities. My contention is that a contingent liability is— if I were to offer the hon. Mover a promissory note or a bill for £1,000 and he discounted it at his bank, this would be a contingent liability as far as he would be concerned until such time as I honoured the bill. I repeat, Sir, that these are specific liabilities and as a result that this alleged surplus balance not only disappears but becomes a deficit of some £3,110,798.

I am not trying to be picky or playing on figures.

I was surprised yesterday to hear certain hon. Members on my left—neither of whom are present at the moment—advocating additional services regardless of the serious position of our finance. I submit we cannot expand our social services unless we have an economic structure and factor with which to support them.

Now quite recently the hon. Member for Commerce and Industry returned from a visit to America. I think he did a great service to the Colony in endeavouring to induce American financiers to invest in this Colony and to point out

the potential business possibilities. I want to ask the Government whether they intend encouraging the investment of American capital in this Colony. I have it on very reliable authority that certain American financiers within the last few months have visited the Colony. They contemplated investing in the Colony but were so discouraged in regard to investments they wanted to make that they abandoned the idea and made similar investments in the adjoining territory of Tanganyika.

THE MEMBER FOR COMMERCE AND INDUSTRY: I know the group of financiers the hon. Member is referring to. I can assure you they are still extremely interested in Kenya.

LT.-COL. GHERSIE: The fact remains that they represented some millions of pounds which they intended to invest here but has now been diverted elsewhere.

THE MEMBER FOR COMMERCE AND INDUSTRY: The funds have not been diverted. If the hon. Member will come to my office, I will show him a letter from the group I think he is referring to.

LT.-COL. GHERSIE: I do not think the hon. Member is aware of the particular incident I am referring to as I do not think it comes within the purview of his department but I will ascertain that at a later date.

On the question of taxation, I wonder if the Member for Finance would consider a reduction of income tax in respect of individuals non-resident in this Colony. I do submit that, quite apart from the added advantage of encouraging investment into this Colony, although there may be an immediate loss of revenue, if this measure was introduced, if we took the long view, I think there would be a compensating factor in the not too distant future. I think we would gain both by increased revenue and investment drives.

I wonder if Government is satisfied with the services which are rendered to us by the Crown Agents. I query this with some knowledge, as I have just returned from Great Britain—I have it on good authority, I have had evidence myself, I do not believe the Crown Agents are really encouraging the most desirable people to come to the Colony to obtain employment. I know it is a fact

[Lt.-Col. Ghiesse]

that individuals who go to the Crown Agents are warned of the danger of *Mau Mau*, but worse than that—if they are married, they are told that hospital facilities, education facilities are not non-existent but not up to the standard; they think the individual would require.

Apart from the undue delays when individuals appear at the Crown Agents for an interview it is only, as far as I can see, individuals who have visited this Colony in the past and who are satisfied that they like the Colony and who can stand the strain of the unequal battle and finally insist upon taking up appointments. So much so, that a person who came to interview me, he was holding down a very good position in the City of London, he was interested as he had served in the Colony during the war, stated that an actual remark made to him was—"I cannot understand why you wish to go to Kenya at all under the existing circumstances. The people who usually come to us for employment are the fellows who cannot find employment elsewhere". I suggest that that is a very poor advertisement so far as this Colony is concerned. However, he was determined to come if he could make the Crown Agents shake themselves and give a decision. If I may transgress for a moment—when one realizes that people in the Colony have put up £40,000 for the Voice of Kenya in order to help advertise Kenya's possibilities, and you have a responsible department like the Crown Agents discouraging people from coming to the country; I think it is disgraceful. I do not suggest it is the general policy of the Crown Agents but there must be individuals who are, for reasons best known to themselves, definitely discouraging the right kind of person who we would like to see take up employment in this Colony. I suggest this matter requires looking into.

Sir, I support the Motion.

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, every law-abiding citizen in this country will note with much concern that this unfortunate Emergency which is prevailing in this country since October, 1952, has become a drain on the public revenue. We have spent a good amount during all these months and we will still have to spend a great

amount, for we have to establish law and order and peace so that every man in this country can do his peaceful occupation without any hindrance or any fear. This is a very great drain of revenue on this country and if no efforts are made then this small and young country will not be able to shoulder the burden without assistance from external sources. The hon. Members on this side, I believe, are very much pleased that the hon. Member for Finance is doing his level best to find finance from external sources. I hope that during his recent visit to the United Kingdom, he must have achieved a successful result for which he went over there.

Sir, when the financial position of a country is such as it is here, it is necessary that economy should be introduced in the various departments and for revenue derived that way to be utilized for urgent needs. But I suggest that the vote for education should not be touched because the amount that is spent on education is a necessary investment as it would give a handsome dividend by way of having a better and healthy society. No attention has been given to the Coast that it ought to receive. I suggest that short-term productive projects should be considered and special attention should be given for the construction of roads and water supply. The Government should consider very carefully and implement and try to do as quickly as possible. The scheme at present adopted for water supply at Mzima Springs will help the development of Mombasa and the Coast will improve a great deal.

Sir, this unfortunate Emergency is wasting all our time and energy and, as such, a speedy end is better for every one. I appeal to all to support the forces of law and order in this country so that other important projects could be introduced for the development and prosperity of our country.

MR. GIKONYO (African Representative Member): Sir, the hon. Member for Finance asked, "On what shall our money be spent?" I think that is a very important question, Sir. Education is the key to our progress. Any country with its people who are illiterate cannot fully exploit its natural resources and Kenya is not an exception. If Kenya has a

[Mr. Gikonyo]

future for us; and I believe it has the long-term development policy of our human resources as well as natural resources is a matter of great importance, and I will oppose any suggestions to interfere with that development. If to carry on that development means increased taxation or increased productivity let us have them. But I am of the opinion that however desirable are short-term productive projects at the same time we must not lose sight of the fact that these long-term developments are necessary for the future generation. It is true that we do want an inflow of capital for developments in this country, but I am very strongly opposed to any suggestions that we should sacrifice our essential social services so as to attract this capital.

I have, Sir, listened with great interest to the speech of the hon. Member for Education and Labour as it affected the education system affecting the various groups in this country. In my view Africans, more than any other section of the community, need education. They are poor and therefore need State assistance.

Whatever people in this country may say, it is an accepted principle that the rich must and do pay for the poor in many countries. In this country we have three sections of the community—the Europeans, the Asians, who happen to be the rich section, and the Africans who happen to be the poor section and whether people like it or not, the rich must pay for the poor. The explanation given by the Member for Education and Labour would not hold water. It just happens there are three different races but if there was one race in this country nobody could convince me that the poor section of the community would not get state assistance and benefits simply because they happen to be poor.

Let me tell my friend, the Member for Finance that we—I mean the Africans—do not want a period of stand-still in our social development. We do want better education just as much as the Europeans and Asians do want better education for their children. What is good for the other races is equally good for us and we will not be satisfied with anything short.

My friend, the hon. Mr. Chaman Singh—who is not here—suggested yesterday

that selected Africans should be sent to university in Britain each year for study—I think he stated half a dozen. Assuming that the Government is willing to do that, I think that number, in proportion, is very small. We do want more of our youths to be trained so that when they come back in this country my hon. friend, the Member for Education and Labour, will not be able to say that he has not seen an African capable of taking more responsibility. If they are trained—they are human beings—they will be able to take responsibility in the same way as the other races do. Of course, on the other hand, if they are not, you will not see anybody capable of the same responsibility.

I do not want anyone in this Council or outside this Council to think or feel that the Africans will be contented with what I call a tortoise pace or what is famously known as *bado kidogo*. We want to progress and we demand from this Government the encouragement which is necessary. It is absolutely important that the Africans, like the other races in this country, go forward. We are not going to be satisfied to be where we were ten years ago and we want to go forward and we look on this Government to give the African people the necessary encouragement. We want higher education for our men. We want to see African doctors, we want to see African lawyers, we want to see African agricultural and forest officers in this country and, indeed, we want to see African administrators. This can only come about if Government help the people to have their way to advance now.

I am not suggesting that they are not doing it, but they are doing it at a very slow speed.

My friend, the Member for Nairobi West, referred in the course of his speech to the matter connected with the wages of the African *askaris*. He said that the wages of the African *askaris* enabled them to carry on for the first fortnight during a month and for the next fortnight heaven knows where they get their subsistence. That statement can very well apply generally amongst the African workers. The African workers, particularly in the towns, Nairobi in particular, are very hard hit by the high cost of living and we hope that the Carpenter Committee will report quickly

[Mr. Gikonyo] so that a relief will be afforded to these African workers. I submit that when the Africans' wages have been substantially increased, then the question of paying them either weekly or fortnightly wages might be considered. I think that is very important.

My final point, Sir, is the matter which was touched on yesterday by the Member for Agriculture and Natural Resources. That was in connexion with the Tana River scheme. In my view that is a long-term project but what I want to know from Government is, what are they going to do with the thousands and thousands of Kikuyu people who were repatriated from the Highlands back to the Kikuyu reserve. Is it impossible to get land elsewhere? Whatever people may say, there is no land for them in the Kikuyu reserve and all they will do is to cause trouble there and I think is it the unrealistic thing to do to return them where they have no land? In my view it is not impossible to get them land if the Government wish to do so or the people who wish to come and help find a solution of the problem in which we are put.

It is only a few weeks ago that a report appeared in the local Press that the European settlers wanted, during the next five years, to bring some 30,000 Europeans into this country. That shows, without any doubt, that there is more land in the country which needs development. My question is—is it necessary to import people to come and develop this land where there are people landless and want to have land.

That raises the question of immigration and here I would like to say that Africans are opposed to any mass immigration either from the East or the West. We have people here and what we want to do is to train them, give them the proper training, then we will be able to develop the country. We have the manpower and it is our duty to see how best we can use that manpower.

Mr. Deputy Speaker, I beg to support.

Mr. Awori (African Representative Member): Mr. Deputy Speaker, Sir, I have a few observations to make on this Budget. Quite a number of the points that I would have raised have already been touched on by some of my hon. colleagues on this side. One, a very im-

portant point on which I might lay emphasis, was the reply made by the Member for Education and Labour towards the question of education. I felt that he did not give the necessary consideration in his reply towards the question of overseas education for Africans. I am not satisfied to see that since the last 50 years when we got education here it would look practicable to see that in Kenya we have not a single African who is qualified as a doctor in the real sense. We have a few Makerere-trained but those are not good enough and it is a shame that in this country up to now we have not been able to get a single African doctor qualified from overseas. The number of candidates that are being afforded bursaries is very few, in my opinion. The hon. Member gave us figures and if I compare those figures with the aid Africans here are getting from India in the way of bursaries I think that this country should be ashamed of itself. In 1954, the Indian Government is offering fifteen scholarships to Africans who have passed school certificates to go and study various professions in India. If India can do that, I do not see why Kenya could not do likewise. The credit is on India despite what people say about Nehru intruding in the affairs of this country.

It is very important that we get Africans who have qualified professionally. Since last week, various policy statements have been issued by the European and African Members. I think that if they are sincere in their statements we should look for greater co-operation in the government of this country in future. But it will be difficult to get Africans to get on the other side of this Council or in senior Government posts unless they are trained. This is an urgent matter on which Government should lay greater emphasis.

During the last Budget speech I criticized the procedure which Government has adopted towards Africans who go overseas. It has been the practice in the past that bursaries are awarded to Africans who have completed at Makerere only. I think that is a waste of time and we should be able to have a short-cut. At present there are a number of Africans who get their Cambridge school certificate but cannot get a place at Makerere—a good many

[Mr. Awori] ... Certain areas in Nyanza and 20 miles of them pass in Grade I—I think some of the best should go straight away to Britain and elsewhere and pursue their higher studies and the others would then be able to take their education at Makerere.

The question of technical education was tackled by my colleagues and received a reply from the Member concerned. I appreciate what has been done, if, in the near future we could have a real technical college to undertake Africans on the technical side.

I come to the question of African farming. According to the Paper laid yesterday by the hon. Member for Agriculture and Natural Resources, it is a pity to find that the Africans' contribution from production is only £4,000,000. Now I do not contest that that Paper is wrong—but I am ashamed of those figures.

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of explanation so that the hon. Member shall not be reported wrongly from the point of view of what he wants to say—he is not referring to African production as a whole, he is only referring to a specific part of it—African subsistence agriculture is placed at £23,000,000. I am only strengthening his case, remember that.

Mr. Awori: I understand that but what I find is items like cotton and rice. I know there are quite a number of areas, particularly Nyanza, which I feel could be developed to a greater extent than that to which they are developed at present. It is no good for us to go and borrow money from outside if you could be able to develop the country to a greater extent so that the people in the country as a whole would be able to be in a better position of contributing towards finance but it is different at present for Africans to produce to the extent they do because of the lack of capital and technical education towards agriculture. This is a point which I feel should be taken in mind by Government so that instead of Africans being merely consumers and employees they should also take part in developing farms which could be compared favourably with some of the best European farms in this country.

Certain areas in Nyanza and 20 miles before Kisumu—There are areas which could be developed to grow rice and sugar and that would help the people concerned in those areas. Others which suffer from tsetse fly could be cleared in the course of time. Some African local governments are helping at present with loans to good agricultural farmers. Last year they spent £15,000 towards this and I do not see any reason why central government should not take such a step also in helping some of the districts which are poor.

I come to the next point. This has been discussed at length by quite a number of Members in the Council. I have only one thing to say on this matter and that is that in the Coastal Province I feel that if the growing of mavuli trees could be enhanced within the next 100 years—Mavuli trees take quite a good long time to mature—But within the next 100 years I have no doubt that the Coast Province alone will be able to sell mavuli timber at £10,000,000 a year. These figures I have been able to get from some of the people in the Forest Department.

Now, Sir, I come to the question of local government in African areas. I appreciate the view taken by the Elected Members to encourage African District Councils to be raised to County Council level; and I feel that with the co-operation and advice of Government we should be able to get some of the District Councils that are progressing to be raised to that status. It is no good for us to wait until all the African Councils in Kenya have reached the same standard as the others which are progressing fast and should be encouraged instead of holding them back until the others have been able to reach the same stage.

The other point, Sir, is concerned with American aid in this country. A few months ago I read in the Press that America had given some aid to Uganda and Tanganyika—something like £100,000 each for the development of Africans in particular. I would like later when the hon. Member for Finance replies to let us know why such similar sums were not given to Kenya when we are looking for money? (Laughter.)

Now, Sir, I do not think I have got many other points to raise except I shall pose one question concerning the hon.

[Mr. Awori] Member for Commerce, although he has spoken, but on a point of explanation he might be able to let me know. I do not know if he is satisfied that a satisfactory survey of the mineral wealth in this country is being undertaken. I find that Kenya is poor in minerals but I do not believe it is really poor in minerals. I feel that not enough survey is being done towards that. We read in the paper that in a certain place something has been found—coal or something like that but nothing at all is said about it. When he went to America I hope he went to try and attract capital into this country. But people will not come unless they are satisfied that their money will give them something. I feel more money should be spent on surveying areas in Kenya with a view to getting more minerals which could be exploited to help the Treasury of this country.

THE LABOUR COMMISSIONER: Mr. Deputy Speaker, I am also sorry that my hon. friend, the Member for Rift Valley, is not here because, in my opinion, I think he has marred an otherwise brilliant and thoughtful speech by the use of an extravagant phrase. I think that to use the words "lamentable failure of the Department" in that it only provided the oil for the machinery which industry required for its management and it did not contribute to the necessity for increasing production is not a fair one. In point of fact, no machinery can do without oil. I do not consider, Sir, that the Labour Department, efficient as it is, can usurp properly the function of management—the recognized function of management to promote its own efficiency of production and organization. Sir, I consider that it is the function of management to provide the motive power and perpetual.

I suspect, Sir, that the hon. Member had other ideas, that perhaps he was advocating some form of interference by way of sanctions. Now, Sir, I think that the hon. Member is deluding himself if he thinks that increased production and efficiency is likely to be achieved in that way. Sir, however, Sir, as Chairman of a Committee charged with inquiry into the method of increasing this production and to finding out what incentives there may be to help the African particularly to increase his pro-

ductivity, I do not intend, Sir, to anticipate the recommendations at this stage. I repeat again, Sir, the problem of raising the efficiency of a worker is primarily that of the employer. In these troubled times I think that the Council will admit that we have had very little industrial unrest and it is my view that a great part of that is due to the efficiency and hard work that the officers of the Labour Department have put in over the past years. (Applause.)

DR. KARVE (Nominated Member): Mr. Deputy Speaker, Sir, I am going to touch only on a very few points. The first being that this Budget has been described by the Mover as a "standstill Budget". Well, it is a standstill Budget. In that sense I think the opportunity has been lost in trying to reduce the size of the Budget by introducing economies without necessarily curtailing the services or increasing efficiency. We had, during the last three or four years, an expanding economy and increase in the revenues of the country so that all of our departments have been increasing in that proportion. I think at such times—it is with Government and also commercial firms—that in these times of prosperity one is likely to increase staff and other services out of all proportion with the actual necessities to the services rendered. I think there is room for economy in that direction without necessarily curtailing the services given or the efficiency suffering there. I hope that this particular aspect will be taken into consideration when the next Budget is introduced.

I do hope the Member for Finance will be able to get the necessary help from Great Britain not to make it necessary to curtail the necessary social services being given. But if that help is not to the order required and the social services have to be reduced, I think I would vote for an increase in taxes rather than a decrease of social services. I think the bogey of frightening capital away by an increase of taxation is not as bad as people think. After all, taxation in this country is on a very low scale compared to other advanced countries from where capital is going to come here. I think the idea of increased taxation frightening away capital is a fallacious one.

[Dr. Karve]

A point raised by Mr. Blundell is that he thinks that salaries of civil servants and others have not kept pace with the difference in value of money between 1939 and to-day. I quite agree that it is so but not only for civil servants but for all people, professional and other people and that is a world trend. The world trend to-day is to equalize incomes, to raise the salaries of lower people and to reduce the salaries of higher people. That is what is happening in this country. I do not think civil servants have suffered more than anyone else in the country.

The next point raised by the Member for Rift Valley is the quantity production of families particularly enjoyed by Asians and, I suppose, he included the African community in East Africa. I can assure you, at least in the Asian community, that an improvement is coming in quite rapidly. The present-day young girls are certainly not having as many children as their mothers did. I can say that through experience—(Laughter)—as a doctor.

I would like to raise another point and that is that quite a great deal of money is being allowed to go out of this country in the shape of premiums earned by insurance companies whose head offices are in other countries outside East Africa. Quite a lot of premiums go out of the country and forcing them to invest their premiums in this country would help to increase the flow of capital.

THE MEMBER FOR COMMERCE AND INDUSTRY: Are you suggesting that we should force companies we have invited to come here to invest their profits here?

DR. KARVE: I say you should force them. In other countries they are being forced to do so. Like in India I know they have to invest a certain amount of capital of their premium income in the country from which they take that money.

MR. HARRIS: As an explanation of that point, would the hon. Dr. Karve explain that in India all insurance companies have to pay a very heavy deposit before they are allowed to operate.

DR. KARVE: That may also be in force here, they may leave a deposit; that will bring more money in the country. I thank Mr. Harris for enlarging my theme.

MR. MADAN: Is it not a fact that they have already?

DR. KARVE: I do agree that the sending of students to other countries for higher education is a very good thing and should be pursued.

There is one point, however, which has not been mentioned by anybody—I have not heard it. When these students are qualified in other countries and come back, Government and other communities who have posts to offer them must employ them and give them adequate salaries, adequate to the education. Otherwise that makes a group of people who are very dissatisfied. Failure to do so in the past on the part of Government and on the part of other communities has been responsible to a great extent for the present Emergency and discontent of the Africans.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, I want to speak briefly on one or two points that have been raised in this debate. The last one was raised by the last speaker on the question of capital. He has pointed out that in other countries taxes are heavier than here. That is true—and taxes here would stand an increase, and would still attract capital. But I would point out this, that the attraction of capital is not only a matter of taxes, it is a matter of the potentiality of what you can earn, but more, than that, the conditions and security and problems of the country you are taking it to. Here our main attraction at the moment is the lightness of taxation, relative to other developing countries, because if you look at our state to-day, it is not attractive to capital. We are in the middle of an Emergency which drags drearily on and shows no particular sign at the moment of finishing. We live in a country where we are trying to evolve a method of getting three races to live together and develop the country amicably; I do not say that this will not be done, but if you were a capitalist outside, you would consider that quite a grave problem which might increase the risk of investing your capital. Therefore, when the point which has been stressed so often in this debate—the importance of low taxation—is again stressed by me, it is with that background; that there is very little else we have to offer to attract capital other than comparatively low taxation.

[Mr. Maconochie-Welwood]

If we drive out European capital—if, as was suggested by the hon. African Member just now, importation of capital was of less importance than education, there would not be any education, because we could not pay for it and capital is a prerequisite to education.

If, at the present time, the Africans got together themselves to destroy the *Mau Mau*—and without them it will never be destroyed—then indeed we could go on with education. I see the situation arising very rapidly now where education will become quite impossible in the Kikuyu Reserve, because the reserve is not in a good condition. With all credit to the Home Guard and African leaders who have come out on the side of Government, it is perfectly clear that the majority of Africans in the Kikuyu Reserve are either brow-beaten or sympathetic to the *Mau Mau*. That is making the education of the African there increasingly impossible and it may well bring it to a standstill.

This question of education comes up every year in the debate here. It is a pathetic fact that every race in every country to-day believes that education is a charm that can do away with all ills. Well, it cannot. Furthermore, when discussing education everyone thinks of the wrong side of education. They think of technical education—of the education you can receive in order to go out into the world and earn money. That is almost invariably the view taken—that is not real education. It is true that that is precisely the type of education that we are giving the African to-day to both our losses. It is imbued in his mind that education will bring him the good things of life; he forgets that real education is to give a man greater understanding, greater interest in life, and a greater knowledge of the thoughts that have brought mankind to civilization in the past. (Hear, hear.) It is not purely a method of earning a living—still less is it merely a stepping-stone to political power, because that is the worst way of all to look upon education, and unless we can so alter the education that we are giving Africans in this country so that we can produce from it not illiterate and semi-literate people, but leaders who can lead their own people to a better way of life, all the expenditure on education is a sheer waste

of time. (Hear, hear.) To half-educate the masses without producing leaders is finally to destroy the hope of the advancement of the people, for it is upon the leaders in any stage of mankind and more particularly among primitive people that the happiness and progress of those people must chiefly depend, and in that I say, we have failed. How we are to alter it remains to some extent obscure. There is, however, one thing that has a bearing on it, and it is this; you will only produce the right sort of education by contact with men who have it and very large numbers of them.

Now immigration has been raised, I forget by which hon. African Member, as regards the European and the suggestion was that it is not so much what we want, as to develop within ourselves our own productive capacity. Well, I can say this—that unless we can greatly increase the flow of European immigration, then there is very little hope for the African to be led to a better way of life, either technically or in the way of the education to which I have referred, because it is only by close contact with individual, educated men from Europe—and it is, above all, the material and general culture of Europe that the African is seeking to acquire—that we can lead him to achieve it.

Therefore, anything which tends either by taxation or by the discouragement of immigration in any other way to prevent Europeans coming here, or worse still to make them say, "We are tired of it all, we are going to stop, this country is too difficult" will certainly make it quite impossible for the African ever to receive the education which we hope will bring him material gain in the world. If he forgets that for one moment, then there is no hope for him.

That, Mr. Deputy Speaker, is all I would say, but I think it is an important thing that we should appreciate and realize that our education system, as we see it to-day, is a failure, and we have got to consider ways and means of improving it on the right lines in order that we may give the Africans real leaders and not men who merely think in terms of material advancement and men who think on the narrowest possible racial lines. (Applause.)

MR. JEREMIAH: Mr. Deputy Speaker, I rise to support the Motion. In doing so I join myself wholeheartedly with the hon. Members who have spoken, in congratulating the hon. Member for Finance on his excellent Budget speech.

Now, Sir, what I want to refer to immediately is with regard to the African market produce. It has been said that the African market produce was worth about £4,000,000. Now, Sir, this question has been dealt with well by my hon. friend Mr. Mathu, and I need not go further into it, but what I am going to say even if it was only £1,000,000 marketing produce of African agriculture, in my view, it is still a great achievement. Because I also believe that the African can do much more on this line if satisfactory encouragement and less restrictions were the order of the day. Now, with regard to encouragement, Sir, I would like to see that agricultural machinery is introduced in the African land units. Perhaps most of the hon. Members and heads of the departments who are stationed in the Central Province, or the capital of Kenya, Nairobi, think that African land units are everywhere congested as in the Central Province, that is not so. There are other African land units in which there is land which could be properly developed if the means were available to the African. That is why I suggest, Sir, that agricultural machinery should be introduced in the African land units in order to assist the African to improve and expand his holdings. This, Sir, I believe will be the best way of encouraging the African produce.

Furthermore, Sir, I believe that to have been able to produce agricultural products worth £4,000,000 in addition to £23,000,000 subsistence agriculture by Africans under the present method is a very great achievement. The Kenya Europeans could not do better, I submit, because they, in spite of their agricultural knowledge and skill, have to invoke the assistance of Government by provisions of funds, and also by provision of machinery, and in addition they still have to depend on Africans. So, in fact, what is considered to have been produced by Europeans, is mostly produced by Africans. So, Sir, I strongly plead that agricultural machinery should be introduced in the African land units.

Now, Sir, with regard to the restriction. I refer particularly to the restriction imposed on coffee growing by Africans, in that they are only allowed to grow a hundred trees per person. That restriction is very bad and quite unjustified, and in some places strongly resented.

MR. RODDAN (Nominated Member): Mr. Deputy Speaker, Sir, the speaker is aware, as is every other hon. Member of this Council, that what he is saying is not correct. No African is restricted to 100 trees. The statement laid on this Table the other day by the hon. Member for Agriculture and Natural Resources clearly explained the position and I would ask him to withdraw that statement.

MR. JEREMIAH: Sorry, I cannot withdraw before the Agricultural Department will withdraw their restriction because I know that restriction is still in force. Not only that, Sir, would the hon. Member—because I think he shall have time to reply—tell us how long it has taken to grant permission to Africans to grow more trees in addition, to that 100 trees? How long did he take before such permission for additional trees was given? Because in my view it might have perhaps taken two, three or four years before the permission to grow more trees had been granted. What I would like to know is the reason of that restriction. In my view it implies that the African must work by himself only and he should not have the right of employing other people to look after his coffee. If that is the case, may we know for what reason, because the only logical conclusion is that the Africans should not employ others, so that the rest of the Africans go out to European farmers. If that is not the case the only proof that will convince me is the immediate removal of the restriction.

The hon. Member for Agriculture and Natural Resources who is responsible for this action says that he is unrepentant because coffee being such a valuable crop as it is, it must be carefully attended to. I think Africans look after coffee properly. If 100 trees is enough for one man, they can employ more men to look after more than 100 trees.

So, Sir, I submit it is time Africans are allowed to plant as many coffee trees



[Mr. Jeremiah] as they wish. It must be remembered that we have agricultural instructors who can take care of the plantation by instructing and showing the people how to go about it. My belief is that the coffee industry will not deteriorate at all when we allow the coffee-grower—African grower—to increase his plantation because we have these agricultural instructors, we have Government people there to help the African farmers and any other farmers.

I submit that the hon. Member for Agriculture and Natural Resources need not repent now, even if he does, it is unnecessary, because many valuable years have been lost to African agriculture which cannot be retrieved. What I would like him to see is that he should look into the matter and have a change of heart—allow us to go forward along with the others for the benefit of all and for more national income.

Now the hon. Member for Finance asked us whether we should spend out money on "long-term productive projects such as education and forests, expenditure which is highly desirable which brings no immediate return, carrying rather an immediate burden because of the long-term nature of the development of the human or natural resources involved, bringing, however, benefit to the nation of the future, which is not likely to prosper unless the foundation of those services is laid to-day . . ." or short-term productive projects. Then he says, "That if adequate financial assistance is not available from external sources, the only other way would be to increase taxation only to the point where we could maintain a minimum range of social services at minimum standards. For instance, our entire educational programme for all races would have to be reviewed and slowed down". The last sentence—"slowed down"—in my view would be quite unavoidable and to some extent justifiable if the education system for all races was the same but that I submit is not the case, the African is very far behind the others. His education is left very far behind the others.

I do not know what long term means. Whether long term means one year or two years. If it means that, I do not agree that education is long term. I think it

is a short-term project. Every year we produce results. (Laughter.)

The only trouble is that we produce results in a very small quantity. Therefore, I do not think we should try to go back to the policy of people who did not make proper provision for a bigger quantity of—

THE MEMBER FOR FINANCE AND DEVELOPMENT: If the hon. Member will give way, I must repeat—the hon. Member could at least pay me the courtesy of reading what I say—the hon. Member for Finance has made no such assertion. If the hon. Member will read the speech, he will find I am correct in this. I offered him two alternatives, that is what I was expecting hon. Members to comment on. (Applause.)

MR. JEREMIAH: I am grateful for the explanation of the hon. Member. I am sorry if I have done something out of order. I was still proceeding—I was going to say if we slow down education, we would also put ourselves in a position where in years to come we will not be able to produce the quantity of educated children we want. That is why I say this. We cannot agree that the education of our children should be put down. At present Indian and European children receive compulsory education. Money spent on them is very much more than on African education compared with the population of the school-going age.

Further I would have expected that the European and Asian communities who know the benefit of education would have been allowed to educate their children free of compulsion, and we should be the people forced to provide education for the children, but that is not the case. It is the European with all the knowledge he has, who is compelled to send his children to school and ourselves are left to do whatever we like with our children. I think that is not right—I think compulsory education should be introduced for African children immediately and in townships next year . . . . . (Inaudible.)

The African, Sir, has taxed himself very considerably in order to maintain his education and the African, Sir, is prepared to accept more taxation if it is

[Mr. Jeremiah] necessary to provide that the education programme of his children is not to be slowed down or curtailed.

Therefore, the alternative of the Member for Finance is open to us—we agree that taxation if necessary must be introduced—nothing should be done to slow down or curtail the education system. What we want is more education projects.

#### ADJOURNMENT

THE DEPUTY SPEAKER: It is now time for adjournment.

*Council rose at forty-five minutes past Twelve o'clock.*

Friday, 20th November, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### ORAL ANSWERS TO QUESTIONS

##### QUESTION No. 3

MR. MATHU asked the Member for Legal Affairs to state:—

(a) The number of Kikuyu persons charged and convicted for the possession of firearms without lawful authority contrary to regulation 8A (1) (a) of the Emergency Regulations, 1952.

(b) The number of persons prosecuted and convicted for delivering possession of firearms to other persons for use for purposes prejudicial to public safety contrary to regulations 8AA (1) of the Emergency (Amendment) (No. 18) Regulations, 1953.

If the answer to (b) above shows that there have been no persons convicted or very few, if any, will the Member give reasons why this regulation 8AA is not being implemented as fully as regulation 8A (1) (a)?

THE MEMBER FOR LEGAL AFFAIRS: (a) Seventy Kikuyu persons have been charged and convicted for the possession of firearms without lawful authority contrary to regulation 8A (1) (a).

(b) No Kikuyu persons have been prosecuted and convicted for delivering possession of firearms to other persons for use for purposes prejudicial to public safety contrary to regulation 8AA (1), but one member of the Durumu tribe is being prosecuted for that offence.

In nearly every instance where a charge can be brought under Regulation 8AA for delivering possession of firearms for purposes prejudicial to the public safety the facts will also support a charge under regulation 8A for being in unlawful possession of a firearm. As the latter charge raises a simpler and more clear-cut issue, it is generally preferable to proceed under regulation 8A. Nevertheless there may be some circumstances where the only charge that can be pre-

[The Member for Legal Affairs]ferred is under regulation 8AA and, where that is the case, the fullest use will be made of that Regulation.

MR. COOKE: Arising out of that answer, does "delivering" mean handing over under threat?

THE MEMBER FOR LEGAL AFFAIRS: The wording of the Regulation has other verbs beside "delivering". It would be more correct to describe the offence, in general terms, as "trafficking in firearms".

MR. BLUNDELL: Arising out of that answer, was I right in hearing him say "The number of Kikuyus" under (b) of the hon. Member's question when answering?

THE MEMBER FOR LEGAL AFFAIRS: The question asked by the hon. Mr. Mathu was, what was the number of Kikuyu persons charged and convicted for the possession of firearms without lawful authority contrary to regulation 8A (1) (a) of the Emergency Regulations, 1952. The reply was that 70 Kikuyu persons have been charged and convicted. Does that clarify the ambiguity?

MR. BLUNDELL: I understood the hon. Member in the second part of his question to ask the number of Kikuyus convicted for delivering possession of firearms. Could I ask the hon. Member to amplify his answer to the question, which is the number of "persons", not the number of Kikuyus?

THE MEMBER FOR LEGAL AFFAIRS: I did, I think, cover all persons involved when I said "no Kikuyu persons" but went on to say "one member of the Durumu tribe".

#### QUESTION No. 10

MR. BLUNDELL asked the Chief Secretary to make a statement on the Naivasha police raid and on the report of the Special Commissioner as to responsibility for any inadequate precautions and on any disciplinary action taken as a result of that report?

THE CHIEF SECRETARY: On the general aspect of the inquiry into the raid on the Naivasha Police Station, the Government has nothing to add to the announcement issued as Government

Press Handout No. 360 dated the 20th August, 1953, copies of which have been circulated to Members of Council.

On the question of responsibility for any inadequate precautions taken and the disciplinary aspect, I have a statement to make, which I will make next week.

#### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

THE DEPUTY SPEAKER: On the adjournment yesterday the Motion before the Council was that Mr. Deputy Speaker do now leave the Chair. Mr. Jeremiah was speaking, he will now resume.

MR. JEREMIAH: Mr. Deputy Speaker, Sir, at the adjournment yesterday I was speaking about education and how the African is prepared to agree to more taxation, if necessary, in order that the education programme may be carried on and expanded.

Now, Sir, several mentions have been made about the Tana River and it is suggested that some displaced persons should be found a place to settle in the Tana River. Now, Sir, the displaced persons, as I know at present, are Kikuyus and if it is intended that Kikuyu people should be sent to Tana River for settlement I must say that I disagree with that proposal. The people in the Coast, Sir—

MR. SLADE: Thank you for giving way. On a point of explanation, I think the hon. Member is referring to something said about establishing camps on the Tana River to develop irrigation. I hope I made it clear then and I would like to make it clear now that what I proposed was not the settlement of Kikuyus on the Tana River but the use of displaced persons to work on the irrigation schemes there as long as they had to kept in camps; after which, the land would be available to be used by whoever needed more land on a rental basis.

MR. JEREMIAH: I am grateful to the hon. Member for giving such an explanation. I am glad to hear of that but even then, Sir, there is mention of settling certain Kikuyus on the Tana River. What I want to say is that people in the Coast, some live in a place which is not very suitable and which is short of water, so

[Mr. Jeremiah] what we want is the improvement of the Tana River area or any other place for the settlement of people already in the Coast.

Now, Sir, my objection to the settlement of Kikuyu in that area is not confined to Kikuyu only but to any person of any other tribe because I think that in the Central Province as well as in the Rift Valley Province there is sufficient land to settle the people of these Provinces and I submit, Sir, that it is advisable and necessary that such land which is empty and undeveloped in these Provinces should be filled by the people on the spot. It would be the best place for them because climatically it is the same as the place they are already living in. I believe, Sir, that no one would deny that in these two Provinces there is land sufficient for the people in the Provinces, whether Africans or not Africans. It is in such places that we should first find places for the people who are either displaced or who are congested in other areas instead of talking about bringing more Europeans to settle in those places from abroad; because, Sir, I submit that we should provide first of all for our own people.

The hon. Member for Uasin Gishu said that more European immigration to this country will be for the benefit of Africans. Sir, I must say that I disagree; I believe that more immigration into this country either of Europeans or Asians will be quite disastrous; especially for settlement, because the few settlers already in this country have proved to be difficult people who want to dominate everything and want to have everything for themselves and if more immigration is allowed conditions will be—(Cries of Shame, shame, from Elected Members)—will be worse than before.

MR. BLUNDELL: What about the Africans?

MR. MADAN: Deport them!

MR. JEREMIAH: Therefore, Sir, I submit that further immigration is totally unacceptable to Africans and I say it would be unaccepted by everyone else, because I feel that people in this country already should be sufficient to develop the country and more immigration will be dangerous not only to Africans but to everyone else.

Furthermore, Sir, the hon. Member for Uasin Gishu went on to deplore the kind of education the African is having. I think, Sir, that perhaps he is not aware that our education is based on the standard of Western civilization, but if he is not satisfied that what we are getting is quite enough, and if he sympathizes with us, he is in a better position to encourage inter-racial schools in that we should have the same education and everything will be equal.

Now, Sir, something has been mentioned about communications. Communication in most African areas is very poor, and I must bring the attention of Council about the difficulties of communications in the Tana River area. I am very appreciative of the effort made by Government to put the Garsen-Witu section of the Mombasa-Lamu road in order, but the roads which serve the people of the Tana River themselves are non-existent, not because they cannot be made, but because no one has paid sufficient attention to improving them.

MR. HAVELOCK: Not enough European staff. (Laughter.)

MR. MATHU: They are already here.

MR. JEREMIAH: Technicians are here. They are doing all they can, but not in African areas, only on the main road. Therefore, Sir, I would request the Government to give more attention to our roads in African areas—especially in the Tana River area. The roads are only footpaths, made by the people themselves. Such a road cannot be of any great help, especially for expanding and developing the potentialities of the Tana River.

I am very glad that Government has been able to post two administrative officers in that district who are giving the Wapokomo and Galla people much help, and it is much appreciated. Mr. Speaker, much has been done by Government towards improving the African lot, but very much more still remains to be done. When I criticize the Government for what has not been done, please do not think we are unappreciative of what has been done, but the fact is that those things which are done for our benefit and ultimately for the benefit of the whole country—education, hospitals, boreholes and dams for water, bush-

[Mr. Jeremiah]

clearing and so on—are so good that we fear we may miss them if silence is observed, but the fact remains that we are very grateful for everything that has been done, and we hope that what remains to be done will be done with enthusiasm and speed.

Mr. Deputy Speaker, I beg to support the Motion.

MR. MADAN: I rise on a point of order to inquire if it is proper for a Member to read private papers while another Member is addressing the Council. I am referring to the hon. Member for Education and Labour and to Mr. Maitland Edye.

MR. MAITLAND EDYE (Nominated Member): I am taking notes of this most important speech!

MR. BLUNDELL: I am reading my public papers. As I have to waste a great deal of time here listening to Members who interject irrelevant remarks into the business of the Council, I must take the opportunity to get through my work. There are others who feel the same—

MR. MADAN: I was not referring to this side of Council (Laughter.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, surely any hon. Member is entitled to read his private papers. It is the confession of the hon. Member for Rift Valley that fills me with dismay.

THE DEPUTY SPEAKER: As the hon. Member for Rift Valley and all other hon. Members are aware, it is not in order to read newspapers during the sittings of Council whilst other Members are speaking. I have no doubt that an excuse may be offered that the Members concerned are preparing material for the time when they will have to get up and speak themselves!

THE DIRECTOR OF AGRICULTURE: I should like to reply quite briefly to one or two points raised by hon. African Members in debate yesterday.

Firstly, I should like to try and deal with Mr. Jeremiah's tangle about the restrictions on African-grown coffee. There are, of course, no legal restrictions whatever on the number of coffee trees that Africans can have. There are many

Africans with many hundreds of coffee trees. In the early days of coffee planting by Africans we had the greatest difficulty in getting any Africans to grow coffee at all. At that time it was not selling at £500 to £600 a ton. When we did get a few receptive Africans, we made the mistake of giving them too many coffee trees. The result was that they could not manage the large number of coffee trees they had. Coffee came into ill repute. We had the greatest difficulty in making anything of the coffee industry until the price boom came along a few years ago. In practice, therefore, now departmentally we allow a new grower to have one hundred or two hundred trees in the first instance. Once he has shown that he has the will, the desire and the resources to develop more, he is allowed to have more. There is no restriction on the number he can have. He may get more the following season, after one year of good husbandry.

I think the suggestion behind Mr. Jeremiah's statement yesterday was that we were deliberately suppressing the growing of coffee by Africans, to the ill of the African and to the disadvantage of the economy of this country. I do not propose to take up the time of Council by going into details of the reasons for the policy which I have outlined. They are perfectly clearly stated in an article published in the *East African Standard* dated the 17th July of this year; the reasons—underlying Government's policy are very clearly explained. I would also refer him to page two of the annual report of my department, laid on the Table the other day, in which again Government policy in regard to cash crops is explained.

If, after studying these two papers—particularly the article in the *East African Standard*—the hon. Member will come to me, not as a politician, but as an African who has the interests of the African at heart, and point out any flaws in the reasoning of the Government policy, I will be only too pleased to consider changes in that policy. (Applause.)

We have, in coffee, laid the foundations of a very promising industry for the Africans. We feel that it is being developed on much sounder lines than in our neighbouring territories, and we propose to build as quickly as we can on these foundations in the knowledge

[The Director of Agriculture] that we have an industry that will stand competition in the world's markets, and is efficient by any standards.

The hon. Mr. Jeremiah also suggested that we could increase African production and efficiency by the introduction of machinery into the African land units. He did not say what sort of machinery, or where it should be introduced. There is, of course, no restriction on the purchase of machinery. There are on the market now certain hand-implements which may find a place in African agriculture, but if the hon. Member is seriously thinking of spending some of his money on machinery I would advise him not to spend it on anything that moves, particularly if he wishes to use it on the Teita Hills. (Laughter.)

Mechanization is advocated much too glibly for African needs as a means of increasing production. (Hear, hear.) With few exceptions in Kenya—I think, mechanization cannot be efficiently introduced into African agriculture in Kenya to-day. In my views, it will not be introduced until we have consolidation of holdings in the African land units to an extent that will justify the economic use of a tractor and of machinery.

I am sure that the hon. Member feels that we are behind the times in Africa. It may interest him to know that, in a recent survey carried out by the Food and Agriculture Organization, they found that 85 per cent of the draught power used in agricultural operations to-day is provided by work-animals. My advice to the hon. Member would be definitely to stick to the hoe and the *ngombe* a little while longer.

The hon. Mr. Gikonyo said that, despite all statements to the contrary, there was no land—no more land in the Kikuyu Reserve. There is, of course, the same amount of land in the Kikuyu Reserve as there always has been, except perhaps that lost by soil erosion—(Laughter)—to the Indian Ocean. It would give me great pleasure to take the hon. Member to the Kikuyu Reserve and show him the large areas which are not being used, and much larger areas which are not being efficiently or adequately used. That invitation I give him now.

In my view the Kikuyu leaders would be much better employed in encourag-

ing their people to make more beneficial use of the land they have, than in petitioning and pleading for more land to be spoiled.

I think it was the hon. Mr. Jeremiah who said that what we wanted was more encouragement and less restriction. What I say to that is that we have given every possible encouragement to the African. We will continue to give every possible encouragement, but what I want from the African is response to that encouragement.

That, Mr. Deputy Speaker, is all I have to say. (Applause.)

MR. J. S. PATEL (Western Electoral Area): Mr. Deputy Speaker, I wish to join in congratulating the hon. Member for Finance and Development, not because he has presented us with a very clear Budget, and not only because he has presented us with a standstill Budget and we have not seen any increase of taxation, but because—I am glad to say this—he has in his brain such very strong shock absorbers—(Laughter)—that are capable of standing the shocks of the times which are looming ahead, and even though he is aware that there has been a fall in the price of agricultural products—an ever-widening gap between exports and imports, a decline in the output of the building industry, heavy reductions in many businesses, further depreciation in the value of the pound and an adverse trend in the growth of the national income—he still maintains that this Budget will be a standstill one!

I know he has recently been to London to bring some loan money either on interest or on free grant—if the latter the better. I know he has also in view many sound schemes of raising money locally, but he is asking us what is our choice in making the next Budget, because on the policies that we are now discussing in this Council probably the next Budget will be based. Some hon. Members in this Council on my right have suggested that there should be no extra tax; other Members have suggested that it should be lessened; hon. Members on my left side of Council suggest that the tax should be raised to the hilt; one says there should be no taxation because of profits to a particular group; and one says "Tax to the hilt" because he has nothing to pay on—(Laughter)—and

(Mr. J. S. Patel)  
when I say nothing to pay on I mean direct taxation. He is already paying indirect taxation in proportion to his capacity.

In spite of all this, if the hon. Member for Finance and Development is still going to keep the Budget at a standstill, I think he is probably relying on the resources of America which the hon. Member for Commerce and Industry had gone to charm. I am pretty sure he will be able to bring in more capital into the country. Whenever the Budget is discussed in this Council every group is trying to put up their point of view, which unfortunately invariably is in conflict with each other. So long as we continue to have conflicting points of view in this Council, as long as we are divided in this Council, there is no wonder that the country will be divided for ever.

It is very gratifying to know that when some Member from this side points out uneven expenditure in the case of education, the hon. Member for Education and Labour on the other side has the courage and sincerity to acknowledge that it is so, and it will not happen again. I thank him for it: but unfortunately the same spirit is lacking—I am sorry to see the hon. Member for Agriculture and Natural Resources walking out—(Laughter)—in the Member responsible when a very responsible Member from this side of Council mentioned *moong* which was costing Sh. 50 has been raised to Sh. 150 overnight, he says that it is a step forward. Now, there is something which we call "dall and roti" which means "curry and bread"—as hon. Members of this Council are aware—which the poorer classes of Africans and Indians have for their meals. Now, if you take dall off then it means the dry bread is left. If it is no wonder there is discontent and bickering amongst the majority of the population of this country. Raising prices day after day unproportionately in order to—I will go to the extent of using the word "harass"—a certain class of people is grossly unfair. I wish he would have said he would look into the matter.

If an Indian merchant had cornered that commodity and sold at that price he would have been behind bars to-day. If Government does it, it is a step forward! Now, this is the spirit we are facing and

if it will continue there will never be peace in this country, and if there is no peace then prosperity will not come. You may charm the capital and it will come in but it will go out again if this state of affairs continues.

I am sorry to say that in spite of the endless chain of departments in Nairobi and the very heavy administration, if you go round my part of the country, you will find there townships which have been in existence for a period of 20 to 30 years and they are still drinking water from a dirty little pool, and five miles further, there is a beautiful water supply, partly paid for by Government and it is meant for a certain class of people. As long as the policies of this country are based for the profit of one and neglect of another, this country shall never be at peace. When I see the hon. Member for Rift Valley rising; rising with the strength of a lion—but that strength he is only using for one group of people, I can see in him possibilities of that strength being sufficient for the help of the entire block sitting here. God has given him the talents—

MR. BLUNDELL rose.

MR. J. S. PATEL: Excuse me, let me finish, do not interrupt my spirit—I know he is a Christian and a true Christian. If he does not use his talents wisely and well, they will be taken away. The time is now and here to use his talents—he is not using his talents when he says—we want an influx of Europeans from the West but we do not want any from the East. What about the Saviour if He should come from the East? Would he shut the door to him? So long as policies are based on racial discrimination, so long as education is based on racial discrimination, so long as land is reserved for one particular group, this country shall never be at peace.

I look back to the time away back in 1917 when I first came into this country. If I went to an Arab or a *Svahlili* home, he was able to tell me "*Karibu bwana*" because he had enough to eat. Now they have not enough to eat, they cannot provide for the bare necessities of life. I think it is a shame to our civilization, it is a shame to the progress we have made that that sort of thing can happen in 1953. It is neither suppression, nor repression, nor an effort to find out what

(Mr. J. S. Patel)  
and who is to blame for this wretched *Mau Mau* that is going to be a solution. Everyone sitting in this Council is to blame, not any one particular person or community. The only thing which is going to bring peace to this country is the provision of an opportunity for all, otherwise this country shall never be at peace. It is all very well for people to say when it suits them—"How can we bring this wretched African to the level of the European?" Give him a chance, why are you so afraid of him, why are you too proud, why reserve a compartment and sit in it? Let us come into the open, let us all farm together. I am a farmer by birth. I cannot find five acres of land to-day if I want to in order to produce farm products. I can take my hon. friend, the hon. Member for Rift Valley, to a spot where he would be surprised at what the Indian farmer is capable of doing. I can take the Member for Agriculture to a place where he would weep, if he would come with me, where Indians are just struggling to exist, and yet he had the courage to say—they are a fine lot of people, they have produced wealth in this country—according to their capacity they are good farmers. What opportunity is he giving them for expanding? The hon. Member for Rift Valley, when he agreed to have another Troup Report for Africans, he forgot the fact there were any Asians living in this country at all. So long as there is this tendency to forget the Asian and doing what he wants to do for his own people and for their own good, there will never be peace in this country."

Mr. Deputy Speaker, I am very sorry—I have been always quiet in this Council. Yesterday a gentleman outside asked me, "How are you getting on?" I said, "There is a lot of talk." He said in reply, "That is what you are paid for". Unfortunately, the payment I receive from this Council is so small that I should not speak at all. This Council pays me Sh. 500 per month. This Council pays me my journey to and back from my place when I come to attend this Council, but I am supposed to look after areas starting at Kapenguria and finishing at Kisii, the whole of the North and South Nyanza, the whole of the Rift Valley and whole of the Usain Gishu.

MR. HAVELock: Where is Kapenguria?

MR. J. S. PATEL: I have travelled 47,000 miles in my car and that car luckily is giving me good service. But I can tell you that this job of the Member of Legislative Council, is a rich man's job—the poor Members are neglected. If you wish to hear views, we are here to tell you our views—if you want to neglect them, *shauri yako*.

Mr. Deputy Speaker, I think I have spoken at great length and I have made the point that so long as you continue this bogey of separation, so long as you continue to have different compartments for different people there shall never be peace in this country.

I have heard my hon. friend, the Member for Usain Gishu, talking about African education—it needs a drastic change. I agree it needs some change and I am sure my hon. friend, the Member for Education, is looking into this matter very seriously and he is working out a scheme whereby the African will have education which will be productive and immediately productive, but it is not enough—it is in a very small way—it needs more. But when he said that we want an influx of Europeans and not Indians, I think he is terribly wrong. If we want people, let it be open for all. If we do not want more people we should say we do not want anybody. If you say there are too many shop-keepers, we do not want any—say we do not want shop-keepers—do not say we do not want Indian shop-keepers. If you do not want Indian shop-keepers, then you do not want Greek shop-keepers either. If you want to bring in any settlers—you will get good settlers from India also. India has been an agricultural country for generations—they are good settlers too. Give them an opportunity, lay down a scheme, a policy whereby an Indian who has £10,000 can only plough in the Highlands, and an Indian who only has £5,000 can only do so and so—this rule should also be for the European. If you try to reserve a compartment and say, "We are doing our best", I think you are doing something with which God is not pleased. (Applause.)

MR. S. G. HASSAN (Muslim—East Electoral Area): Mr. Deputy Speaker, Sir, after hearing the wonderful speech of the previous Member, I almost decided not to speak, but I have to rise to support

[Dr. Hassan]  
This Motion so ably put up by the Member for Finance.

Sir, during the speeches made in this Council regarding development, there has been mention of the Tana River by two or three Members. No doubt certain steps have been taken to experiment on part of the Tana River if settlement can be encouraged there, but I thought it was in order that I should bring to the notice of the Government that part of the Tana selected for the experiment is doomed to failure. The lower reaches of the Tana that I have seen during the last 25 years are under floods most of the year—it is not possible for anybody to get at that place. Any money spent there on any experimental agriculture will never bring about any fruitful results. The Tana is a problem we shall have to keep on investigating to find out how best we can solve it. I saw that unless and until the Tana water is not controlled and the lower reaches of the Tana are not kept free from flood, no development is possible to take place there. We have had experts reporting on that river—their reports were not very satisfactory—but I think it will pay the Government to import further experts to find out if some use could be made of that most fertile area which we cannot do at the moment because the best part of it is under flood.

Regarding communications at the Coast, it is well known to Government that it is not possible for the best part of the year for anyone to reach Lamu. It is a wonderful agricultural country. Whatever people there are they are producing whatever they can, but they have no means of communication to market their produce to the bigger towns. Attempts have been made on part of the road for the last year and I would request Government that further funds should be made available to make it possible for the people of Lamu to reach Mombasa and the people of Mombasa to go there. The second thing which is very important and it is well known to the authorities—it is not possible for anybody to be able to reach Lamu. It takes them fully three hours to reach Lamu by ferry or sailing boat or motor boat from Makowic. Now, Sir, all these people are trying to maintain themselves by agriculture and other means. Look at the terrible cost to those people coming from Lamu Island to the

mainland by means of motor boats which takes hours of time—look at the waste of time and cost. Lamu needs some help and assistance from the Government. There is a population of Arabs—because that country is not open, they have never prospered and it is time that the Government should think seriously of helping these people and creating means by which it would be easy and less expensive for them to come to the mainland and develop it.

The other thing is postal facilities. There was a telegraph line—or a telephone line—probably put up by the East African Company in olden days. It is still passing through an area where it is impossible for anybody to get at in case of breakdown. For miles long, some of the telegraph posts are missing, some of the wire is lying down on the ground, other is hanging suspended on the trees, it is broken by wild game passing backwards or forwards and, for days together, there is no communication whatsoever in Lamu. It has been requested often that that line should be put up on the main road through Garsen so that in case of any accident persons could reach it in the quickest possible time by car and mend it, but it is not very easy to persuade the postal authority to do something in the coastal area to help us.

The third point which I have raised in this Council before, is that of Nyali Bridge. I then said that discrimination was used for concessions for that bridge by the Company and I was informed, "although we have no powers to control the Company, yet they do not use any discrimination". But, Sir, the latest information during the last week is to the effect that the Company has withdrawn all concessions from Asians on that bridge. Concessions are open to any European living on Nyali Estate or whether he is living in a private house on the Estate, he can get a concession, but all concessions have been taken away from the Asians. Sir, in a congested town like Mombasa where people find it very difficult to find a place to build up and when they want to go over to the mainland where it is easy to find a place to build a house, this disability of the Nyali Bridge prevents them. We cannot bear the expense of going and paying terrific amounts . . . . (Inaudible.)

[Dr. Hassan]  
I know Government is trying to put up a bridge and I would request the authorities, because they have no hold on the Company, they should hurry up with the project and give Mombasa means of communication with the mainland.

There is one matter—I am afraid the Member for Agriculture is not here—it refers to him. I hope other Members will keep a note for him.

It is the question of ghee for the Asian community.

This is one of the most essential items for the Asian diet. It is being talked in this Council still off and on that the ghee production of the African areas is not being encouraged, and ever since this ghee production was taken away from the Veterinary Department and handed over to the Control, it has deteriorated in quality to such an extent that Asians do not like to make use of it. They are forced to buy Creamery ghee at a colossal cost.

I have seen in the statement of the Member for Agriculture and Natural Resources that the ghee in the African areas produced was worth £43,000 in 1946, and in 1952 it was worth £45,000—a difference of £2,000. But, Sir, it was £43,000 when the price of ghee was only Sh. 30 and it is £45,000 when the price of ghee was Sh. 80. So the figure indicates that the production of ghee has been reduced by over 50 per cent in the African areas.

Now, I would like to know why some use is not made of the million head of cattle we have got next door to Nairobi. We have got Masai cattle here. They can produce ghee not only for Kenya, but enough to export. Why is not a system arranged to help them to make use of their stock product which is being wasted there? Surely, it would help and assist the economic position of this community?

I hope that it is not intended that we should wait till such time as we have some trouble rising amongst them. It is the duty of Government to improve this community by bringing them in touch with civilization—improve the social status by providing a means by which they can cash their products which are absolutely wasted to-day.

Creamery ghee—it is very interesting. I would like to mention for the information of the Council how it is being priced and served out to the people who cannot get anything else. This butter, Sir, is costing Sh. 3/50 a lb. It is butter which is coloured, salted and packed in paper on which tax is probably levied. It costs the Creamery Sh. 3/50 a lb. But, Sir, the paper is removed from the butter, the salt is washed away, then it is heated up into ghee, put into tins and sold at Sh. 4/80 a lb.

Now, I would like to ask the authorities who fixes the price of this commodity, what was the basis used for fixing the price of this commodity? Is it that it is in comparison with what we can buy from the best ghee producing countries, India and Pakistan?

MR. MADAN: It is the cost of heating it up!

DR. HASSAN: If so, I would like to say, for the information of this Council, that the best ghee produced in India and Pakistan is sold at Sh. 3 a lb. In this place instead of making ghee from milk and reducing the cost of the sale price to the poor consumer, they make it into the standard table butter, and then they remove the table butter's packing and heat it into ghee and give it to us, and we have to pay for all the cost of that.

I quite agree that it is not in the interest of the Creamery to market that butter as ghee to us when they can export it at a higher profitable price. But, Sir, surely they could have reduced the cost of it which is being paid by the Asians, and almost 1,000,000 lb. of that butter is made into ghee according to my information.

MR. BLUNDELL: We must raise the price of butter.

DR. HASSAN: Well, Sir, I would like to ask this Council that if we are to take advantage of the stock of the Africans in this country, and if we can save their products and market them chiefly for the poor people in this country, every attempt must be made by the Government to encourage it.

Now, Sir, I would like to touch on the point of education. I quite agree with the hon. Member for the Rift Valley and the hon. Member for Trans Nzoia, who is not here, that—

MR. LETCHER (Trans Nzoia): Trans Nzoia, Sir?

DR. HASSAN: I mean Uasin Gishu! That the standard of education for Africans in quantity is not bringing us the result, but I would like to point out to this Council, is it possible to have quality unless you have quantity? We have to have quantity and then we can have quality out of it.

The question has been put up in this Council that a large number of people from Europe, if they come into Kenya, they will help and assist the African to rise quicker than education, but, Sir, it is a debatable point. I am not against the Europeans coming into this country—they have as much right to come into the country as anybody else. But there is one thing which must never be forgotten. The previous Government carried on lots of experiments for the development of this country. Some good, some bad.

One thing they said was "we do not want to create a poor man's problem in this country". That is certainly good, and could probably always be good.

I maintain whether you allow 30,000 or 300,000 people from Europe, improvement and development amongst the Africans shall never be assisted by that. In my opinion the suggestion of having 30,000 Europeans in this country—the country cannot produce enough food to feed ourselves, and with 30,000 Europeans to feed you will have to get a large number of ship-loads of food to feed them. In this country the problem, that is facing us over the African to help industry and farming, can very conveniently be dealt with by packing persons back to the reserve, but if you have 30,000 Europeans here, I can assure you they will create a headache here that will not be very easy to get over.

I personally feel that the Immigration Law of a restricted immigration into this country is managed very well and we are not having a very great influx of people into this country, and as my friend, the hon. Dr. Karve, very admirably, gave an assurance to this Council, that during his practice he has found out that they are going to put a stop—not to have very much increase in their community. (Laughter.) I am very sorry to say that I cannot give any assurance on behalf of Muslims here. (Laughter.)

A word or two about the Kenya Police Reserve, Sir.

It has been found out by everyone in this Council that we have had almost 13 Asians murdered in this town now. I do not know exactly the number. Thirteen or 17.

MR. COOKE: Thirteen.

DR. HASSAN: But, Sir, that, also, we know that there has not been a single suspect arrested for the murder of these people. I do not like to blame the authorities for that state of affairs, but it indicates clearly that we have not enough police in this town.

I would like to suggest, Sir, that the authorities must be called upon to increase the number of the police in this town, and I would like to see our police, day and night, armed, going about to deal with these lawless gangs.

It does not look a very happy picture for a person to hear that a man just fencing in the Bahati location was shot dead at 7.30 in the morning. Surely if we had enough police there—there are no earthly reasons why the police should not be there. That is one of the most dangerous localities and it is creating a feeling of mistrust in the minds of the people here that we are not being properly protected. We have our Kenya Police Reserve doing very useful work, and an increased number in this town will immensely help for the protection of law abiding citizens here.

My hon. friend for African Interests touched on the Hides and Skins Industry in the reserve. Having a first-hand knowledge of the improvement of this commodity, I can say that the improvement effected by the Hides and Skins Regulations in the native reserve is most spectacular. The services have done a very useful piece of work for the benefit of the Africans and Kenya as a whole. The reputation of our hides are almost second to none.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. Member said: "the Member for African Affairs". I think he has made a mistake.

DR. HASSAN: I am sorry, I made a mistake. The hon. African Representative.

And, Sir, I know of the difficulties now being experienced by the Africans

[Dr. Hassan]

themselves with regard to the marketing of them. By having hide godowns and other methods, now they have opened their eyes to undertake business for themselves. I am sure the Government will give consideration to facilities, as Africans have not large funds at their disposal to market hides and skins.

I support the Motion.

MR. TYSON: Mr. Deputy Speaker, Sir, there have been some reference to the problems arising out of the Emergency, such matters as the construction of camps and the feeding of people stationed there, but I would like to draw Members' attention to the circumstances which have arisen out of the development of the industrial area.

The authorities have allowed over the last few years quite a substantial—in fact, I think too much—industry to be concentrated in and around Nairobi, and that concentration has attracted to the town—the city area—something in the neighbourhood of 100,000 Africans. That in turn has brought with it a number of other problems of which we are all aware—problems of housing, water supply and so on. It has, also, brought in its train, I think, a certain amount of misery and unhappiness amongst the people who are compelled to live under unsatisfactory conditions in spite of the enormous amount of work done by the City Council.

Misery generates hate, and I cannot help feeling that the allowance of all these industries to be concentrated here has contributed very largely to the problems now facing the authorities so far as Nairobi is concerned. The hon. Member for Finance and Development has told us that industry was not going to be dictated to. But the foundation of any town planning system surely involves a certain amount of control and direction. Every town planning scheme means a certain amount of restriction on the parties concerned.

Here in Nairobi we would not consent to the establishment of a heavy machinery shop in Delamere Avenue. If anyone wants to put up a soap factory, they are directed to the offensive factory sites. We ought to profit by the lesson dearly bought in Great Britain when, a few years ago, it was realized

that far too much industry was being concentrated in and around London. As a result of that realization, attempts have been made during the last few years to establish satellite towns and steadily, although it is a very slow process—steadily industry is being moved from London complete with workers into satellite self-contained towns. That has been a very expensive process—I do submit that we should not buy the same experience. Against that we in turn should try to decentralize industry to other towns besides Nairobi. Places like Thika where a certain amount has already been done—Nakuru, Eldoret and so on. I feel we ought to profit by the experience which has been so dearly bought elsewhere.

There have been several references by the hon. Member for African Interests in connexion with this matter of higher wages. There are in Nairobi a very large number of Africans on what I call a minimum wage basis, which, in my opinion, is a mere existence level. There are far too many of these people in Nairobi and I do not think anybody realizes it more than the authorities here. I think the bigger employers of labour would be glad to see something done to remedy that state of affairs.

I believe, basically, if we could halve the number and double the pay, with some relation to the amount of work done, I believe we would be going a step forward towards improving these conditions. (Hear, hear.)

The hon. Mr. Ohanga has mentioned that the African had little chance of playing his part in what you might call the technical field, and it was emphasized by the hon. Mr. Patel that there should be an opportunity for all. I submit that one of the troubles to-day is that advantage is not being taken of the opportunities which are, in fact, available to the African. (Hear, hear.) And in support of that I would mention the Nairobi evening classes which are run jointly by the Government and the Nairobi City Council. Those classes provide the opportunity for acquiring knowledge in various technical subjects, but I want to emphasize this, the most important class of the lot, particularly as far as the African is concerned, is the class in English.



[Mr. Tyson]

It is quite true that there are a large number of Africans there to-day—I think 400 or 500 Africans who attend these evening classes in English—but it is nothing like enough and the reason I emphasize it is, that when the Member referred to the acquisition of technical knowledge, a good deal of technical knowledge has been acquired by most of us from text books in English. That is one of the very good reasons why much emphasis should be placed on the learning of English. (Hear, hear, hear.)

Now, reference has been made to the lack of opportunity for the technical progress on the part of Africans, and I do submit, Sir, that there are examples of where it has succeeded. I admit—I do—that it has not been on a big enough scale, but a visit to the Bata Shoe Factory at Limuru is a fine illustration of the way in which 500 Africans can be trained to obtain and justify very good wages. (Applause.) That is the type of industrial undertaking that I would like to see expanded in other parts of the country.

There is one significant omission from the remarks made by the African Members in regard to education. They make no reference to the education of African women.

Now, I submit, Sir, that that will have to play a very large part in the progress of the African people. (Hear, hear.)

I believe it will form one of the incentives to the African himself in providing not only for his own but for his wife and children's future. (Hear, hear.)

What I do feel we ought to aim at—it may be an ideal—is a wage scale combined with output of work—the two must be tied together—a wage scale which will enable an African to maintain a wife and family in Nairobi under decent housing conditions at an economic rent. We have got to aim at a scale of wage and output justifying something along those lines, and it seems to me that it is for the Africans themselves, led by the hon. Members in this Council—African Members and employers, possibly to get together to see whether it is not possible to devise a scheme on the lines I have indicated.

I really do not believe the problem is as difficult of solution as sometimes we are led to believe. It is really, in my opinion, a fairly simple problem between us—I say all sections of the community, we have got in effect to make a bigger loaf, a bigger cake, in order that there will be a bigger slice, a bigger cut for everybody concerned.

I support the Motion.

(Applause.)

MR. MATHU: I did not want to interrupt the hon. Member who was making a very good speech, but he said there was an omission in the African Member's speech not to mention women's education. We did not talk about boys' education either. We talked about African education in general, which included women's education.

MR. MADAN: Mr. Deputy Speaker, Sir, I would like to participate in this debate briefly. I think the hon. Member for Finance has had enough bouquets thrown at him to appreciate that he is really very popular with us, I would like him to bear in mind that this popularity may not be evinced during the April Budget. No doubt, in his cleverness he will find ways and means of putting across something that will be palatable to us.

I would like, if I may, as an Indian Member, to congratulate my colleague the hon. J. S. Patel on his very stimulating speech, and also the hon. Mr. Tyson.

I do not propose to make any comments, Sir, on the financial aspect of the hon. Mover's speech, because I feel we are still in the dark like anybody else in this Colony. I, also, await his statement, consequent upon his talks in England, eagerly. I feel it is premature to try to deal with the different problems that face us, until we know what he was able to achieve for this Colony in London. I say he was able to achieve something for us, because I am confident that he is not the type of man who would come back as a failure.

MR. BLUNDELL: You think he would stay there?

MR. MADAN: If the hon. Member for Rift Valley must know, in my opinion, he is the type of man the poet described

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as a hero, who comes back as a hero or not at all.

In my opinion, Sir, whatever else we talk about, the thoughts of us all are centred around the State of Emergency that prevails here. That is the important problem that is consuming our energies, our thoughts and our anxiety to devise ways and means of how best to put a quick end to it and, of course, inevitably connected with the State of Emergency is the huge terrific expense that this Colony is undergoing.

It has already been said in this Council that we should try and cut down the expenditure at the district levels. I could not agree more.

There is another aspect of the matter to which I would specifically like to draw the attention of the hon. Member for Finance and Development. It is this—I say this—I am told that the Kenya Police Reserve personnel are drawing huge allowances for car expenses during this State of Emergency which their work does not justify. I have been told, I repeat, I have been told, that in some cases the allowances for motor cars run into £200 a month.

If it is true, it is fantastic. It is about time something was done at least to curtail that type of expenditure. Neither I, nor, I think, any other Member of this Council would suggest that necessary expenditure should be cut down, but extravagance, wasteful expenditure, that, we say, should be cut down. I am confident that the Member for Finance and Development will look into the matter as he has promised to do on another occasion.

I see you looking at me and then at the clock, Sir.

MR. DEPUTY SPEAKER: if the hon. Member is about to start on another theme, this is a convenient time for the customary break. Business will be suspended for fifteen minutes.

*Council adjourned at Eleven o'clock and resumed at twenty minutes past Eleven o'clock.*

MR. MADAN: Mr. Deputy Speaker, Sir, just before the adjournment I had dealt with one aspect of the Emergency expenditure. I propose to draw the atten-

tion of this Council to the police force, such as we have it. You have been told this morning that we have not got a sufficient number of police force here. That possibly is true, but what I want to say is that the police force we have, in particular Africans and Asians—are so inadequately paid it does not provide, their conditions of service do not provide, very much incentive in their work. After all these years in the Colony, I think it is deplorable that so far we have only two Asian Assistant Superintendents of Police, I am sure no one will say that the Asians are incapable of occupying higher posts. We have heard it said here, again and again, that the Asians in the regular police and Kenya Police Reserve have discharged their duties well; good pay-leads to satisfaction and it produces conditions for harder work which people who are worried by economic needs cannot put in the discharge of their duties. I did, three years ago, and even this morning, I would like to draw the earnest attention of the Chief Secretary to this aspect of the matter, to see that conditions of service—not only for the Asians, but the Africans also are improved.

Mr. Deputy Speaker, I think the hon. Member for Finance has been, if I may say so, very, very smart this year. He has very cleverly left the choice, and thrown the burden upon us to tell him whether we would like to have increased taxation or not. He is trying from now onwards to produce the condition which will not enable us to criticize him during April next year. I think, Sir, I could not agree to either; that income tax rates should be decreased or they should be increased. I think our rates to-day are based on a reasonable basis; they are not too low to enable the good citizens in the Colony to avoid their obligations, nor are they too high to dissuade others from coming into this Colony, investing their capital and trying to introduce industrial projects here. Our rate compares favourably with other countries. Therefore, I would suggest that there is no need either for reduction or increase in our rates; I think perhaps we are the only country in the world to-day who have struck a happy medium in so far as the incidence of taxation is concerned. But the Asians and the Africans have to make a very important

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in deciding whether they will accept the increased taxation, not only to maintain the present level of social services, but also to increase their facilities; or agree to a reduction so that increased taxation becomes unnecessary and, as it is believed, the industry will not be crippled and new capital will not find it unattractive to come into the Colony.

I readily agree, Sir, that the Asians and the Africans should be prepared to make sacrifices in matters of education and medical services as suggested by the hon. Member for Kiambu, but subject to the one condition that all these services are brought up, to run level with all races. How can we agree to any sacrifices, when what we enjoy at the moment is a bare minimum. It is not long ago, Sir, I think it was last year, the position was so that many hundreds of Asian children were unable to find spaces in schools; they had to loaf about in the streets for lack of the school buildings. That is a serious charge; we made it then, I repeat it now, in order to discount the argument that anyone had the right to call upon us to make sacrifices in the field of education when what we are getting is already most inadequate.

MR. BLUNDELL: Mr. Deputy Speaker, the hon. Member for Kiambu is not here, but I think I would like to make it clear that the argument he was developing was as follows: If we accept that the balance of moneys available to us should go towards immediate developmental projects, it would be necessary for all communities to accept sacrifices. The hon. Member for Kiambu was not intimating that sacrifices should only fall on certain shoulders and not the community he represents.

MR. MADAN: Wherever these cuts should fall, whichever community may have to make sacrifices for the development of the Colony, my argument is this, Sir, and I submit it is unanswerable—that first of all, the three main communities must be brought to the same standard of education. I am sorry that my hon. friend, the Member for Uasin Gishu, is not here, because I would like to assure him that I am not trying to be racial. I would like to assure him and others in this Council that we have the good of the country as much at heart as any other section in this Council.

MR. BLUNDELL: Hear, hear.

MR. MADAN: But I am not prepared to agree and I cannot imagine ever agreeing that you can produce leaders as suggested to African Members yesterday, by the hon. Member for Uasin Gishu, by having education in quantity. Where are you going to get leaders out of illiterate people, you cannot get them out of the air, you must educate them more and more, at least give them elementary basic education so that when it comes to free competition in the economic life of the country, they are able to compete with others. How do you expect the Africans to stand up or ever be capable of occupying higher posts such as the hon. Member for Education and Labour had in mind when he said that he honestly believed there were no Africans to-day who could occupy any higher post than they do now, they will never be—the same applies to Asians to a certain extent—and I admit it to be a limited extent. We have to create opportunity for people who are backward. Some people here in this Colony say they are trustees for the Africans; by all means let them be trustees, but then the institution of trusteeship imposes obligations; they must look within themselves whether they are discharging that obligation or not. Who is to decide, Sir, when an African is capable of occupying a higher post? Some of the Europeans and Asians are so selfish they will never concede that the African has come up to the level when he is fit to occupy higher posts and I cannot conceive that those in good positions will be prepared to abandon their posts, that the Africans may occupy them. I think it is the African himself who can decide whether he is fit to occupy higher posts or not. The other way of determining it is by free examination—competitive examination where everyone has equal opportunity of entering the test and entering the services of the country without restriction of colour.

Now, if we bring about that kind of state of affairs in this Colony, we have the vast potential of the African manpower, which, in my submission, makes it unnecessary to import anybody from anywhere into this Colony.

I must also record my strong opposition to the suggestion or the proposition of part of the European Elected Mem-

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bers that they would like to import 30,000 Europeans into this Colony.

MR. BLUNDELL: On a point of explanation, that is not a suggestion that has come from the European Elected Members.

MR. MADAN: I apologize to the European Elected Members—on the part of the European community; if they are different from that. But I feel that there can be two reasons only why the Europeans want to import 30,000 families or men, I do not know really the details of the matter. It can only be either that the Europeans in this Colony have lost confidence in themselves, they are floundering, they do not know what to do or which definite course to adopt. The second reason is that by increasing their numbers, they want to introduce a feeling of awe and fear into the other sections of the population. But as I said before, it would be unnecessary to import anyone, provided we all look upon Kenya as one home for all the people who live here. Most of the Europeans and Asians, I repeat, Sir, both the Europeans and Asians should give up certain claims they make to superiority; I do not want to go into details at this stage, but there is one aspect of the matter that I will mention because it has already been mentioned in this Council by the hon. Member for Kiambu, where he says that direct taxation should be reduced and indirect taxation should be increased because only a small population of Kenya pays direct taxation. I presume he meant by that, a small section of the European community. Well, I challenge that, it is incorrect.

Now, Sir, I would like to pass over to another point. We are all worried about the cost of living—the rising cost of living that is taking place here. For the past three years I have suggested to the Council and outside in speeches, that one way to reduce the increase in the cost of living or to stop the process is to introduce a system of weekly wages here and that we must do everything possible to eradicate the credit system whereby housewives or anybody else are able to obtain goods on credit and not pay bills at the end of the month for two or three months at a time. That encourages extravagance; it is about time,

in my submission, that Government took steps to introduce weekly wages which would make it necessary for people to buy their necessities for cash and not overspend.

Closely connected with the question of cost of living is the problem of the rents. There is, in my submission, to the Member for Commerce and Industry, that time has come now when we should consider removing the control upon newly built houses. As you are aware, we have already abolished the rent control upon the business buildings which were erected after the 1st January, 1949. To encourage free accommodation and to encourage free competition for better houses and lower rents, I suggest, that all houses built after a certain date should be decontrolled.

I am glad, Sir, that the hon. Member for Agriculture and Natural Resources is here now and I, too, would like to deal with the question of the Produce Exchange because it is so closely connected with the problem of cost of living. My colleagues have already said an increase in the prices of produce items which are the staple food of the Asian and the African community, is considered by the hon. Member to be a step forward. We think, with due respect to him, his idea of going forward means going backwards in this matter. If the Produce Exchange is going to increase prices in the manner it has done in the instance already mentioned, I think something should be done to put it on a proper basis. I would also like to draw the attention of the hon. Member for Agriculture and Natural Resources that the problem of water supply is very, very acute for this Asian and African communities in small townships like Saba Saba, Makindu and Maragua. Take the case of Saba Saba, it is a place where the population offered to pay to the Government half the cost of putting up a water supply system and putting up pipes; that was three years ago. I am sorry to say so far nothing has been done. I do not know why nothing has been done; they need water as much as anybody else, they need it for health reasons, food purposes and everything else. When they offered to pay half the cost even that does not move my hon. friend's department. There is another matter to which I would like to draw his attention. It is the question of cer-

[Mr. Madan] tain leases—grazing leases granted to the Asians near Mackinnon Road. These Asians were granted these leases, I understand, as an agricultural project. Government accepted no responsibility for providing them with water for that matter or any facility at all. These people had to go and fetch water in a lorry eight or nine miles away and they were allowed only 50 gallons per day. The area which was granted to them for grazing is fly-ridden and unhealthy and now I understand they have just got going after suffering hardships, making sacrifices of human endeavour and capital. They have been given notices to terminate their leases. No reason has been assigned for termination of their leases and, contrary to that, I am told that a certain European who has no licence for the land is grazing 150 head of cattle and roaming about like a lord of the jungle without question, without even bothering to get a sanction from my hon. friend's department for that matter or anybody else concerned with that.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: On a point of order, it does not happen to be my Department but, of course, reasons can be given. My hon. friend can find out if he wishes to go to the Department.

MR. MADAN: If these reasons do really exist, and they were in existence when leases were granted, these people should have been told their leases would be terminated after a certain number of years.

I took great pride in the last part of the speech of the hon. Member for Kiambu when he said soon we will be moving into our new House and again we will be like pioneers. I would like to give expression to similar sentiments and say that we should try and not interfere with the ordinary administration of the law here. I am sorry I have to go back again, to the Immigration Ordinance, when the European community demands 30,000 more Europeans for the Colony. In my submission that amounts to interference with the administration of the law here which is supposed to be non-racial. I would like to say, Sir, that not only when we move into the new House but even from now onwards we would like to think whatever else happens, how

much we might dislike or disagree with each other's views we are all part of this Colony and no one is going to be able to throw out anybody else from here.

MR. MATLAND EDVE: Mr. Deputy Speaker, Sir, the point I wish to raise is of no great relative importance to this Debate but I do so on a matter of principle. There appears to be a certain tendency, Sir, on the part of some hon. Members to support their statements by making allegations not strictly in accordance with fact.

The hon. Dr. Hassan made a rather shearing statement, if I may say so, that super-fine ghee was produced by taking ordinary standard butter at Sh. 3/50, washing out the salt, heating it a little, putting it into tins and selling it at Sh. 4/80.

In point of fact, Sir, it is not Sh. 4/80, it is Sh. 4/45 and ghee is not made by washing the salt out of standard butter, heating it and packing it in tins. Super-fine ghee is made and processed properly from the start and the price structure is arrived at as follows: As the hon. Member is probably aware, five pounds of butter are required to make four pounds of super-fine ghee, which is a purer product than standard butter. One pound of super-fine ghee made from butter at Sh. 3/50 equals Sh. 4/37½ cts. In addition loss of fat in the manufacture of super-fine ghee—loss of volatile fat and fat lost in residue—is 30.6 cts.—Total production cost of the ghee is therefore Sh. 4/68 cts. There is, however, a saving in the packing of 36 pounds of ghee in one tin rather than a number of one-pound packs which enables the ghee to be marketed for the wholesale price of Sh. 4/45. That is the true picture of the production of super-fine ghee and I would suggest that it bears little relation to the description given to this House by Dr. Hassan.

DR. HASSAN: Mr. Deputy Speaker, Sir, on a point of order, may I give an explanation—

THE DEPUTY SPEAKER: No, I do not think so. You have had a reply to the statement you made in the course of debate.

MR. BLUNDELL: Surely, Mr. Deputy Speaker, the hon. Member is entitled to withdraw the statement he made? (Laughter.)

THE DEPUTY SPEAKER: I did not realize that Dr. Hassan was rising to withdraw—

DR. HASSAN: I am not rising—I have no intention of withdrawing. I just want to give an explanation—

MR. SLADE: Sit down!

THE DEPUTY SPEAKER: No further explanation is called for. If you have occasion to dispute the figures now presented, I suggest you take it up outside the Council Chamber with the hon. Member who presented the facts.

DR. HASSAN: I want to point out—

MR. SLADE: Sit down!

THE DEPUTY SPEAKER: Order, order.

DR. HASSAN: That the—

(Cries of order, order.)

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, there are a few specific points I would like to mention which have been brought up in the debate. One of the hon. Members, the Central Electoral Area, the hon. Mr. Chanan Singh, referred to protection for trading centres. Well, Sir, it is a fact that the majority of the trading centres are included in general protection but this matter is an operational one concerning the disposition of the security forces, and the trading centres do get the same degree of protection as other parts of the affected areas—certainly no lesser degree. I am unable to say that there are static guards at every small trading centre but, as I say, it is a matter of the disposition of forces and where there are static guards at trading centres—or guards at trading centres—it is part and parcel of the security forces' disposition of the whole area.

I should add, Sir, that the inhabitants of the trading centres are eligible to join the Kenya Police Reserve or, if more appropriate, the Kikuyu Guard, and they will be welcome.

The hon. Member for Nairobi West, Sir, raised the question of *askaris* in the security forces. Primarily, I think, he has in mind the police force and ancillary forces, the matter of them being paid at shorter intervals or being provided with a good meal a day. On the former point, Sir, the hon. Mr. Madan mentioned the

general question of payment of a weekly wage instead of a monthly wage. Well, Sir, this has come under review from time to time here and elsewhere and the snag has been, in general, the additional accounting services required in respect of additional payments. At the same time the arguments in favour are exceedingly strong and while, in so far as the police are concerned, I cannot at this moment give details of what the extra cost and manpower would amount to, to provide the additional accounting staff required, I am having that gone into.

On the matter of a daily meal, what is really required is a series of canteens providing a staggered buffet, that is the difficulty there. But there again, I shall see what can be done about it. There is a further course and that is the provision of rations in kind. This is done in the Northern Province but a recent examination of the extension of that practice to elsewhere in the Colony showed that the cost of the organization required would amount to some £70,000. I may say, Sir, that I find that amount somewhat staggering and I propose to go into the details of how it is reached.

I do sympathize with the principles put forward by the hon. Member, but there are certain practical difficulties about it.

The hon. Member for Aberdare raised the question of transport and communications. The provincial establishment for providing transport is one vehicle per police station. A considerable number of police posts are provided with vehicles but not every police post. It is a matter of weighing the need against the expense and this is continually under review by a committee under the Deputy Director of Operations. I may say, Sir, that applications which have been put forward from District and Provincial Emergency Committees and by the police have been very sympathetically considered by this Committee and I should add that, so far as I am aware, nothing supported by that Committee has been turned down by the hon. Member for Finance or his Department. It is only fair that I should make that very clear.

On the matter of wirelesses, Sir, the police wireless establishment is at present 516 static and mobile sets. There are some of those sets still on the water but the majority of them are in use. I agree

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that that does not provide facilities; either by way of transport or by way of wireless communications, for every person who may be a witness of an incident or who may come across a situation with which he and those with him, if any, cannot deal and must get assistance. But I would urge, Sir, that any additional requirement should be taken up with the District and Provincial Emergency Committees and so will be dealt with the Deputy Director of Operations Committee which has an over-all view of these things and, as I say, has them constantly in mind.

Certain Members, Sir, referred to the absence of Africans in superior posts—if I may put it that way—and the failure to plan some 30 or 40 years ago. Without going into details, and certain other Members touched on this, I do suggest that there has been a tremendous advance in the last few years. If the hon. Member who first raised this, Mr. Ohanga, has ever taken part in high jumping, he will be aware that the rise is gradual and that the competitor does not attempt the seven-foot mark all at once.

I give a complete assurance, Sir, that there is no question of an existing intention that Africans should never occupy higher posts than they do now; nor, as was implied, was there ever an intention thirty years ago that they should never occupy higher posts than they did then. I suggest, Sir, that the advance has been quite considerable in the last few years and I and many—I should say probably all people in this Council—hope they will go higher still.

MR. MATHIU: Soon.

THE CHIEF SECRETARY: The sooner the better and as soon as they show themselves qualified for it. But, as I have been given the cue, I would say I cannot agree with the hon. Mr. Madan, who suggested that the African himself should be the authority to determine his fitness for those posts.

MR. MATHIU: He suggested examinations.

THE CHIEF SECRETARY: I was coming to the second point—academic examinations in themselves are insufficient; there

are other factors to be taken into account and I trust that the Africans and every one else will prove themselves to possess those other factors. But there is one point I must make clear in the interests of all people in this country and that is, there must be no question of the lowering of standards. (Hear, hear.)

The hon. Member for Nairobi North told us a rather disturbing story, Sir. I have come across the exercise before of "cursing the Crown Agents". I may have complained occasionally myself, but I have also found out that I have generally been wrong in my complaints. I must say that in the recruitment of the additional police inspectors, Assistant Inspectors, in which the Crown Agents took a considerable part, the Crown Agents were exceedingly helpful and exceedingly efficient. But this story has been told, and I repeat it is a disturbing story. It is disturbing to me, to all Members of Council, and undoubtedly will be disturbing to the Crown Agents. I would be very grateful if the hon. Member would be prepared to give further details because I would like to make further inquiries and I suggest that, a statement having been made in public, and the hon. Member is no doubt privileged, it is only fair to hon. Members and the Crown Agents and all concerned that I should investigate this and try to find out a bit more about it. But I can assure the hon. Member it is not the common practice of the Crown Agents as, he himself, I think, implied.

LT.-COL. GHERSIE: I will have the greatest pleasure in giving the hon. Member further details.

THE CHIEF SECRETARY: I am much obliged to the hon. Member. I trust it will work out to our mutual satisfaction.

MR. HAVELOCK: Public statement.

THE CHIEF SECRETARY: The hon. Dr. Hassan, Sir, referred to the difficulties in Lamu and mentioned the Posts and Telegraphs Department and, in particular, I should like to mention the telegraph line. Posts are, no doubt, tied up with the general question of communication, but as regards telegraphs, Sir, I should draw attention to the fact that the Posts and Telegraphs Department of the High Commission throughout the Emergency have done a very, very considerable

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amount of operational work and over the last year or two their activities, throughout East Africa, have been speeded up in a very considerable way. It is unfortunate, no doubt, that their other work will have had to give way owing to their pre-occupation with Emergency requirements.

Mention was made, Sir, by the hon. Mr. Madan regarding the pay of the police force and I trust that when this hon. Council hears more about this matter, I shall have his full support on that occasion.

There is just one further matter I would like to mention and that is certain remarks made by the hon. J. S. Patel, Sir. It was, as has been remarked, an exhilarating speech but, Sir, I cannot associate myself with all his remarks. I suggest, Sir, that he completely exaggerated the position. He failed to take into account a number of factors and, in particular, I did dislike his reference, I do not think I am wrong in my notes, a reference to the hon. Member for Rift Valley which suggested he was the most illiberal Member of this Council or even in the country. I must dispute that completely because I think we must all admit here, speaking the truth, that his liberality is extremely extensive. On that point, Sir, I would like to invite the attention of the hon. Member—not the hon. Member for Rift Valley, but the hon. Member for the Western Electoral Area—I would like to invite his attention to the epilogue of the hon. Mr. Nathoo. I will not go further than that; he can, no doubt, read it in HANSARD.

But, Sir, in regard to his reference to an influx from the West or the East, I would like to say this, it is for the good of all the peoples, communities in this country—the community of Kenya—and Kenya has no future if this does not happen—the future of Kenya must be founded on a western civilization and the British way of life. (Hear, hear—applause.)

MR. COVENTRY (Nominated Member): Mr. Deputy Speaker, Sir, it was not my intention to speak at all, particularly as I am rather diffident in view of the hon. Member for the Coast's remark that he did not consider Nominated Members should participate in matters of a political

nature, but I think if you cannot participate in political matters you might as well go away.

There is one small point which might be, I think, misunderstood regarding Mr. Tyson's remark of setting aside or dictating to industry coming out as to where they should go.

It is true we have a Town Planning scheme and we do try to get industry away from Nairobi; I think it is our duty to do everything in that way that we possibly can but it is asking rather a lot to dictate to a company of the size of Shell and Uni-Lever to say where they are going to go and what they are going to do. I think we must try to advise and persuade them and do everything we can to get them to fall into line with our ideas. I am sure Mr. Tyson would agree there as we try to advise but we would not turn away a big industry who wants to come out here and establish their industry, whatever it may be.

THE DEPUTY SPEAKER: No other Member rising to speak, I will ask the hon. Member to reply. (Applause.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: (Applause.) Mr. Deputy Speaker, Sir, first of all I would like to acknowledge the very nice remarks that have been made about myself, some very complimentary, others, shall we say, dubious in their complimentary aspect.

I would like to start off by saying as I think I have always said in these debates, I think this is the time to pay acknowledgement to the Secretary of the Treasury and the Treasury Officers—(Hear, hear)—and those officers of the Estimates who do the hard and slogging work behind the scenes, who this year have to repeat the performance almost immediately. (Hear, hear.) As this hon. Council is well aware, I think, I am as I described it in a public speech in London part of an experiment of a hybrid nature and my department and, therefore, my friend the Secretary to the Treasury has to be one of the first to deal with a political Minister and guide him through many difficulties. I would like at this stage to acknowledge the great help and contribution to anything that I put forward to Council that the civil servants of the Treasury make.

[The Member for Finance and Development]

I would like, too, if I may, to start my reply by saying that I have been rather disappointed with the debate as a whole. I think we worked out this particular procedure in order that this debate should be confined to the economic and financial aspects of the country—(Hear, hear)—and we agreed that we would then go to the heads and votes and we would deal with matters of detail there.

Now, Sir, unfortunately this debate has ranged largely over details from water at Saba Saba to roads at Lamu; matters which I consider are better left, in future, to the debate on the head or vote concerned. Unfortunately, the points have been made and, therefore, I must seize the opportunity to reply to them in this speech in the hope that they will not be raised again when we come to debate the individual votes. But that, Sir, has accounted for something to which quite a number of references have been made from the other side of Council, that is the absence, at times, of my hon. friend the Member for Agriculture and Natural Resources.

When you are, as we are, trying to run on a ministerial responsibility system, the Minister, or Member if you like, cannot afford, if the country wants his work done properly, to sit on a bench day after day listening to matters which are not concerned with his particular portfolio. (Hear, hear.) That was one of the reasons why you have an economic debate possible under the head "that Mr. Speaker do now leave the Chair" moved by the Member for Finance, the responsibility for which must be carried by my colleague the hon. Chief Secretary, as the Leader of the Council, and myself, as the Member responsible. It would be absurd and ridiculous from the point of view of the Colony if all the Ministers of Government sat solidly through four or five days of debating, the great majority of which did not refer to their portfolio at all. (Hear, hear.) I think hon. Members must remember that, if they are going to talk about and demand an efficient Government, they must give the people who direct that Government a chance to be efficient by not making undue demand on them for their presence in this Council and by following the

normal Parliamentary custom of giving notice that you intend to raise something at which you would like them to be present.

I am sorry if this seems really like a lecture, but it seems to me that the procedure is in danger of going wrong unless you follow the excellent example of one or two Members on the other side; in particular I would like to refer to the hon. Member for Rift Valley and the hon. Member for the Coast who kept to the subject and not to the head. I see they are quite worried about being bracketed in the same sentence. (Laughter.)

MR. HAVELOCK: What about me!

MR. BLUNDELL: I am feeling quite uncomfortable!

THE MEMBER FOR FINANCE AND DEVELOPMENT: I will now try to answer one or two of the points made, if I do not answer any of the points in detail I think hon. Members will understand it is because I have been described as stubborn and obstinate; I do not intend to drag details into this debate.

The hon. Member for Kiambu was worried by my reference to a possible change in taxation dates. I said we would try to avoid any unnecessary change and I think the hon. Member will appreciate that it is possible that some semi-Government organizations may have to alter their accounts to come into date. Indeed, we may find from experience and practice, in some cases that the changes in taxation would be too far ahead to suit, shall we say, the general fiscal administration. It is in cases like that, that I have in mind, that I can give him full assurance we will act with great caution and no changes of that kind will take place without consultation with the leaders of all groups opposite.

The hon. Member raised the question of trade figures and asked if I could give him a breakdown of producer goods. Well, Sir, whilst I would not like him to take this as absolutely accurate, I think we can say it is the best estimate we are able to get inside the breakdown at the present moment of producer and capital goods—producers' materials 35 per cent of the total—not only the

[The Member for Finance and Development]

capital total, the complete total. Producers' capital goods 22 per cent of the total. Spares and accessories 6 per cent of the total.

I hope that gives him the information he was looking for.

Next we come to the question of Government building by direct labour. The hon. Member used the phrase that he thought it was the wish or idea of the authorities that this should be done by direct labour. I give the hon. gentleman the assurance that there has been no general instruction of that kind in so far as my departments are concerned and, so far as I know, by any Government department. We cannot, of course, control in detail the practice of Local Government authorities which has caused, I understand, in other places something of a slight tempest during the past week. I can assure him that there will be no departure from previous practice and I think it is true that, in 1953, we had more work under contract than ever before. It might interest the hon. Member and Council, because this was raised by other hon. Members as well, to know that there have been completed in 1953 or current at the end of November on contract work, Roads and Bridges, £200,000; Airfield, £48,000; Buildings, £1,552,000; Water Supplies, £4,430,000 (£200,000 about to be let); Sewage Works, £204,000 (£185,000 about to be let). That is not the amount of money spent in 1953. I think you will realize that it is the value of contracts which were current in whole or in part of the year. I think he will agree that that total shows the willingness of Government to contract work out. We have indeed not changed our policy. If there has been a swing it has been a swing the other way. The hon. Member will realize that one of the things to which I tried to pay particular attention, in view of this slight decline there has been in building activity, is Government's need to prime the pump of building work by putting out to contract in order not to have too great a depression in the building industry and that that is a conscious part of the policy that I am trying to follow.

MR. HAVELOCK: Good.

THE MEMBER FOR FINANCE AND DEVELOPMENT: On the question raised by the hon. Member for Muslim West Electoral Area on the cost of the Public Works Department work against private work, this has always been a matter of argument. It is correct that it is very difficult to assess accurately the cost of supervision or administrative charges in the Public Works Department but, as the hon. Member is well aware, we have tried that exercise and we have had to abandon it because it showed no true picture at all. But if the hon. gentleman, who is not here at present, will turn to page 46 of the Public Works Department Report, 1952, he will see figures which will show him that, whilst the average cost of departmental building could not be classed lower than the cheapest contract price, the average departmental price of the Public Works Department is lower than—and very much lower than—the usual highest contract price. So that, on the average, there can indeed be very little in it and, if there is anything in it, it is possible that direct labour is proving cheaper under certain conditions that vary as the building industry conditions vary as firms lower their prices in order to get work as distinct from the period when, having plenty of work, they very often raise their prices to discourage work.

The hon. Member, I think, dealt with the question of phasing at Mombasa and said it had been a failure. I do not think it has been a failure. What I said was it had affected, plus food and equipment priorities, our import figure and there could be no question about that, but I think it was necessary, if the hon. Member thinks back to the congestion and the fact that shipping was beginning to be extremely reluctant to come to us at all because of the congestion at the port and the cost added to shipping companies because of that congestion.

MR. HAVELOCK: Is it necessary now?

THE MEMBER FOR FINANCE AND DEVELOPMENT: That is something we can look into; the Member for Commerce and Industry will no doubt give it his attention.

He raised the question of parcel post. He said it was not possible to get the actual breakdown figures. Well, in the first case, the important business man is

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usually on his toes and he realizes fairly quickly that parcel post importation has given him freedom from phasing. It helps him in a time of changing, falling prices, not to over-stock himself by bringing in two or three of a certain article to keep him going until he sees which way the price trend has gone. Because of the sudden increase that took place in recent years, the Commissioner of Customs decided, in 1952, that these statistics could no longer be maintained. It was an expensive job in view of the many points at which parcels have to be dealt with. He, therefore, did not feel justified. We, on our side, are very worried by this lack of analysis of revenue. We regard it with concern because it is the type of thing which is absolutely essential if our fiscal policy is to be surely and soundly built. So far the Commissioner of Customs has not been persuaded to restore this analysis, this breakdown. I can only say that I will try again, because I believe it is important as the hon. gentleman opposite obviously does.

The hon. Member raised the question of currency. I was not quite certain whether he was dealing with that from the point of view of investment or from the point of view of issue. From the point of view of issue, then under the regulations which the Secretary of State makes, made in a Government Notice published in 1949—Regulation 6—it is essential, to quote the Regulation, "that the issue of coin and notes to the Currency Board shall be against payment in the United Kingdom therefore of twenty shillings East African to one pound sterling". And so it is essential at this stage, I suggest—I will give way as soon as I have finished the sentence—I would suggest as we are tied to sterling, and as indeed it is the larger sterling issues which establishes so much of the confidence in our money, it is wise at this point to go on with a practice which led to greater confidence.

If the hon. Member was thinking of investment, then, as I think he is well aware, I have stated already in public in this Council, in this country, the Central Legislative Assembly and I have made representations, strong representations, in England though not yet with success.

I might point out, that it is to my mind entirely wrong that the East African currency attitude of years ago, when investments were placed mainly in the United Kingdom, it is entirely wrong that that situation should continue. The greatest contribution that would be made to the solidity of East African currency would be to place at least a proportion of the money invested in our own Territories for the purpose of development. (Hear, hear.) Although I have pressed for this, I have not been successful. I would express myself by saying that I think there are signs of weakening and what I believe to be an obviously just case is now beginning to be considered.

MR. HAVELOCK: One question—could the hon. Member tell us if the same conditions regarding investment exist in other colonial territories?

THE MEMBER FOR FINANCE AND DEVELOPMENT: I think it is correct to say—from memory—in the majority, yes, this is a battle which has been going on for some time, generally on currency issues. When we have currency investments of some £42,000,000, £43,000,000, the great majority of which is in United Kingdom securities, I believe there would be a very good case for fixing to bring, say, some ten or thirteen million pounds and placing it not at the disposal of Kenya but the East African Territories for the purposes of development in proportion to their agreed needs. But one cannot succeed all the time.

MR. HARRIS: Is that a hint?

THE MEMBER FOR FINANCE AND DEVELOPMENT: The standard and cost of work camps: are they too high? I think the hon. Member for Agriculture and Natural Resources did cover that to quite a large extent. I would like—the hon. Member for the Aberdare is unfortunately not present—I would like to say that we do endeavour in the Treasury not to delay things which are absolutely essential but when a matter is one, not of one down payment, but something which covers immediate capital expenditure plus a very heavy recurrent expenditure, then the Treasury feels it would not be doing its duty either to the taxpayer or to this Council if it did not insist on the strictest scrutiny.

(The Member for Finance and Development)

The hon. Member for Aberdare mentioned the question of wireless. Now, the hon. Chief Secretary has dealt with that but I would like to say to the Council that the implication in the wireless demand which was put forward by the Police after consideration by what is known as the British Joint Communications Committee, the Posts and Telegraphs and the General Headquarters was a capital expenditure of £75,000 with a recurrent expenditure of £15,000. If I had not gone into that and been perhaps a little obstructive at the very beginning, until I had got the British Joint Communications Committee to approve it as satisfactory, I would not be fulfilling the job hon. Members put me in to do. It is entirely wrong that hon. Members should tell me at one point I must tackle waste, I must be hard with the District Committees, stop the extravagance I am only too conscious is going on and then at the same time, if the point is one that happens to affect their group of people, their area, they are the first in the battle to tell me that I am obstructive and difficult, with no sense of vision!

MR. HAVELOCK: You can take it!

THE MEMBER FOR FINANCE AND DEVELOPMENT: I am prepared to take it, in the hope that hon. Members will be reasonable and some of them a little more reasonable than they have been.

MR. HAVELOCK: What a hope!

THE MEMBER FOR FINANCE AND DEVELOPMENT: I have not held up any of these matters which have been mentioned once the point has been agreed by the people concerned of the essentiality of the thing they are asking for.

On the question of expenditure at District level, which the hon. Mr. Havelock asked about and also the hon. Muslim Member for Western Area, I would say I am not satisfied. I came back to the Council and said I was unhappy—I did not feel that if this went on, I could take personal responsibility for the Emergency Expenditure Fund. I am being frank; I am not satisfied still. I have taken Colonel Asher, the efficiency economy expert, who was working on the Public Works Department long-term side of it, I have taken him off that and

I have sent him on a tour, an investigation of some of the expenditure that is going on. I have little doubt; I suppose it is common in any trouble of this kind that there is a number of people who still regard it as extremely clever to get past the Treasury and forget it is they themselves and the taxpayers who eventually have to foot the cost of their cleverness. (Hear, hear.) (Applause.)

The hon. Mr. Slade also raised the question of police transport and the hon. Chief Secretary has dealt with that. But again, so that Members of Council shall know the position, we have provided over £100,000 worth of transport. I cannot recollect a single case of rejection. I cannot say whether the transport is used in the areas for which I granted it, that is beyond my day to day knowledge, of the Treasury's day to day control. That I cannot say. I can say that the recommendations of the District and Provincial Committees are not always agreed by the heads of the departments concerned and are not passed on, therefore, to the Treasury, because the heads of departments, fulfilling their responsibilities say they do not consider that necessary. In that case the requests do not reach the Treasury but, these are cases in which the Treasury is often accused of being the delaying factor.

The hon. Mr. Havelock asked why there was more collection of income tax in 1953 than had been anticipated. In the first place there was increased staff which did indeed bring up, not only the arrears, but brought more closely the collection of money immediately falling due. I think that is the real answer, plus the fact that this collection was based on the 1951 assessment of income. Indeed, we had not, and still have not got, an Economic Research Division to assess the income of the people. If you have not those statistics and that knowledge, then indeed, you are guessing at the basis of your taxation. As the hon. Member is well aware, as I have said to him, many times, that is one of the reasons, in my opinion, why taxation was put on which indeed might have been avoided for a year or two, because there was not that basic statistical knowledge of the income of the country.

MR. HAVELOCK: That is why I welcome your provision.



**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I am struck by the hon. Member's idea of turning himself into a private limited company. When the time comes when hon. Members opposite—as it may, from some of the remarks made—no longer like their Member for Finance, perhaps I can have a few shares in it, because it looks very profitable and would be very helpful!

He asked about Civil Aviation—£165,000. I think he will recollect it was passed by a Vote of this Council in a Supplementary Estimate, tying up an old agreement. I expect it slipped his memory and had I had the chance to see him privately I could have told him. The £39,000 was required as a contribution to the East African Airways Corporation, representing Kenya's share for loss on uneconomic services for the years 1948-1951 and the loss on the uneconomic services for the years 1950-1951 less small contributions made during those years. The expenditure was made after Supplementary Estimates had been approved during the year 1953. In consultation with the hon. Member for Commerce and Industry we hope in future to present the Airways Budget in advance, rather than see ourselves placed as a Treasury and a Government in a position of having to come to Council to approve expenditure in retrospect. Therefore I hope the position will rectify itself.

Under Miscellaneous Services, the principal excesses are—and you will forgive me smiling when you hear this—£125,000—special contribution to the Road Authority, £30,000 for Passages and £40,000 for ex-gratia payments under Supplementary Estimates approval.

He raised the question of Miscellaneous Receipts and states quite rightly that, as there is no alteration in taxation, this is the only time indeed when a revenue matter will have a chance to be raised.

The position there was a receipt of surrender in 1952 on the winding up of the European and Asian Provident Funds and income from the East African Currency Board. Through that we cannot expect a repetition of receipts from the Provident Fund but we hope to continue to receive income from time to time from the East African Currency Board. It is only in the last few years that any

payments have been made by the Board and the level of the annual payment so far has been in the neighbourhood of £50,000. That, I think, covers that.

I have still a couple of points of the hon. Member's Normal Staff Increments. Of course, the hon. Member was merely pulling the hon. Member for Finance's leg because the hon. Member is well aware what normal increments means. He asked the question, so he must sit and suffer under the reply! With expanding services we have to employ an ever-increasing number of civil servants. As long as departmental establishments continue to increase, then there will be net increases in the annual cost of increments for some years after the establishment in the departments become static, if that ever happens. If it does, then the excuse of normal staff increments will no longer be valid! But if the Colony continues to develop, you will see that reason for some years to come.

The hon. Member pointed out that although I said something in my Budget speech that pointed to the opposite principle, in fact in this Budget, expenditure on social services was higher and expenditure on economic services lower! The peculiar position is that I have been able to call a standstill of economic services because there were no statutory obligations, but on the social services, particularly education, I could not, because there were statutory commitments. That is the reason the Budget appears to contradict the standstill basis.

The question of direct and indirect ratio. The hon. Member—I have got about another half an hour of answers to give, Sir—the question of direct and indirect ratio, the hon. Member said that I appeared to welcome it. Well, I would like to say that in my opinion it is getting somewhere near the level at which it should be maintained for some time to come.

There are—I think the hon. Mr. Chanan Singh mentioned that point—there are, of course, a number of differing factors inside our direct and indirect ratio when you take them against a normal advanced country. I think in view of those factors generally that that may be assessed as somewhere near the level at which we should be. This will be, of course, a matter of opinion, and no doubt

[The Member for Finance and Development] will be a matter for considerable debate when we meet in April.

He asked for a breakdown of Canada's figures. I am afraid they are not available but I will endeavour to get them for him. I think they will be very useful for him to see.

There is a point I would like to make here, Sir, to appeal to all hon. Members—I notice a number of them have departed, no doubt because of the lateness of the hour—

MR. COOKE: Bad manners!

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** That is the question of our economy generally. Time and time again, as I sit on my side of the Council, I am worried by the way in which Members of the various groups will think compartmentally about the country's economy. (Hear, hear.) They will think of this man contributing more, than man contributing less. Economically a nation can only develop as a whole; although, as in any country in the world, there will be an argument about whether "X" should pay a little more and "Y" should pay a little less. Let us not confuse the economic argument with the racial argument because these things are, in fact, economic. (Hear, hear.) Whatever your economic beliefs are, they do vary with political beliefs. You can always argue if you take too much from the higher levels you eventually do harm right through the structure. You can equally argue that it is better to spread wealth a little more over the lower level because that feeds back up to the top. All those things can be argued.

I do hope Members will remember when we discuss our economy that it is a national subject and whatever you do it is likely to remain so; it cannot be thought of compartmentally. (Applause.)

The hon. Member for Non-Muslim Central Area—I was looking for him, he is not in his usual place—he talked about the need for education and human material. Sir, I hope as I read my speech I can see no justification for—and I hope I have not given in the slightest degree any idea—that I underestimate the value of education. I do not underestimate the value of education any more than I do

the value of forests to which the hon. Mr. Riddoch referred. I have tried to tell the country that if it does not get aid from abroad—and if it does—it is going to find itself, if the Emergency continues, before very long in the position of the man who had fourpence to spend, the day to live and threepence of it must go on bread. If he likes to spend the other penny on sweets instead of a cup of tea, that will be a matter of particular taste but whatever he thinks he will not have more than fourpence. I would like briefly to repeat—and I hope nothing I say will be held against me in April—what I said during the opening speech when I tried to point out that by 1954, June, 1954, our Surplus Balances, even disregarding the arguments of the hon. Member for Nairobi North on contingent liabilities, would be down to £44 million. I wonder if hon. Members who have spoken—other than one or two exceptions—have bothered to think what is implied at that stage, and indeed, if the Emergency expenditure continues during the year 1954-1955 at the rate of £4 million a year plus the normal 10 per cent increase in ordinary expenditure there will not be any money in the kitty at all. It will not matter what pious hope you will express, you will be faced with the situation where you may not even have threepence to buy bread at all. The sooner Council gets down to it and realizes it, the better. That is why I found the debate disappointing. I wanted hon. Members to come forward and give me some leading policy on which to base the Budget, the unpleasant Budget, I shall have to place before Council in April. Therefore I agree with all the human side of it, I believe education is vital to the future of the country but if any hon. Member can tell me how we are going to find the money on the present national income without assistance from abroad, I will be grateful and say that he is far more fitted for this job than I.

I would like to deal with this question of education. I have been accused of inconsistency. Well, of course, I am in my usual good company. I think it was Ralph Waldo Emerson who in his very good "Self-reliance" said—"A foolish consistency is the hobgoblin of little minds." I am quite prepared to step out of the "little minds" sector and become inconsistent. I have not been inconsistent on

[The Member for Finance and Development] this. The hon. Mr. Mathu will remember when I spoke first in this Council that I said after bread, education is the first need of the people. If he will look at the last passage of my opening speech, I placed among the needs of our people the skill and knowledge of our people as an essential factor in any development. But in 1946-1947 in debate I said there—“Recognizing as the British Government does the importance of African education, I wonder whether some approach should not be made for a special loan to cover the cost of African education, including the greater portion of the recurrent cost. That, I believe, would allow for expansion. It ought to be able, in view of the anxiety of the British Government and their recognition of the fact that the development of education is the first thing in the development of the manpower resources of the country, to come to some arrangement on a special basis. I do not suggest a gift, but I suggest a long-term loan at low interest for the purposes of African education, and I would suggest, perhaps, that special arrangements might be made to meet the hon. Financial Secretary, and not regard it as part of the public debt of the Colony”.

At that time I visualized the position arising when the needed expansion of African education would become so expensive and such a heavy burden on the economy of the country, that the type of situation I have put forward to you might arise and I asked the Government of that day to consider the expansion of African education through special loans. I can tell the hon. Mr. Mathu that in London in the past ten days when I was there I made continuous representations for exactly the same process in order that the progress of African education at its expanding rate could continue and that the long-term development of manpower could continue without crippling too much the taxpayer of today. I have not succeeded and that is one thing I can tell hon. Members straight away; others I cannot. But I have not succeeded although I found great sympathy from representatives of both sides in the House of Commons, there was this natural reluctance on the part of certain official groups to embark

on anything so unorthodox. The argument applies to many other territories in Africa other than ourselves. I stated it in a public speech at the Royal Empire Society. I shall continue to fight for it because I believe that one of the essential things, if we are to have peace in the country at all, is to have a literate African population, who understand English as a basis through which we can convey our civilization.

**THE DEPUTY SPEAKER:** It is now twelve forty-five. How long is the hon. Member likely to speak?

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I think about twenty to twenty-five minutes, Sir.

**THE DEPUTY SPEAKER:** I am prepared to accept the wishes of hon. Members, either to continue and complete the business this morning or defer the remainder of the hon. Member's speech until Tuesday.

**MR. BLUNDELL:** I think I am speaking for hon. Members on this side when I say we would not wish to interrupt the hon. Member.

**THE DEPUTY SPEAKER:** Does that meet with the wish in general?

**THE CHIEF SECRETARY:** Yes, Sir.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Now, Sir, the hon. Member for Non-Muslim Interests for Central Area raised the question of my approach to the United Kingdom and said that he thought we should pay for this ourselves. Let us be quite blunt—the position is that we cannot; that we must have assistance. If we were to attempt to follow the policy laid down by the hon. Member, of paying for it ourselves, he would see all the services which he so rightly cherishes disappear. And no argument, no persuasion would keep them in place.

The hon. Mr. Mathu used a phrase which I am sure he never really meant. He said, “Educate the masses or abdicate”. It is one of the flowery phrases he uses when he wishes to emphasize an argument and we accept it as part of the cut and thrust of debate, but I think he will agree that whilst we have not satisfied all the desire of the African Members, with regard to education, we have,

[The Member for Finance and Development] in the past few years, come a very long way along the path. Nobody can be satisfied with the rate but we have made every effort, particularly when one remembers the hon. Mr. Obanga spoke about planning thirty years ahead. Thirty years ago—1922-1923, the total exports of this Colony were £1,000,000 and the total Budget was £200,000. In the first two years they had a deficit of £20,000. If anybody had set down at that stage and planned for the expansion of the day, they would have been speculators and gamblers. When the hon. Member speaks about being where we were ten years ago, the hon. Mr. Awori and the hon. Mr. Obanga know they are miles ahead of where they were ten years ago, because in 1946, even the total Budget expense was under £5,500,000. We are spending in capital and recurrent expenditure well over 50 per cent of that this year in African education alone. There can be no question about the tremendous advance in the past few years.

The hon. Member, Mr. Muslim, also spoke about the African counterbalance figure of African agriculture. I can tell him we have not yet got a staff for the Economic Research Division of any size but the Statistical Department has run one or two pilot schemes in various areas to get the basis of knowledge that the hon. Member quite rightly said was desirable. The first two or three pilot schemes have been satisfactory and rather surprising in their results but there is a great deal of the country where the statistical people cannot operate at the present moment. I wish him to know that we are on the way, we hope, to being able to produce figures.

Cost of living: quite a number of hon. Members have spoken about prices soaring day after day. I admit that is a flower of speech, it usually brings a round of applause but it is not quite fact. The fact is that the African Retail Price Index since the last cost of living adjustment was made has flattened out. The figures in Nairobi and Mombasa in August are lower than in February and not higher, as so many hon. Members seem to assume. That does not apply—I hope Mr. Muslim realizes I am not arguing—that the kind of wages is satisfactory, but if you argue on the fact that there is no

question either of a continually spurring cost of living. Indeed we seem to have arrived in the past five or six months at a period of stability. I will say no more than that.

I agree with the hon. Member on the urgency of the Carpenter Wages Committee; I look forward with great hope to the results of that Committee, although, of course, as Member for Finance I look forward to it with great fear as well!

The hon. Muslim Member for Western Area spoke about export taxes and cotton. He is not here, therefore, there is not very much need to go into great detail, but cotton has got a price level and I think the hon. gentleman was rather mixed up between the operation of our cotton marketing and Nyanza cotton with our export tax. But as he is not here, we will leave it at that and I will discuss the matter with him at a later date.

The hon. Member did deal with the question of Price Control, and a letter that had been addressed to, I think, some committee of his. Now, I did go into this matter and the answer is that the Price Control mistakenly thought that a large advertisement relating to cheap radios might be connected with the recent agreement whereby Customs Duty on cheap radios was removed in order to push the sales. They quite rightly, knowing there was this agreement, inquired whether the radios concerned did come within the purview of the agreement. Now, Sir, as I have said very often in Council, Price Control must for the time being be kept in existence. But the hon. Member should study his Draft Estimates; if he had looked at the Draft Estimates he would have seen that the Price Control costs have been reduced, £38,771 in 1953 to £25,500 for the whole of 1954, if the second half is voted at the same level as the first. I suggest that a 50 per cent reduction in the Department within the period of one year is not going at a bad rate. In addition, now that the Price Control has been physically brought over to the Treasury, the Price Control Office and officers assist the Treasury in any work that is going on in the Emergency. I think that covers that point.

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I was delighted to hear the hon. Member for Nairobi West paying me compliments. If I may say so, much as we battle, his are among the compliments I really appreciate. (Applause.) I will, of course, keep in mind what he has said about land. I will, of course, keep in mind what he has said about local loans, but he is too old and wise a bird himself to expect a young and not so wise bird to commit itself by showing what type of worm it is prepared to offer to its children. There was one very good warning he gave me—that it is going to be a very different reception next time. That is quite right. I have not been in this Council for some time, or in this country for some 17 years without knowing that this is one of these remarkable countries where, unlike other countries where the hero of to-day is the villain of to-morrow; the hero of this morning is the villain of this afternoon! One is prepared to accept a different reception whenever it comes.

Mr. BLUNDELL: That applies to us all.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** The hon. Member for Nairobi South referred to the Equalization Fund and I thank him for his support. I hope I shall be able to have a discussion with a number of hon. Members opposite before I finally launch the operation, because one will need the support of Council as a whole if it is going to be a success.

The hon. Mr. Riddoch dealt with forests—he has now gone—but on that I must say to him that I agree with every word he said but we are rather like the man in business who would like to put up a beautiful building because he knows that he can treble his turnover if he does but he has not got the capital to do it and knows he must wait until he has accumulated it.

The hon. Member for Mombasa and Mr. Cowie spoke about tourism. One is very conscious of the benefit tourism brings to this country—indeed, I think the hon. Members concerned must be well aware that I personally interfered in the matter of granting expenditure this year in order to lift it up a little, on condition that it was used for publicity and not increase in office administration. I can assure them I am fully aware of that.

With regard to the Consolidated Fund I am sorry that pressure of work means there is no hope of a White Paper at the present moment but it is coming. I think hon. Members might like to know, although it is delaying them, that during my talks in London last week and the week before with the United Kingdom Treasury, one of the things that struck the British Treasury was that the Kenya Treasury was being gradually and slowly built up into an instrument of financial and parliamentary control on the lines of the British Treasury, and was—in the words of one of the Treasury officials—"A long way on the path already".

The hon. Mr. Ohanga spoke about loans, "when we would be able to do things from our own resources?" I am sorry he is not here because that is the type of thing that makes me throw up my hands in despair. I do not understand how I could have tried to explain all that I tried to do and he has had three weeks to study my speech—how he could then make remarks of that kind, either there is something wrong in me or somebody else. South Africa, Australia, New Zealand, even the advanced Dominions have to go to the London Market for money, even at that stage their expansion has not ceased and they are continually seeking money. We, obviously for many years, will have to seek new money or face a period of stagnation. We have dealt already with the point of training and I do not think I will refer to it.

There is one point I would like to refer to—the hon. Member for the Coast. I do appreciate when he is nice to me because when he is nice, he is very, very nice—and he knows the answer: when he is 'orrid, he is very, very 'orrid! (Laughter.) But we do appreciate each other and I do thank him for it.

I agree the most important thing that faces this Colony is the ending of the Emergency. The terrific money drain that is taking place needs no underlining. If perhaps I did not put it in stirring phrases, perhaps it was because I tried to be as logical as he expects me to be and expected everyone to read from the figures presented the lesson that unless the Emergency is ended quickly, then the progress and development of our people must—not for the next six months but for many years to come—be at a standstill or we must become indeed dependent

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on the continued kindness of our mother country. I think, too, Sir, that he agrees with me thoroughly that the great thing in this country is the need to increase its wealth because that is the only true source of increased revenue and it is only by increased wealth that there can be increased expenditure. That is one reason why we must think nationally of our income. We must regard African agriculture as being as important as European agriculture; we cannot do without the one any more than the other because all of them contribute to our national income.

The hon. Member for Nairobi North dealt with the question of Contingent Liabilities. Now, Sir, I must disagree with him to a great extent. What we endeavour to do is to show liabilities, but we only make provision for those liabilities which can be a sudden impact on us within a year as a whole. There can be no question about pensions this year; we are paying pensions for many years ago but it would be wrong not to recognize them as a liability. I do not want at this late hour to go into detail, I think it is merely a question of personal opinion.

We are encouraging finance to come from America? I think my hon. friend, the Member for Commerce and Industry, will say I have done everything within my power to encourage finance to come. Indeed, provided that it was finance and capital that was going to develop rather than exploit, we have made it very welcome indeed. If he will bring me the cases where there have been difficulties, I will try to do what I can to straighten out the difficulties subject to the fact that in the final issue the responsibility for sterling—which is mine in this country—bases back to the main defence of sterling area. He said would I consider a reduction on non-resident's tax. Sir, I am not going to be drawn on that one either at this stage.

The hon. R. B. Patel, Acting Member for the Non-Muslim Eastern Area, I should like to congratulate him on which I think was his maiden speech. I do not agree with everything he said but I think, as in the case of the hon. Dr. Karve, it was again a question of that easy statement—"Let us make economies" and in

the very same breath "But not on my subject". (Laughter.) The Treasury gets very used to that indeed.

Now the hon. Mr. Gikonyo said that the rich must pay for the poor; and that they did not want a standstill; that he would oppose any suggestion of cutting education; he was not satisfied with the general position of the African—I think he said they had not advanced in the last ten years. I think a lot of these things I have dealt with but the hon. Mr. Gikonyo must not fall into the mistake of thinking of taxation compartmentally any more than hon. Members at the other end of the benches opposite. You will make a very great mistake if you think that the easy way to develop is to kill the source from which you derive your revenue. I do beg the hon. Member to think over that one. Although I agree it must be the accepted practice that the rich must contribute more to the income of the country and the revenue derived therefrom than others, it does carry with it a parallel liability of labour to contribute by labour, so that it can stand up four-square under any political attacks and say, "Our contribution in this is indirect but it is nonetheless substantial and as visible as yours".

The hon. Mr. Awori—he is not here—I do regret that he is not because I think, with all due respect, that one part of his speech was getting very near disgraceful. I nearly used an unparliamentary adjective. The hon. Member said of something that the hon. Member for Education and Labour had said—"The hon. Member gave us figures and if I compare those figures with the aid Africans here are getting from India in the way of bursaries I think that this country should be ashamed of itself. In 1954 the Indian Government is offering fifteen Africans who have passed school certificate to go and study various professions in England. If India can do that, I do not see why Kenya could not do likewise".

Now, that coming from a responsible Member of Legislative Council—it is disgraceful to say that this country should be ashamed because it is not sending fifteen Africans away as compared with the contribution of India.

Did I hear the hon. Member mention that some £5,500,000 was contributed by the British taxpayer and the Colonial Development and Welfare Fund to the

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development of this country, and practically all this for his community? Did I hear any acknowledgment of the fact that within the last few years the country—I am not talking about any community—the country has jumped its education expenditure to a level, at a rate that I do not think is paralleled by any other Colony? I think to talk about our country in this way is something which should not be done by any hon. Member of this Council. (Hear, hear—applause.)

Then—why not American aid for Kenya? I can answer that I am having discussions at the present moment to see if I can get American aid from the Foreign Aid Administration particularly directed towards road development in the African areas; I cannot say with any success, I can only say talks are in progress.

The hon. Mr. Awori also spoke about geological surveys. I think my hon. friend, the Member for Commerce and Industry, will acknowledge that any request of his for geological surveys is one that this Treasury has always met; he has had every man and every penny he wanted. The mere fact remains that over two-thirds of our geological surveyors are fighting in the Security Forces and they cannot be engaged in the Security Forces and carry out the kind of geological survey we all agree is necessary. That is just a plain fact.

The hon. Member also dealt with the question of assistance for the poorer African District Councils, as did the hon. Mr. Jeremiah. I would like to correct one point because I have made the point from time to time, and you, Sir, had you been in another position, would have made the point instead. The African District Councils are County Councils. They are County Councils. They are not going to be made, they have the powers, the whole range of County Council powers. I think it is essential, when all has been said, to remember that. It is absurd to have County Councils on top with no Urban or Rural District Councils underneath. If you do not have those the County Councils will become as remote from the people as any other council—that is the position.

I have for some three or four months now been chairman of a committee which is going into the financial relationship of African District Councils and the Central Government, because I think it is important to devise a scheme whereby we can give greater assistance to the poorer councils, though it may mean a little less to the wealthy councils. I think it is important to even out the rate of progress.

I am very nearly finished now when I come to Dr. Karve. Sir, he is a great friend of mine but I cannot follow his thinking in this one. He said, "why not economies without services being reduced?" That is the whole life of the Treasury—to try to find out how it can economize without being blamed, as it is, for not granting hon. Members the services they want. That is the whole life of the Treasury. This Council is well aware that, indeed, only quite recently it voted an ~~object~~ to go into this thing and that is in progress. If I could produce economies of that kind, they would have been done but the fact remains that the Treasury has forced almost every department—according to the heads of departments—down on to its "very uppers" in this Budget and there are not many margins for economy to be made without the reduction of services.

When he says an increase in taxation will not frighten away capital, all I can say is, the Member may be right but it contradicts very much the talks I had with financial business houses in London only a fortnight ago. Very much indeed because, with the security risk that Kenya seems to be, owing to the underlining of our happenings in world papers and with an immature economy such as ours, capital wants a considerably higher rate of reward for its risk if it is going to come here. If it does not come here, once again I must repeat, the services will not be possible. I am sorry to hammer it in but it seems that what I have said has gone over the heads of some hon. Members.

Of course advanced countries have a higher rate of taxation—as I had to say in London—but do hon. Members bother to think that if you have a certain level of taxation, you have got to think of the benefits you give in return. When you come to the lower and middle income groups in income tax in this

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country they have not got a National Health Service, they have not got free education—they have got subsidized education, but not free—they have no old age security, no old age pension. When you talk about advanced countries having a higher rate of taxation, let us be realistic, let us look at the other end, the receiving end, for what you pay. That is why these things cannot be thought of racially, compartmentally; they must be thought of nationally, seen with a national eye, with an attempt to understand the other fellow's point of view. When we get down to that we will be building a nation on sound foundations, with its economy united and going forward as a whole.

I will not touch on the speech of the hon. J. S. Patel other than to say that I must have a strange, peculiar mind, I was always certain of it, but I did not know I had a couple of shock absorbers working all the time.

I would like to make one point on this. He spoke about the Produce Control Exchange and said "Government does it". Now Government does not do that action. The Produce Exchange is a free body. I am not certain, when I listened to the hon. Members opposite, whether they really mean we should try and get that free economy which is what I hear them appeal for time and time again—doing away with controls—until it comes down to one particular interest, then I say—"Ah, but control this". Again I appeal to you to think nationally, not compartmentally. What is good for the economy in the long run? A system of control which, if it is to be applied, must be applied generally in order to be fair or the system of moving towards elements of competitive bargaining which will enable our country better to stand the fierce competitive world it will have to face in the near future.

On the question of the hon. Mr. Tyson—I nearly called him Alderman Tyson—I could not agree with his point about dictating where industry must go. To attempt to dictate, to impose our wish on industry would be to drive it away. I agree with all the town planning things he says, but industry will be encouraged only by water, sewers, drainage, housing

and power being available at certain places.

On the question of the hon. Mr. Madan and the Kenya Police Reserve allowances—I think I have said I have been troubled about this myself. If he would only bring me one or two concrete cases, I will be very grateful indeed but that, of course, is what I always find, that one or two concrete cases enable me to finish the argument.

He may be satisfied that income tax should be neither up nor down but I think he has probably got to wait until the next Budget before he gets an answer to that one.

Finally, on the cost of living and weekly wages. The hon. Member for Kiambu and myself were on a Cost of Living Committee which which sat some years ago and is now almost forgotten. Then we recommended that weekly wages should be paid. I think they should be paid. It is, however, from the point of view of Government a very expensive process, as the Chief Secretary said, but we are going into it. But what about the people other than Government helping themselves? Why should they not for once take the initiative rather than wait for a Government experiment in a Government group?

MR. USHER: Some do.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. Mr. Tyson referred to Bata's as an example. I was, for many years, before I gave up business interests to become a "hybrid" civil servant, I was chairman of Bata and for many years Bata Company has paid on the fortnightly basis and found that the system works very well indeed. I believe a number of other firms could follow their example and start the thing in motion because the time has come when the monthly wages cover too long a period for anyone immature to resist spending cash and getting credit towards the end of the month.

I am now coming to the final part of this rather long speech, I am sure hon. Members have been waiting to know what I can say about my talks in London. I can only say this, I met a great number of Members of Parliament on both sides of the House. I was met with very great sympathy. I had the pleasure of meeting the Secretary of State twice in

[The Member for Finance and Development]

addition to meeting other leaders of the Government and the Opposition. I had long discussion with the Secretary of State on the financial position and with the Colonial Office and Treasury officials. I can say that those talks were full and friendly, and that they might be described, cautiously, in the phrase "highly satisfactory". (Applause.) I hope it will be possible for a statement to be made before very long but I cannot go further than that at this stage. I can only perhaps say to Members, as I said in the conclusion of my speech before, "For my own part, I cannot but believe that with the position placed squarely before it, with the past history"—as we have learnt this-morning it has been a very creditable history—"and the future potential of our country fully recognized, with the understanding that through economic advancement, an increased pace of development in our agricultural industry"—European and African, because both must move forward together with whatever Asian agriculture there is—"a stepping up of our educational programme"—I hope the hon. Member notes that—"so that the skill and knowledge of our people can be multiplied, that through these progressive policies of development, reconstruction and rehabilitation lies the only path to the restoration of peace—stable peace—in the years to come, with those things realized and with the knowledge that the people of this country will bear their share of the financial burden to the limit that economic wisdom dictates"—I must emphasize those words—"with the knowledge that the people of this country will bear their share of the financial burden to the limit that economic wisdom dictates, I cannot but believe that Her Majesty's Government will do all in its power to assist".

I can only say that I will be very disappointed if, when the final result is placed before Council, that that belief of mine is not more than justified. (Prolonged applause.)

The question was put and carried.

#### ADJOURNMENT

THE DEPUTY SPEAKER: Council will now stand adjourned until 10 a.m. on Tuesday next, 24th November, 1953.

*Council rose at twenty minutes past One o'clock.*

Tuesday, 24th November, 1953

The Council met at Ten o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### PAPERS LAID

The following Papers were laid on the Table:—

Estimates of Revenue and Expenditure of the Road Authority for the year 1954.

[BY THE MEMBER FOR FINANCE AND DEVELOPMENT

The Crown Lands (North Yatta) (Grazing Control) Rules, 1953.

The Crown Lands (Yatta Plateau) (Grazing Control) Rules, 1953.

[BY THE MEMBER FOR AFRICAN AFFAIRS]

#### ORAL ANSWERS TO QUESTIONS

##### QUESTION No. 2

MR. MATHU asked the Member for African Affairs to state the number of Kikuyu claims directly attributable to subversive activities which have been met by the Government on the recommendation of the Compensation Committee in each of the Districts Meru, Embu, Nyeri, Fort Hall and Kiambu?

THE MEMBER FOR FINANCE AND DEVELOPMENT: The number of Kikuyu claims for compensation in respect of damage to persons and property directly attributable to subversive activities which have been met by the Government on the recommendation of the Compensation Committee are as follows:—

Fort Hall	265
Nyeri	296
Kiambu	13
Embu	58
Meru	11

MR. MATHU: Arising out of that reply, is the hon. Member satisfied that the Administration are doing their best to bring home to those who suffered and that they know of the scheme that Government has arranged so that the morale of the loyal elements in the districts might be kept up?

THE MEMBER FOR FINANCE AND DEVELOPMENT: Answering that, I would like to suggest that the numbers shown, particularly in Fort Hall and Nyeri, 265

[The Member for Finance and Development and 296, respectively, show that there is a reasonable amount of knowledge available. If there is any doubt in the hon. Member's mind, I assure him that I will again call the attention of the Administration to the facilities for making claims and ask that further publicity be given to my reply.

MR. MATHU: Arising out of that reply, I am sure the hon. Member will realize that as far as Kiambu is concerned, the figure is so low when we have the Lari Massacre in mind.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I had a feeling that the hon. Member had Kiambu in mind. I can assure him we will draw the attention of the Administration to the possibility of claims for compensation.

##### QUESTION No. 4

MR. MACONOCHE-WELWOOD asked the Member for African Affairs whether, in view of the grave danger to security which arises from the inter-penetration by the Kikuyu tribe into other African land units particularly in Masai, Government will now reconsider their policy in this matter?

THE MEMBER FOR AFRICAN AFFAIRS: I assume that the hon. Member is referring to the Government's long-term policy regarding inter-penetration, and not to the immediate problem arising out of the Emergency. Under Emergency Regulations there are ample powers for the control of and, where necessary, the removal of Kikuyu living outside their land unit.

Regarding long-term policy the Government has hitherto worked on the statement which was laid on the Table of this Council in 1947. This statement distinguished between "inter-penetration", which is taken to mean settlement involving a change of tribe on the part of the inter-penetrator and "infiltration", which is taken to mean settlement among a different people but retention of the original tribal status. The Government has supported the former but discouraged the latter.

During the Emergency this policy has been suspended as far as the Kikuyu are concerned although, as soon as condi-

tions have become more stabilized, reconsideration will be given to the problem in the light of experience during the Emergency.

In the meantime Emergency Regulations have been used to remove and detain Kikuyu in Masailand who have been associated with *Mau Mau*. Others are being concentrated into camps with a view to their ultimate removal although, as an interim measure, a work project for their employment on bush clearing east of Narok is under consideration.

It has been made clear to Kikuyu who have been allowed to reside in other tribal areas that any complicity or connivance at *Mau Mau* will be regarded as a breach of the hospitality extended by the host tribe and will lead to their removal. This has occurred both in Masailand and South Nyanza (Kisil) where large numbers of Kikuyu have been implicated in *Mau Mau*, removed and detained. Consideration is now being given to the eventual removal of the remainder whose activities are under close investigation. I repeat that Government will not tolerate the breach of the privilege accorded to Kikuyu allowed to reside in other tribal areas evinced by any support of, or connivance at, *Mau Mau*.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, in view of the not entirely satisfactory nature of that reply and its public importance, I wish to give notice that I will raise the matter on the adjournment.

##### QUESTION No. 5

MR. USHER asked the Member for Finance and Development if Government will make a statement in regard to the prospect of improvement in the ferry service between Mombasa and the South Mainland?

THE MEMBER FOR FINANCE AND DEVELOPMENT: The Road Authority has prepared a scheme for greatly improving the present ferry service by the provision of new ramps, and has included this scheme in its 1954/56 Development Plan. Whether the Authority will be able to execute this plan will depend on the amount of capital allocated to it for the three-year period and the priority accorded to this project.



The Commission found that the Commission had not made any attempt to make clear directions as to how they were carried out initially with Headquarters.

The Commission also found that the Commission had not made any attempt to make clear directions as to how they were carried out initially with Headquarters.

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In respect of which the Commission found that the Commission had not made any attempt to make clear directions as to how they were carried out initially with Headquarters.

(a) *Responsibility of the Chief Inspector in charge of the Police Station*—The Commission held the Chief Inspector responsible for not making adequate provision for the doubling of centres. The Commission, however, recorded that the officer's work was highly spoken of by the superior officers. This officer has been administered.

(b) *Allocation of Arms*—The Commission allocated responsibility to the Acting Assistant Superintendent of Police, District, for the apparent failure to pass on to the District Commissioner, Nayag, Police Reserve, Naivasha, or to the latter's Chief Constable, the orders as to the subject. The Commission recorded, however, that the officer's work was highly spoken of by the superior officers. This officer has been administered.

(c) *The lack of completion of perimeter wiring*

(d) *Failure to render the main tower bullet-proof*—The Commission found the Superintendent, Lower Rift District, responsible for this delinquency. The Commission, however, expressed the view that in regard to wiring there did not appear to have been any failure on the part of the officer in charge of the tower and that in any case the provision made was the best of a delivery system in the hands of the officer in charge of the tower and that in regard to the main tower the provision of the which was made was been a failure. The Commission, however, expressed the view that in regard to wiring there did not appear to have been any failure on the part of the officer in charge of the tower and that in any case the provision made was the best of a delivery system in the hands of the officer in charge of the tower and that in regard to the main tower the provision of the which was made was been a failure.

(e) *The inadequacy of lighting*—The Commission recorded that this item called for no allocation of responsibility.

In determining what action should be taken against the officers concerned the Government has been influenced by the

[The Chief Secretary] fact that the proceedings of the Commission of Inquiry would not *per se* have been adequate for the purpose of instituting formal disciplinary action against the officers concerned. For such a purpose, new proceedings under Colonial Regulations would have been necessary, entailing considerable further delay. As the officers had already been subjected to considerable uncertainty and mental strain since the date of the raid on 26th March, such a course was considered unjustified, regard being had to the terms of the Commission's report.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, might we ask your guidance? Is it possible for us to say something on this statement and, if so, when?

THE DEPUTY SPEAKER: So far as I can see, there is nothing laid down in Standing Orders that would clearly preclude any discussion. It is not usual, but if the sense of the Council is in favour of a brief discussion I would raise no objection; but I would draw attention to the fact that the Order of the Day provides that Committee of Supply shall be taken at ten-thirty.

MR. BLUNDELL: With all due respect, Sir, I would like to suggest that hon. Members on this side of Council might make observations on this statement until ten-thirty.

THE DEPUTY SPEAKER: From now until ten-thirty, do you mean? I will raise no objection if other hon. Members are agreeable.

MR. BLUNDELL: Mr. Deputy Speaker, I wish to draw the attention of Council to two points in the statement that has been made. I believe that in general we have not got sufficient nor adequate powers of discipline over the Police. I believe the statement is unsatisfactory in that the confidence of the public in the Police may be impaired, arising out of the sort of punishments that have been administered for what was a very grave disaster. I believe, Mr. Deputy Speaker, that that will only be altered if the Police discipline is removed from Colonial Service Regulations and placed under some form of discipline arising out of a Police Force Act—something of that nature.

I think it is really undesirable that we should be unable to carry out the disciplinary measures necessary and enforce the discipline necessary in the Police, because of the method of procedure in which we have to put that discipline forward. In that respect I consider the statement most unsatisfactory.

I would ask the hon. Chief Secretary at some time to give us clearly the intention of Government in how the discipline of the Police in future is going to be carried on.

MR. MADAN: Mr. Deputy Speaker, Sir, there is only one question I should like to ask. How does the hon. Chief Secretary justify the punishments that have been administered compared with punishments administered in the Courts to those who lose their arms? In some cases they are legally or technically guilty, but in most cases they are not to blame, yet they suffer more heavily than those in the case of Naivasha.

MR. SLADE: There is one point that struck me very forcibly on this statement we have had—that is, I think, that the first cause of the trouble as described in the statement was insufficient discipline and training, and yet we are told that no responsibility can be attached to anyone for that. We are well aware that insufficient discipline and training has been apparent throughout the Police Force during this Emergency, and previously I am afraid, and, if no one is going to accept responsibility for that state of affairs, we can never hope to see it improved.

MR. COOKE: I agree with every word said by the hon. Member for Rift Valley. I think the position is intolerable—that such an incident should have occurred which possibly—and probably has—prolonged the Emergency, and that the only action taken has been to admonish the people who were guilty.

When the hon. Member for Nairobi North went round the mountain with me last June, we found numerous cases where police stations—certainly up to a very short time before our arrival—had been most inadequately protected, so it does look as if right throughout the country there has been this inadequate protection, and it is only by the grace of God there were not more tragedies than

[Mr. Cooke]

There was one at Ngare Ndare and one at Naivasha, which put into the hands of the rebels so many important weapons of precision, very few of which have been recaptured.

I am entirely unconvinced by what the hon. Chief Secretary said about the Police suffering from tension. What about the suffering of the people of this country? They are suffering far more tension on account of the terrific blunder at Naivasha.

I do not believe we should allow this matter to stand as it is. There is bad discipline throughout the entire Government service, not only in the Police. I am going to draw attention to individual cases and, unless we take action in this case that lack of discipline will spread and spread until the whole service is affected.

MR. LITCHER: Mr. Deputy Speaker, Sir, I should like to ask a question: Although the look-out appeared to have been completed some two weeks before the raid, was it manned on this occasion? My information is that it was not manned.

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, if I might deal briefly with certain points:

In regard to the question of disciplinary action in respect of the Police Force by removing them from Colonial Regulations and placing them under a special Police Act, that particular matter will be considered in conjunction with the report of the Police Commission which has not yet been received. I should, however, Sir, point out that the gazetted ranks of the Police service are members of the unified Colonial Police Service, and that particular point will have to be considered in connexion with the point raised by the hon. Member for Rift Valley.

On the matter raised by the hon. Member Mr. Madan on the question of civil punishments, I should point out, Sir, that the report of the Commission of Inquiry did not clearly place overall blame on specific individual officers. In fact, in cases where blame was apportioned, the Commission specifically drew attention to the credit given to those officers in other respects. The point I am trying to make, Sir, is that where blame was apportioned, it was in a way on a

contributory basis and not specific. Presumably this was intentional on the part of the Commission.

On the matter of the look-out, Sir, it was not manned at the time. There had, in fact, been certain directions given in regard to watch towers, but there appeared to have been some misunderstanding about this, and, as I say, the watch tower was not manned at the time.

On the matter raised by the hon. Member for Aberdare, I think it was, Sir, the matter of insufficient discipline and training, the Commissioner drew specific attention in the report, as was mentioned in the Press Hand-out, to the difficulties resulting from the large expansion of the Police Force. He also mentioned that he was of the opinion that training had been included in the curriculum in so far as circumstances permitted.

#### PROCEDURE

##### RIISING TO A POINT OF EXPLANATION

THE DEPUTY SPEAKER: I believe Mr. Cooke has a matter on which he wishes to speak.

MR. COOKE: With your indulgence, Sir, and with the indulgence of the Council, I should like to draw attention to a practice which seems to be springing up in this Council. I refer to Members waiting until one hon. Member has completed his speech before they rise to a point of explanation. I think that is contrary both to the spirit and practice of the House of Commons. No less an authority than Sir Winston Churchill has said on more than one occasion that the value of debate is increased by swift interruptions and interjections. There are very good reasons for this practice in the House of Commons. I need only give two; one reason certainly is that the Member speaking may have misunderstood the argument of another Member, and he may be losing his way in his argument, so it would be to the advantage of this Council that time should not be lost in developing the argument which has been misunderstood. Therefore if an hon. Member has an opportunity to interject at that moment, and try to point out what the line of argument should be, he should do so.

It is, if I may give another point, Sir—I do not think any hon. Member of this

[Mr. Cooke]

Council would give way to sophistry, but it does pull up a man who is indulging in sophistical speaking and bring him down to ground level.

There is another point which is important in itself. If a Member waits until the end of another Member's speech, he has had time to think out a pretty good question to the hon. gentleman whom he is questioning, and he sort of develops, I think, *l'esprit d'escalier*, which means when a man is going down the stairs he thinks of a good answer. It is unfair to speak, because he is not allowed to—it is a ruling that Sir Henry Moore once made here that an hon. Member, once having sat down, is not allowed to stand up again and reply to any point brought out until the end of that speech.

For that reason, Sir, I crave your indulgence and give us advice as to what you think is the better procedure—to rise at the moment or wait until the hon. Member has completed his speech.

THE DEPUTY SPEAKER: I thank the hon. Member for raising this question. It is important that the subject should be clear in the minds of all hon. Members. We, in this Council, are under the guidance of our own Standing Rules and Orders, and Number 66 has a precise bearing upon this point. "A Member who has spoken to a Question may again be heard to explain himself with regard to some material part of his speech which has been misquoted or misunderstood, but he shall not introduce any new matter or interrupt any Member addressing the Chair". That is, if the Member addressing the Chair is not prepared to give way, the interrupting Member must keep quiet. There is no time limit laid down there for the explanation. The Rule does not say it must be during the speech of the Member addressing the Council and, as I read it, it may be after; but now, hon. Members, the question of the practice of the House of Commons has been raised, and we can only refer to the greatest authority, Mr. Erskine May, and here is a passage from page 428 of his great work on Parliamentary Practice—

"In the Commons, a Member who, during a debate, has spoken to a question may again be heard to offer

explanation of some material part of his speech which has been misunderstood; but he must not introduce new matter, or endeavour to strengthen by new arguments his former position, which he alleges to have been misunderstood, or to reply to other Members. Somewhat greater latitude is permitted in cases of personal explanation, where a Member's character or conduct has been impugned in debate.

Time for explanation: The proper time for explanation is at the conclusion of the speech which calls for it; but it is a common practice for the Member desiring to explain to rise immediately the statement is made to which his explanation is directed, when, if the Member in possession of the House gives way and resumes his seat, the explanation is at once received; but the explanation cannot then be offered, if the Member who is speaking declines to give way."

My view, therefore, is that a Member may, with the consent and acquiescence of the Member who is speaking, make a point of explanation, or he may defer his explanation until the close of the speech, but he must be governed strictly by our Standing Rules and Orders that it is only in a case where he has been misquoted or misunderstood that he may rise on a point of explanation; and then he must not introduce any new matter into the remarks he is making.

#### COMMITTEE OF SUPPLY

##### MOTION

That Mr. Deputy Speaker do now leave the Chair.

THE CHIEF SECRETARY: I beg to move that Mr. Deputy Speaker do now leave the Chair.

Mr. Deputy Speaker, Sir, Vote 2—2 deals with the Administration. In discussing the policy of the Administration it may be that it is more difficult than discussing the policy of any other department, in view of the fact that the Administration are concerned with all the policies of Government and all the policies of the various departments, whereas technical and professional departments are slightly more restricted in their purview.

[The Chief Secretary]

In that connexion, Sir, I should like to draw attention to the fact that administration becomes more and more complex. There is one definite thing that strikes me about changes which have taken place in the last few years or, shall we say, the last twenty to twenty-five years, and that is that whereas at one time a district commissioner and his district officers in the Administration were probably the only representatives of Government there, and had to concern themselves with all the activities which would normally be carried on—normally in these days—by representatives of the departments—while that was the position, the position now is that in most districts there are representatives of the various other technical branches of Government.

That is, whereas at one time the district commissioner acted more or less on his own, his function now is to co-ordinate and ensure the co-operation between all the various branches of Government in his district, and that is not always quite so simple as it may appear. I have heard it suggested, Sir, that there is less and less necessity for district officers these days because of the additional help and of the technical departments. That is not so, Sir, because the tempo of life has increased very considerably and, while paying the fullest tribute to all the professional and technical departments, it does mean that a greater degree of co-ordination is required.

We have previously discussed in this Council—and it was mentioned particularly a year ago—the matter of closer administration of African areas. With this is linked decentralization within districts. Much progress has been made during the last year, and it is the policy of Government that it should continue. In this, Sir, we have comparatively recently had a new phase. The first phase was the posting of district officers to divisions. Now we have gone somewhat further with the placing of temporary district officers in charge of the Kikuyu, Embu and Meru guard and, while their duties are primarily connected with those guards, it is a natural state of affairs that they have the opportunity for doing more general sort of work, which is the common lot of the Administration.

Now, in connexion with this in particular, I should like to take this

opportunity of saying that Government is anxious to ensure that in future a certain number of vacancies for administrative officers will be reserved for persons who have acted temporarily or on contract as district officers. (Applause.) I should say, Sir, that this has already occurred, and recommendations have been submitted to the Secretary of State for appointment to the Colonial Service in respect of persons who have been performing the duties of temporary district officers. It is hoped to extend that, Sir, and the field has been much enlarged by the appointment of temporary district officers in charge of Kikuyu, Embu and Meru guards. It is proposed, Sir, that such officers should be eligible to apply for appointment after they have done the contract on which they are engaged, and the great thing, Sir, is that they will have had the opportunity of proving themselves on the ground.

Suitable candidates whose applications are supported by the district commissioners or provincial commissioners, under whom they have served, will be interviewed by a local *ad hoc* commission which is already in being and which is empowered to make recommendations to the Governor for submission to the Secretary of State. I am quite sure, Sir, that we will find, to the advantage of all of us and of this country, some very suitable material amongst those persons. (Hear, hear.) (Applause.)

That leads me to another point, one of the great advantages of these people in many cases will be their knowledge of local languages, and I trust that knowledge—I am quite sure it is—is being improved from day to day while they are in their present jobs.

Just recently, Sir, we have made an alteration in the language examination regulations. This is designed to enable administrative officers to start learning a vernacular language at an earlier stage than was practicable before, having regard to the necessity for them to learn Kiswahili. Now the acquisition of a general knowledge of Kiswahili is undoubtedly of importance and the higher form of Kiswahili may be regarded as a vernacular in respect of the Coast Province, but Government does consider it of great importance for the purpose of closer administration that the vernacular languages should be learnt by

[The Chief Secretary]

officers—(Hear, hear)—and further consideration is being given to the means of encouragement to this end.

As I have said, Sir, it is not practicable to give an overall complete description of the Administration and all its activities. If I attempted to do so it would be tantamount to sitting down to write a book and it might also be that I might be accused of "filibustering" and so deny the opportunity to some of my colleagues of moving, in connexion with their own activities, a Motion similar to that now before the Council.

Sir, I beg to move.

THE MEMBER FOR FINANCE AND DEVELOPMENT seconded it.

Question proposed.

LADY SHAW (Ukamba): I do not want to talk in general terms on this Administration Vote, but I do want to mention one subject which is very close to my heart. That is the question of the pay and emoluments of the Headman and Sub-headmen in the Reserves.

It seems to me that at present they are paid a sum of money for which they cannot possibly be expected really to work—they can't be expected to regard it really as a living. At the same time, there are in their district people whom they well know are very much more highly paid with infinitely less responsibility and it is extremely difficult for them to control them as they are supposed to do. Pay and emoluments do give to a large number of people a sense of dignity and responsibility, and I feel to pay a Sub-headman Sh. 30 or Sh. 40 a month and expect him to control about 500 people or more—to pay a Headman rather less than is given to an African agricultural officer when he first goes into the Reserve is utterly wrong. In this country we must depend a great deal on the African personnel of our Civil Service. These people are the African personnel of our Civil Service, in many cases giving us great and responsible service. I feel the least we can do is to recognize their position by at least giving them a responsible, decent wage. I believe this is being looked into at the moment. I am so afraid when matters are being looked into they are going to be left far too long and looked

into for such a long time that at the end of that time everyone will be fed up and wonder if anything will be done. I am always reluctant, as the Council knows by this time, to move any questions of increase of expenditure at the time of the Estimates. It is only because I regard this as a matter not only of justice but of vital importance to this country that I raise it now, Sir.

MR. HARRIS: I feel the Council will agree that the Emergency has shown up many of the defects of the old-fashioned method of administration. Many of those defects have been put right in the last twelve or eighteen months but very much on an *ad hoc* basis, rather as though the Administration was all right before the Emergency and will be all right after it, but it wants pepping up during the Emergency. I believe these defects are permanent unless permanent measures are taken to put them right. As a result, Sir, of the exigencies of the Emergency, probably the most busy of the hon. Members on the other side—certainly one of the most busy—was put in charge of the movement of Kikuyu and the other matters arising from the movement of the Kikuyu from the settled areas. At the present time there is a Screening and Rehabilitation camp in Nairobi. I can tell you the disorganization in that camp has to be seen to be believed.

Now, Sir, the hon. Chief Secretary made a point that the job of the Administration is to co-ordinate. I believe there is a great lack in the administration services of the country at the present time and it is not a matter that will pass with the passing of the Emergency. I commend to Government the idea that all these odd duties that are at present being performed, particularly in connexion with the Kikuyu tribe, by the hon. Member for Health, Lands and Local Government, by Mr. Swinnerton, by Mr. Asquith, by the Prison Department, by the Police Department, and by nearly every department of Government, should have one person who is responsible for co-ordination. Time and time again the policy of Government has been altered during the Emergency because the administration machine is creaking and not only creaking but is nearly on a day-to-day basis. When you get administration on a day-to-day basis you get the policy developing on a day-to-day basis.

[Mr. Harris]

I would like, as I say, to commend to the Government the idea of having a Commissioner for Kikuyu Affairs who will be responsible to the hon. Chief Secretary and the hon. Member for African Affairs for all matters of co-ordination of the Kikuyu. I believe such a post would pay a dividend many, many years after the Emergency has finished.

MR. COOKE: The last speaker has referred to old-fashioned administration. I suppose I come under that castigation. I do not know if the hon. gentleman has been long enough in this country to really remember—realize old-fashioned administration. The old Administrators, of which I think the hon. Chief Native Commissioner was one, used to go amongst the people and spend most of their time with them instead of sitting in their offices immersed in files. This brings me to what the Chief Secretary has said about the necessity for spending a lot of time co-ordinating. I think he must have misunderstood the arguments launched from this side of the Council, time after time, the duty of an administrative officer.

Of course, their day-to-day work has been decreased immensely because they have not to go out now making roads, attending to medical services, acting as policemen, magistrates, collecting taxes. They have far more time to co-ordinate. Of course, they do not devote time to co-ordination, because they cannot see the wood for the trees, and a good deal of time is mis-spent. So I think it is far more important to choose Administration Officers very carefully. I think an Administrative Officer, a Number One, should be a man of quick, accurate decision, a man capable of delegating power. If he does not possess those qualities then he does not possess the power necessary for an Administrative Officer. As I have the honour of serving on this *ad hoc* committee, it is very interesting to notice that a good many of the local candidates who are coming forward have a good many of the necessary qualifications and a good many locally-born Kenya boys have been appointed during the last two or three years. That is not generally understood but it is a fact.

A boy who has just left school, who has not had further education, such as a

university gives, is not always the right man as an Administrative Officer, because he may have to deal with a lot of what one might call educated Africans—from the sense of book learning and that sort of thing—and unless he can compete successfully, he might be in a difficult position. But that would not in any way debar me from encouraging the appointment of locally-born suitable people.

A point I would like to raise—the hon. Member for Ukamba has made the point—I would like to draw attention to the pay of the African Assistant Administrative Officer. I think they only get £190 a year. That is less than the Government House butler gets and is not very much more than a sergeant of the police gets.

I do not think it is nearly enough for a man in that position. If I am correct—I notice the Chief Secretary looking at the Estimates.

MR. BLUNDELL: You are right.

MR. COOKE: Thank you! I would like to see the encouragement of the African, but I have noticed—I am going to draw the Chief Secretary's personal attention to this—I have noticed among Assistant Administrative Officers something that—truculence would not be the right word—but a complex of some sort. They are not as courteous to the public as I think they should be. I think it my duty to mention that a great many Assistant Administrative Officers are extremely dependable and extremely courteous—but they not all are. It may depend on the Administrative Officer and District Commissioner in charge. I think it should be his duty to see, for the sake of the Africans themselves, as much as anybody else, that his Assistant Administrative Officer shows courtesy to the general public, not only to Europeans but to his own African fellow countrymen in the first place.

There was just one point with regard to the vernacular. Everyone, of course, supports it, but it is not a complete cure. A man may speak the language like a machine and, indeed, some people I know, Administrative Officers who know two or three vernacular languages—but unless they have the gift of sympathy with the people with whom they are dealing, they may know all the languages in Kenya, and yet not get it across. It is not

[Mr. Cooke]

really a complete cure for the state of affairs, but I am sure that the Chief Secretary recognizes that as much as I do.

I think that District Commissioners today should be idle men just as I think the Chief Secretary should be.

THE CHIEF SECRETARY: Hear, hear!

MR. BLUNDELL: He is.

MR. COOKE: He works much too hard—I think Administrative Officers work much too hard on details. I think they should have much more time to think and plan, and get in touch with the people than at the present moment they seem to have.

I support the Motion.

MR. BLUNDELL: I only want to refer to one particular point under this Head—it is one we have raised from this side of the Council for a number of years, and I know the hon. Chief Secretary has taken certain steps to try and meet our point of view. It is the question of continuity of service of officers in the field.

Some time ago the Provincial Commissioner for the Rift Valley was unwise enough to ask me to visit the African District Councils in the Rift Valley Province. I did so, and the majority of the African District Councils and the Councillors asked me to use what influence I have to induce the Government to allow them to keep their Administrative Officers longer. I believe that is one of the lessons of the Emergency—it is the vital necessity of the continuity of officers in the field in their various provinces.

If that is not so, I would ask the Council how a movement such as *Mau Mau* was able to grow without the Administrative Officers in the field being very fully aware of it. In order to achieve that continuity, we have made certain changes—reported to the Council—over the question of leave for Administrative Officers. I think we want to go further. It is useless to ask officers to learn a vernacular language and immediately after they have learned the language in Nyanza, post them down to Kwaia. That is very often the distressing course of events that happens to officers.

On a point of the hon. Member for the Coast with regard to vernaculars. I would say that any man who could speak a

vernacular language to-day would immediately strike a chord of sympathy in the African. Nobody is going to learn a vernacular language unless he is really interested in the African people over whom he has administrative powers.

Now, Sir, if you are going to get this continuity of service I think we need a completely different approach. We have obviously not got to draw officers from the field to be S.S.'s or "Stoges in the Secretariat!" We have to do that, but that process has got to be limited as much as possible.

We have, also, to produce a system by which officers who really like field work can continue to do it, and feel they will not in the future be penalized.

Last year or the year before we suggested that we should have possibly a special scale for officers in the field who have completed or have elected to complete a certain period in individual provinces. And secondly, we need, I think, a pool of officers because the hon. Member for African Affairs now, very often has to move officers because he has no, as it were, fluid pool from which to draw replacements. I would ask the hon. Member for Finance and Development to consider that sympathetically. It will need an increase in the cadre of Administrative Officers and, therefore, additional expenditure, but I am certain that in the long run that money will come back, because we will get continuity of services. Therefore, we need two things—special terms will have to be worked out for officers who elect to stay in the field in the individual provinces or districts for a long period, and therefore forego the opportunity of showing that they can join the bright boys.

We shall, also, need a pool from which the Member for African Affairs can replace those who go on leave without shunting round the whole of the country. Very often when officers are moved, three or four shuntings have to take place to get the hole filled again.

The final point—I am in general agreement with the remark of the hon. Member for the Coast again—it applies to Assistant Administrative Officers. I would only say this; if we are going to raise their term of service, then I think we have to be quite straightforward about eliminating those who cannot do the job.

[Mr. Blundell] What we really want is better terms of service and keep the best man, and on that basis, we should, I am sure, support an improvement in their terms.

**THE DEPUTY SPEAKER:** It is now the time for the customary break. Business will be suspended for fifteen minutes.

*Council adjourned at Eleven o'clock and resumed at twenty minutes past Eleven o'clock.*

**THE DEPUTY SPEAKER:** The debate will proceed.

**DR. HASSAN:** Mr. Deputy Speaker, Sir, I rise to support the Motion.

The Administration Department that I have had the good luck to see for years in this country is absolutely perfect, and the set of Administrative Officers in this country need all the praise we can give them. I congratulate the Chief Secretary that we have such intelligent and really decent and good Administrative Officers in this country. What I want to say, at this moment, I would request the Chief Secretary that during this State of Emergency, for the time being, arrangements should be made that the Administrative Officers stationed at different stations should be left a little longer at their stations to carry on the useful work they have begun. Their quick transfers always cause a great deal of interference in the most valuable development work which they undertake.

The expansion of Administration services the department has effected the inclusion of Assistant District Officers from the African community. A number of those appointed in different parts of Kenya are doing some very useful work in helping and assisting the Administration, in bringing to their notice the problems of their own Africans which are not very easy for a European Administrative Officer to pick up at once.

Therefore, Sir, I would like to put up a further suggestion that there are large numbers of Asians in every district, in trade and such other businesses, and their problems are always a great headache to Administrative Officers, and with the view to helping and assisting him it appears to be essential that these services of the Administration should also

be extended to the Asian community. (Hear, hear.) Now, Sir, a very large, overwhelming majority of our Asians are quite satisfied with commerce and industry, but I represent a community which, unfortunately, is not very well in commerce and industry, and it is necessary that openings in the Government services—in helping and assisting the Administration Department—the services of Administration should be extended to include them. Now that we are trying to find out ways and means by which all communities should be brought nearer to each other and I have found out, from experience, that the presence of such assistance as Assistant District Officers will not only help Asians in that district, but, at the same time, will bring about that assistance of bringing people of all communities together.

I support the Motion.

**MR. MACROCHIE-WELWOOD:** I only want to mention briefly one point and ask a question on it. It has been raised from this side of the Council that Assistant African Administrative Officers start at too low a scale. I would like in his reply if the hon. Member could make it clear as to whether these Assistant District Officers are, in fact, as it were, cadets and therefore this is a small starting salary, small because they are learning their job. I say that because, personally, I would much rather see a rise at the latter end of the scale when a man has proved himself, than a rise at the beginning when he is still a young man and still has to prove himself.

The only other point I would re-emphasize is the importance of not moving Administrative Officers from the tribe they have got to know. This matter has been raised in Council, to my knowledge, for the last four years. Perhaps now the Emergency has taken place—partly as a result of this—Government will remember it. I can remember the last Secretary of State but one saying that he had formed the opinion that they should not be moved as rapidly as they are. Nevertheless, they have been moved, and we have the Emergency.

**MR. RIDDOCH:** Mr. Deputy Speaker, I would like to make a few observations arising out of the remarks made by the

[Mr. Riddoch] previous speakers. The hon. Member in his address drew attention, and very necessarily so, to the vast amount of work that now falls to the lot of D.C.s, especially in large districts as opposed to the kind of work they would have had to do 25 or 30 years ago. Now, the hon. Member for the Coast referred to this, but he said, too, that he thought D.C.s to-day applied themselves far too much to detail. He said a lot of the old duties carried out formerly should be taken off his shoulders by means of more staff generally and specialized staff in particular, but I do not agree with what he said in regard to the duties of a District Commissioner. I have been, although I may term myself an adventurer, in very close contact with the Administration in all parts of Nyanza over the past thirty odd years. I can say, without risk of contradiction, that a District Commissioner in spite of his assistants, he has far more work to do to-day than ever before. Well, Sir, what Mr. Cooke said may be quite true up to a point, but what I am getting at is this, that whereas District Commissioners at the present time are usually men of very considerable experience; they have usually put in quite a long length of service, yet the fact is to-day that their immediate assistants, the District Officers, are not experienced enough to be able to allow them to delegate things to the extent they wish to do. What I would state is that a District Commissioner should have time on hand, he should be able to sit back, not immerse himself in detail but go round his district, be able to co-ordinate without undue pressure. Yet he cannot do so until he has at least got an efficient number two to whom he can delegate the more responsible sections of his duties. I wish to stress that there is a lack of sufficient number twos, especially in larger districts, to enable District Commissioners to delegate work in the way in which it should be done.

But having said that, Sir, I do not want to appear to criticize the younger members of the Administration. Indeed, they are learning their part, and time must be given to them to become, in due course, efficient members of the Administration. It is really part of the legacy of the war, and I have no doubt in time

the position will be eased, but there is that immediate urgency in finding new number twos. Could I say here, Sir, that in my experience, could I say I have formed a very high opinion of the type of officer who goes into the Administration in this country. I would wish to pay a great tribute to that body of men. Too little is known of what takes place in the African land units by all communities who do not live there or near them, but not only Administrative Officers, I must also include all those other members of different departments who are closely associated with the Administration in African areas.

There is another point raised by the hon. Member for Rift Valley: I did agree with him most heartily in what he said, about continuity. I do not think that can be rubbed in hard enough or often enough. In the old days the District Commissioner was the kingpin of the district. Everything revolved around him personally. He had not got much work to do, or it was the kind of work which took him out into the district much more often than he goes now. That must be admitted. He was not moved around so often so that, in time, he was not only respected as a representative of the Government—the Queen's representative he would be to-day—but accepted as a personality. It was that acceptance as a personality which made his influence so much felt.

Now, Sir, with the constant changes that take place to-day there is not time given to District Commissioners and, indeed, I would like to include members of other departments, especially the Agricultural Department, there is simply not time because of this constant changing to allow them being accepted as personalities. Now, Sir, until things are put right in that direction, I feel that it is a great flaw and cause of severe criticism in our Administration to-day.

The hon. Member for the Rift Valley went on to say that he recommended, of course, as many other Members on that side of Council had done on frequent occasions, if a District Officer wished to remain in an African area he should be able to do so. With that I completely concur, but I will go a little bit further. I would suggest as a solution that when an officer has done, say, ten years of service, he should be given a choice

[Mr. Riddoch]

of remaining as a District Commissioner with a District Commissioner post as an objective, with possibly that of Provincial Commissioner as an extra objective. He should be given that choice or seek his fortunes in another direction, that is, through the Secretariat or elsewhere where trained men in administration are needed.

Now, Sir, that cannot be, even if one granted that proposal, unless—it is most necessary to see, as I think the hon. Member for Rift Valley did emphasize, that there must be a special scale of emoluments for people who are going in for such a career. They should be completely adequate to compensate them as against what they might have got if they had gone to the Secretariat, where they might find themselves heads of departments outside the Administration, but not only is it necessary to compensate them in that way for lack of promotion in another direction, it is necessary to compensate them for varying climatic conditions in which they might find themselves, if we are going to get the right kind of people in the right places. It is not possible that they can all live in very healthy stations. Therefore, that is an important point to bear in mind as well as compensation for promotion.

Not only that, Sir, I feel that where good work is done by a District Commissioner or other members of other departments, recognition of that good work might be better recognized than has been done hitherto. I would like to see a knighthood given to a District Commissioner. It is my contention that his career is as good as any other one. I would like to see it made possible, Sir, and if that were done, if something on the lines of the hon. Member for Rift Valley has mentioned, together with a pool of officers which is certainly necessary to enable that continuity to be achieved, then, Sir, I think a great advancement would take place. I repeat that it is not only the Administrative Officers I wish to refer to—I wish to refer to all senior members at any rate of other departments, the results of whose good work are being undermined by constant changes of people who have been suddenly transferred.

MRS. SHAW (Nyanza): Mr. Deputy Speaker, I would very much like to take the opportunity of paying very high tribute to the administrative officers I have come across, in the Province of Nyanza. Nyanza has been very highly developed in its African areas, in fact, I would go so far as to say that Kipsigis Reserve through which I have to pass every time I go to my home is the model Reserve of Kenya. That is entirely due, I think, to the services of the agricultural officer and the Veterinary Department.

I would also like to agree with my hon. friend, Mr. Riddoch, when he says that it is very important to say that district commissioners and administrative officers should not be moved so that they become personalities by staying a long enough time and are known not only to the African population but to the European population in those areas.

We unfortunately lost a great friend in our district commissioner a short time ago, who had been for six years in the Kericho area; he had come to know all the local tribes including the settlers, and he was loved and respected by them all. (Laughter.) He spoke Kipsigis and was particularly interested in and trusted by that tribe. He is now performing very useful duties in another sphere, where he is not so happy and we would have liked to see him stay in our Province which really he regards as his spiritual home, if not his actual home.

I do not agree with my hon. friend, Mr. Riddoch, when he says that the calibre of Number 2's are not up to the stature of the district commissioners.

MR. RIDDOCH: Did I understand you to say that the standard of Number 2's are not up to the required standard?

MRS. SHAW: Are not up to those of the district commissioner.

I would merely like to make my point that in dealing with the district officers which I often have to do because the district commissioner is often out on *safari* as he should be, I have found the district officer, the Number 2 has been absolutely first-class, the Number 2's with whom I have had to deal have been extremely knowledgeable.

MR. RIDDOCH: I am afraid I was misunderstood by the hon. and gracious lady; I did not mean to imply that

[Mr. Riddoch]

Number 2's were not up to the standard, but there are not sufficient of them. A Number 2 to a district commissioner should be a man of considerable experience, he must have that experience to qualify as Number 2, all I tried to convey was that there were not a sufficient number of them in that calibre.

MRS. SHAW: I am very glad to hear that. In dealing with Number 2's which I often have to, I have found them first class and able to carry on in the absence of the district commissioner in the area in which I live; that I wanted to make clear but I do beg the Chief Secretary in common with other Members on this side of Council to give us assurance that in future the district officers and administrative officers will not be moved round at the same rapid rate they have been in the past. It is tremendously discouraging, in fact, there is no use in any district officer learning the local language, no sooner does he, than he is sent to another part of Kenya where it is neither understood nor spoken. I think it is important that all district officers serving in the Provinces should attempt to know the language of the people amongst whom they serve. I think, at the moment, the rate of "shunting", I think that is the word the hon. Member for Rift Valley used, in progress, it really does discourage them; they do not feel it is worthwhile learning the local language, because the moment they have, they will be moved to other parts of the Colony.

MR. CROSSKILL (Mau): Mr. Deputy Speaker, this question of overwork in the increasing tempo of to-day is a great problem which deserves very great consideration. I think all departments will find themselves up against it. I think it is one that can be solved if we examine how the higher executive in business conduct their affairs. I do not agree that this delegation should be to a district commissioner's Number 2; I think there should be some chain by which we could delegate to the specialists who might only be clerks; each one of these specialists would be concerned with tax method, legal matters or other affairs of daily business of the district commissioners and district officers. I do not think we should delegate to Number 2's because Number 2's like the district commis-

sioner, should be a Jack of all trades; he should be responsible for every facet of the work of the administrative officers. I believe that most district commissioners now are too conscientious and try to take on too much. I think that if a directive were sent round to administrative officers—I believe that the hon. Mr. Riddoch and the hon. Member for Commerce and Industry might give assistance in formulating this directive—district commissioners and district officers might be taught to work on the line in which high executives in business now do their work. I think it will be found that most of these high executives are able to deal with day-to-day routine work, checking up on subordinates in the first hour of the day's work and after that they are able to engage their minds more on policy, and in regard to the district commissioners, on *safari* work.

I recommend that to the Council; that a directive on those lines might be considered.

MR. MATHU: Mr. Deputy Speaker, Sir, I would like to take this opportunity, Sir, to throw some bouquets to the whole Administration of this Colony. I refer to the district commissioners, the district officers, chiefs, headmen and all members of the district teams, as well as members of the provincial teams. I think that had it not been for the very hard work that these men are doing in the African areas, our progress would not have reached where it has reached to-day. I would like to place that on record, Sir. (Hear, hear.)

In doing so, I should like to make some observations about the whole setup. The first thing I would like to say, Sir, is that we have talked in this Council about the importance of harmonious relationship between the communities that live here. All of us agree that it is very essential. I do not think there is one field of the activities of Government in which it is so important as in the field of Administration. It is there that all the racial groups meet together; they deal with the day to day problems together; in fact, you cannot avoid the faces of the different groups at district level. I, therefore, think, Sir, that those working in the districts should not lose the opportunity of cultivating the friendships which are absolutely essential



[Mr. Mathu] for the future development of this country. There could be no other area of Government activity where such great harm can be done for harmonious racial relationships in the Colony more than in the field of administration; on the other hand, there is no other area where there is such a number of opportunities to develop these friendships which are so essential for our well-being in this Colony as a multi-racial community.

In that respect, I would like to say that I agree with the previous speakers—indeed with the hon. Mover—that non-African workers, officers in those areas should learn the vernacular of the areas in which they work. There is nothing that the African appreciates more than when he sees a foreigner, a person not of his own community, speaking his mother tongue. There is nothing that wins his confidence more quickly than that. That is why I stress that, in addition to *Swahili*—I think every European officer has to pass a *Swahili* examination—in addition to that, I do think, Sir, that the vernacular is of even greater importance, because it brings the particular officers very close to the people—the women and children and the elderly gentlemen who never get out of the reserves—they do not know any *Swahili* and they are, I think, more important than the fellows able to speak *Swahili* because they are the solid foundations of the African community. That is why I suggest that the district officer who speaks a vernacular can get very great confidence from such people.

A further point, Sir, on this question of creating a very happy relationship is the question of courtesy. As previous Members have mentioned courtesy in relation to African administrative officers, I would say we want courtesy from all public servants of all races. If an African administrative officer is working under a European officer who has bullying tendencies, then he will copy him, naturally, and therefore bully some of the fellows over whom he is working. Therefore the most important person is the man on top, to give the example to the men with whom he is working. I, therefore, suggest that courtesy is due from all persons and not any particular section of the community.

Moving from that, I would like to support the point raised by the hon. and gracious lady, the hon. Member for Ukamba, in regard to pay and emoluments of sub-headmen and headmen.

MRS SHAW: Nyanza!

MR. MATHU: Ukamba, but supported by the hon. Lady for Nyanza. I would say that they are very important men, important links in the successful administration of our country. They are very close to the people, they deal with the smaller areas, and smaller communities, therefore they can influence them more—either for good or ill. I would like to suggest, Sir, that good character is absolutely vital for such men and I suggest that good character is not encouraged by poor pay. As I say, like other speakers, we do not want an increase in expenditure, but I think these men deserve more than they are getting at the present moment, in order to keep their position in the areas they help to administer. It is a very important matter.

I would like to say that the chiefs should not be left out of consideration in matters of this kind. They have greater responsibility and must keep up their positions in the divisions which they are administering and I think their pay and emoluments should also be looked into.

The next point—as far as staff is concerned—I make my remarks in regard to the African administrative officers. We have in this Council represented that we would like to see very clearly the future of the African administrative officer. We know the set-up; there is the district commissioner on top; there may be district officers Nos. 1, 2, 3 and even 4. Usually the African administrative officer has no number at all! He does not seem to be in line in the vista of the others at all. We would like to know what is his position. What is his responsibility? Because as I say, he is not one of the links in the Administration and I would like to suggest that my hon. friend, the Chief Secretary, when replying, should tell us exactly where these men stand.

Further, what is his future? What is he aspiring to? Is he aspiring to be a district commissioner in charge of a district, or is he not? Or is he, as I have often said in this Council, a glorified clerk? In fact, a clerk has some future,

[Mr. Mathu] because he can become a director of establishments. Where are these men leading to? If the sky is the limit, when is he coming nearer the sky? I would like to see a man who has proved himself—like my hon. friend, Mr. Okwirry on the other side, who has a distinguished military career and is a distinguished administrative officer—what is he looking up to? A blind alley, as far as I know, because he has no hope to become the District Commissioner of South Nyanza or District Commissioner of Taveta for that matter. It is a very vital psychological point. If the African is to be associated with the administration of this country, as he must be, we should make his way very clear. He is human, like everybody else. My hon. friend, Mr. Riddoch, spoke very highly of the district commissioners and suggested that they should be given considerable recognition—a knighthood. What about my African colleagues? The hon. Member for Rift Valley sees in them inefficiency and wants them to be eliminated. What about the inefficiency of the other communities? Do you mean to say it does not exist? Therefore, I would like to urge this Government to make the Emergency as an opportunity to create outlets for men who are going to be associated with the Administration and help with the work of this country and, where they have the opportunity, in the Administration. They have not to learn any language; they know it. They have not to have any leave terms, going abroad; they are here. There are no expenses of that kind and therefore we have an opportunity here.

The hon. Chief Secretary knows that in another quarter I have advocated that in appointing temporary district officers, in charge of the Kikuyu, Embu and Meru Guards, there should be African lieutenants; those men of very great character, to work very closely with them, the temporary district officers, to help us in the Emergency. I have succeeded to a certain degree but not as much as I would have liked. It is those things which the African is watching. He may not be very vocal but he is watching very carefully this square deal the European is giving him and if that does not happen, he says, "Where am I?" He becomes frustrated. I suggest that we

have the opportunity here, a remedy without very much public expenditure.

I say this because the European Members are very interested in this matter—before I spoke, nine of them have already spoken which shows the European Members have some interest in this matter. It would help a great deal if they would consider supporting the views which we are expressing in regard to this matter.

One final word, Sir, I would like to comment on what other previous speakers have said. That is the question of continuity. It is very essential that the District Commissioner should stay sufficiently long in a district to know the people and know the conditions and know peoples' wishes and so on, if he is to co-ordinate the work on a district level basis. It is a point that is not new; it has been raised many times before. I think I have always been a supporter of that idea. On the other hand, I do not think we can hamstring the hand of Government, if they think an officer is more suitable elsewhere, to move him to that place—that, I am sure—is not the suggestion; they should have a free hand, having always in the back of their own mind that if they could give an officer greater continuity in a district, if he is proved to be suitable, that it is to the benefit of the people which he is administering.

I support the Motion. (Applause.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, there are one or two points I would like to deal with that have been raised in this debate. One is a point in which I have a special and personal interest. I think some hon. Members have not, in fact, looked at the Estimates very much in detail. Quite a number of hon. Members have, for instance, talked about African Administrative Officers. Now, if hon. Members have looked at the Estimates, they will see that this year no such post is shown. The posts are shown as Assistant District Officers. They will notice a little "g" in the far right-hand column entitled "Notes" which, if they will refer to page 6, should read "change in designation"—it reads "change in destination". I hope it will be the correct one.

MR. MATHU: May I suggest that in dealing with that we look at the scale.

(Mr. Mathu)

No other community starts at £190 a year. So the "Assistant" word does not deceive us as to the actual meaning of the word.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** That was a point I was coming to, the hon. Member has anticipated it a little bit. The hon. Member is well aware that this year Government has moved quite a number of people from the scale "C" to "B", and from "B" to "A", showing thereby that it is the intention that the words merit and ability shall not be merely a phrase of high-sounding virtue used in Council but shall be an actuality. (Hear, hear.) The hon. Member will, if he goes through the Estimates, notice that for the first time in the history of the Colony, certainly within my memory, there is no mention of racial difference in these posts, except where it has been unavoidable. The intention and implication, I think, is to show that the already partly carried out operation of allowing a move up the various scales on the grounds of merit and ability shall be continued as outstanding cases come to the notice of Government. I think it is a pity that this has not been noticed before because the Estimates do reflect the policy and intention of Government. I hope my hon. friend will recognize that point.

Now, Sir, the hon. Member for Mau dealt with the question of delegating down to specialist clerks. Sometimes when I listen, Sir, to the hon. Members on the other side of Council saying, "We said this and this", I go back to occasions when, shall we say, other things were said. For instance, when the Government put forward a proposal that specialist officers should be developed in African areas as community development officers in order to specialize in certain aspects of African life, if I remember rightly, it was not a Government vote that removed them from the Estimates but the combined vote. I think, of all hon. Members opposite, I think these things can operate in both ways when we start to look at the past record on these matters. It is unnecessary to develop that theme further at the present moment.

I should also like to deal with the question of specialists. I agree that in a very large business with a very large

turnover a series of specialists can be afforded, but unfortunately we are not a very large business with a very large turnover. We cannot afford to have so many specialists in our service at the moment. We have to make demands, at times unreasonable, on our officers to cover a large number of subjects for the simple fact that we have not the money to afford to have specialists for every part of our operation.

The hon. Member for Rift Valley asked if I would look into the question of a pool of officers. Of course, one will always look into a question of a pool of officers but it is a matter of money, it is a matter of availability. I think he is well aware that the Government, only this year, has put forward a scheme whereby continuity in the districts can be obtained for a much longer period of time if the officer will exercise an option to vary his terms of service, particularly with regard to leave, but, of course, we have contractual obligations to officers; we cannot impose on officers a change in the terms of their agreement, that must be a dual arrangement. But Government has taken steps in this respect and will, of course, continue to review the position in so far as the financial side is concerned; but I must point out that we must approach additional expenditure with very great care. From time to time this Council has heard the rumblings of the finance branch saying "Be careful, be careful, money must count". I think the hon. Member—

**MR. CROSSKILL:** I am grateful to the hon. Member for giving way, I was unable to catch his eye when he was talking about my criticism of the delegation of responsibility. I cannot agree that we cannot afford—

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Is this a point of explanation? I do not mind giving way on a point of explanation, but this is the type of thing that sometimes we can go wrong on. The hon. Member is not saying I misquoted him, he is now saying he cannot agree, with something I have said.

**MR. CROSSKILL:** I can say he misunderstood me; I did suggest that delegation should be down to the lowest level of clerks or even specialist office boys.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** The hon. Member said specialists in tax, specialists in legal affairs; even in getting down to the clerical level we have not the money to afford specialist clerks. Our clerks have to be "all-weather" clerks, capable of doing all sorts of work.

The hon. Member, Mr. Riddoch, Sir, raised a point in which I feel there is a great deal for consideration. He raised a point of offering, at a certain period in the career of an officer of Government, the choice between going on in the field and going on in what I would call the Central Government side. Now, Sir, the hon. Member for Rift Valley, in that jocular manner of his, very often refers to people working in the Secretariat as "bright boys", sometimes in a semi-sneering fashion. I think the hon. Member said "Secretariat stooges"; if Secretariat stooges can be turned into a compliment, then my knowledge of the English language has gone wrong somewhere! (Hear, hear.)

**MR. BLUNDELL:** It is not derogatory.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** With all due respect, the policy of Government is formed at the centre and the policy and continuity at the centre is as important as outside. It is therefore unwise, I think, not to appreciate the work of those who serve, and the junior officers in central government, who have to carry out this continuity of policy.

I think Mr. Riddoch is right because he touched on something this Council should be considering as, indeed, Government is considering at the present moment. I would delay Council for a moment or two whilst I explain it. When you are developing, as we are, a ministerial system, the need for specialist officers grows day by day. Where you have a system of change at the top, as so often happens, the continuity will depend on the second and third layer. When—take the Ministry of Education—it becomes obvious, with the complicated educational problems of a country of this kind, it is important there shall be a specialist in education, in the Ministry of Education, in order that continuity of knowledge may always be available in so far as policy is concerned.

There I disagree on a slight scale with Mr. Riddoch—only a slight scale—I believe it is at an earlier point a man should be given the choice as to whether he is going to stay in the central government sphere to specialize in education, local government, or finance, or whether he is going to take a career in the field in which the top of his ambition may well be the post of Provincial Commissioner. Having agreed that that branching off is essential, the hon. Mr. Riddoch and myself do agree, it is only a question that I think it should be a little earlier than that, I agree that there should be no difference in the possibility of reward because it is important that the good and ambitious man, and it is right that men should be ambitious, that the good ambitious man should have the possibility of equal reward, choosing the work he likes and loves and which he, therefore, is likely to do at a much higher lever of efficiency, with much better results, either in the specialist field of central government or in the field where human work must be carried on. (Applause.)

**MR. COYLE:** I only wish to take up one point raised by Mr. Mathu. In doing so, may I digress slightly by saying that at one time I also claimed to represent another group of constituents who are not so dumb, those are the fellows born and educated in this country. For quite a time it seemed very difficult for those fellows to get into any senior position in the Government service; there were quite definite physical barriers. To-day I believe that position has changed. There are various people I know who have entered the Administration and I think they are doing very well. I believe that I could stand here, perhaps with less dramatic force than Mr. Mathu, and say what is the outlet for those people, where are they going to? Quite frankly, it depends on themselves. If they can make the grade and discharge their duties ably, I can see no limit to where they can go. Therefore the answer lies with themselves. In this vein I would like to challenge the African Members on this side of Council—when are we going to hear them get up and for once express a word of praise for what has been done for them? Also, I would like to challenge the African Members on the other side of Council and ask if they

[Mr. Cowie] can say, as I can say, that I am very grateful for the opportunities that have been provided for Kenya youths? I am one of them, and I am grateful for that. Their endeavour lies only within themselves. Whatever they do and can achieve is their own affair. I commend that to Mr. Mathu as being the limit he wishes to have defined.

Sir, I beg to support.

MR. OHANGA: Mr. Deputy Speaker, before the principal officers of Government reply I would like to make a few observations on matters that have been raised on both the Government side and this side.

The first, if I understood him correctly, the Member said that the entry into district officer posts would be reserved to people who are now working as temporary district officers. Now, if that is correct, Sir, then I should like to express a hope that those words do not mean exactly what they say, because if they did, it would be unfortunate. It would mean that the people who are still styled otherwise, but are being given experience in the Administration will never have a chance of getting there because they are not temporary district officers—I refer to assistant district officers.

THE CHIEF SECRETARY: I did not say that all vacancies would be reserved. I said that a number of vacancies would be reserved for suitable candidates forthcoming. I merely said a number, not all.

MR. OHANGA: I am grateful to the hon. Member for the explanation. That, then, does leave some scope for the consideration of African people who are now engaged with Administration practice.

The next point I want to make observation on is in regard to language. I think the main reason for the advocacy of keeping district officers longer in one province or one administrative unit is to allow them to learn the language. Now may I say that in addition to language, there are other things that also count and count just as much as that. I refer, of course, to customs and the general way of life of the people which, just by learning the language only, you may not know. As has already been said by Mr. Mathu, it is true that the longer an

officer stays among an African group, the more he knows them, the more they learn to like him, the more he learns to understand them and they to understand him and it is this mutual understanding on both sides that brings the general ease with which the administrative machinery should be run. I would like to see, quite apart from emphasis being laid on the language, these officers should be encouraged to understand the people by means of learning their customs also.

I would like to make a few observations also on the statement which was made by the hon. Member for Uasin Gishu, who does not appear to be in his seat now. He said that he would like to see among the assistant district officers, which means the Africans only now, steps being taken to eliminate those who are not making good progress. Well, I am quite sure that in any administrative set-up or any set-up of officers that principle should always be observed. If an officer is not making headway and has no chance at all of going on, surely he should be given the opportunity of withdrawing at a very early date in order to get into another career. But there is one thing the hon. Member forgot when advocating the elimination of deliberately inefficient—the elevation of the better ones which is a very, very necessary point which he should have made at the same time.

It is on that one that I want to make a few observations. As Mr. Mathu has said, it was in 1949 when I put in a question in this Council and received an answer from the then Deputy Chief Secretary that as regards the African assistant administrative officers, as they were then called, the sky was the limit. We now have lived to see many other limits apart from the sky and we would like to see some of these limits exceeded. We have in the field now about 20 assistant district officers and I would like to make a specific suggestion that a very careful survey be made among the 20 and find a number who will have to drop the objectionable "A" which Africans must carry all their lives. In Government service let us have district officers who are black—no "A's" whatsoever. Call them district officers if they are fit to go on, if not, drop them. I would like the assurance

[Mr. Ohanga] of Government, Sir, that that will be done because otherwise what do we have? Frustration and no hope in them. Any hopeless officer, of course, has to be a hopeless man. What else can he be?

Having made that point, Sir, I would like to say that as regards district commissioners and district officers, an African perhaps will take a much longer time when he joins the Administration to become a district commissioner than would, perhaps, a European cadet. Although I may be ambitious for my own people, I might not to-day suggest that we have an African district commissioner tomorrow, but a district officer, an office which is given even to a young man from college straight away, ought to be within the reach of some of these experienced senior assistant district officers who have been doing and know the work they are doing and know the people, the customs and all the requirements we like to see in a good district commissioner or a district officer. I suggest that a district officer should be considered right now and created. A district commissioner will take some time, but not that one.

Mr. Deputy Speaker, I beg to support.

MR. USHER: Mr. Deputy Speaker, I have one short point, Sir, I think perhaps I ought to apologize to Government for not having mentioned I was very pleased to see that for Nairobi there has been created an extra-provincial district. The advantages of that are very manifest, particularly when one considers where the Provincial Commissioner lives. There are, of course, other advantages. That, Sir, is a reversion to an older state of affairs in Administration and a state of affairs which, in fact, appertained also in Mombasa.

Now, Sir, it is the case, I think, that the District Commissioner of an urban area is something of a specialist. What I want to ask is whether consideration has been given to the removal, from the province of provincial administration, of Mombasa district. I can see very great advantages in it. The District Commissioner is occupied with affairs other than those of general administration which

must occupy the Provincial Commissioner and if that were done it is clear to me that the Provincial Commissioner would have more time to attend to the affairs of the province and to get about the province. I am not complaining that he does not do so, he does so most admirably, but I feel it is a system which might well be considered and if it has been considered, I would like to know with what result.

I would like to end, by the way, by saying that I have not been moved by anybody at all recently to bring this matter before the Council.

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, Sir, I particularly welcome the many bouquets that have been given to the work of the Provincial Administration because I also particularly know how much they deserve this appreciation of the work they are doing.

Practically every speaker has touched on the vital importance of continuity of Government staff in the districts. This has been with particular reference to District Commissioners and District Officers but I also maintain that the same thing, of course, applies to the majority of departmental officers. I would like to assure hon. Members that, in considering the postings list for the Administration, which is one of my duties, the first consideration I have in mind is to maintain this continuity, but I would assure them that it is not always easy. There are a good many other matters apart from continuity that have to be considered: inevitable things like sickness, leave, difficulties of trying to fit service under conditions of the Northern Frontier into ordinary conditions affecting administrative staff in other districts. That is to say, in more unhealthy stations certain officers have periodically to be . . .

I do fully agree with the hon. Mr. Riddoch, in his comments on the importance of the number twos, as he described them, in the districts, because I feel that more and more we must develop them as virtually interchangeable with District Commissioners, that they should be regarded, virtually, as Deputy District Commissioners and, as Members will know, under our new system of developing a short leave with

[The Member for African Affairs] a short tour we hope to be able to send a District Commissioner on leave for, say, three months, rather than six or seven months and replace him by a number two or Deputy District Commissioner. I believe that that, as it comes into full operation, will ease one of the greatest problems in the consideration of posting.

I also agree with the hon. Mr. Riddeoh and, I think, certain other speakers, who indicated, which is my view, that it is extremely important to maintain officers in the field; that they should not feel that to get promotion they must go off on to other lines or creep up through the ladder of the Secretariat. This was, in my young days, a standing joke among the field officers in the Administration; it did, in fact, happen. I would like to assure hon. Members that every effort is now being made to correct this situation. I know that the Government's view now is that for a member of the Provincial Administration, a District Officer, it should be clear that his promotion will be dictated by his success as a field officer; if he is a failure as a District Officer or a District Commissioner he should have little hope of promotion in other fields.

It is still necessary, Sir, I think to review the financial implications of field officers and I trust that if the suggestion that we have made to the Salaries Commission is accepted for regrading and altering the scale of salaries within the Provincial Administration, giving a bias to field services, I feel that Members opposite will bear this in mind and give it some favourable consideration.

MR. BLUNDELL: It is not us, it is the Member for Finance!

THE MEMBER FOR AFRICAN AFFAIRS: The hon. Member for Mombasa raised the question of Mombasa district. So far, we have not given the matter consideration. I will assure the hon. Member that I will discuss it with the Provincial Commissioner and study the various pros and cons. I would also welcome the opportunity of discussing it with him.

MR. USILA: Thank you.

THE MEMBER FOR AFRICAN AFFAIRS: The hon. Member for Ukamba raised the question of the pay of sub-headmen which is now under consideration. About a year and a half ago considerable alterations were approved for the pay of chiefs and it is the view of the Provincial Commissioners who are now studying the matter that the time has come to improve the conditions for sub-headmen. Always provided that at the same time, we review the situation with a view to weeding out a number of those who may be regarded as redundant. Conditions do vary between districts; in a large number of districts there are a large number of tribal retainers, local elders under some indigenous system, who have virtually been hangers-on. If one is going to review a considerable rise in pay, they will also have to face a considerable weeding out in regard to their efficiency or place in the scheme of Government.

With regard to Assistant District Officers, the African members of the Government Administration staff who have been referred to. I think that Members should appreciate that these officers have been in the nature of an experiment for the last few years. They have been given promotion within their scales of service—as a large number of them—I say confidently, that the majority of them have been proving themselves a great success. (Hear, hear.) I would like to say this, that I am quite certain that, at this stage a large number of them, successful though they may have been, would not feel they are competent or have reached the stage at which they could take over a Nyanza district.

MR. MATHU: Taveta?

THE MEMBER FOR AFRICAN AFFAIRS: Although I would agree that, in due course, there is no question but that we will see an African District Commissioner and it will start in a small district, but I say at a certain stage of development, with merit and ability; I cannot say that now—with their qualifications, good though the Assistant District Officers are, that they have reached that stage.

Sir, I beg to support.

MR. NATHOO: Mr. Deputy Speaker, Sir, in the first place, I would like to thank the hon. Member for Finance for

[Mr. Nathoo] doing away with the qualification of various races in the Estimates but I hope, Sir, the practice will be followed up in administration by, shall I say, advertisements in the paper, not that "a stenographer is required, European"; but that "a stenographer is required, Scale A" and if an African or an Asian is capable of filling that place, he should be allowed to do so.

Whenever the hon. Colonel Cowie stands up to speak, we listen to him with great interest and generally, Sir, the things he says meet with our approval but, Sir, I would be failing my community—and I am sure I am speaking for other non-European communities—if we allowed his statement to go unchallenged.

I would like to ask him and Members of this Council whether they can honestly say that if a man is capable, irrespective of his colour, he is being given every opportunity of obtaining the highest possible posts with his qualifications?

I would like to say that we do appreciate that a lot has been done in this country, a lot is being done in the country to promote better relationships, to promote people of various races to obtain posts within their capacity, but to say that so far anything of that sort has been done is beyond the truth; it is not the type of thing the hon. Member generally says.

Sir, I beg to support.

MR. OKWIRRY (Nominated Member): Mr. Deputy Speaker, Sir, I have been challenged, that is why I am on my feet. However, it is very difficult for one to speak for himself, but there are a few points I would like to touch on.

Firstly, I would like to say what the district commissioners in the reserves have been up to lately, they have been transferred so frequently that they leave their districts without knowing, or having knowledge of the people they are administering. That is very dangerous in administration. The district commissioners should stay longer in their districts and get to know each and every corner in the reserves.

Secondly, I would like to touch on chiefs' pay. It is really very important. In the reserves the Africans look at the highest paid man—the one who is

highest paid—as the boss, and in order to increase the prestige of these chiefs in the reserve amongst the African public, they should be given adequate pay. (Hear, hear.) If you compare the pay of a chief in the neighbouring Territories, you will find that the chiefs in Kenya get only a quarter of those chiefs' pay. It is really causing unrest amongst the Africans, it is a very important matter, to which I think my Government should give attention.

Thirdly, I would like to touch on African administration officers, Sir. I am one of them, serving in the field. Since 1946, when the scheme was put into being, I think that Government are in a position to say whether we are fit or not, and if not, well and good; discharge the whole lot.

In the field, I am very much disappointed. I am given a division myself to man and report back to the District Commissioner as well as my European colleagues, I mean like the European district officers. I was very much disappointed to see in the Estimates we are still to be called assistant district officers. We do not in actual practice assist the district officers; we assist the District Commissioner and some of the African officers have done a very, very good job in the field since they joined in 1947, which I think needs consideration.

There is a saying in English that "Learn to do by doing". I would not mind being a district commissioner in Lokitung—try me there, see whether I am fit or not. I am not only speaking for myself, I am speaking for the future generation of Africans. I think those who are not fit should be discharged and those who are fit should be retained and be paid well. (Hear, hear.)

Think of £190—a clerk in Nairobi gets £190. Consider the responsibility attached to my post. I go out like others, my European colleagues, and collect back Sh. 59,000 in one safari. Think of that responsibility. I man and answer everything for the District Commissioner in that division attached to me. I think to say that we are not responsible is shocking. I think the name should be changed to African District Officers and also when considering the Salaries Commission's report the African officers' salaries' scale should be raised. (Applause.)

Mr. CHANAN SINGH: Sir, the hon. Member for Finance has done well to invite, to draw the attention of this Council to the new system which Government introduced earlier this year, the system whereby officers in the "C" scale can go into "B" or "A" and those in "B" into "A". I think we should express appreciation of this action of Government. Indeed, that action on the part of Government was long overdue but now that it has been taken, we very much appreciate it. But I wish to say, Sir, that the question we are discussing is of the scales of pay of the assistant district officers. I do not see how that system applies to this particular question. There are no Asian assistant district officers and there are no European assistant district officers, so that the question of allowing these African officers to go into Asian or European scales does not arise unless, of course, they are promoted to scales of European district officers.

Now, Sir, I wish to support the suggestion made by my hon. friend, Dr. Hassan. It is time that the Government took steps to recruit non-European officers as administrative cadets. But I think only those candidates who are properly qualified should be so recruited because it is useless telling us later on that these non-European officers cannot be promoted to a higher scale now or in the future because they have not got the qualifications. I am sure if Government makes up its mind there will be non-Europeans with proper qualifications coming forward. So long as there are the opportunities, the candidates will not be lacking. I must emphasize again, Sir, that only properly qualified officers should be recruited so that frustration will not come in quickly, so that they will be able to go higher.

I also support the suggestion that has been made that the district commissioners should be allowed to remain in their districts longer than in the past. While travelling in my constituency I learn, quite frequently, that people are satisfied with the help they get from the majority of the district commissioners but here and there one does meet cases where the district commissioner is not as helpful as he could be. I do hope that this rule, regarding keeping district officers in their districts, will not apply to those who have not proved successful in their dis-

tricts and that the Secretariat, in deciding this matter, will make a distinction between those who are really helpful and efficient and those who are not.

Mr. JEREMIAH: Mr. Deputy Speaker, Sir, I rise to support the Motion and in doing so, have got to make a few comments with regard to the suggestions in connexion with the Assistant District Officers.

I am a little happy to see that they have changed the name from African Administrative Officer to Assistant District Officer; that is a bit of an improvement. I was wondering whether, along with that, there was a little improvement with regard to their remuneration.

According to what I see in the Estimates, their remuneration is still the same. I submit that it is time Government considered about this question.

Another point, Sir, which I was going to complain about is the responsibility. I believe our Assistant District Officers are only considered as clerks. In view of the information we have just had from the hon. Mr. Okwirry, I am very happy to see that they are given responsibility equal to that given to others. That being the case, it is time they were given equal remuneration.

Further, Sir, I see that we have over 180 District Officers, European, but about 24 only are Africans. I think it is time more encouragement or more posts were open for Africans to be appointed as District Officers and in saying that, Sir, I have got to register very strong protests with regard to how my province in the Coast is treated. Since the introduction of Africans in the Administration Department, we have got seven Assistant District Officers in Nyanza, about seven in the Central Province, and Rift Valley, which I do not think beats the Coast Province, has four, but in the Coast we have only two and the second one was only appointed this year. I consider that to be very unsatisfactory. It is time that Government considered that the Coast Province also deserves more consideration; for the Africans of that place to be included in the administration of the country.

Sir, this is only the half-year's Budget, yet I believe that when the hon. Member for Finance comes with the next year's

(Mr. Jeremiah) Budget, we shall have more posts for the Coast Province, for the Africans to join as Assistant District Officers.

The question of continuity—I think everyone agrees with us—we hope that Government will take that into consideration, although in my personal view, there is benefit and some disadvantages in some cases if some people will not be lucky to get very sympathetic and kind District Commissioners or District Officers—I am afraid those people will have a very hard time. I hope that is not the case, especially nowadays, when every District Commissioner or District Officer or any member of the Administration, as far as I know, is so good and so sympathetic to the people.

I must pay a very high tribute to them because it is for our benefit and for the benefit of the people in the places where they work. (Hear, hear.)

I have got to say a little about what Col. Cowie mentioned about the Africans showing their capabilities and therefore progressing according to what they show. That is all right with regard to what happens in the case of Europeans, but it does not apply equally to African people because the people at the head, who have to choose and decide are not Africans and if they had been Africans, there would have been African District Commissioners a long time ago.

#### ADJOURNMENT

THE DEPUTY SPEAKER: It is now 12.45. Council will stand adjourned until 9.30 a.m. to-morrow.

*Council rose at forty-five minutes past Twelve o'clock.*

#### Wednesday, 25th November, 1953

The Council met at thirty-five minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### PAPERS LAID

The following Papers were laid on the Table:—

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya, No. 8 of 1953.

Development Supplementary Estimates of Expenditure, No. 5 of 1953.

[BY THE MEMBER FOR FINANCE AND DEVELOPMENT]

#### ORAL NOTICES OF MOTION

GOVERNMENT ACTION ON COMMUNICATION BETWEEN MOMBASA AND THE SOUTH MAINLAND

Mr. USHER: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

"That this Council requests Government to take immediate action, in consultation with the interests concerned, to ensure the early provision of adequate communication between Mombasa and the South Mainland."

#### APPOINTMENT OF A COMMITTEE

Mr. CHANAN SINGH: Mr. Deputy Speaker, Sir, beg to give notice of the following Motion:—

"This Council requests the Government to appoint a Committee (a) to compile a list of laws and subsidiary legislation which discriminate between persons on the ground of race and (b) to make recommendations as to which of those laws and subsidiary legislation should be repealed or amended."

#### ORAL ANSWERS TO QUESTIONS

##### QUESTION No. 9

Mr. CHANAN SINGH asked the Chief Secretary what are the rates of pay and allowances for (a) European and (b) Asian K.P.R. doing (i) part-time and (ii) whole-time duty?

THE CHIEF SECRETARY: Members of the K.P.R. are paid at the same rates as their corresponding ranks in the Regular Police as laid down in the Kenya Police Reserve Regulations, 1948. The basic scales of pay of the various ranks are:—

## (a) European—

Provincial Commandant (Senior Superintendent), £1,185 by £45 to £1,320.

District Commandant (Assistant Superintendent), £700 by £30 to £760; £780; £820 by £30 to £940.

Assistant District Commandant (Chief Inspector), £690 by £25 to £840.

Reserve Police Officer (Assistant Inspector), £400; £400; £490 by £20 to £550.

## (b) Asian—

District Commandant (Assistant Superintendent), £492 by £18 to £564 by £24 to £684.

Assistant District Commandant (Chief Inspector), £470 by £20 to £590.

Assistant Inspector (Assistant Inspector), £180 by £10 to £240 by £15 to £465.

Sergeant (Sergeant), £180 by £10 to £220.

Reserve Police Officer (Constable), £180 by £10 to £200.

Reserve Police Officer (Constable) (under age 19), £170.

Cost of living allowance at current rates is payable to all ranks serving on whole-time duty.

Part-time members are paid for the periods during which they actually perform their duties, such periods being reckoned as follows:—

2 hours or less—quarter day.

2-4 hours—half day.

4-6 hours—three-quarters day.

Over 6 hours—whole day.

Part-time payment contain the appropriate element of cost of living allowance. These part-time rates are under review.

There are no special allowances for European or Asian members of the K.P.R. Both receive those allowances in respect of travelling, etc., which are laid down for all Government servants by the appropriate regulation.

## COMMITTEE OF SUPPLY

## MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

THE DEPUTY SPEAKER: If no other Member rises to speak, I will ask the hon. Mover to reply.

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, a number of the points raised have already been replied to by my hon. friends but in the first place Sir, I should like to thank those hon. Members who have paid a tribute to the Administration. There are some of us, no doubt, who look back with a certain amount of longing and with very happy recollections to our time in the districts, but I can assure all hon. Members that our time in the districts was easier and perhaps pleasanter than it is these days. I know that it will be a tremendous encouragement to those officers in the field when they hear some of the remarks which have been made.

Now, Sir, a number of Members made suggestions for the improvement of the administrative machine and a number of these suggestions implied additional increased expenditure. I have no doubt that the intention was increased efficiency and possibly increased returns but I suggest, Sir, that one or two of those suggestions would not necessarily result in an increased return. One suggestion made was that consultations should take place, I think, with those with knowledge of commerce to study their system in regard to higher executives and increases from time to time in the higher executives. My hon. friend, the Member for Finance, dealt with that to some extent but there is one point which struck me, Sir, apart from the ones that he mentioned and that is in a business house when it peeps up its machine—if I may use that term—by the addition of higher executives it generally results, owing to the acumen of business houses, in increased returns to that business.

There is one further point that struck me and that is that, leaving aside for the moment the increased returns, it might—although I have not been able to study it very carefully—it might result in a diminution of income tax payable.

[The Chief Secretary]

The hon. Member for Nairobi South suggested that improvement might have been made if there had been appointed a co-ordinator of Kikuyu complications—I think he used the term "Kikuyu affairs", but in the interests of alliteration I prefer my description. Well, Sir, that particular post I do not consider was necessary. There is already the machinery for co-ordination and in all the circumstances I reckon that the machinery worked well. I do not say that it achieved all success but success in all is rarely achievable in this world. He referred in that connexion to day-to-day administration and its effect on change of policy but, Sir, I suggest that changes of policy must from time to time take place owing to changes in circumstances.

The hon. Member for the Coast, Sir, in his wisdom and experience, I understood, had a crack at me, because of my remarks on the vernacular and the revision of the regulations in connexion with the vernacular language.

MR. COOKE: I thank the hon. Member for giving way. I was not even thinking of the hon. gentleman when I spoke of vernacular language; I was on a different train of thought altogether.

THE CHIEF SECRETARY: I apologize, I am sorry I introduced a personal matter. I was just going on to say I agree with him and with another hon. Member that knowledge of the vernacular is not everything and our aim, Sir, is not to induce into administrative officers a purely academic knowledge of the vernacular but to use it as a means for getting to know the people concerned.

Great stress was laid again, Sir, on the matter of continuity and in that connexion, Sir, I am quite satisfied that there has been an improvement to these things. I am not satisfied with the improvement, I do not suppose I ever will be, nor will other hon. Members, but we are doing our best, as was explained by the hon. Member for African Affairs.

The hon. Mr. Riddoch, Sir, implied that these things were very much better done at an earlier stage. I am not quite sure to which stage he was referring and recollection gets dim, but by my recollection of earlier years, the switching round that took place was more considerable

than now. I remember being accused of having become static by my junior colleagues—when I say junior colleagues, I mean colleagues of the same seniority or juniority as myself—because I remained in a place for a year at one stage in my life. (Laughter.)

MR. LAUNDELL: Shame!

THE CHIEF SECRETARY: At that time it was a shame, no doubt, for the place I was in but my colleagues were elsewhere!

We, I may say, had a story at that time; the story, or we understood it to be a fact, was that every other Monday morning the big people got together in the Secretariat and played a game of general post. Another explanation of the rapid moves in those days was that there was then as now in the Chief Native Commissioner's Office a large board on which were cards, showing the officers in each particular station. It was thought that every now and again the board fell down and the cards were rapidly put back as they came to hand by the office boy with the result that the following day everybody was told that they were in the wrong place. (Laughter.)

Now, however, Sir, as I say we have not reached perfection but we are doing everything we can to improve the matter. (Applause.)

There was some considerable talk, Sir, on the post of assistant district officer. Well, in the first place on that, Sir, I would say that it is a matter which undoubtedly will be dealt with by the Salaries Commission, but there is another point in regard to the suggestion that the designation recently introduced of assistant district officer should be done away with, and that they should become full-time district officers.

The term "district officer" has connoted a member of the Colonial Administrative Service, and appointments to that Service are made by the Secretary of State. So far as I am aware, Sir—and I have had something to do with this—there is nothing laid down in the regulations as to what particular category of person is eligible. There are certain qualifications laid down, and those qualifications are departed from in certain circumstances when a candidate has got other qualifications to make up for the lack of qualifications laid down.



[The Chief Secretary]

I may have misunderstood my hon. friend, Mr. Okwirry, but I understood him to say that, with regard to assistant district officers, if they are not fit for their present job, the posts should be done away with—or the officers should be done away with—and if, on the other hand, they were fit for their present jobs, they should be made district officers. Well, Sir, I have every regard for the man who has ambition, and it is right that they should have ambition, but I cannot agree, in the light of the work being done by assistant district officers to-day, the quality of that work—that there are only two alternatives. They are doing a good job of work, and I trust that that good job will continue until further promotion comes to them.

The hon. Member for Mombasa raised the question of Mombasa being made an Extra-Provincial District. As my hon. friend, the Member for African Affairs, has remarked, the matter will be considered, but I would not wish it to be accepted that that consideration is tantamount to a foregone conclusion that that action will be taken. There are arguments on both sides, and those will have to be taken into account, as I am quite sure the hon. Member for Mombasa appreciates, and his knowledge of affairs down there will undoubtedly be of use to us, and my hon. friend, the Member for African Affairs, did threaten him with consultation.

I repeat, Sir, that I am grateful for the remarks made as a tribute to the administrative service, but there was one tribute with which I cannot go the whole way. That was a suggestion that the administrative service—machinery—was perfect, although I would like to think so and, as I have already implied, the older I get, Sir, the gloomier I get, Sir, and perfection I do not think is to be found in this world. (Applause.)

The question was put and carried.

Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE CHAIRMAN: The Deputy Speaker has now left the Chair—(Laughter)—and

the Chair has been taken by the Chairman of the Committee of Supply. (Applause.)

I cannot readily remove my hand-covering in order to indicate the difference between the Speaker and the Chairman, but I hope hon. Members will remember.

MR. COOKE: I take it, Sir, that we are now allowed to make as many remarks as we like in Committee! I would not encourage it!

THE CHAIRMAN: If you would discourage it by example, I think that would be appropriate. (Laughter.)

MR. BLUNDELL: Hear, hear!

THE CHAIRMAN: Hon. Members will no doubt recollect that speeches during this debate are limited to ten minutes.

#### VOTE 2-2—ADMINISTRATION

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £556,799 be granted to the Governor to defray the charge which will come in course of payment for the half year ending the 30th June, 1954, for Vote 2-2—Administration.

Question proposed.

THE CHAIRMAN: I will take the Sub-items one by one.

Sub-head (1)

MR. COOKE: What is a "Socialist"?

THE CHAIRMAN: I have never heard of him.

THE CHIEF SECRETARY: I regret that the Government Printer speaks a different language from that used by the hon. Member for the Coast and myself.

MR. COOKE: Oh! Sociologist.

Sub-heads (2), (3), (4), (5), (6), (7), (8) and (9) agreed to.

Sub-head (10)

MR. MATHU: May I seek some information, Sir, regarding the future of Kibera? There have been proposals of moving the Sudanese from there and making land available for African housing, and they do not seem to result in anything. How long are we to wait until some solution is produced to put the problem in order? I should like to

[Mr. Mathu]

say now we are very pressed with housing in Nairobi that area is very suitable to encourage Africans with means to put up houses for habitation. At the moment we cannot do it because it is still that no one knows where they are, and the problem continues to be unsolved and so on. What is the position?

MR. COOKE: Surely it has been decided that the Sudanese shall remain there. The British Legion, of which I am the Vice-President, would be very interested in this matter. The Sudanese are a very loyal people, and a decision that a certain number should stay there was made by Government some time ago. A school for them has already been opened.

THE MEMBER FOR AFRICAN AFFAIRS: The hon. Member for the Coast is correct in his statement.

MR. BLUNDELL: He wants to follow you!

THE MEMBER FOR AFRICAN AFFAIRS: We are investigating the development of a housing scheme in that area to incorporate the Sudanese—or certain of the Sudanese—and that is being pressed on with at the moment.

Sub-heads (10), (11), (12) and (13) agreed to.

Sub-head (14)

MR. HAVELOCK: Would some hon. Member give a very short discourse as to what happens at the East African School of Co-operation? In these days it is an excellent name to have—we should all attend it no doubt. Could some hon. Member tell me what happens there?

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Chairman, this school is attached to the Jeanes School for training purposes—training staff of co-operative societies—and it is contributed to by Tanganyika and Uganda.

I am not very knowledgeable on this subject, I am afraid, but we will certainly welcome a visit from the hon. Member for Kiambu if he would like to seek further information at Jeanes School.

MR. HAVELOCK: Well done!

MR. BLUNDELL: I was still wishing to make some remarks about the East

African School of Co-operation. Why does it not come in under the High Commission Services?

THE CHIEF SECRETARY: Because it is without the purview of the High Commission according to the Order in Council.

MR. BLUNDELL: Really, this is a wangle!

THE MEMBER FOR FINANCE AND DEVELOPMENT: It is no wangle at all. The School is a school of Kenya initiative with contributions from the other Governments. (Hear, hear.)

MR. BLUNDELL: What do you mean "Kenya initiative"? Do you mean initiative in Kenya?

Sub-heads (14) and (15) agreed to.

THE CHAIRMAN: That disposes of all the various sub-heads.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORT

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and has approved a Resolution that a sum not exceeding £556,799 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-2—Administration.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### COMMITTEE OF SUPPLY

#### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE CHIEF SECRETARY: I beg to move that Mr. Deputy Speaker do now leave the Chair.

[The Chief Secretary]

Vote 2-4—Police, Sir. In His Excellency's Communication from the Chair he mentioned the matter of the future of the Police and the necessity of expansion with a view to the maintenance of law and order in the future. As hon. Members will be aware, considerable expansion has taken place during the last year, and a considerable amount of re-organization, which must survive for the future. In particular, I have in mind the Special Branch.

In conjunction with this, we have been working—and will continue to work—on the closer policing of the African areas. This policy was adopted some years ago, but progress has only been gradual. It has been very much speeded up during the last year, and its progress will be quicker in the next year than it was up to the last year.

As regards the matter of—shall I call it—the organization for the future and policy in the light of that, it would be premature for me at this stage to say very much. As hon. Members are aware, a Police Commission visited the Colony this year consisting of Mr. Baker, the Receiver of Scotland Yard, and the Inspector General of the Colonial Police.

Their report is awaited, although I had hoped that we might have it by now, but for a variety of reasons I understand it will not be ready until the middle of December. But there will be a considerable number of points arising out of that which will require the attention of this Council, and subject to what may be in the report, it is probable that in the first instance a White Paper will be laid before the Council, although it is not possible to decide on that until we receive the report.

Now, Sir, the Police Estimates of normal expenditure for 1953 represented an increase of some £200,000 over the actual expenditure in 1952. The Estimates of normal expenditure for the first half of 1954 show a considerable further increase over the original Estimates for 1953. In addition there is, as hon. Members are aware, a certain amount of expenditure charged against the Emergency Funds. During the past year Council has authorized considerable increases in the strength of the Police Force, both on a permanent basis and also on a temporary

basis. This is a matter which will have to be further examined in the light of the report of the Police Commission.

The matter of the police has over a period of months been repeatedly discussed from one aspect or another in this Council, and as I have already said it is likely that considerable discussion will take place in the light of the report of the Police Commission.

I beg to move.

THE MEMBER FOR LEGAL AFFAIRS  
continued.

Question proposed.

MR. HAVELOCK: Mr. Chairman, there are only a very few points I wish to raise in this debate. That in this Council, under another name, the police have already been dealt with to some extent. I would like to say, Sir, that as a Member representing a constituency, I regularly, almost every day, have complaints about the police. They take the form of delay in taking action on any particular report, of vague accusations of corruption and, indeed, also of incivility at certain times.

I do not think the public realize what I want to emphasize, that the police, in view of all the handicaps—and there are many that they are suffering under at the moment—have, to my mind, in this Emergency done an extremely good job of work. (Applause.) The expansion that has been going on, and necessarily so, to cope with the present situation has been extremely great and rapid, and I know that there is no doubt that ranks of all races have not had—many of them—a great proportion have not had sufficient training to cope with the day to day work of a policeman.

We have imported a number of men from the United Kingdom, and we cannot expect them to be able to take immediate decisions on the very complex problems that this country raises, and indeed it is up to the settlers and the indigenous peoples of this country to help the police in every possible way to try to fill that void of knowledge the imported men, who have been necessarily imported, have not got. But, Sir, there are certain weaknesses in the organization of the police which I would like to bring to the notice of hon. Members.

[Mr. Havelock]

It is my belief that a very considerable amount of the inefficiency within the police at the moment is due to the lack of organization, and my belief again is that it stems from Headquarters. I do not believe—let me put it in another way—I believe that the Headquarters staff of Kenya Police have tried to take on too much—much more than any human being can cope with, and that the staff officer side—the "Admin."—the parallel to the Army "A" Branch—is not at all sufficiently strengthened. I am not asking for more posts—new posts so much, except, I think, in that particular sphere, and I also believe that there are quite a number of very capable officers in the field who could well cope with and improve the administration of the Headquarters. It is, of course, recognized that the best officers like to keep to the field and, therefore, it is difficult to persuade them to come to Headquarters, but I believe that in this particular instance it is absolutely vital that the Headquarters staff is very strongly increased and improved.

I think in a debate the other day, Sir—I do not want to be repetitive—it was suggested there should be weekly wages for ranks in the police force, and indeed rations. I understand that the hon. Member responsible for the Police did reply on this, but I would like to add my urgings to those of other Members on this side of Council that their weekly pay or fortnightly pay, as a first step, might be undertaken and, to my mind, a supply of rations would be very beneficial, but it would seem not only to increase current expenditure in particular, but might well need capital expenditure in the way of stores for that to be undertaken. Personally, I would put first priority to weekly or fortnightly wages and second consideration to the supply of rations, both of which, I think, are important. Both points, I am quite certain, if we did provide weekly or fortnightly wages in the long run they would save the cost—it is a great weakness of the present system.

There is, of course, as there must be in these difficult times, a certain amount of misunderstanding—shall we say, to put it no stronger—between the regular police and the part-time members of the Kenya Police Reserve. I know that energetic

efforts have been made by the authorities to try and smooth this out. I feel that it has succeeded to some extent, but it cannot succeed 100 per cent because it depends so often on personalities, but I would ask the hon. Member to turn his mind again to that particular subject and see if we cannot in some way or other find ways to improve relations between these two branches of one force.

In this particular regard, Sir, I would like to say now that although it may be impossible and impracticable at this stage to make any changes in principle as regards the Kenya Police Reserve—and I think the majority of my colleagues are of the opinion—the people of this country, not regular police, could better serve the country under the old system of a military force than under, within a reserve police force. What I am stating is that I considered that the old Kenya Defence Force a better system for part-time voluntary service than the Kenya Police Reserve.

As I see it, it is not something that can be rushed into now in the middle of the Emergency, but I believe we must give great thought to it as soon as possible to see if we cannot revert to that more successful organization.

I wish to end by reiterating my admiration for the police force, both the Kenya Police Reserve, who have done extremely good work at great sacrifice to their own personal affairs and to the regular police who have done very good work under very difficult circumstances and in this regard I would like to call the attention of Council to the number of people who have been arrested for crimes committed, especially murders. There are one or two but not very many, outstanding crimes for which somebody has not been brought to book. I believe it is an extremely good record if one looks back to all that has happened over the last year. The record published in the papers day-to-day of the number of people who have suffered the extreme penalty in regard to crimes of that sort have been due to our very efficient Criminal Investigation Department and to the police force.

MR. MADAN: If my memory serves me right, I think some weeks ago the hon. Chief Secretary stated that he intended to have a "Courtesy Week" for the police

[Mr. Madan] force of this Colony or some Member from the opposite side said that I would like to know when that is intended to be put into operation. I feel the sooner we can make the people of this Colony look on the policeman as a friend rather than a dreadful creature to be shunned, it will be easier to restore law and order here.

Secondly, it is a point I made in the main debate also, and I would like to repeat it—I said, I thought it was disgraceful that we had only two Asian Assistant Police Superintendents. I think the time has come when Asian police officers—for that matter I would say that African police officers should be, when they deserve it, promoted to the executive ranks. I can safely say that there are several Asian police officers who could fill such posts satisfactorily.

Thirdly, Sir, in spite of all the vehicles, facilities and equipment that we have placed at the disposal of the police force, it is most disappointing to find that, in this instance, I would like to make it clear that my information is hearsay and does not come from personal knowledge, that when a crime is committed and the police are telephoned for, they take in some cases, more than an hour to reach the scene. By that time, of course, it is too late. The same applies to 999; it takes sometimes more than one hour to reach the spot and in the meantime, of course, criminals have ample opportunity to escape. I think these are matters which should be looked into, because they affect the organization of the entire force and somebody somewhere is inefficient or somebody somewhere is not interested enough.

MR. MATHIU: Mr. Deputy Speaker, I have two points only to make in this debate. The first one is, I would like to thank the Police Department for the very excellent work they are doing in the African areas under very difficult conditions and, to say that there are some reasons, I think, for that, which I will mention later. The first point is that there has been gradual promotion in the African ranks proposed for next year. There has been in the case of Assistant Inspector of Police, in the case of sergeant and corporals and that, I think, has been a very encouraging thing. I would like to suggest that the time is here

for giving the African ranks greater encouragement to perform their duties properly by creating a post for the Assistant Superintendent of Police among them. My hon. friend Mr. Madan has complained that they have two; they would like more. What I am suggesting is that we have none at all; we would like one. Just one, and my hon. friend will recollect that in the neighbouring territory from where he recently came—they have set an example, they have an African Assistant Superintendent of Police. If my hon. friend tells me that our police force is less efficient than that of Uganda, I would disagree; I think our African policemen, particularly those in higher ranks can compare very favourably if not better than policemen in the neighbouring territories of the same standard and that is a point that African policemen are watching very carefully, I suggest before we are pressed to create such a post it is best to anticipate the desire of these men and create a post for them.

MR. DEPUTY SPEAKER, I beg to support.

MR. COOKE: The hon. Member for Kiambu has started throwing bouquets to the police. It is amazing the number of bouquets that have been thrown since this debate started! Then he went on implicitly to criticize what he called the imported police. I know he will say it was only implicit. I take the opposite point of view. I saw lots of "imported" police, when I was going round the mountain, and I think they are a very fine lot of people indeed. They may not have local knowledge but they have something I think very much better—they have the real traditions of the British Police behind them. In case my hon. friend perhaps did not mean quite what he said—it may get into the Press as a reflection on the "imported" police—I would like to say that in my opinion we have chosen an extremely good lot. Many have been in the London Metropolitan Police, the Liverpool Police and in various Guards regiments.

Now, Sir, it is no use mincing matters at all—there is no doubt that there is a great deal of ill-discipline amongst the African ranks of the police. We are serving no good cause to the country by disguising that fact. I said it over a year ago in this Council apropos the Somali

[Mr. Cooke] police in the location—what I said has been proved to be correct. In many cases, it is not their fault. I think the fault lies to a great extent with certain European police officers.

Now I give you this instance. Two months ago I wrote to the Commissioner of Police and drew his attention to the negligent manner in which the police *arkaris* were carrying fire-arms in Nairobi. Now everybody must have noticed the negligent way they carry them. In fact outside the Law Courts, I rebuked one for leaning his rifle on the parapet whilst talking to a friend. The Commissioner of Police wrote and thanked me for the letter. He agreed with my castigation and said he was taking immediate action. I think that was a generous action for him to have done, but surely his own officers should have noticed this negligence in their peregrinations round the town. It is a matter of negligence on the part of the police European officers.

The Member for Nairobi North and myself drew attention over a year ago to the fact that there were guns—possibly without bolts—in gunsmiths' shops in Nairobi. Indeed, those rifles could easily have been raided and stolen. My hon. friend will bear me out because he is the Member of that constituency. I do not think anything was done at first, but eventually something was done and those rifles were removed from the windows about nine months ago. Now, even today, in a certain gunsmith shop in Nairobi you will see any number of air guns. Now people need not laugh—these air guns are weapons of precision, and with their bolts and everything, they are in a certain gunsmith shop here. Now I am not trying to give any hints to the rebels but those air guns would be very useful for sniping in the forests—they are deadly weapons at about ten yards or less. Why do the police allow this sort of thing to happen? They have eyes in their heads just as much as you and I have—why do they not take action? I regard that as negligence. I think the police force require a great deal of tuning up.

I am not going to make any further remarks now because I will probably have a chance later on to do so, but in my criticism of the police I make those

points, particularly that the African police are ill-disciplined and the cause of the ill-discipline is insufficient supervision, in many cases, by European police officers.

MR. BLUNDELL: I merely wish to record that I do not think the hon. Member for Kiambu wished to criticize in any way the quality of the new recruits from the United Kingdom. The point he was trying to make was that obviously for some months they were men in a new country and would need the maximum assistance that we could give them in assimilating the customs and the ways of this country. That is the only point I think the hon. Member for Kiambu was trying to make.

The second point I would like to make is this. I believe that much reorganization is necessary in the police, but the proper place to debate and put it forward is when—and I presume it will happen—is when the report of the Commissioner is laid.

MR. HARRIS: I think there has been from time to time, both in the country and in this Council, criticism of both European and African police and I think before we take those criticisms too much to heart, we should get our facts straight.

The facts are, Sir, that, in 1931, the establishment of European police in the country was 135 police officers. In the 1932 Budget, owing to the financial position of the country, that was cut to 100. There was slow recruitment until 1939 when the number of European police in a quarter of a million square miles—by that time the Northern Frontier District had been taken as a police responsibility—had crept up to 150 odd on the establishment, but in actual fact, Sir, the strength was below establishment. During the war, there was no recruitment and old police officers—elderly police officers—were kept on till the end of the war. At the end of the war, there was almost a mass depletion of the force owing to time-expired men being released and recruitment was recommended.

Now, Sir, I think probably that the criticism of the European police force has been due to the fact of the thinness of the senior police officers immediately junior to those of Commissioner and Assistant Commissioner rank. The position has arisen, Sir, when these men have

[Mr. Harris] been so busy trying to organize a police force during the last seven years that in fact I understand there is no bible of procedure—no equivalent of King's Regulations for the police force that can be given to a recruit. He does not know unless he is told by a senior officer what he has got to do in every circumstance because it is not written down. I believe sometime ago an ex-Commissioner of Police from Uganda, a Mr. Mathias—if that is the right name—was commissioned to rewrite the Police Regulations. In fact, he revised ones that had been drawn up prior to 1930 and were completely out of date, but the result of all this, Sir, is that if headquarters at the present time issue orders, the Commissioner has to see that his senior officers understand the orders and then the senior officers, instead of getting on with their police duties, have to go round and make sure that every individual junior European policeman knows what the orders are and knows what to do in given circumstances and this, Sir, has meant—I know of cases in Nairobi of senior policemen doing jobs which a good sergeant-major should do, but they have to do it, and they have to do it for 14 to 16 hours a day—and that has been happening in Nairobi recently and I think is one of the reasons why there is criticism of the European police force. I do not think there should be any criticisms of individuals. We can criticize history or we can criticize organization, but I do not think we should criticize individuals.

Again, Sir, we have recently, as the hon. Chief Secretary said, recruited a great number of policemen in Britain, but if we think that we are going to have a great increase in the organization of the police because of this immediately, I feel that we are too optimistic. These men have got to be trained, most of them, in police duties at the same time as they are picking up a language, and in the past, men of this class have been pushed straight into police stations as officers in charge, and officers in charge, Sir, as I have said, have no regulations in one volume to which they can refer when unusual incidents occur. And I would suggest, Sir, that the hon. Chief Secretary, as being responsible for the police force, might consider the use of these men on a

very much more specialized basis than has been possible in the past. At the present time, a police officer is expected to be "chief cook and bottle washer" and know every side of police activity. I would think that it would be better if new recruits were channelled into individual and separate branches of the force.

Might I also suggest, Sir, in that respect, that consideration should be given, particularly in the towns, to Europeans complying with the normal beat system which is prevalent in Britain and which has been so successful. So much for the European police, Sir.

The African police have also come under criticism in recent weeks. There are two incidents which I would like to quote to show that not all African police are bad.

A few weeks ago, Sir, an East African Breweries' lorry was travelling to Kabete when it was held-up by five men, some of whom were armed. The driver was robbed of Sh. 1,600. Immediately after the incident, a European police officer, an African Kenya Police Reserve policeman and an African regular policeman came upon the scene, went into the bush at the side of the road, and the two Africans eventually apprehended the men and the Sh. 1,600 was returned intact.

Many Members of Council will remember the case, only three weeks ago, of an Asian woman in Eastleigh who was robbed of a very large sum of money just before her impending departure to India. The case was investigated by an African Criminal Investigation Department inspector. The money was found in many, many places. It would have been the easiest thing in the world for some of that money not to have found its way back to the rightful owner, but in fact every single penny was returned to the Asian woman.

In addition, Sir, during the last six weeks in Nairobi, there have been eight cases of African constables bringing to a European officer persons who have bribed them or attempted to bribe them to allow them to get through the police cordons during screening operations. They have not fallen to the temptation of pocketing the bribe and allowing the person through the cordon.

Unless anyone should believe that the police are not conscious of criticism,

[Mr. Harris] during the last six months in Nairobi, ten persons, members of either the regular police force or the Kenya Police Reserve have been dealt with in the courts for corruption and 12 are either under investigations or awaiting trial and I would say, Sir, in this respect, that a great number of cases that are investigated are found very often merely to be that persons in a certain neighbourhood would like to either bring a police constable who is rather better in his duty than some, into disrepute or else some other private reasons for making false accusations of corruption.

I have spoken rather longer than I intended, Sir, but I do feel, particularly in view of some of the criticisms of the police force, both inside this Council and outside, that facts should be put in a proper perspective.

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, I would like to make observations on a few points. The police force in the country, in spite of the small number, at the beginning of the Emergency, have done a fine job. I would like to congratulate them, but I think for the maintenance of law and order in the country an efficient police organization is essential. At present an improvement is necessary in the intelligence branch of the organization.

At the same time, Sir, I think that there is some lack of co-operation between the public and the police organization. Some time back in October some Asian merchants in Mombasa had to send a petition to the police to the effect that proper attention was not given by the police authorities in Mombasa to various complaints that were there. It may be due to the shortage of staff or it may be due to the lack of co-operation between the public and the police department. I think that for the maintenance of law and order, and for the closer co-operation between the public and the police organization, if necessary, the police force should be increased.

There are so many persons in the country at present working in the Kenya Police Reserve and when the real time comes they should be absorbed in the regular police force with a view that we

may have a complete organization and an efficient police force.

I beg to support, Sir.

MR. OHANGA: There are two points I would like to make in regard to the police force. Firstly I should like to state that it has been customary in this Council for quite a number of years, year by year, to hear complaints about the bad relations of police and the public which existed. I should like to say that, on my own part, and in those areas with which I am in daily contact, I should like to report that these bad relations for which the force has been notorious for some time are now showing signs of improvement. This is particularly true among the more senior types of police officers, particularly the Inspectors and the Chief Inspectors with whom we come in contact for vital things. The improvement has been quite a little in quality and much more in quantity. These days whenever there is something or some crime happening in the African land units you do find police people ready to come in at the correct time. Formerly, the police would not appear on the scene until many days after the thing had happened but now it is not so. Once a thing happens, after a short time, they are on the spot and they are able to conduct investigations when the crime is still fresh.

Now, in that connexion, in the present Budget, Mr. Deputy Speaker, a vote—an increased vote—has been allocated to closer policing of the Nyanza Province, the part of the Colony which I now represent. I would like to make a few observations in regard to that increase so that the increase was not just in money but also in efficiency. I would like to say that, as much as I have said about the improvement of relations between the police and the public, there is still more that has to be done, more particularly among the lower ranks—constables. The relations between the administration, particularly the chiefs in the African land units, now and the police constables operating among them are still not very good and they leave very much to be desired. Recently, I conducted a tour in the Province of Nyanza and held *barazas* in most locations under the chairmanship of the chiefs and headmen, and practically everywhere there were complete complaints about the conduct of the

[Mr. Ohanga] police constables, not the inspectors or higher officers, on their doings among the people in the reserves.

Now, if this money which has now been allotted to the police for closer policing of the Nyanza Province is to be properly used, one of the things I would like to see is an attempt to make the relations better. Now there are two points which I would like to make clear which have been given to me as the main reasons why relations are poor. Firstly, it is in respect of the police informers. It is a policy they say, in the reserve, that whenever the police want information they choose not to go to the decent citizens but to get that information they go to ex-prison people and regular notorious criminals. Well, now, this thing does a great deal to harm the relations because these bad men, ex-jail people, are known by the general public and, whenever something bad happens in the reserve and has to be investigated, it is the desire of the African community that that information should come from correct, decent citizens but not from notorious criminals and ex-prison people. That is one thing which might be looked into.

The second one is the personal relations between the police constables and the African chiefs. At the moment, I am afraid to say that those relations are not good. The African headman has a lot to say about the police constables which is not too happy because, in the correct administration of a location, I maintain that the police and the administration should work very closely together and there should never come a time where they showed any conflict between them. I am afraid to say now that conflicts are everywhere and that the police do not really get as much assistance as I would like them to get and the chiefs do not get as much assistance from the police themselves and, until those things are put right, I think most of this money would be wasted.

Secondly, lately we have been able to thank the Government for raising some of the African police officers to higher ranks, particularly those of Chief Inspectors. Now, I have information to the effect that although these men have been elevated to the high rank of Chief Inspector, it is merely by name. I would

like to support that by what has already been said by the Member for Nairobi South about the recruitment from overseas. Why are the fresh personnel brought in from England and put directly into stations outside and made responsible for those stations? Now, usually, those stations would have African inspectors or chief inspectors of considerable experience in charge. Whenever the young officers from overseas are pushed in these they—the Africans—are made subordinate to those gentlemen. Now, you can see the embarrassment of the man of some experience and knowledge having to be answerable to some fresh junior fellow who has no rank at all coming fresh into the country. He would not be happy in his work, he would not regard his high responsibility as anything responsible. Complaints have been made that actions of this kind are a hindrance to good service and that Africans who are senior officers and Chief Inspectors, and so on, should have responsibility and should be allowed to exercise responsibility freely without any interference from people who are junior in the service and who have not seen as much as they have in that department.

The third and last point is regarding policing by women. There are three or four posts to be scheduled and I hope they will be filled by African police-women. I would like to say that, in the position in which the country has now got into, it would help very much if we strengthened, by numbers, our African female police, both as searchers and regular police, doing the regular work of the police during the day.

Mr. Deputy Speaker, I beg to support.

Mr. Cowie: Mr. Deputy Speaker, Sir, I would like to agree with the hon. Member for Rift Valley when he said that this debate would probably be more opportune after the Report by the Commission is made available. But, in the meantime, Sir, I think there are at least one or two items which require immediate consideration.

One of these, Sir, is the security of firearms. The hon. Chief Secretary is already aware that I have referred certain cases to him where, in one case, a regular policeman was dispossessed of his rifle and put on a charge and fined Sh. 5. A non-commissioned officer was also

[Mr. Cowie] dispossessed of his rifle and put on a charge and reprimanded. That, to me, indicates that there is not sufficient recognition of the responsibility of being in possession of a firearm and, therefore, I would ask the hon. Chief Secretary to give this matter very immediate consideration because every rifle lost is a rifle presumably in the hands of the enemy. I believe we must regard the responsibility of the possession of firearms in a very different light from what we do in peace-time. I do ask the hon. Chief Secretary to consider that.

Mr. MACONCHIE-WELWOOD: I want to ask one question which I think is important. That is whether the European police officers, when they come to this country, have any incentive to learn Swahili quickly or whether there is a bar to promotion until they have passed lower Swahili because no police officer is of the slightest use in this country until he has learned Swahili.

The other point I want to touch on briefly is a point raised by the hon. Mr. Ohanga about officers coming into this country and being put over senior African constables and police inspectors. I would draw his attention to this fact, in the British Army and Navy when young officers come into the regiment or go onto a ship, their chief Petty Officers or sergeants are infinitely more experienced and, in practical work, are far more valuable, but the young officer is especially trained for his particular job, that is leadership. That is why these things occur and should not occasion the heart-burning in the hon. Member which apparently they do.

The third point I wish to make is the question of man-management in the police which is where I believe, in all that it implies, the regular police have fallen down badly. It has been mentioned in this debate that certain things are wrong in the police. I am quite convinced that, what is underlying this, is man-management; there runs through the feelings of all ranks of Europeans as well as Africans that there is not somebody immediately responsible for them. There is not that feeling that there is in a good service battalion that a man has a non-commissioned officer or an officer over him responsible for his welfare, looking

after him and that all his troubles will be considered. That is conspicuously lacking in the police.

LT-COL. GHERSIE: Mr. Deputy Speaker, Sir, I would be grateful if the hon. Mover will, in his reply, give a little more information in regard to actual recruiting and state whether it is the intention of Government to extend the short-term recruiting campaign. I suggest it might be an advantage if we have a selected representative in London with considerable experience of Kenya who might be there for the purpose of vetting applicants and to explain in greater detail the conditions under which they are liable to serve in this country. I wonder whether Government has given consideration to the extent of recruitment of police personnel on short-term agreement from other parts of the Commonwealth and, in particular, South Africa and Rhodesia. Their local conditions are somewhat similar and I believe their knowledge of the continent and the conditions would be a great asset if they were serving in this country. We might go so far afield as Canada, Australia, and New Zealand as I feel short-term commissions in the police might appeal to individuals of those territories and might result in our finding that we have rather desirable permanent residents at the end of their term of service.

THE DEPUTY SPEAKER: It is now time for our customary break. Council will stand adjourned until 11.15.

Council adjourned at Eleven o'clock and resumed at twenty minutes past Eleven o'clock.

Mr. NATHOO: Mr. Deputy Speaker, Sir, I had not intended to speak on this debate, for the simple reason that I consider that this is the interim period and particularly in view of the fact that the Police Commission Report is expected and we shall have ample opportunity to say all we want to when the time comes.

But the hon. Member for Nairobi North made a statement that we should have more recruitment from other parts of the Commonwealth, particularly from South Africa and Rhodesia where, according to his statement, conditions are more or less the same.

I am amazed to think that in this enlightened age of radios, newspapers

[Mr. Nathoo] and other information, that the hon. Member for Nairobi North, who is generally so well-informed, is led to think that conditions in South Africa are the same as in Kenya. If that is the case, then I think it is a very strong case for the opponents of "law and order"—the conditions prevailing here. We have ample manpower in this country; when we want recruitment from overseas, let us get them from England where the calibre of the policemen and the police force is the highest in the world. When they come out here they can inspire confidence in the other communities by their liberal outlook that they bring to life and other policies.

If we were to recruit our police force from South Africa, particularly, and for that matter, Rhodesia, the people who come out here will have a complex against the coloured peoples which will not inspire their confidence but, on the contrary, incite people to do what they would not do otherwise. (Applause.)

LT.-COL. GHERSIE: On a point of explanation, Sir, I suggested that there are similar conditions—it is the continent of Africa; we have mixed communities—I am not talking of treatment.

MR. JAREMAN: Mr. Deputy Speaker, I also rise to support the Motion and in doing so I wish to refute very strongly the suggestion which has been repeated by the hon. Member for Nairobi North that conditions in Kenya are almost similar with those of South Africa. If that is the case, well, God help us!

MR. J. S. PATEL: Mr. Deputy Speaker, Sir, without adding any more trouble, and without adding any more fuel to the already blazing fire in this place, I think we should avoid having men from any other part of Africa, except East Africa or England. Everyone knows, who has seen the police force in England, that it is of the highest calibre. We want to profit by their experience and knowledge. In this country we have masses of people, of all three races who can contribute very effectively to the police force—all we need is a little training and education, which will come better from England than any other part of Africa.

Whilst discussing this matter, I would request that the hon. Chief Secretary make a note—if his notes, when they are

put into action, have any effect—that in my own constituency there are a number of townships where there is no police protection whatsoever. Men are just left at the mercy of God. There have been places where there have been murders—as you are probably aware—in Maragoli, and there even to-day there is no protection whatsoever. I would ask the hon. Chief Secretary if he would look into the matter and have a list of the towns in my constituency prepared and see what can be done.

I support the Motion.

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I am grateful for the tributes which have been paid from the other side of the Council, and I do know that they will serve to set-off to some extent the criticism—sometimes unfounded criticism—very frequently vague criticism—which is made against the Police from time to time. It is very much easier, Sir, to make note of things that go wrong than things that go right, and certain hon. Members have said, in a better manner than I can, things which I would have wished to say if there had been only criticism from the other side of the Council. It is a matter of extreme importance to the morale of the Force that their good deeds should be taken note of, as well as the unfortunate happenings, and I do ask those people who—I am not referring specifically to the hon. Members here, but people who indulge in vague criticism—I would ask, Sir, that they send a substantiated complaint to the Police, instead of going and talking about it and gossiping about it outside. (Hear, hear.)

MR. COOKE: Gossiping.

THE CHIEF SECRETARY: Mention was made by the hon. Member for Kiambu of a lack of organization stemming from Headquarters—that Headquarters had tried to take on too much, and that the Staff Officer or the Administration side was not strong enough to cope with all that had fallen on them. Well, Sir, it is a fact that all the experienced officers in the Police have had, perforce, to take on too much.

At the moment Colonel Asher, who, the hon. Members will know, has been working for the Public Accounts Committee, is engaged in investigations into the Police organization.

[The Chief Secretary]

The matter of weekly wages or fortnightly wages was raised again, Sir, and I can say that the matter—further examination of the matter has started, and I hope it will bear fruit.

Sir, mention was made of resuscitating the Kenya Defence Force in place of the Kenya Police Reserve. Well, Sir, one of the matters which the Police Commission were to look into was the existing organization of the Kenya Police Reserve, having regard to the good work it had done, and to other forms of ancillary police forces used elsewhere.

No doubt further examination of this suggestion of the Kenya Defence Force will take place in the light of the Commission's report.

The hon. Mr. Madan, Sir, referred to something that appeared in the Press, "Operation Courtesy" or "Operation Service"—I cannot recall at the moment which particular designation was used in that Press article. It was not a Government hand-out, but at the same time certain initial action had been taken to institute a long-term measure of Operation Service which has been functioning in Malaya. It is not a thing which can be put into force forthwith. Courtesy by itself can always be put into force forthwith and the more that is done the better.

MR. MADAN: I am grateful the hon. Member has given way. On reflection I think I should have said "courtesy campaign" not "courtesy week"—of course, we do not want courtesy lasting one week only.

THE CHIEF SECRETARY: Yes, I am afraid that it was the word "courtesy" which I was wondering about because I was not sure whether the term used was "courtesy" or "service". I can assure hon. Members that there is not a question of this being confined to a week.

He referred, Sir, to delays in the arrival of vehicles at the scene of incidents, both 999 vehicles and others. This, Sir, has already been the matter of investigation. I understand that in certain cases the delay occurred owing to the difficulties of locating the source of the report, but I am advised that improvements have shown themselves on the

ground during the last two or three weeks. And here again, Sir, the hon. Member was so good as to say that it was hearsay, but, here again, Sir, I would be grateful if he would ask his informants to put in specific complaints.

The hon. Mr. Mathu tried to draw me on a comparison of the Uganda Police Force with the Kenya Police Force. I do not propose to be drawn, because I think that they each have their merits, a number of those merits are common, and I would not wish to eulogize one at the expense of the other, but I have taken note of the particular point on which he raised this issue, and it is one which come forward in the light of the Police Commission's report, I have no doubt.

I would like to endorse what the hon. Member for the Rift Valley said, and I think it was referred to by a further Member—that was to remove any possible misunderstanding on the remark made by the hon. Member for Kiambu. I was quite clear in my own mind that he meant no criticism whatsoever of the imported recruits—he was merely drawing attention to the necessity for giving them the benefit of local knowledge before the time when they themselves had gained such local knowledge, and particularly before they had a chance of learning the language.

MR. COOKE: You have got a very clear brain fortunately!

THE CHIEF SECRETARY: I am obliged to the hon. Member for his aside. As the hon. Member for the Coast seems to think he is being neglected, Sir, he referred to negligent carrying of arms. I agree, Sir, that police officers should take note and action on any occasion when they see this. There is not always a police officer on the spot, but I shall pursue this point myself.

MR. COOKE: It is not the question of police officers being on the spot—it is a matter of continuous neglect hour after hour, day after day, week after week, minute after minute. Police officers must have seen it if they had eyes in their heads.

THE CHIEF SECRETARY: As I say, Sir, I am pursuing that particular point. I am, also, immediately pursuing the point he raised of air-guns. I may say that I have already pursued it.



MR. COOKE: Well done!

THE CHIEF SECRETARY: The hon. Member for Nairobi South drew attention to the lack of an up-to-date manual. The old manual was revised about a year and half ago, but it is not really satisfactory in its revised form, and I agree a new manual is very necessary and action will be taken on that.

A further point was in regard to recruits from the United Kingdom requiring training and to learn the language, and the suggestion that they should be channelled into special classes instead of immediately being made maids-of-all-work. That, Sir, is being done to some extent—I agree it should be done to the greatest possible extent in the light of the previous experience of those men, in order to make the best available use of our manpower. With regard to the use of Europeans on the normal beat system, this is a questionable use of manpower, but they are used on patrols and, to my mind, not being a professional policeman myself or necessarily an expert, I would have thought it was better to use constables on beats and the Assistant Inspectors, whatever they may be, on patrols. Although I would not rule out the use in specialized circumstances of Assistant Inspectors and Inspectors on beats.

The hon. Mr. Patel raised the question of absorption of the Kenya Police Reserve in the Police—I have every hope that this will be done to quite a considerable extent in cases where suitable candidates are themselves desirous of joining the Police Force, and, in fact, it has already taken place in certain cases.

The hon. Mr. Ohanga referred to two certain points, particular relationship between the chiefs and police constables—I shall certainly take up this matter, because I am very well aware of the trouble which is apt to occur in such cases—it is not a recent trouble, Sir. I have had the same trouble myself when serving in the district, and the reason generally is, shall we say, competition or a failure to realize that the authority is the same in both cases; that they are not working for separate authorities, occasionally a police constable being in uniform and perhaps coming from a town feels that his importance is

unduly great compared with that of the chief, but I am sure that the Police will have the full co-operation of the chiefs in improving this relationship.

He referred also, Sir, to the use of informers as opposed to decent citizens. Sir, he classed informers, as I understood it, all of them, as ex-criminals, bad men. Well, informers do not necessarily belong to those categories, but it is a fact that information is very frequently coming from people of that kind.

On the other hand, Sir, the police welcome any information produced from decent citizens and there is no intention of ignoring decent citizens.

MR. MADAN: When they also become informers!

THE CHIEF SECRETARY: In the broad sense, "Yes", Sir, but it is a fact that certain people believe that "informer" is a technical term for what I might call a "bad man".

The hon. Mr. Cowie, Sir, referred to the matter of security of arms. I have that general matter very much in mind and in regard to the two particular cases he referred to me—and I stress these were two particular cases with details—I have pursued that matter and although further action is not finalized, I can assure him that it is very well in train.

The hon. Member for Uasin Gishu asked whether police officers have to learn Swahili before promotion. I can assure him that that is so; although I have not got the regulations here, I think I am probably right in saying that they also have to pass a certain Swahili examination before they are confirmed, if they are going to be on the permanent pensionable staff.

The hon. Member for Nairobi North, Sir, asked for information regarding recruitment and he referred to putting a representative in London. Out of one batch of 126, in respect of which recruitment was instituted some months ago—they have all been recruited. One hundred and twelve were recruited in the United Kingdom, five were recruited here in Kenya and nine from other parts of the Empire. Then later, there was a demand for an additional 435 Assistant Inspectors on the same terms. Of these, Sir,

[The Chief Secretary]

775 have been appointed and have arrived from the United Kingdom; eight were recruited locally and are on the job. Sixty-one more have been appointed from the U.K. but have not yet arrived, and in addition to that figure 16 have been appointed locally but these have not taken up their jobs, and 20 from elsewhere in the Empire. There remain still to be appointed 54 to fill vacancies which exist; that is in hand, and the appointments should be made very shortly because I can assure hon. Members there was no shortage of applications.

On the matter of a representative in London, special arrangements were made for a senior Kenya Police officer to assist in all this work and I may say that on other occasions when recruitment is in hand advantage is taken of the presence in the United Kingdom of a suitable police officer to bring him into consultation when recruiting is taking place. On this particular occasion he was put onto it full time and it was not a question of doing half a day in the course of his leave.

The hon. Member for Western Electoral Area seems to have considerable doubt as to the efficacy of my taking notes. My notes are not always legible, I admit, but some use is made of the HANSARD which is produced. I am very willing to investigate the position in his constituency, but I will not give a guarantee that police will be posted in every place that he has in mind; I understood him to refer particularly to townships, as I say, I will investigate the position. As he will be aware, it is unfortunately necessary to draw to the operational areas a number of police who might otherwise be available to be stationed in what I may call the troubled areas, but as I say, I will investigate the matter.

MR. NATHOO: I would like to know from the hon. Member what he has got to say about recruitment from South Africa and Rhodesia.

THE CHIEF SECRETARY: On the matter of recruitment from South Africa and Rhodesia. There are a number of individuals there who do not necessarily hold views to which I understand the hon.

Member objects. There has been recruitment, I think I am right in saying, there have been people from Southern Rhodesia and from South Africa, but we do not do it on a blanket system and, as in the case of recruits from the United Kingdom or anywhere else, they are chosen with due regard to their suitability for living in other parts of the Empire and arrangements are made to interview them. I do not intend to embark on international discussions of generalities because although I have got a great regard for all the communities of Kenya, I may venture to say there might be one or two individuals here who would not be wanted anywhere else. (Laughter, applause.)

The question was put and carried.

Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

#### VOTE 2-4—POLICE

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move: "That a sum not exceeding £889,849 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-4—Police".

I would, Sir, like to make one explanation at this point. Hon. Members will, I have no doubt, have read page 72 (a) of the Estimates with considerable interest. I trust they have taken a due regard of that page. Another point, Sir, is if the hon. Members will turn to page 74 of the Estimates, they will see an item with 126 Inspectors and Assistant Inspectors (Superannuary), a token vote of £1. If they will turn to page 82 they will see 300 Inspectors and Assistant Inspectors (Superannuary) included in the proposed police expansion vote, a token vote of £10. In the 300 there has been a mistake because the 126 on page 74 has been repeated in that establishment. It makes, indeed, no difference to the total amount of money asked for, particularly having regard to the memorandum notes on page 72 (c). That is because in this transitional period of presentation of our Estimates where we

[The Member for Finance and Development] have moved to a Parliamentary stage of voting the money only, at the same time in the transitional stage, we submit the details of the establishment in order that again during the transitional stage this Legislative Council shall have control of the establishments.

I think most of the Members have recognized, as we move towards Parliamentary maturity, the time will come when Legislative Council will not even debate details of the establishments at all, merely do as Parliaments do, deal with the block sum of money involved and leave the establishments to where, with all due respect, as in the United Kingdom, they belong. I think establishments will finally be put under the control of the Treasury.

I beg to move.

*Question proposed.*

THE CHAIRMAN: The Clerk will read the sub-head numbers and here, Members will use if they wish to make any comment on any item.

Sub-heads (1) to (10) and (80) agreed to. The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report progress and ask leave to sit again.

*Question proposed.*

The question was put and carried.

Sound resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORT

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £305,785 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-5—Prisons.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

*Question proposed.*

The question was put and carried.

#### COMMITTEE OF SUPPLY

##### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE CHIEF SECRETARY: I beg to move that Mr. Deputy Speaker do now leave the Chair.

I trust that you will not think me guilty of any disrespect in continually trying to remove you, Sir, but it is in deference to the wishes expressed from the other side of Council, not—I hasten to add—for your removal but for the particular votes to be debated.

Vote 2-5—Prisons, Sir. As hon. Members will appreciate, the long-term aspect of prison administration has been severely upset by the events of the last year or so during which the prison population has doubled. We had already before that embarked on a policy of putting prison camps in places for the carrying out of suitable work and this policy has been intensified. The matter of long-term, prison administration in the way of corrective training, segregation and that sort of thing, has been put into effect to the greatest extent possible but it will not be practicable to give full scope to those intentions until the new prisons at Shimo-la-Tewa and Kamiti are completed.

As I say, Sir, the position has been made more difficult by the influx of prisoners during the Emergency, but I should like in that connection, in connection with the doubling of the prison population and the provision of a certain margin for the incarceration of additional people who may come along without having to await the further building—I would like to pay a tribute to the Commissioner of Prisons and his staff and the assistance rendered by the Public Works Department in the enormous number of new temporary buildings which they have had to erect. (Applause.)

In regard to the Estimate, Sir, as far as Personal Expenditure are concerned, the Estimates are based on the same number of posts as those included in the 1953 Draft Estimates. There have been added those posts which were approved in the Supplementary Estimates during this year.

[The Chief Secretary]

Now, Sir, in common with certain other departments, various other posts have been included in the Estimates on a token provision basis because it is realized that the results of the increased-prison population will continue after the Emergency ceases to exist. As far as "Other Charges" are concerned, they have been based on behalf of the approved provision made in 1953, the balance being met from Emergency Expenditure.

There have been certain re-arrangements of the amounts against specific items because this is designed to cope with the alterations in the prison population at the various prisons.

I beg to move.

THE MEMBER FOR LEGAL AFFAIRS seconded.

*Question proposed.*

THE DEPUTY SPEAKER: If no other Member rises to speak, Mr. Deputy Speaker will now leave the Chair after I have put the question.

The question was put and carried.

Mr. Deputy Speaker left the Chair, accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

##### VOTE 2-5—PRISONS

THE SECRETARY TO THE TREASURY: I beg to move:—

"That a sum not exceeding £305,785 be granted to the Governor to defray the charge which will come in course of payment for the half year ending the 30th June, 1954, for Vote 2-5—Prisons."

*Question proposed.*

THE CHAIRMAN: The Clerk will read the various sub-heads.

Sub-heads A to J agreed to.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report the progress and ask leave to sit again.

*Question proposed.*

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORT

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and has approved a Resolution that a sum not exceeding £305,785 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-5—Prisons.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

*Question proposed.*

The question was put and carried.

#### COMMITTEE OF SUPPLY

##### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE SECRETARY TO THE TREASURY: I beg to move that Mr. Deputy Speaker do now leave the Chair.

The Head of the Estimate Public Debt, Number 4-6, makes provision for the recurrent charges arising from our loan commitments. It covers the interest and the redemption either by instalment or by contribution to a sinking fund. There is an omission from the Public Debt in that we do not show under that Head the expenses of management which are comparatively small, the sum of £5,000; nor do we show the interest on the East African War Bonds.

As hon. Members are aware, the East African War Bonds were raised on an East African basis and the proceeds have been re-lent to Her Majesty's Government so we are finally responsible for neither the interest nor the redemption. I think, therefore, the Head, as it stands, shows the position fairly clearly. The provision required in the first half of 1954 is at an annual rate of about £350,000, more than the provision for the year 1953. The reason for that is that we have made provision at the annual rate of £300,000 in anticipation of our being able to raise the Development Loan which this hon. Council authorized a few months ago. The amount of that Loan was £6,500,000 and we hope that it will be able to raise it in time to pay interest and start redeeming it during the half-year 30th June, 1954. The balance of the

[The Secretary to the Treasury] increase is accounted for by the fact that we have to pay a slightly larger interest on the Mombasa Water Works Loan which is now being supplied to the Government and we have also a small increase on interest on deposits arising from the fact that we have more deposits and that our deposit rate went up in line with the rate we received on the Joint Colonial Fund.

Part C is the provision of new money. Part B is called our Unfunded Debt and relates to a group of Colonial Development Loans made to us in the years 1935 and 1936. They are being repaid by annual equated instalments and it so happens that more instalments fall due in the first half than the second half, hence the slight increase. The Water Supply Loan is now being drawn and the interest on it will be paid from the Estimates of this Head but it will be reimbursed to us from the Water Supply. It is the intention that the Water Supply should be taken over ultimately by a statutory public utility board which should be responsible for the loan and the interest. There should be no net charge on the taxpayer but obviously at this stage we must be responsible for the loan.

The main part of the estimate of this Head—Part A—is the Funded Debt. The total amount of the Funded Debt is round £22,000,000 and the Railway have had of that £22,000,000, some £6,500,000, leaving the net Kenya share of the loan at £15,500,000. Those loans have an annual charge of interest of just a little over 4 per cent. We are redeeming those loans by making contributions to the Sinking Fund at the rate of 1 per cent per annum. There is one exception where we pay 2 per cent on one of the smaller loans.

It is clear that in loans ranging from 20 to 30 years we cannot hope to redeem them by the accumulation of a Sinking Fund at 1 per cent per annum but, as is pointed out on page seven of the Estimates in the Financial Statement—we would need to invest £6,500,000 now to make the Sinking Fund up to the amount required on the earliest due date. We, in fact, would not normally wish to redeem on the earliest due date and in view of the life of the assets, which we

have purchased from these loans, being considerably in excess of the period of the loans, it is not unreasonable that we should expect to complete the redemption by going in for conversions at a later date.

Loans have been used in the past for specific purposes, for the supply of capital to the Land Bank, public buildings and so on, but since the introduction of the Development Fund, we have allocated loans to the general purposes of that fund and the last two loans of around £12,000,000 cannot be allocated specifically to any particular asset. But hon. Members are aware of the asset created by the Development Fund.

Inevitably we must ask ourselves what is the extent to which we should borrow and can borrow. The "can borrow" depends largely on the people who are going to lend us the money. Hon. Members will be aware that there are limitations on borrowings in London because of the general shortage of capital and that our facilities in Kenya are not yet sufficiently developed to take the full advantage of that market, but there is the other factor of our credit-worthiness which must be taken into consideration. What we should borrow is a very difficult matter and I doubt if anybody would care to specify or formulate the amount in relation to any particular factor. It is, I believe, not unusual to relate loans to revenue, population, national income. In 1938 our Public Debt was around £4,500,000 when our revenue was under £4,000,000. In 1952, our Public Debt was £15,500,000 when our revenue was around £20,000,000. These figures have no particular significance but I give them to show that we have not gone very far from pre-war standards.

There are other figures that may interest hon. Members such as the Public Debt per head of population but I think the more important one is the annual charge on our public debts and that, per head of the population, is only Sh. 2/10d. per annum. The annual charge on direct taxpayers, that is personal tax and poll tax payers, is Sh. 16 per annum.

MR. BLUNDELL: Shame!

THE SECRETARY TO THE TREASURY: The annual charge on the income tax

[The Secretary to the Treasury] impose income tax just before the war. I am merely mentioning that point, not to bring the hon. gentleman on his feet to devastate me with his remarks! But to point out that generalizations are not always correct. I would say that naturally it is only common sense that capital would go more to a country with lower taxes to a certain extent. But at any rate I say that there are far more important things than keeping down taxation—that is stability shown by having little racial trouble or getting rid of the Emergency at the earliest possible moment, good relations and that sort of thing. This will attract capital to the country and would out-balance the detraction of increased taxation.

More important still, I think, is the relationship to the national income. At the moment our Public Debt is 15 per cent of the national income but the annual charges on the Public Debt are only 0.8 per cent of the national income. Now, that figure compares very favourably with the ratios which prevail elsewhere. It is, of course, inevitable that an under-developed country should have a lower annual charge of Public Debt and the main justification for the Public Debt is the creation of that national income which will allow us to bear the Public Debt. It points to the economic use of our loan moneys. Equally, of course, if we raise the national income it will not be impossible to use loans for purposes not specifically economic or not short-term economic. There are very grave dangers in having too heavy a Public Debt, but equally it would be dangerous to fear debt because of possible recessions in trade which may arise from time to time. For development purposes we have got to look for outside capital and we have got to be ready when the recession comes to tighten our belts and to economize on other Heads. It is quite impossible, once we have committed ourselves to loans, to economize under the Public Debt.

Sir, I beg to move.

THE MEMBER FOR FINANCE AND DEVELOPMENT seconded.

Question proposed.

MR. COOKE: I rise on one point, I do not know if I am in order. I often hear it argued in Council that high taxation will drive capital from the country. That in itself—that obvious truth is that it may deter capital from the country. The point I want to make is there are far greater deterrents than taxation.

I remember it being argued years ago—argued with great conviction by the hon. Member for Nairobi West—that income tax would drive capital from this country. In so far as I have noticed it has been the very opposite, because capital is coming into the country in great sums every year ever since we did

impose income tax just before the war. I am merely mentioning that point, not to bring the hon. gentleman on his feet to devastate me with his remarks! But to point out that generalizations are not always correct. I would say that naturally it is only common sense that capital would go more to a country with lower taxes to a certain extent. But at any rate I say that there are far more important things than keeping down taxation—that is stability shown by having little racial trouble or getting rid of the Emergency at the earliest possible moment, good relations and that sort of thing. This will attract capital to the country and would out-balance the detraction of increased taxation.

I am not advocating increased taxation but it must come, and I hope it will be evenly distributed amongst the various communities—I hate taxation as much as anyone else but I simply want to reinforce the argument that increased taxation alone will not detract capital from this country.

MR. CROSSKILL: I would like to congratulate the hon. Member opposite on his most lucid exposition of the debt position which I found even I could understand. He did say the position at present was that our loan amounted to 15 per cent of the national income. I would like him, when replying, to give us an idea as to how that compares with the loan position of other countries so that we will be able to judge how far we feel this country could go in accepting loans in the future.

I beg to support.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I, too, Sir, would like to congratulate my hon. colleague upon his exposition of the Public Debt position.

I would like to deal with just two general points. One is, of course, the hon. Member for the Coast is undoubtedly right. There are far more important things than high taxation which would keep industry away from the Colony; and, of course, stability and peace is one of those factors, but if he will look back to the statement I made at the opening of the debate last week he will see that I have had to face the position of high taxation acting as a deterrent at a time when peace and stability do not exist. If, in addition to

[The Member for Finance and Development] the risk that is obviously to be run in the investment of capital during the present position, high taxation is added, then it is extremely unlikely that capital will be attracted. But fundamentally, one thing capital looks for after the experiences of the last few years in many parts of the world is peace and stability and progress uninterrupted by strife and political troubles. That was one point.

My hon. friend, the Secretary to the Treasury, will, no doubt, deal with the point made by the hon. Member for Mau. I would like to stress this one. In a developing country such as ours it is recognizable and must be acceptable that there must be a heavier burden of public debt than in many a developed country. It is, I think, obvious that a lot of capital development—that is in well-developed and established countries—could be taken from the annual revenue raised which cannot be taken from annual revenue in developing countries because of the very arguments I have just mentioned, about high taxation having a general deterrent effect.

I do not believe you will get any very satisfactory comparison unless you take a country in a comparable state of development to ourselves. I think there can be little doubt that, in view of the financial position of the country at the present moment, if development is to be undertaken and it must, in the provision of Government services essential for the expansion of private enterprise, it will have to be done as much as possible from loans in future, whatever the policy may have been in the past. (Applause.)

THE DEPUTY SPEAKER: I will ask the hon. Member to reply.

THE SECRETARY TO THE TREASURY: I am grateful for the kindly remarks that have been made on the one occasion when I have overrun my self-imposed limit of three minutes on my feet!

I am rather hesitant in replying to the point made by the hon. Member for Mau in view of the remarks made by my hon. friend the Member for Finance. It made me wonder whether the figures that I have hurriedly had extracted from

documents available to us are, in fact, correct. I have no figure relating to a comparable territory—comparable to East Africa—I did look at the developed countries of Australia and Canada. I found that the national debt in Australia was just under 100 per cent of the national income and the national debt in Canada was around 200 per cent of the national income. But, as I say, in view of the argument made by my hon. friend the Member for Finance it is possible that I have got these figures slightly out of line. I would not like the hon. Member for Mau to place too much reliance on them at this stage.

Sir, I beg to move.

The question was put and carried.

#### COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

(Sir Charles Mortimer, C.B.E., in the Chair.)

#### VOTE 4-6—PUBLIC DEBT

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move:—

“That a sum not exceeding £604,018 be granted to the Governor to defray the charge which will come in course of payment for the half year ending the 30th June, 1954, for Vote 4-6—Public Debt.”

Question proposed.

THE CHAIRMAN: The Clerk will read the sub-heads.

Sub-heads A, B and C agreed to.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

(Mr. Deputy Speaker in the Chair.)

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution

(Sir Charles Mortimer) that a sum not exceeding £604,018 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-6—Public Debt.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### ADJOURNMENT MOTION

#### INTERPENETRATION OF KIKUYU

THE DEPUTY SPEAKER: I believe the hon. Member for Uasin Gishu wishes to raise a matter on the adjournment.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, Sir, I beg to move that Council do now adjourn that I may now bring up a matter of public importance.

In yesterday's debate, a reply was given to a question by myself on the subject of Government policy on the continued interpenetration of the Kikuyu tribe into the land units of other African peoples.

Sir, this is a matter which was debated in this Council two or three years ago and Government policy was then laid down that interpenetration should take place, despite the fact that views were expressed by this side of the Council that it was a danger to the land itself if an agricultural tribe interpenetrated into a pastoral tribe; that, as much of the land with which we are particularly concerned is the land of Masai which is semi-arid and which is totally unfit for the intensive cultivation of stream-banks—which is always done by the Kikuyu—and this was tacitly accepted by Government.

Now, Sir, in reply to my question, in paragraph 3, the statement is made that “during the Emergency this policy has been suspended as far as the Kikuyu are concerned, although as soon as conditions have become more stabilised, re-consideration will be given to the problem in the light of experience during the Emergency”. That is the paragraph to which I take particular exception. There can be, in my opinion, no question of reconsideration of a policy which has been proved conclusively wrong during

the Emergency. There can be no question of such a policy being re-implemented after the Emergency by Government, and I would suggest that a decision at the moment on this matter should be given by Government and not a statement of reconsideration post-Emergency. The Emergency has conclusively shown not only the agricultural disaster—which I can prove to hon. Members opposite—taking place in the Masai reserve, due to this interpenetration, but also the political disaster which has taken place, due to allowing the Kikuyu to interpenetrate into the Masai country and I submit that Government should have stated categorically that their policy was completely to stop and prevent the interpenetration—the further interpenetration—of Kikuyu into other native land units.

There is a second point in the final paragraph which is also of the greatest importance. It says that consideration is now being given to the eventual removal of those Kikuyu who have not already been removed for Mau Mau activities from certain areas, notably Kisii and Masai.

I have never been of those who believe, in this Emergency, in the complete removal of Kikuyu from the White Highlands. I have never supported it. But this is an entirely different matter. In the White Highlands machinery exists to some extent for dealing with subversive activities of the Kikuyu. Among the native land units that machinery does not in fact exist. There are—particularly in scattered areas such as Masai—an administrative officer or two at the outside, but there are few other Europeans. The area is mainly remote and there is no possibility whatever of supervision, the very close supervision which is required over these people residing there and, in my view—and I feel I am supported here by the vast majority of people, in this country, outside the Kikuyu—there can be no question but that immediate steps should be taken for the immediate removal of all Kikuyu who have interpenetrated into those tribal areas, such as the Masai. If they are left there they are a permanent menace to security.

The distinction is wrong, in my view, which is drawn in the reply to my question between interpenetration and infiltration. Interpenetration is defined

[Mr. Maconochie-Welwood] as Kikuyu who go into the land unit of another area and adopt the status of that tribe; infiltration is, I think, described as being taken to mean settlement among different people but the retention of the tribal status. Before the Emergency this may have been all very well, but since the Emergency we should have learnt that we cannot afford to split hairs with the Kikuyu people. The Kikuyu people, when they settle in other areas, invariably infiltrate as well as interpenetrate: that is to say, a family settles and gradually relations and the hangers-on appear, which I would define as infiltration. The fact that when they have joined that family they may in due course adopt the status of the tribe is neither here nor there, but that infiltration has proved quite impossible to stop, either in the European settled areas or in the native land units. The only way to stop it is for Government to adopt—for once—a bold policy and say that this thing has happened and this thing must stop, because if they allow it to go on—how shall I describe it?—the veiled imperialism of the Kikuyu people who seek to infiltrate into the land belonging to other people will result in those people finding to their cost that the Kikuyu possess their land and gradually will direct all that happens there. (Applause.)

MR. COWIE: Mr. Deputy Speaker, Sir, may I also be allowed to contribute some information on this point—

THE DEPUTY SPEAKER: Is the hon. Member seconding?

MR. HAVELOCK: I am seconding, Sir.

MR. COWIE: If I may be allowed to contribute some information on this point more from the economic angle than a political angle, because I believe myself that it is an economic problem.

I do think Government would be well advised to consider whether, first, the land is being wisely safeguarded by this policy and, secondly, whether it is in the interests of the people themselves, that is to say, the Masai in this case, and the newcomers, whether there is interpenetration or infiltration.

To establish my point, may I quote three examples? The first one relates to an area which I have known personally for 27 years—it is almost under my nose

—it is in the Masai Reserve and contains a number of interpenetrators and infiltrators. At the beginning of that period this particular place was covered in what one might call secondary forest, which therefore indicated that the soil was reasonably capable of carrying vegetation. To-day a good part of that area is bare rock. That, Sir, I submit, is not in the best interest of the land.

The second example is the area of foothills of the Ngong Hills which I also know very well. There has been a considerable increase in people who live in the Kikuyu fashion—agriculturalists rather than pastoralists—and according to the Provincial Commissioner of the area, he believes that that land cannot carry more than one crop every three years. There have been considerable requests made by the local residents in Karen area, who are interested in that place, that those foothills should be afforested to preserve the vegetation on the hills and also to preserve the water supplies. There again, I submit the problem is an economic one, as to whether or not the best use is being made of the land, by allowing this development of agricultural methods.

The third example is a hill known as Ol Doinyo Orok which is the hill behind Namanga. On top of that hill there is a settlement of Kikuyu who have been there for a good number of years. I think it is doubtful whether it is in the interests either of the Kikuyu or of the Masai that they should be allowed to cultivate in what is virtually the source of water from that hill. The water supplies in that area are very limited and by cultivating, and destroying the vegetation on top—I think it is generally accepted that it does not improve the water supply. That again is an economic problem as to whether or not it is in the best interest for those people to cultivate on top of that hill.

I wish to commend to Government consideration as to whether or not this interpenetration, not only judged during the period of the Emergency but over the much longer period of which there is evidence, is in the interests, first, of the land, and secondly, of the people concerned.

Mrs. SHAW: Mr. Deputy Speaker, Sir, I rise to support the Mover of this Motion very strongly, for I do believe in most cases it is infiltration and nothing but infiltration, I do not think it is in the interests of those tribes into whose land those Kikuyu have infiltrated.

I was at a very large *baraza* about a year ago, or maybe a little longer, shortly after Sir Evelyn came out as Governor; at that *baraza*, held at Kisii, the Kisii people asked the Governor to remove the Kikuyu who had settled in their reserve. The Governor replied that that was not possible but the whole of that *baraza* did ask that those Kikuyu be removed in the interests of the Kisii tribe.

I agree also—I have never been of the opinion that it is entirely fair to remove all the Kikuyu from all the White Highlands, especially in my area in Nyanza, where many have been born on the farms and possibly have no place in the Kikuyu reserve—but at the same time I do consider, with the hon. Mover, that there is a certain measure of control over Kikuyu resident on farms but there had been very little control until the Emergency broke out of the activities of the Kikuyu settled in the Kisii reserve because they are settled in very isolated parts of the Kisii reserve, in a part which, unfortunately, has not been too well administered by the local chief. The harm they have done there has been, in my opinion immeasurable.

I would very much support, therefore, the policy that Government were to remove those people, also the Kikuyu infiltrating into Masai.

I was very much relieved to hear from the hon. Chief Native Commissioner that that was to be the policy of Government and so I was rather surprised when I heard the hon. Chief Secretary's statement yesterday—

THE CHIEF SECRETARY: On a point of explanation, or correction, I am afraid I did not make a statement on this matter yesterday.

Mrs. SHAW: I am sorry, the hon. Member for African Affairs. I beg your pardon.

MR. TAMENO (African Representative Member): I do not want either to support the Motion or to oppose it. I would like to bring to the notice of the Council

a few facts. Although Government has this policy of encouraging interpenetration, the Masai have always had the final say and whatever Government has encouraged, if the Masai elders are not in favour, the Masai have always got out the Kikuyu.

My hon. friend, the Member for Uasin Gishu, failed to understand that he at one time also did interpenetrate the Masai country.

The hon. Nominated Member, Mr. Cowie, said that it was the economic condition—it may be an economic condition, I think it is, because most of these Kikuyu who go into Masai, quite a number of them are employed by the Masai—they have just begun to realize that it is good to undertake some agricultural undertaking. If they were to be removed wholesale it means that the Masai themselves are going to be very hardly affected. As I suppose most of the Members have not visited Masai country during the dry season—if any one of the Members here happens to visit during the dry season one would realize that the Masai are coming more and more to using agricultural products.

He did also mention about the Ngong Hills. The Ngong Hills is where I live myself. You will find most of the people who are cultivating there are Masai, but quite a number are Kikuyu and whenever it comes to a question of shifting Kikuyu the Masai have always had the upper hand over the Government. So, Mr. Deputy Speaker, Sir, I fail to see the reason why such a Motion has been moved.

MR. MATHU: I would like to contribute a little to this debate. First of all I would like to say that if the policy advocated by the hon. Mover of the Motion was adopted by the Government in regard to the native land units, I think it is logical that the same policy should be adopted in regard to the complete removal of the Kikuyu from the White Highlands. It is the same policy; it is the same principle, and I do not see why he should say there is the machinery in the White Highlands for the control of the Kikuyu and no machinery for controlling Kikuyu in the native land units. I cannot believe it; the machinery is there. There are African district councils, and African local councils which

[Mr. Mathu] look into these problems, they are all a set-up of the Administration which is very close to the people and if I am told that there is no machinery to control infiltration or interpenetration into the native land units, I would not believe it.

A further point I would like to mention is the one that has already been put forward by the Member for Masai who has just sat down. That is that in the process of human evolution one of the stages was that the hunter became the pastoralist, and then he became the agriculturalist. I would like to suggest that the Masai are now moving from the second stage very gradually into the style of an agricultural tribe. If you read the books written when the British came here for the first time—Joseph Thompson and people of that kind—the Masai lived on meat and blood. He does not now, he lives on *posho*, by and large, and he buys his wants, therefore, from the people who grow maize for him and, as my hon. friend the Member for Masai has said, the Kikuyu are doing that very thing.

My hon. friend, the Member for Uasin Gishu, did not suggest where these people are going to get maize and maize flour from, if the Kikuyu are moved wholesale from Masai.

The final point I would like to make is that I agree with the hon. Member for Uasin Gishu in this one particular thing which is embodied in the interpenetration policy of the Government that any Kikuyu or any other interpenetrator, for that matter, who does not behave properly in the areas where he is, he should be removed.

Secondly, if under the conditions of the Emergency, there are any Kikuyus found to be against the law and order, becoming members of *Mau Mau*, those should be removed. But to move the whole lot in Masailand from Masailand or elsewhere and give them no alternative accommodation elsewhere will give Government more headaches than they have got at the moment.

MR. BLUNDELL: We want a reply.

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, Sir, I do agree with much that the hon. Member for Uasin Gishu said, particularly with regard to

his points on interpenetration, when he pointed out how easily that merges into the other thing, of infiltration with the usual hangers-on. I have had considerable experience of this in both districts of the Masai and I am bound to admit from that angle I was never much in sympathy, as district commissioner, with these policies of interpenetration. Nevertheless, I hope that in my statement I made it quite clear that we had not only suspended, but put into reverse by removing large numbers of Kikuyus both from Kisii and from Masai, this policy of interpenetration.

I think it should be appreciated that when you are considering the Kikuyu in the Masai, it has become extremely difficult to say what are pure Masai and how far inter-mixture may have gone in any one area. Where one sees agricultural colonies growing up that Mr. Mathu has referred to, they are very often the result of years of inter-breeding. They may be half-breeds or quarter-breeds, they have brought in Kikuyu relations and Kikuyu wives and for generations the Masai have favoured Kikuyu wives.

MR. MATHU: Hear, hear! (Laughter.)

THE MEMBER FOR AFRICAN AFFAIRS: Whether they are right in so doing will probably be proved in the course of years but there is no doubt that there are various reasons for favouring these—they are good workers, and certainly there is a high percentage of infertility among their own women which led to this.

The hon. Member for Uasin Gishu described the Masai district as being largely semi-arid and unsuitable for cultivation. I would say this is largely so but there are certainly areas round the fringes of the Mau and very small areas of Kajiado which are suitable for cultivation. It is in these areas that there is a mixture of Kikuyu and Masai population and they are congregating also round the foothills of the Ngong Hills.

MR. MACONOCHE-WELWOOD: The Narosera.

THE MEMBER FOR AFRICAN AFFAIRS: I think that my hon. friend, Mr. Cowie, rather overstressed the destruction to the water supplies on the Ngong Hills because, as far as I am aware, considerable

[The Member for African Affairs] care has been taken to protect them, although I do agree there is a concentrated increase of cultivation outside the head-waters of this particular water supply. I also agree that there is a considerable need of improvement in the standard of cultivation and for greater supervision of the methods employed.

With regard to the Kisii, the hon. Member for Nyanza mentioned a *baraza* that the Governor held there earlier, when he stated, and I think she was right, when he said that it was not possible to move the Kikuyu out of Kisii. Since then this position has rapidly changed with the spread of *Mau Mau* into this particular Kisii colony. I do not think that the conditions that pertained then pertain now. Large numbers of Kikuyu who have been detained in that colony are being removed. I have no doubt, as a result of the discussion going on with the Provincial Commissioner in Nyanza, most of those now remaining will also be moved. (Applause.)

I think the hon. Member would appreciate the difficulties we are having with the prevailing operational conditions in the Kikuyu districts of finding places to put these Kikuyu—when we have to remove large numbers from any one place and return them to the Kikuyu districts. It is now a matter of playing for time and developing other areas where we can place them under control instead of returning them willy-nilly to the Kikuyu districts. That is now going on with regard to the Kikuyu and Masai.

I think I mentioned also that the intention now is to develop bush-clearing schemes in the Narok area, removed from operational security considerations where they can be placed for the time being and collected there from the area of the Mau which is a difficult operational area.

I have little more to add to this, Sir, but I feel that we cannot pronounce finally on what our future policy will be at the end of the Emergency. Also I have little doubt myself that it will be a continuation of the present policy under the Emergency Regulations to suspend and, indeed, reverse the policy of interpenetration in so far as the Kikuyus are concerned. (Applause.)

THE DEPUTY SPEAKER: No other Member rising to speak, I will put the question.

The question was put and carried.

#### ADJOURNMENT

THE DEPUTY SPEAKER: Council will now stand adjourned until 9.30 a.m. to-morrow.

Council rose at One o'clock.



Thursday, 26th November, 1953

Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair.]

### PRAYERS

### ORAL ANSWERS TO QUESTIONS

#### QUESTION NO. 7

MR. SLADE asked the Member for Legal Affairs to state whether there is any foundation for the belief that the recent prosecution of Sgt. Jeremy Allen of the Kenya Regiment for the murder of an African (which resulted in his complete exoneration) was instigated by a visiting European named Peter Evans, in a deliberate attempt to establish a false case against a European member of the Security Forces operating in this Colony during the present Emergency?

THE MEMBER FOR LEGAL AFFAIRS: I have carefully considered the available information in connexion with this case and have reached the conclusion that there is insufficient evidence to justify instituting proceedings for perjury or for fabricating evidence or for any similar offence against any of the persons who have been concerned with this case, including amongst them the visiting European named Peter Evans. In these circumstances it would not be proper for me to comment on the belief referred to in the question that Evans attempted to establish a false case against a European member of the Security Forces.

MR. COOKE: Was that question—I rise to a point of order—was it strictly in order—with all due respect to my hon. friend Mr. Slade?

THE DEPUTY SPEAKER: In what respect is it out of order?

MR. COOKE: Page 7, section 30, says that names must not be mentioned unless strictly necessary; I am not saying I have not got every sympathy for my hon. friend. Also it says that expressions of imputation should not be made. That is in number 30-(a).

THE DEPUTY SPEAKER: On the first inquiry about the use of a name, so far as I can see, the question is solely con-

cerned with one particular person, therefore the question could not be asked at all unless either the name were given or a sufficient indication of the identity of the person concerned. On the second part, the imputation, I cannot see that there is any imputation in the question; it is merely an inquiry as to whether there is any foundation for the belief and so I think the question is in order.

MR. SLADE: Mr. Deputy Speaker, arising out of the answer to this question, may I ask the hon. Member whether it is not a fact that in the course of the proceedings against Sgt. Jeremy Allen, a European advocate made a sworn statement giving rise to a belief of this kind.

THE MEMBER FOR LEGAL AFFAIRS: In the course of the Summary of Evidence proceedings, as they are called under Military Law, certain evidence of that kind was given of a vague and general character. It was evidence which was unsupported; it was evidence which was not cross-examined and it was evidence which was in conflict with other information available to the Crown.

MR. SLADE: Arising out of that answer, am I right in understanding that there was such a statement?

THE MEMBER FOR LEGAL AFFAIRS: I have already said so.

MR. COOKE: Greek met Greek in that case.

### COMMITTEE OF SUPPLY

#### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR.

THE DIRECTOR OF PUBLIC WORKS: Sir, I beg to move that Mr. Deputy Speaker do now leave the Chair.

I have a few remarks to make about Heads 4-10, 4-11 and 4-12—Public Works Department. It has been said, Sir, in debate previously that it is now becoming necessary for the departments to become economically minded and that it will be very necessary for them to curb their enthusiasm for expansion of staff.

[The Director of Public Works] Now, Sir, the Public Works Department was very conscious of this over a year ago, for in the 1953 Estimates which were never considered in this Council, or at least never discussed, we reduced our establishment by no less than 170 persons as compared with 1952. Of this number 73 were Europeans. The actual percentage reduction for each class of staff were—Europeans 9.4 per cent, Asians 7.4 per cent and Africans 17 per cent. It has not been possible, Sir, to offer any further reduction in connexion with the Estimates we are now considering.

I should now like, Sir, to say a few words about the work of the Public Works Department under Heads of Expenditure which do not appear in the departmental estimates at all. These, Sir, are mainly concerned with the Emergency. It has seemed to me, perhaps inevitably, that there is considerable ignorance of what this has meant for my department. I would like to quote an example. The other day, one of the newspapers printed a report of the proceedings at the last annual conference of the Kenya National Farmers' Union and in that report it said of the Hydraulics Branch of the Public Works Department that of 60 or so proposals submitted recently, only four have come to fruition. On the contrary, Sir, this year up to the month of November 85 water proposals, propositions have been and are being dealt with. Of this number 46—not four—I repeat that 46 have been brought to fruition and are now delivering water to-day. The remaining 39 are now being dealt with, although, naturally, they will not all be concluded this year. These water propositions are of all sorts and sizes, from the Mombasa major project to a water supply supplying the prison camp at Sakwa.

By September of this year, Sir, the output of the Public Works Department had amounted to four-fifths of the total for 1952 and I am anticipating that by the end of the year we shall have considerably increased on the total of that year.

The development programme itself has fallen in arrears I am afraid, but not nearly as much as I would have expected, for on top of this develop-

ment programme there is all the work that we have had to do in connexion with military forces—the provision of their camps and their quarters, their water supplies and their roads; all the prison camps and the transit camps we have had to build; the administrative centres with their quarters and offices; police stations and court houses and all sorts of work. It bears recollecting, Sir, that the Public Works Department, until recently, has carried out the complete sapper duties of a full, or the equivalent of a full, division of troops on active service. Recently we have been unable to do the work sufficiently fast for the military forces in the operation areas and, as you know, a large force, the Royal Engineer Regiment, has arrived in Kenya to take over a part of the work we have been doing. The numbers in that regiment exceed by a considerable degree half of the Public Works establishment of Europeans.

On top of this, Sir, the departmental strength has seldom reached 85 per cent of the approved establishment during the year. Furthermore, nearly 10 per cent of that reduced establishment has been employed on military and Kenya Police Reserve duties. It will be appreciated from this that the strain on the department has been very heavy and, perhaps inevitably, the degree of intensity of supervision has not been as close as I would have liked.

During the debate on the Budget policy, Sir, there was some discussion of building costs and building contracts. I would like to turn to those subjects for a few moments. As regards contracts, the policy of the department is one of a balanced organization of works production whereby the full capacity of the department is employed. The more complex buildings are usually done by contract and the simpler types are done departmentally. Of course, the availability of contractors comes into the picture and in Nairobi, for example, nearly all works are done by contract. The major ones are done by contract based on quantities and the less important by a system of labour-only contract.

This is a type of contract whereby the Public Works Department supplies the materials and the contractor, who is



[Mr. Chanan Singh] should always be able to do work cheaper, and I believe there is no reason why they should give out work on contract if they can do it themselves.

MR. CROSSKILL: Nationalization!

MR. CHANAN SINGH: Nationalization is certainly better because it is for the benefit of the nation, and contractors make money for themselves.

MR. HARRIS: So do lawyers. (Laughter.)

MR. CHANAN SINGH: I would not mind if the legal profession were nationalized. We lawyers would then get guaranteed incomes.

MR. BLUNDELL: It does not sound as if it would be cheaper!

MR. CHANAN SINGH: Then, my second point is also in regard to the position of the artisans. That is a long-standing grievance, and the Public Works Department has not made a move. The other Government department is the Railway which employs a large number of artisans, but they have been for years taking more and more artisans on to the permanent staff. I think the Public Works Department should follow the Railway in that matter. It should not be impossible for them to ascertain the minimum number they require over a number of years. I think that that minimum number should be on the permanent staff. It is difficult to understand why, when they employ a man from day to day for ten or fifteen years, that man should not be on the permanent staff.

I require some information about the Training Schemes mentioned on page 141. I see there are two entries for "non-professional apprentices". What does the difference indicate, Sir? There is only one entry for "professional apprentices". Would the hon. Director of Public Works give us some information about these schemes—what they are and who these apprentices are?

MR. MATIU (African Representative Member): Mr. Deputy Speaker, Sir, I have one point only I should like to raise, and it is a very important point from the point of view of the African community

in Kenya, and that is, if my hon. friend would tell me what relationship he has with the technical training schools in the country. I refer in particular to the trade schools at Kabete, Thika and Nyanza, and how far they are working together so that after the man has been trained in the various trades, he can absorb them in his department.

Now, the African artisan in Kenya is finding it extremely difficult to make headway. The competition he has to face with other artisans, not only in Government departments but in private employment, is very keen indeed, and indeed those who hold almost all the monopoly of that employment in the artisan class in the country do not want to see the Africans coming forward at all, and, if they have the opportunity of encouraging them they do not. They go as far as to discourage them as far as possible, so that they continue to maintain the position they have been maintaining for a long time. It is all right as far as the private employer is concerned—we cannot do very much—but as far as Government departments are concerned, I think the Public Works Department can take a greater lead than it has taken now by giving trained African craftsmen employment in this department.

I want to quote two types of work which are provided for in the Estimates here. In the Building Branch I notice only sixty African artisans are provided for this year—the same number as are provided for in the first half of next year. No increase at all, and when I know the Public Works Department has a tremendous amount of work to do and they can only absorb sixty African trained artisans, it does not speak very well of that department in that regard.

Take the Electrical Branch, where there are only ten wiremen. I do not know why they are not called electricians—why they are called wiremen. I should like to know if ten is a number we can be proud of in that particular branch. I do feel that the time is here, Sir, when the Government should encourage African technical men by giving them the opportunity of employment in their departments, and I ask my hon. friend to give me the reasons why they are not doing it to the extent that Africans would like to see it happening.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, I want to deal only with one point which the Director of Public Works has raised, and that is the question of building costs. We are spending a year now something like three and a half million pounds in building, and therefore it is obvious that every penny we can save is a penny more for us to spend.

I am not convinced by the hon. gentleman's remarks about the difference between building by contract or direct labour which is, in effect, what the Public Works Department does. I do agree with him completely that we want both systems. All I am asking him is to examine with meticulous care the cost of building by direct labour—i.e. through the Public Works Department. In so doing, I find none of us on this side are quite clear from the figures quoted whether the overheads, such as the cost of housing the persons concerned in the building, pensions and replacement of officers when on leave—whether that is in the figures he quoted. Can the hon. gentleman tell me, if I give way?

THE DIRECTOR OF PUBLIC WORKS: No, Sir. Those types of overheads have not been included either in departmental or in contract work. I would ask the hon. Member for Rift Valley to remember there are considerable overheads involved when work is done by contract.

MR. BLUNDELL: Yes. Nevertheless, if the hon. Member quoted Sh. 35 per square foot, we must add the sum of Sh. 7 or something like that per week which would bring it up to Sh. 42. That must be compared with the direct amount quoted by him for contract costs, because the overheads of the contractor must be carried by his profit figure. Does the hon. Member want to interrupt?

THE MEMBER FOR COMMERCE AND INDUSTRY: I think you misunderstood. He was referring to certain overheads that the Public Works Department have in relation to work carried out by the contractor. (Laughter.)

MR. BLUNDELL: The hon. Member may have been. I am not. I am asking the hon. Member whether the figure he quoted of Sh. 35, whether his own overheads of his own officers were in that figure. That is all.

THE DIRECTOR OF PUBLIC WORKS: They were not in that figure. I was pointing out at the same time when considering contract work that there is also a considerable degree of Public Works Department overheads involved in the contract.

MR. BLUNDELL: I accept that. Nevertheless, in the figure the hon. Member quoted, I think we must add something like 23 per cent for these overheads. Then that Sh. 35 comes up to Sh. 42. If the hon. gentleman would add that to his figure he would find that a comparison of those by contract and those by himself would be not nearly so much in his own favour.

It is true that by using direct labour we do not have the cost of architects and quantity surveyors, but if the hon. Member would examine the Estimates he would find, in effect, we are carrying something like 2 per cent largely for architects' fees. That is a substantial reduction on commercial architects. Nevertheless, we have to pay this element, the same as with quantity surveyors.

There is one last point on this I want to make. It is erroneous to say that the contractor makes a profit, therefore he must be more expensive than the Public Works Department, for this reason: the contractor makes his profit (a) by submitting an estimate in competition with other contractors, which is at least a limiting factor on extravagance, and (b) he makes a profit by the efficient use of manpower and materials.

Many people who have been engaged in business will agree with me that one of the lessons one has to learn is that direct labour is more expensive than contract labour because there is not the same urgency in the completion of the contract. I do not put the point forward in any way as a criticism of the department. All I am asking is this: with a building programme of something like £3,500,000 a year, I feel it incumbent upon us to make certain we produce our building at the cheapest possible rate when we use departmental methods.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I agree with a great deal of what the hon.

[The Member for Finance and Development]

Member for Rift Valley has said, but there is one point on which I think I must disagree with him. When he talks about there being no sense of urgency in the Public Works Department, when they are doing direct labour, I would respectfully suggest to him that a contractor may, at times, have shareholders to criticize him, but I would say that no contractor has got such a severe body of critics to impress on him a sense of urgency in keeping down costs and avoiding delays as the hon. Director of Public Works, and they are the hon. Members opposite!

MR. BLUNDELL: On a point of explanation, Sir, I did not use the words the hon. Member has attributed to me; all I recorded was that contractors make a profit, and there is this sense of urgency and efficiency in the use of manpower and materials. In direct labour—that sense of urgency in the efficiency in the use of manpower and materials—that is not necessarily the case.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I referred to a sense of urgency I would point out that that sense of urgency in a contractor might sometimes be due to the fact that he has to satisfy a shareholder. But the hon. Director of Public Works has to satisfy far more severe critics; I suggest it is important to him also to have a sense of urgency in the efficient use of manpower and materials.

MR. BLUNDELL: I am not sure—I think that there is no hon. Member on this side of Council who would not agree that although we are attempting to inject a sense of urgency, we are not very successful!

THE MEMBER FOR FINANCE AND DEVELOPMENT: That is a matter of opinion!

THE DEPUTY SPEAKER: If no other Member rises to speak, I will call on the hon. Member to reply.

THE DIRECTOR OF PUBLIC WORKS: Mr. Deputy Speaker, Sir, there is not quite so much to reply to as I anticipated.

MR. BLUNDELL: We are letting you off.

THE DIRECTOR OF PUBLIC WORKS: I was very interested when two Members opposite almost entered into dispute themselves as to whether we should do work departmentally or by contract. One advocated one thing, the other advocated the other. I think it was a drawn battle, and I have come to the conclusion that the system on which we are working was probably the best, and the two methods of doing the work should continue.

Now the hon. Mr. Nathoo raised the question of delays of a year or more over certain works—I do not know which ones he was referring to. He suggested that a cure would be that they should be put out to contract. There are certainly no delays of a year where a work has been planned and is ready to be put out to contract. There has never been any delay of that sort, unless, for some reason or other, finance has been withdrawn from the Estimates. But I can assure him that as soon as plans are ready the work is invariably either put out to contract or done departmentally. I think an explanation of the difference of prices between Mombasa and Nairobi, which appears to exist at the moment—he is probably correct in what he says—is that there is less competition in Nairobi at the moment. That may be having some influence.

Mr. Chanan Singh asked that we should do all the work departmentally. I am not going to take that too seriously. He asks whether departments do not pay certain customs duty. No Government work done departmentally pays customs duties, but it does not amount to very much, say, in the cost of building a house. Full railway freight is paid, of course.

I think perhaps I had better finish the question of building while I am about it. The hon. Member for Rift Valley has urged the department to examine every method by which money can be saved, in view of the very large building programme that we have to undertake. We are, actually and have been, for a long time, examining all possibilities of saving money both whether the work is done departmentally or whether it is done by contract; of course, the biggest field in which saving can be made is actually in the planning—very much can be done in the economy of the planning. We have recently issued a circular detailing

[The Director of Public Works]

a large number of economies which can be effected both by reducing the size of a room, reducing the height of a building, amending the standard to which they should be built, lesser strength of material here and there, with the idea of achieving every sort of economy that we can.

Three Members raised a very difficult question of artisans on the permanent establishment. This is a very difficult matter indeed, because generally speaking it seems wrong in principle that that class of employee should be a member of the Civil Service. It is not the case in the United Kingdom—it is not the case in most countries. One recognizes the fact that provision for their old age—security of some sort should and ought to be provided and I believe that this question is being looked into, and it does seem to me that that is the best and proper way of looking after the security of the artisan and that type of employee.

Sir, I beg to move. (Applause.)

The question was put and carried.

Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

#### HEAD 4-10—PUBLIC WORKS DEPARTMENT

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move—That a sum not exceeding £352,617 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-10—Public Works Department".

Question proposed.

Sub-heads (1) and (2) agreed to.

Sub-head (3)

MR. MATHU: I do not know what the right thing is for me to do. I was not satisfied with the question I put to my hon. friend the Director of Public Works, about the 60 artisans.

Did he, in reply, say he was employing more, except that they are not in the establishment on monthly wages? It is a very important question, Sir—I would like to know what the answer

is of the hon. Member. I attach a tremendous amount of importance to this. If he can say "yes"—if he cannot, I think I will have to move a Motion of deleting one item, so we can discuss it one?

THE CHAIRMAN: What item is this one?

MR. MATHU: It is page 130—it is the second item on that page.

THE CHAIRMAN: 60 artisans.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Surely, Mr. Chairman, we have agreed that the item does not matter. What the hon. Member will have to do is to move a small reduction equivalent to the amount he wants to achieve—he would not move that in relation to any particular item—he would have to move it in relation to the Vote as a whole. That is the principle we have agreed to.

MR. MATHU: Have I missed the bus, or have I time to do what the hon. Member says?

THE MEMBER FOR FINANCE AND DEVELOPMENT: I suggest that until you, Mr. Chairman, rule that we move on from 3 to 4, the hon. Member has got as much time as he likes.

THE DIRECTOR OF PUBLIC WORKS: May I give a word of explanation here? I think we can dispose of this.

THE CHAIRMAN: I think it would save time if you would do that.

THE DIRECTOR OF PUBLIC WORKS: Actually, there are far more African artisans employed, of course, by us than the 60 mentioned under the Building Branch, far more; those 60 are on the permanent establishment. If that satisfies the hon. Member, I wonder if I could, at the same time, deal with something which I omitted—before you left the Chair—which would be quite appropriate to this item?

THE CHAIRMAN: If it is relevant to the item.

THE DIRECTOR OF PUBLIC WORKS: It is on the question of trainees. I regret that I omitted to mention it in my reply. The hon. Mr. Mathu asked what provision we were making for absorbing trainees from the various trade schools.

[The Director of Public Works]

In actual fact a full scheme has been worked out of what we call the On-trainee Scheme, where when they leave Kabete or the other trade schools, they come to the Public Works Department in the first instance for a year, which may very well be extended for another year or two, and get the various types of training on building work and so on under competent supervision. We have quite a number of them with us at the moment. As I have said, a proper scheme has been worked out and the numbers will be increased from year to year.

Sub-head 4

MR. COOKE: Item 10, page 131. Eighty lorry drivers, £3,640. I am not certain that I should not have brought this up as a matter of principle, but with your indulgence, I would like to ask the hon. Member—I have had a lot of complaints and I think everyone has had, about the reckless driving of Public Works Department lorries and it is not only a danger to life and limb, but very often they drive rapidly over roads just repaired, undoing the good that has been done. I wonder if any disciplinary action is taken against these people, or if anyone, any European, supervises them or if they are properly trained, that a turn-boy does not take the helm occasionally?

THE CHAIRMAN: The hon. Member's inquiry should have been raised earlier, it is a matter of principle; it is not related to money being voted.

MR. COOKE: There is no time wasted; Sir, I was going to raise it under principle but I omitted it! (Laughter.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, on the other hand, speaking on behalf of the hon. Member for the Coast, I would respectively suggest that this is something which comes under Roads Branch, and therefore, Sir, I would respectively suggest that he is entitled to raise the matter of lorry drivers, their efficiency and capacity under the Roads Branch.

I hate to support the hon. Member for the Coast, but in this particular instance I think, in fairness, I should do so.

THE CHAIRMAN: I have no wish to stifle legitimate and reasonable inquiries, if the hon. Director of Public Works will give an answer.

THE DIRECTOR OF PUBLIC WORKS: All lorry drivers are tested before they are employed by the Department. In any cases where there has been a flagrant breach of the ordinary rules of the road, or dangerous driving, I would be grateful if he would bring them to my attention and disciplinary action would be taken. But the drivers are usually all by themselves when they are driving and they have not got any European supervisor with them, so we are unable to act unless we get the information.

MR. COOKE: The hon. gentleman did get information from Taveta but it led to such voluminous correspondence that nothing was done in the end. But the actual number of the lorry—I can give him the actual information.

THE DIRECTOR OF PUBLIC WORKS: I am unaware of this particular case.

MR. COOKE: I will give you the information later on.

Sub-heads 5 to 18 agreed to.

Sub-head 19

MR. CHANAN SINGH: May I ask what these schemes are? Who the apprentices are?

THE DIRECTOR OF PUBLIC WORKS: I am afraid that was another one I omitted to reply to before.

The difference between a professional apprentice and a non-professional apprentice is that in the case of the professional apprentice, the training is one which will enable him to obtain a professional qualification. He has got then to pass the necessary professional examinations but the training he does in the Public Works Department is such that it encourages him to do that study which is necessary for the examination.

A non-professional apprentice is one of a lower professional standard, who has not the ambition to attain professional status and he would, after he has finished his apprenticeship, join one of the sub-professional grades of the Department.

MR. HARRIS: It surprises me, Mr. Chairman, to hear that the Public Works Department employ clergymen, lawyers, doctors and soldiers; they are the true professional men!

THE MEMBER FOR FINANCE AND DEVELOPMENT: What about architects?

THE MEMBER FOR EDUCATION AND LABOUR: What about civil servants?

THE DIRECTOR OF PUBLIC WORKS: I would like to suggest that the hon. Member for Nairobi South should write to the Institution of Civil Engineers and to the Institute of British Architects and suggest that they should cease to call themselves professional men!

MR. HARRIS: I prefer to rely on tradition rather than technicians!

Sub-head 20 agreed to.

The question was put and carried.

VOTE 4-11—PUBLIC WORKS DEPARTMENT

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move:—

"That a sum not exceeding £658,031 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-11—Public Works Recurrent."

Question proposed.

(A) to (E) agreed to.

The question was put and carried.

VOTE 4-12—PUBLIC WORKS NON-RECURRENT

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move:—

"That a sum not exceeding £35,960 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-12—Public Works Non-Recurrent."

Question proposed.

(A) to (D) agreed to.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair.]

REPORT

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply considered and approved three resolutions that (a) a sum of £352,617 for Vote 4-10—Public Works Department, (b) a sum of £658,031 for Vote 4-11—Public Works Recurrent, and (c) a sum of £35,960 for Vote 4-12—Public Works Non-Recurrent be granted to the Governor to defray the charges which will come in the course of payment for the half-year ending the 30th June, 1954.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council do agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

ORDER DEFERRED

THE DEPUTY SPEAKER: As the Labour Commissioner is unable to be present in Council on account of illness, the Member for Education and Labour has asked that Order No. 5 be deferred and that we now proceed with Order No. 6—Committee of Supply.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, it is now twenty minutes to eleven, I do not know if you are going to take the break at a quarter to eleven? If so I will only have five minutes.

THE DEPUTY SPEAKER: It is usual to take the break at eleven o'clock. I have no intention of departing from that custom this morning.

MOTION

[THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR.]

THE MEMBER FOR EDUCATION AND LABOUR: I am sorry, Sir, Mr. Deputy Speaker, Sir, I beg to move that Mr. Deputy Speaker do leave the Chair to enable Head 6-4—Education Department—to be considered.

In this speech I will endeavour to describe briefly what our education policy is, and thereafter, either the

[The Member for Education and Labour]

Director or I will endeavour to either with any point raised by Members on each side of the Council.

For historical, cultural and linguistic reasons our education system has developed on racial lines, except—to some extent—so far as technical education is concerned. It will, therefore, be convenient to deal with the subject in that way. That is, European, Asian, Arab and African education separately.

I will deal first with European education. As I said the other day in another debate, it has been Government policy since the year 1942 to provide education for all European children, boys and girls; since that year it has been obligatory for European boys and girls to be educated up to the age of 15; but it has been the policy to provide accommodation for all those, and it has been the majority, who have desired to continue their education after the age of 15 up to the School Certificate level. Some pupils do not take the School Certificate until they reach the age of 18.

THE MEMBER FOR COMMERCE AND INDUSTRY: Eighty?

THE MEMBER FOR EDUCATION AND LABOUR: Eighteen. Although there has been some criticism, especially in recent years, of the shortage of accommodation in European Secondary Schools, it would, by and large be true to say that up to the present that policy has been successfully implemented. Some pupils remain at our European Secondary Schools beyond the School Certificate level, and take the Higher School Certificate, with a view sometimes to further education outside the Colony. Bursaries have been provided for many years to enable poorer students to undertake further education outside Kenya. For the first half of 1954 a sum of £1,630 is provided for this purpose. As Members know, education loans are also provided to assist European parents, and incidentally other parents as well, who wish to send their children overseas for higher education, and need financial assistance to do so.

Now, with the rise in the European population, through immigration and through natural increase, it has been necessary to maintain a constant programme of expansion, both by

building new schools and by expanding existing schools. It is not always appreciated how rapid this expansion has been. In 1945 there were 2,156 children in Government and aided European schools. This year, 1953, there are 5,714 children. The net recurrent cost has risen over that period from £71,000 in 1945 to about £308,000 in the current year.

In the United Kingdom, as in Kenya, education is compulsory up to the age of 15, but after that age only some 20 per cent of the pupils continue their education in Secondary Grammar or Secondary Technical Schools. It will thus be seen that the policy which we have followed in Kenya for some years in respect of European education is more ambitious than that followed in the United Kingdom in that a much larger proportion of children receive a secondary education. Now, it is to my mind extremely doubtful whether the financial resources of the Colony will make it possible to continue this policy for very much longer. It seems to me likely that a stage will be reached when it will not be possible to find either the capital or recurrent expenditure required for an education system on this scale. For example, if secondary education is to be provided for 1955 onwards for all those European girls who desire it, it will be necessary to build a new Girls Secondary School to supplement the accommodation now available. At the present moment I cannot see the capital required for this purpose. Temporary arrangements have been made to tide over the year 1954, but unless further capital money is forthcoming it will be necessary in the year 1955 onwards either to restrict secondary education to those who are best able to benefit from it, or possibly to introduce into European schools the system of double sessions which for a long time has existed in Asian schools. The present Budget, which as Members know, covers the first half of 1954, makes provision for the continuation of the present policy, by which secondary education is provided for all those who desire it; but in formulating the Budget for the year 1954/55 it seems to me quite certain that this difficult problem has got to be grappled with, and that the possibility of restricting education has got to be faced.

[The Member for Education and Labour]

Before I leave European education I want to make some reference to the standards, because there have during the last year or two been some criticisms of standards. Some Members may disagree that examination results are a proper measurement of standards of education, but they are, I think, accepted generally as the best test that is available. In the European Secondary Schools these are the 1952 figures for School Certificate: Entries, 271; passes, 207. Higher School Certificate: Entries, 22; passes 21. Now, I am advised by the professional educationalists that those figures are very satisfactory; but in one institution—I am not going to name the particular school, that would be invidious—the School Certificate figures were: 84 entries and 81 passes. I think that is probably as good as one could find in any Secondary School in any part of the world.

I would also like to make some reference to the introduction of special classes and facilities in Boys Secondary Schools, European Boys Secondary Schools, in order that those boys who are more fitted for technical education, and a technical career, than for an academic sort of career may in due course pass on from a European Secondary School to the Royal Technical College. We hope to provide facilities of this kind both at the Duke of York and Prince of Wales Schools during the year 1954; but in both cases this is contingent upon the allocation of sufficient money for the purpose. As Members know, this question of the allocation of capital money for education and other purposes is now being considered by the Planning Committee.

I now pass on to Asian education. The education of Asian boys is compulsory by law in the towns of Nairobi, Mombasa and Kisumu, but not elsewhere, up to the age of 15; and education of Asian girls is not compulsory anywhere, although extensive education facilities have been provided, either by Government or the Asian community concerned. The policy of Government over many years has been, so far as available funds permitted, to extend and improve the Asian educational system and to meet the growing demand for both primary and secondary education for Asian boys and girls. As with the European com-

munity, this problem has been made much more difficult by the rapid increase in the Asian child population. In 1945 there were about 12,800 Asian children in Government and aided Primary and Secondary Schools. This year, 1953, there are about 31,300 children in those schools. Over that period the net recurrent cost has risen from about £68,000 to about £387,000.

The various Asian communities have quite naturally pressed Government, both in the Legislative Council in annual Budget debates, and in other appropriate places and on appropriate occasions, to provide more money for Asian education, so that the policy of expanding and improving the system may be accelerated. They have also taken energetic and practical steps themselves towards improving the situation by providing their own schools in later years on a grant-in-aid basis, under which they now receive a grant of 50 per cent of the cost of approved buildings. At present there are about 17,000 children in Government schools, and about 14,000 in aided schools; so that in aided schools the community has made provision for a little less than half of the children who are being educated, that excludes private schools which are not grant-aided schools.

I would like to give a little further detail of the extent to which, and the way in which, the Asian community has assisted itself in the provision of schools. There are 111 Asian Primary Schools and 16 Asian Secondary Schools in Kenya at the present time. Of these, 91 are private Primary Schools, and six are private Secondary Schools. Of these 97 private schools, 13 have received grants for extension, and eight have received grants permitting them to build entirely new schools; in addition, there are 29 new schemes for which we hope to get money provision. Some of the necessary money provision is already in the 1951 Development Plan. Six of these 29 represent further grants to schools which have already received assistance. If one adds up these figures, one finds that 44 Asian private Primary and Secondary Schools have received, or will receive, capital assistance. Of the remaining 53 schools, 31 are one-teacher schools and the remainder are small schools which are housed in accommodation not usually designed or



[The Member for Education and Labour] erected for school purposes, but nevertheless used for school purposes. Although those 53 are all small schools, they are most helpful from the point of view of keeping down expenditure on Asian education building, for they eliminate the necessity for providing boarding accommodation in the large towns where there are large Asian Primary and Secondary Schools.

I cannot give the original cost of the buildings erected by the Asian community for school purposes, but the total amount paid out in grants-in-aid up to the end of 1953 will be about £242,000; it follows that the amount spent by the community itself is a bit larger, because, although grants are on a 50 per cent basis, some of the older schools were built without a grant-in-aid, and in other cases the whole of the buildings does not qualify for a grant. It can therefore be said the community must have spent substantially more than that amount of money on providing these schools.

As for the European community, provision is made by way of bursaries for deserving Asian students who are unable to afford the cost of further higher education without public assistance outside Kenya.

We have also, as Members know, provided facilities for the training of Asian teachers in Kenya. We hope that it will be possible, in due course, to provide our whole requirements of teachers by training them ourselves in this country, and here I would like to make a special appeal to the influential members of the Asian community to encourage youths and girls to take up teaching as a profession; because, at the present time, there is some difficulty in filling the institution to capacity. I am sure that all Members will agree it is important that more Asian boys and girls should take up teaching as a career.

Here, again, I must state that I personally see difficulty in continuing this process of expanding and improving the educational system for Asians, for financial reasons. So far as the present Budget is concerned, provision has been made for continuing this policy; but in formulating the Budget for 1954/55, the problem of shortage of capital and recurrent finance will have to be very care-

fully considered. I know from meetings of the Asian Advisory Council, that the Asian community itself, or at any rate members of it, have this matter very much in mind, and have been studying the relevant documents, including that infamous Hartwell Report published in 1948 or 1949.

Very much the same pattern has been followed in Arab education. Since 1945 the number of children in Arab schools has risen from 784 to 1,815, and the net recurrent cost has gone up from £9,000 to £35,000. The Government in the last few years, I am afraid I do not know the exact dates, has provided an Arab Girls School in Mombasa; I think it was this year that a new Arab Boys School was opened. We have also provided an Arab Secondary School, attached to the Muslim Institute at Mombasa; and the Muslim Institute itself, which is not confined to the Arab community, does provide higher technical education for members of that community. It may be the case that the number of Arab children in Mombasa justifies the provision of yet another Boys Primary School in that place. That is a matter which the department has had in mind in preparing its plans for development which are now being considered by the Planning Committee; but, whether or not it will be possible to build that school must depend on the amount of money allocated for education overall and, in particular, for the education of the Arab community.

**THE DEPUTY SPEAKER:** It is now time for the customary break. Council will suspend business for fifteen minutes.

**Mr. Deputy Speaker, Sir,** I was about to turn to African education. I must say that I am disappointed that none of the African Members is present. I will attribute that to the fact that I have such a dull way of speaking, not to the fact that they have no interest in African education. For more than a century it has been the policy of the Imperial Government gradually to raise the mental and material standard of living of the colonial people, and so to enable them to take an increasing part in the economic, social and political affairs of their own country. The development of African education in Kenya has accorded with that long-established policy of the Imperial Government. Members are aware that our present

[The Deputy Speaker] African education policy is based on the report of the Committee under Bishop Beecher published in 1949 and on the Sessional Paper No. 1 of 1950, which contained the Government proposals for the implementation of that report. That Paper was debated by this Council in 1950, and it was then adopted as the foundation to lay the foundation of African education policy. In the course of that debate Government speakers made it absolutely plain that the acceptance of the report implied increasing capital and recurrent expenditure on African education. Indeed this process had already begun before 1950. It is strikingly illustrated by the following figures.

Now Members may think that I give these figures too often, but I am going to continue to do so, because I do not think they are widely realized and appreciated.

In 1945 recurrent expenditure from the Central Government revenue on African education was about £110,000. In 1951 it had risen to about £480,000. This year, 1953, it is over £1,100,000.

**COL. GROGAN:** Shame!

**THE MEMBER FOR EDUCATION AND LABOUR:** It is the policy of the Government to continue the development of African education in accordance with the Beecher plan, so far as capital and recurrent finance permits. But here again it must be understood that unless capital money which I at any rate cannot foresee at the moment becomes available it may be necessary substantially to slow down the rate of development.

In the statement of policy on African education, to which I referred, it was stated that the Government intended to continue to work through the Christian missions and, at the same time, to seek—these were the words used—"to achieve the same discipline and spiritual foundation to the teaching in its own schools".

It will interest Members to know that at least nine-tenths of African primary and intermediate schools are under Mission control; and, in 1954, there will be 22 Mission supervisory teams working amongst schools of these two classes, each in charge of a European Mission educationalist. In various

countries, the relations between the church and state in the sphere of education has caused a good deal of bitterness and acrimony, but I am glad to say that so far in Kenya relations have been extremely happy. (Hear, hear.) (Applause.) It is, of course, inevitable that local government authorities, I mean the African district councils, shall seek an increasing share in the control of the education system; if we are to maintain the Christian ethical tradition in African schools, we must ensure that they are staffed by Christian teachers. There are, at present, 51 institutions concerned with the training of African teachers. Of these, 41 are under Mission control, that is to say, they are Mission institutions, and of the remaining 10, which are Government institutions, three of the biggest have ex-missionaries as principals and in three more ex-missionaries are important members of the staff.

It is the intention of the Education Department to continue this policy of building up a sound core of Christian ethical teaching in its schools and training colleges. I emphasize that particularly because, I think, there have been suggestions by uninformed people that this is not the policy of Government. I think those figures I have quoted ought to convince people that it is a policy that is being carried out.

We cannot pay too high a tribute to the contribution that has been made—and is still being made—to African education by the various Missions. A special tribute must be made to those missionaries who are continuing their work in the troubled areas. (Applause.) Particularly praiseworthy, I think, has been the attitude of the African teachers and other members of the Christian community who have formed, as everybody knows, a strong core of resistance to terrorist activities in spite of constant threats, which have often been carried out, to themselves and their family. Many of them have in fact been murdered, many of them have lost their wives and children. Schools and teachers' houses have been burnt down. But still African education goes on.

Another aspect of African education to which I wish to call attention is the very large share of expenditure which

[The Member for Education and Labour] falls upon the African community itself, both in respect of intermediate and primary education. The estimated full expenditure for 1954 by district education boards is £1,050,000; of this £257,000 will be contributed by African district councils from local rating and £258,000 by individual parents by means of fees. If you add those together you will see it is about half the total cost. The hon. Mr. Mathu will remember that I said the other day that grants-in-aid covers approximately half the total cost. He can now see how the figures fit together. Over and above this the responsibility for the building of these schools, both primary and intermediate schools outside the townships falls upon the local community, apart from small grants. My recollection is that the grant is £100 for each school. This contribution cannot be measured in money because it is often provided in materials and work; nevertheless, it represents an enormous contribution towards the capital cost of African primary and intermediate education.

There is another essential feature of the African education system based on the Beecher Report, to which I want to draw special attention. It is a cardinal point of policy that development of the system must be co-ordinated, and the numbers of primary and intermediate secondary schools and teacher-training institutions must be properly related to each other. I mention this particularly because it is a point which is frequently overlooked by uninformed critics of the system who say it would be possible greatly to expand the number of primary schools in a particular area, possibly because of the willingness and ability of local people to provide more money—overlooking the fact that that would upset the balance of system and it would be little use building more primary schools if we are not able to provide properly trained teachers for them and no facilities for the children who were fitted for it to go on from the primary to the intermediate and secondary level. Therefore it has always been, and will continue to be, fundamental to our policy that the system shall be properly co-ordinated in the way I have described.

Another important point of policy in the present system is the emphasis on the practical work, and on agriculture. Both these subjects play a large part in the intermediate school system. There are three trade schools, as hon. Members know, which provide a large variety of courses for an annual admission of about 300 pupils, who are admitted after completing eight years' education. We have a plan for the establishment of three more trade schools at a lower level than the present ones. There are also two rural training centres for agricultural work, one is at Kapenguria and the other at Kikuyu. There are special courses in some of our teacher-training institutes to give teachers a practical and agricultural bias. Real practical efforts are being made to give the proper practical bias to African education in intermediate schools, because it is realized that a great majority of the boys and girls who leave those schools will have to earn their living either in agriculture, or in some other practical way.

I would like to refer at this stage to the remarks made by my hon. friend, Mr. Mathu and answered by the hon. Director of Public Works about the youths coming out of Kabete training school. I think the hon. Member was satisfied with what the Director of Public Works said. I would like to say that we are very grateful—that the Education Department is very grateful—not only to the Public Works Department but also to a number of firms who have collaborated with the Department in providing on-training for one or two years for youths who come out of Kabete and other trade schools. I have recently received a very full report on the subject from the Director of Education, I will be glad to show to the hon. Mr. Mathu, I think he will then be satisfied that arrangements are perfectly adequate; not only are arrangements made for all these youths who wanted to be placed with Government departments or firms, but we keep in touch with them to a very considerable extent after they have gone, so that we know what progress they are making.

At the risk of boring the Council, I would like to read what one firm—it is a firm with ramifications all over the world—has said about nine African

[The Member for Education and Labour] who took from the Kabete training school. I am going to read it because there has been criticism from both sides of Council, on one occasion or another, of what you might call the moral qualities of the African workmen.

This is the report, on these nine boys who went from Kabete to this particular firm. I would like to emphasize that these people have no desire whatever to please the Education Department, or make a favourable report that is not justified; and I am quite confident that they say what they really think. The report is divided into two; conduct and proficiency.

The first man—conduct—very good—shows willingness and keen interest in his work. Ability of a very high standard. Approaches problems with intelligent thought and reasoning. Possesses qualities of leadership, and command, which may prove useful when he has gained wider experience of mechanics and engineering.

The next man—conduct—fair—ability good. Has learned well during his period of training, but leaves a lot to be desired in his attitude to factory routine and instructions.

The next man—conduct: good—ability consistent with period of training under an Asian electrician. Satisfactory progress being maintained.

The next man—conduct: very good—capable of routine maintenance of six stemming machines.

The next man—conduct: excellent—capable operator and learning maintenance work.

The next man—conduct: very good—capable operator and learning maintenance work.

The next man—conduct: excellent—capable operator for either type of machine, some knowledge maintenance.

The next man—conduct: fair—capable wireman and learning some electrical work.

The next man—conduct: very good—capable mechanic, doing well.

Finally, he added, all the above are commencing a new contract on their return from leave.

I think that any fair-minded person will agree that that is creditable not only to the school at which these young men were trained, but also to the men themselves. This is only one case, we have had similar reports from a number of other firms, to which Africans have gone from Kabete and other training schools.

Before I leave African education, I would like to refer to another project to which attention is being paid—that is adult literacy. An experimental pilot scheme is being started at Machakos in 1954 and we hope that from it further schemes of this kind will be developed, subject to the availability of money for the purpose.

I have already referred, Sir, in the course of speaking about the education of various groups to technical education. As I have said previously, we hope that the Royal Technical College—which will be a great experiment in inter-racial education because it will provide for all three territories and all three races—we hope it will open in 1955. In the meantime some interim courses will be established in borrowed premises and we are grateful to the East African Railways and Harbours Administration for making the premises available for that purpose.

I have also referred briefly to the fact that secondary courses in both the European boys' secondary schools are being provided, in order that boys who have a bent in that direction may take the right kind of course, with a view to passing on to the Royal Technical College in due course.

Similarly in the case of Asian education, an attempt is being made to provide for transition courses from the ordinary schools to the Technical College. A Technical High School has been opened in Nairobi and although there has been some delay owing to the curtailments of the building programme, certain technical classes in Mombasa have been opened in temporary accommodation; so that we have been making a realistic attempt to ensure that courses of instruction are available at schools below the Technical College level, to equip boys of all races to go on to the Royal Technical College in due course.

Before I sit down I must make some reference to the staff of the Education

[The Member for Education and Labour] Department. They are a very conscientious, enthusiastic, hard-working body of people. Their work has increased in volume and been made much more difficult by the Emergency. I think the Council would like to pay a tribute to the work they have done in this important sphere of activity. (Applause.)

Sir, I beg to move. (Applause.)

Question proposed.

THE DEPUTY SPEAKER: I take this opportunity of reminding hon. Members of the purpose and object of the procedure we are now following; that is that the debate on this particular Motion shall be confined to matters of general principle and matters of detail shall be left to the Committee stage.

MR. SLADE: Mr. Deputy Speaker, Sir, I would like to congratulate the hon. Member for Education and Labour on the statement of policy we have just heard which was by no means as dull as he modestly suggested. (Hear, hear.) Perhaps it would not be out of order if I congratulated him on another speech he made in the general Budget debate on the same issue of policy, and in particular in his boldly facing the probable necessity in the near future of our having to consider the separating out of education for the different races under separate authorities. I do not want to say any more on that point because it is quite clear from what he said that it is under the consideration of the Government already.

Furthermore, while still in the frame of mind to throw bouquets, I think I can say, on behalf of all the European community, how very greatly we appreciate the education our children get in this Colony, not only in the standards of education, which I think are very high, but also in accommodation and conditions of living at school.

The hon. Member very rightly pointed out to us the difficulties we are going to get into very soon with finance for the necessary expansion of education of all races. It is well to be aware of that. There is only one comment I would like to make, that is when we find ourselves against financial difficulties in expansion, the first place where we can cut our coat according to the cloth is in the matter

of buildings. We do not need quite such magnificent buildings as we have had in the past. They are very nice to have, but if we have to cut, that is where we should cut first. Less pretentious buildings will still give us the same substantive education of the quality that we have now.

It was very gratifying—gratifying is the wrong word—it was very encouraging to hear in the hon. Member for Education and Labour's statement such emphasis on the importance of religious teaching in our schools of all races. I do not think we can over-emphasize that importance. I do not mean, and I know that the Member for Education and Labour does not mean, the teaching of dogma—the teaching to children that one particular religion is the best religion and the only guide in life, but the teaching to children that without religion, men and women can make no sense of their lives—the meaning of religion as such. And although the hon. Member for Education and Labour tells us that that has already been the policy of the Education Department, I think we have got to go a good deal further, because I am afraid that the recent troubles that we have been through and the Emergency we are still going through, must be due partly to a lack of teaching in that respect. Along with that, very closely allied, is the necessity for still greater emphasis on the art of living rather than the art of earning a living, teaching boys and girls more of such things as tradition and a sense of real values, self respect, pride in work and, above all, discipline. Discipline indeed, we have seen is sadly lacking among the children growing up in this Colony, and it is the absolute essence of all education—without it you cannot begin.

I do not mean by this that there should be more emphasis on academic training and less on practical training—indeed, I am proposing just the reverse. What we really want education to produce is good and useful citizens, not clever but discontented self-seekers.

Now, it is my belief that you will get that result from education if you teach people a little more of how to do practical things and be proud of what they do, because it is in teaching them those things that you teach them self-respect, tradition and all the other things

[Mr. Slade] mentioned just now, discipline included. Here I would agree, most wholeheartedly, with the hon. Member on the particularly good results one can get with the African artisan. I speak from my own experience, but I think others will agree with me when I say, it is in the African artisans that I have found some of the finest Africans I know. It seems to come much more easily to them to enjoy their work and to take a pride in it: to such an extent that if they do a job badly, they prefer to do it again, whether or not they will get paid for it. That I have seen myself on quite a number of occasions.

Now, all these things that I want taught in schools I know can be taught even more in homes, and we must not ever think that education at school will give us more than half the education that our children need. Still, schools have got to help a great deal, particularly with the breaking-down of old institutions among the Africans—we have to depend on schools for Africans at present to develop these qualities that we think they so badly need.

So it is of extreme importance that we should find teachers who not only know the letter of what they are supposed to teach, but have the inspiration to teach the less tangible things, the enthusiasm for right living, and one cannot afford in this growing country—this young country, to lose any time in training our children of all races, because they have before them far greater problems and responsibilities in making sense of not only their own lives, but of this Colony and of the very particular difficulties of this Colony, far beyond what most children of the next generation in any other country will have to face.

MR. NATHOO: Mr. Deputy Speaker, Sir, I would like to join the hon. Member for Aberdare in the compliments he paid to the hon. Member of this Motion who, in his comparatively short speech which covers such a wide subject, has given us an overall picture of not only what is in existence at the moment but the dangers, difficulties and problems which will face us in the very near future. Sir, as the hon. Member said, he apologized for taking a racial view of education and that he dealt with these subjects *seriatim* as they arose for

the various communities. I would like to apologize for another reason for talking on this racial question and this is this, that it is an inevitable result of not only our educational system but of everything we do in this country which is divided into racial compartments.

Sir, it has been said time and time again that people ought to take a more realistic—a more general—view of the question rather than to deal with these questions on a racial basis, but that is not possible until such time as we have developed in our lives and activities, civic, political and social education, the idea of common nationhood.

Now, Sir, the hon. Member referring to European education gave us some figures, particularly with regard to the standard of education. When he is going to reply to us, Sir, in this debate, I would like to ask him is he satisfied about the standard of education of Asian education and of African education to the same extent as he showed satisfaction—and I agree with him, about the standard of European education—that it is really good. It may not be as good as some of the public schools in England, it may not be as good as some higher institutions in the United Kingdom; but, Sir, compared with the other two races, it is streets ahead of the other two communities, and for what money we are able to afford it is really first class.

Now, Sir, mention was made about compulsory education in this country which was introduced for European boys and girls in the year 1942. I am very glad to see, Sir, that in the implementation of this policy the hon. Member and his predecessors and Government, for that matter, have been able to provide education for the European community in terms of this compulsory regulation to such an extent that even to-day it is not necessary to implement this policy by any dull sessions in schools where by children—some children have to go in the mornings and others in the after-noon. That is, Sir, a matter of great satisfaction, particularly when you take into consideration that in providing European education, it is an obligation on Government to provide boarding facilities.

Now, Sir, he mentioned the question of compulsory education for Asian boys.

[Mr. Nathoo]

He did not give the date for Asian compulsory education, but the date for Asian boys also was 1942. Now, Sir, let us look at the position that obtains in the Asian schools. For the last seven years at least, Sir, and for the next five years, as far as we can see, half of the growing population of Asian boys in this town are going to dual sessions. Some children are going in the morning and others in the afternoon. Now, Sir, just on a point of contemplation, I would ask is it right that a child of seven or eight years roams about either in the streets or in his home until about one o'clock in the afternoon when he has lunch, or a hurried lunch generally, and then do a full day's work? Is it right, is it possible for such a child to develop to its fullest capacity in education when the first part of the day is completely devoid of any educational work except for what the boy is made to do by his mother or father in the home, perhaps an hour's reading or so? How can that boy go to school and derive the full benefit of education which everybody is so keen to derive.

Now, Sir, I want to ask the Government a question. During the time that this compulsory education Ordinance has existed for both communities, does the Government believe that every effort was made both for the European and Asian children to get the accommodation they needed to implement this Ordinance? If not, Sir, I would like to know from the Government what reason there was that one community was provided for and catered for to such a large extent as compared with the other community. Again, Sir, I will be accused of talking about racial things, but, Sir, when laws are promulgated in this country and, I am sure, Sir, under British rule, laws are meant for rich and poor alike and for one colour and another alike. I would like to ask the Government to give tangible reasons why so much enthusiasm, drive was put into the buildings of European education when there was so much neglect of even primary requirements which were of a much lower order on account of the fact that no boarding facilities were required for Asians—not that the Asian community does not require boarding facilities, but it is not the policy of

Government to provide this, in spite of our repeated demands.

Now, Sir, if the Government is satisfied that an injustice has been done to one section of the community in the drive and enthusiasm brought to bear on this question, can I get an assurance from Government that in the next planning period that injustice, to a great extent, will be rectified.

Now, Sir, I would again go back to the question of building where, in an earlier speech this morning, the hon. Director of Public Works mentioned that no delays took place of over a year in building projects. I would like the Member for Education and Labour, after having consulted the hon. Director of Education, to tell us whether that statement is correct. I know for a fact, Sir, that schemes were designed years ago and were handed over to the Planning Department of the Public Works Department. At a certain time when money was available about a year later for this scheme, the department was ready to go ahead, they found that no plans were ready. I ask you, Sir, is it a fact that certain delays did take place in the planning of certain buildings of schools and other schemes in the Public Works Department and if that is so, will the Government give the assurance that they will organize the department to such an extent that no such delays will take place.

The hon. Member, Sir, in his speech referred to the fact that at the moment the Planning Committee is dealing with the question of the next few years' requirements. In the past, Sir, we always recorded our protest to the fact that we, in comparison with the other immigrant community, have not had a fair share of the allocations. I want Government to give us an assurance that in the next period again this past performance will be borne in mind and whatever injustice, or shall I say unfair treatment, to one section of the community has been done, will again be remedied.

The hon. Member when talking of the problems facing the country referred to the question of separation of the schools—obligation I thought he said—and in his mind, Sir, was the fact about setting up school authorities for each community to bear its own expense, in

[Mr. Nathoo]

addition to what is being provided by Government finances, both in regard to capital and recurrent expenditure.

Now, Sir, I would like to say that although the hon. Member referred to that report as the infamous Hartwell Report which dealt with certain aspects of this case, as regards Asian education, I will say this, Sir, that in spite of the hon. Member's modesty, I would like to pay him a tribute that in the framing of that report, the hon. Member brought to bear on it his experience and enthusiasm and along with the Members who sat on this committee he gave us a picture of Asian education and the solution, with which we may not agree entirely, but for which we must give him credit in that he showed a great deal of moral courage in some of the matters he advocated.

I would like to enter a plea here. In the Hartwell Report—I was one of the signatories—we also said that the time will come in the near future when we might have to resort to school authorities, as has been done in the neighbouring two territories or some such other method, whereby the communities will have to help themselves in the standards higher than what are provided by Government. But, Sir, I will say this, that the Asian community can only agree to this new system of either a school authority or whatever you call it, only after the Government has given consideration to the fact that different standards of education exist for the different communities and until some effort has been made whereby standards are brought to the same level, that the Asian community can accept that responsibility of giving higher standards than that provided by the Government. We are not prepared to accept an authority on the basis that we take the position as it stands to-day, where the three communities are totally different and I am sure it is totally unacceptable to the respective communities.

Now, Sir, the hon. Member for Education has referred to the higher school education facilities which have been provided in the European schools and later on in Asian schools. I will say this, Sir, that when the matter came to the notice of Government like that in the United Kingdom, the educational

institutions were demanding higher education than had previously existed, an effort was made to ensure a higher standard in the Prince of Wales and the Kenya High School. For more than a year—nearly two years, the Asian community was without any facilities for this higher education. We made repeated pleas, requests to Government that they should try and see that some of the Asian children, capable of going in for this course, would be accepted at the European school for day tuition and the answer was a flat "No." If Government was not in a position to agree to the requests, it was its duty to provide higher education for the Asian community at the same time as for the European community because a delay in this resulted in a loss of time and money to the parents of certain boys and girls going in for higher education as they had to send their children to England earlier than they would have done if the facilities had existed in this country.

On an earlier occasion a lot of dissatisfaction was shown in certain quarters regarding the question of inter-racial schools. I maintain that if we want a common nation, and we do want that, all the inhabitants of this country should grow up to the responsibility and sense of civic duties in this country. This is of paramount importance and, whether we like it or not, the time must come, will come, when our schools will have to be inter-racial. I would like to congratulate the Government in their first effort that they tried to start an inter-racial school on a very small scale in this country, to which a great deal of opposition has been given by a certain section of the community. I will say this again, Sir, that without our children going to the same schools right in the beginning, they cannot develop the idea that all the inhabitants of this country belong to the same category and are children of the same nation.

Now, Sir, a great deal was said and a tribute was paid by the hon. Member for Education to the system of grant-in-aid schools whereby the Asian community, has certainly to a very great extent, has helped themselves in providing their own education. I am glad that Government appreciates, and they have said time and time again, that we do realize the fact that a great deal of sacrifice has been

[Mr. Nathoo] made by the Asian community in providing education for their own children. But in spite of the fact that they do appreciate it, time and again we find that privileges and conditions which are given to the staff in the Government schools, sometimes preferential treatment with regard to scales is shown to their own teachers, that these particular facilities are not given to grant-in-aid teachers. I am particularly referring to the fact of housing. I would mention it for the attention of Members, they should devise some means whereby either a certain amount of grants or loans should be given to these private grant-in-aid schools, whereby they can provide quarters for their own teachers, as, without such, it is impossible to get any decent teachers to stay with them for a number of years.

In this respect, Sir, another difficulty the grant-in-aid schools are experiencing is the fact that, according to Government regulations, no privileges in the way of a provident fund can be given to married women. Most of the teachers in the grant-in-aid institutions belong to that category—happily, or unhappily, whichever point of view you take of married women as such—so most of them are deprived of the privilege which should be given to them. There are many cases where teachers are legally married but are separated from their husbands and there is no obligation on their husbands to provide for them any of these benefits. I bring it to the notice of Government that some scheme should be devised whereby all teachers, or some such cases, should be given these privileges of leave pay, passages and provident funds.

Now, Sir, in the course of the hon. Member's remarks, he referred to the question of religious education, so did the hon. Member for Aberdare. We, too, attach the greatest possible importance to this aspect of our education but I regret to say that, either to a certain extent by way of administrative difficulties and also to a certain divergence of view amongst the various communities, Government has not been able to implement this religious education in its own schools whereas, to a certain extent, this has been done in a great many grant-in-aid schools. We do believe it of paramount importance, if we are to bring up our children as good citizens, part of

their time in school must be spent in learning moral ethics and good principles in life, from the religious point of view for their activities when they go out to whatever sphere they take part in. In certain cases there is a certain frivolous opposition made by certain sections. Government ought to have the strength and moral courage to stampee that opposition and see that religious education is introduced into all our schools.

Talking about religious education, I think the Member for Aberdare and the Mover also mentioned about the Christian ethics in schools. I would like to bring to the notice of Government that in all communities, even amongst the Africans, there is a certain section which belongs to the Muslim faith. The East African Muslim Welfare Society, under the guidance of His Highness the Aga Khan, has spent a lot of money and a lot of effort to give the African Muslim education, both secular and religious. I appeal to Government that wherever these schools exist it is the duty of Government to extend to them the same help which has been given to the Missionary schools.

Finally, I would like to say this, that whenever Government is contemplating the question of the next few years' planning as regards education, sufficient opportunity should be given to all sections of the community to put their point of view forward.

As a final plea, I would beg of Government that where injustice has been done in the past, it is their moral duty to see that not only is that injustice not perpetrated in future, but redress is made for this injustice.

I beg to support. (Applause.)

MR. MATIU (African Representative Member): I would also like to congratulate the hon. Mover for the able way in which he presented his case. I would like from the outset to thank Government for what they have done in African education. I must say that without the education Government has provided, the African of to-day would be much the same as the African before the British came into the country. What I say must not be taken as a criticism or rather as a lack of appreciation of what the African has received in the way of education from the Government of this country.

[Mr. Mathu] I think my hon. friend, the Member for Education, will appreciate also the impatience that the African has particularly when he thinks that education is the thing that they would like to get from this Government. Although they have done a great deal, I want to suggest that there is very much more that we have to do, provided that we get the necessary financial help and the necessary staff.

He has rightly said that, as far as African education is concerned, it is based on the Beecher Report of which I have the honour to be one of the signatories. In that Report it was laid down that without contradiction our education system must be based on moral grounds. That is one of the most important parts which the Christian missions are playing in African education in Kenya to-day. Here I would like to pay a tribute to the very excellent work that these various missionary societies are doing in African education. (Applause.)

If a test or a yard stick was required to measure education, I should say that education should aim to prepare men and women to be good workers, to be good citizens and to develop that spiritual insight with which God has blessed them.

I want to deal with some of the remarks some of the points which I am going to make with these three factors in mind. My hon. friend mentioned about technical education and what are the arrangements he and the Public Works Department have made. He has also given us an encouraging report from one firm which has found that the African artisan has done excellent work. I would like to mention here how glad I was to hear from the Member for Aberdare, who is not here, but he has seen at least one particular section of the African community that he can throw bouquets at because usually he is very gloomy on African problems as a whole.

Now, I would like to suggest that, as far as technical education is concerned, more is needed to absorb those we train in employment. Unless we do that, the money spent on training these artisans is money wasted. I know that I mentioned on another occasion that competition in the artisan market is very keen but I

think it is up to those training these men to make sure that the standard is not lower, it may be higher, than in the commercial world; so that the artisan class of our own community can compete successfully with other sections.

Now, the other aspect, as far as training of good workers is concerned, to which I just want to refer, refers to the part the African woman can play in employment. In our schools we have domestic classes for our women folk and quite a number of them, of course, do not require more than knowing how to run a home when they get married. But the situation is changing very rapidly and we find young African women who are not ready to marry and if they had some good training in some form of employment they could earn their own living independently without bothering to get married until they are ready.

I think there are only two professions that are very popular and that is the nursing profession and in the Government and mission hospitals you find African women playing a very important part. There is also an opening in the teaching department. Apart from those two there is hardly anything else. I do suggest, Sir, that it is high time that we advanced our domestic training, for example, in the way of sewing and knitting so that they can, if necessary, be employed in commercial houses which deal with textiles, making of clothes and the so on. I also think that in the confectionery trade, making sweets and bread and so on, we could get an outlet for our women to work in such industries. I do think that the Education Department can do a great deal to prepare these women for that kind of work in order that they should be good workers.

The next factor which I want to mention, Sir, is that of preparing men and women to become good citizens and in this regard I want to confine myself to the urban areas—not to say that people in the rural areas do not want to become good citizens, but I think the problems are more acute in the major towns than in the rural areas.

Now, the African child in the major towns of our country, like Mombasa, Nairobi, Nakuru, Eldoret, Kisumu and so on, is becoming a very difficult problem. Now the educational facilities



(Mr. Mathu) are there and usually—as you know we have no compulsory education—the children go to school if they want to go to school even in Nairobi or Mombasa. The parents do what they can to persuade the children to go to school but the attractions in these towns are so strong for the growing child that they do not usually go very far and even then they do not seem to develop the necessary character to withstand these temptations and I think, Sir, I think I will not be accused of being very critical in this, that is that if I asked the hon. Mover to tell me how many African students who have had their schooling in Nairobi, who have achieved, say, the standard of School Certificate, he will find that every African educated here, very few are reliable at all. So that you will find that they later become street boys and become really a problem and that is one of the reasons why the African Members for these many years have pressed that Government should consider making education, primary education, compulsory in some of the towns of our country, particularly in Mombasa and Nairobi to ensure that we develop good citizens amongst the African child instead of what we are doing now.

The Asian community—I do not think I can get away from comparison here—the Asian community has compulsory education for their boys in some of the towns. Even if Government can only start with Nairobi for boys for compulsory primary education, I think we have a future for developing good citizens among the African community in Nairobi. Short of that, I think we will be wasting a lot of manpower.

The final factor I want to mention is that of educating and developing the spiritual insight with which God has blessed man and woman. I do not want to elaborate what the hon. Mr. Nathoo has said because I agree with him and what the Mover said. But there is one point I want to emphasize which was touched on by Mr. Nathoo. I refer to the position of the African Muslim who is, in my view, the most backward section of our African community. (Hear, hear.) He is not only backward educationally but he is backward socially, economically, politically and, in fact, he is a liability in our Colony, to our Colony. I think

the time is here when we should endeavour to see how we can remedy the situation. In the Coastal belt the Muslim African is a large part of the population. There are Muslim Africans in Nairobi and in the small townships outside Nairobi. I do suggest, even if we have to go out of our way and second an officer of the Education Department to see what is possible to encourage the African Muslim to come forward and play a part in the life of the Colony, I think it would be money well spent. As it is, I think the African Muslim is going to drag us back from the progress we are making. I am not suggesting, as they do in Uganda, separate Muslim African schools. I think in Government schools all African children should be encouraged to attend, whether Muslims, Christians or pagans, because I think that would be the proper thing to do because the Muslim can arrange about religious instruction elsewhere—the Koran school, something of that kind. I do put to Council and the Mover here the urgency of the problem to turn this liability in manpower into an asset in our country.

Two further points and then I sit down. The first is in regard to staff. My hon. friend rightly did say a very good word about the staff of the Education Department and I would like to bear witness to that because I personally have been associated with that Department for 14 years when I was a school teacher. I would like to say, Sir, that they deserve every encouragement possible. But there is one point I would like to put to the hon. Member which I think I will have the opportunity of discussing it in detail when we come to the Committee stage, is that the African teacher would like to see that he can, after proving himself, hold a position of responsibility in the administrative section of the Education Department. That, I think, is absolutely vital, particularly when we have to spend over a million pounds on African education, the African parent would be very encouraged to see that one of them is a member of the team of a department which is doing one of the most important social services of our Colony.

Finally—finance. My hon. friend, the Mover, did say that we are spending over a million pounds on African education. Then, looking at the number of children that are attending school now and the

(Mr. Mathu) potential number which would attend if we had compulsory education, that million pounds is a drop in the ocean. The problem is bigger than one million pounds a year in this country. If we have to develop this country and if we have to get the African to be a good worker, a good citizen, a man with the necessary spiritual standards which are absolutely essential for the life of the community, then we will have to spend more. Of course, we are spending more on non-African children than we are on the African children. I do not begrudge the other communities at all; all I am saying is that all the money we spend on Africans should be increased, even if it means the African parents contributing more than they are doing now in the way of fees and local government grants, because I think without that we are going to find the position very difficult.

Mr. Deputy Speaker, I support. (Applause.)

Mr. USHER: Mr. Deputy Speaker, I have one or two short points to make. As he indicated, in the policy debate, I believe my hon. friend Sheikh Mahfood will be developing the theme of compulsory education for Arabs. I am not able to go with him all the way and I am afraid he may find that he will be crying in the wilderness. I will cry with him a little but my cry is to posterity because I do not think we are yet able to undertake what he has in mind. Nevertheless, Sir, this ties up with another point I wish to make and, indeed, the last speaker has referred to it; that is, a very great measure or a far greater measure of education for the children of Africans and Arabs in the larger towns. I have approached this matter from the point of view largely of juvenile delinquency. I would join with the hon. Mr. Mathu in asking Government if they would consider in what way, if possible, there could be a reallocation of the money available for education, whether for African or Arab education, so as to give a decided advantage to the children in the towns.

Now there might have to be discrimination. I am suggesting that it is not necessary to have compulsory education, but at least care should be taken to provide for the children who have come fresh from native land units and

for those who have not got good homes, because the trouble really is the lack of parental discipline.

I also look forward to a time when there will be a revolt of the parents against the children, when proper discipline will be re-established in the home and reinforced in the schools.

Sir, may I be permitted to take this opportunity, as the subject was mentioned by the hon. Mover, of referring to the Muslim Institute. I believe that the buildings are now completed and I think it is opportune, Sir, to praise this noble concept and to pay a tribute to those who have brought the Institute to its present condition, because it is the admiration of many distinguished people who visit Mombasa and are able to see how such an Institute should be run. I hope, if in future, it is necessary, Government will always have a kindly and sympathetic eye to its welfare. (Hear, hear.) (Applause.)

MR. CHANAN SINGH: Mr. Deputy Speaker, the hon. Mover gave three reasons for the separation of schools in Kenya, that is, for having different racial schools. One reason is historical. That, of course, we cannot alter but the other two reasons I feel are changing. That is one thing which we should remember. He said there were cultural reasons for having separate schools for separate racial groups. There might have been a time when there were three separate cultures which demanded separate schools, although I believe, Sir, that in the final analysis there is only one culture everywhere in the world. We may be at different levels of that culture but the essential substance of culture is the same. In any case, there is a tendency throughout the world and throughout all races out of the world to come to one type of culture. That is happening not only in Kenya but in Kenya also. I think from that point of view we are coming nearer to one another so that the importance of that factor also is disappearing.

The third factor mentioned by the hon. Mover was linguistic. I quite agree that that applies up to Standard VI but in Standard VII, at least in Asian schools, the medium of teaching is English. All the subjects are taught through the medium of English so that that reason for having



(Mr. Chanan Singh) separate schools does not apply from Standard VII onwards.

When I say this, Sir, I wish to suggest that the time is coming when these reasons for having separate schools will cease to operate. We should be thinking of having common schools sometime in the future. We have started thinking of one nation and I am sure if that idea is to be kept in view, we must all be thinking of common schools also.

There is one small but very genuine difficulty which the Asian community has experienced. We have a small number of girls who have passed out from Secondary Schools and who want to do their Higher School Certificate. The number of girls is small, they do not form a class by themselves; and Government has not got the staff for them. It would have been extremely economical and extremely convenient for the Colony as a whole if this small number of girls could have been accommodated in the European Girls High School. They are educated girls, they speak English, and I am sure they would have made their own contribution to the success of any European school to which they had been admitted. As I stated, Sir, we must have in mind the time when we shall have common schools.

From the same point of view, Sir, the suggestion with regard to the establishment of three separate, or at least two separate educational authorities, is not desirable; because the establishment of separate educational authorities for separate racial groups will make the separation permanent. It will not take us nearer to the goal of one nation but it will take us further away. I do suggest to the Government and to Members on this side of Council that they should have in mind the future, if not the present, needs of the Colony. Those needs definitely lie in the direction of uniting the various groups rather than in separating them.

I, personally, think that if more money is needed for education then undoubtedly there is some other solution to the problem that should be found. After all, the increase in the school population is no special problem in Kenya, it is a problem in all countries of the world, and I think we should find a solution as it is found in other countries of the world.

If we set up separate educational authorities we shall be accentuating the present racial differences and not lessening them in any way.

Sir, the second point that I wish to make is in regard to bursaries. The Government has very generously been granting bursaries to students of all races for some years past. That is a very great help to education but I want to suggest that the money available for bursaries should be divided into two parts and one part should be available for allotment on the basis of scholarships so that the means of the parents alone will not be taken into account. The bright student who has had good results at examinations should be able to get financial assistance without begging for it. The present method of getting bursaries is extremely complicated and it is extremely difficult. In any case it should not be necessary for the really deserving student to beg for financial assistance. They deserve it and should get it on the grounds of merit alone. Therefore, I suggest that a certain number of scholarships should be granted on the grounds of merit.

My second suggestion is, Sir, that while these bursaries and scholarships remain on the basis of race, at least three inter-racial scholarships should be established which should be awarded on grounds of merit. The students who stand first, second and third should get the scholarship. I am sure the Education Department will find some method of determining merit for the purpose of awarding scholarships.

The hon. Mover gave us figures of the increase in the school population in Asian schools. This is undoubtedly very large but I wish to mention here that the increase is due to conditions outside Kenya. First of all, the Kenya Asian population is making this country in ever-larger numbers their permanent home so that more and more Kenya residents are bringing out their families to Kenya. Before the war it was the custom for large numbers of Asians to keep their wives and children in India where the cost of living was cheaper and education also was cheaper but post-war inflation in India and Pakistan has made things difficult. That was the second factor accounting for this phenomenal increase in the school population. But I

(Mr. Chanan Singh) think those factors are ceasing to operate. (Laughter.)

MR. MATHU: Let them go back!

MR. CHANAN SINGH: We should have gone back if we had not decided to remain in Kenya. The increase in school population in future will be at a very much smaller rate. (Applause.) (Laughter.)

The hon. Mover mentioned the figure £242,000 which has been given to Asian schools by way of capital grant. Sir, we wish to express our appreciation of this help from Government—(Hear, hear.)—and we also wish to express our appreciation of the manner in which the hon. Mover mentioned the help that the Asian community itself is giving to its own schools. Of course, many of our private schools had been built long before this system of capital grants started.

There is only one other point I wish to make. In the Asian section of the educational Budget there is provision for 59 European officers. I, personally, think, Sir, that there is need for European officers in the Asian section of education but we need them more for teaching than for administration. I, personally, think that these European officers who are debited to the Asian vote should be utilized for the purpose of teaching English in Asian schools. Our examination results are very, very poor indeed and one of the causes is that the standard of teaching English is poor. If there are 59 European officers who are debited to the Asian section of the Budget, I am sure they can do the teaching of English in all the Government schools. Those of them who undertake administrative duties should be replaced by Asians so that these 59 European officers should do the actual teaching of English and that would be a great help to Asian education and would improve our results very much.

#### ADJOURNMENT

THE DEPUTY SPEAKER: It is now 12.45, Council will adjourn until 9.30 a.m. to-morrow.

*Council rose at forty-five minutes past Twelve o'clock.*

Friday, 27th November, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### ORAL NOTICES OF MOTIONS

INCOME TAX (RATES AND ALLOWANCES) ORDINANCE, 1952—AMENDMENT TO

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

"That, subject to the provisions of an Ordinance to Amend the Income Tax (Rates and Allowances) Ordinance, 1952, and published in the *Official Gazette* on 3rd November, 1953, the non-resident primary allowance be increased from £160 (single allowance) to £180; £245 (married allowance) to £280; £60 (child's allowance) to £85 and the fraction of one-fifth (second child's allowance) to two-ninths;

And the non-resident secondary allowance be increased from £100 (single allowance) to £115; £155 (married allowance) to £180 and £40 (child's allowance) to £55."

THE EXPORT DUTY ORDINANCE, 1951 (No. 71 of 1951)

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

"WHEREAS by virtue of sub-section (1) of section 8 of the Export Duty Ordinance, 1951, the Governor may by proclamation, with the approval of the Legislative Council signified by resolution, declare that the Ordinance shall continue in operation until a date to be fixed in such proclamation:

AND WHEREAS it is expedient that the Ordinance should continue in operation until the 30th day of June, 1954:

NOW, THEREFORE, BE IT RESOLVED that this Council approves of the continuance in force of the Export Duty Ordinance, 1952, until the 30th June, 1954."

## BILLS

## FIRST READING

*The Income Tax (Rates and Allowances) (Amendment) Bill*—(The Member for Finance and Development)—Order for First Reading read—Read a First Time—Order to be read a Second Time to-morrow.

*The Supplementary Appropriation (1952) Bill*—(The Member for Finance and Development)—Order for First Reading read—Read a First Time—Order to be read a Second Time to-morrow.

COMMITTEE OF SUPPLY  
MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

LADY SHAW: Mr. Deputy Speaker, Sir, I think it is a very sad thing that a subject which is so vital to this whole Council such as education should be made a subject of political wrangles in this Council. It has been done many, many times before, and again lately so many times. I, personally, can only feel that in these political wrangles which go on we so often completely lose sight of the object of the education which is being provided in this country. All races set great store by education. The hon. Mr. Mathu told us yesterday that Africans desire it more than anything. Yesterday Mr. Nathoo told us that the Asian community felt they were not given perhaps a fair share of the capital cost of education. I think that everybody in this Council must regard those statements as perfectly reasonable points of view but the actual attitude of desiring to depress one race's education for political reasons seems to me an unfortunate one.

We are at the moment living at a time when we are all trying to see our way to achieving better race relations, when we are all desiring to get nearer together in certain directions and to understand one another better. I cannot believe there is a better way of postponing this desirable end than by an attack by any one race on the education of another. We all know that there are certain subjects on which people are extremely sensitive. If a man's religion is attacked by other people—by a Government, who strives

to force another on him that is one action which will make a division which nothing can heal. If a man's language is attacked and he is forbidden the use of it, again it will create a division which nothing can heal. An attempt by any one part of a society to attack the educational standards and traditions of another and to attempt to force upon it alien standards or traditions is a perfectly certain way of creating a division which will be very difficult, if not impossible, to heal.

I would ask Members of this Council to consider that point of view. Let us all attempt to add to the education of our children. Let us try to improve its standards; let us try to get as much money as we can, but do not let us try to do it at the expense of anybody else. That I cannot believe is a wise thing to do and I can only really believe, Sir, that people of the knowledge and understanding of the people that we have so often heard do it, can only do so for political reasons because they must realize that the facts I have stated are facts.

I want just to mention one or two small points on the subject of Education. First of all, I would like to tell this Council that the European is prepared to go a very long way to meet the point of view of other people in this country, but he is not prepared to do it through his children; that he is not prepared to experiment with his children.

THE DEPUTY SPEAKER: Will the hon. Member wait a few seconds, I am sure she finds it difficult to compete with the aeroplane.

LADY SHAW: Mr. Deputy Speaker, I was saying that the European is prepared to go a very long way to meet the just aspirations of the other races. They are also prepared to go a very long way to try to meet them socially or any other way, but they are not prepared to experiment with the schooling and education of their children—not when they are young.

We have heard a great deal on the subject of inter-racial schools, we may come to this in this country some day, but at present they are not desirable. We are attempting to make an experiment at a much more suitable age—that of the college and university at the Technical Institute. It is a completely new departure, it is in itself an experiment. Let us put

[Lady Shaw] everything we can in making a success in that instead of squabbling as to whether our children are going to meet in inter-racial schools at a younger age. Surely that is a wiser thing to do than to make political trouble over a thing which each race could regard perfectly reasonably as a one which must develop naturally.

We Europeans have certain traditions of education and culture, the Asians have other cultures and traditions. I do not think they have a very long tradition in their own country of compulsory education. Here they are attempting and very rightly, to improve the standards of the education of their children, they are trying to get as much for them as they can—to see as many of their children well and properly educated. The African is doing the same. I believe, Sir, that enormous strides forward have been made in African education which is proof both of the Government and the other communities believing that African education is necessary and advisable and must be supported. At the same time the European interest is that the education of his own children should follow traditional methods of British education. This is a thing which he sets great store by and which he proposes to stand by. I can see no reason why a political issue need be made of that so long as everyone is treated fairly and I mean that. Everyone must have the right to try to get as much for his children as he can—within the limits of the finance available.

I would like to point out that each race in its turn has done a great deal to help itself. I think perhaps it is not sufficiently known how much the African has done for himself. He has for many years past made a tremendous contribution by communal work, communal contribution and enthusiasm to the education of his own children. The Asian has done a tremendous amount towards the education of his children. We heard about it in Council yesterday. As so very often the European allows things to go and does not say what he has done. I would like to tell Council what the European has done, not only in the hospitals which are recognized and no longer discussed, but as a contribution to his educational services. Many, many European children in this country go home to England for the whole of their schooling a great many

others for a part of it. The ones who go home are no charge at all to the country. Another large number of Europeans go to private schools such as Pembroke House, Kenton, and so on, and there is no charge on the finance of the country for their education at all.

MR. MATHU: Grant-in-aid.

LADY SHAW: No, none of those schools are grant-in-aid. That is exactly the reason why I wish to make this statement. I think it shows how little is known when a person as well informed as Mr. Mathu does not know this.

The Limuru Girls School, I believe, was built entirely on private capital resources. I do not believe, Sir, that Government contributed to it, although I am open to correction on that. It is run by grant-in-aid but I am speaking of the capital provided for its building. I am not saying that the Europeans should not do these things but I want it to be well known. Also I would say that the European pays a pretty high fee for his schooling even though the fees are not high enough to cover the *per capita* cost or anything like it of their children but they are a very large contribution to the cost of their children's education. At the same time the European cannot help but think, and I think with him, that the education that is provided for his children is some return for the very large proportion of—and do not let anyone make a mistake on this—direct taxation which he pays. I do not want to enter into a discussion of who pays more indirect taxation, but it cannot be denied that the European does pay a very large proportion of direct taxation and he expects some return for it. In education for children he finds a partial return for the direct taxation which he pays.

Now, Sir, I am not saying all this because I wish to criticize what has been spent on the other races' education, I wish to make the position of the European himself clear because I think it is well for everyone to know what it is.

Now I do not think I have really very much more to say on the subject. I am not attempting to discuss the merit or demerit of the Estimates. One thing I would like to add to this question of cost to the different races and what they are

[Lady Shaw] doing for themselves is the question of capital cost. It is obvious to everyone in this Council that the European has had the lion's share of the capital cost *per capita*—capital moneys *per capita* for his children—I believe the standard in the past of buildings has been too high. I have said that before, I say it again but it is no use our talking too much about the past. I believe we must look to the future and make up our minds here and now that while boarding accommodation must be secure and safe from fire and must conform to the demands of the Health Authorities, tuition blocks and classrooms in which the children get the actual instruction in schools could be of a very reduced standard indeed. I do not believe the child learns any worse in a good Army hut than it does in a place that looks like a palace. But I would say this, Sir, that whatever the standard of buildings, however low the standard of buildings may be. I do not wish the standard of teaching to be reduced. (Hear, hear.) To me the essence of school is teaching—I have read many books about wandering scholars who had no official school to learn in but they did have teachers. So long as the standard of education and the standard of teachers and the supply of teachers is maintained and the content of the education is the right content, then I believe we are getting what we should get. I am not in the least persuaded that it is necessary for us to spend vast capital sums on magnificent buildings for the purposes of tuition. They must be adequate but not magnificent. We cannot afford it and the sooner we recognize the fact, the better.

Lastly, Sir, I would like to refer for one moment to the subject I started with—this question of making a political issue out of a service which we all desire and which we all require and about which we all have very strong feelings. Let us aim as high as we possibly can; let us try to do the very best we can, but do not let us continue with political squabbles. I feel that if these political squabbles go on (and they do not appear to be getting any less) the sooner the European can remove the whole question of education from the political arena, the better for all concerned, not only for the Europeans but for the Asians and Africans, and for the peace and friendli-

ness of this country. (Prolonged applause.)

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, I have not got up to make any political speech, but I would like to associate myself with other previous speakers in congratulating the hon. Member for Education for his excellent speech, and the way in which he has explained the question of education here. So many previous speakers have spoken on this question, and that is why I will touch only a few points.

Some of the speakers mentioned here about the desirability of having religious instruction in schools. I am, Sir, not against having religious instruction in schools for the boys and girls, but there is a practical difficulty. Every Member on this side and on the other side will have noticed that—in particularly Asian Schools—there are students of all faiths—Hindus, Muslims, Parsees, Sikhs, and so on. If Government would ever desire to have religious instruction in schools, then the question would become a most complicated one for they would have to engage so many religious teachers to give instruction to our boys and girls, and I would not be surprised that at a later date—probably in a few years to come—there will be demands from various sections of the Asian community for completely separate schools and, at that time, the question of education will become a more complicated one than what it is to-day.

To-day it is the aim of everybody here to make a nation out of a multi-racial society. We must have a common school but, instead of that, we have to-day various group schools—for Europeans, Asians, Arabs and Africans—and, if the question of religious instruction in schools is decided upon, then probably we will be faced with another issue—other separate schools—divisions, and that is why I appeal to the Government that they should give their consideration to this question, and I should make it clear that, as far as the Indian community is concerned, we are against having religious instruction in Asian schools.

Another question is, the accommodation available to Asian students in schools. As far as the question of accommodation in Mombasa schools is concerned I say this much—that to-day, on

[MR. R. B. PATEL] account of some of the new schools having been built by the Government, and as some of the Asian communities have started to build their own primary schools, for the time being in primary standards there will not be an acute shortage of accommodation, but in next year—or probably in 1955—there will be a shortage of accommodation in secondary classes, and I should like to request the Government, in planning for the future, to bear the question in mind.

If it may not be possible in the immediate future for the Government to put up new buildings for the Asian schools, and if they desire to start double sessions, with a view to giving a chance to every student to have an education there, then I will say they should engage double staff for double sessions, but not to carry on double sessions with single staff.

Another point I should like to make is that every school should be provided with a playing ground, and in all schools physical training should be made a compulsory subject, because without the playing ground and without the physical training being a compulsory subject we cannot develop the physique of our students because, in a country like this, physical training is essential for character-building, and I think and hope Government will take into consideration these points as far as possible, and they will introduce physical training in schools and provide playing grounds for those schools which have none at present.

I support. (Applause.)

MR. J. S. PATEL: Mr. Deputy Speaker, Sir, I rise to record my tribute, and the very highest tribute, for the excellent team of staff the Education Department have got and for all the things they have done in the past in so short a time, and for those things they intend to do in future, if and when finance is available.

With regard to the remarks made by the hon. and gracious lady, the Member for Ukamba, I am pretty sure in my mind that no one from the Asian side had

any intention of attacking—if that word is correct—the European education at all. The European standard of education—there is no doubt that it is the best amongst the three races, and we all wish it goes still further in its standard. All that we wish from our side is that our bright and fit students, when they come to a certain level of education, be allowed to taste the same standard without debarring them because they belong to a certain race. It has often been talked in this Council about the British way of life. What is the British way of life? It is the up-bringing of the child and its education. We all admire the British way of life, but if you put a barrier before us, and say you are going to revolve between a certain sphere of life and no further, we cannot come to the British way of life, and there will always be a bickering attitude of other sections of the community. Let us all build together one nation. If people are fit enough to come nearer to the standard of the British way of life, accept them; if they are unfit, keep them at bay; but to put up a barrier because a certain class belongs to a certain race—I do not think it is good enough. In that way we will never bring the African to the British way of life.

In Kenya, as you all know, we are here to live together, and we can only live in the British way of life by giving opportunities to those who are fit—maybe very, very few. (Hear, hear.)

Another point I wish to make, which the hon. Member, Mr. R. B. Patel, has already mentioned, I do not quite agree with him when he says we do not want religious teaching in the schools. What we do want is—as the hon. Member for Aberdare said—a high moral standard, which can create a good citizenship without giving them dogmas, there are places outside such as churches, temples and mosques in which to learn communal or sectarian dogmas. Let us all aspire—ask other people to join together in one nation which is non-sectarian and non-communal. So long as we persist in our ideas of being communal and sectarian we cannot ask other people to become one nation. Let us make a beginning. Let us start doing it in our own life. I say that to my own people sitting on this side of Council.

[Mr. J. S. Patel]

With regard to the staff in the Education Department I should like to make a small remark. There are some Asian officers in the Education Department who are supposed to keep certain standards, and unfortunately they are unable to keep certain standards because there are certain barriers. I would request the hon. Member for Education and Labour to look into the matter and encourage those people so that they can remove those barriers and maintain their positions of cordial relationship.

With regard to African education, even though my hon. friend, Mr. Mathu, has said sufficient, I should like to see, even at the cost of a reduction of expenditure on the male side, more and more spent on female education—more particularly on handicraft.

I again not only support the Motion, but appreciate the excellent way in which the Education Department is handling the matter. (Applause.)

THE DIRECTOR OF EDUCATION: Mr. Deputy Speaker, Sir, I should like first of all to thank my hon. friend, the Member for Education and Labour, for the very kind remarks he made in his speech yesterday about my department. It is quite true that the Emergency has made work more difficult and more voluminous, and many officers have been working under great strain—and even danger. I am quite sure that the hon. Member's remarks will be greatly appreciated by them all. I should like also to thank those other hon. Members who have made such flattering remarks about the work done in European, Asian and African schools.

For my part, Sir, I should like to point out that I am advised by no fewer than seven advisory councils. (Laughter.) It may be said that I need them. (Laughter.)

MR. HAVELOCK: Yes!

THE DIRECTOR OF EDUCATION: I expected some such comment. I should like to point out however that anyone who has to deal with a subject like education which affects the life of all people in Kenya, must of necessity keep in close touch with all the communities in this country. What I really want to say is this: that I should like to pay a tribute

to the way in which those advisory councils have carried out their functions. The relation between them and the Department are most cordial, and I have received excellent advice from them all.

Now, Sir, in the main debate the hon. Member for Uasin Gishu made a comment on African education with which I am afraid I cannot agree. He said that it was a failure. Well, Sir, in the first instance, as far as academic standards are concerned, it is by no means a failure. I should like to quote first of all the School Certificate results for last year where, out of 108 candidates, no fewer than 101 passed—and passed extremely well. Over and above that—Members will remember that for entrance to Makerere College ninety per cent of the places are awarded by fixed allocations to the various Territories and ten per cent of the places are open to all candidates in competition—for the last two years Kenya has secured all the places available for free competition. (Applause.) Further, on the other side, taking the broad view of education to which various Members have made reference—character, and so on—the African teacher has done, in my opinion, a very fine job, and I should like to remind Members of what the hon. Member for Education and Labour said yesterday when he pointed out that a large number of these teachers had formed the core of resistance in the troubled areas. (Hear, hear.) May I point out, Sir, that many of these teachers—this is not often realized—that many of these teachers in primary and intermediate schools have lived in constant danger for over a year—many of them for over a year have not slept in their beds at night, yet they have carried on day by day with their work, and done that work extremely well. (Hear, hear.) (Applause.)

There was also a lot of reference to quality and quantity. Here I must agree both with the hon. Member for Uasin Gishu and with the hon. Member for Aberdare, who referred to this subject yesterday, that quality is of the greatest importance. It is true that you cannot have quality without quantity, but it is true also that you can have quantity without quality. There is a very great danger in these days when we have such large development plans in train of

[The Director of Education] thinking in terms of numbers. So many schools, so many teachers, so many pupils, so many buildings, so many examinations to pass, and so on, and forgetting that what is the most important of all is the content of the instruction, and the quality of the teachers. (Hear, hear.)

There is a great danger, I feel, when any one community does not enjoy anything like a full education for all those of school-going age—of thinking that the main objects in education are those posts and those amenities which education brings. I think it right that we should at this stage consider what are the objects of education. What have we in mind?

I should like, with your permission, Sir, to quote from a report published under the aegis of the Colonial Office entitled "African Education". Although this report deals only with African education, yet the aims of education which are formulated in it apply equally to all. It says:

"Let us boldly attempt to formulate the aims of education. Perhaps the key may be found in what any good father would wish for his son: that he should grow to the full stature of a man sound in mind and body; that according to his ability he should acquire the knowledge and the skill that will enable him to live a life useful to his fellows and enjoyable to himself; that he should have high standards of conduct and be an honourable man trusted by his fellows; that he should be able and willing to take his rightful part in the affairs of his country and his people; that he should be a man of courage and sound judgment, not too easily deflected by the emotions of the moment; that he should be a man at peace within himself, rightly discerning his duty to himself, his fellows and his God."

I should like to see that statement brought home, Sir, to every school and indeed, to every home in Kenya. (Hear, hear.) (Applause.)

Those, Sir, are the objects we have in mind as a department in all schools in Kenya. It is with those objects in view that our teachers are trained, but I should like here to emphasize a point made yesterday by the hon. Member for

Aberdare that there is another factor which comes into this, and that is the home. We may do a lot in the schools but, unless we also have the right atmosphere in the home—and, furthermore, throughout the whole of the community concerned—we cannot achieve the object we have in mind.

Now, Sir, I should like to deal with a number of points that have been raised. In the first instance, the hon. Member for Aberdare, and the hon. and gracious lady, the Member for Ukamba, referred to the question of building standards.

I agree entirely that we must be more austere in the future than we have been in the past. The limitation of finance will make this very necessary, but I would like to point out that already, and particularly as far as classrooms are concerned—tuition buildings—we have effected a very considerable economy and indeed many schools have had to do without what is generally regarded as a necessity—without a school hall. We have also effected some economy in boarding accommodation but I do agree that further economies can be effected, and it is the intention of my Department to see that they are effected so far as is possible. (Applause.) It may even be necessary as the hon. Lady Shaw pointed out, to consider much more austere standards for classrooms. It may even be necessary to contemplate temporary or semi-permanent buildings—this we have in mind at the moment as a possibility.

If I may refer now to some comments made by the hon. Mr. Nathoo yesterday, he asked first of all—are we satisfied with the standard of Asian Education? I must confess, Sir, that when one compares it—and I am afraid I must here make a comparison with other races—when one compares it with European education, it compares it with European education, it must be admitted that it does lag behind, but nevertheless I am sure the hon. Member will agree that very great strides have been made in recent years and that various developments have already been very set in train which will make for very rapid improvement in the standard in Asian schools. I refer particularly to the training colleges for Asian teachers which are turning out increasing numbers of really first-class teachers for primary schools. From those teachers there are selected every year a number to go home

[The Director of Education] to England for further training. When they come back they will I know strengthen the entire training not only in secondary but also in the large primary schools and in teacher-training colleges.

Another step which is most important is to eliminate as quickly as possible the system of dual sessions—that is our intention, of course. (Applause.) Furthermore, as the hon. Mr. Chanan Singh has pointed out, we have in recent years increased the number of Europeans in Asian schools. I am glad to know that that step has been appreciated. It has made a very great difference and certainly, during the period through which we shall have to go before Asian teachers in sufficiently large numbers are available in secondary schools and teacher-training colleges, we shall have to rely on that staff to provide the necessary strengthening.

Another improvement that has been made is the strengthening of the supervisory and inspecting staff although it still falls short of what is required.

Over and above all that, we have in mind the starting of special post-primary courses for Asian boys and girls—something equivalent to secondary modern courses in England—which will enable those who are not suited for academic, School Certificate, courses to have a type of education which will render them fit for the work they are going to do in after life. A very great deal has therefore been done and the way is paved I am sure for quite rapid progress in the very near future.

The hon. Member also asked whether every effort had been made to find the places which were needed in schools for Asian pupils. Well, Sir, I should like here to quote some figures which, though perhaps not absolutely accurate, present a reasonably accurate picture of what has happened. In the last eight years, there has been an increase in the Asian school population of 18,559 pupils. During that time, 15,270 places have been provided, or 82.3 per cent of the total. In European schools during the same period, there was an increase of 3,558 places for whom 2,270 places were provided, or 63.8 per cent of the total. That I think represents a very considerable achievement. It must be remembered, however,

that the Asian schools started off with a back log and that, after those eight years, there are still over 3,000 places that have not been built. That means inevitably that the dual session system has not been eliminated and in fact has even increased a little. That is unsatisfactory, I agree, but I would like to assure the hon. Member that it is our intention to eliminate that unsatisfactory position as soon as possible and we hope that before long we shall have caught up with the back log and got straight at last. It must, of course, be pointed out—and it has already been pointed out—that under European education there has been a very considerable expenditure on the provision of boarding accommodation.

The hon. Member also referred to delays over Asian school building projects. I have had the opportunity of consulting the hon. Director of Public Works and the reason is that whereas in some other schemes the plans had already been prepared for 1953 so that when the year started work could be commenced immediately, it is most unfortunate that, in the case of one or two large projects for Asian schools, at that time, on account of the Emergency, the drawing office staff of the Public Works Department had been considerably reduced and was unable therefore to deal with the work immediately. The work has now been put in hand and I do not anticipate any further delays.

Another point to which the hon. Member referred was the need for placing teachers in aided school on comparable terms with those in Government schools. Well, Sir, a very great deal has already been done. The hon. Member will remember that, whereas prior to 1952, grants-in-aid to schools were made on the formula of two-thirds grant—two-thirds of the amount spent on the salaries of the teaching staff—in 1952—and, of course, in 1953 and henceforth—there was a very considerable improvement and grants are now paid on four-fifths of the salaries of the teaching staff and on the salaries of the teaching staff while they are on leave, together with four-fifths of the amount spent on reliefs, passages, provident fund contributions and such small expenditure as may be incurred on the attendance of teachers at refresher courses—and that does represent a very considerable improvement.

[The Director of Education] On the question of provident funds, there are already 11 small provident funds in existence, but the Department has had under consideration during the last year the establishment of one comprehensive scheme for the whole of the Asian aided schools. I am glad to say that approval of this scheme has now been given by the Treasury and that it will very shortly be set up. It is expected that the benefits which will accrue will be with effect from the 1st January, 1953.

With regard to the provision of quarters for teachers in aided schools, I am afraid that that is a very difficult question to deal with now when one can hardly see the funds for the vital places in primary and secondary schools, but obviously it is a question which will have to receive attention and the hon. Member can rest assured that, within the limits of finance, the matter will not be overlooked.

Another question to which he referred is that of religious instruction and it has also been referred to by Mr. Patel. The attitude of the Department is that it would very much like to see in Asian schools, as in others, religious instruction as an essential part of the curriculum. There is no difficulty in most aided schools, but there is a very great difficulty in Government schools, as has already been pointed out, because of the multiplicity of creeds and because of the very difficult position in which a teacher would be placed if, even if there were an agreed syllabus, he had to teach to a class comprised of pupils representing all these creeds. In view of this, Sir, and this matter I should say was discussed by the Asian Advisory Council very recently, it has been decided that we should not, certainly at this stage, insist on religious instruction in Government schools. I should say here that I must differ with the hon. Mr. Patel, for the general view of the Asian Advisory Council was that it was desirable that there should be such instruction though for the reasons which I have stated it was impracticable. Nevertheless, we have said that we are prepared to make Government schools available for religious instruction for those communities who desire it for those of their pupils who are in Government schools if they wish to make such arrangements.

MR. R. B. PATEL: Thank you for giving way. I am not against having any

religious instruction in schools but as there are practical difficulties at present, I think this question should not be tackled at present.

MR. MATIU: What about the conscience clause?

THE DIRECTOR OF EDUCATION: I must have misunderstood the hon. Member. I thought he said he was opposed.

The hon. Mr. Chanan Singh referred to Higher School Certificate courses in Asian schools and to one particular difficulty which occurred recently. I would like to point out that that particular difficulty was solved by the girls in question attending the Duchess of Gloucester School for the necessary instruction. However, it is hoped that next year, it will be possible to resume the Higher School Certificate courses at the Duchess of Gloucester School. I should like to say, too, that, although it is quite correct to say that the institution of these courses took place at a much later date than in European schools, there were good reasons for it, inasmuch as, before the war, there was not the same need, since most Asian pupils went to universities in India where Higher School Certificate qualifications were not necessary. Further, the standard in the Secondary Schools had not reached that which it has now reached. As soon as it became clear that, to cope with post-war conditions and the increasing tendency of Asian students to go to universities in the United Kingdom, we must provide education to the Higher School Certificate standard, we did start these courses, and I can assure the hon. Mr. Naitoo that the need for further such courses will be borne very carefully in mind in our planning.

The hon. Mr. Chanan Singh made another suggestion in regard to bursaries. He said that he thought that the money available for bursaries should be divided into two sections, one to award scholarships to deserving pupils, the balance being made available, as now, for those who were poorer and needed such assistance. I should like to point out to him that, in the Estimates before the Council, there is an item under "Education Department—Administration and General" entitled "Award of open scholarship". Admittedly, there is only the provision of £1 but that is because it is a token



[The Director of Education] provision as far as the next six months are concerned—the expenditure will fall, of course, in the second half of 1954. That is the beginning of the very type of scheme which the Member has in mind—it is an open scholarship awarded on merit for any pupil of any race.

Now I would like to turn, Sir, to a point mentioned by Mr. Mathu. He did, I believe, say that more trade and technical education was needed in African schools. Well, Sir, I would like to point out to him that, although it is very undesirable that the number of pupils should fall short of requirements, it is equally undesirable that we should over-produce. I would like to say that we are only now getting into our stride since the end of the war. We are watching—he need not get very anxious—we are watching the position very carefully. The indication is at the moment that we shall in a few years' time be meeting requirements in full but, as I say, we are watching the position very carefully and should it be necessary to speed up production from these schools, we shall make the appropriate plans.

MR. MATHU: I am grateful to the hon. Member for giving way. Is not the problem that you cannot get employment because the Public Works Department will not take them on?

THE DIRECTOR OF EDUCATION: No. We are getting employment for them—the hon. Member is mistaken if he thinks otherwise.

He also referred to the need for some kind of similar training or additional training for African girls, pointing out that at the moment, only two careers which were virtually open to them were teaching and nursing. In the past, that is on the whole true, very largely because the number of girls coming forward at that particular stage was only sufficient to meet the needs of those two particular callings. It is very true also that with the development of African girls' education which is now going ahead at a considerable rate, the number of girls coming forward at the School Certificate stage and the end of the intermediate courses will increase and we shall have to think of other forms of employment for them. We have in mind already a course which will probably be attached to a women

teachers' training centre where we would train people who would be matrons and housekeepers in the girls schools. I understand that my hon. friend, the Director of Medical Services, has in mind a course for the training of dispensers. Other courses, such as the hon. Member mentioned, could, I think, be dealt with when the Royal Technical College starts, when included in that College there will be technical institute courses.

He also referred to the need for the provision of positions of responsibility for African teachers. There are already in the Education Department Estimates posts for 11 Assistant Education Officers. More than half of these have already been filled and the rest will be filled before the end of the year. I would like to point out that although these are posts of considerable responsibility in the administrative field and although the salary scale proceeds to a higher point than that which is provided for the African graduate, we have promoted to that scale a number of teachers of the T.2 level. I think it must therefore be admitted that there are very suitable opportunities available.

I would like to add that it is undoubtedly true that in the years to come there will be room for many more such officers, and as they prove themselves worthy, not only because of their qualifications but by virtue of their ability, character and integrity they will be promoted.

MR. MATHU: Is the hon. Member going to fill the post—page 215—the first one—African Education Officer, by the end of the year?

THE DIRECTOR OF EDUCATION: No, Sir, I did not refer to that particular post because I regret to say, Sir, that at the moment I have not an officer in the department of the requisite calibre to fill it, but I hope that the filling of that post will not be long delayed.

MR. MATHU: I disagree!

THE DIRECTOR OF EDUCATION: I think, Sir, I have now covered all the points that have been raised and I beg to support.

MR. OHANGA: Mr. Deputy Speaker, Sir, the previous speakers have already said a great deal regarding the theory and principles of education. It is not my

[Mr. Ohanga] at the moment, to try to go into that, except that I should like to make at least one observation on the point of religious teaching in schools. It has more than once been remarked on this side of Council that our schools should be in a position of imparting teaching which would give pupils high moral standards without necessarily teaching religion. As far as my opinion is concerned, I do not see how that could be achieved. I very much sympathize with my Indian friends on this side of the Council, because I am aware of the great multiplicity of their religions in this country. But as far as other communities are concerned, I do not think that I can be a party to a teaching of moral standards alone without any attachment to a recognized religion.

Now, Mr. Deputy Speaker, in his excellent speech, the hon. Mover did warn this Council, and in fact, each group in this Council, of the impending necessity, in his own view, of slowing down the whole programme of education in this country in the near future. Now, on that one I should like to make one strong plea in the form of a request for an assurance. Some three years ago the African community started on a scheme of education on the lines of the Beecher plan. That plan, Mr. Deputy Speaker, looked somewhat doubtful when we looked at it from the beginning, but in view of the amendment which the Government made and the assurance which we have had that it will be given five years' free and uninterrupted running, we thought it would be useful to give it a trial. Now, that plan, Mr. Deputy Speaker, has been on only for two years, so to speak, and perhaps a little more.

Now my plea is as follows—

Even if the financial position of the country became very difficult, so much so that it was necessary to cut down education services, I should like to plead with Council not to touch the African plan at all, in view of the fact that it was promised five years free running. I do not say that all is going well and that no improvements are necessary, but I should like to plead that those five years up to the end of 1955 should be according to the Beecher plan, as laid down by that Committee, and accepted by this Council in 1950.

There are small things I would like to say on dealing with points of facts, theory and principles. First of all, the hon. Member for Education did say in his speech—that at the moment—the Government is meeting about 50 per cent of the African costs of education. I think that as far as the money and the management of the District Education Board is concerned, it might have a germ of truth but only a germ. One of the significant facts in African education is that it has ever so many hidden contributions and emoluments which nobody can accurately assess.

I should like to refer, at this point, to one of the many things—many points—which have already been referred to here by previous speakers. That is the tremendous sums of money that have already been spent on the building of European schools to such an extent that even mothers whose children go there agree that the standard is more than what they require.

Now, it is the duty of African parents to build schools but not just for a few of them, but schools to house eight years of education, to which more than 80 per cent, in my estimation, of the African school-going children now go. The system of primary school, at the end of four years, is to be housed entirely by money contributed by the parents. It is true that where a building is constructed out of local materials, they can contribute in materials but more and more temporary buildings in the African reserves are becoming an increasing problem, in that very often they are found burnt down with a loss of a great deal of property in them and so on, and the business of putting them up again in time is not an easy one.

It is not the plan of most parents, who take education seriously, to continue building in temporary materials and having to face the difficulty of being faced with the situation to have to put up one in a hurry, because one was burnt down by arson or by some bad people, and therefore they do build them where they can with proper materials.

Now the cost of building—and building contractors—as is known to most of you here, is very high, and nobody would say that buildings are cheap.



MR. MADAN: Who is a building contractor?

MR. OHANGA: I want to know. I do know, and I am quite sure that there are some people here who are quite knowledgeable about building construction and so on. I do not want to name them one by one. If we know that buildings are costly things—as they are—I should like to say it should be appreciated by this Council. Although it is meant to appear that the Government is now meeting 50 per cent of the education cost of the African, it is far from the truth because so much of the burden they bear is concealed.

THE MEMBER FOR EDUCATION AND LABOUR: I am grateful to the hon. Member for giving way. If he read my speech he will see that I referred specifically to the big contribution which the African people make towards the capital cost of education by putting up their own primary and intermediate school buildings. I also said the Government pay half the recurrent cost of the system. I was referring to the recurrent cost and gave detailed figures to show that that is correct.

MR. OHANGA: Mr. Deputy Speaker, I am grateful to the hon. Member for his explanation to end that particular theme of my remarks. Sir, I would like to say that it is time—that the time will soon be when we will not be able to do all that we have done, in view of the fact that the amount of cash paid in the form of tuition fees, medical fees and what not, is becoming larger and larger every year. Parents now find it difficult to pay all these fees, particularly when demanded at the beginning of the year when ever so many other things, also, are due, in particular, taxes.

From that, I should like to go on to one thing which has already been referred to. I refer to the examination. I was a little disappointed when the hon. Mover gave figures of the high standard attained in the examination for other communities and not that of the African.

I am grateful to the hon. Director of Education for what he has been able to say about that this morning. I think it is a fact, Mr. Deputy Speaker, that in this country the achievement of African students cannot be thought to be trivial.

First of all, I think it is true to say that for the last four years the number of passes compared to the number of entries for the School Certificate have always been about 90 per cent for the last three years at least. I know of certain schools of a Secondary type that have entered pupils for the last four years and had 100 per cent success.

I should like, here, Mr. Deputy Speaker, to pay a tribute to the principals of African Secondary schools. I think they are doing a good job of work. I should like to congratulate particularly the Principal of the Alliance High School, whose achievement as a teacher is above that of any teachers in Kenya that I know. In his work, he has had a career among Africans from a Primary school up to Secondary, and now Senior Secondary, and at no stage during the time I have been in contact with him have I known his work to be below the highest standard in this country. I do pay great tribute to the achievements of Mr. E. C. Francis. (Applause.) I think the African community will ever be grateful to him for the work he is doing.

Now, Sir, my hon. colleague, Mr. Mathu, has already referred to African posts in the Education Department and has been given some assurance. Part of the Beecher plan runs that so many of the schools were to be built by 1954; so many teachers were to be produced by 1954 of various standards; so many teachers have to be employed at that time.

Now when I say that I hope that this plan would be given a free running up to the end of the promised period, I mean all those. But it is still my hope that if all these vacancies have not been filled, then steps will be taken to fill them immediately. I know, if it is a matter of qualification, we have men who have qualified according to the University standards; if it is a matter of integrity and so on, who is capable to assess that—and I think that is the thing that really counts—the best way of assessing him is to see how he does in the job. That will be the test, but largely it is a technical qualification.

One last point regarding technical education. I was grateful to the hon. Mover when he said that a small school would be provided for pupils who leave

(Mr. Ohanga)

before Form II at the end of four years of school life. Now, I hope, Sir, that those schools have already been set up. I do not know if it is correct. Well, if it is correct, and I think I have reason to believe that it is so, I would like to pay a tribute to the Government on their part, because one of the things that has given a great deal of misgiving to the African parents is the large number of children that have to be thrown out of schools at the age of 11, i.e., after Standard IV, and find that they are completely unable to find any place to which they can go, because no training of any kind is provided. Now, if this is done, I am quite sure it is going to meet with the wishes of a large number of African parents. But, as somebody who knows something about teaching and education, I, myself, have my doubts. I can see that a child of 11 years after Standard IV has learnt something, but I maintain that he has not gathered sufficient knowledge of anything to be able to grasp any technicalities of manual work or manual training of any kind. If you start school at that level very soon it will be found necessary to give these pupils some academic instruction, also, in order that they may be able to understand manual instruction. The examination at the end of Standard IV is still questionable whether anyone who does not pass it is fit to learn anything else. I do want to emphasize that one. I have promised and pleaded with this Council that they give the Beecher plan a free run for the next five years and not meddle with it at the moment.

I do not think there is anything more I can usefully talk about.

I beg to support.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, I think certain words spoken by the hon. Member for Education and Labour yesterday may give rise to apprehension throughout the country. That was with regard to the possibility that there may not be available accommodation to provide all the secondary education for European girls in the future which is required. I think any such apprehension would be ill-founded and I do hope, Sir, that in his reply he will dispel it. I am sure he meant that ways and means will be found to provide that secondary education.

Certain methods have already been suggested during this debate, such as the provision of buildings of a lower standard, though adequate for the purpose, and I would like here to suggest that the Department should consider the leasing for purchase of existing buildings in the country.

With regard to the standard of building, I have been doing a small arithmetical problem working on figures given by the hon. Director of Public Works yesterday. It would appear that the Kenya High School provides about 60 square yards of building per pupil. My arithmetic may be wrong, but I think in any case our standards are also wrong. We must be prepared to live at a less high standard in the future.

With regard to purchasing or leasing existing buildings, we have recently made a suggestion to the Department for buildings in two particular areas. In each case those have been turned down by the Department on the ground that they were either too small or unsuitable in certain respects. I ask them to reconsider that possibility a little more deeply. I would like to point out that the particular school at which I was educated consisted of a monastery, two public houses, several private buildings with others added specifically for the purpose of making it into a school. I think that principle should be adopted in this country.

I thought yesterday, Sir, that we were getting into rather deep water when talking about dissemination of the Christian ethic. Quite naturally we respect the Muslim and Hindu ethics. I think it was the hon. Mr. Patel who said that they did not require religious instruction in their schools. We do require religious instruction in our schools, but quite naturally we do respect the ideas of other communities. That rather calls to mind a statement made by Mr. Warren Austen, when he was the United States Ambassador to the United Nations Organization. It was made during the troubles in Palestine between the Arabs and Jews. He then said if only the two parties could get together in the true Christian spirit they could solve all their troubles! I think we do appreciate the principle behind those rather curious words; it is the

[Mr. Crosskill] principle which must guide us in the future.

DR. HASSAN: Mr. Deputy Speaker, Sir, most of the points previous speakers have already dealt with. I have only one point which some of the other Members have spoken on regarding religious education in Government schools. I associate myself with Mr. Ohanga, that we do not consider, Sir, that any education can make a man perfect unless it includes religious education. I quite respect the community who do want it, and the Education Ordinance provides that religious education will be provided for those communities who desire it.

In this country I find Christians cannot do without it and the Muslims therefore hope that adequate arrangements will be made in Government schools for religious instruction for Muslims and Christians.

There was one point very ably raised by the hon. Mr. Muthu. It was the question of education of African Muslims. I am sorry to see that the hon. Director of Education was quite silent when he replied to the point raised by the hon. Member. It is a well known fact to all of us that Muslims, particularly in the Coast Province, do not send their children to the Christian Mission schools due to their religious susceptibilities, and it is suggested that the Government should make provision for those people by establishing some schools in major towns where boys of the Muslim faith among the Africans could receive education. This is very essential and, I think, I should congratulate the hon. Mr. Muthu—the Member for African Affairs—who pleaded in very strong language for his Muslim comrades amongst the African community.

In conclusion, Sir, I would like to pay a tribute to the hon. Mover of this Motion and to the hon. Member for Finance, to the hon. Director of Education and staff who have done such splendid work in dealing with the education of multi-racial communities in this country. If they have failed to keep pace with all the requirements due to their annual increase in the numbers of pupils that is not their fault at all, because the finances were not able to deal with it.

I support the Motion.

THE DEPUTY SPEAKER: It is now Eleven o'clock, the business of the Council will be suspended for fifteen minutes.

*Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.*

MR. COOKE: Mr. Deputy Speaker, Sir, my hon. friend, the Member for Education and Labour likes to tell me, when we meet in private, that he is not an eloquent man.

THE MEMBER FOR EDUCATION AND LABOUR: You tell me that!

MR. COOKE: Or what is it you said? You were not an orator? But if eloquence consists of expressing meretricious half-truths, then it can be conceded that the hon. Member for Education and Labour is not eloquent; but if it consists in persuading your audience by a statement of fact, with sincerity and clarity, then one might say that my hon. friend was eloquent yesterday. (Applause.)

If I may be facetious for a moment, Sir, nature has endowed him with physical characteristics so that he could almost literally keep his head in the clouds and at the same time keep his feet on the ground, which he did yesterday!

I rise only to-day to emphasize one or two points not sufficiently emphasized so far. One was the point raised by the hon. Member for Mau concerning educational facilities—with which I agree—except that I do not think the hon. Member for Education and Labour held out many hopes at all, of any kind, on the alleviation of the position, which I regard as one of the most serious positions the country finds itself in. I fear a great deal the creation of a "poor white" class in this country. I know my friend, Sir Roy Welensky has told me that he does not fear that in his country, or that he does not much mind whether it happens or not. But I feel that apart from the shame I should feel by such a position growing up, there is a very grave danger of an *apartheid* notion springing up in a country of "poor whites". As I am personally very much opposed to *apartheid*, I should be equally opposed to anything that might create *apartheid* in this country.

My hon. friend has said that a larger proportion of boys and girls in this

[Mr. Cooke] country go on to secondary education than do in England. I think the standard should be raised in that case because I do not think it is necessary for so many boys to have a secondary education in this country, if only, we could, in some way, promote industry which could absorb them. I know industry is very near to the hearts of the hon. Member for Finance and Development and the hon. Member for Commerce and Industry; they have done, especially at the Coast, very great things in promoting industry, but I think we must make every endeavour—every effort—and in that connexion, bring here, if we can, the electric power of Uganda, to give us the power we need to establish industry to absorb our surplus boy and girl population.

Now, there is another point which I hope will appeal to my hon. friend, the Member for Finance. I think we are prone, in this country, to put too much emphasis on individual expenditure—hardship of individual expenditure, without thinking of national expenditure, and that the drain on the individual budget and the drain on the national income is very much the same thing in the end. Assuming that we do not get secondary education in this country, sufficient, to absorb the boys and girls coming along, I think it is absolutely certain that parents will send their children to England or outside the Colony to be educated so that might mean, say, two hundred extra boys and girls will have to go to England, or outside the Colony, to be educated, on account of the lack of facilities in this country. Supporting the cost is £400 a year in England or South Africa, that would mean £80,000 would go out of the country. It would really become, in the jargon of the economists, another import; that is to say, it would swell our adverse balance of trade. That is a thing we have to be very careful about. Surely it would be better, although I have always said that I am not an advocate of excessive taxation, surely it would be better to tax more, get educational facilities that way, than send money out of the country, where of course it will circulate outside the country, not internally. That would be to the detriment of the finances of the country as a whole.

There is one more point I want to make—that is about Arab education. Ever since we came to this country the Arabs have been the most loyal of races. In both wars they have co-operated with the British people. It has sometimes been said in this Council and outside that we must not reward disloyalty by giving too much to the people who have proved themselves to be disloyal; surely then the converse should be true—we should try to reward loyalty.

I notice that the expenditure on Arab education has gone up four-fold since 1945. That may sound a tremendous amount until you realize that in 1945 it was only £9,000 a year, so when you multiply it four times it is certainly no very great rise to £36,000 a year. It is certainly very much less of a proportionate rise than the Asian, for instance, because their increase in school attendance is two and a half times as much as it was in 1945; which is practically the same as the Arab; while Arab expenditure is only four times, the Asian is about six times that of 1945. Now very few people realize that though there are many wealthy Arabs, on the other hand there are a lot of very poor Arabs and I would join in any plea that might be made that compulsory education for Arabs should be instituted in Mombasa. I was glad to hear my hon. friend adumbrate the possibility of another primary school, because the Arabs could play a very large part in the economy of the country, especially at the Coast, if we gave them professional education; they could provide lawyers, doctors, physicians and various other professional people, especially at the Coast.

It is often said of the British Government in the words of Edmund Burke, that we concede to force what we refuse to concede to reason. Certainly the Arabs have not threatened the British connexion, let us concede to reason, so far as the Arabs are concerned, and give them the educational facilities which I think they very well deserve.

With those remarks, I support the Motion.

MR. MADANI: Mr. Deputy Speaker, Sir, I rise to speak because I feel it is necessary to do so on account of certain remarks made by the hon. and gracious

[Mr. Madan] lady for Ukamba. When that speech comes to be read later on, it may be construed to mean that the attitude of non-Europeans and in particular the Asians, I say in particular the Asians, because I can only speak for them—is antagonistic towards the European community.

Let me say straight away that that is not the case, and with respect I would submit that the hon. Lady has misunderstood the position.

LADY SHAW: I am delighted to hear it!

MR. MADAN: The first thing that I would like to mention about the Education Department is the gratitude of the entire Asian community for what they have done for us. But, we are not satisfied, because we feel they have not gone far enough. On the other hand the Department says that they have done whatever they could with the means that were at their disposal. That is a very fair way of putting the matter. We have a right to ask for more. The Department says they cannot give it to us because their resources are restricted. Fair enough! But that does not mean that when we stand up in this Council and ask for greater facilities to be provided, it is being antagonistic to the European interest.

We must deal with the matter on a racial basis, not because we want to, but because we have to.

If you look at the Draft Estimate itself, may I refer you to page 204, the Estimate starts off with 1:—Administrative and General; 2:—European Education—Tuition; 3:—European Education Board; 4:—Asian Education; 5:—Goan Education, etc., etc., dealing with the various communities specifically and separately.

It is quite common, Sir, that when one discusses educational problems or medical facilities, that comparisons are made. If we did not have racial groups in this Colony, we would be comparing our educational facilities with other countries, probably and preferably with Great Britain, because that is one of the countries that is far advanced in educational matters; therefore, in my submission it is quite in order to do so.

When the hon Member for Education and Labour addressed us in this Council in moving this Motion, he himself referred to the various communities separately, dealing in his speech with Europeans first. So let it not be said either, that we are against what the European community has, whether they deserve it or not, and I do not say they do not deserve it—I do not think that any of my colleagues would say that they did not deserve it—or that we want to argue about our educational problems for political reasons. With respect again, that is entirely wrong.

You have a certain standard of education which is provided for the European community. What is wrong, Sir, with the non-European communities trying to emulate the conduct of the European community in wishing to have the same sort of standard for their own children? Some of us may feel that the European standard should be made better even, because we would like to go further, but to say that the Education Vote should be removed from this Council and taken somewhere else—I suppose, the implication was to Local Government—is trying to run away from the problem.

LADY SHAW: Thank you for giving way. I do not believe I suggested that the Education Vote should be removed from this Council—all I said was that I would prefer to see the subject of European education removed from political controversy. Quite a different matter!

MR. MADAN: I am glad, Sir, that the hon. and gracious lady has made it clear that the implication is not what I thought it was, because if that was the implication—the one I referred to, we could not possibly accept it for reasons which have more than once been stated in this Council, in relation to the set-up of Local Government in this Colony.

I think it is conceded, and the hon. Director of Education also conceded the point this morning that there are, speaking generally, many things left wanting in the system of Asian education to-day. We have been pressing for improvements for years—I have had the privilege of being a Member of this Council for nearly six years now, and I cannot remember one debate where the question of more buildings for Asian schools was

[Mr. Madan] not brought up. Was it brought up because we want to be political or to introduce a squabble? I am sorry that any European Member, or any Member for that, should consider that arguments advanced by Asians amounted to a squabble. But I think everyone is entitled to his or her views, and I can assure you, Sir, we have not asked for more buildings out of sheer fun. It is because we feel there is a need for them when we see our children, hundreds of them, as was the case in 1951–1952, roaming the streets without any school accommodation.

If the Asian Elected Members had not brought the matter to the notice of this Council, and to the notice of the Unofficial Members also—the Europeans are included, because they are as much interested in the welfare of all citizens of this Colony as we are—I think the Asian Members would have failed in their duty. But please do not say, for Heaven's sake, that because we did that, we are trying to be racial. We have to call ourselves Asians and refer to Asian schools.

Comparisons are always odious I realize, but we see that we have a large number of children—we see expenses per capita for a European child—I am taking an approximate figure—is £25, for an Asian child about £6 per head—I am sorry I cannot give the figure for an African child, although I believe it is only a few shillings. Does that not necessarily mean, Sir, that the standard of Asian education must be poorer because the expense per capita itself proves that?

We have often asked for better teachers—qualified teachers, and the Director of Education I think will admit that we have not the type of teacher which should be introduced or that we should have in our schools.

We think it shameful, Sir, that even to-day we have not any boarding facilities in any part of the Colony for Asians. To say that that amounts to squabbling again, with respect, is to take a very narrow view of the matter. We bring this matter to the notice of the Europeans and notice of all Members in this Council, because we are asking for European support in order that the standard of education imparted to the Asians may be improved. We are not jealous of what is

given to the Europeans—we may envy them and wish to achieve the same for ourselves.

Let me give you another example—take the case of double sessions—teachers doing their job of work in the mornings—a full day's work according to ordinary standards—then being called upon to go to school in the afternoon to do another day's job of work—two full days' job of work in one day. A job of work which is most important to the life of the Colony, and we are expected to sit here and swallow that and not mention it or bring it to the notice of this Council. We were told very recently, in fact I think it was last week, that because of the lack of finance, we should be prepared to make sacrifices, and perhaps no more facilities could be granted to us.

I said then—I would like to repeat it now with your permission—we would be prepared to accept a standstill point in education provided the standard of education for all communities is first brought to a satisfactory level.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Sorry to interrupt the hon. Member, but I trust that he will forgive my saying to him what I said to the European Elected Members—I said "Sacrifices might be necessary for all races"—not any one race.

MR. MADAN: The hon. Member is unduly apprehensive. I was not referring to him at all—I was referring to the speech made by the hon. Member for Kiambu on your Budget speech. I was, Sir, referring to the question of sacrifices we have been asked to make, and that involves the question of new school buildings for our children.

I remember when we were told in this Council that the new Asian school buildings could not go ahead, because no surveyors were available—I think that was in 1948—I would like to make this clear, I am speaking from memory—and that went on year after year. Then we were told this morning that certain building plans have not been put into hand because of the Emergency. What was wrong with starting those buildings before the State of Emergency was proclaimed?

We feel that—I do not say deliberately—but for reasons which are not known

[Mr. Madan] to me, the problem of Indian education is indeed neglected and it does not receive sufficient attention, it does not receive enough recognition, in spite of the fact that the Asian community has contributed large sums of money to provide its own schools to facilitate the task of the Government. I realize that some of those schools are grant-in-aid schools and because of certain amendments of the rules of grant-in-aid, they are generously assisted by the Government. We are very grateful for all that, but the contributions that the Asian community has to make, has produced a state where the resources of the community have reached a breaking point—they cannot bear the burden of education any more, and the Government will have to do something drastic about it—have a drastic revision in its policy, and the present system of having haphazard education for Asians should not be allowed to continue. Because I feel, that to spend a lot of money and do a thing inefficiently, is a waste of that money. I say to the Government if you are not prepared to spend more than what you are, at least, take full advantage of the money you are spending now. At the moment I feel we are not doing that.

You will recall that at one time an Asian expert, Mr. Kazimi, was imported from India to report on the educational system for Asians in this Colony. He made a report. Later on Dr. Rana, a Member of this Council, moved a Motion on that Report for action to be taken, and the recommendations contained in it to be adopted.

I believe, Sir, I am again speaking from memory, and I cannot give the chapter and verse for it, but I believe that the Government accepted that Motion. I, also, believe that the Government has not done anything about it.

Let me give you just one more example. Some of the Asian schools which are grant-in-aid schools are situated in some of the busiest areas of Nairobi. The children come from outside those areas because of the expansion that has taken place in the residential parts of the City. There are schools in Duke Street which are attended by children who come from Eastleigh, the Public Works Department quarters, the Railway quarters—these grant-in-aid schools provide, and indeed

they must provide transport for these children. I think I am right in saying they do not receive any assistance from the Government in that respect—it is a heavy item of expenditure both for capital and recurrent purposes. I wish the hon. Member for Finance and Development in consultation with my hon. friend the Member for Education and Labour, would try and assist these schools, because instead of having rickety buses, which is all these schools can afford, we should have comfortable and safe transport for these children to be carried to and from their homes.

Finally, Sir, there is one more point I would like to make—it arises out of the speech made by the hon. Dr. Hassan when he said the Christians and Muslims wanted religious education to be imparted to their children—I think he was referring to the speech made by the hon. Mr. R. B. Patel, who, I am certain, did not mean to say, and did not in fact say that non-Muslims and non-Europeans did not want religious education to be imparted to their children. We recognize the value of religious education, and it should be imparted in a manner suitable for the children at these schools.

The point that the hon. Mr. R. B. Patel made was that he thought it was for the time being impracticable to do so in view of the diversities of religions from which pupils come in Government schools. I want to make it clear that the Hindu community is not against the giving of religious instruction to pupils.

Mr. AWORI (African Representative Member): Mr. Deputy Speaker, I find the debate on education is going to last quite long. It is not surprising; after all, education in this country is the most important object that we are facing, therefore, if I have to contribute a point on it I will not be out of place.

Sir, in the first instance, I appear to be a bit unlucky that whatever I say, whenever a Member of the Government side replies in critical terms, I am always absent. I remember last time I was criticized by the hon. Member for Finance and at one time I was criticized by the hon. Member for Legal Affairs, this time I think I will wait for the criticism of the hon. Member for Education. (Laughter.) (Applause.)

[Mr. Awori]

Now, Sir, in my speech during the policy debate, replying to the hon. Member for Finance, I must say that I am sorry if I did not show any gratitude for what Government has done during the first 50 years and I would like, in the interests of the Council and particularly the hon. Member for Finance, to say that I never meant any offence when I criticized, and if he or the Council took my speech as showing less gratitude, I withdraw. (Applause.)

The whole point, Sir, why I particularly stressed the amount of money spent on education—I could give very many illustrations to that effect. Just yesterday I and my colleagues visited Athi River detention camp. The Commandant there told us that 48 per cent of the detainees—more than 48 per cent of the detainees—were illiterate. Now in my heart I thought it is not surprising that if you get illiterate people and you put into their minds a certain doctrine—that is the *Mau Mau* doctrine—they will believe it and I find that the reason that the Emergency is lasting at all is that the people and the brain behind it are either illiterate or half educated. That is a very important factor. If we are to do the best we can in educating our people in this country, spending even more money on education, more than anything else, I think we shall be building a better foundation for the future.

In this case, of course, due to the Emergency, too much of our money is being consumed on a matter which should not have taken place. However, in supporting my colleague, the hon. Mr. Mathu, that if it means higher taxation for social services, let us have it. In my own district of North Nyanza, it was my own folk who proposed a special tax for education. I feel that this Council could do the same—we have special taxes in other cases, take, for instance, the Sh. 20 special tax on Kikuyus—if Government tells us there is no money for education, I would support the move that every African in Kenya be levied a special tax of Sh. 5 per head for education. I would support that move. I am not a person who believes that we must go on begging, begging from the British Government, begging even from the Europeans and Asians here; if the Africans can be able to do something

on their own, give them a chance, and support them to do it. Because nothing can be got by waiting, criticizing, begging. It is better if the African could be told, "You need education, you need civilization—civilization cannot be given on a silver plate; you have got to fight for it, you have to work for it." We shall tell our people, yes, let us work for it and get it. But otherwise it is difficult to make our people understand. After all, since the British Government took over the whole of this country they have done a lot for the Africans in the way of medical services, in the way of education, in the way of roads, and in so many ways. We appreciate that, but one must understand it is difficult for anybody, even in this Council, to be satisfied on any particular problem. One can never get satisfaction; one will always ask for more. That is why we are asking for more, not that we do not appreciate what we have got.

The other point I come to, Sir, is the question of higher education and that is the point I mentioned in this Council last week, and the hon. Member for Finance was very critical because I did not show much appreciation of what has been said and done in the past for the Africans. Now the main reason why I stressed it last week and I still stress it now—that Government should do more than they are doing now in providing high education for Africans—is that I look upon the future, I look upon the present, I look upon the past. The present tells me that the mantles of Government are in one group and not in all groups. Now the main defect is that the African has not been able to provide people with the intellectual ability who will be able to take over the mantle of Government in this country in co-operation with other races. Could you tell me of any African who could be a manager of a bank in this country? No, Sir. Could you tell me of any African who could be Director of Medical Services? No, Sir. Could you tell me of any African who could be Director of Education? Perhaps, yes. (Laughter.)

Mr. HAVELOCK: Watch out!

Mr. AWORI: For that, Sir, is why I feel—particularly when I recall the statement of European Elected Members

[Mr. Awori] recently, that they would like a multi-racial society in this country, a nation of Kenyans, yes, we must have a nation of Kenyans, but that nation will always have friction unless there is equality and that equality particularly will be based on the type of education that the people get. It is not merely academic education, it is not merely becoming a Doctor of Philosophy—M.A. or B.A. During my stay in England I found that not even the heads of Government were people with academic education, qualified professors, but ordinary people. But those people came from the offspring of people who have had education and civilization for a long time. It is not that I am pressing to get Africans with all the degrees that they can get on the other side of Council or in the Government field, it is not so.

I was happy to hear, Sir, a speech of the hon. Member for Education on the question of Christianity and Christian tuition. I myself have been brought up through Christian tuition. When I was born my father was a priest, he was living with a European priest. I was brought up in that way: I grew up with European children; I learnt their ways up to now. But what a disappointment. Do I ever enjoy the privileges that they have? Do I ever mix with them socially? The same thing has held with every African who goes overseas. He stays in European homes, he comes here and what happens? He is segregated as if he was a leper. That sort of policy I think we should see that we ignore as quickly as possible in this country.

Now, Sir, I come to the other point and that is the question of Africans going abroad for higher education. During his reply, I would like the hon. Member for Education to let us know how many bursaries the Government will be offering next year for Africans to go abroad. At the same time, I would like to know if the Government still holds the policy that they would not grant a bursary or a scholarship to Kenya Africans unless they have attained Makerere education. I have observed this question of leaving or letting Africans go to Makerere to take a three, four, five, or seven years' course. They come out, they work for at least two years before they are granted

a bursary to go abroad. During that time some of them get married; they get families. Then what happens? Then they get a bursary, their family life is interfered with because the man goes to England leaving his wife and children here. In other cases I know Government pays for the family to go with him and that depends on whether the person has married a woman who has got enough education to enable her to continue with further education in Britain. On the other hand, it is also a waste of public money. If we are to take two at the same time, instead of taking a man and his wife to England—having two other men who would be able to serve a better purpose. I feel that that point should be carefully looked into.

I mentioned it last time during the last year's Budget and I still mention it because I feel it is a wrong state of affairs.

I am grateful, Sir, to hear from the speech of the hon. Member for Education about the scheme for adult education. I think that is very important and if Government will go ahead, not only at Machakos, but in every area—establish schools for adult education, libraries. I think we shall be doing more to remove illiteracy which is the seed of evil in this country.

I will not say much on technical education but I will press this point, particularly for the hon. Member for Finance and Development, that when these people who have technical education come out, they should be helped to establish themselves in trade and otherwise, and that also applies to the hon. Member for Commerce and Industry whose field it is. He should see that these people if they are trained as carpenters, as shoe makers, etc., they should either get employment or they should be able to establish something on their own. Otherwise technical education will mean nothing.

Another very important point, Mr. Deputy Speaker, is the question of the Press in this country—the African Press. The African Press has been accused of irresponsibility, of publishing seditious stuff. But who can accuse them when, through ambition, through the idea that they are going to serve their people, they start a newspaper and they

[Mr. Awori] do not know the ethics of the Press and they go off the rails. Why? Because we have not had Africans who have been trained in journalism. Fortunately I happen to be one of the few who have taken courses in journalism in Britain. I do not think there are more than three others in this country who have had that opportunity. I would like, Sir, that next year, when offering bursaries, a few selected Africans should be sent abroad to the London School of Journalism or to the Regent Institute and be trained in journalism. The Press plays a great part in this country; the Press is a great weapon. It is always said that the pen is mightier than the sword. I do not think it will serve us any good end by adopting what was adopted last year in this Council—Press control, which, unfortunately, I will not bring in this debate but at some other time I shall have to bring that point. It will not help us. Instead of educating people to know the ethics of the Press, all we do, we control, we wipe them out. No, Sir, that is not a step that we have to take. The Education Department should see that they take up that matter and see that more Africans are given scholarships. They would only last eighteen months then these people could come out here and work in co-operation with the Department of Information for any more advice that they would require. If we were to adopt such a policy, I think that, in due course, we would not require any law controlling the Press at all because we shall have put our people on a proper standard of understanding what they should and should not do.

Now, Sir, I have two other points before I sit down. One is the question of the fees and text-books and clothing that the Africans have to pay. I support the hon. Mr. Mathu on this point. I have visited very many schools; in some cases text-books or even clothes are given to the boys late in June. In other instances they are not even given to them at all. I know that the ordinary Africans are paying a great deal towards the education of these children. I feel that Government should look into this matter further and see that the burden does not fall on the parent who cannot afford to pay for the education.

Similarly, I would press that Government start compulsory education for Africans residing in Mombasa, Nairobi, Nakuru, Kisumu or Eldoret. Even if it becomes impossible to start compulsory education in all those towns, at least an example could be started for Nairobi and then later Mombasa—gradually. We are not asking for a revolution in the compulsory education but we want something to be done and we shall be able to feel grateful for what is being done.

On this point, if there is compulsory education, I would like to ask Government to levy a special tax on Africans residing in the towns to pay for their education. Let the Africans pay Sh. 5; let the Government pay Sh. 15—make it £1. I think one would not accuse me that we are asking too much. We feel that we should also contribute something towards our education but the encouragement should come from Government.

Finally, Sir, I will say a word on what the hon. Member for the Coast mentioned about the Arabs and also about the Muslims. It is true that in Kenya the Muslims are being neglected. It is quite different from what they are in Uganda. In Uganda the Africans, the African Muslims in particular, are at a greater advantage to their brothers in this country. However, if it is true what the hon. Member for the Coast said that the Arabs have been loyal to this country, why is it that we have not heard in the Press than the Arabs have been taken, compulsorily or voluntarily, to serve during the Emergency. Is it that the Government are afraid that the Arabs might turn traitor, or is it that they have been found to be traitor? Why has Government not called on the Arabs also to help during the Emergency?

Sir, I beg to support.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, when I say that I had not intended to intervene in this debate, it is perfectly correct, Sir, but I feel there are one or two points now that I must refer to.

First of all, I would ask that at some time in the near future you should make a ruling or issue a statement for the guidance of Members of this Council. Time and again, Sir, we refer, as the hon.



[The Member for Finance and Development]

Mr. Awori has done, to statements made in a previous debate during the same session. I think I am right in saying that in the House of Commons that practice has been ruled out of order for some considerable time because of the obvious danger of being able to continue a debate right throughout the same session; because it is not by any means beyond the wit of man to bring in a reference from a previous debate on almost any subject. In this particular case, were I to yield to the temptation, I could spend a lot of time in so far as this Council is concerned in once again answering the point that Mr. Awori has made. I do not propose to do that, but I feel it would be of great assistance to Council if you would give a ruling and a statement of guidance in order that the, to my mind, dangerous Parliamentary practice should be discontinued.

The hon. Mr. Awori referred to something that I said on a previous occasion. (Laughter.) I would not answer him; I would merely say how glad I was to hear him withdraw at least part of the statement which he made and ask that anything further—in so far as Council and the records were concerned—should be a reference to something I also said on a previous occasion.

I do not think that the hon. Member should be quite so disturbed because no African has yet developed who could be a bank manager or the manager of a business. After all, if you look at the short time that African education has been going on in this country, on anything like a reasonable scale for the number of people, I think the achievements and advances are a tribute to the capacity of the African people. (Hear, hear.) So that, Sir, it takes a long time to develop men who are capable of controlling banks, it takes a long time to develop men who are capable of managing businesses—I was a little disturbed to hear that the hon. Member did not think it would take quite so long to develop a man to be Director of Education. I would have thought that the job of the Director of Education in this country was far more difficult than either of the two jobs he mentioned.

The thing that really brought me to my feet was the remark that since the British Government had come to the Colony it had done a great deal in this way and that I know what the hon. Member means. I think I must be perfectly certain in placing on record what the position is. I think it is correct to say that everybody in this country is very grateful for what the British Government does and has done in the past. It has supplied us, through the Colonial Service, with outstanding and devoted administration which, whatever criticisms may be hurled at it from time to time, has been the driving and leading force in the development of this country to its present capacity.

If, I think, has helped us, in so far as the Colonial Development and Welfare Vote is concerned, since 1946 or 1947—I am speaking from memory—to the amount of something like £5½ or £5¼ million in financial contributions to our development plans. It has I think I am right to say that at one time it assisted us with regard to the Kenya and Uganda Railway.

I must place it on record, once again, Sir, that since the time that this Colony was instituted as a Crown Colony in 1920—I think that is the right date—this Colony has developed on the work and resources of its own taxpayer. (Hear, hear.) That the Budget of this Colony, the revenue of it has always been derived from our own resources. The Budget in 1922-23 of £2,000,000 was the recognition of the meeting of the cost of administration and the then very small and minute services that could be offered to the people of the country was paid by the people of the country at that date and to-day, even after eighteen months of Emergency, the cost of the administration and the salaries of the public servants, the money that is spent on education, health, everything in this country is met by the taxpayer of this country. It is said that this proud record will have to be broken, but let us at least at this stage place on record that the development that has taken place in Kenya to-day, in so far as recurrent expenditure is concerned, and most of the capital is wholly the result of the efforts of the people of the Colony and it is an effort of which

[The Member for Finance and Development]

those people can be justly proud. (Prolonged applause.)

MR. JEREMIAH: I also rise to contribute a little in this very interesting debate. What I have got to say, Sir, I am sorry to say, will be mostly concerned with the Coast Province.

First I wish to thank the Government very much indeed for having established in Mombasa itself a Government school in which the children of every denomination—African children of every denomination can attend a school which is reasonably attracting the Muslim children because it is a school which has no, what I should say, missionary tendencies, which, in most cases, is not very much appreciated by the Muslims and which now caters for the Muslim children as well as non-Muslims. Those Muslim children, Sir—in the new school an increased number of them can attend. What I should suggest, Sir, is that if at all Government is going to consider the introduction of compulsory education amongst the Africans, the first place which should be considered is Mombasa, because we have now, Sir, a school which can provide for all African children—Muslim and non-Muslim. If no compulsion is used, I am afraid to say that most of the Muslims will not bother themselves to attend, therefore, I suggest that compulsory education should be started in Mombasa.

MR. MATHU: Why?

MR. JEREMIAH: My hon. friend, Mr. Mathu, said, "Why?" He knows himself—he is the one who said that the Muslims in most cases are the most backward people. That is why I say they need most encouragement and most compulsion.

Another point, Sir, which has been raised already is the appreciation, which I am very glad to see the hon. and gracious lady, the Member for Ukamba, understands, that is the amount of contribution the African makes towards the teaching of his children. We contribute more than three-quarters of the whole cost of the African children's education. We said that we still buy books for our children, clothing and feed them. Most of the schools which are providing African children with education are day

schools, therefore, the parent meets other expenses besides those such as building.

Another point I would like to bring up is the Government contribution and the assistance to African schools. I think more attention should be paid to the places which are more backward because I think, in my experience, that some people who are a bit advanced take more interest in education and in most cases they are advanced as well financially and can stand more expenditure; but there are some, even if they wish to have a good education, their financial position is very poor. Therefore, I suggest that Government should try to pay more consideration to such backward areas in order that those backward areas also may be brought up to a reasonable standard.

Now, Sir, I want to finish by a remark about something which worries me very much. That is the primary education of Africans which ends at four years—that is, Standard I to Standard IV. What I would like to remind the Council is that the four years is, in fact, three years because the first and second years are only taught once. Either the children learn for three hours in the morning or three hours in the afternoon. Therefore, as I have not seen a full day of three hours, the first two years are, in fact, one year of teaching. For that reason, Sir, I would ask the Government to reconsider this question.

It has been very, very worrying that a child, after completing four years' only, or five, should be refused further admission in case he did not succeed to enter the intermediate.

Another discrepancy, or something that I find in that standard of education in the various schools is that African education is both from Standard I to Standard VI, and from Form I to Form VI; whereas, as far as I know, the education of Asians and Europeans is from Standard I to Standard VII and then from Form I to Form VI. Therefore, Sir, you will see that the African is at a disadvantage of education of one year. That, I think, should be looked into. I do not see why the African children should be stopped, or should be deprived of education after four years. I think consideration should be given that children go on from Standard I to



[Mr. Jeremiah] Standard VII and then take the examination to see whether they are qualified to enter intermediate and higher secondary schools.

My hon. colleague has mentioned about tax in order that we may be fulfilling to some extent our need of education. I think that is something which all Africans would agree with. In some districts Africans have been asking that they should be allowed to tax themselves as high as possible. But Government has been quite reluctant. I understand the reason for that is because it may be difficult to collect that tax but, Sir, when people ask for leave to levy themselves a tax for a certain very important purpose, I think there should be no hindrance in their way.

Now, Sir, with regard to school certificate, and not only that, but with regard to secondary schools for Africans. The hon. Member mentioned that we should not try to claim more or expand more on the primary level because the children do not find a place to go after completing their primary education. Well, I think, Sir, it is time that Government tried to expedite the erection of more intermediate and secondary schools because, Sir, we will not be satisfied, as Africans, to let our children remain without education at all, if we can help it. We are trying to have our children educated in primary schools and in most places we are trying to establish as many primary schools as we can. Therefore, I think Government should also take an interest in trying to catch up with us by introducing more secondary schools. I repeat again, Sir, that the Coast Province, being a Province where Muslims are, in most cases, predominant, more interest should be taken with regard to Government schools because they are not very interested or attracted by schools which are taught by missionaries and in which the Christian teaching is more prevalent.

We recommend that Christian teaching should be the main teaching in schools. That is all right, but it should be amongst either the pagans or those that are Christian already, but it should not be insisted on in schools which cater for Muslim children rather than Christian children. I think the first place is Mombasa where we should compel those people who are more backward to attend schools and be an asset rather than a liability.

MR. TAMENO: I have only a few points to make—(Applause)—a very few. The first point, Sir, is there is always a tendency any time whenever Africans or any other community ask for anything, there is a tendency to interpret it as a tendency to be political. I think the hon. lady for Ukamba mentioned this. I also quite agree that education should not be approached on a political basis but considering it further, I think you cannot avoid it.

We at the moment—I think some of the hon. Members opposite are not going to like this—we at the moment do encourage people to come from elsewhere and work in this country rather than having our own people to work in professional jobs and many other places in the Civil Service too. My idea is; if everybody who is in Kenya is prepared to encourage education and then we get children who have been born in Kenya of all races, well educated, who come back and do the work that most of the civil servants are doing now, who have to be imported from overseas, then I think we shall be able to reduce the amount of money we are paying now to the civil servants and pay less. (Laughter.)

I was very interested in what the hon. Member for Finance said in connexion with the recurrent expenditure in this country. If it is the taxpayers who have been maintaining all this expenditure, then surely the taxpayers are going to demand to have their own children to come back and get rid of some of the Members opposite.

There, was another point which was raised by the hon. Member and that was about the demand for increased primary education. He said that if you have too many primary schools, then you will spoil the balance. Although my hon. colleague here was not very happy about primary education, I would like to suggest that the more we can get to have primary education, the more we can get to go further.

We have a case—I have been told about this but I am not quite sure about

[Mr. Tameno] it—that in Nyasaland the large majority of the people are sufficiently literate to be able to read because they have a very extensive primary education. I suggest, Sir, that with the backward areas there should be some sort of compulsory education. If not compulsory, the majority of the children should have at least primary education.

The last point, Sir, is about the numbers of Africans who have sat for school certificates. How many of them have passed and how do they compare with the other communities?

I beg to support.

MR. COVENTRY: Mr. Deputy Speaker, Sir, I feel it is my duty to get up and speak in view of the fact that I have criticized the lack of discipline in some Africans. The hon. Mr. Mathu has said that they do lack parental discipline in towns. With that I agree. I think it is our duty to help as much as we can to see they do go to school, do come under discipline. Obviously, with their parents away at work, it is difficult to keep control and for that reason, I would ask the hon. Director of Education to seriously consider compulsory education, particularly in Mombasa—

MR. MATHU: Nairobi!

MR. COVENTRY: Mombasa, I am asking for, this time.

The first point one comes up against is the cost. Now we have to find teachers. I think, Sir, teachers would be available from the various schools in Mombasa but the biggest cost is buildings.

I would ask the hon. Director of Education to consider taking up the question of the Tononoka Social Centre in Mombasa as a place where teaching could be done during the day. There is also the Kaderbhoy Hall which is empty during the day. What I am trying to put forward is something constructive so that the hon. Member does not have to spend so much. I believe the Kaderbhoy Hall is owned by the Asian community but I am quite certain it could be obtained from them with their usual generosity.

The other point, Mr. Deputy Speaker, is the question of Mohammedan Africans, as opposed to Arabs. As far as

I know—I did not know before that there was a school in Mombasa, apart from the Arab school, to cater for Mohammedan Africans. It is essential that Mohammedan Africans, of whom there is a great number in Mombasa, should be catered for.

I have heard a lot to-day, Sir, about education. I heard it yesterday. (Laughter.)

MR. HARRIS: The same thing!

MR. COVENTRY: Practically the same thing. I believe I am right in saying that in secondary education in England, only about 20 per cent go on to it; out here I think there must be many more. Asian literates in India are only about 15 per cent; out here 60 per cent. The Africans, thirty years ago, when I first came to this country, I do not suppose 10 per cent were literates; now the number must be 50 per cent—

MR. MATHU: Five per cent.

MR. COVENTRY: I should like to have the figures correctly; of the male population. With regard to the female population—we must get the African to understand that he cannot progress in Western civilization methods without bringing his women forward with him. I hope the hon. Mr. Mathu will not take umbrage when I say that at the moment there are some of the Kikuyu males who look upon their womenfolk as drawers of water and hewers of wood. I do feel they, themselves, must bring their women up and away from that.

The final point is the remark made by the hon. Mr. Awori regarding Arabs and the Kenya Police Reserve. He is obviously talking without knowledge. The Arab contingent of Kenya Police Reserve in Mombasa is our strongest force there; they are all volunteers—

MR. MATHU: Nairobi!

MR. COVENTRY: Mombasa. I think the majority of Arabs live in Mombasa.

I am sorry to have wasted your time, Mr. Deputy Speaker, Sir, on this matter, but I think they are facts which should be given.

THE DEPUTY SPEAKER: No other Member rising to speak, I will ask the hon. Member to reply.

Mr. HARRIS: Mr. Deputy Speaker, Sir, I know that no discourtesy is meant to the hon. Mover in his reply by the rather sparse attendance on these benches. As it is nearly twenty to one, I wonder whether he could leave the reply until to-morrow. I hope, as we shall only be in this building another month, you would consider ringing the division bell, in order that some of our colleagues who would not wish to be discourteous might know—

Mr. COOKE: I would like to suggest that the debate be adjourned. There is only five minutes to go and we did make the mistake when the hon. Member for Finance and Development had to address a half empty Council. I would be very sorry to see that happen. It is only a question of five or ten minutes.

THE DEPUTY SPEAKER: I am quite willing to abide by the view of hon. Members.

THE CHIEF SECRETARY: Government would welcome the last course suggested, Sir.

THE DEPUTY SPEAKER: It is proposed that the debate now be adjourned until Tuesday morning and as that seems to accord with the wishes of hon. Members, it will therefore be followed.

#### ADJOURNMENT

THE DEPUTY SPEAKER: Council will now stand adjourned until 10 o'clock on Tuesday morning next.

*Council rose at forty minutes past Twelve o'clock.*

**Tuesday, 1st December, 1953**

The Council met at 10 o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### PAPERS LAID

The following papers were laid on the Table:—

Statement of Emergency Expenditure Fund for Period 21st October, 1952-31st October, 1953.

[BY THE MEMBER FOR FINANCE AND DEVELOPMENT]

Royal National Parks of Kenya Report, 1952.

[BY THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES]

#### ORAL NOTICE OF MOTION

EMERGENCY EXPENDITURE—ALLOCATION OF £500,000

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

BE IT RESOLVED that a sum of £500,000 be allocated to meet expenditure arising from the State of Emergency.

#### ORAL ANSWERS TO QUESTION

##### QUESTION No. 17

Mr. COOKE asked the Chief Secretary if the Government will publish at once the full report of Colonel Modera concerning the attack on the Naivasha Police Station? and if not, why not?

THE CHIEF SECRETARY: No, Sir.

Because (a) Colonel Modera's report did not require to be, and is not, a comprehensive and self-contained document but one that cites other documents to which reference is necessary for full understanding; and (b) publication would be contrary to the public interest.

Mr. COOKE: Will the hon. Member consider issuing another and rather enlarged version of the report? The present one is a bit skimpy and I am told, on authority, that it does not convey what the report contains.

THE CHIEF SECRETARY: I am not, of course, aware of what the hon. Member's

[The Chief Secretary] authority is but I am not prepared to issue a further statement because the Press hand-out by Government, copies of which have been circulated to hon. Members, and the statement I made in this Council cover the ground.

Mr. BLUNDELL: Arising out of the answer of the hon. gentleman, will the hon. gentleman say whether large proportions of the report are contrary to the public interest?

THE CHIEF SECRETARY: Certain portions are contrary to the public interest, I cannot say more.

Mr. COOKE: Will the hon. gentleman see me if I bring my authority to his office one day?

THE CHIEF SECRETARY: I will certainly see the hon. gentleman. It is not my custom to refuse to see visitors but I will make it clear that I do not propose to show him the report. (Laughter.)

Mr. COOKE: If it is so harmless, as you say it is, I do not see why you should not show it to me.

#### COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Before we proceed with further Orders of the Day, I would like to take the opportunity of responding to the request made by the hon. Member for Finance that I would give some guidance to hon. Members on the question of making reference in speeches to other debates that have taken place during the same Session. There is nothing covering the points in our own Standing Orders so we have to fall back on the procedure of the House of Commons and we cannot do better than to refer to Erskine May's book on Parliamentary Practice. This is what he has to say: "Reference to debates of the current Session is discouraged even if such reference is not irrelevant as it tends to re-open matters already decided."

He then adds a note which I am sure will be appreciated by hon. Members: "The same result is often obtained by indirect methods"—(Laughter)—"Direct reference is permitted, however, when a Member wishes to complain of something said or to clear up alleged mis-

representation or to make a personal explanation, but only so much of a previous speech should be brought up as is necessary for such purposes."

It seems to me, therefore, that on that statement the hon. Mr. Awori was quite in line with Parliamentary practice in making reference to the previous debate because he wished to make a personal explanation relative to it. I cannot say as much for some other hon. Members who did make reference to a previous debate, and I am sure hon. Members will recognize the importance of not endeavouring to re-open debates that have already been closed by making such references in their speeches.

#### MOTION

##### INTERRUPTION OF BUSINESS

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move—

"That, on Wednesday, 2nd December, 1953, business shall not be interrupted under Standing Order 10 at 12.30 p.m. but shall be suspended at 12.45 p.m. and resumed at 5 p.m., and that the time for the interruption of business under Standing Order 10 shall be postponed until 8 p.m."

THE MEMBER FOR FINANCE AND DEVELOPMENT seconded.

##### Question proposed.

Mr. HARRIS: Whilst not opposing this Motion, I would enter a plea that the Sessional Committee should be asked to give reasonable notice of Evening Sittings. All hon. Members of this Council are busy men and all hours of the night and day during Sessions of Council are taken up with public business. I, personally, Sir, have an engagement to-morrow evening which I cannot break; it is on public business and I would make a plea for reasonable notice.

The Session has already been going on for a fortnight and I would have thought that the Committee could have decided on Evening Sessions earlier and given greater notice than 24 hours.

THE CHIEF SECRETARY: Mr. Deputy Speaker, on the point raised by the hon. Member for Nairobi South, I entirely agree that all hon. Members of Council are very busy. At the same time Council has been going on for a fortnight although the particular debate on the

[The Chief Secretary] Committee of Supply has been going on for a week. Upon the Sessional Committee are representatives of all groups and even so it is not always easy to envisage the length of time that business will take. For my part, and I think my view is probably shared by a number of people, I had thought that we should be further ahead with business than we are by now.

MR. HARRIS: You always want to be pessimistic!

MR. COOKE: Is the hon. Member aware that we have been asked to attend at Jeanes School when the Deputy Governor is making a speech. That seems an important engagement in that respect.

THE CHIEF SECRETARY: I was not aware that the hon. Member for the Coast has been invited to attend that function.

THE MEMBER FOR COMMERCE AND INDUSTRY: All Members.

The question was put and carried.

MR. USHER: Divide!

MR. BLUNDELL: Mr. Deputy Speaker, I would like to ask the hon. Member for Mombasa to withdraw his call for a division.

MR. USHER: In deference to my hon. Leader, I wish to withdraw.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Can he?

THE DEPUTY SPEAKER: I believe I am right in saying that if the Speaker comes to the conclusion that the call for division is frivolous—I am not suggesting that the hon. Member's request was frivolous—

MR. USHER: Thank you, Sir, it was not.

THE DEPUTY SPEAKER: He can call on Members who would support the request for a division to rise. I must just look up the Standing Order: "Mr. Speaker or the Chairman may, if, in his opinion the division is unnecessarily claimed, take the vote of the Council or the Committee by calling upon the Members who support or who challenge

his decision, successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the Council or the Committee or direct a division to be taken."

Well, I have decided that the Ayes had it. That decision has apparently been challenged, so I would ask those hon. Members who would challenge and demand a division to rise in their places.

MR. GIKONYO rose.

THE DEPUTY SPEAKER: I declare that no division shall be taken and the Ayes have it.

Debate resumed.

#### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE DEPUTY SPEAKER: Council was debating a Motion that Mr. Deputy Speaker do now leave the Chair, and I am not sure whether I had actually called upon the hon. Member for Education and Labour to reply, or whether I was just on the point of doing so. I believe that the hon. Nominated Arab Member has something to say, but as he is not here—

SHEIKH MOHAMED ALI SAID (Nominated Arab Member): I am here, Sir.

THE DEPUTY SPEAKER: Oh, it was you who wished to speak. I thought it was the hon. Sheriff Abdulla. As the hon. Member for Education and Labour has not actually risen to his feet and started his speech, you may now address the Council.

SHEIKH MOHAMED ALI SAID: Mr. Deputy Speaker, Sir, I am deeply grateful to you for giving me permission to speak.

I have only one short point to make about the African Muslims in Mombasa and the Coast. The hon. Mr. Coventry, and other previous speakers, have already touched on that point and I wish to support them wholeheartedly in their plea that something should be done for African Muslims, not only in Mombasa, but in Nairobi and other places as well.

While I was in Mombasa when Council was adjourned I discussed this point with the Liwali for the Coast and

[Sheikh Mohamed Ali Said] other leading members of the Arab community, and they have asked me to put it to Government that the Arabs would have no objection whatsoever to African Muslims being admitted to Arab schools if accommodation is available. (Applause.) We greatly sympathize with the present position of African Muslims, and urge Government to take immediate steps to remedy this rather unsatisfactory state of affairs.

I would also be very glad, Sir, to see that the African Muslims are also admitted into the Asian Muslim Government grant-in-aid schools. I am particularly referring to the Aga Khan schools.

In conclusion, I would like to take this opportunity of thanking the hon. Member for the Coast for putting forward the Arab case to the Council the other day so ably on the question of education.

Mr. Deputy Speaker, I beg to support. (Applause.)

THE DEPUTY SPEAKER: If no other Member is rising to speak I shall call upon the hon. Member for Education and Labour to reply.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, in the first place I must thank the various Members on the other side of Council who made polite remarks about my original speech.

This debate has developed on racial lines to the extent that there has been some criticism of the amounts which are spent on education of the various communities, and one or two Members, I think, deprecated that fact; but, in my view, so long as we have separate education systems for the various communities, it is inevitable that there will every year be a robust, spirited but, I hope, good-tempered and understanding debate in the legislature about the education expenditure for each community. After all, one of the main functions of the Legislative Council is to decide how our revenue shall be spent. It seems to me natural and perfectly proper that the Members of the various communities in the Council should do their best to ensure that their community receives what, in their opinion, is a fair share of the available revenue.

The hon. Director of Education has already dealt with many of the points raised by Members on the other side of Council, I shall therefore be quite short in replying.

I shall deal first with African education. All the African Members have expressed appreciation of the amount of money which the Government has spent on African education in recent years, and of the progress made in that field. They did, however, express the opinion that not enough has been done, and that more money should be spent on African education. This, in my opinion, is a natural view for them to take; but I would ask them to recollect that about fifty years ago there was no such thing as African education in Kenya; and, moreover, there was almost no money economy from which the revenue required to finance the system of education, in the modern sense, could be derived. If they remember that, I think they must agree that enormous progress has been made during the last two generations.

All the African Members, and other Members as well, referred to the immense contribution which the African people themselves make towards the capital and recurrent costs of their education system. I referred to this myself in my original speech. I agree with Members on the other side that it is a wholly admirable and a very encouraging thing.

Various African Members suggested that a special tax might be imposed on the African people in order to make it possible to accelerate African education development. Some African District Councils already have a special education cess, and all African District Councils make a contribution towards education by means of a grant to the District Education Board in their area. In considering that a still further contribution might be made by the African people for education purposes, it is necessary to bear in mind a number of factors, including the other needs of the area concerned. I happen to know that, in some cases, the Native Affairs Department is a little worried already about the high proportion of the African District Council money which is devoted to education. Another factor, of course, is the capacity of the people to pay. A

[The Member for Education and Labour] third important factor is one to which I referred previously—that is, the necessity for co-ordinating education development, as advocated in the Beecher Plan, in order to ensure that properly trained teachers are available for the new schools which are brought into existence, and that intermediate and secondary education facilities are available for those African children who show in the primary schools that they are capable of benefiting from further education. However, I can assure the African Members that I have every sympathy with their desire to see that African education is not only not curtailed, but is accelerated; and I shall certainly examine the suggestion, in consultation with the Native Affairs and Finance Departments.

The hon. Mr. Ohanga asked for an assurance that shortage of money, particularly capital funds, would not be permitted to slow down African education development. That is an assurance I cannot possibly give. As hon. Members know, the Planning Sub-committee of Executive Council is now considering the allocation of available money for the various capital purposes, and I am sure that it is inevitable that there will be cuts in the demands made on the Planning Committee by all Members, including the Member for Education, Labour and Defence. However, what I can say is that the need for African education will be brought forcibly to the notice of the Planning Sub-committee, and I do not doubt that the hon. Mr. Mathu, who is a member of that Committee, will see—will help me to see—that the needs of African education are very fully considered by the Committee.

The hon. Mr. Ohanga rather took me to task because I gave some figures of European examination results, but did not give corresponding Asian and African results. The hon. Director of Education did subsequently give African figures. Of course I implied no criticism at all of African or Asian schools or their staff. I quoted the European figures because, as I said, there had been some suggestion from the Press and elsewhere that there had been a drop in the standards of European education, and I wished to refute that suggestion.

A number of speakers advocated compulsory education for Africans in the towns. That is a matter which the Education Department has had in mind for many years. It so happens that it is a matter which we are considering at the present time. It is only right to say, however, that there are very formidable difficulties in the way—financial difficulties and administrative difficulties—and, at the moment, I personally cannot see how those difficulties are to be overcome. I realize that this is a matter in which African Members have a very keen interest, and, if they care to discuss the question with me, I shall explain those difficulties as I see them, and they can give me their ideas as to how those difficulties may be overcome.

The hon. Mr. Mathu and several other speakers referred to the necessity of taking care of the education of African Muslims. As hon. Members know, I have not had the advantage of being in the Administration of this country for many years, and this is therefore a problem on which I am not well informed; but it is one which I shall certainly study, in collaboration with the Education Department and the Administration, and I will see what can be done towards improving the situation. Here, again, we shall immediately come up against the financial difficulty.

The hon. Mr. Mathu also referred to the necessity for accelerating the education of African girls, and with this we entirely agree. He will be interested to know that according to the Beecher Scheme, we should by this stage have provided 30 girls' boarding schools. We hope that by the end of the next planning period we shall, in fact, have 32 such schools; experience has shown that the 30 recommended by the Beecher Committee are not sufficient to meet the increasing demand for education of African girls—a demand which the Department welcomes—and we have therefore asked the Planning Committee for funds for the provision of two more girls' African boarding schools.

The same Member also referred to the importance of trade and technical training. Again, I entirely agree. I have already made some reference to this. I said that if he would care to come and see the report recently made on the methods by

[The Member for Education and Labour] which we endeavour to ensure that boys leaving trade schools secure employment, either in Government departments, in private firms or with individuals, I shall be very glad to show it to him. I think he will be satisfied that the arrangements which have been made are satisfactory and working very successfully. I agree, of course, that it is desirable to improve and expand the facilities for technical education.

Various hon. African Members expressed dissatisfaction with the rate at which African members of the Education Department are advanced within the Department. Now, Sir, I would like once again to assure African Members that both the hon. Director of Education and I sympathize with the aspirations of African members of public services. Both of us have spent a large part of our lives in Colonies where the process of indigenization of public services has proceeded very far. But we, I think, would be failing in our duty if, because we agree with the principle of indigenization we recommended the promotion to a higher grade of men who are not in our opinion yet entirely fitted for those jobs. I personally do not intend ever to do that. I think it would be wrong. I do not propose to do that, but as soon as I am satisfied that there are African members in the services who are fitted for the higher posts, I assure the hon. Member that I shall support as strongly as I can the elevation of those men to the higher grade. (Applause.)

I now turn to Arab education. Several Members have expressed the view that the education of Arab children in the towns should be made compulsory. Here, again, the Department would like to do this, of course, as in the case of African education. There are difficulties—mainly financial. I can only say we will keep the matter in mind and examine it from time to time sympathetically in the light of the money available for education purposes. It is very largely a financial problem.

The hon. Member for Mombasa referred enthusiastically to the Mombasa Institute of Muslim Education, and I am very glad he did so. As Members are aware, the main driving force behind

that enterprise was provided by the late Governor, Sir Philip Mitchell, who also played a large part—a very large part—in the creation of two other higher education institutions in East Africa—Makerere College and the Royal Technical College. I meant to refer to that fact when I was speaking before. I think that members of all races in East Africa will in future realize how much they have to be grateful for to Sir Philip Mitchell for his creative imagination and drive in the sphere of higher education in East Africa. (Hear, hear—applause.)

Now I will turn to Asian education. The hon. Mr. Nathoo asked whether Government is satisfied with the present standard of Asian education, and the Director has frankly admitted we are not satisfied, but we are doing our best, and have been doing our best for some years, to improve those standards.

The hon. Member also suggested, and the Director admitted, that there have in the past been delays in the construction of schools for which provision existed in the annual Estimates. I have already said that that is true. I must accept the responsibility for it. I have also said I will do my best to ensure that in future money voted in a particular year is, in fact, spent. As soon as we have got this long-winded debate out of the way, and I can return to what I regard as my normal duties, I will arrange a meeting with the Education Department and the Public Works Department in order to make sure there is close co-ordination between the two, and delays of that kind are as far as possible avoided in the future.

The hon. Member also asked for an assurance that, in allocating capital funds for the planning period 1954-1955-1956, opportunity would be taken to equalize over the whole of the planning period from 1946 to 1956 capital expenditure on the education of the various groups. That is an assurance which I cannot give. But of course the Planning Committee, in considering the allocation of funds for the period 1954 to 1956, will certainly have to take into account the expenditure which has already been made on education buildings for the various communities; and since the hon. Member is himself at the present time a member of the Planning Committee, I

[The Member for Education and Labour]  
have no doubt he will argue in the interests of Asian education as forcibly in the Planning Committee as he has done in this Council. But he will appreciate, I am sure, that the final decision does not lie with me. It lies with the Planning Committee, Executive Council—which will consider the report of the Planning Committee—and finally with this Council.

The hon. Member referred also to the conditions of service of Asian teachers in Asian grant-in-aid schools. The hon. Director of Education dealt with this point, I think satisfactorily; but if the hon. Member is not fully satisfied I would ask him to come and discuss the question with the Director and myself. My belief is that the recent increase in the grant-in-aid a year ago to these schools, which is now four-fifths of the emoluments of the teaching staff, including cost of passages and leave pay, has placed grant-in-aid schools on quite a satisfactory financial basis; but if the hon. Member still thinks there is something wrong with the arrangements made under those rules, I shall be very glad to discuss the whole question with him again.

The hon. Mr. Chanan Singh I think deprecated the fact that the education system has developed in racial compartments, and suggested that the time has arrived when we ought to be thinking about inter-racial systems. Now, Sir, I am not in the least ashamed of the fact that our education system is in racial compartments at the present time. I am confident that considering the circumstances of Kenya during the last two or three generations, that was the only way in which the education system could have been organized and developed.

As regards his suggestion that we ought to be thinking about inter-racial education, I suggest we have already given tangible evidence that we have done so; because, as the hon. Member knows very well, we have embarked on two projects of inter-racial education—the one very modest, the inter-racial primary school, and the other much more ambitious project of the Royal Technical College. My own opinion is that much more harm than good would be done by any

attempt to force the pace in this matter, against the wishes of at any rate some groups in the various communities. I should like—should much prefer—to see how these two experiments work before trying to push on with this matter.

The hon. Member for Central Area, Mr. Madan, was very severely critical of the slow progress which, according to him, has been made in Asian education. He criticized the relatively smaller sum which has been expended on Asian education, as compared with European education, particularly capital expenditure. I can readily understand his criticism. But at the risk of repetition of what I have previously said, I must remind him that it is only fair, in considering this matter, to bear in mind first that the European community is able to make, and does in fact make, a contribution to direct taxation out of all proportion to its numbers; that it also makes a big contribution by way of fees to European education costs; and finally that the English people have during the last 50 years or so deliberately and consciously limited the size of the family with the intention of making it possible to provide social services, including education, of a relatively high standard; and the English people coming here from the United Kingdom have brought that custom with them. I do not for a moment argue that these are decisive or determining factors, but I do contend that they are factors which any fair-minded person must take into account in considering what I admitted is a very difficult, controversial problem.

The hon. Member also asked what happened to the Kazimi Report—to what extent its recommendations had been implemented. This report was considered subsequently by the Hartwell Committee. We adopted a number of recommendations and a number were implemented. I do not think the hon. Member will wish me to go into detail now. If he is not satisfied, I will be very pleased to go through the list of recommendations with him. He can then see which have been implemented and which have not, and why not. If we have failed to push on with any of the recommendations that ought to have been adopted and implemented, I shall see that it is done, subject, always to financial consideration.

[The Member for Education and Labour]

I have little to say about European education, but I must reply to the hon. Member for Mau, who asked me to give an assurance that despite what I said in my opening speech, we shall somehow or other continue to provide educational facilities, both primary and secondary, for European boys and girls on the same scale as at present. I cannot possibly give that assurance. I thought I had to make it plain that at the moment I cannot foresee the capital finance required to provide from 1954 onwards, the educational buildings which would be required to maintain services on the existing scale. It is only honest and fair, I think, to say so. It may well prove to be necessary either to limit the entries to secondary schools to those children best able to profit by secondary education; or possibly to introduce a system of double sessions into European schools; not only to secondary schools, where indeed it might not be practicable, but to primary schools, as we have already done for years in Asian schools. We will naturally consider the possibility of renting or purchasing accommodation, as the hon. Member suggested. I am afraid it is impossible to be more definite on the subject at the present time, because so much hinges on the work of the Planning Committee.

I hope I have covered the majority of points made by the hon. Members on the other side not already dealt with by the Director of Education. If I have failed to answer any points, and an hon. Member thinks it worthwhile, perhaps he would take the matter up with me privately. I am very anxious, and so is the Department, that all matters raised by the hon. Members regarding the educational system for various races shall be properly considered and dealt with. We recognize that this is a matter very close to the hearts of members of all communities and we are very anxious that the Members of the Legislature shall have every opportunity of bringing to our notice and having properly considered, any points of dissatisfaction on their part.

I beg to move. (Applause.)

The question was put and carried, and the Deputy Speaker left the Chair accordingly.

## IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair.]

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move: "That a sum not exceeding £1,517,298 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 6-4—Education Department."

Question proposed.

THE CHAIRMAN: The Clerk will read the various Sub-Heads.

Sub-Head (1)

MR. MATIU: I would like to move that the Vote of £42,065 be reduced by £5. I move this Motion to give an opportunity to the hon. Member for Education and Labour to give the figures for the School Certificate examination in respect of African education and in respect of Asian education. He did say those figures have been given by the Director to him, but I would like to know, because we have raised this matter to place on record these figures, just as we have placed on record figures in respect of examinations of that type on the part of European children.

THE CHAIRMAN: Have you the Motion in writing?

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, Sir, I think before the hon. Member puts it in writing he should move it purely on "A" in order to keep the procedure in order.

MR. MATIU: Yes, Sir, I will do that.

Question proposed.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Chairman, I understand that from what the hon. Member said the whole object of this Motion is to enable me to give figures of examination results in Asian and African schools. I have got those figures. In 1952 the figures for Asian schools are: Entries, 318; Passes, 156. Higher School Certificate Entries, 15; Passes, 5. For African schools the Director did in fact give figures in his speech, but I will give them again. The School Certificate figures are as follows:—

1950—Entries 65, Passes 62.

1951—Entries 88, Passes 88.

1952—Entries 108, Passes 101.

[The Member for Education and Labour]

I think it is likely that the Director may want to say something about those figures, because he has much more detailed knowledge of the matter than I have. I am quite sure in comparing the figures for the three groups—Africans, Europeans and Asians, there are various factors which ought to be borne in mind. It must not be assumed that all three groups are working on an equal basis, and the examination results must not be regarded in that way.

THE DIRECTOR OF EDUCATION: It is true that in African schools there is a much more careful and rigorous process of selection, with the result that by the time pupils reach the School Certificate stage, after 12 years of education, they have been very thoroughly creamed, and all have very high standards, hence the very high proportion of successes in the School Certificate examination as compared with other schools where the process, although—

THE CHAIRMAN: I have great difficulty myself in hearing the hon. Member and I should think other Members must have even more difficulty.

THE DIRECTOR OF EDUCATION: The result of that creaming process is that by the time pupils reach the School Certificate stage they have a very high standard indeed, thus there is a higher percentage of Passes in the School Certificate examination.

I should add there, Sir, that the results, as I pointed out in my speech the other day, are of a very high standard indeed, with a large number of Grade I and II Passes.

THE CHAIRMAN: Has the hon. Member now served his purpose? Does he wish to persist in the Motion?

MR. MATHU: No, Sir. I am satisfied with the reply given and I wish to withdraw.

THE CHAIRMAN: I take it the withdrawal has the consent of the Committee. The Motion is withdrawn.

Sub-Head (2)

MR. USHER: Mr. Chairman, I have one question to ask, which I think can probably be put under "A".

The hon. Member was good enough to let me know a little time ago that he contemplated the provision of three extra standards, progressively, for the Primary school in Mombasa. I should be grateful to know whether that is to be put into effect and whether he is satisfied, if so, that the accommodation is adequate.

THE DIRECTOR OF EDUCATION: Sir, arrangements are being made for that to be put into effect and the first stage of that scheme will come into operation next year. The necessary accommodation will be provided. Some of it is already under construction.

MR. USHER: That is from the 1st January.

THE DIRECTOR OF EDUCATION: Yes.

MR. USHER: Thank you.

Sub-heads (3), (4), (5), (6) and (7) agreed to.

Sub-head (8) (a)—

MR. MATHU: I would like to move a Motion on 8 (a), Sir, that the sum of £106,895 be reduced by £5. My purpose in moving this Motion, Sir, is to refer to the points that my hon. friend, the Member for Education and Labour, has answered in regard to the question we put about promoting Africans to high levels in the Education Department.

I am not satisfied, Sir, that we cannot at the moment get a suitable officer in the Education Department to occupy, for example, the post which is provided under this Head—Education—Officer, £165, with a "c" in the memorandum showing the change of the holder. This post was created, Sir, when my hon. friend, the Member for Finance, was the Member for Education. At that time we pressed very hard that this should be done so as to encourage the African teacher to look forward to a post to which he can be promoted after a number of years of service. That hope now has been destroyed by the replies we have received during this debate in our present representation that high positions in the Education Department should be occupied by Africans.

Now, my hon. friend, the Director of Education, has already given us the very encouraging figures in regard to passes of our African students in the school certificate examination, and he has, I

[Mr. Mathu] think, spoken very highly of their achievements. I agree that an examination is not the only factor to consider in promoting officers to occupy positions of responsibility, but I would like to say that in the teaching profession in Kenya to-day we have men who can also pass the other tests that are necessary for promotion. I refer to a sense of responsibility; I refer to character; I refer to a knowledge of their job. Had it not been for these teachers, my hon. friend would not have spoken in such very encouraging terms, because African teachers who have been with European teachers in the African schools do their jobs so well that both boys and girls have merited it to the extent that the Director of Education can say what he has said to-day.

I do think that it is encouraging—I was a bit unhappy, Sir, that my hon. friend, the Member for Education and Labour, said that he is not, at present, satisfied, but when the time comes when he is satisfied that there are officers in the Education Department that warrant promotion, he will do it. That, I think, was a reflection on African teachers who are working very hard indeed to help this country to train young boys and girls in this country. I do think—I personally know that they have men in the Education Department who deserve every praise that can be given before this Council; men who have devoted the whole of their time and life in the teaching service of the country. If they do not give them the inspiration that is necessary, by making certain that they can be promoted to positions of responsibility in the Education Department, that would amount to discouraging the whole of African education. This is a vital matter and I do suggest that my hon. friend should think again and make sure that he selects men out of the men they have in the Education Department to occupy the post of Education Officer, as previously intended.

THE CHAIRMAN: Has the hon. Member got the Motion in writing?

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, Sir, I think—speaking without my Standing Orders—I think Rule 44 gives the Deputy Speaker or the Chairman of the Committee the right to waive the ques-

tion of writing in the case of simple amendments.—Surely, Sir, a simple amendment like this could be dealt with by the Chairman without the amendment being reduced to writing or I can see us using up a lot of time.

THE CHAIRMAN: I was about to do this in the case of the hon. Member, but I do wish to remind hon. Members that the rule is that Motions shall be put in writing and handed in. When the hon. Members are contemplating bringing forward a Motion it is quite a simple matter to have it already written down.

Anyhow the question is that Sub-head 8 (a), £106,895 be reduced by £5.

Question proposed.

THE DIRECTOR OF EDUCATION: Mr. Chairman, Sir, there is little I have to add now to what I said in my speech the other day, and to what my hon. friend, the Member for Education and Labour has already said on this particular point. I would like to emphasize this, however, that the promotion of African teachers to these higher positions is one on which I am very keen. But as the hon. Member for Education and Labour has already said, I think I should be failing in my duty if I recommended a man with whom I was not entirely satisfied in this particular regard. I should like to assure the hon. Mr. Mathu, however, that this is a matter which is receiving my constant and careful attention. I do want to promote an officer as soon as I am satisfied that there is one suitable for this advancement and I would like to give him an assurance now that I will review the whole position in the Department and see once more whether it is possible to promote anyone to this vacant post.

MR. JEREMIAN: Would the hon. Member for Education and Labour or the Director of Education please tell us how he is going to be able to know that a certain person is suitable for promotion, because why I ask that is, as I see it, the hon. Member has very little contact with African teachers in the field. Unless they get recommendations from some of the European officers in their support they cannot rightly know whom they should promote. I would like to know how they are going to know, if they have no contact with people.

THE DIRECTOR OF EDUCATION: I would like to assure the hon. Member that I



[Mr. Jeremiah] have very close contact with all the senior African officers in my Department. I will, of course, also take the advice of the Education Officer with whom these Africans are working in the very closest contact.

MR. COOKE: On a point of order, are we not entering into a debate on policy, the policy debate having finished?

THE CHAIRMAN: It is a border-line case, I think. It is related to a particular item in the Estimates.

MR. JEREMIAH: I was going to say, I am very grateful for the reply, but that being the case, I do not see why the delay has taken place, why it has taken such a long time to promote someone.

THE MEMBER FOR EDUCATION AND LABOUR: I have very little to say on this. In the first place, I would like to assure the African Member again that the Director and I have every sympathy with the desire for advancement of African officers. In this particular case it must be understood that this scale—£330 to £684—is what is known as a three-fifths scale; it is three-fifths of the scale of a full-blown Education Officer. The Director of Education has to be satisfied when he appoints a man to a post on that scale that the individual is capable in all respects of discharging the duties of an Education Officer. The Director would be wrong in recommending a person unless he is satisfied on that point. We will go into it and think again, review the possible field of candidates. I can assure the hon. Member that the Director of Education has very full information and will consider once more whether any of them can be promoted to this post. But I cannot give any promises that men will be promoted.

MR. MATHU: A few words about this—I think the hon. Member for Education should not imply that assurances we get from him are not worthwhile. We attach tremendous importance to what we are talking about—posts—and our wishes for the future. Without that, saying the posts we hoped for are in years to come—a hundred years—what we want is to create those now so that it is possible to raise someone to the post; that is what we feel. It would do more good, not only to education but to the whole Colony, we feel, that such steps should be taken.

In view of what he says—he is going to review the situation—I will ask the Committee to allow me to withdraw the Motion. But I would like to place on record that that review should be undertaken soon.

THE MEMBER FOR EDUCATION AND LABOUR: I think the Member ought to appreciate that two or three years ago when we introduced this grade there were three posts of Assistant Education Officers. There are now 11 posts. I suggest that that is an indication of the fact that there is an earnest and sincere desire in this business of advancing Africans to higher posts.

MR. MATHU: Have you got 11 bodies for the 11 posts?

THE DIRECTOR OF EDUCATION: We will have by the end of the year, Sir.

THE CHAIRMAN: I take it that Council is willing that the Motion shall be withdrawn.

It is withdrawn.

MR. HARRIS: Are you taking break now? I wish to take up item 8D.

THE CHAIRMAN: It will be a convenient time now to take the break.

*Committee adjourned at five minutes past Eleven o'clock and resumed at twenty-five minutes past Eleven o'clock.*

Sub-item (8) (d)

MR. HARRIS: Mr. Chairman, Sir, Item (8) (d), I feel gives the Committee an opportunity to consider this whole policy towards Makerere College.

THE CHAIRMAN: Before we proceed, has any hon. Member anything to say on (a), (b) or (c)? If so, we must take them now. Mr. Harris.

MR. HARRIS: As I was saying, (8) (d) does give the opportunity to the Committee to consider the policy we should adopt towards Makerere College. We have, during this session, agreed tacitly the proposal for the Royal Technical College of East Africa situate in Nairobi. I consider that we would be well advised to consider making that, in fact, the focal point for the eventual inter-racial University of East Africa. Makerere is suited neither by geography nor climate, as a truly inter-racial establishment. In

[Mr. Harris] fact, practice has shown that it is anything but multi-racial, it is uni-racial and if we are going to subscribe seriously and conscientiously to the idea of inter-racial education, then I feel, Sir, that we should make sure that the habitat for such an experiment is the right one. The proposal in this Budget, Sir, is that in the six months ending June, 1954, we should spend £54,000. Last year, the estimate was £86,000. On that basis, I feel we could say that the recurrent expenditure on Makerere College is something between £75,000 to £100,000 a year. A sum of that magnitude would service a very considerable loan for a University of East Africa such as I have suggested.

I have personally, Sir, not moved any Motion on this particular vote, but speak merely to throw this out as an idea, that we might start thinking of the formation of a true University of East Africa. It will be within the knowledge of the Committee that the European Elected Members have recently published details, or rather an outline, of an educational policy for Kenya—

MR. COOKE: Mr. Chairman, on a point of order, I would rise again. Is this not a policy matter that has been introduced? Surely it should have been brought forward in the policy debate that has taken place?

THE CHAIRMAN: I think it is a policy matter, but as the Item is a single item—"Contribution to Makerere College"—and I take it that the hon. Member is leading up to something related to the vote itself, I think he may proceed but it is really, I think, a matter that should have been brought up during the policy debate.

MR. HARRIS: I am sorry, I would not presume to question a ruling, but surely this is a matter of policy on the Makerere College and Makerere College only, not on the Educational policy?

THE MEMBER FOR FINANCE AND DEVELOPMENT: In supporting my hon. friend, the Member for the Coast, I would say, surely as long as the hon. Member for Nairobi South confined his remarks to contribution to Makerere College, he is in perfect order; once he introduces, as I understand he is doing, the question of a university, surely he

has gone beyond the contribution to Makerere College.

I am not trying to interfere, except that I share the fear of my friend, the hon. Member for the Coast, that we may indeed begin a succession of sub-debates on policy.

MR. HARRIS: I love the idea of the hon. Member for Finance when he says that "he fears"—I thought he probably did by the way he jumped up so quickly.

All I was going to say is that in the European policy which has been published, is the principle of higher education; as I understand it, the only facilities, at the moment, for higher education of that nature in East Africa are at Makerere. I feel I can bring the debate back to Makerere College which is where I started.

THE CHAIRMAN: If the hon. Member will bring the debate back to Makerere, and finish on Makerere, he will be in order.

MR. HARRIS: I am going to finish with Makerere in all respects. In that policy published by the Europeans they subscribed to the idea of higher education on an inter-racial basis; I feel that we should consider changing the habitat of Makerere or the services that Makerere College, at the present moment, furnish for the youth of Kenya.

MR. COOKE: As you have permitted this discussion, I would entirely disagree with what the hon. Member for Nairobi South has said. I think the mistake we have made in the past was in not giving enough money to the Makerere College, with the result that it did not get the prestige it would otherwise have obtained and consequently a great many students went to England and elsewhere to get university education who would have remained to get it at Makerere College, had we subsidized it more liberally.

I would oppose any suggestion that any cut should be made in the Makerere College vote.

MR. NATHOO: Mr. Chairman, I would like to say that I do not know what number of students are studying at Makerere College but for the huge amount of the contribution we are making, I do not think we are getting very much for the simple reason that the

[Mr. Nathoo] prestige of that place is almost nil and some of the qualifications do not entitle students to get anywhere. Unless there is some constructive plan for improvement, or the College is affiliated to one of the universities, I think we are wasting our money.

DR. KARVE: Mr. Chairman, I have had occasion lately to see the working of Makerere College and I must say I was very greatly impressed with the work there. To say that the courses there do not lead to anything would be quite wrong. I was informed by the principal himself that at present there are courses leading to London Bachelor of Arts and Bachelor of Science degrees at Makerere College and there are quite a number of students.

As to the charge that it is not a uni-racial but a uni-racial institute, that is partly true, but that, also, is getting better as time goes on. I have seen a few Indian students studying there and I was also informed that one European girl was seeking admission in some course there and she will be given admission this year. Under the circumstances, I do not think it is right to cut down on the vote that we are voting for Makerere College.

There is one more point besides that. The Royal Technical Institute—it is not contemplated to give courses there, as far as I know, in faculties like medicine and veterinary science, which faculties could be developed at Makerere College very usefully. I would say, on that point, that the education given in the laboratories and the research carried on there is of a very, very high standard, in fact, of the standard that is usually seen in the provincial universities in Great Britain and in India.

THE DIRECTOR OF EDUCATION: Mr. Chairman, I would like to join with the hon. Dr. Karve in paying a tribute to the work now being done at Makerere College. I have also recently been there; I was also much impressed with what is being done.

I would like to point out, too, that Makerere College has recently achieved university college status; students there can now take external degrees of London University. Its prestige therefore has been considerably increased. It must also be

remembered that courses at Makerere College are of a different nature from those that will be provided in the Royal Technical College and there will not be any over-lapping. We need both Makerere College and the other institutions for higher education which may be established in East Africa.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, there is just one point I would like to interpolate. That is, that irrespective of Makerere College or not, my hon. friend, the Member for Nairobi South, introduced the question of an East African University and I would like to say, that from the economic point of view, quite apart from the social advantages, I have always been one of those who believe we should move towards an East African University at the earliest possible stage, because it would lift a good deal of the burden from parents of all communities if they could have their children educated in East Africa to the desired standard to obtain the requisite qualifications. Therefore, there could be no question, as far as we were concerned, that we should not press forward to university standards as soon as funds permit and even, I imagine, give it a priority in the availability of funds.

THE DIRECTOR OF MEDICAL SERVICES: Mr. Chairman, I understand the hon. Member for Nairobi South suggested that the Makerere College medical degree was not of a high standard—

MR. HARRIS: On a point of order, Sir, I said nothing of the sort, I did not mention medical degrees, or degrees at all, or standards of education at Makerere College. I merely said that it was time to think about a substitute.

THE DIRECTOR OF MEDICAL SERVICES: I apologize to the hon. Member. I am afraid I was outside at the time. I understand it was the hon. Mr. Nathoo.

Sir, if my information is correct, I would like to just correct that impression.

The Makerere College medical degree has been up-graded recently and is now of a very high standard indeed. It has been recognized by the General Medical Council of Great Britain as being suitable for registration throughout the whole of East Africa. I do not think any hon. Member need feel any qualms at all about the usefulness of medical graduates

[The Director of Medical Services] turned out by Makerere College. They are, and will be, in the future, of the very greatest possible use and value to this country.

MR. NATHOO: Arising out of the hon. Director of Medical Services' explanation, I am grateful to him, but may I suggest, Sir, that about £10 or £20 of the vote we are giving should be spent on publicity, so that we know what is happening. The last information we had was that some of the boys who qualified at the university there, were not allowed to practise in some places. Now we are told it has been up-graded recently. One thing that could be done in institutions like this is to widely publicize what is happening from time to time so that the general public who may desire to avail themselves of sending their children there may do so, after knowing what is happening.

MR. MATHU: I would like to add my word of appreciation of what the Makerere College is doing for the three Territories of East Africa. I have come very frequently in contact with Makerere ex-students in their various work in the three Territories and I have been personally very much impressed by these men.

I would also like to agree with my hon. friend, the Member for the Coast, that what we want for Makerere College is more money, not less, so that we can have a greater number of students at Makerere College than we have to-day, because we want all these men very badly for East Africa.

As far as medical students are concerned, I would like to say that I share the view expressed by the hon. Director of Medical Services, because I have been very critical of their standard for these last eight years. In fact, I do feel now, Sir, that we are definitely moving on the right lines, and I have met these medical men in Kenya and elsewhere, and they are looking obviously happy now to the future as professional men. I think this Government and other Governments are to be congratulated for the steps they have taken in this regard. There is, however, one complaint I would like to make, and if my information is wrong, I suggest that my hon. friend, the Member for Education and Labour, should

correct me, and that is that Africans in the three territories have been pressing, I think to my knowledge, for the restoration of the engineering faculty at Makerere College that used to be done before it was promoted to university college level and it was withdrawn. I personally think it is a pity—I know that perhaps I will be told that there is the Royal Technical College which will help to take the place of the Makerere College. I would like to know whether it is the intention that this course, if it comes to the Royal Technical College, will also be of the same standard as the engineering course of the London University. If it is going to be of a lower standard, then I think that the African public in East Africa will press that that course should be put on a very high level as at the Makerere College.

It is important that we should have first class engineers for the development of these territories, and the Makerere College for the moment, until we know what the Royal Technical College is going to do, is the place for it.

One final point, Sir, is that the Makerere College is, I think by intention, a non-racial institution, but at the moment the other communities can afford to educate their children elsewhere, and therefore the majority of the students at the Makerere College have been mainly Africans, because they cannot afford to educate their children abroad. But I do think that my information is correct—the institution is open to all races.

I would like to put a caveat here in view of the African community are not able to educate their children elsewhere as the majority of other communities who can afford to educate their children elsewhere, and competition of other communities in that regard would be very unfair. I think with the African community—I suggest that the others may continue to be well blessed and by providing education for their children abroad, allow the majority of Africans to take advantage of what is happening at the Makerere College.

THE DIRECTOR OF AGRICULTURE: I happen to be one of the Government representatives of the Makerere College Council. I am very surprised that the hon. Member for Nairobi South should,

[The Director of Agriculture] at this very early stage in the life of the Makerere College, question its prestige and standing. It does take time—years, possibly centuries—to build up the prestige and tradition which we normally associate with a university. Give the place a chance! I do not say it is perfect, it is not, but it is going, to my mind, in the right way.

On the question raised by the hon. Mr. Nathoo, there may be something in this contention, and I will certainly bring this to the notice of the Council at the next meeting. One point which affects me particularly in connexion with the suggestion from the Member for Nairobi South, is that the Makerere College is developing an agricultural faculty. I think most Members of this Council will agree that on the future of agriculture depends the future of this country, and that every effort should be made to bring the Africans into the Agricultural Services at a higher level as soon as possible.

Proposals are on foot to spend quite a lot of money on the further development of a worthwhile agricultural faculty at the Makerere College. If these come to fruition, I can foresee the time very shortly when some of the at present necessary heavy expenditure on European staff might be done away with, and we can replace them with highly trained African staff.

Mr. HARRIS: Mr. Chairman, Sir, would the hon. Director of Agriculture, who is apparently Member for the Makerere College, tell us whether they have yet been able to fill the beautiful building at Kabete as a faculty for veterinary surgeons. The last time I went there there was this very nice building, wonderfully equipped, very much better than probably any training establishment anywhere in the world, yet they could not find many Africans willing to take up veterinary science as a profession. I am wondering whether that building is yet filled.

THE DIRECTOR OF AGRICULTURE: I cannot give the hon. Member the exact figure, I am afraid, Sir, but the position in regard to recruitment both in veterinary science and agriculture, has, to say the least, been depressing over the years, and until we have a faculty and

people in charge of the faculty which will gain the confidence of potential students, we will never have the numbers coming forward that we desire. I understand that the position in regard to veterinary people has improved considerably—I cannot give the actual figure, but I think it is in the region of 20 at Kabete at the moment. I will get the information for the hon. Member as soon as possible.

Mr. COOKE: Mr. Chairman, Sir, I would emphasize again that my hon. friend and those Europeans who think as he does, cannot have it both ways. They cannot at one moment deplore that so many Africans go to universities outside the country, go to India or elsewhere, and the next moment—

Mr. HARRIS: On a point of order, I have not mentioned anything about Members educated outside East Africa.

Mr. COOKE: He cannot at one moment make one point—his colleagues and friends—then at the next try to lower the status and prestige of the Makerere College which, with a good status and prestige, would attract those Africans who to-day go to other countries. He cannot have it both ways.

Mr. TAMENO: Mr. Chairman, Sir, the hon. Member for Nairobi South has just mentioned about the Veterinary School at Kabete. I would like to mention to the hon. Member for Nairobi South what in actual fact he should do, that is to increase the bursaries for Africans to go to the Makerere College so that there are enough students passing the higher science course to be able to choose whatever profession they want. What we have are very few students with so many courses, and the result is so few to get into any of the courses. That is why there are not enough students at the Veterinary School at Kabete. The other point he raised is about the uni-racial state of affairs at the Makerere College. I would ask him, before he brings any other criticism here, to visit the Makerere College one of these days and see the relation between the students and the lecturers and tutors, most of whom are Europeans. The relationship is such that I do not think you will find it anywhere in Kenya.

Sir, I beg to support.

Mr. BLUNDELL: I want to intervene in this debate simply to record that our view is that the Makerere College should be as efficient as possible in order to turn out the best type of undergraduate that we can.

The second point, Sir, is that we think eventually undoubtedly the College will have to be linked with other higher educational faculties throughout the Territories—that is to a composite East African University. It is in that particular regard, I am speaking entirely personally, I am a little worried about whether we are right to put the Agricultural Faculty in Kampala. I wonder if that is a suitable area for the development of the agricultural problem—whether it would not have been better to have built an agricultural faculty related to the Makerere College to become an integrated part eventually to the East African University somewhere else in East Africa.

The last point I wish to make is this. I believe that one of the reasons we are not attracting Africans into the agricultural side of the Makerere College is, of course, that this is practically non-existent, and in the case of the veterinary side I think there is much in what the Director of Agriculture said. I only want to stress this point, one of the real reasons why Africans are not going into the agricultural and veterinary services where they ought to go, is because our salary scales are, I submit, too low.

I raised this point three years ago and I think you will find that the agricultural men from Makerere College are penalized financially very much in comparison with the African Administrative Officer. I think that is a matter which needs examination if it has not been put right already.

Mr. MATHU: Just one point following on what the hon. Member for Rift Valley has said. There is also this question of promotion—the salary part of Agricultural and Veterinary Officers here—their chances of occupying any position of responsibility are very meagre. That is why they have got more medical students now, because they know they can, after a number of years' service with the Government, go into practice on their own.

The Agricultural Officer what practice can he go to? Unless he has a farm,

there is no private practice he can go to. That is why it is important to create within the Agricultural Department some positions which can be filled by trained students from the Makerere College as Agricultural Officers.

Similarly with regard to the Veterinary Department. In the Veterinary Department veterinary surgeons can practise if qualified, but the policy we have followed is very discouraging to students, because their future is very unknown within the Department. That is actually one of the most important reasons why we are pressing, in regard to other departments also, that there should be an opening on a high level so that the students will know that when they have finished with the Makerere College, they have a chance of holding positions of responsibility.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: On the question of the Makerere College I would like to say that I visited Makerere College a very short time ago and had a long discussion with an officer who has recently gone there to take over the agricultural side of things. He is probably the best equipped officer I could personally have chosen to undertake this particular responsibility. He has a long experience in this country and Zanzibar and as lecturer at one of the biggest and oldest English universities.

Makerere College has recently acquired a farm about eight miles from Kampala, this in answer to the hon. Member for the Rift Valley, which I am satisfied is a very excellent farm for the purpose, and they are now developing it. I am assured by the person who is in charge of the Agricultural Faculty that within a few years—it is a long business, of course, to develop this type of farm for educational purposes and to get it going—that within a comparatively short period of time, he will have more candidates than vacancies for the agricultural course. In other words I am satisfied that all is changing rapidly and very much for the better.

In answer to the hon. Mr. Mathu I would say this: we must first provide proper facilities for agricultural education; that should provide us in due course with the people with the right background, knowledge and experience for

[The Member for Agriculture and Natural Resources] taking these higher posts, which is what we all want. But you cannot put the cart before the horse. It is no good putting unqualified people in these higher posts—it is our job to see if we can educate suitable persons to take them.

As regards the veterinary faculty we are not quite so happy. It has been suggested that it is a good thing to have specialist courses on a farm or a veterinary faculty at a centre away from the university. I personally disagree—I think there is a very great deal in a young man absorbing the university, or school or whatever you like to call it "atmosphere"—I think they lose a great deal if they go to one of the faculties separated from the mother university.

MR. TAMEÑO: Mr. Chairman, I entirely agree with what the hon. Member for Rift Valley said, and as far as my colleague, Mr. Mathu—I would like to ask the hon. Member for Agriculture to tell me whether he considered it right. He said you cannot put the cart before the horse. Is it proper to have unqualified persons to be in charge of Makerere College graduates? For example, the livestock officers who are regarded as being more responsible and knowing their job better than the Makerere qualified Veterinary Officers! In the Agricultural Department we have people who have had one or two years' course at Egerton and they are also regarded as being more experienced and knowing more than the Agricultural Officers qualified at Makerere College.

I think the reason for the position of why you have not enough Agricultural and Veterinary Officers is that there is no prestige because they do not have responsibilities according to their qualifications.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Chairman, I think all the points raised have been dealt with by other speakers except the hon. Mr. Mathu's question about the resuscitation of the engineering school at Makerere. The answer to the question is that the Royal Technical College will give courses at degree level in a number of subjects, including engineering. It will be provided with the necessary laboratories and workshops for that purpose. It would, there-

fore, be uneconomic to provide parallel facilities at Makerere. Obviously the proper course is to co-ordinate the two institutions so that there will be no overlappings and that will be our endeavour.

THE CHAIRMAN: The hon. Mr. Tameño's questions have nothing whatever to do with Item D and can be more properly dealt with when the Agricultural Department Vote comes before the Committee.

As there is no amending Motion, we will pass on to sub-item 8 (c).

Sub-heads 9, 10, 11 and 50 agreed to.

THE CHAIRMAN: That finishes the items under this particular Head.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Committee do report progress and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £1,517,298 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 6-4—Education Department.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Mr. Deputy Speaker do now leave the Chair.

One of our famous poets, Sir, has, I think, said something to the effect about one man in his time playing many parts. I must say this is a part I never thought I would see myself playing at all since I have always thought that rods, poles, perches, as far as I was concerned,

[The Member for Finance and Development]

were something to do with fishing. I now find myself moving this Motion in order to allow a debate on the policy of the Survey Department.

The first point—there is, of course, no change in the Estimates that are put forward, therefore it follows the policy previously accepted. Hon. Members, no doubt, will put this down on policy-debate level because they want to know, to some extent, the position created by the Emergency.

In the first place, Sir, the staff left with the Survey Department, as compared with that shown in the Estimates—the Director of Surveys, one Assistant Director, two Staff Surveyors, three Assistant Surveyors, eight survey cadets and three draughtsmen. That is the staff that is at present handling the survey work of the Colony.

A rough estimate of the outstanding surveys would show that it will take some 40 manpower years to complete. There is, of course, the saving grace that a great many surveys are not of pressing urgency. We have a Priority Committee that meets every six months to consider what areas, what surveys are of primary importance. By the end of December, all priorities decided upon at the last meeting of the Priority Committee to be completed within six months will have been completed.

In so far as the checking of plans is concerned the arrears are now only three months. Some three years ago the department was some seven months in arrears with the checking of plans but hon. Members will see that they have reduced that backlog considerably.

One of the biggest tasks that awaits the Survey Department is dealing with some 15,000 approved applications for the conversion of agricultural titles from 99 to 999 years. In the case of these applications, every individual case, the title plan has to be examined and checked and, in many cases, a complete re-survey will be necessary. There are some 1,104 of these applications still to be dealt with although the department is handling them at the rate of 40 a month. It can only do so at the expense of normal checking work and on this particular type of work

some 14 members of the staff are continuously employed.

At the present moment the department has had very heavy demands made on it by the Emergency. There are 17 of its Surveyors, its checkers and draughtsmen engaged full time on Emergency duties. The Emergency duties required by the Commander-in-Chief have been to carry out topographical field work and subsequent mapping, particularly, of course, in the forested areas of Mount Kenya and the Aberdares. Some 70 maps have already been produced and the staff of the Survey Department is now engaged in carrying out contouring work.

Another big task has been to provide an adequate and accurate description of the prohibited areas.

The Military are now moving to some extent to assist by providing its own surveying force and one officer and 12 other ranks arrived in November to assist in this work. One officer and 13 other ranks are due to arrive in December so there will be assistance from the Military in this Emergency work.

The position is that none of the surveyors of the Government department have been released from Emergency duties. The Military have released one private licensed surveyor and two assistants attached to private surveyors and they have retained one private licensed surveyor.

A lot of work, of course, is done at the Field Headquarters on the Thika Road which came into operation at the beginning of the Emergency and all the Emergency work is carried out there.

Allowing for the demands made by the Emergency, it is hoped that the establishment strength will be reached by the middle of next year. Surveyors available at present in other parts of the Commonwealth and, in this particular case, South Africa has proved a very fruitful field of recruitment and therefore there is some reason to hope that the establishment can be reached. But we have had to advertise for survey cadets in the United Kingdom. As the Survey Department—or shall we say the profession—I see the hon. Member for Nairobi South is absent so I can say the profession—of the surveyor has not attracted the Kenya youths. At the Field Headquarters

[The Member for Finance and Development] a training school is organized and courses are arranged from time to time. The last two-year course finished in 1952, when 16 of the pupils sat for the local examination, two passed, seven gained partial passes and are now taking the remainder of the examinations; so there is hope that we will get recruitment from that field.

The African school course was started on the 4th November with six pupils in the school. There are three other Africans in the field who were trained in Uganda. School Certificate is required as the qualification for entry. I believe this course should be the introduction of an interesting and profitable career for young Africans with enthusiasm and energy who possess the basic qualifications.

I think that covers the basic position with regard to the Emergency. As I see the hon. and gracious lady for Nyanza with her note-book in hand, I feel there is a certain purpose, therefore, behind this particular move and perhaps I can anticipate some of the questions by saying—in so far as Sotik is concerned, all surveys are complete; in so far as Kisumu is concerned, 48 light industrial plots have been surveyed and are available but there are no demands for these. Some 80 plots are available from the survey point of view but these cannot be taken up for reasons which have nothing to do with the Survey Department. All surveying in Kisumu, as requested by the Commissioner of Lands and accepted by the Priority Committee, has been completed in so far as the Survey Department is concerned.

I beg to move.

THE CHIEF SECRETARY seconded.

MR. NATHOO: Mr. Deputy Speaker, Sir, I think I must congratulate the hon. Member for Finance on being such a good man of many parts because he has spoken on the Motion as if he has spent the whole of his life in the Survey Department.

MR. HAVLOCK: It just shows you, does it not! (Laughter.)

MR. NATHOO: There is one point I would like from the hon. Member. He has mentioned about the training of African and European survey cadets.

May I ask him whether there is any scheme afoot for those Asians, young boys who are prepared to go in for this course. I am given to understand that a number of young Asians have been working in the Survey Department as draughtsmen for a number of years and they have come to the stage when they are completely frustrated because they see no prospect of ever being given a chance to qualify for higher posts. I would like to know from the hon. Member what Government's intention is in this connexion?

MR. COOKE: Mr. Deputy Speaker, I hope the hon. Member when he replies will give some indication why there are not more applications from Kenya European youths for cadetship. It seems to me deplorable that we are always being asked to provide employment for African youths and then employment is offered in what might be a very attractive type of work they do not seem to be coming forward. Is it a question of pay or qualifications or what is it?

With regard to African surveyors. It is disappointing to see only eight trainees. One would have thought there would be far more. I do not know whether Arabs have offered themselves for this job, but they should also be taken into consideration.

MRS. SHAW: The hon. Member for Finance was quite correct in that I do want to say a few words about the Survey Department but not on the lines he suggested.

I, too, was under the happy impression that everything was going awfully well because my own particular babies—Sotik and Kisumu and all places in Nyanza—the surveys I have asked for have been speeded up and are now to a large extent and for the moment completed. I, too, felt with him that everything, as far as the Survey Department, was completely happy.

However, I have had a very strong representation—I rather hesitate to say this in the presence of the hon. Mr. Edye who is Chairman of the Board of Agriculture—from the Board of Agriculture in that I gather their—as far as the agricultural settlement is concerned—position is not at all happy. I was told the other day by a member of the Board that they

[Mrs. Shaw] have asked that a special committee be asked to go into the back-log which they now estimate at something like ten years. I must say I was completely shattered by that statement as I thought the position had eased and I had hoped it had.

I do think we all realize the dreadful strain put upon the Survey Department by the Emergency and by the staff of that Department but I would like to say it is not all due to the Emergency for I would rather put it that the Emergency has not made a good department bad, but a bad department worse.

I would like to ask also if the hon. Member could give me any idea of what happened to the £20,000 which I believe was set aside for providing new surveyors, bringing new surveyors into this country and training them—if it was spent on surveyors or on obtaining the services of new surveyors or if, in fact, it was spent on machinery for the Survey Headquarters?

MR. MAITLAND-EDYE: The hon. Member for Nyanza is quite correct in her statement that a committee is being set up to go into the question of survey matters. I do not propose to anticipate the recommendations of that committee or to waste the time of Council by going into detail now until we have the facts before us. I am quite sure, when we have those facts before us, that the hon. Member—if he is listening—will be ready to give us the assurance that the recommendations of that committee will receive attention.

MR. MATHIU: Mr. Deputy Speaker, I have two points I would like to make. One has already been referred to by the hon. Member and the Member for the Coast, that is the training of African surveyors. I do think that what we require here is for this Department to get in touch with the African secondary schools and get the necessary publicity across so that the boys know there are openings. Quite a number do not know at all that there are openings in the Survey Department. I think that is a very important factor so that when the other departments claim trainees from the secondary schools, the Survey Department may not lag behind in that regard. I think it would help a great deal.

The second point I want to make is in regard to the survey of trading centres mainly in, or adjacent to, the African land units or the settled areas. I would like the hon. Member to tell me, if he can, the position in regard to the Kikuyu station area where, I think, it was one of the trading centres on the list for survey. It is very near here and is a very important centre for the expansion of trading facilities.

I would like him to tell me what is happening in regard to Nalvasha and Gilgil because again I understand these townships were under survey so that there could be allocation of trading plots and so on.

Those are the two points I want to make.

DR. HASSAN: I strongly support the hon. Muslim Member for the Western Area. I remember in the old days we used to have a considerable number of Asian surveyors who did most of the spade work in the larger towns and in the country, surveying in different lines. No doubt when it was considered that most of the surveys were complete they retired and only the work was carried on with the few that were necessary for dealing with that. But now that I find that in the Estimates given here that work has been accumulating and now it is three months behind and Africans and Europeans have been given facilities to get training to help and assist in survey work and I wonder whether any suggestion has been made to draw Asian youths for this work, if not, what are the reasons?

There is no doubt that there are Asians in the Department who have been working for a long time; as far as I know there work has been very efficient. Why was encouragement not given to them to rise in the Department and go through the training on lines made available for outsiders? I believe the time has come. Sir, when the Department must provide facilities for the training of youths. We have young men and youths in the country who should be given the first opportunity for such training. After all, it is not the policy of Government that youths born in this country are going to be left without any facilities for a job in this country.

[Dr. Hassan]

I strongly support the Muslim Member for Western Area, Sir.

THE DEPUTY SPEAKER: No other hon. Member rising to speak, I will ask the hon. Mover to reply.

THE MEMBER FOR FINANCE AND DEVELOPMENT: If I might deal with the points in reverse order. The first point, in so far as the hon. Member for Muslim Eastern Area, Dr. Hassan, is concerned, I must point out to him, Sir, that the Government never loses sight of the fact that if there are local youths to be employed they will offer the local youths every facility. I was a little troubled at one statement when he said, indeed, Mr. Mathu said practically the same thing, if there are these facilities for employment available, why does not Government draw the attention of the people concerned to them. I may be a little old fashioned, but in my youth, I did not wait for somebody to draw my attention to it—if there was a job I could fulfil, I went out and found the job and hoped I could get it. Indeed, many times I stood in a very long queue to get that job. Whilst I may agree that Government must publish all the facilities that are available, we must leave something to the initiative of our people and our youth.

The hon. nominated Member, Mr. Edey, asked for an assurance that the proposals of the Board of Agriculture will get attention. The answer is yes. The hon. Member need not really have asked it because he knows that when the Board of Agriculture speaks, even if we do not agree, we at least pay attention to their suggestions!

The hon. and gracious Member for Nyanza spoke about the Board of Agriculture not being happy and a bad department being worse. I cannot admit that it is a bad department getting worse. When the department is stripped, as I endeavoured to show, of a large proportion of its staff and when it comes down to what is less than skeleton staff, merely bones, I cannot agree that that is not some excuse for a back-log in work, but the figures I gave show that in spite of that, by hard and persistent work, the staff of the Survey Department has not allowed the back-log to grow up and has completed every priority, every urgent job that has been put in

front of it, as well as fulfilling the very heavy demand of the Military on the Department. (Applause.)

The hon. African Representative Member, Mr. Mathu, spoke about the Kikuyu trading centres. The answer is that at Kikuyu station all surveys have been completed. I cannot give him details of Nakuru, Gilgil and Naivasha except to say that all the priority jobs given to the Survey Department by the Priority Committee have been completed but we will take note of this point and go into it.

Of course, we will bring to the notice of the African secondary school students the facilities that exist for training in these courses; but again I suggest that the students themselves should be looking out as to what openings there are available.

In so far as the hon. Muslim Member for Western Area is concerned, the reason why there is no Asian course is that there have been no Asian requests for a course. This is not a question of race, this is a question of finding men who can go through the training to reach a professional qualification. If the requests are there, of course, the opportunity will be given for them to be trained.

The hon. Member for the Coast spoke about no European cadets.

MR. COOKE: Why not more?

THE MEMBER FOR FINANCE AND DEVELOPMENT: Why not more European cadets. I am afraid I cannot answer that one. If the hon. Member will look at the salary scale, it is, after all, £340 to £520 which, when you add the Cost of Living Allowance, I suggest is not a bad remuneration for a man entering a service. So I can hardly think it is a question of pay alone, particularly when the final prospects are taken into consideration. But it is a phenomena, not peculiar to Kenya, that many of the youths prefer to take the cash of the dead-end jobs to-day, rather than the lower cash return of the good profession with its eventual larger reward.

However, I hope that if this debate has not served any other useful purpose, it will have served the purpose of bringing to the notice of all youths in the country the fact that these facilities and opportunities do exist.

[The Member for Finance and Development]

There is only one more point—the hon. Member for Nyanza said what about the £20,000 that was provided for surveyors. The £20,000 was provided for survey by contract and we have not been able to get surveyors to fulfil these contracts.

MR. COOKE: African surveyors—why not more than eight?

THE MEMBER FOR FINANCE AND DEVELOPMENT: That I endeavoured to answer in my answer to Mr. Mathu. The course started on 4th November with six pupils in the school. I hope that with this course started, the number will grow when we have taken the measures which Mr. Mathu has suggested.

Sir, I beg to move.

The question was put and carried, and Mr. Deputy Speaker left the Chair accordingly.

#### IN COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £64,773 be granted to the Governor to defray the charge which will come in course of payment for the half year ending 30th June, 1954, for Vote 7-9, Survey Department.

Question proposed.

Sub-heads A to C agreed to.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.  
Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £64,773 be granted to the Governor to defray the charge which will come in course of payment for the half year ending the 30th

June, 1954, for Vote 7-9, Survey Department.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE MEMBER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, I beg to move that Mr. Deputy Speaker do now leave the Chair.

Mr. Deputy Speaker, I am somewhat surprised that when matters affecting commerce and industry in the annual Budget that, apart from one of our more hard-working Members in the Council, the hon. Member for Kiambu, there is not a single Member from the City of Nairobi in his place, nor is there a Member from Mombasa in his place. I had hoped, Sir, to outline a little of the policy in regard to the development of commerce and industry in this country. I had hoped for constructive criticism and interest. However, I do not propose to detain the Council very long. But I would like to make it clear that on any points that hon. Members wish to raise either on this Motion or later in detail on any of the points in the Estimates, I shall be very happy to answer them to the best of my knowledge.

Before I sit down I would like to refer to one of the items appearing under this Head—the Board of Commerce and Industry. I do so because, as hon. Members will remember, when the Board of Commerce and Industry was set up by resolution of this Council many years ago, its terms of reference were also defined, which was that legislation affecting commerce and industry and other matters should be referred to them. (Mr. Harris enters the Chamber—Applause and laughter.)

The Board of Commerce and Industry has therefore played a very great part in the shaping and framing policy as it affects industrial development and commercial growth. It is a body that is completely inter-racial, with a large non-



[The Member for Commerce and Industry]

official majority. I think I can say and I think this should be realized not only in Kenya but elsewhere, that over the last six to seven years there have been many divisions of opinion on that Board but I can never think of a single division of opinion there that has been racial. I think that that, in a sense, represents a very significant development in the way we are doing our business in this Colony. I wonder how many people, including our critics overseas, realize that such a Board, wielding very great powers and influence, can operate along these lines, not for one year or two, but for many years, to the very great advantage of this Colony?

Now, Sir, the Board of Commerce and Industry has given me support and help and I would like publicly to acknowledge it, just as the commercial and business world has given me very great support. I think it is true to say that the policy of Government as it affects commerce and industry is to a very large extent a policy that has been hammered out through the process of consultation and through the process of presenting cases and considering them and reaching not always a completely satisfactory conclusion, but one that is at least recognized as being fair. (Hon. Members for Nairobi North, West, and Mombasa enter the Chamber—Applause and laughter.)

I am glad to see my hon. Members representing the industrial and commercial metropolises of Kenya are now present, also the hon. Members representing Mombasa and the Coast are present.

COLONEL GHERSIE: Mr. Deputy Speaker, on a point of explanation—

THE MEMBER FOR COMMERCE AND INDUSTRY: I have not given way! (Laughter.)

COLONEL GHERSIE: Sorry!

THE MEMBER FOR COMMERCE AND INDUSTRY: I am sure the hon. Member for Nairobi North's explanation is not necessary, as I was not altogether serious in my earlier remarks. (Laughter.)

COLONEL GHERSIE: I had been attempting to settle a most difficult

problem in the interests of the public, generally. Sir, I would never have thought of being absent if I had known that the hon. Member for Commerce and Industry was going to address the Council, except under the most extraordinary circumstances!

MR. USHER: I have a very valid reason, Sir—

THE DEPUTY SPEAKER: I am sure other hon. Members absent had equally valid excuses!

MR. HARRIS: I have not, Sir!

MR. USHER: May I be allowed to explain, in apology for my absence, that I understood from the hon. Member that he was not going to make any speech at all; he was merely going to answer questions!

THE MEMBER FOR COMMERCE AND INDUSTRY: May I remind the hon. Member that it was at his request that I did agree to make a few remarks! (Laughter.)

However, I do not wish to pursue the point. I am quite certain that my hon. friends had grave and very important business and I am sure that what they did was in the interests of the Colony and Protectorate.

MR. HAVELOCK: This is a boomerang!

THE MEMBER FOR COMMERCE AND INDUSTRY: As I said, if any points, either under policy or under the individual Heads later, are asked, I will do my utmost to reply to them.

I beg to move.

THE CHIEF SECRETARY seconded.

Question proposed.

MR. USHER: Mr. Deputy Speaker, this is rather, in a sense, a continuation of the debate that recently took place in regard to the control of hotel tariffs. I would like to have the opportunity of saying now, at once, that I felt at the time and I feel still that the whole question is one of giving to those concerned sufficient notice and to warn the hon. Member that I do intend to pursue the matter vigorously and to make it unnecessary to move a Motion next October, or whenever he would move it, for the renewal of hotel control.

MR. HAVELOCK: On a point of order, this Head is a multiple Head. I would like to know if debate on policy should cover all the heads or should be taken one by one?

THE MEMBER FOR COMMERCE AND INDUSTRY: Before you rule, may I submit that the Board of Commerce and Industry by its terms of reference, which I believe is the first item under the Head, does in fact cover the activities of everything else. I would suggest, with respect, that on that basis, we can discuss it as the hon. Member would wish.

THE DEPUTY SPEAKER: In dealing with a Head of this kind which is multiple and somewhat diverse, I think the policy debate might well cover all the items, but as the hon. Member has said, the Board of Commerce and Industry does, in fact, cover the whole field.

MRS. SHAW: If that is the case, I would like to bring up a point—I am not sure if I am correct in doing this—on film censorship.

THE MEMBER FOR COMMERCE AND INDUSTRY: Nothing to do with me!

MRS. SHAW: Is that correct? Under the Head of Commerce and Industry?

THE MEMBER FOR COMMERCE AND INDUSTRY: Film censorship is not mine!

THE DEPUTY SPEAKER: The hon. Member would be out of order. Film censorship is not within the portfolio of the Member for Commerce and Industry.

MRS. SHAW: I thought the film industry was within the portfolio of the hon. Member.

THE DEPUTY SPEAKER: That may be, but film censorship is not related to the activities of the film industry.

MR. MATHU: I would like to raise a point on Government policy towards the Transport Licencing Board. I think we have pressed the hon. Member and the Board for Commerce and Industry that he should make the necessary amendments to the Transport Licencing Ordinance to give all communities permanent representation and I would like to know what is his view in this matter and whether he is in due course going to introduce in the Council the necessary

legislation to effect the proposal to which I think he has, in principle, agreed.

Now, before I sit down, I would like to associate myself with what the hon. Member says about the Board of Commerce and Industry. He is quite correct about the harmonious relationship between all members of that Board. Agreements and disagreements may arise but they are not from any racial aspect, but from matters of commerce and industry. The main reason that Board functions as it does is to the credit of the hon. Member and the way he conducts those meetings. I think he should be congratulated.

GROUP-CAPT. BRIGGS: I would like to ask the hon. Member for Commerce and Industry if he is altogether satisfied with the arrangements made by the Phasing Committee. I do not know what the figures are, but it is very apparent that the tonnage being brought into this country and dealt with at the Port now is very much less than it was prior to the introduction of the Phasing Committee. Perhaps the hon. Member could provide figures on that, because one gains the impression, possibly quite wrongly, that the controlling factor is not the maximum tonnage that the Railways can handle, but rather what is convenient for them to handle. That is the impression I have been given. There is no doubt at present that certainly the agricultural industry is very much handicapped owing to the difficulties of getting spare parts and other things and this is almost entirely blamed on the operations of the Phasing Committee, possibly quite wrongly.

I would be glad if the hon. Member could speak on this point.

#### ADJOURNMENT

THE DEPUTY SPEAKER: It is now forty-five minutes past Twelve o'clock, business will be suspended until 9.30 tomorrow morning.

Council rose at forty-five minutes past Twelve o'clock.

Wednesday, 2nd December, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following papers were laid on the Table:—

The Traffic Rules, 1953.

[BY THE CHIEF SECRETARY]

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya, No. 9 of 1953.

[BY THE MEMBER FOR FINANCE AND DEVELOPMENT]

Government White Paper No. 1 of 1952.

Supplementary Paper on the Hiley Report.

[BY THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES]

ORAL NOTICES OF MOTION

GOVERNMENT WHITE PAPER NO. 1 OF 1952

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

"THAT the recommendations contained in the Government White Paper No. 1 of 1952 be approved in principle subject to certain modifications in connexion with which a supplementary paper is laid."

ORAL ANSWERS TO QUESTIONS

QUESTION NO. 8

GROUP-CAPT. BRIGGS asked the Member for Legal Affairs to state:—

The number of persons charged with administering the *Mau Mau* oath subsequent to the introduction of the death sentence for that offence; the number of those convicted and the number executed to date.

Will he also give similar information in regard to those charged with aiding and abetting and for the illegal possession of arms?

THE MEMBER FOR LEGAL AFFAIRS:

(a) Since the introduction of the death penalty on the 18th September, for administering the *Mau Mau* oath, six persons have been tried for this offence, of whom four have been convicted, and of these two have been executed. In addition the cases of 31 persons accused of this offence are still under investigation by the Criminal Investigation Department and a large number of persons, suspected of this offence but against whom there is insufficient evidence to put them on trial, have been made the subject of orders under Emergency Regulation 2.

(b) The number of persons charged with "aiding and abetting" armed persons, or as it is more accurately described "consorting with armed persons" since this offence was made a capital offence on the 9th September, 1953, is 15, 12 have been convicted and of these three been executed to date.

(c) The number of persons charged with unlawful possession of firearms or ammunition is 113; so far 80 have been convicted, and of these 31 have been executed to date.

GROUP-CAPT. BRIGGS: Mr. Deputy Speaker, Sir, arising out of the reply, would the hon. Member state what the reason is for the small number of people charged under (b) having regard to the large number which has been apprehended for supplying food to the *Mau Mau*. Would he also state under (a), (b) and (c) the reasons for the large numbers who are awaiting execution?

THE MEMBER FOR LEGAL AFFAIRS: Mr. Deputy Speaker, if I may reply to the latter part of the question first. The reason for the relatively large number of persons awaiting execution is that their appeals are pending and not yet disposed of. The figures I gave just now are not up to date; in fact, if I could give this morning's figures I know there would be a smaller number outstanding, but I have not got the exact number.

With regard to the first part of the supplementary question, I agree that there is an apparent discrepancy between the numbers reported in the communiqués issued by the General Headquarters as being captured for committing serious offences against the Emergency Regulations and the numbers mentioned in my

[The Member for Legal Affairs]

reply as having been prosecuted and convicted. The explanation for this discrepancy is in part that when the cases are investigated by the Criminal Investigation Department, it is very often found that the evidence is insufficient to establish a prima facie case against them in the criminal courts. It follows that it would be more correct for communiqués from General Headquarters to describe such persons as suspects rather than as persons who have been captured and against whom offences can be established. I have, therefore, had discussions with the Commander-in-Chief on that point within the last fortnight and, as a result, the hon. Member will find that communiqués from General Headquarters are now altered in the sense which I have indicated, namely, that these captives are described as suspects in the first instance, and only later, when it is found there is a prima facie case, they will be described as captured for committing offences under the Emergency Regulations.

MR. BLUNDELL: Mr. Deputy Speaker, arising out of that, is the hon. Member satisfied that the methods of recording evidence and the circumstances of the case, when the persons are apprehended as suspects, are adequate for the processes of law subsequently to take place efficiently.

THE MEMBER FOR LEGAL AFFAIRS: Mr. Deputy Speaker, I doubt if it would be possible to give a comprehensive reply which could cover all cases of that kind. Investigations, as my hon. friend knows, are carried out by the Criminal Investigation Department and scarcely two cases are alike and could be treated by the same methods of inquiry. As far as I am aware, the system and the methods now followed by the Criminal Investigation Department in the field are adequate. The greatest handicap they suffer from is, of course, that the amount of work they have to cope with is really, in many instances in excess of the manpower to deal with it.

QUESTION NO. 13

LT.-COL. GHERSIE asked the Member for Commerce and Industry—

(a) The total number of ships "phased" into the port of Mombasa during the period 1st July to 30th September, 1953, to discharge cement.

(b) The number of ships so "phased" belonging to members of the Conference Lines.

(c) The number of ships so "phased" belonging to charters or non-Confederation Lines?

THE MEMBER FOR COMMERCE AND INDUSTRY: (a) Nine. Small quantities of cement were also discharged at Mombasa as part of ordinary liner tonnage.

(b) All these vessels either belong to members of the Conference Lines or were chartered by them.

(c) Nil.

LT.-COL. GHERSIE: Mr. Deputy Speaker, Sir, arising out of that answer, is the hon. Member satisfied, having regard to the composition of the Phasing Committee on which the Conference Lines are very well represented, that the Conference Lines are not receiving undue preference as compared with the case of the chartered ships?

THE MEMBER FOR COMMERCE AND INDUSTRY: I am satisfied, Mr. Deputy Speaker, that the Conference Lines are receiving just treatment.

LT.-COL. GHERSIE: Arising out of that answer, I think the hon. Member has misunderstood my question. I did not ask whether the Conference Lines are receiving just treatment. I asked if the chartered ships were receiving just treatment in relation to the Conference Lines.

THE MEMBER FOR COMMERCE AND INDUSTRY: I think it follows that if the Conference Lines are receiving just treatment, so must be the chartered ships.

MR. BLUNDELL: Nothing of the sort follows, I think the hon. Member would like to ask the hon. Member whether he would indeed alter the composition of the Phasing Committee so that the outlook, possibly, of the chartered ships might be more easily represented.

THE MEMBER FOR COMMERCE AND INDUSTRY: As the hon. Member knows, it is not in my power to alter the composition of the Phasing Committee.

MR. BLUNDELL: Will the hon. Member not make representations?

THE MEMBER FOR COMMERCE AND INDUSTRY: Does the hon. Member wish to speak or does he wish to sit down?

MR. BLUNDELL: I was already sitting down. (Cries of Answer!)

MR. BLUNDELL: Mr. Deputy Speaker, I must give notice we will raise the matter on adjournment.

THE MEMBER FOR COMMERCE AND INDUSTRY: If the hon. Member would phrase his question so that I could answer, I would be delighted to do so, but I do not consider that shouts from the benches constitute a question.

MR. BLUNDELL: Mr. Deputy Speaker, the hon. Member for Nairobi North is simply asking whether the hon. Member opposite considered that just treatment was being given to the chartered lines or non-Conference Lines. The hon. Member has not answered. The question I asked was whether the hon. Member would make representations to see whether the composition of the Phasing Committee would be altered. The hon. Member has not answered it.

THE MEMBER FOR COMMERCE AND INDUSTRY: I thought I had answered the question of the hon. Member for Nairobi North when I said, in my opinion, just treatment was given to both the Chartered Companies and the Conference Lines.

In regard to the question the hon. Member has referred to, perhaps, at a later date, he would indicate what type of representations he would wish me to make when I could then consider them.

MR. COOKE: Are not the type of representations implicit in the question?

THE MEMBER FOR COMMERCE AND INDUSTRY: On the whole, I would prefer to have a clear indication of the type, not hypothetical questions.

MR. BLUNDELL: Mr. Deputy Speaker, arising out of the answer, would the hon. Member tell the council whether, in view of the fact that only nine ships have entered during the phasing—all Conference Lines—whether any representations were made that other ships should enter, that were turned down.

THE MEMBER FOR COMMERCE AND INDUSTRY: Sir, as speeches are being made on the other side, I must ask your indulgence to reply to them?

THE DEPUTY SPEAKER: So far, the remarks from this side have been in the form of questions, sometimes rather lengthy ones I must admit.

THE MEMBER FOR COMMERCE AND INDUSTRY: Well, Sir, I am quite satisfied that the Phasing Committee is working in the interest of the Colony. There have naturally been representations that other ships should be admitted. That would mean an interruption of regular services and I suggest the continuation of regular services, which have existed over many years and upon which the Colony is dependent, are more important to the future of the Colony than the private interest of those who wish to bring in a particular cargo.

LT.-COL. GHERSIE: We are not challenging whether the Phasing Committee is working in the best interests of the Colony. Are they working in the interests of the Conference Lines to the detriment of the chartered ships?

THE MEMBER FOR COMMERCE AND INDUSTRY: If the hon. Member is not challenging whether they are working in the best interests of the Colony, I fail to see how they could be working in the interests of the Conference Lines unless those are the interests of the Colony, and I suggest that the continuation of regular services by the Conference Lines and by regular shipping lines is in the interests of the Colony.

MR. HAVELOCK: Would the hon. Member give serious consideration to this matter of the Phasing Committee and make a statement to this Council in due course?

MR. BLUNDELL: I would further like to ask the hon. Member whether working in the interests of the Colony is to the entire detriment of the individual Charter Companies.

THE MEMBER FOR COMMERCE AND INDUSTRY: Of course not.

#### QUESTION No. 14

MR. COOKE asked the Chief Secretary to state if the Government is satisfied that the Emergency Council is fulfilling the functions and duties for which it was established? If the answer is in the affirmative will he give the reasons for the lack of interest

[Mr. Cooke] shown in it by Unofficial Members judging from their very reduced attendances at recent meetings? If the answer is in the negative will the Government disestablish it?

THE CHIEF SECRETARY: The functions of the Emergency Council are to hear a situation report and offer advice and suggestions to His Excellency the Governor on matters relating to the Emergency. Broadly speaking the Council has fulfilled these functions. As the hon. Member is aware, however, owing to the unrepresentative nature of recent attendances the Government has sought the views of the Unofficial Members on the continuance of the Council. So long as there is a desire for it on the part of Unofficial Members, as is understood to be the case at present, the Council will be retained.

MR. COOKE: Arising out of that, does Government give full consideration to the advice of the members of the Council?

THE CHIEF SECRETARY: Yes, Sir.

#### QUESTION No. 23

LT.-COL. GHERSIE asked the Member for Legal Affairs to explain the circumstances which led up to the issue on the 23rd November of a letter from the Registrar of Printing Presses to Boyd & Co. Ltd., the printers of *Comment*, informing them that the Registrar considered that *Comment* had published matter likely to exacerbate racial feelings and warning them that if this continued the publication might have to be treated as being a publication in breach of the Printing Presses (Temporary Provisions) Ordinance, 1952, and that it might in consequence be necessary to cancel their printing press licence.

THE MEMBER FOR LEGAL AFFAIRS: The Registrar of Printing Presses has for some time past had this publication under examination and has formed the view that it has during that time adopted an abusive tone in its observations on non-European races which, in the circumstances existing during the present Emergency, must necessarily tend to exacerbate racial feelings; . . . and he considered that if this continued this

publication might have to be treated in the words of the Printing Presses (Temporary Provisions) Ordinance, 1952, as "a document prejudicial to or incompatible with peace or good order in the Colony".

The Registrar, therefore conveyed this view to the printers on the 23rd November, and at the same time indicated that if the publication pursued the course complained of, it might be necessary to cancel the printer's licence under this Ordinance.

In giving this warning, the Registrar was intending to be both fair and helpful to all concerned and hoped, and still hopes, that its effect will obviate the need for further action.

I understand, though I have not been officially advised on this point, that the printers had given three months' notice to the publishers of *Comment* terminating their printing agreement with them shortly before the Registrar wrote his letter of the 23rd November. It may well be thought that the proximity of these two dates indicates that there was some connexion between the action of the printers (terminating their printing agreement and the action of the Registrar giving warning about the tone of this publication. In point of fact there is no connexion whatsoever. The Registrar had no prior knowledge of the intention of the printing company to terminate their agreement with *Comment* nor, so far as I am aware, had the printers any knowledge of the Registrar's decision before they actually received the letter of the 23rd November.

I would only add this: that the action of the Registrar in this matter was influenced solely by the view which he had formed regarding the tone of this publication's observations on non-European races; it was not influenced in any way by the fact that this publication holds certain political views and frequently severely criticizes the Government and persons with whose political opinion it does not agree.

LT.-COL. GHERSIE: Arising out of that reply will the hon. Member state whether, during the period of the Emergency, he has had occasion to take similar action against any other printer or publisher.

**THE MEMBER FOR LEGAL AFFAIRS:** Yes, Sir. Perhaps it would be helpful to the hon. Member and to Council if I indicated briefly what action the Registrar has taken under powers given him in this Ordinance. He has refused eight licences, cancelled one licence and issued four warnings, including the present warning, which is the subject matter of the original question.

**MR. MADAN:** Mr. Deputy Speaker, would the hon. Member tell us, in view of the obnoxious nature of some of the publications by this paper, why prosecution was not instituted for sedition?

**THE MEMBER FOR LEGAL AFFAIRS:** On a point of order, is it in order for the hon. Member to frame his question in the form of an argument containing innuendoes of that kind? I would refer him to Standing Order—I think it is Standing Order Number 30.

**THE DEPUTY SPEAKER:** I think the hon. Member is out of order in the form in which he put that question.

**MR. MADAN:** Would the hon. Member indicate if the publication amounted to seditious publication?

**THE MEMBER FOR LEGAL AFFAIRS:** Indeed, I must again refer the hon. Member to Standing Order 30 which states expressly that a question should not be framed with the object of obtaining a legal opinion.

**MR. COOKE:** Will the hon. Gentleman give a guarantee—I have spoken to the hon. Gentleman on this point before—that he will take similar action against other papers which take the line that *Comment* is supposed to have taken.

**THE MEMBER FOR LEGAL AFFAIRS:** I will deal with every case as it arises, on its merits.

#### QUESTION NO. 11

**THE DEPUTY SPEAKER:** There is a supplementary Order Paper containing Question Number 11, but as the hon. Members may have noticed, the form in which it appears on the Order Paper is not in fact a question. It reads: "The Member for Uasin Gishu to ask the Member for African Affairs"—then it goes on—"A statement is called for . . ."

On investigation, I find that the question in the form in which it was originally submitted was to ask the Member for

African Affairs to make a statement on the recent case, and so on.

**MR. MACONOCHE-WELWOOD** asked the Member for African Affairs to make a statement on the recent case in Tanganyika resulting in the fining and imprisonment of a Kenya citizen with particular reference to the following points:—

1. Why was a man of 19 sent in sole charge of a screening team to another territory?
2. Was the Tanganyika Government informed that he should be accompanied by an officer of the Administration when performing his duty?
3. Did he volunteer to perform the task of screening in Tanganyika or was he ordered to do so?
4. Was he in fact accompanied by any servants of the Tanganyika Government, if so, in what capacity?
5. Did the Government of Kenya or the Government of Tanganyika select counsel for his defence, and that of the Africans in the screening team?
6. Was the fine imposed upon him paid by the Kenya Government, if not why not?
7. Will Government give an assurance that no other Kenya unofficial temporarily engaged on official duties during the Emergency will be sent to assist in screening outside this Territory?
8. Will Government further state whether the future career of this officer will be damaged if he should elect to remain in the Public Service?

**THE MEMBER FOR AFRICAN AFFAIRS:** The facts of this case, Sir, are as follows:—

In September the Government of Tanganyika, being concerned about the behaviour of the Kikuyu in its Northern Province, asked the Government of Kenya to send a screening team to Arusha at Tanganyika's expense and as a matter of urgency. The Kenya Government had difficulty in sparing any officer for such a task but, after representations from the Provincial Commissioner, Northern Province, Tanganyika, who

[The Member for African Affairs] visited Nairobi in person to discuss the arrangements, it was agreed that a Kenya officer and a team should be made available from the Kiambu District from which, it was learned, most of the immigrant Kikuyu in Tanganyika originated.

The answers to the particular points in the question are:—

1. Due to the other heavy Emergency commitments of the District staff at Kiambu it was not possible to spare a more experienced officer to escort the Kenya screening team to Tanganyika. In any case it had been understood from the discussions with the Provincial Commissioner, Northern Province, Tanganyika, that the Kenya officer (who would have no official status in Tanganyika) would be accompanied at all times when on duty by an officer of the Tanganyika Government for the month that he was to be there. It was hoped that within that period the Tanganyika administration would be able to take over screening operations. The officer sent, although young, had an excellent operational record and had had considerable experience of screening work in the Kikuyu Reserve.

2. When the arrangements were being discussed in Nairobi it was impressed upon the Tanganyika Government representatives that they must be responsible for the screening operations in their territory, and they were specifically warned to guard against malpractices. It was the definite understanding of this Government that the Kenya officer would, as I have already stated, be accompanied at all times when on duty by an officer of the Tanganyika Government.

3. The Kenya officer was sent to Tanganyika in the course of his duties.

4. It is understood that two Tanganyika officials, one from the C.I.D. and their Kikuyu Registration Officer, were made available for duty with the Kenya team to show them where to operate and to record information obtained, but that these officials did not, in fact, accompany the team at all times.

5. The Kenya officer concerned originally appointed his own counsel

in Tanganyika but the Kenya Government later, and before the case was heard, appointed a Nairobi advocate to defend him and the ten African co-accused. The defence of the latter, however, had already been arranged by the Provincial Commissioner, Northern Province, Tanganyika, who had been instructed by his Government to inquire whether these accused wished to employ an advocate and if so to put them in touch with a local practitioner.

6. No, Sir, the fine was paid by a private party shortly after the trial.

7. Yes, Sir.

8. Having regard to the officer's youth, the lack of supervision of his activities in Tanganyika, his previous good record and the attendant circumstances of the case, this Government, while condoning in no way whatsoever the acts to which he pleaded guilty, has, after full consideration decided not to terminate his present employment as a Temporary District Officer. On completion of sentence, which the officer is serving extramurally in Tanganyika, he will be posted to different duties.

In view of the unfortunate impression created in Kenya and Tanganyika and elsewhere by this single and regrettable incident, it may be of assistance if I explain that the work of screening members of the Kikuyu tribe in order to locate *Mau Mau* suspects or persons wanted for criminal offences has been going on satisfactorily for some time in the Rift Valley and Central Provinces of Kenya. In the former alone there are now 20 screening teams at work and they deal with about 4,000 persons a month. Of those so screened, about 80 per cent are released, 12 per cent sent to the Courts for offences or detained for managing or supporting the *Mau Mau* movement, and 8 per cent sent for rehabilitation. The work of these teams has proved of considerable value in assisting the forces of law and order against the operations and activities of this terrorist secret society and bringing to an end the *Mau Mau* movement.

Although in both Provinces there were some indications of "third degree" methods being used at first—and in view of the astonishing record of *Mau Mau* atrocities committed against the families of the loyal anti-*Mau Mau* element this

[The Member for African Affairs] was hardly surprising—immediate steps were taken to stop this and teams were changed. Both Provincial Commissioners have issued written instructions to their District Commissioners that the strictest supervision of screening is to be maintained at all times, and that officers taking charge of teams are to be carefully selected; and Government is satisfied that these instructions are being carried out. In the Rift Valley Province one officer on a provincial level is engaged almost full time on the supervision of this work.

I must, in conclusion, emphasize that the Kenya Government in no way condones the offences committed by this screening team which went to Tanganyika, and that a serious view is taken of its lapses. It is felt, however, that these could have been avoided by proper or more effective supervision in Tanganyika.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, Sir, arising out of that answer, could the hon. Member inform me as to whether the two officers—the Criminal Investigation Department Officer and the Kikuyu Registration Officer—sent by the Tanganyika Government were European or African?

THE MEMBER FOR AFRICAN AFFAIRS: I think I am correct in saying they were European.

MR. COOKE: Arising out of the answer, Sir, to Number 8—I emphasize to Number 8—does Government think it wise to re-employ in the Administration a man—however unfortunate—a man who has pleaded guilty to grave offences? On consideration, does he think it really wise to re-employ him?

THE MEMBER FOR AFRICAN AFFAIRS: I fully appreciate the point made by the hon. Member for the Coast, but the Kenya Government has, in the light of information available to it, given careful consideration to this point and, in the light of the information available and the circumstances of this case, we feel this is the right course.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, in view of the excellent results being obtained in North Subukia by the closer working of a minister of the church with the screening team, will the hon. Member consider extending the system?

THE MEMBER FOR AFRICAN AFFAIRS: Yes, Sir.

MR. MACONOCHE-WELWOOD: Arising out of the answer to the original question, Sir, could the hon. Member inform Council whether the Tanganyika Government is making use of the information acquired by this screening team?

THE MEMBER FOR AFRICAN AFFAIRS: I am afraid that I am not able to answer that question.

MR. MACONOCHE-WELWOOD: Will the hon. Member find out from the Tanganyika Government whether this is, in fact, the case?

THE MEMBER FOR AFRICAN AFFAIRS: Yes, Sir. We hope to obtain full information.

MR. MATHU: Will the hon. Member inquire from the Tanganyika Government when they use that information they should deal with the Kikuyu in Tanganyika and not send them back to Kenya?

THE MEMBER FOR AFRICAN AFFAIRS: Sir, I think that that is rather a different question. My personal sympathy is with the view Mr. Mathu expresses. I think the Kenya Government feel that, but I have no doubt that the Tanganyika Government hold different views. This is a matter for negotiation with the Tanganyika Government.

MR. HAVELOCK: If the Tanganyika Government use the information, will they pay the fine?

THE CHIEF SECRETARY: That is a hypothetical question, I suggest.

### MOTION

#### INTERRUPTION OF BUSINESS

THE CHIEF SECRETARY: Mr. Deputy Speaker, I beg to move that on Tuesday, the 8th December, and Thursday, the 10th December, business shall not be interrupted under Standing Order 10 at 12.30 p.m. but shall be suspended at 12.45 p.m. and resumed again at 4.30 p.m., and that the time for the interruption of business under Standing Order 10 shall be postponed until 7 p.m.

THE MEMBER FOR FINANCE AND DEVELOPMENT seconded.

Question proposed.

THE DEPUTY SPEAKER: If no hon. Member rises to speak I will put the question.

The question was put and carried.

### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

THE DEPUTY SPEAKER: Council was debating the Motion that Mr. Deputy Speaker do now leave the Chair, proposed by the hon. Member for Commerce and Industry.

MR. NATHOO: Mr. Deputy Speaker, in the first place, Sir, I would like to offer an apology to the hon. Member for Commerce and Industry for what he must have thought a discourtesy on our part for being absent from this Council when the Vote was moved. I would like to assure him that no discourtesy was meant. It was only on account of urgent public work that we were called elsewhere and could not be present in both places at the same time.

Sir, I have read about the remarks the hon. Member made in connexion with the Board of Commerce and Industry, and I would like to endorse, Sir, that relations between the commercial community representing all sections in this country on that Board of Commerce and Industry, and the Government, have been of the most cordial nature, and I do not remember a single instance when any voting or any decision has been taken that savoured of any racialism.

Now, Sir, there are one or two points I would like to make in connexion with the departments that come under the purview of the hon. Member for Commerce and Industry. I refer to one—the Central Rent Control Board. I would like to ask the hon. Member whether he has received any information from various sources whether the proposed decontrol of business premises in Nairobi and Mombasa will be carried out at the end of December, 1954. Some time back a statement was made that the position would be reviewed some time before that period came up, and if it was found that there were reasons not to decontrol, the decision would be taken accordingly. There is, Sir, some apprehension in some

quarters that, in view of this impending decontrol, there may be hardships created on tenants by some unscrupulous landlords, and I would beg the hon. Member to make sure he has the best possible data at his disposal before the final decision is made.

Sir, I beg to support.

MR. GIKONYO: First of all, I wish to express my disappointment because when the hon. Member for Commerce and Industry stood up to speak yesterday he referred to the fact that all the Nairobi Members were absent—he appeared to have ignored my presence deliberately. I represent a very large number of Africans in this city, and they supply labour for industries. I think that is a point which the hon. Member should not have forgotten.

The other point I want to raise is in connexion with the Transport Licensing Board. I think, early this year, I was appointed a temporary member of this Board, and I attended one meeting in Nairobi, I think it was in February, and a number of good applications were entered, but the Chairman of that Board ruled that no Kikuyu applications would be considered by that Board until after the Emergency. I later went to see the Chairman, and asked him why that decision was taken, and he told me that he had done so in consultation with the authorities. I was not satisfied because, whether there is an Emergency or not, the ordinary business must be carried on. There are some Kikuyu transporters who wish to transport their goods to Nairobi and, if they cannot get licences, they cannot do their business. In reply I should like the hon. Member to say whether it is possible in future for Kikuyu applications to be considered in the light of their merits.

Sir, I beg to support.

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, I should like to speak on two points—first, the Transport Licensing Board. At present, applications to operate a passenger service between Mombasa and Nairobi are not considered by the Transport Licensing Board because the Transport Licensing Board thinks that there are enough facilities by way of the railway to carry passengers from Mombasa and Nairobi. I think most hon.

[Mr. R. B. Patel]

Members are aware that there is so much pressure on the railways that one has to wait for a week or sometimes ten days to get a ticket from Mombasa to Nairobi and vice versa. I think in this the members of the Transport Licensing Board can give due consideration to those who apply for licences to operate a passenger service from Mombasa to Nairobi and vice versa. I think it would help a great deal to everybody, and particularly those who intend to travel there very frequently.

Another thing—about the Rent Control Board. My hon. friend, Mr. Nathoo, has touched that point, but I will further say that, in the Federation of Indian Chambers of Commerce and Industry, the President has said that the proposal to decontrol all business premises at the end of 1944 should certainly be revised.

THE DEPUTY SPEAKER: I think the hon. Member means 1954.

MR. R. B. PATEL: 1954—should be revised. I think the hon. Member for Commerce and Industry was also present at the session, and he must have also taken into consideration the suggestion made by the President regarding this matter. There is a great doubt in the business community about this decontrol of business premises, and everyone suspects, on account of the decontrol of business premises, everyone will suffer. I think the hon. Member for Commerce and Industry should take into consideration this point and do something about this matter.

Sir, I beg to support.

MR. AWORI: Mr. Deputy Speaker, in a few words I would like to endorse the words said by the Member for Commerce and Industry regarding the harmonious working of the Board. I happen to be an alternative member to Mr. Gikonyo and on that point I think the hon. Member for Commerce and Industry will bear me out that I have always endeavoured to attend all meetings of the Board. However, I am not satisfied with the African representation. On that point I think it is inadequate. Particularly I would say African members outside this Council should be appointed. I know quite a number of Africans who are in business in the companies and who could be able to serve a good purpose. There are a number of

sub-committees on that Board on which there are not any Africans. Therefore, it would be more appropriate if more Africans could be given a chance to learn and know what is happening on this Board. I hope the hon. Member for Commerce and Industry will be able to consider that point.

I beg to support.

MR. HAVELOCK: First, Sir, I would like to remind the Council of the work the hon. Member for Commerce and Industry did for us in his recent trip to America, and I think we should show gratitude to him because I am sure he achieved for us extremely far-reaching propositions and decisions.

Secondly, I would like to comment very shortly, or rather like to ask the Member for Commerce and Industry whether, in view of the very disturbing news we have had lately from Uganda, he will re-examine the problem of our obtaining power from that Protectorate, which I think was published in the paper a few days ago. It would seem to me that if it is any very considerable amount of power, and I understand it may well be, that this Colony must protect itself against any disturbances which might upset the supply of that power, which, of course, is the life-blood of the industry of this Colony.

As regards the de-control of business premises, touched upon by another hon. Member here, I personally would like to state that in my view it is high time they were de-controlled. I am quite sure, Sir, that demand and supply are now just about evening up in that particular aspect, and indeed it is much better to get back on the ordinary law of supply and demand as soon as we can. I am sure, as far as business premises are concerned, the time has now arrived; also, I believe even with residential premises, the time may almost be here when we can de-control them. I am certain more houses would be built if we did de-control them.

It is out of order for me to refer to any speech made before at this same sitting, but the matter has been touched upon. I would like to ask the hon. Member if he has anything to say about the activities of the Hotel Control Authority.

[Mr. Havelock]

I know there is a certain amount of worry in the mind of hotel proprietors as to whether they are able, under the present circumstances—they are able to present circumstances—they are able to carry on with business as their charges are controlled very low indeed, but possibly the hon. Member could put my mind at rest in that particular regard.

LADY SHAW: Mr. Deputy Speaker, Sir, before the hon. Member opposite answers, I would like to make a point on this question of the Mombasa road and competition with the Railway from Mombasa to Nairobi, either passenger or other transport. I have a long memory—I have been in this country a very long time—I remember very well when such competition was allowed, it resulted in two things immediately.

The complete—not quite complete—but the great loss of revenue to the Railways, and secondly, the utter destruction of the road. There was no recognized road—but such as it was, the track was utterly destroyed—people used to start off either with passengers or goods—always expensive goods that the Railway charged high freight on, of a small capacity but of great value, cotton piece goods, drink and things of that kind. It did not matter to them how long they spent on the road—if the road was wet, well, they would just camp out there. If not wet, they would just tear through.

We saw it all on our farm for at that time the road used to pass through it. At times we had overturned lorries due to their tearing downhill. It did not really matter from a road point of view to a very great extent. There was no proper road. There were a number of miles of properly made-up road, but a large number of miles of the road was not properly made up. The same thing will happen again if that type of traffic is allowed. Alternatively, you will have to build the class of road adequate for the type of traffic envisaged—at an enormous expense to the country—at the expense of the Railway, which is already expensive enough.

Before any such suggestion is entertained, albeit that it might add to the convenience of travellers—before any such proposal is entertained—I hope it will be most carefully examined, with a view to this point. (Hear, hear.)

MR. COOKE: Mr. Deputy Speaker, I think the hon. lady has advocated a very dangerous principle indeed, one which would not be accepted at the Coast or Mombasa. The right answer, as indicated by the hon. and gracious Lady Shaw, was to make a proper road—a tarmac road. If I am not speaking out of order, the money should come from a tax on petrol, devoted to that particular purpose—I am not going any further.

Now I think my hon. friend, the Member for Kiambu, is skating on rather thin ice as well when he adumbrates the possibility of serious disturbances in a neighbouring state. I think that a private parley with my hon. friend might have been a proper way of drawing attention to that danger. I think we, in this Council, should not be, in any way, perturbed by events in Uganda, which we all hope will be only a passing phase. I think my hon. friend referred specifically yesterday to Members absent. Certainly, if I had been here it would have seemed to me—it would have sounded like St. Paul rebuking sin. I assiduously attend this Council and see my hon. friend popping in and out of the Council on every possible occasion, no matter who is speaking. Nevertheless, I am sorry I missed my hon. friend's eloquent contentions which no doubt he will impart to me on the country walks which we have round Nairobi!

LT.-COL. GHERSIE: I am sorry I must disagree with the hon. and gracious lady from Kiambu. Here we have, at present, a Phasing Committee, which is very much curtailing goods coming into this country. At the same time we are undertaking—or the "E.A.R. & H." are—certain developments at the Coast or Port, with a view to constructing further deep-water berths. Now, Sir, if they accomplish what we hope they will, namely accepting a great deal more cargo when that project is completed, surely with the single track line we have at the moment and other conditions which exist, we shall completely defeat the object of having these extra deep-water berths.

MR. HAVELOCK: On a point of order, Sir, the hon. Member for Nairobi North has already spoken in this debate and I have a suspicion that the hon. Member for the Coast, Mr. Cooke, has



**THE DEPUTY SPEAKER:** As far as I recollect the hon. Member for Nairobi North only interposed a personal explanation of his absence when the hon. Mover gave way. Is that correct?

**MR. HAVELOCK:** I apologize!

**MR. COOKE:** Perhaps the hon. Member for Kiambu was also absent!

**LT.-COL. GHERSIE:** The hon. Member's apology is accepted, Sir.

As I was saying, Sir, I am trying to view the position a few years hence when the particular project presumably is accomplished. I fail to see how we will get goods into this Territory unless we either double up the Railway, which will be far too expensive, or we do encourage road traffic on the Mombasa road.

I happen to know, Sir, a particular very wealthy firm who did in fact put up certain propositions to a certain authority in this Colony and which was prepared to carry out considerable construction of the main road at their own expense, provided they were allowed to engage in road transport contracts, and the Government were to participate as an interested party. But apparently there was lack of vision on the part of the powers that be.

**THE DEPUTY SPEAKER:** No other Member wishing to speak I will call upon the hon. Mover to reply.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** Mr. Deputy Speaker, Sir, I would like to thank hon. Members for the kind and complimentary things they have said. They are very much appreciated. I will deal with the point raised by hon. Members as quickly as I can.

First of all, the point raised by my hon. friend, the Member for Mombasa, also referred to by the hon. Member for Kiambu, the question of hotels. I noted what the hon. Member said—I cannot add, within ten days or a fortnight, to what I said in the debate on the extension of the Ordinance for a further year.

However, I have borne in mind what other hon. Members have said as regards the second point about hotels that the hon. Member for Kiambu raised. I think I did refer in the debate on the extension of the Ordinance for a further year.

**MR. COOKE:** Yes, you will resuscitate the debate!

**THE MEMBER FOR COMMERCE AND INDUSTRY:** Mr. Deputy Speaker, Sir, I thought I was allowed to clarify a point by referring to something I had previously said. I am perfectly prepared not to do so, but the hon. Members did raise the point themselves.

**THE DEPUTY SPEAKER:** You may clarify the point.

**MR. HAVELOCK:** On a point of order, Sir, we are only trying to help the hon. Member, as hon. Members opposite are always trying to help us in this particular regard. Is it in order that the hon. Member should refer to a debate in the same sitting?

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I submit I was doing so in reply to the point raised by the hon. Member which could only refer to the statement made in the previous debate.

**MR. BLUNDELL:** Two blacks do not make a white!

**THE DEPUTY SPEAKER:** The hon. Member can give the explanation he wishes without referring to any previous debate—he can make a statement now of the policy he has in mind.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** A directive has gone to the Hotel Control Authority to deal with the point about increased charges being permitted.

As regards the Transport Licensing Board, I believe the hon. Mr. Gikonyo, to whom I apologize for not seeing, when I referred to the absence of Nairobi Members, because in accordance with Standing Rules and Orders, I was looking in your direction . . . (Laughter.)

**THE DEPUTY SPEAKER:** On that particular occasion! (Laughter.)

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I do apologize to the hon. Member.

Dealing with the more serious point raised by him and my hon. friend, Mr. Mathu, I would refer him to a letter received from the hon. Mr. Mathu himself, which I propose to read out, because I think it deals with the point that he raised. I am surprised he did not refer to it himself—this letter was dated the 5th March, 1953, and he writes addressing the letter to me: "With reference to

[The Member for Commerce and Industry] your letter, I am glad to see that the hon. Mr. Gikonyo will be co-opted for all meetings of the Transport Licensing Board, and I trust that as soon as a vacancy occurs he will have a permanent seat".

Now, the hon. Mr. Gikonyo since that date has been free to attend every meeting of the Transport Licensing Board. I do not propose—I will just finish if you do not mind—I do not propose to ask one of the members of the Transport Licensing Board, who have done excellent unpaid work for many years, to retire just because the hon. Member wishes to join it. We have done everything possible in our power to meet him, without showing ingratitude to those who have served for many years, by asking him to attend all meetings that he wishes to.

**MR. GIKONYO:** On a point of explanation—the fact is that I have not been invited to all the meetings—I think that so far I have been invited to two meetings, one in Nairobi and one in Thika. The one in Thika I could not attend because I think we had a Session here.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I am surprised that if the case is as the hon. Member has described to me—I am surprised he did not mention it to me in another place. It would have been perfectly easy to take steps without waiting from the 5th March to early December before raising it in public. I could suggest that the motive in doing this is political, rather than the motive of wishing to attend meetings which he is very welcome to do.

Turning to the question of the licensing of road transport. The hon. Acting Member for Eastern Electoral Area raised what appears to be a very plausible argument indeed, that licences should be freely granted for passenger and goods traffic along the road between Mombasa and Nairobi.

I would like to remind the hon. Members that the Transport Licensing Ordinance was passed by this Council many years ago with the object of protecting the consumer of transport in this country, and it is operated in this way. As the hon. and gracious Lady, the Member for Ukamba remarked, road

traffic on the whole tends to take the cream of the high freight paying traffic. It has not got the obligation of a common carrier to accept all traffic that offers.

The Railway on the other hand adjust their rates, as I think every Member knows, to what traffic can reasonably bear in relation to its value. In other words the Railway carries large, bulky freights such as cement, maize and a hundred and one other things at low rates. Is it fair that without the same capital investments that the Railway has to make, without the operating cost that the Railway has to meet, without the obligations of a common carrier which the Railway has to undertake, is it right that without any protection whatsoever the small high value freights should be creamed off the freight of the railway with the inevitable result that the consumer of transport in this country would have to pay very much higher freight charges for such necessities as bulky cargoes and cement, and others I have mentioned?

I will finish for a moment—as the hon. Member is so fond of saying—I have no doubt the hon. Member is pleased at having interrupted the thread of my remarks—

**MR. COOKE:** I want to make a good point if I may? (Laughter!) The late General Manager of the Railways said that he would withdraw any right to sole transport and that he would encourage road transport in future. I think you will find that that is the latest pronouncement by the Railway itself.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I do not consider that statement—that the General Manager is supposed to have said something without reference to the time he is supposed to have said it—is a particularly helpful contribution. I can only think that the hon. Member is as usual skillfully drawing that very ripe red herring across an argument I was seeking to make—

**MR. COOKE:** Is the hon. gentleman in order in making an imputation against another hon. Member?

**THE DEPUTY SPEAKER:** The hon. Member for the Coast is not in order in making constant interruptions.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I am sure the hon. Member for the Coast is happy that he has completely destroyed the thread of a rather difficult argument.

The result of taking away high-chargo freight would merely be that, as the hon. Member knows—he is not prepared to admit it with his frivolous and stupid interruptions—

**MR. COOKE:** Is that in order?

**THE DEPUTY SPEAKER:** Well, I think the hon. Member for the Coast is in the best position to answer that.

**MR. BLUNDELL:** Frivolous, but not stupid.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I will pass on to another point. It is quite obvious that some hon. Members are not interested in fact but in their own assertions. I would return to the point raised by the hon. Member Mr. Nathoo. He raised the question of the termination of rent control in respect of commercial premises by the end of this year—next year. I am aware that doubts have been expressed in certain quarters—I am aware that doubts were expressed by the Federation of the Indian Chamber of Commerce, and I do intend in the course of the next year to continue a review. I am making at the present time but in fairness to the hon. Member I must state that the review does not indicate that there is a case for changing the existing law that business premises should come into decontrol at the end of 1954. I would make it clear, further, that such a course is not one that I, as a Member, can take myself; it is not action that the Control Board can take itself, it is the law of this country that decontrol comes into operation at the end of 1954 by the Act of this Legislative Council. So, this is not merely a question of an administrative decision on my part of a question raised by hon. Members, it would have to be a continuation by deliberate Act of this Legislature and I would be misleading my hon. friend if I suggested at the present time there was an indication that decontrol should not take place. In saying that I do not mean to suggest for one moment that there may not be some hardship when the change takes place. One of the disadvantages of decontrol

after a long period of control is that there must be some hardship and I think it fair to say that one is justified, in a period of readjustment, even if there is some hardship, provided one can see in the medium term, not in the long term, a period where demand and supply are in equilibrium, which does not mean that everyone who wants an office can get it the next day, but that there is general equilibrium.

I would further point out, Mr. Deputy Speaker, that when a portion of the community is reaching a stage where they are benefiting from a control rather than being protected by a control then I suggest one must do justice on the other side of the balance as well. (Hear, hear.)

My hon. friend Mr. Awori, the African Member—the Nominated Member—spoke of more Africans on the Board of Commerce and Industry. I think my hon. friend is well aware of the attitude of members of that Board, and over the years their attitude has been one of encouraging further African representation. I cannot say more at this stage except that we seek to make the Board as strong as we can. On the other hand, and this is important, if the Board is to continue to perform a useful function it must be on the basis of the contribution members can make. I think that is a proposition to which my hon. friend himself would agree. It is certainly one that all other members of the Board would agree with, but in saying that I do not wish in any way to discourage the hon. Member, or his friends, I think he can be quite certain of the attitude of the Board, as a whole, to this question. I do see his point about representation on Committees of the Board. I will not comment at this stage on the point raised by my hon. friend the Member for Kiambu on the Uganda position in relation to power. I think it would be unwise of me to do so except to state we have every confidence that they will deal with this position and also to say that of course in the whole of the negotiations the object of protecting the supply has been in the forefront of our minds and quite clearly will not diminish at the present time.

**MR. HAVELOCK:** Thank you.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** The hon. Member for

[The Member for Commerce and Industry]

Mount Kenya referred, in the absence of the hon. Member for Nairobi North, to the Phasing Committee and my hon. friend the Member for Nairobi North raised much the same point in speaking to-day. I am glad to have the opportunity to speak for a moment or two on this rather than in the course of question and answer for this reason. The Phasing Committee was instituted nearly two years ago as a result of representations by the shipping lines—the Conference Lines—which serve East Africa, that unless a phasing system were instituted they would put very heavy surcharges on freight brought to Kenya. That was not in any sense of the word holding a pistol at our heads. It was merely this, that regular lines coming in were having to lie in the stream for a very long time with consequent very high charges. They were held up in voyages to other ports and they merely said this that unless the space in the port were rationed they would either have to cut down services to Kenya or they would have to put on very heavy surcharges and the Phasing Committee was a result of those representations. Again, I want to make it clear why I found it difficult to reply to questions on this subject briefly. The Conference Lines are, after all, independent companies providing a service to East Africa. We are at the receiving end. If they can sell their services more advantageously elsewhere then we must be prepared to do something to help them. I am certain that phasing over the last year or two years has been to the advantage of the Colony. It does not follow, however, that the time will not come, I personally hope as soon as possible, that phasing will always be to the advantage of the Colony. It is a form of rationing.

**MR. HAVELOCK:** When it is possible.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I was going to try to come to that, but what I am trying to make clear to hon. Members is that it is no use coming to Government, it is no use raising the matter in Legislative Assembly and saying we will dictate to the shipping companies, we are not in a position to do so; what we are in a position to do is to make representations which I am

happy to assure the hon. Member for Rift Valley I will do that. The Conference Lines are not in a position to reply for themselves. I am perfectly well aware that there have been charters which have been refused; in every case that would have meant turning away one of those ships providing a regular service. It is not a particularly satisfactory position in regard to phasing. We do not like it, but it is not a deliberate attempt on anybody's part to cut down independent importation—it was an effort to enable services to go on and with the extension of the harbour and with the additional rolling stock that should be arriving in the course of 1954 it is hoped that phasing will be able to be brought to an end, I have noted what hon. Members have said on this subject; and as I say I will make representations but I cannot, and it would be misleading hon. friends if I suggested it, I cannot nor can anybody else tell the Conference Lines what to do and it is no use trying to work phasing as long as it is necessary on the basis of slipping in one ship here and upsetting the scheme. Furthermore, I would like to say that in my view the shipping lines have done an absolutely first-class job in working under the greatest difficulties. I am sure the hon. Member for Mombasa, who is expert on these things will agree with me. I am glad to see him nod his head.

**LT.-COL. GIERSB:** Mr. Deputy Speaker, Sir, purely on a point of information, as the hon. Member wishes to thrash this out in this particular speech, is it not a fact that in view of the setting up of a Phasing Committee the Conference Lines have become rather selective in the cargo they are prepared to carry to this territory and certain other cargo urgently needed out here but not quite so remunerative from a cargo point of view and can only be carried on charter ships who are frozen out.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I could not accept that suggestion. A low cargo in terms of freight charges—a low one—is, of course, cement. I could give the hon. Member figures—but I don't want to get too involved. I can give the hon. Member figures of cement which I think refute his suggestion that they refuse low-freight cargo. Cement is not one of the lowest

[The Member for Commerce and Industry]—Members in business realize. The phased cement arrivals up to the end of September, 1953, that is of course for this year, amounted to 180,371 tons. The total to be phased to the end of the year is 227,191 tons. That is the amounts of one of the largest importations of cement that this country has seen in its history and the cement position is, as a result of this very large phasing of cement over the past months, very much easier than it was four or five months ago. I think that the shipping lines have done very fine work and I think it does refute any suggestion that they are merely picking the cream of cargo. If the hon. Member would care to mention any specific instance then representation can be made, but I doubt—well, I am certain—that any general assertion that they do so is misleading. There have been many examples of low-priced cargo being brought into this country and, of course, a magnificent job has been done by the shipping lines in bringing in supplies for the military forces and for the security forces during the Emergency. I think it is time that somebody paid some small tribute to their efforts in that direction rather than pointing to their occasional failures during the difficulties of phasing. (Hear, hear.)

Now, Mr. Deputy Speaker, I think I have dealt with the point that hon. Members have raised; if I have missed any out it has not been my intention to do so. May I say that I thank hon. Members for what they have said and for their suggestions and contributions to the debate.

Mr. Deputy Speaker, I beg to move.

Mr. NATHOO: On one point of explanation, I did not want to interrupt the hon. Member, he was disturbed enough. He gave the impression during the reply about rent control that I was in favour of retaining control. Nothing of the sort, I have an open mind, I only put forward the plea that it should be examined.

Mr. COOKE: I did not want to interrupt the hon. gentleman any more but could I remind him that there is another economic expert—

THE DEPUTY SPEAKER: We cannot do with any further speeches.

Mr. BLUNDELL: I do think a point of explanation should be imposed during the speech or not at all otherwise.

Mr. HAVELOCK: On that point I think it is in order, in fact, right, to give a point of explanation at the end of a speech, but interruption is a different matter.

THE DEPUTY SPEAKER: On a point of explanation, but no more speeches.

Mr. MATHU: On a point of explanation I think the hon. Member for Commerce and Industry missed my point. I have never suggested that Members of the Transport Licensing Boards should resign. I have got my speech here, but the point was on a matter of lack of legislation. I said I would like to know whether in due course they were going to introduce the necessary legislation to effect proposals which I think have been agreed in principle. Now my hon. friend—a temporary Member—cannot be permanent because legislation does not allow it. Is he going to amend the law in due course?

Question proposed.

The question was put and carried, and Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £31,458 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending 30th June, 1954, for Vote 8-2—Services under the Authority of the Member for Commerce and Industry.

Question proposed.

THE DEPUTY SPEAKER: The Clerk will read the sub-heads *seriatim*.

Sub-heads 1-8 and 50 agreed to.

THE CHAIRMAN: That covers all of the items in that particular Vote.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORT

Sir CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a resolution that a sum not exceeding £31,458 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 8-2—Services under the Authority of the Member for Commerce and Industry.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Council doth agree with the Committee in the said resolution.

Question proposed and seconded.

The question was put and carried.

#### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE DEPUTY SPEAKER: It is now five minutes to eleven and I take it that the hon. Member moving the next Motion will require a certain amount of time.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I am quite prepared to take this one before the interval.

Mr. Deputy Speaker, I beg to move that Mr. Deputy Speaker do now leave the Chair.

This particular Motion is to enable debate on policy with regard to Vote 9-1—Contributions to the cost of the High Commission Services. As this is a composite Head and contains items which are the responsibility of a number of the Members of the Government concerned I will endeavour to answer any questions that are asked but I do not propose to make a long speech at this stage. On the general outline of the future cost of the High Commission hon. Members will, I am sure, recollect that in last year's budget speech I gave the outline of the

future cost of the High Commission and I do not propose to repeat it now. I can only say that in the drawing up of these estimates at our request, and at the request of all the Governments concerned, the High Commission Finance Member exercised great economy and, indeed, practically the same type of budget outlook was taken as was taken by the Government of Kenya and that is that this should be treated as a standstill budget.

Mr. Deputy Speaker, I beg to move.

THE CHIEF SECRETARY seconded.

LT.-COL. GHERSIE: There is one point I wish to raise. During previous past years there has been a good deal of criticism of the actual allocation from the Territories towards the High Commission Services. I would ask the hon. Member for Finance and Development to give us an assurance that this matter is continually under review and that he is watching the position from the point of view of the Kenya contribution. One point stands out in my mind and that is the Desert Locust Survey where we contribute the equivalent of the other two Territories concerned. The East African Fisheries is another case in point and it looks as if it is a long-term project. Is it really a question of scientific research or has it any material value? Finally, are we expected to contribute excessively in relation to what other territories contribute.

Mr. NATHOO: On a point of information I would like to ask the hon. Member for Finance and Development as to what control we have over the self-accounting departments, as they are called, such as the Posts and Telegraphs as to their working efficiency. In recent years charges have been raised out of all proportion to what existed a year ago, but I regret to say that with all the good-will and effort on the part of the Postmaster General I still fail to see the improvements we are entitled to get with the heavy charges we are paying. (Hear, hear.)

Mr. BLUNDELL: Mr. Deputy Speaker, I want to raise one important principle. It is our policy to make the High Commission and its services as efficient as possible—that is necessary from the point of view of Kenya because the more efficient the High Commission is the

[Mr. Blundell]

more our own economy is aided and assisted by the general conglomeration of goods and services which come from the build-up of the High Commission in Nairobi which is developing as the capital of East Africa.

There is a second point—it is essential for the High Commission to be efficient and it is this—that much of the administrative organization of our taxation structure is controlled under its direction and again it entirely controls, except for road services, our inter-communication. Now, Sir, I want to put this to the hon. Member—we would urge the Government to see that the High Commission is as efficient as possible. I think it is impossible for it to be efficient if there are long delays as at present in appointing key personnel. In particular I would mention two; although a tentative announcement was made about the successor to Sir Robert Scott, I have not seen any real confirmation of his successor. I do not believe—I do not think—that any hon. Member on this side of the Council believes that the High Commission can be efficient unless he has three vital things—the man appointed to its Head must be able to give it a positive sense of direction in the carrying out of its services. Secondly, he must be able to create within the whole of the High Commission enthusiasm, and lastly, must have the capacity to appeal to the public. I would submit to the hon. Council at the moment that the High Commission is a nebulous and amorphous body which strikes very little upon the imagination of the people in the three Territories. I think that is a disastrous and unhappy state of affairs.

I would draw hon. Members attention to the long delay that has taken place in the appointment of a Commissioner for Transport. It is, I think, six months since the previous holder of the post vacated it, and we have the ridiculous and almost intolerable position in which the General Manager of the Railways writes a letter to himself as Commissioner for Transport and picks up another pen and writes back to himself as the General Manager for the Railways. As long as that position exists the public will inevitably say if this can go on for six months, is it necessary to pay for an appointment. That is a matter I would urge hon. Members to

give consideration to. I am not going to criticize in any way the services of the High Commission because I do submit that no organization can really carry out the function for which it is designed unless it is keen, eager, quick and enthusiastic and I do believe in that respect we are failing.

One last word and it is this. This matter is of undoubted urgency because in my opinion all hon. Members must admit that the quiet period before the war in East Africa its political tempo has probably gone. It is possible, I think, that we are entering into a rather more critical atmosphere than we had in the past. It is essential that the High Commission that controls so many important factors in the general development of the country should not remain a Cinderella but should be fashioned into a body which we can support and in which we all have confidence.

*Council adjourned at eleven o'clock and resumed at fifteen minutes past eleven o'clock.*

MR. USHER: Mr. Deputy Speaker, I want to raise a point of order, Sir, on this debate. It affects a matter which I wish to raise, that is the matter of Desert Locust Control. It may be considered a matter of general policy in regard to the contribution to the High Commission. On the other hand, it may be better to raise the thing specifically under (B). I would be grateful for your ruling on that question.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, if I might also speak on this particular point raised by the hon. Member for Mombasa, I would personally suggest in a composite Head such as this, it would be better if matters of policy affecting individual items were dealt with at the time of raising the individual item. Otherwise I submit, Mr. Deputy Speaker, that we will be getting a most confused debate with a number of Members trying to answer various questions in a general reply. I suggest that we have just had an example of how confused a debate can get under the Head of my hon. friend, the Member for Commerce and Industry, because, Sir, instead of recognizing that it was a composite Head, we tried to deal with a very wide

[The Member for Finance and Development]

variation of subjects all in one debate. So, Sir, we dealt with the Board of Commerce and Industry, Transport Licensing Board, Central Hotel Authority and Rent Control Board in one debate instead of recognizing, as we have recognized under other Heads where there are composite portfolio, subjects are dealt with separately. If I may quote an example of the hon. Member for Education and Labour. We do not attempt, because there is one Member for Education, Labour and Defence to debate education, labour and defence all at one time. We recognize it is a composite portfolio and we debate the subjects separately. I suggest there is a great deal, in my opinion, in what the Member for Mombasa has raised. He should be entitled under this composite Head to deal with the items individually.

MR. MADAN: Mr. Deputy Speaker, is not the difference between the two debates this: that the hon. Member for Commerce and Industry was dealing with and was expected to deal with all the Heads that come under his portfolio, while in this debate, different Members may be dealing with different subjects?

THE MEMBER FOR FINANCE AND DEVELOPMENT: In reply to my hon. friend, Mr. Madan, on a point of order, I agree that that is what happened. What I was suggesting was that it should not have happened; we should have recognized that the portfolio was a composite portfolio, just as I am asking, in support of the hon. Member for Mombasa, that we should recognize it in this Head. I think it is important because we must keep the debate tidy and not rambling.

THE DEPUTY SPEAKER: To my recollection, in the previous Budget debates, the Speaker has ruled that the procedure that we have, in fact, carried out so far has been appropriate and that the policy debate could and should range over the whole field. There is this difference between the present Vote and the Vote under the control of the Member for Commerce and Industry, that is that the Commerce and Industry Votes were dealt with under a series of sub-heads. Here we only have a series of individual items and, if we confine the present debate merely to general prin-

ciples not related to individual items it is difficult to see what there would be to debate about.

THE MEMBER FOR FINANCE AND DEVELOPMENT: With all due respect, the hon. Member for Rift Valley has raised a most important point on the contribution to the High Commission. I suggest this is the one opportunity of the year when principles of that kind can be debated. Whereas I am saying that the hon. Member is in perfect order and on the right line, I would like to suggest under (B) non-recurrent, Desert Locust Control, which is what the hon. Member for Mombasa is thinking about, there is ample opportunity to discuss this.

MR. BLUNDELL: I think the hon. Member for Finance and Development's point is an important one and can be entirely accepted where the hon. Members opposite are dealing with their own portfolios. The difference in this particular item, as I see it, is this, it is my belief that generally speaking we should attempt, on the main Head merely to discuss the policy that would normally be eliminated under this Head and also the many items which hon. Members would wish to raise, but they cannot raise them anywhere else. For instance, there is no Head under which an hon. Member can raise his general views on the principle of railway transport, his general views on proposals dealing with postal inter-communications.

Again, Sir, I would like to record this. I think this Council wants to be careful not to duplicate the functions of Members of the Central Assembly—I think that is important. But I also think, at the same time, that this Council does not want to abrogate its right to raise matters of importance which affect its own constituents, in so far as they touch upon the services of the High Commission. I think we must leave it to the sense of hon. Members. I do not think we want to inaugurate debates in detail on individual services but we are perfectly entitled to put forward our views in principle on any service—Posts and Telegraphs, Railways, and I do submit we can only do that under the main Head.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. Member is in

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perfect agreement! There can be no question about that had he been listening to what I said!

MR. BLUNDELL: Would you like to change places!

THE DEPUTY SPEAKER: At some stage during the debate I should no doubt have been impelled to draw attention to the fact that the Self-Accounting Services do not directly come under these Votes, but as this is the one opportunity in the year when hon. Members have a chance to refer to the High Commission and its various aspects, I was prepared to allow a certain amount of latitude so long as it does not go too far, on the assumption that the contribution of Kenya to the High Commission, in general, did give, at any rate, a pretext for referring to various matters that do not come directly within the scope of the Votes.

LADY SHAW: Mr. Deputy Speaker, on this point, although the Self-Accounting Services do not come within these Votes, is it not rather more than a pretext, when we have items like "Office of the Administrator"? As long as the Office of the Administrator is in this list, have we not rather more than a pretext for discussing the services under his control, which must include the Self-Accounting Services?

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I would like to support the hon. and gracious lady for Ukamba. Surely the High Commission Head is the head upon which general principles of that kind can be obtained? I support the hon. Member for Mombasa, that in order to prevent an untidy debate, specific items should be raised in debate against the specific item in the Vote.

THE DEPUTY SPEAKER: Mr. Cooke? Did you want to speak?

MR. COOKE: Not on this; I want to join in the general debate. I think I had caught your eye before the adjournment.

THE DEPUTY SPEAKER: I am in general agreement with the remarks of the hon. Member for Finance, that it would make for a more tidy debate if we confined the present debate to the main principles and policy of the High

Commission and defer comments on individual items until we come to those at the Committee stage.

#### OBSERVANCE OF STANDING RULES AND ORDERS

THE DEPUTY SPEAKER: I have deferred making a comment which I want to make during this sitting closes, on a matter which I regard as of some importance to the dignity of this Council and I have waited until, at any rate, one of the hon. Members concerned has returned to the Council Chamber.

I would refer Council to Order No. 83: "When the Council adjourns, Members shall stand in their places until Mr. Speaker has left the Council Chamber".

When I was leaving the Council Chamber at the interval, my heels were nearly kicked by the hon. Member for Commerce and Industry who, in his eagerness to cross the Floor, did not wait until the Deputy Speaker had passed the Bar. I know that the hon. Member intended no disrespect, it was just eagerness to return to the fray which he had abandoned at an earlier stage, but I do draw the attention of hon. Members to this Standing Rule and would ask that hon. Members would observe it to preserve the dignity of this Council.

THE MEMBER FOR COMMERCE AND INDUSTRY: Mr. Deputy Speaker, Sir, I hope you will accept my apology. (Applause.)

THE DEPUTY SPEAKER: I do.

MR. COOKE: Mr. Deputy Speaker, Sir, the High Commission Services have been attacked. As a member of the Post and Telegraphs Advisory Board, I suppose I have been put on the mat. But I am one of those who do not mind being put on the mat, unlike one or two gentlemen on the other side of the Council! I suppose I have been so used to it, in my younger days in Kenya Colony!

But with regard to the remarks of the hon. Member for Nairobi West about the increased prices of telephone and postal services, he said they had gone up a lot in one year. I think he forgets that those prices remained static for many years in the past. Although these rises seemed to be a great rise when they

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were made, it was not much in comparison with other rises in prices throughout commerce and industry in the Colony.

I do not think anyone can go into the Nairobi Post Office to-day without seeing that it has tremendously increased in efficiency. I think the facilities are infinitely better than two or three or four years ago. I did detect at least, I thought, a certain reflection upon the heads of one or two departments which the hon. Member for Rift Valley made—but perhaps he did not make them?

I have not cast any bouquets since this debate started but I would like to say, at any rate, that the Postmaster General, in my opinion, is a man of the highest efficiency and has done a tremendous amount for the postal services of this country. (Hear, hear.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, my hon. friend, the Member for the Coast referred to the hon. Member for Nairobi West—he meant the hon. Muslim Member for Western Area, Mr. Nathoo.

LADY SHAW: Mr. Deputy Speaker, Sir, I regret, to disagree with the hon. Member for the Coast but I do not believe that the general feeling in this country is that the postal services are efficient. I do not believe that there would have been great objection to the rise in price of the postal services, if, at the same time, there had been an increase in their efficiency. Wherever you go, you hear complaints of the inefficiency and inadequacy of the postal services; you very seldom hear comments on the cost, beyond the fact that people say, "We pay a good deal for the postal services but get very little for them." That is a perfectly justifiable comment and I could not allow the debate to go through leaving any impression in the minds of this Council that the general public, such as I know it anyhow, is satisfied with the postal services of this country. They are not satisfied.

The subordinate staff is extremely inefficient. Some of the postmasters are working under the most appalling conditions. I know one very near my own part of the world who works under circumstances which could not possibly

produce efficiency. I do not think he is an inefficient person himself, but the subordinate staff are most inefficient and frequently unreliable. At the same time, I repeat, the conditions under which some of these extremely civil and adequate Asian postmasters work are simply appalling. How anybody can be expected to do an efficient job of work under such circumstances beats me.

However, the general trend of my argument is that the postal services, as far as the ordinary man in the street is concerned, are bad and he is thoroughly dissatisfied with them.

MR. MATHU: Mr. Deputy Speaker, Sir, I would like to raise one matter in regard to the question of banning subversive or obnoxious publications. If this is not under the High Commission Services, I think I will be prepared to sit down, but I have in mind the East Africa Office in London to which we contribute.

The point is that I do think that the High Commission should do something to make sure that the publications we ban because they misrepresent either ourselves or the neighbouring Territories abroad, have less circulation, if we can, than they do at the place of publication. I cannot see the point of our banning a particular publication in Kenya, written, for example, in English—most of them are—and if it came from the United Kingdom and that is where the publication was, it continues to circulate there and enemies are made against us in the United Kingdom, and very little is done, to my knowledge, to counteract the circulation of such obnoxious material.

So I am asking, Sir, whether the High Commission which is responsible for a number of services for the whole of the East African Territories would see whether something could be done to make sure that if the Territories here ban certain publications they do not think are to the good of the Territories, then their place of origin should be cut off and they should see what can be done to improve the situation in those places?

Now, just to give one example. If the publication was directed against Kenya and the circulation here is banned, how many people in Kenya, particularly the African community will read the



[Mr. Mathu] publications—very few. But that publication continues to be available for 50,000,000 people outside, for example, in the United Kingdom. Therefore we make enemies there while here only a few are affected. That is the sort of thing that is worrying me: that is why I suggest that the High Commission is the proper body to look into this and see what is possible.

**THE SOLICITOR GENERAL:** Mr. Deputy Speaker, Sir, in regard to the point made by the hon. African Representative Member, Mr. Mathu, the question of proscribing publications is not a matter within the responsibility of the High Commission, whether in this country or in the United Kingdom. It is not a matter that could properly be brought within the responsibility of the High Commission.

So far as the circulation in the United Kingdom of publications proscribed in this country is concerned, that is a matter for the United Kingdom Government and the United Kingdom Government only, under the law of the United Kingdom, and whereas under our law, particular publications may be undesirable and it may be right and proper that it should be banned in this country, it does not, by any means, follow that grounds for taking similar action would exist in regard to the same publication in the United Kingdom.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** Mr. Deputy Speaker, Sir, it falls to me to reply on the points raised about the Posts and Telegraphs Department. I cannot reply in detail because I am not familiar with the details of the organization but I would place one or two points before hon. Members for consideration, one or two facts.

First of all, the volume of material handled by the Post Office during the last two or three years—the increase has been very great indeed. At the end of the war their equipment, like that of many other concerns, had run down. They were then faced, not only with replacements, but with an immense development programme. I can speak as a customer of the Post Office as we all can, and I have personally noticed, particularly in Nairobi, and along the trunk routes, a very great improvement in the telephone service in the last year or 18 months. I

have also some knowledge from business houses and people in commerce and industry of the immense increase in the material handled.

I am also very glad that my hon. friend, the Member for the Coast, paid tribute to the Postmaster General for his efforts. I know of no officer of Government in East Africa who better meets the description given by my hon. friend, the Member for Rift Valley, as to what the higher officers of the High Commission and, of course, of Government, should be. He is a man of determination and vision.

Now, having said that, I know that I, like the hon. Members opposite, could find details on which to criticize. I am aware that the Service is not perfect; I am certain the Postmaster General would be the first to say that, but I have, and I believe hon. Members, on reflection, will have the very greatest faith and confidence in the determination of the Postmaster General to do everything possible to improve, progressively improve, the situation, which, in my view, has been improved, considering the immense increase in the volume of work handled over the past few years.

**THE DEPUTY SPEAKER:** No other hon. Member rising to speak, I will ask the hon. Member to reply.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Mr. Deputy Speaker, Sir, some of the points, of course, have already been replied to.

The point raised by the hon. Member for Nairobi North on the question of the contribution of Kenya to the East African services in general. I can assure him that the Kenya Government keeps its eye continually on the proportion it has to contribute to any particular service and listens, I hope, with reason, to the arguments put forward in every case by the other Territories and tries to put forward its arguments, with reason, to the other Territories and in most cases we are able to reach a reasonable compromise and conclusion.

On that general point I shall have a little more to say when I come to deal with the point raised by the hon. Member for Rift Valley.

In so far as the hon. Muslim Member for Western Area is concerned, as to

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what control have we over the Self-Accounting Services and their efficiency. The fact remains that this Council, and therefore this Government as did the Governments of the other Territories, yielded to the Central Legislative Assembly and the High Commission the control of these services and the Self-Accounting Services and I think it must be recognized that, having yielded that responsibility, they have yielded their control, except in so far as the presentation of criticism is concerned. On that, too, Sir, I shall have a word to say when I come to deal with the points raised by the hon. Member for Rift Valley.

Now, Sir, in so far as the hon. Member for Rift Valley is concerned, his remarks about the long delays will, I am sure, be brought to the attention of the High Commission by my hon. friend, the Chief Secretary, who is responsible for that particular aspect of this subject. I would like to say, Sir, from personal experience and knowledge, that the General Manager of the Railways has carried the dual burden of Commissioner of Transport and General Manager of the Railways with outstanding success and I am sure the service has not suffered in its efficiency, although I do think that the hon. Member for Rift Valley meant to imply such a thing. I think it is the strain on the General Manager of the Railways that one has to worry about.

But on the main points, the question of the need for efficiency and support of the High Commission, Sir, I think we should realize that this High Commission and this Central Legislative Assembly is still a comparatively new experiment. I think we should follow what the hon. Member for Rift Valley was intending to imply and that is that this Legislative Council has four representatives—five in all, if you count myself amongst them—on the Central Legislative Assembly. That is the place where criticism of the High Commission and of the Self-Accounting Services should be first expressed and that the hon. Members opposite should indeed use the representatives which they have on the Central Legislative Assembly as the means of voicing their criticisms first and only resort to criticism in this Council if their representatives indicate that they have

failed to obtain satisfaction. But if each Territory and each territorial Legislative Council keeps, in turn, pin-pricking and taking its own particular point of view as in a debate of this kind, then it is little wonder that there is a tendency towards indecision at the centre. I think quite frankly, Sir, we hon. Members of this Legislative Council are guilty in that respect.

**MR. BLUNDELL:** I thank the hon. Member for giving way. The point which the hon. Member is developing, I developed on a point of order which he, himself, raised with you. The point I wish to develop now is this, that, granted everything he says, no organization can be efficient unless it has a live, energetic head who is able to arouse in others enthusiasm and make an appeal to the Governments and public of East Africa. I was merely asking the Governments of East Africa to ensure that that happens so that the High Commission is as efficient as possible.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I was developing this point, Sir, of the need for support and the need for efficiency in the East Africa High Commission and saying, if it is subject to territorial criticism instead of being subject to criticism in the Central Legislative Assembly on an inter-territorial basis, there will be this tendency towards indecision.

There is another point I would like this Council to consider and consider very closely. It is not an easy matter either to administer or be Finance Member to the Central Legislative Assembly and the High Commission services which, in fact, have no revenue of their own. Every time they put forward a scheme it has to be submitted to three Legislative Councils and the pressure of three points of view has to be met and a compromise arrived at. This period of trial is, indeed, I think, a very difficult period for the officers of the High Commission to ride through successfully. I think one should acknowledge that they have, indeed, done extremely well under these very difficult circumstances with which they are faced. If we, as a territorial Legislative Council, can recognize fully the fact that we have yielded certain services to the control of the High Commission and the Central Legislative



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Assembly; that we have got representatives on that Central Legislative Assembly who can express our point of view and should be so instructed as to express our point of view; if we can, therefore, shift the emphasis of criticism from territorial Legislative Councils to the interterritorial Central Legislative Assembly where it should be debated, not on a question of the territorial point of view but on the point of view of economy as a whole, because they are economic subjects with which they deal, then I believe we can go forward, as I am sure the hon. Member for Rift Valley wants, to a further development of this necessary and vital co-ordination of common services.

MR. BLUNDELL: I did not say that. I would like to record that I did not say that.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I was taking what the hon. Member implied from his speech.

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £521,858 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 9-1—Contributions to the cost of the High Commission services.

Question proposed.

Sub-head A agreed to.

Sub-head B

MR. USHER: Mr. Chairman, Sir, if nobody has anything before this Item 4—Desert Locust Survey—

THE CHAIRMAN: Has any hon. Member any question to raise on any item before No. 4—Non-recurrent? No.

MR. USHER: Sir, it is, I believe, a matter of very grave concern to the taxpayers of this country that an item somewhat cynically described as non-recurrent should recur year after year, especially so very large a sum.

Sir, about September of each year we learn that locusts are more ferocious and more fecund upon our borders than they ever were before and it seems irresistible that we should provide the means of fighting them. I think we shall have to accept what has been sought to be provided.

Sir, there is one thing I would like to make quite certain and quite clear in what I am about to say, that is that although it may be possible to avoid such large expenditure, I am not proposing to put up a case whereby the general taxpayer should be relieved of a part of the burden which would then be placed on the farming community because, Sir, if our crops come to disaster, it is a disaster which affects us all alike. But, Sir, I do think two questions are raised. There are two alternatives. Could we not either take the risk of providing nothing at all, or could we not provide insurance cover at a far less premium than we are paying at the moment?

This, I think, is a matter which is worthy of expert examination. I ask that Government would consider it and make it possible to make the necessary inquiry. We cannot go on wasting year after year and forever the payment of these large sums of insurance.

As the Prophet said, "Who shall restore to us the years that the locust hath eaten?" (Laughter.)

MR. BLUNT (Nominated Member): Mr. Chairman, Sir, I make no excuse in view of the large sum included in this Estimate for the Desert Locust Survey under Non-recurrent in addition to the sum provided under Recurrent Expenditure for endeavouring to give detailed information on the question of the work of the Desert Locust Survey.

First of all, I would like to refer to the policy that we have adopted and still adopt. I should, perhaps, have spoken on this in the earlier debate but, in view of your ruling, I left it since I knew the question was going to be raised at this stage. The policy that has been adopted by the organization has been to try and go as far afield as we could and to attack the locust in the earlier stages, well away from the borders of this country. We have, as it were, three lines of defence. Our first line is in the

[Mr. Blunt] Arabian Peninsular where we have carried out campaigns year by year. Our second line is on the African coast and covers Eritrea, Somaliland and Somalia and Abyssinia. The third line is when the locust has actually reached our own borders.

Now, Sir, there has been considerable discussion as to whether this was the proper policy to adopt and it has been suggested that from time to time we might withdraw and concentrate our efforts nearer to our own borders. That view has obtained support in this country, to some extent, and in other countries affected by this plague. But I think that the policy we have adopted has been fully vindicated during the present year. In the early part of this year there was heavy breeding of locusts in Arabia. We carried out a campaign which did not cover the whole country but it covered the coastal areas south of Jidda and parts of the central area. We hoped that the others would attack the locusts in the north. We got some assistance from other countries who did work to the north of us but escapes were considerable. Those escapes are the reason for our present difficulties. It is those escapes from North Arabia which came down into Abyssinia and bred there and their progeny is now breeding on a large scale in the Somali peninsular, the Ogaden, the Northern Frontier and Italian Somaliland. I suggest that that is a complete vindication of the policy we have adopted of trying to get the locusts as far away from here as is possible.

Now, Sir, the hon. Member for Mombasa pointed out that this expenditure recurs year after year and that there were two considerations that might be taken into account. It is true that that has occurred for the last three years and may occur for a further period, but it is not correct to say that it is continuous expenditure. The outbreak period of the desert locust—we do not know its duration but I think we have no record of it lasting for more than six or seven years. When we started the campaign on this outbreak we, perhaps rashly, expressed the hope that for three years we would have a full-scale campaign and then the plague might die down. That is not proving to be the case but I think past

experience has shown that the course of the plague is that it develops comparatively slowly—that it increases year by year over a period until it reaches a peak and that after it has reached that peak, it dies down fairly rapidly. At the present moment—I would hate to prophesy when talking about locusts—we are building up to a peak; the infestation at the moment is probably higher than it has been throughout the course of the present plague. It is our hope that that means we are reaching the peak, after which the present infestation will fall away and die down. I certainly do not look forward to this item becoming continuously recurrent.

The hon. Member suggested that either we might consider taking the risk of an invasion of locusts, or we might consider the question of an insurance cover.

As regards the risk—the risk at the present moment, I am quite certain, is that if we were to cease our efforts to prevent locusts invading this country, we might look forward to a tremendous loss of crops over the next two years—a loss much greater than, I submit, this country can afford to take or other countries who have contributed to the scheme. I think that the position would be certain to arise if we did not endeavour to do everything possible to destroy the locusts. The matter of cover by insurance is one that has been considered from time to time, for a great number of years in this country. In fact, a scheme was drawn up in the 30's, whereby the suggestion was that farmers should insure their crops against locust attack. That scheme never appeared to be very practicable, and after all if an adequate insurance has to be built up—if we have to look forward to the almost complete loss of our crops in any one year—the amount that has got to be put aside in the previous years to cover that loss, is going to be colossal. It is going to run into millions of pounds. I do not think that you will get the farmers of this country to face up to contributions on that scale as an insurance against the loss of crop at a later stage, and it is quite certain that you would get no commercial firm to undertake insurances on those lines.

Now, Sir, I would like to add something to the reply of my hon. friend, the

[Mr. Blunt] Member for Finance and Development, on the question of contribution to the Desert Locust Control from the different Territories, and to tell Members of the original arrangement under which the proportions to be contributed by the different areas was arrived at.

It will be appreciated that if one is going to distribute considerable expenditure amongst various countries, the actual percentage of contribution has to be arrived at in some arbitrary fashion, and the fashion in which it was arrived at in the first place was by making an assessment of three particular points. The first one being the liability of any particular country to invasion; the second one being the amount of damage that could be caused to that country by the invasion of locusts, and the third point, which had obviously to be taken into consideration, was the ability of the country to pay.

I think that if you consider the question of liability to invasion by the desert locust there is not much to choose between Kenya and the other two East African territories except this, that the range of locust does not go much below the Northern Province in the Tanganyika Territory, and the Eastern Province in Uganda, and therefore a large proportion of both those Territories are not subject, as far as we know, to invasion by the desert locust.

Then if you take the question of the amount of damage which could be done—I think it will be admitted, that the amount of damage that could be done in Kenya is considerably greater than that which could be done in other Territories in the areas liable to invasion. I would, therefore, suggest, Sir, that the proportion that has been arrived at is not an unreasonable one, and that it would be very difficult to arrive at a fairer distribution of the contribution between the three Territories. (Applause.)

THE CHAIRMAN: No further comment on Item 4? Does any other hon. Member wish to raise any question on the succeeding items?

That completes the sub-heads under Vote 9-1.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, Sir, has

the Resolution been put to the Council that a sum be voted—has it been passed by the Committee, Sir?

THE CHAIRMAN: Well, it has been passed by the Committee in so far as they have raised no amendment to any of the individual items.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Surely the Committee should vote on the main Resolution, otherwise I cannot go back and say that it has agreed to the said Resolution.

Question proposed.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair.]

## REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered the Resolution that a sum not exceeding £521,858 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 9-1—Contributions to the cost of High Commission Services.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

## COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW  
LEAVE THE CHAIR

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Mr. Deputy Speaker do now leave the Chair. This is intended for the purpose of a policy debate on the Development Estimates, 1st January to the 30th June 1954.

Now, Sir, as hon. Members will see from page 3 of the Draft Development Estimates, the present ten-year development plan, a total sum of £42.45 million

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which was to be spent during the years 1946 to 1955. Of this amount some £3,250,000 was spent up to the end of 1952 and it is estimated that £5.95 million or nearly £6,000,000 will be spent this year, leaving a balance of £13,250,000 to be carried forward for expenditure in 1954 and 1955. The present Draft Estimates for the first half of 1954, to be found on page 5, provide for the continuation of the existing plans and the envisaged expenditure in the half-year of some £3.49 million.

Sir, I think all our Members are aware that there is a Planning Committee—a Sub-committee of Executive Council—which is engaged in revising the present plans and preparing the Development Plan for the three-year period 1954 to 1956, but taking into account the commitments for the year 1956 it is being calculated that we are already committed to a capital expenditure of some £7.3 million for a three-year period, mainly to be spent on the completion of buildings and water supplies already in construction, completing the new airport at Embakasi, and on projects such as Military works covered by reimbursement from the other Administrations.

It has been calculated that if the present plans were to continue, we were virtually committed to an expenditure of some £15,000,000 in the three-year period, if allowance is made for continuing at the existing rate of expansion of such essential projects as soil conservation, African Land Utilization, Staff Housing, and Geological Surveys, the Planning Committee has had presented to it, including £7,000,000 commitments which I have already mentioned, plans which visualize an expenditure of some £30,000,000 in the years 1954 to 1956, but it is obvious that we cannot, at the present moment, face the financial implications which such a plan would bring upon us.

The Planning Committee has, therefore, been working, at the present moment, on the assumption that it will be possible to spend in the three years a sum of £20,000,000. If that is adopted as the level of expenditure, then the result will be an increase in the recurrent expenditure of the Colony directly emerging from the

Development Plan of £1,250,000 per year—a very heavy burden.

I mention this, Sir, because I must say in closing this part of my speech that I am making, that unless there is some assistance from abroad—from the United Kingdom, even the £2,000,000 must be regarded as beyond our capacity—of that there can be no question.

The Planning Committee is proceeding with the allocation of some £20,000,000 in the belief that some assistance will be granted and finance to a limited extent therefore will be available. But until they can be assured of that finance, the plan can be nothing more than an unreality in operation. Under those circumstances, Sir, all that is included in these Draft Estimates are, of course, commitments which is covered by the phrase that I have already used, namely, on completion of buildings and water supplies already being constructed, on the completion of the new airport at Embakasi, and on projects such as Military works covered by reimbursements from other Administrations.

Without, therefore, financial assistance from abroad, our Development Plan must be limited drastically and curtailed viciously. There is no other answer to the financial situation which faces us.

THE MEMBER FOR COMMERCE AND INDUSTRY seconded.

Question proposed.

THE DEPUTY SPEAKER: I think it would suit the convenience of the hon. Mover if we, under this Vote, pursued the same method as we did under the last one, and confine the present debate to matters of major policy deferring consideration of individual items as they occur on page 5 until the Council goes into Committee.

MR. COOKE: My hon. friend has just referred to the financial position as far as development is concerned. I think it is nearly a fortnight or more since his return from Great Britain, and we have not had any indication as to what the loan position is going to be. We thought there would be an announcement within a few days—we are still waiting for this announcement. I suppose there are many strings attached to the proposals!

About the principles—I am prepared to sit down and raise it later if it is not

[Mr. Cooke]

a matter of principle—and that is the allocation for the carrying on of the work at Bamburi and other roads on the Coast. I have already warned my hon. friend, the Director of Public Works I was going to bring this forward, but if it is preferable that I should bring it forward as an item later on, if I am permitted to do so, I shall not do it now.

**THE DEPUTY SPEAKER:** I think it is better under the discussion on Vote 12 (2)—Roads.

**MR. NATHOO:** Before I make some observations on general policy, I would like to assure the hon. Member for Finance that we appreciate all that he has done throughout the various duties which have devolved on him through the Emergency work and that the observations I am going to make are not criticisms either of his ability or will to do the work.

Now, Sir, what I would like to say in view of the fact that at the moment we are totally unaware of what assistance we are going to get from abroad, it would be very difficult for us to make suggestions or suggest policies until that time comes when we know how we stand, and what we can put into action. Sir, I would enter a plea on behalf of the community I represent that in the next six months all the back-log gathered by way of administrative difficulties or by way of other priorities which has to take precedence, that the schemes which particularly refer to Asian education should not be further delayed, but that proper co-ordinated plans should be made and whatever money has been or is going to be voted should be spent according to schedule.

Sir, I beg to support.

**THE DEPUTY SPEAKER:** No other Member rising to speak—I do not know if the hon. Mover has anything to say at this stage.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I have something to say to the Member for the Coast—I too had hoped that a statement would be available, but I cannot admit the soft implication that he conveyed. I have no doubt that a statement will be forthcoming in due course.

With regard to the hon. Member for Muslim area, I will certainly go into the question of seeing that the work is carried out according to schedule and discuss the matter with the Member for Education to see what necessary priorities have to be given which might prevent the balance of the block allocation not being duly expended.

On the other points, I would say to him, as to all hon. Members, that, of course, when the Planning Committee has finished its work, has reported to Executive Council, the final plans will be laid on the Table of this Council and there will be at that time a chance to debate fully the policy implied in the development programme. That, I think, will be the time for him to make any suggestion or comment as to any dissatisfaction he may feel with the final development programme.

Sir, I beg to move:

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that a sum not exceeding £3,486,708 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954 for Votes 12-17—Development.

*Question proposed.*

**THE DEPUTY SPEAKER:** You will find the Schedule of this Vote on page 5 of the Draft Development Estimates.

Sub-head 12 (1)—General Work Staff agreed to.

Sub-head 12 (2)—Roads

**MR. COOKE:** This is a matter of the Bamburi road, Sir, which is a matter of very great importance. It is a road that is going to bring cement from the cement works at Bamburi into Mombasa. My hon. friend, the Member for Commerce and Industry who has done so much in getting the cement factory will appreciate—as much as I do—the importance of this road being put through as soon as possible.

[Mr. Cooke]

I think for the first time in my life I have caught the hon. Member for Finance out on a question of fact which, naturally, gives me great pleasure. (Laughter.) I enter a caveat as possibly that this road was not getting on as fast as it should. I asked the hon. Member on 9th October what the position was, following up, as I usually do, with a supplementary question which is where you sometimes catch the other chap on the other foot! My hon. friend replied—as far as the Bamburi road was concerned, there was no shortage of machinery. What he actually said was this—"I think I have pointed out that the Road Authority—whatever the position was then—have all the machinery they think necessary to carry out the road construction". But what actually happened—and I have warned my hon. friend the Director of Public Works—was that the machinery has been taken from the Tanga road, which is another very important road, and has been put on the Bamburi road. Now that holds up construction on the Tanga road and it does point to the fact that when my hon. friend gave me the answer, he was not fully aware of the position.

I then asked that the machinery lying idle at Longonot Station—it is still lying idle—should be utilized for this purpose. I then got on the track of the Bamburi road and, as I say, I received what was an assurance from my hon. friend that the road was not being held back. Now, it is a fact that my hon. friend cannot dispute that the road-making machinery has been taken from the Tanga road and put on the Bamburi road because of the shortage of machinery for the Bamburi road.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** The Bamburi road was not held up.

**MR. COOKE:** Only while they were moving the machinery. The point is that there is not enough machinery for the Bamburi road, contrary to the assurance of the hon. gentleman.

There is also the question of Nyalii Bridge survey which also enters into this matter because the cement has to come along the Bamburi road and then across the bridge. Could we have information

with regard to the survey of the bridge. Ten thousand pounds was put aside for that purpose.

**DR. HASSAN:** With regard to this road, as the hon. Member for the Coast has already stated, we are going to spend a considerable amount of money to provide a permanent road for cement to come into Mombasa. This matter—when I consulted the traffic people about it—the company in question that they are going to employ trailers and lorries of a size which will only allow one-way traffic when they are passing over the Nyalii Bridge and the number of trailers and lorries coming over—those are considered to be about one every few minutes. This is a very serious matter and Government must make suitable arrangements to facilitate the transport over the sea to Mombasa without obstructing the usual traffic which it is equally essential to make use of that bridge.

I hope the information from the Member will be appreciated on this side.

**AN HON. MEMBER:** I would remind my hon. friend who has just spoken that the totalled scheduled output of the factory is something under 100,000 tons a year. I think that if he works it out arithmetically he will find there was a lorry and a trailer every few minutes.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** It is very easy to get the full particulars from the firm in question—I am sure they would be only too glad to provide them. I do suggest that on a detailed matter which concerns a private firm, it might have been courteous to get the facts right so that we might reply to allegations.

**MR. BLUNDELL:** I do think that the hon. Dr. Hassan has made a good point, because a swift calculation will show in a 10-hour working day lorries will be one every minute, not one every other minute.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** What size lorries?

**MR. COOKE:** They carry about 10 tons—divide that into 1,000. (Laughter.)

**THE DIRECTOR OF PUBLIC WORKS:** Mr. Chairman, on this question now being raised, on the construction of the Bamburi road, as the hon. Member for the Coast knows well, it is the Road

[The Director of Public Works] Authority which arrange for the road policy and distributes the work that is to be done amongst its various agencies of which the Public Works Department is one, and an important one in the case in point was the Mombasa Municipality.

The original arrangement for the construction of the Bamburi road was that the Mombasa Municipality should undertake the work both within and, in the main parts of the work, also without the Mombasa Municipality boundary. The reason for this was that the work is allocated in accordance with the capacity of the various agencies, and at that time the Public Works Department was just about to start on the Tanga road, and the supervision available was not sufficient for the Department to undertake both the Bamburi road and the Tanga road at the same time.

Unfortunately, since the Bamburi road started, Mombasa Municipality has been unable to undertake its full share of the work and the Road Authority, therefore, was forced to look around and see what substitute could be obtained. They asked the Public Works Department, therefore, to come into the picture and undertake that part of the work of the Bamburi road which the Municipality was unable to do. This resulted—owing not to the lack of plant but to the lack of supervisory staff—in the Tanga road having to be closed down temporarily and the supervisory staff and plant on that road were moved over to the Bamburi road.

Now there are several other factors which enter into the question. It is easy enough to say one can hire a tractor and employ it to assist in road construction but the Road Authority, like other organizations, has to work to its estimates and the estimates both for the Bamburi road and the Tanga road were based on certain allowances of plant and whether they should be done departmentally or by contract. Hiring plant costs in the order of from £40 to £45 a day. If it is done departmentally, hire charges are about £20 to £25 a day. It is easy enough to say that in the end the cost is much the same because operating staff, for example, do not enter into departmental hire charges, but then it is a question of the estimates for the work, the operating staff side of it is against a different head of the estimates and the work side is

against another head, in fact, the same head that would be done if it were done by contract. It is not possible to switch over in a haphazard way from contract to departmental work in the way it is suggested might get over this particular difficulty.

I do not think actually the Tanga road in the long run will suffer much from being delayed a few months. In actual fact, I do not think the weather has been very kind to road work in that area for the past two or three months. It is very likely it would have had to be stopped in any case.

GROUP-CAPT. BRIGGS: Mr. Deputy Speaker, Sir, I would like to ask if the Planning Committee could give serious consideration to the idea of adopting a really bold scheme of bituminization of the main roads of the country on a self-financing basis—

MR. COOKE: On a point of order, we have not yet finished the discussion on the Tanga and Bamburi roads, could we finish that first?

THE DEPUTY SPEAKER: It is not a point of order. We are dealing with Sub-head 12 (2)—Roads. I think the Group-Captain is quite in order in pursuing his point. The hon. Member will have an opportunity of reverting to the other one.

GROUP-CAPTAIN BRIGGS: I believe it is very possible that when the Emergency is over the country may be faced with a considerable unemployment problem. That is one of the reasons I think it is not entirely inopportune to make the suggestion now, although it might otherwise be considered that this is not a very good time in which to consider additional expenditure. On the other hand, it will be noted that I have suggested that anything that might be done in that direction, I have indicated should be done on a self-financing basis.

It has, I understand, been suggested that an increase might be made in the petrol tax and that the proceeds from that tax should be devoted to bituminizing of a small section of the main roads of the country each year. Well, I rather feel myself that that is the wrong approach to the problem. It is going to take a very long time to get any appreciable mileage dealt with. I feel it would be far better to apply the revenue that

[Group-Capt. Briggs] is derived from the small increase in the petrol tax to servicing a loan and spend the loan funds on a really bold scheme.

Suppose, for instance, we arranged for a loan of £3,000,000 and decided to spend it over a period of, shall we say, six years, it would clearly not be economical to raise the whole lot at once because it could not all be spent right away. So, since it was raised on the basis of £500,000 for each year, I think the cost to the country would be, interest at 5 per cent, £50,400 and the sinking fund at 1 per cent, £10,200; the total would be £60,600 per annum.

In 1952 the total petrol consumption tax revenue was approximately £410,000 which at the rate of 32 cents per gallon represents an annual taxable consumption of 25,700,000 gallons. To meet a recurrent cost of £60,600 it means, therefore, an additional 4.7 cents will have to be imposed on the rate of petrol consumption tax. (Applause.)

I think it should be remembered that there is pretty continuous commercial pressure for the use of heavier trucks on the roads. I think it is a well proven fact that once a road has been bituminized the traffic increases on it and it also opens up all sorts of opportunities for further increases in trade and commerce.

Now, at 70 miles per annum, 420 miles of bitumen main road could be provided in six years. This, together with the existing bitumen, would open up about half the Colony's main road system to a bitumen standard.

I would ask the hon. Member for Finance to give consideration to what I have said. (Applause.)

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, if I might deal with the hon. Member for Mount Kenya before we return to the Bamburi road.

Sir, the hon. Member for Finance has already given thought to this matter. I think there is one thing I should point out to the advocates of these increased taxes for special purposes. When we talk about a self-financing service, it all, of course, comes from the same pocket. This belief, that by putting up a little bit of tax here you can provide a special service there without impoverishing the

taxpayer as a whole or really increasing his general contribution to the expenditure of the country is completely fallacious. I think my hon. friend, the Member for Nairobi West, will agree with me, it is one of the great illusions that these self-financing propositions really do other than come from the fundamental source of revenue—the taxpayer's pocket.

MR. COOKE: On a point of order, is this a policy debate or are we on details because I do submit the point brought up is policy?

THE DEPUTY SPEAKER: It is all a policy debate on an individual item. We have decided that that is the proper course to adopt in a multifarious Vote of this description.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Well, Sir, on the other points—having, I hope successfully illustrated that petrol tax is still additional tax on the taxpayer—I would like to deal with the question of the loan fund.

Now, Sir, the belief that we can go somewhere and borrow money any time for some special purpose is equally fallacious. The country's total public debt must bear some relation to the Colony's resources and to the liability per head of the population and our credit-worthiness. We have very great difficulty at times in borrowing money to cover all the purposes for which this Council has already voted money. When you do borrow money, remember once again, I have said it several times in this Council, when you do borrow money, somebody has to foot the bill of repayment. Again it can only be the taxpayer.

Of course, the hon. Member for Mount Kenya's proposition is but consideration; we have considered it but I must point out once again to this Council that there is always—as he spoke about commercial pressure for this—there is always pressure for that service but the pocket of the taxpayer is limited and we cannot do more than is economically wise.

GROUP-CAPTAIN BRIGGS: I would just like to mention to the hon. Member for Finance and Development that I think I am right in saying that 15 cents per gallon to the private motorist who does 10,000 miles per annum who does 25

[The Member for Finance and Development] miles per gallon, would only mean an extra £3 a year in tax. I think it is equally correct that the commercial transporter doing 20,000 miles at 10 miles per gallon would be involved in another £15 a year. I know from personal experience, both with farm vehicles and ordinary road vehicles that the amount of wear and tear and depreciation caused by driving over bad roads far exceeds the amount of extra tax which motorists would be called upon to pay.

There is one other point, I fully appreciate the difficulty of raising unlimited loans, but I was encouraged by the hon. Member's remarks on the opening of a Stock Exchange in Nairobi to think that it might be possible to increase the scope in regard to money which may be raised for use in the Colony.

**THE DIRECTOR OF PUBLIC WORKS:** There is one small point which seems to me to be rather overlooked in this discussion. Bituminized roads—I am the last person to decry bituminized roads, I would like to see them everywhere—but it must be remembered they add very considerably to the maintenance costs. Every mile of the hon. Member for Mount Kenya's road would probably cost £150 a year in maintenance costs; that perhaps should be added to his loan servicing.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I must also point out there is another thing. I hoped we would not have a long detailed argument on this.

Here I speak as a Nairobi ratepayer. As a ratepayer of Nairobi I pay for a considerable proportion of my own roads already, through the medium of rates. Now the urban area of Mombasa does exactly the same thing. By rates it provides itself with much higher standards of roads and then would be a question of whether indeed it was entirely just to add an additional tax to urban dwellers to provide additional standards of roads outside when indeed we already contribute as a taxpayer on the one hand, to the construction of roads and as a ratepayer on the other. I think these things need far more consideration than just one quick discussion across the floor of the Council.

**MR. COOKE:** There is very good support to the hon. Member for Mount Kenya's argument. It has been touched on before but the urban dweller does get compensation indirectly because produce comes in cheaper and urban dwellers take many visits to the Coast and elsewhere in their cars—there are a hundred arguments which upset what my hon. friend the Member for Finance has said.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** We are talking about motorists not common interests, because the citizens of Nairobi pay general taxes, as well as everyone else.

**MR. COOKE:** With respect to the very good point made by the hon. Member for Mount Kenya, I must say I entirely agree with what he has said; what you spend on the swings, you save on the roundabouts, and what one would save on broken springs and intangibles, such as time and wear and tear on one's nerves, which are very important matters when you have to do a lot of driving in this country, that share of the national income which road users demand—it is true that the taxpayer would pay but in the long run he would gain.

**THE MEMBER FOR COMMERCE AND INDUSTRY:** I have one small point to make, Mr. Deputy Speaker. Like my hon. friend, the Member for Finance—I consider this to be a very important subject—I do not wish in any way to refute what the hon. Member for Mount Kenya has said about commercial opinion, but I do feel that it would be better possibly to consult with them before quoting them—I am not refuting the argument, I am merely saying that this is a very big subject and it is a little difficult across the Floor in a short debate like this to say that commercial opinion is so and so and so and so; it is, in fact, divided as to the desirability of what the hon. Member for Mount Kenya has suggested.

#### ADJOURNMENT

**THE DEPUTY SPEAKER:** It is now 12.45, in accordance with the Resolution which was passed by the Council yesterday, Committee will suspend business until 5 o'clock this evening.

*Council adjourned at forty-five minutes past Twelve o'clock and resumed at Five o'clock.*

Wednesday, 2nd December, 1953  
(Evening Sitting)

**THE CHAIRMAN:** The Committee will resume. Vote No. 12-2—Roads—was under discussion.

**MR. COOKE:** Mr. Chairman, I am sorry to traverse the statement made by my hon. friend this morning when I understood him to say that the machinery was sent to Bamburi road to complete the work, otherwise there was not enough machinery on the Bamburi road. That was contrary to the assurance I got from the hon. Member for Finance and Development, made in answer to a question put on the 9th October in which he indicated that there was sufficient machinery on the Bamburi road—yes, I always give way even in the middle of a sentence.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I only want to save the hon. Member the trouble. I take full responsibility for the mistake made. It was misreading from the brief given. It was my mistake and I take full responsibility.

**MR. COOKE:** I am glad my hon. friend said that—it will save a lot of trouble. We have lost about a month's time by that mistake—I suppose it cannot be helped.

There was one other point on this particular item and that was about the £10,000 for the survey of the Nyali Bridge. Could my hon. friend tell me whether the survey has been completed and whether satisfactorily, because, as I have said before, the getting of cement from Bamburi depends on a proper bridge as well as on everything else.

**THE DIRECTOR OF PUBLIC WORKS:** Mr. Chairman, as regards the survey of the Nyali Bridge, this survey is in hand—it has not been completed yet because it is not too easy. The foundations for the bridge piers, for example, are a matter of considerable difficulty. I saw one of the partners of the firm of consultants, who are doing it the other day and they have, of course, got the whole project in full swing and we shall get a report in due course, but I would not anticipate anything for four or five months.

**MR. BLUNDELL:** Just in time for the rains.

**THE DIRECTOR OF PUBLIC WORKS:** I think the rains are immaterial in a question of this sort because, after you have got to the project report, it has to be given a lot of study and then even if accepted quite a long time spent in the final design—so not next year's rains but the year after more likely will come into the picture.

There are just one or two remarks which come into the picture on the Bamburi road because the position is not altogether clear. There were three projects on the Coast—one was the betterment of the Tanga road, the second was the betterment of the Coast Road running north from Mombasa and the third one was the Bamburi road. The arrangements were that the Public Works Department were to undertake the betterment of the Tanga road and the betterment of the Coast road running north. The Bamburi road was to be undertaken by the Municipality, as I explained this morning. Owing to difficulties of staff supervision and in order to make full use of our plant capacity, the two works for which the Public Works Department were responsible were to be done in sequence, the Tanga road first—that section planned for this year—and then to move on to the Coast road north. Meanwhile, as I again explained this morning, the Bamburi road, that is the undertaking of the Municipality—to do their full share of it broke down to a certain degree and that project came into the picture for the Public Works Department. So that when the funds and the work was finished, so far as this year's programme was concerned on the Tanga road and that was completed, instead of the staff and the plant moving up the Coast road to the north, they went to the Bamburi road in the north. It has now been arranged with the staff. It was now arranged that when the Bamburi road is completed they will revert to the Tanga road, which it is hoped will be somewhere about April or May of next year, and the Road Authority estimates have been adjusted to allow for that.

**MR. HAVELOCK:** May I revert to the argument of the previous subject now?

The hon. Director of Public Works this morning said that the recurrent cost of bituminization upkeep of roads was considerably more than gravel. Well, I

[Mr. Havelock] would not deny that, but I do think we should make it clear, Sir, that a time comes, owing to the number of vehicles using stretches of road, when it most definitely pays in recurrent and capital costs to bituminize. I do not know the exact figures of the mileage in Kenya which comes into that category, but I would say it is very considerable—may be it represents a figure of something like 300 miles. I realize the hon. Member was discussing average costs but I do think we should make that aspect clear because the picture is not clear without saying that. There are many, many places where we are wasting lots of money not having the capital available to bituminize, and when the number of vehicles on a gravel road gets to over a certain number, which I think the hon. Director of Public Works should give us, we are just blowing off the surface every few months and have to replace it. Now, Sir, I do realize this is a matter of increasing taxation on petrol in order to provide better roads—a better road system—is under consideration by Government and has recently been discussed by the Road Authority. Personally I look upon it with a considerable amount of favour, possibly I am prejudiced as a member of the Road Authority and therefore want to get on as speedily as possible with providing this country with a good system of main roads, but I cannot accept wholeheartedly the contention of the hon. Member for Finance and Development that this suggestion is in exactly the same category as others, i.e. the category where it all comes out of the one pocket, because, to my mind, if we do increase this taxation and, with it, improve the surface of the roads, the vehicle users, both individual and commercial, are going to save. They will actually save money on this project. The fact that the commercial road users will save money on the project is an indirect benefit to the City dweller, and in this particular regard, I would say that any such scheme should be most definitely allocated specifically to the main road system. I do not think it was in the mind of the Member for Mount Kenya that such taxation money should be used for by-roads in the districts—it is for the main road system—and as regards the main road system, I would say my understanding

of that would be the roads connecting important centres within the Colony and roads connecting important production areas with transport centres or rail-heads.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The Princess Elizabeth Highway.

MR. HAVELOCK: Now I would quote as an example of that the road from the very important tea production area in Kericho to the railhead of Lumbwa. The hon. Member for Finance and Development suggested the Princess Elizabeth Highway. To some extent such roads would of course come into such a scheme, as it does already. Capital money at the moment is allocated by the Road Authority to the main roads passing through urban areas.

THE MEMBER FOR FINANCE AND DEVELOPMENT: If the hon. Member will allow me, I think it is on a 50/50 basis—the local ratepayer pays 50 per cent and the Road Authority 50 per cent so that the ratepayer already contributes.

MR. HAVELOCK: I would not argue that—it is entirely correct—and over and above that let us make it clear that for recurrent expenditure on main roads through cities and urban areas, there is also money coming from the Road Authority. The ratepayer does contribute—of course he does, but I suggest to you that the proportion that is contributed by central taxation and the proportion contributed by the ratepayer is very fairly estimated as regards the use that the ratepayer gets out of that road, and as regards the use of the general taxpayer, and therefore I do ask the hon. Member for Finance and Development and indeed Government as a whole, to give very serious consideration to the suggestion put forward by the hon. Member for Mount Kenya.

LT.-COL. GHERSIE: Mr. Deputy Chairman, I wish to touch on a subject of roads which was referred to by the hon. Member for Finance and Development this morning and by the hon. Member for Kiambu just now, and that is, Sir, the somewhat arbitrary manner in which Government have dealt with the revenue derived from motor vehicle fees.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The Road Authority.

LT.-COL. GHERSIE: I am suggesting Government as the high-level authority.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I am sorry—on a point of explanation, this is the Road Authority and the Local Government Authority. Not Government—the Road Authority.

LT.-COL. GHERSIE: I refer particularly to the urban dweller in the City Council of Nairobi. In the past, this Council was receiving 50 per cent of the fees so derived or collected from that particular source, and to-day, I believe it has been reduced to 35 per cent. Now, Sir, this was done without any prior consultation with the City Council, and I think, when one considers that the Nairobi Council is the second largest road authority in this Colony, that they should have been consulted before any action was taken. Now, Sir, it has been suggested—I know that the present basis means that there is no reduction of revenue to the City Council, but I submit, Sir, that expenditure on roads is rising very rapidly and this is a matter which must be taken into account in this particular argument.

For instance, in 1953 the Nairobi Council proposed spending something in the nature of £381,323 on roads which I suggest shows that they accept their responsibility with realism and courage. Now, Sir, of this figure, it should be remembered that £161,000 or approximately 25 per cent of the Council rate income, is derived from the local Nairobi ratepayer and it will mean, of course, that they will be deterred, no doubt, in spending money on social services which would be of great value to the City.

Now, Sir, I have no desire to deplete the financial resources of the Road Authority, but I do submit that no particular section of the community—and in this particular instance, the Nairobi ratepayers—should be asked to subsidize the Colony-wide road programme which I suggest is what is happening at the moment.

If, Sir, the resources which are allocated to the Road Authority, whereby they derive their revenue, are insufficient for their needs, then I suggest, Sir, that an increase in the petrol tax is the obvious manner in which to provide these additional funds, and it should be in-

creased in order to provide the amount required. It may be that certain hon. Members, particularly on this side of the Council, feel they are not affected, but I submit there is a principle at stake, and although local authorities in Nakuru, Kitale, Mombasa and elsewhere may be balancing their budgets at the present moment, because most have one particular main road going through their townships, unlike Nairobi, I submit it is a principle which might react on them at some later date and I would like to ask the Government to give an assurance that they will review the whole position.

COL. GROGAN: Mr. Chairman, it seems to me that there is only one equitable principle in this matter, and that is that there is no question whatsoever that trundling a car along a tarmac road does effect a very important economy in the cost of movement and those roads, the use of those roads is very largely confined to a certain number of privileged parties of which I do not happen to be one. The obvious answer is that some method of toll system should be exacted from the fortunate users of tarmac roads, some proportion of the saving enjoyed by the use of tarmac roads—use this sum for interest and sinking funds in providing similar facilities for the unfortunates like myself who have to trundle across ordinary roads.

MR. COWIE: Mr. Chairman, everyone in this Council has his pet subject and can be expected to contribute something on each heading, but I can only hope they will form a kind of symposium which the technical departments of Government can analyse into some harmonious pattern.

I would like to refer to the Mombasa road, that is the road between Mombasa and Nairobi. I am not allowed to refer to previous debates so may I say that I have heard it said that there is reason to restrict heavy traffic on this road but no mention I have heard recently refers to light traffic. I do hope that this country, certainly this Council, will not go on much longer believing that we can forever put off the construction of an all-weather road between the port and the hinterland. Until that is done, I do not believe that we will see the force of the traffic likely to use it. After all,



[Mr. Cowie] a road can be planned on the basis of the density of the traffic already using it or it can be planned to carry traffic which will obviously increase as a result of its being there. The Mombasa road, I do submit, is one that falls into the latter category. People frequently urge that visitors to this country are more likely to come by air. Possibly they are—even if they do, they will have reason to travel from Nairobi to places either on the Mombasa road or at the end of it. I do hope, Sir, that consideration will be given to the advantages of planning for an all-weather road between Nairobi and Mombasa and that it does not get lost in the scramble for other roads which have such a priority for moving products of agriculture across the country.

Another road for consideration is the road between Nairobi and Namanga which again is a trunk road and quite recently was closed to heavy traffic for part of the morning owing to wet weather, and until we have an all-weather road linking up with the great north road system, I cannot see we can ever plan for interterritorial traffic. This I would recommend to the hon. Member for Finance and Development as attracting the kind of people who would bring revenue to this country and who are not necessarily taxpayers.

THE DIRECTOR OF PUBLIC WORKS: Mr. Chairman, I just wanted to give a word of explanation of what I was saying this morning about the relative costs of maintenance of bituminized and gravel roads. As the hon. Member for Kiambu has pointed out, I was actually quoting average figures, but I had in mind the figure which I think was mentioned of 400 miles by the Member for Mount Kenya and the 400 miles actually dip very heavily into the average. Traffic is the basis on which a decision is usually made as to whether bituminization is justified or not, and if I may quote some figures of traffic, it will give hon. Members some idea of the degree to which bituminization is needed. There are 93 miles of gravel roads carrying 300 vehicles per day or over; 72 carrying between 200 and 300, and 335 between 100 and 200. Now, as a general rule, the limiting figure for bituminization is of the order of 200 vehicles per day, and it is evident from the figures that I have

quoted that a 400-mile bituminization programme does very much go into the average category which one might call that of 100 to 200 vehicles per day. My main purpose in raising this point this morning was to point out there was a recurrent commitment when you bituminize and it must not be left out of the reckoning.

MR. HAVELOCK: Referring to the remark by the hon. Member for Nairobi North, I would like to ask the Member for Local Government whether there were consultations with regard to the adjustment of the licence fees being paid from the Road Authority fund to the City Council. It is rather an awkward situation but I think a reply should come from the Government.

MR. MATHU: Mr. Chairman, Sir, I should like to make one point in regard to the hard surfacing of roads connecting marketing centres and production centres. It is a point that has been raised by the hon. Member for Kiambu and I would like to pursue it a little further with particular reference to areas of production under the jurisdiction of African District Councils. It is a pet subject of mine—I raise it almost every year and I have not been able to succeed, to impress the hon. Members responsible for this that the money we are contributing to the African Local Authorities through the Road Authority is money wasted. Now I say this because it is true, and the reason is that I have not been able to get the authorities responsible to realize, that, unless they have a progressive scheme—I am talking about main roads now—in the African production areas for hard surfacing, the money that we spend every year in these areas, as I say, is merely wasted. I think it is better to have comparison here, not because I say that the inhabitants in these African Local Authority areas do not make use of roads in other areas—they do—but if you look at the roads of the European County Councils in many areas, you will find that they have this programme, where if they do not bituminize them—at any rate hard surface them with gravel or murrum, but why cannot we get men in the African Local Authority areas who can do this—why do you only get engineers who are planning to spend in one area and not

[Mr. Mathu] in another. For fifty years we have not been able to get Government to introduce a system of roads in the African areas which would accelerate the movement of produce from those areas to railheads or to major areas of marketing, and I should like to try again and suggest, Sir, that unless we could see some improvement in this matter, we shall certainly move a Motion in this Council to try and impress on the Government that we are utterly dissatisfied with the management of the roads in African areas and that we are spending large sums of public money for only throwing earth in pits in wet weather and swimming through dust in dry weather. It is definitely a waste and we would rather have nothing done in this direction and use that money for some other purpose. My hon. friend, the Member for Finance and Development smiles but I do mean very seriously that this is a matter that has gone too far and unless they can show competence in managing the main roads in African areas, the sooner we withdraw the finance in that direction the better.

Now, the Road Authority, we were told, Sir—once we had a Road Authority then things would be all right. Things have gone worse since the Road Authority was instituted.

MR. HAVELOCK: Nonsense.

MR. MATHU: The hon. Member for Kiambu says Nonsense—we shall have another occasion to deal with this when we deal with the Road Authority estimates.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Just to prevent that misapprehension on the part of the Member for African Interests, we do not in fact debate the Road Authority estimates unless there is a special Motion to that effect.

MR. MATHU: I am very thankful to the hon. Member because he gives me a few minutes longer to deal with the hon. Member for Kiambu as he is on the Road Authority.

Now the point I want to make here about the Road Authority is this, that I know that the African District Councils have their responsibilities—they have moneys that they raise themselves and they see that they manage them. I am

not dealing with that aspect at the moment. I am dealing with the aspect where the Road Authority allocates certain funds to all African District Councils in a block sum and tells them to do the best they can, and what I am suggesting, Sir, is that the Road Authority should be satisfied that the money they allocate to African District Councils is used to the best advantage, and the best advantage is to make all-weather roads—I cannot see any other advantage. If they do not do that, I say, Sir, that we are no further forward now than we were before the creation of the Road Authority—and I mean this very seriously, Sir.

The other point about the Road Authority arrangements is this, that out of the £375,000 we are discussing now, out of that a block sum will be allocated to the African District Councils—all of them—25 of them or more. Every local authority is given a definite sum because the needs are different, but when you have a block sum like that—as far as African District Councils are concerned, you cannot check up which Council should have more and therefore demand they should improve their roads better than others. Therefore I am suggesting that the Road Authority should adopt a similar scheme in relation to African District Councils as they have in the case of European County Councils—that is, allocate a certain sum of money to each individual authority so that we can say "what have you spent this money on?" At the moment I cannot ask the North Nyanza District Council, for example "How many miles of road have you made out of the Road Authority fund" because I do not know how much they have got. It is all block allocations, and I think it is a matter for the hon. Member for Finance and Development to look into.

The point raised by the hon. Member for Mount Kenya about the programme for bituminizing our road system, I think it is a point that should be supported. I say this because he did, if I remember rightly, suggest that he is not pressing that this should be done now but when the Emergency is over. Certainly that is a programme we should embark on. My hon. Friend the Director of Public Works says it will mean £150 for maintenance. I would ask him if he would like to reply

[Mr. Mathu] to this point; how much money is he sending down the drain by filling in pits with earth so that we swim through the mud in wet weather and swim through the dust in dry weather. The main roads in African areas by yearly maintenance—how much is spent on them? Thousands of pounds over the last five years. Now, surely, that is much as the hon. Member for Mount Kenya suggested, even if it means extra maintenance charges—you have something solid to spend money on, but in all other roads referred to the money is not worthwhile spending.

I do plead, Mr. Chairman, that those who are responsible for this matter, like the hon. Member for Finance and Development, should take this matter seriously for once, and let us see a programme for the African areas and in particular for hard-surfacing the roads. An African Road Survey Team has already reported and a report has been published. What are we going to do about it, consider it, dig trenches and all that movement of traffic at a standstill and all the public money going down the drain? I say, Sir, if that is his scheme, we are doing it all wrong, and I appeal to him, for once, to do something firm and quickly.

THE DIRECTOR OF PUBLIC WORKS: One or two points I would like to deal with raised by the hon. Member. Now, it does seem to me that there is quite a lot of lack of clarity as to the functions of the Road Authority and the general question of road planning. The Road Authority is responsible for all the roads in the territory, and its policy is dictated by the needs of the territory as a whole and not of any individual community, although, naturally, the requirements of any individual community will be taken into account. Funds are allocated to such and such a road, not because it goes to such and such an area but the demands of the traffic of the country are that so much money is spent on that road. Now, there seems to be quite a lot of ignorance of what is actually being spent on roads in the African areas. If the hon. Member will study the Estimates, he will see that so far as trunk roads alone are concerned that in the 1954 Estimates for the first half of that year of a total of

about £180,000, £105,000 is for roads in African areas. £42,000 for new roads in European areas and £35,000 is on roads which you can call divided between the two, as for example, the Thika-Sagana Road. Well, I call that very fair treatment of the African community, if one is going to consider the road policy from that point of view, with which I do not agree.

There are, of course, other funds allocated and you have to turn to the Councils, both European and African Councils, and it is perfectly true that the Road Authority has provided more money for the European Councils than is allocated for the African District Councils, and the 1954 Estimates for the first half-year provide £33,000 for European Council and £10,000 to the African District Councils. They also make grants to municipalities, and you might say they are equally divided between all communities. Now the chief reason that African Councils are at present, shall we say, treated not so lavishly as the other Councils is the fact that at present they have not got the capacity to efficiently employ the funds that are allocated to them. It is not their fault, but they have not got the proper skilled staff to do the work efficiently. Now, the Road Authority has been very seriously exercised with this problem and, as you know, Sir, a survey has been made of all the African District Council areas, and a scheme has been drawn up by which an organization can be set up to more efficiently use such funds as can be placed at their disposal. The Road Authority hope, in the next year's Estimates, if all goes well, to increase their establishment to a certain degree for the sole purpose of providing skilled supervision for roads in African Council areas, and, if that goes through, I think the hon. Mr. Mathu's point will be met to a very large degree. (Hear, hear.)

DR. HASSAN: Sir, I suggested that it was possible by the building of Bamburi Road that we may have Nyalı Bridge creating a bottle-neck for the traffic and, in spite of the fact, that the Member for Commerce and Industry assisted me by giving the figures of 100,000 tons a year which would bring it to 300 tons a day—it further needed some reply from the hon. Director of Public Works. To get

[Dr. Hassan] 300 tons over the bridge it will need about 30—40 trips both ways, and it will take almost about 7—8 hours a day. Access and exit from the bridge provide no facilities for the other traffic to park there when these heavy trailers will be negotiating the bridge and all these things, I suggest, are likely to create a headache and we should be inclined to make provisions so that something that is now being put up for the benefit of Mombasa so that it should not create difficulties for us to what we are exercising at the present time. People need some help and assistance from this Council to provide facilities for them, so that they can conveniently leave that town and settle in the mainland; but this bottle-neck, which is sure to be created, and from what an expert told me, is likely to create more difficulties for people settled on the mainland, and I would request the hon. Director of Public Works to throw more light as to what arrangements have been made to get over this trouble.

LT.-COL. GHERSIE: As we have on many occasions been reminded that when making statements in Council, we should be sure of facts, I would like to answer a point raised by the hon. Member for Kiambu and with your permission would like to read a short extract from a letter under the signature of the City Clerk of Nairobi:—

"The City Council, and incidentally other local authorities, were neither advised nor given the opportunity to express views on such a proposal," and "It is submitted that the Council in view of its interest in this sort of revenue should have enjoyed the confidence of the Road Authority and the Government before implementation of the proposal and so have been permitted to express its view."

That is merely to clarify the position which no hon. Member on the other side obviously can do.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. Member for Nairobi North has anticipated me by a short head. I was about to answer on behalf of the missing Member for Health and Local Government that, indeed, the City Council was not in fact consulted, the hon. Member for Nairobi North is correct over that, Sir. I must

point out that the proposal to increase the charges levied was a Budget proposal, a fiscal proposal, and that the Government certainly could never undertake that everybody concerned would be consulted before an increase in taxation took place, nor, indeed, would the hon. Member for Nairobi North expect that. Also, the main object of the exercise was to increase and provide more money for the improvement of main roads in the Colony. The City Council is receiving a similar amount through the 35 per cent, as it did through the previous 50 per cent, so that it could not be taken as required in that respect, although I know the hon. Member will argue—and his argument must have weight—that the costs of the City Council have increased proportionately, the same as the costs of everything else. I think that is the explanation why the City Council and other local bodies could not be consulted before this particular step was taken, but I have no doubt that the Road Authority has received representations since and presumably will pay due attention to the reasons behind those representations, and if it feels an alteration should be made, no doubt they will make representations to the hon. Member for Development in due course.

My hon. friend Mr. Mathu dealt with the question of roads in African areas, and I think that this, to a very large extent, has been dealt with by the hon. Director of Public Works. I will, of course, convey to the Road Authority his suggestions about the allocation to individual African District Councils. I am not certain how practical that will be, I can merely convey his idea.

I was sorry to hear him say that he would like me to be firm for once. I would like me to be firm for once. I always thought I was accused of being too firm. However, I will go into the question of African roads with the Road Authority. I am sure that the Road Authority does not tackle the matter on a racial basis, but as an economic contribution to the Colony as a whole, but I think every member of the Road Authority, the same as every Member of Government, would agree that it was time more attention was paid to the road problem in African areas.

On the question of the bituminization of roads—this is only my personal opinion—I would like to say that, whilst

[The Member for Finance and Development]

I think it is very good that we should have bituminized roads along which we can travel in ease and comfort, nevertheless, if I, as the Member for Finance and Development, had to choose between four or five miles of reasonably good hard-surface gravel road to get goods out of an area, and a mile of bituminized road, I would choose five miles to get produce out of the area in the interests of the economy of the country. The fact that the Road Authority has to say "this and this cannot be done", is not any contradiction of or any failure to recognize it. It is just that there must be a limit within the funds involved.

The hon. Member for the Coast says: "Ask for more": I hope that when the time comes to ask for more, the cheers will be as resounding as they are to-day. The hon. Member for the Coast and the hon. Muslim Member for the Eastern Area raised the question of the Nyalí Bridge. My arithmetic may be wrong but if a trailer and a wagon carry 20 tons which, I think, is the size aimed at—

MR. COOKE: Two ten-ton trailers.

THE MEMBER FOR FINANCE AND DEVELOPMENT: If 300 tons a day is correct, they will only cross the bridge 15 times and 15 times in reverse. We will admit this is going to be a very difficult problem but so is the provision of £500,000, which is the figure that was quoted in the original development plan for the Nyalí Bridge and for £500,000 a great deal of other things crying to be done can be done. Now, I can give no assurance because this matter is one which will be considered by the Planning Committee when they are considering the plan for 1954-1956. I can give no assurance at all that that bridge will be proceeded with. All I can say is that, when the Planning Report comes before Council, all hon. Members will have the chance to express their opinion and, if necessary, put that opinion to the test in this Council. I do not propose, Sir, to keep the Committee any longer. I, of course, do not agree with the hon. Member for Kiambu and all the arguments he has put forward, but I have no doubt we shall pursue them indefinitely over the next few months. I therefore think

it would be useless to start an argument all over again at this point.

THE DEPUTY SPEAKER: No other Member—rising to speak? May I take this opportunity of saying that on the subject of roads the hon. Members have of necessity had a very wide field because there was only one item in the detailed Estimates, and that is the contribution to the Road Authority, so they could talk about anything and everything connected with roads, but now we come to Vote 13-1—Agriculture—£186,760. I would ask hon. Members not to anticipate the debate on the Agricultural Department as this will come up at a later time, but will endeavour to confine themselves to items actually in the Estimates.

MR. BLUNT: There is one point in connexion with African Land Utilization and Resettlement that I would like to bring to the notice of the Planning Committee for the future, and that is this: considerable amounts of money are being spent on development schemes for settling Africans from the overcrowded reserves. Those schemes, some of them have been going for a number of years and have cost the country a good deal of money; the actual numbers that have been settled on these schemes, I believe, are comparatively small, and I should just say that the total settlement being undertaken is not providing for the natural increase of population in the overcrowded reserves. Now, Sir, it seems to me that if these settlement schemes are going to be effective, then they must go at a greater pace than at present, but obviously the pace cannot be increased by the addition of finance for this development, and I am going to suggest that consideration might be given to getting people, who are going to benefit from these schemes, to do a great deal more themselves in development measures. I know that some of the development taking place on these schemes had to be done by machinery, but there is a good deal of actual development of land which can be done by the people who are going to benefit from that development.

I suggest to you, Sir, that it is a great deal to give to Africans, from an overcrowded reserve, not only a fresh piece of land but a fresh piece of land

[Mr. Blunt] developed at considerable expense and cost to Government, and that is more than any reasonable individual can expect in any country. I do suggest, Sir, also that anything that is given free is much less appreciated than something which has to be worked for, and I believe if these people were required to put in a certain amount of work on development they would appreciate very much more the gifts Government is giving them. I hope the Planning Committee will give some attention to this possibility in the future.

MR. CROSSKILL: There is one point on which I would like to ask a question of the hon. Member: there has been a change in principle, I believe, from the making of grants in certain instances to the making of loans. I understand, for instance, in Kitui the money in this vote is being made as a loan and will be repaid. I think that is a very great advance if we can get away from the principle of grants, and I would like to know to what extent that change can be made. I would like to endorse the views of the last speaker and also to point out that at the present cost of settling a family at Makueni, which I believe is in the region of £200, we cannot expect to settle any very considerable number of families, and I do hope that he will be able to see some means whereby the cost per family of settlement can be reduced. In Malaya they are carrying out a similar settlement scheme at a cost somewhere round about £60 per family. I would like to hear the hon. Member's views on that.

THE DIRECTOR OF AGRICULTURE: I should like to make one or two comments on the general principles raised by the hon. Mr. Blunt. These points are very much in the mind of the African Land Utilization and Settlement Board, and they are becoming more prominent as time goes on.

We do appreciate that the African should, wherever possible, pay for at least part of the service which Government provides, and the loan principle, which was referred to by the hon. Member for Mau, applies not only to Kitui, but wherever possible, African District Councils are asked where possible to

bear the cost of at least part of the scheme, either to meet part of the capital cost themselves, and also in addition, they may be asked to accept part of the cost of the scheme as a loan to be repaid as circumstances permit.

MR. SLADE: Mr. Chairman, with reference to what the hon. Director of Agriculture said, and the hon. Member, Mr. Blunt, I think we are on a very important principle here of trying not to give anything for nothing, and trying to make those who get great value out of land newly opened up pay for it in some way. Maybe one can do that to some extent by supplying work free of charge in development, but I rather doubt whether that is a solution.

I should like to come back to a suggestion I made the other day that where you open up new land for anyone of any race, the real solution is that those who go into those lands, and get the benefit, should pay rent for them. In that way you get a return on capital quite fairly charged against those getting the benefit.

MR. MATIU: I should like to agree with the Members who, say that the African, like anyone else, should not get anything for nothing. That is a principle that no person would dispute, but I should like to say, Sir, that in these schemes under the African Land Utilization and Settlement Board the African is helping himself a great deal. If you take betterment schemes in particular, he does all the labour. All the labour is free—he does it all by himself. Hardly any money is spent at all from these Votes, and I think that should be recognized. Every person who is in these areas where betterment schemes are going on will bear me out that the African does a great deal to help himself.

As regards individual farmers, where Government has a scheme of lending money, I think that there is an item under this for that purpose. I think the loans, as far as I know—those that have been advanced have all been paid. I do not know of a case where there has been any defaulting at all. That, I think, also is a point that hon. Members should appreciate—that the African is helping himself in that way.

Now, one final point which I should like some information on is that, apart from

[Mr. Mathu] a few schemes where fresh land, like Makueni for example, was developed for African settlement, I know very few other cases where fresh land, actually physically, has been obtained and developed and handed completely over, as one hon. Member has suggested, but I may not know practically of all these schemes—they are scattered all over the country in a very small measure. I should like, perhaps, when my hon. friend is going to speak, that he gives an indication of that particular aspect of the problem—that is, in the areas where new land has been broken up by public funds under this scheme and handed over to the Africans for settlement—Makueni is one case—but I do not know of any other of that category; the others are betterment schemes—bush clearing, soil conservation and things of that kind.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Chairman, I think hon. Members are perhaps a little bit muddled in their minds as to the difference between settlement development and betterment schemes. I think the difference is nomenclature—if that is a good word—does explain the difference in so far as one can—especially in regard to “betterment” schemes. We do make those who profit by them bear some portion of the costs. In some cases, for instance, water rates are charged. In some cases we have under discussion whether rent should be charged, and in addition the point made by the hon. Mr. Mathu must not be lost sight of, that in many cases the people concerned do the work. I do agree that where a lot of work is done on behalf of people, those people should be made to face some charge so that they appreciate what is done for them.

The hon. Mr. Mathu asked me whether I could quote definite schemes of new land being developed and handed over to the Africans. Well, there is new land being developed, and we have a good many schemes in view for making land, which at the moment is not usable for one reason or another, of use either to local people who have some right in it, or to others, but the problem of over-population—or shall we call it the problem of bettering the living conditions of people in large numbers—is not, you

know, basically tackled by schemes like Makueni. Makueni was an extremely valuable experiment. It has been a successful experiment. I have been asked what the cost per family is. I will ascertain this to-morrow. I have not got it in my head at the moment, but, as more families go into that area, the cost per family is naturally reduced, and we have now a considerable addition to the existing areas which are being developed, and there will be a large number of families brought into that area.

Although these schemes are very useful, what one really aims to do is to increase the carrying capacity of the land by introducing better farming methods—better methods of land tenure and so on, and also by introducing—we discussed this the other day—cash crops, whereby the inhabitants of those areas can earn a better livelihood. By doing that sort of work all on a really big scale; instead of just bringing relief to a few families, one brings relief to hundreds of thousands. This is not the only thing we are trying to do, but it is certainly one of the main objectives which we have adopted as a policy of Government in trying to improve native land units.

I am afraid, as I said just now, I cannot give the cost per family at Makueni or the number of people there, but if any hon. Member so wishes I will let them have those figures to-morrow.

Votes 13-1, 13-2, 13-3, 13-4 agreed.

#### VOTE 13-5—INDIAN AND ARAB SETTLEMENT

MR. COOKE: Could we have some further information about the registration of Coast Titles? It is becoming more and more important every day. It is holding back development of the Coast. Could we be told whether there will be a Registrar, or not?

THE CHAIRMAN: Does the hon. Member mean a Registrar or a Recorder?

MR. COOKE: Do I mean a Registrar?

THE CHAIRMAN: I am asking a question. There is a Registrar of Titles.

MR. COOKE: Of Coast Titles? I think “Recorder” is probably the correct word.

MR. MADAN: May I ask if the Indian and Arab Settlement Board is still functioning and, if so, what purpose does it serve?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I refer the hon. Member to his hon. colleague.

MR. MADAN: He is not here—that is why I am asking you.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: It is still functioning and, in my opinion, it is serving a very useful purpose.

MR. CHANAN SINGH: Can the hon. Member for Agriculture and Natural Resources tell us if the Indian and Arab Settlement Board intends to submit a report and, if so, when?

There is one other point, Sir, that I wish to put forward. It appears that in the past the Government has considered a few schemes for the settlement of Asians on land. It appears that the schemes were publicized, kept open for a short period and then closed because there was an insufficient number of applicants, or because the applicants were not suitable. May I suggest that, instead of keeping these offers open until four o'clock 15 days hence, some permanent opportunity should be made available to those young Asian men who wish to take to agriculture?

THE SECRETARY TO THE TREASURY: Mr. Chairman, there is a post of Recorder of Titles, as mentioned by the hon. Member for the Coast. We have had some trouble in filling it, and there was a proposal that the scale should be very considerably increased to meet probable suitable applicants who are available locally. However, in view of the “Standstill Budget”, and in view of an undertaking—an understanding—that this would not—the non-filling of the post—would not hold up any particular development immediately, it was decided that we should defer consideration of the various emoluments of the post until the 1954/1955 Budget.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker—I beg your pardon, Mr. Chairman—hon. Members have asked again about the Indian and Arab Settlement Board. It is in existence, and I admit that it has always been subject to a good deal of criticism. There was land made available at the Coast—this has been thrashed out again and again

here—and it was not withdrawn at a moment's notice. It was left open for a considerable period of time, but for some reason or another it was considered unsuitable and there were not many applicants. The other day there were certain complaints made here in this Council about land, I believe, at Mackinnon Road, or in that neighbourhood. Accusations were made that there was a difference in status as between certain Indian persons who had asked for land there, and a European. I believe that the facts of that are that people made applications for land, but that they did not fulfil development conditions and, in due course, they lost the rights to that land. Here, again, I would repeat, we are completely non-racial in this matter. If people want to have land, they must develop it themselves; if they want any Government assistance, and they must fulfil the development conditions.

I quite agree with the last speaker that it is desirable to try and find avenues for any young Asians who wish to go in for farming, but again I repeat—and I have repeated it very many times in this Council—the numbers that so far have come forward, who genuinely want themselves to farm, have been very few—in fact, very few indeed.

The question of agricultural education is not entirely divorced from this matter and, as was mentioned the other day, we are attempting now, in co-operation of the Tanganyika Government, to make a better effort to provide avenues for agricultural education than the last one which was not entirely a success.

MR. MADAN: Since I was the Member who raised the matter of leases at Mackinnon Road, I am grateful to the hon. Member for the explanation that he has given. I have never condoned mis-conduct on the part of anyone, but if the reason that has been given be true—and I have no doubt that the hon. Member's explanation must be true—it would be a good reason for Government to have cancelled those leases.

In so far as the question of agricultural projects for Asians is concerned, I must protest against—as I do on every occasion either before or after the hon. Member speaks, because I will not let

[Mr. Madan]

the record pass without comment that the land which was offered to Asians was unsuitable. It was riddled with malaria—there was no water there—I am referring to land at the Coast; the Mackinnon Road project failed because the Indian and Arab Settlement Board decided that the land was not suitable. In my opinion, and I am supported in this by other Asian Members who visited the Morogoro School, that that school was run in a very unsatisfactory manner, and I think that is what the hon. Member tried to convey when he said, if I quote him right, that better arrangements should be made for the education of Asians in agriculture.

It is my submission to this Council, Sir, that the number of applicants for Asian agricultural projects are few because, first, the land that is offered is usually unsuitable and, secondly, there are no facilities to train Asians in agricultural education.

DR. HASSAN: I had no intention of speaking in this debate, but mention has been made of land at Mackinnon Road. This week, when I went to Mombasa, I made inquiries and found out that three of the leases were cancelled under a certain clause, in which it was clearly given that if a notice was given to leave land—for the Government to cancel the lease—a year's notice was all that was needed.

Sir, it was brought to my notice that leases were given for temporary grazing rights and I would like to give in detail, because it is a matter which will always be quoted and kept in the record of HANSARD, and therefore I feel that it is important that I should give details of the other side. One of the conditions in the lease was that the owner cannot shoot any animals in that land, even if he possessed a licence from the Game Department. Neither anybody else—any outsider—who is issued with a licence from the Game Department will be permitted to shoot on that land. The second was that the person was to remain there for three years during the period of the lease for five years.

Well, Sir, similar leases were made for everyone who was to take land at the Coast by the Development Committee, but I was given information that this

clause was removed from the lease of a European in the Coast in about ten days' time after this clause was put in. The two-year leases that ran out in five years—they were purely for temporary grazing for the rights in that area. Well, Sir, the Government, through the agency of the Arab and Indian Settlement Board went through that area, investigated it thoroughly and found the area was unfit for development because there was no possibility of having any water. Boring was unsatisfactory and it was impossible to put in dams. Leaseholders were given leases for grazing rights for stock for five years without any responsibility to Government whatsoever.

We know all very well, Sir, for two years we never had any rain in that area, so that any attempts on the part of these people to keep stock was prevented by nature. It was impossible for anybody to keep stock without a drop of water. Two of three of the leaseholders, after years of requests to the Railway Authorities, got permission to get 50 gallons of water per day for themselves. This was the most the Railway could possibly give them. They took their labour, put up temporary huts for the labour and started clearing bushes. Two of them were five to six miles from the railway station, and they found that for getting 50 gallons of water from the railway station, they had to send a lorry to travel ten miles to get 50 gallons for the labour every day, and they found out that that water was not sufficient for the labour, and twice the labour deserted from there because of lack of water.

One of them applied for an exclusion as he would like to have a small piece of land that would bring him nearer to the railway station, and he would surrender a similar piece of land so that he would economize in the cost of running a lorry to bring water. That was refused, and the second thing he saw about a fortnight ago was a letter from the Land Office saying that, because you have failed to abide by the conditions of development, therefore you are given a year's notice to quit. Poor people bought lorries, took the labour there and under conditions beyond their control there was no rain at all to make a dam for the stock, and the Government knew

[Dr. Hassan]

fully well that there was no water available. They were all thinking that Mzima water supplies were soon coming through, and they would be in a position to get drinking water for themselves and their stock—they would be better fitted to keep stock in that area. (Inaudible.)

How did the Government expect them to keep to the development conditions without water in that area, merely when they had leases for temporary grazing. I cannot understand how the Government thought it desirable and were quick enough to give them a year's notice—that area ever since Kenya came into existence we have never made any use of that land devoid of water—what is the reason why at least they were not left to go to five years' temporary lease of that area? It is riddled with tsetse fly and without water altogether.

I thought I had better bring to your notice all these things, Sir, and, funnily enough, I have been informed that a European in that area is keeping two hundred head of cattle when he has no lease in that area. He has no permission to keep them, and people having five-year leases have been given notice to quit. I thought I would bring it to the notice of the Government, Sir.

Sub-head 13-5 agreed to.

Sub-head 13-6—Forest Department

MR. COOKE: 13-6, Sir? I wanted to speak on 13-5.

THE CHAIRMAN: We have already passed 13-5. As no one rose to continue on 13-5, we passed on to 13-6.

Sub-heads 13-6 and 13-7 agreed to.

Sub-head 13-8—Loans—The Member for Agriculture and Natural Resources

MR. BLUNDELL: You went so fast over 13-7. What happened to the ship which had such difficulties last year? I think hon. Members on this side of Council wish to know whether the ship did manage to get to sea.

THE CHAIRMAN: Is it related to this item?

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, Sir, we are dealing with the item on the Fish Culture Farm. Not even the imagination

of the hon. Member for Rift Valley can transfer a ship on to a farm.

THE CHAIRMAN: I think the hon. Member is referring to an item in the High Commission services.

MR. BLUNDELL: I accept that.

MR. MATHU: I want to ask one question of the hon. Member for Agriculture and Natural Resources on these loans to Africans—

THE CHAIRMAN: Will the hon. Member please speak a little louder. The HANSARD reporters find it very difficult to hear what you are saying, and so do I.

MR. MATHU: With regard to the loan of £25,000 to the African Livestock Marketing Organization, I think the intention was that this Organization should buy African surplus stock and market it on a profit-making basis. That Organization got out quite a number of African business livestock dealers, because it was thought that this Organization would fill the bill. I understand in some places in Masai country—I have heard of 500 head, and only 30 bought, and they were not bought by the African Livestock Marketing Organization, but by a local butcher. The question is when you have such a number of stock ready and the Organization is not able to buy as much as that, other traders are discouraged from getting into the market as fully as they would, is the Organization fulfilling its proper purpose? That is the question I should like to get answered from the hon. Member for Agriculture and Natural Resources.

MR. TAMENO: Mr. Deputy Speaker, I feel it is time that this Council reconsidered the position of the African Livestock Marketing Organization. I think it is a complete failure. It has failed so far to dispose of all African stock which Africans bring forward to sell. It has failed to buy all the stock that the Africans wish to sell—at the same time, as my hon. friend, Mr. Mathu, has said, it has also interfered with the original traders who used to trade in stock. I feel, Sir, that this Council should consider a change of policy as far as the African Livestock Marketing Organization is concerned. I feel the best thing it can do is to try to encourage all African traders and

[Mr. Tameno] Somalis, for that matter, and any other person who wishes to trade in livestock, instead of itself going into the business of buying stock. In any case, Sir, this livestock purchasing business is not a simple thing. I do not believe that anybody taken from anywhere can go at any time and buy stock; it is a specialist job. The Veterinary Department which is doing the African livestock prices in the business, we cannot say that they are people who are qualified in doing the job.

I feel, Sir, that this Council should reconsider the position of that Organization. I am sure if it was considered in the proper manner it could try and dispose of the livestock which normally nobody would like to have—when sold to a butcher—nobody would like to buy. One cannot run a business like this and I believe that the best thing the Organization could do to encourage traders than to do the business itself and try to open all facilities, whatever is possible, even if it is outside Kenya.

MR. CROSSKILL: Mr. Chairman, I would like to support what my hon. friend, Mr. Tameno, has just said. I would ask the hon. Member if he would let us know why Somali traders have been excluded from the Baringo Reserve. I believe had they been allowed to purchase cattle they would have brought quite a considerable amount of money to the Tugan; whereas now they have lost cattle through drought.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Chairman, this is an old argument, if I may say so, a case of history repeating itself. We have for years had certain traders in this country who have bought cattle in small numbers, but they did not obviate the outcome that we now have 6,500,000 head of cattle in this country and we are not disposing of anything like even part of their natural annual increase. We have, as a result of many years' experience, set our hands to the plough to try and introduce a new system. In a complicated matter of this kind, especially in times of drought and Emergency, you cannot expect a new system to find its feet and work as satisfactorily as you might hope it would work all in a minute. The only system that really

has worked, and the hon. Member representing African Interests cannot deny that, is the system we had during the war which was not the system run by traders but the system run by, to some extent, on compulsion. Under that system, we did manage to extract a sufficient number of cattle for the war effort, more than ever before extracted in the history of this country.

Now, Sir, we gave an undertaking at that time—and I may add that all this was recorded at some length in a paper I personally wrote and laid only a few days ago, apparently not read by hon. Members—we gave an undertaking at the time we introduced the system we carried out during the war that, as soon as the war ceased, we would no longer ask for quotas or exercise any form of compulsion whatever, the result being that after the war traders or no traders, the sale of cattle fell.

We have since tried to introduce new systems and new markets for these cattle and we have introduced this Meat Commission. Experience shows us that, when it came to trying to buy cattle from Africans in their own Reserves, it was much better done with the help of African Councils, African Elders, the African producers themselves and the Administration. For that reason, we have introduced this particular African Stock Marketing Organization. That African Stock Marketing Organization, as I explained in the Paper I laid only a few days ago, does not, I repeat, prevent all traders from buying. On the contrary, it is now giving permits to an ever increasing number of traders in what we think are the right places and on the right lines. A lot of work is being done by traders—I even gave the number of cattle bought by traders.

To say that the African Stock Marketing Organization has proved a hopeless failure because at a time when we have had exceptional drought and, therefore, an exceptional number of poor class cattle offered for sale, at a time when we have no real market due to the Emergency in one of the largest meat consuming areas—the Kikuyu Reserve—I would say is misjudging it but, apart from that, I would say that so far the African Meat Marketing Organization has in fact proved an enormous success.

[The Member for Agriculture and Natural Resources]

I am sorry that the Director of Veterinary Services is no longer a Member of this Council for he has been much concerned with this particular activity. We have found in the course of the last two years or more a greater willingness to sell amongst the Africans than ever existed before; the numbers offered speak for themselves. Had we been able to secure more markets on the big scale which we had in view we would indeed have had a very different story to tell.

Now, I will go further and say that, although it is not absolutely certain yet, I believe we have found an opening for disposing of the very low-grade cattle on a very big scale indeed. If that is proved true, it means that this system we have adopted, which after all, is not just chance trading, running around the countryside and buying old beasts but is a real carefully thought out and planned Organization, and I think through it we shall have begun to see in the dim distance some daylight to one of the most insoluble problems which this country and other countries in Africa have had to face—the disposal of the surplus stock ruining and destroying our land.

THE CHAIRMAN: It has been suggested to me by the leaders of both sides of the Committee that hon. Members would appreciate a break. The Committee will suspend business for fifteen minutes and the Chair will be resumed at ten minutes to seven sharp.

*Committee adjourned at thirty-five minutes past six o'clock.*

MR. COOKE: The hon. Member and I are old protagonists in this respect and we have hurled epithets at one another in the past, but I am very glad that he is now making more use of the Arabs and Somalis and other traders. I have always felt that it was the right way, they are experts at their own job and they are the real men to buy meat in the reserves.

DR. HASSAN: I would like to ask the hon. Member for Agriculture—there is some impression in the mind of the people here that everything is not going all right. I have been informed—it has not been confirmed—that there are about

5,000 to 6,000 cattle a month available for sale and the Meat Commission has not been able to buy more than 200 or 300 of these a month. This matter is causing a lot of misunderstanding and I hope the hon. Member will be able to shed some light on this matter.

The second thing I find is that ever since the Meat Commission took over the monopoly of—

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, are we correct in introducing the Kenya Meat Commission?

DR. HASSAN: Only the marketing, Sir. The marketing has been of a nature which people thought was causing an increase in meat prices. I only want to find from the hon. Member whether it was a fact that a large number of cattle were available and the Meat Commission was not in a position to buy and what was the reason for that?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Probably the Meat Marketing Commission should not really be called into this debate, but it is an organization which has to be run on commercial lines and there is a limit to storage facilities.

Every country has its troubles over the marketing of meat. Southern Rhodesia, for example, has too much high grade meat it cannot dispose of and not enough low grade meat; we have a superabundance, I regret to say, of low grade meat for which there is no demand. As I have pointed out, this particular year has been one of exceptional difficulty because, due to drought conditions over large areas, there has been a very big desire to dispose of very poor cattle. Also there has been, of course, a number—and I think one must take this into consideration—quite a number of sequestered cattle which have had to be looked after, cattle removed for fines, or other punitive reasons. It is true that at the moment the Meat Commission finds itself overburdened, especially with third and fourth-grade meat. There is a limit to what it can buy. We had other markets; we had a market in Uganda but they have also had very exceptional conditions, so much so, that they are now, instead of being importers of meat, for the last few months, they have been actually consumers of their own meat, for very



[The Member for Agriculture and Natural Resources]

much the same reasons. They do not at the moment want our meat only in very small quantities. That has been another exceptional difficulty, but, Sir, we have got to face what the prospects are. Prices have just been mentioned. We have brought down the price of third, compound and what is now called fifth-grade meat, because the prices paid were more than the economic value. Now we have done that—Tanganyika did it some time before—I believe the future of the disposal of quite a lot of this very low grade stock which is very difficult to dispose of will lie in the manufacture of really high grade bone meal, blood meal, liver meal and so on. Our experiments so far have proved that at Athi River we can make those particular products of a quality which is second to none almost in the world and for which on the export market we are getting very high prices—that I believe is the future for our very, very low grade cattle which is one of our biggest problems.

As regards the next grade—just edible—I believe, as I have just said, that it is possible that we have found an outlet for that. Hon. Members must never forget that when we talk about the export of meat that until we can get rid of the surplus in these overstocked areas and produce a better quality animal, our meat is almost unexportable, due to poor quality, and secondly, even forgetting that, rinderpest is the biggest enemy one can have for trying to get an export market. Europe is closed to us, and certain other areas, but despite that, we are making advances and I am not nearly as despondent as some hon. Members seem to be on the other side.

MR. LETCHER: Mr. Chairman, Sir, the hon. Member for Agriculture and Natural Resources has not given a reply, I do not think, to the hon. Member for African Interests when he asked why a trader with 35 head of cattle could not sell the cattle. I know something of the mentality of the African trader—perhaps I should say something on this matter.

It would seem as though this particular African trader had got rid of the better cattle that he happened to be selling, and has come along, as a last resort, to the Livestock Purchasing

Organization in order to get rid of something he could not get rid of elsewhere—that does seem to me to be the case, Sir.

THE CHAIRMAN: No other Member rising to speak, we pass on to the next Vote, No. 13-9.

MR. MAITLAND-EDYE: As a member of the Water Resources Authority I am somewhat concerned over the question of water supplies. I am sure no one in this Council will dispute the fact that public funds cannot be beneficially spent on water schemes, unless those schemes have had proper detailed investigation in the first place.

In May this year a unanimous resolution passed by the Water Resources Authority asked the Government to determine the future scope and status of the Hydraulic Branch, and I believe recently a similar resolution was passed at a recent Agricultural Conference.

Now, speaking, subject to correction, I believe that the present position of the Hydrological Branch is that personnel are being reduced continuously without being replaced. By continuous reduction, I do not mean sacked, but they are leaving. I understand that the position is that out of an establishment of nine, there will be only four in the Hydrological Branch staff at the end of this year, of which one is a new recruit. There are five deficiencies in the Engineering Branch, and three in the Surveyors section. If that is so, I fail to see how we are going to implement the water schemes which are so urgently necessary for the country. I will be glad to hear from the Government what is the position—what steps are being taken to remedy it.

MR. USHER: Mr. Chairman, Sir, I just want to raise one point and that is in regard to the Mzima Springs. It is generally believed in the country that agreement in regard to the project has now been reached. I would ask the hon. Member if he would state when he will make a statement about it. I would remind him that when I asked the question a little time ago, a statement was promised.

One very good reason for pressing for an early statement is this: that a number of people believe, and believe owing to official correspondence, that the scheme

[Mr. Usher] itself is liable to delay in completion from causes other than the importation of materials for pipe-making. So could the hon. Member perhaps relieve our anxiety on this point and, also, let us know when the statement will be forthcoming?

THE DIRECTOR OF PUBLIC WORKS: I just want to correct my hon. friend on the right (Mr. Maitland-Edye) on some of the figures he quotes as regards the strength of the Hydraulic Branch of the Public Works Department.

Now, in the year 1951, establishment was 33 professional officers—that is engineers, hydrologists and geologists. At the end of the year there were 27; that is 81.8 per cent of establishment. Public Works Department—all other branches—at the same date had a relative strength to establishment of 89.2 per cent. In 1952, at the end of the year, there were 35 engineers, hydrologists and geologists on the establishment, 31 on the strength. That is 88.6 per cent. For all the rest of the Public Works Department, strength was 76.3 per cent of establishment.

However, the hon. Member goes a bit beyond the professional staff because he has included surveyors and I presume other sub-professional grades were included. Corresponding figures for all European staff, therefore, are in 1951—Hydraulics Branch was 86.6 per cent of establishment; rest of the Public Works Department is lower—81.5 per cent. At the end of 1952, the Hydraulic Branch strength, all European establishment, went up to 91.5 per cent, 97 out of 106. For all the rest of the Public Works Department it was 80.8 per cent. I am afraid I have not got the figures to-day, because the hon. Member is correct, and there has been a slight reduction of strength since then, but I do not know this precisely at the moment. But the strength against establishment is a thing that varies from year to year; it goes up and down and to take the figures at any one particular date is often deceptive and for the purposes of comparison we usually use the figures of the 31st December, as these are usually reasonably representative.

MR. MAITLAND-EDYE: In reply to the interesting statement of the hon.

Director of Public Works in which he takes the figures of the 31st December, to represent the position—I understand the 31st December, 1952—I would like to give him figures of 4th November, 1953, as the nearest to 31st December, 1953, from his own Hydraulic Engineer's report to the Water Resources Authority about the position:—

"The staff position in the Hydraulic Branch is that there is a gradual loss without renewal. The hydrological staff would be down to four by the end of the year and one of these was a new recruit, out of an establishment of nine. There is a deficiency of five in the engineer establishment and of three surveyors."

THE DIRECTOR OF PUBLIC WORKS: I cannot reconcile these figures of three, four and five with the establishment figures of 106, nor a strength of about 97!

MR. MAITLAND-EDYE: This is the Hydraulic Engineer's own report which came to the Water Resources Board—of which you are a member! I am not concerned with what is going to happen if the hydrological staff is in this position and I am asking him to clear it up.

MR. CHANAN SINGH: Mr. Chairman, I rise to place on record my appreciation of the hon. Member for Agriculture and Natural Resources in providing funds for the installation of water supplies for Limuru and Saba Saba. This was an improvement which was badly needed and I am sure my constituents also appreciate this very much. I hope the Public Works Department will do their best to complete the work as quickly as possible.

MR. HAVELOCK: I am not quite clear on the details of the intercaste warfare that has been going on but I do want to say as far as we are concerned, water is one of the most essential developments which we wish to see development money spent on. I would like to ask, therefore, if there is trouble in getting staff, hydrologists, whatever they are, and if there is trouble why it is; is it wrong scales or a world shortage, and what can we do to help?

MR. R. B. PATEL: I would like to enlarge the point raised by my hon. friend, the Member for Mombasa, regarding the

[Mr. R. B. Patel] water supply from the Mzima Springs project. As it has always been said, water is the main essential thing for the development of industry and commerce in big towns like Mombasa and it was thought formerly that in 1953 the project would be handled and in 1956 Mombasa would get its water supply from this project, delay has already occurred and if there is to be any further delay, Mombasa will have to face a very serious shortage of water and ultimately it will affect all concerned in Mombasa.

Sir, to stress this point and draw the attention of the Government, I would like to read a little portion of the minutes of the Mombasa Municipal Water Supply Committee—

"The Committee, being convinced that the delay which had already occurred would cause a serious water shortage in Mombasa in 1956, which any further delays would make worse, considered that the attention of the Government should be drawn to the fact that the every-day comfort and health of 120,000 persons was at stake as well as to the possibility of the citizens of Mombasa being required to pay for the maintenance of an amenity with a Colony-wide significance and also to the detrimental effect on the trade of the Colony and the town which would occur from shortage of water in the Port."

I think, Sir, in view of this, Government will appreciate the position and they would give due consideration to this project so that any further delays would not occur.

Mr. Cowie: Mr. Chairman, it is not surprising that I should wish to ask at least one question on this subject—I must declare my interest. As the question of delay has been raised, may I refer to the Government Press Hand-out, No. 343, for August last, in which this statement was made—

"These further investigations will not cause any delay in the completion of the Mzima Springs Water Project, as no variation is being considered to the general design of the works, only a re-investigation of the intake above the tunnel section of the main pipeline."

May I ask, Sir, if the hon. Member for Agriculture is going to deal with this

point, if he could state whether or not the statement by Government in August remains unchanged? The reason I ask, Sir, is because the hon. R. B. Patel has referred to the minutes from the Mombasa Municipal Board and I rather think that they have been influenced by an opinion which was given to them by the Hydraulic engineer—he apparently said in a letter dated 20th November—"The intake controversy has not yet been resolved and in my opinion the final completion of work is now being prejudiced thereby". In view of that I think the point should be cleared up in the interests of all concerned.

Mrs. Shaw: I would like to support very strongly the concern expressed by my hon. friend, Mr. Edye, about the depletion of staff in the Hydraulic Branch because several townships in my province are in desperate straits for water. In one case, Sotik, 350 souls are dependent on water carted by lorry and that lorry has been known to break down, in which case, those people have no water for facilities of any kind or description. It is a wonder that plague has not broken out in Sotik township by now, therefore I support very strongly the concern felt by the hon. Mr. Edye about the depletion of staff in the Hydraulic Branch and hope that we can have some assurance that the approved schemes will be carried out early in 1954.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I did not want to intervene in this debate, but I must point out that the full policy debate, detailed debate took place on Head 4 (10), number 8 of which is the Hydraulics Branch—Administration and General—if hon. Members had got anything to raise about the policy of the Hydraulics Branch, it should have been raised at that time so that I would have had a chance of dealing with it in the proper manner when one was prepared for it. I would not say anything to hurt hon. Members for the world, but I would like them to look at the Head we are discussing which, if I read it rightly, is Water Supplies, Township Water Supplies, Rural Water Supplies, Mombasa Water Supply, General Completed Works, and it is D.A.R.A. development.

The projects that a number of hon. Members are talking about, for instance,

[The Member for Finance and Development] Mombasa Water Supply, will be found on page 284 of the main Draft Estimates and not of the Development Estimates at all, which is the Mombasa Water Supply Major Project and gives the true information that the whole of this is being dealt with by loan.

Mr. MATTLAND-EDYE: Just on a point of explanation, I was, very meekly, referring to unallocated development capital. I was worried about the money being spent without detailed investigation.

Mr. BLUNDELL: I think the hon. Member was in order and the hon. Member for Nyanza was in order when raising the matter of the Sotik water supply under this Head. Frankly, if the hon. Member for Finance wishes to become Chairman of Ways and Means, of course hon. Members in this Council might not stand in the way, but in the meantime it seems to me to be your ruling.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I am, unfortunately, the Member responsible for the Public Works Department vote although the hon. Member has told me across the Council—a point I appreciated—that it is wrong that the Treasury should have an executive position. Nevertheless, I am the Member responsible for the staffing of the Hydraulics Branch. The hon. Members concerned, if they have any complaint on the staff as distinct from policy, should have raised it then.

Mr. HAVELOCK: Surely the matter is that there are certain schemes in the D.A.R.A. Estimates which we want to see completed, we understand they may not be completed because there are not the D.A.R.A. staff to carry them out.

THE CHAIRMAN: I think I should now interpose and say that when Mr. Edye first started on this line I had a little doubt, but I looked at it this way, that here are a number of water supply projects which are down for completion during the next year and if there was not the staff to carry out those projects then it seems to me a proper matter to raise in this debate. (Hear, hear.)

So far as the Mombasa Water Supply was concerned, I had doubts and looked

up the various sub-items and found Mombasa Water Supply and four items under it which might have been related to the Mzima Springs project or might not, and I allowed the debate to proceed on those items on the assumption that it was related to the Mzima Springs.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I do not like to argue with your ruling. I take it that when we come to Buildings, we may expect a first class debate on whether the Public Works Department is competent to deal with the buildings.

Mr. BLUNDELL: That may well be so. It is no good putting items in the development programme if we have not the people to carry them out.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I am sorry to press the point, but I do hope that the Development Estimates are dealing with the projects that are put down in the Development Estimates and not with the capacity to carry out—the capacity of the staff to carry them out. I humbly submit that that should have been done at the general debate which deals with the adequacy of the funds and the adequacy of the staff.

Mr. HAVELOCK: I would like to know then, Sir, when should we refer to Appendix A under the D.A.R.A. Estimates—Hydraulic Branch staff.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I suggest that that should have been referred to at the time for the general debate on the Hydraulic Branch staff.

Mr. HAVELOCK: Why, is it under D.A.R.A.?

THE DIRECTOR OF PUBLIC WORKS: Mr. Chairman, on the question of the Hydraulics Branch staff, have we not already passed Vote 12-17? We agreed to the sum of money and you will see that one of the sub-items is the Hydraulics Branch—£36,895.

On another point, if I may bring it up, I am far from clear as to what we are dealing with now. (Laughter.) Because, Sir, if you look at Head 13-9, I believe, normally it is said we are dealing with township water supplies, I do not know if we have reached item 11 which is the

[The Director of Public Works] Sotik Water Supply. Are we taking them in order?

THE CHAIRMAN: No. If you wish to make any reference to the Sotik Water Supply, now is the time to do it.

THE DIRECTOR OF PUBLIC WORKS: Sotik Water Supply—plans are being prepared for the Sotik water supply as the hon. and gracious Member for Nyanza will notice in the Estimate and I know of no reason why it should not be seen next year.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: There have been several questions asked, quite improperly I gather—

MR. BLUNDELL: Quite properly!

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: —about the Mzima Springs supply. I am not proposing to be drawn into making any statement whatever to-day but I will be making a statement within the next week on that subject. (Applause.)

#### Item No. 6

MR. SHAW: Mr. Chairman, I would be grateful for an assurance from the Member for Agriculture and Natural Resources that the administration—

THE CHAIRMAN: Just a moment, does any other Member wish to raise anything before No. 6?

MR. COOKS: No. 2.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I was going to say something about No. 1.

MR. HAVELOCK: You will

#### Item No. 1

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: As I understand that you have ruled that hon. Members should allude to specific subjects as they come up; I have not said anything about this subject in the general policy debate, but this is the only opportunity, as far as I can see, that I will have of saying something about national parks because so far it has not been included in that portion of my portfolio that is to be discussed after this.

Now, Sir, I laid yesterday on the Table of Council a report by the Royal National Parks of Kenya Board of Trustees which it is incumbent on me to do so because under the National Parks Ordinance, section 11, the Trustees of the Royal National Parks are required to submit a report to the Governor and that report must thereafter be laid on the Table of this Council.

I do not know how many hon. Members have read the report, some may have, some may not, but those who have will probably think that it is strange that I should lay a report on the Table of the Council which contains a bitter attack on myself, primarily, and on Government in general.

In view of certain statements which have been made in that attack, it would be, I think, wrong of me to let them pass entirely without comment.

I begin by saying that I consider the first part of the report, which is the report of the Trustees, as ill-advised, certainly discourteous to Government and to myself, not entirely accurate and, I would say further, very unwise from the point of view of the Colony in view of the very wide circulation that this report has overseas. Also, in the interests of the Trustees themselves, I would suggest that they should know me, after many years, sufficiently well to realize that I am not amongst those who are easily brow-beaten. (Laughter—hear, hear.) I say it is ill-advised in their own interest to publish this sort of statement. "We feel compelled to state that although the policy of Government has been defined and accepted by Legislative Council and by the Legislature"—that is you, hon. Members—"we are not satisfied that it is being whole-heartedly implemented". That means that I, as Minister, am not carrying out the wishes of this Council or of this Government.

It is also in part two of the report, to which I take little or no exception, at least suggested that it is my fault that this Government has seen fit to implement a Water Ordinance which is supposed to and does supersede the National Parks Ordinance. Now, hon. Members know full well that the idea of bringing in a comprehensive Ordinance to deal with the water resources of this country on a comprehensive scale and in a modern

[The Member for Agriculture and Natural Resources]

form has been under consideration for some years. Members of this Council must also be well aware that anybody who passed an Ordinance or allowed an Ordinance to go through this Council which allowed certain water resources, possibly very important ones, to be earmarked for one purpose and not for the benefit of all in a country which is as short of water as this one, would be betraying his trust. In no country I know of which passes a modern type of water legislation, has not all water got to be used for the benefit of the country as a whole.

However, that is a minor point as compared with certain other suggestions that have been made. Now, Sir, the National Parks Trustees, the Royal National Parks have done a first-class job of work; we all admit that; nobody is more proud of them, of what they have done—I have personally played no part in that—than I am and much is due to an hon. Member who is sitting amongst us at present—(Applause)—but before they attack too violently the goose—an apt simile as it has not called the tune—that lays the golden egg, let me remind them that they are entirely dependent on the finance provided by the body they so violently accuse, in fact, Government. Government has some right—if it provides the finance—within limitation to call the tune. I can assure you it is going to do so.

This Government is not prepared to hand over areas of land to the national parks under duress. Before I can agree to any part of this country being handed over to the National Parks Trustees, I have to be entirely satisfied that there are not justifiable claims to human habitation therein. (Hear, hear.) In this particular Chulu attack that has been made here I must add that a part of that area—I do not say necessarily the whole of the portion the Trustees claim—but a part of that area is about to be "declared", or whatever they term it, a native settlement area. Until we know how best to delineate the part that we think can be used for human beings as against the part probably best to go under the jurisdiction, at any rate, of the National Park Trustees, I am not prepared to go any faster or further.

In conclusion let me say the Royal National Park Trustees have under their jurisdiction at the moment, in one way or another, 21,000 square miles; an estate of 13,500,000 acres. It is not a very small area, although they complain—that as from the time when the original Game Policy Committee sat, certain portions were cut away; but they were cut away as the hon. Members opposite well know, because it was discovered that it was the normal grazing of Galla cattle.

I would add that I think, there are probably few amongst the hon. Members here who have in their day had more to do with game or been a greater lover of game and nature than I have. So it is in no sense of vindictiveness that I make these remarks. What I say is that if we are going to build up a National Park, let us build them up in collaboration. It is of no profit to anybody if the National Park Trustees seek to show their independence by publishing a document of this kind and spreading it through this world or to think that I, on behalf of this Government, am going to give in to that sort of threat. (Applause.)

MR. COWIE: Mr. Chairman, may I ask for your guidance on this matter? I send myself in some difficulty. As a servant of the National Parks Trustees, I find it difficult to remain silent and have a report virtually debated. I do not quite know what the position is. As far as I am personally concerned, I would like to acknowledge the tributes the hon. Member made to me, personally. But as an officer of the Board of Trustees that is rather severely criticized in Council, may I please have your advice as to whether or not the report is, in fact, being debated, whether the Trustees, or one of their representatives, could have the opportunity of answering on their behalf because without that it does not seem right to me I am rather lost in this procedure.

THE CHAIRMAN: I think the hon. Member, as any other hon. Member, has a perfect right to take part in the debate and on the matters of general principle that have been raised or any matter of general principle concerning the national parks, and he has the right to speak. I would remind him that he is limited to ten minutes.

MR. HARRIS: On a point of order, Sir, I wonder whether this debate is the right place in which to consider this report. It seems, Sir, that the hon. Member has made a very scathing reply to a possibly scathing attack. It comes to most hon. Members, I feel sure, unexpectedly and I am wondering whether we should not agree that this should be the subject of a special Motion on the report, when we can have the report in hand—I am one of the Members who have read the report—rather than suddenly having it pushed at us in a Budget debate.

MR. COOKE: Mr. Chairman, as one of the Trustees of the National Parks and one of the signatories of the report, I would like to say that I do support the suggestion of my hon. friend, the hon. Member for Nairobi South. I must say that this attack has come as a surprise to me, because the hon. gentleman, I should have thought, would, in his capacity of Member for Agriculture and Natural Resources under whose portfolio the national parks come, would have said to the Trustees that he objected to the language of the report and there and then intervened; no doubt the language could have been more restrained. I can tell the hon. gentleman that there are very good replies to the charges he has made and perhaps he has not seen the wood for the trees. I do think it would be better—we should have a dress rehearsal—because to accuse me, as he did, by imputation of neglecting native rights to land, considering that for forty years I have fought for it, is something which I could not possibly tolerate. I would suggest that we wait until—as my hon. friend, the Member for Nairobi South has very well suggested—we have a full dress report.

THE CHAIRMAN: I think it is possibly the case that a number of hon. Members present have not, in fact, read the report and also as it is possible that the debate might be somewhat protracted. I suggest to hon. Members that probably the course indicated by the hon. Member for Nairobi South would be the right one and for some hon. Member either to table a Motion or to raise the matter on the adjournment.

MR. BLUNDELL: I merely rise to record, with all due respect, that I do

not agree with the views put forward. Rightly or wrongly, the Member for Agriculture has raised the matter. In my view, once it has been raised Council should debate it. I am not in agreement that when a Member—rightly or wrongly—raises a matter that, because it is inconvenient and we do not like the particular temperature in which it has been raised and we have not prepared our briefs, that we should withdraw or enter the fray at a later date. I would suggest that if the opinion of Council favours the view of the hon. Member for Nairobi South, which I fully understand, I would suggest that much of the tradition of what we are trying to attempt here, Parliamentary procedure, would be negative.

THE CHAIRMAN: It is not for me to intervene in the matter at all, the debate is open.

MR. COOKE: I think as this is only a Committee, indeed we would be contravening the customs of the House of Commons if, in Committee, we discussed a high matter of policy which this report contains. It also comes to me as a complete surprise—I am perfectly prepared to carry on and defend the position of the Trustees—but I think a very much better and fairer debate could be had on the matter which concerns us all intimately if it is postponed until some other date. I think it would be against the traditions of the House of Commons in Committee to have a snap debate as has been suggested.

THE MEMBER FOR FINANCE AND DEVELOPMENT: With all due respect, I would like to support my hon. friend the Member for Rift Valley that we have up to now in this Committee been debating policy from time to time. Indeed, we had a little temporary storm over that very fact a few minutes ago and if there is to be a question that because something has been brought up suddenly by one side or the other there must be an adjournment, I can think of hundreds of occasions when it would very well suit someone like myself, for example, to put a debate back 24 hours so that we can prepare the ground more thoroughly! I think the position taken up by the hon. Member for Rift Valley is in line with Parliamentary procedure and I think he should be supported.

MR. HARRIS: Mr. Chairman, the point I would like to make is the peculiar circumstances of the case. The hon. Member lays a report and the other hon. Members are apparently able to assume from that fact that the Member has assimilated that report and he is in agreement with it because he lays it and it is because he himself has suddenly criticized the subject of the report which he has laid that I feel that notice should be given of such debate.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: On a point of explanation, I was most careful in laying the report to use a form of words which I have never used before; I only laid it in accordance with the provisions of an Ordinance. I was very careful in the wording I used.

THE SOLICITOR GENERAL: Are we not really wandering a bit from the real issue? The hon. Member for Nairobi South rose to a point of order. He has failed to establish a point of order, in my submission. If the hon. Member for Agriculture and Natural Resources was in order in raising this matter then surely it is in order for other Members to speak to it unless you rule the matter as out of order. Then, in my submission, unless hon. Members choose to refrain from participating in a debate on this subject they are at liberty to do so.

THE CHAIRMAN: There is no question of a point of order in this matter. The debate has been started on a certain note by the statement from the Member for Agriculture and Natural Resources and the debate can proceed from that point. With reference to what the hon. Member for Nairobi South has just said, I think it must be made very clear that when any hon. *ex officio* Member is laying a paper it cannot be assumed that he agrees with everything that is in the paper. I think that should be made quite clear.

Colonel Cowie is at liberty to resume his speech that he started.

MR. COOKE: Mr. Chairman, could I just intervene? Sir, as a last appeal to you, if we are going to discuss this—and I am only too ready to discuss it next week—as we are in Committee now if we discuss such an important

matter it will last two days as anyone can speak on it a hundred times if he likes.

A point of technicality has been raised—because the hon. Member for Nairobi South rose, he may have been technically wrong, to say on a point of order; but very properly he brought it to the attention of Council that it would be better to have a debate on the report.

THE CHAIRMAN: If hon. Members do not wish to debate the matter introduced by the Member for Agriculture and Natural Resources they have no need to do so. (Applause.)

LT.-COL. GHERSIE: May I put forward a plea in support of the Member for Nairobi South from an entirely different aspect? Here we are at the moment in a Budget debate, with numerous heads still to be debated; I am sure most will be guillotined due to the limitation of the period allowed. I do suggest it would be most advisable if this question could be the subject of a special Motion or debate; otherwise there are a number of important matters—this is a Budget debate after all is said and done—that will not be voiced in Council.

THE CHAIRMAN: If hon. Members do not wish to discuss the matter, there is no obligation on them to do so and we can pass on to a new item.

MR. COWIE: I feel I cannot allow this debate to close—as it seems it will be unlikely I will have another occasion—without endeavouring to express one or two items in defence of the Trustees, if I make take the privilege of making something in the nature of a personal statement.

In the first place, the Member for Agriculture and Natural Resources, I think, knows very well that a great many of these things that have been done in the national parks development have been inspired by a great deal of zeal and enthusiasm. Very often it is due to that enthusiasm that the Trustees are apt to become impatient. The delays in achieving many of these schemes they hope to achieve have, at times, been very lengthy and in the end they come forward and say, in the first part of the report, which is the Trustees section, where they think these delays are occurring and that they do not think they should go on much longer without expressing those views to the public.

[Mr. Cowie]

This report was in the office of the Member for Agriculture and Natural Resources Monday a week ago. It was Tabled yesterday. I think, Sir, it would have been possible in that case for the hon. Member for Agriculture and Natural Resources, if I may say so, to call for a meeting of the Trustees and discuss with them whether or not the report should have been Tabled. If that had been done, it would have been easy to alter any of the first portion with which the hon. Member did not agree. I think it is possible that the Trustees would have met his points. I cannot express a view which has not been considered by the Trustees, but I do think that point should be remembered.

Sir, the hon. Member said there were certain inaccuracies. As he did not refer to the exact items, I cannot easily deal with that matter. As far as the second portion is concerned, where it refers to the Water Ordinance, the point, there, Sir, that was made was that in the Water Ordinance, I think I am right in saying, there were certain reservations in so far as it relates to the native lands. In that case, the Native Lands Trust Board has to be consulted. The trust imposed on the native land, to some extent, is comparable with the trust under which the Trustees of the national parks operate. It is intended to be permanent and the request at the time was that the Water Ordinance should contain similar reservations for the national parks as it does for the native lands. That request, was not accepted, that is the point made in the second part of the report. I wish to clear that point. It is one on which I can speak with some knowledge.

I am quite sure that the hon. Member for Agriculture and Natural Resources knows perfectly well that the Trustees are one of the most enthusiastic bodies in the country. It is made up of all kinds—both Government and unofficials—and is enthusiastic to see that its schemes are successfully and properly developed. I do think it would have been better if the hon. Member, if I may say so, had put his objections to the Trustees before stating in this Council what his objections are. It might have been easier then either for me or some other representative to give a more factual reply.

With that comment, I leave the rest to the Committee.

MR. MATHU: I did not want to intervene in this debate at all, but I do feel there are a few points I would like to comment on arising out of the speech of the hon. Nominated Member, Mr. Cowie, and of the hon. Member for Agriculture and Natural Resources.

Now, the first point, Sir, which I feel, in principle, the Member for Agriculture and Natural Resources is justified in criticizing this report is that I personally, if I were a Trustee, would have discussed a draft report with the Member responsible for national parks on the Government side, then ask him to consult the Trustees. I know the Trustees are an independent body but surely the Member of Government responsible for the national parks is superior to the National Parks Trustees to this extent, that it is Government which provides the £6,000 we are dealing with now for the next six months. I do feel that is a point on which my hon. friend, Mr. Cowie, is approaching the problem from the wrong end. The other point raised by the Member for Agriculture and Natural Resources which I entirely agree with is that human claims should take preference to the game claims definitely. When he mentioned about the Chulu Hills, I know very well I cannot agree with the Trustees that Government is wrong in having delays when they are considering the question of the human habitation of those hills and other places. I feel, Sir, that the enthusiasm of the National Parks Trustees should not lead them to the extent of getting anyone to believe that human needs should come after animal needs in these places.

Now, I am, Sir, a great supporter of our Royal National Parks, in fact, if my hon. friend looks at the books he will find that I was one of the first Trustees and I have been a supporter of that organization all along, but I cannot support their policy if they think, as I say, that human needs should come after fulfilling the animal needs.

The final point I want to make, Sir, is that as far as this question of the Native Lands Trust Board in relation to the National Parks Trustees is concerned, there is a tremendous difference between these two bodies. The National Parks

[Mr. Mathu]

Trustees have certain money allocated to them by this Council to administer. The Native Trust Board has not any money to administer. They are, as a board, advisory to the Government in matters relating to native lands as provided for by the Native Lands Trust Board. I do not see where the comparison comes as raised by the hon. Nominated Member, Mr. Cowie.

I, therefore, before sitting down and supporting the vote we are discussing now, would like to record that I do feel that the hon. Member for Agriculture and Natural Resources is justified in criticizing the National Parks Trustees in the way he has done.

MR. COOKE: The speaker who has just spoken has made an observation which must be immediately dealt with. There is no truth whatsoever that any National Park Trustees would put human rights behind animal rights. It has never been argued, not by a single Member, either singly or collectively. We have from the very start always realized that human rights must come first, what we are complaining about is the delay in Government's decision on this matter rightly or wrongly. We want to make it clear before this debate goes any further.

MR. MATHU: May I ask does the Member for the Coast want me to believe that when the Chulu Hills were being considered as a park hand-out that the human rights were considered when the proposal was that the National Park Trustees wanted these hills to be a national park.

MR. COOKE: No such proposal was made in my time, nor would I at any time advocate that the Masai should be turned away from the Ngong Hills. I say human rights must come first.

MR. JEREMIAH: As much of the National Park is situated in the Coast I quite agree with what the Member for Agriculture and Natural Resources has said—it appears that the enthusiasm of the National Park Trustees has over-run their consideration of human beings, because, Sir, what I find is that they are very much after getting more and more land for wild life, even whether the land is occupied by human beings.

Now, Sir, I am referring particularly to the question regarding the place in the Galla land—a place called Ndiandaza—a place specifically mentioned in that report. It appears that the Government is not prepared to agree that that place should be made into a national park, because it is a place at the present being used by the Galla people in grazing and watering their stock, but it is a place that the National Park Trustees are after for acquiring that place.

There was a suggestion which was made some time ago about altering the boundary—that is remembering that the boundary of the place was made a national park in spite of the fact that it was being used by people—there were discussions for altering the boundary, but the alteration suggested by the Administration, it appears the national park is still holding on to the land.

Now, Sir, I think that the National Parks Trustees should pay more consideration to the need of the people, and I entirely agree that the report as it was was quite interesting—I read the whole of it, but I am not happy at all in seeing that they are very much after more land and after interfering with human rights.

MR. COWIE: I am afraid I cannot allow that statement to go unchallenged—I do apologize for these small interventions on a matter of detail, but the hon. Mr. Jeremiah is not correct in what he says, because this place, Ndiandaza, is already in an established national park and the boundary was made with due regard to the claims of the Galla. Subsequently two administrative officers after further investigation reached no conclusion except that the administrative officer, on behalf of the Kamba tribe, decided it would be better if Ndiandaza remained in the national park. In view of that, Ndiandaza is in the national park to-day and is, therefore, not the watering place being used by the Galla. I must be sure that Council is well informed on that subject.

MR. JEREMIAH: I think my information is not very old; the question is still under consideration, even up to now and recently the administrative officer of the Tana River and the Kitui area discussed

[Mr. Jeremiah]

the matter. As far as I know, Sir, the suggestion which they made some time ago about altering the boundary, that is remembering that the boundary of that place was made a national park, in spite of the fact it was being used by the people. There was discussion about altering the boundaries, but the alteration suggested by the administrative officer is not yet a settled area so it appears that the national park is still holding on to the land.

MR. COOKE: The hon. Member forgets that it has been pointed out by Mr. Cowie that when the national park was declared a national park, the African representatives were present in Council and made no protest at the time. But it does happen that the Galla, with whom I have every sympathy, are nomads in that particular part. But they are in a gazetted national park; whether rightly or wrongly it should have been gazetted. But it is a gazetted national park. It is no use saying the Trustees are this, that and the other thing because they look after the interests of the Trust. If the Members of this Council think it should be degazetted, or whatever the word is, I think it is for them to do so. I think it is an Order in Council, but at any rate there is a legal way of disposing of the matter.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I only want to say one thing. It has been suggested that I might have got hold of the Trustees and suggested they should alter their report. The hon. Member is well aware this was brought to me already printed in a great hurry and I was urged to lay it at the earliest possible moment. I had no time to read it for the first day or two, but again and again I was asked to lay it. Under the law I have no option but to lay it, nor have I any right to suggest alteration in the report of an independent body. Furthermore, I have reason to believe that it would not have been altered if I had asked for it—I gathered this not from the hon. Member but from another eminent trustee.

MR. COWIE: The report distributed to hon. Members of this Council was an unglazed copy. That was the first batch run off of the report and was kept in that stage until it was perfectly clear that it had been tabled, then the order

was given for the glazing of the other copies for distribution.

MR. COOKE: The hon. Member is our boss—if I may use the expression—he could have foreseen the possibility of a report of that nature being issued, because we have had a lot of argument with him and he might have foreseen this and asked for a draft copy of the report to be sent to him first. I do not think he has got much of a case there.

THE CHAIRMAN: I think hon. Members have said all they wish to say at the present time on item No. 1, so we will proceed to item No. 2 before we carry on with the usual procedure of reporting progress and asking leave to sit again.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee do report progress and ask leave to sit again.

*Question proposed.*

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair.]

#### REPORTS

SIR CHARLES MORTIMER: I have to report that consideration has been given to Vote 12-17 and that the Committee has considered Votes Nos. 12-1, 12-2, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9 and is now dealing with 13-10.

Council will stand adjourned until 9.30 a.m. to-morrow.

#### ADJOURNMENT

*Council rose at Eight o'clock p.m.*

Thursday, 3rd December, 1953

The Council met at thirty-five minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### MOTION

APPOINTMENT OF COMMISSIONS UNDER THE INQUIRY ORDINANCE

GROUP-CAPT. BRIGGS: Mr. Deputy Speaker, Sir, I beg to move the following Motion:

BE IT RESOLVED that this Council requests His Excellency the Governor to appoint one or more Commissioners under the Commissions of Inquiry Ordinance and to commission such person or persons to inquire into the following matters:—

(a) Having scrutinized all relevant intelligence reports, despatches, reports of Legislative Council proceedings or other documents, and called such witnesses as were considered necessary to report whether such documents or evidence gave reasonable information or warning of the existence of serious subversive activities and if so by what dates.

(b) If it should be shown that such warning was given—to affix responsibility (if any) for the failure of Government, or of individual members thereof, to appreciate the potential seriousness of the *Mau Mau* movement in the earlier stages and to take action accordingly.

(c) To report whether in the Commissioner's opinion the Colonial Office or any individual officer serving in the Colonial Office having been acquainted with the situation and of the steps which this Government desired to take to deal with the situation retarded actions or steps which were recommended at the time and which have since had to be taken.

Mr. Deputy Speaker, Sir, I believe that there are many cogent and obvious reasons why an inquiry of the sort indicated in my Motion should be set up. I propose to deal with some of them.

Firstly, I believe it is vitally necessary that any weakness in the machinery of Government should be uncovered and

that if any such weaknesses are found to exist, that they should be rectified for the future and thus prevent any recurrence of the growth of a subversive movement such as the *Mau Mau* movement which has taken place in an almost unrestricted way over the past five years.

Secondly, rumours are circulating in the country blaming various past and present Members of the Government for this apparent failure to appreciate the seriousness of the *Mau Mau* movement in the earlier stages and to take action accordingly. Despite the many and grave warnings which were given by the European Elected Members, the Electors' Union and, I believe, certain Members of the Administration. It is, I believe, in the interest of all those persons and the country in general that either their names should be cleared or their degree of responsibility, if any, clearly established. I believe it is most unfair, that those blamed should not have an early opportunity of clearing their names. We all realize that Members of the Government have to implement the policy of Her Majesty's Government and it may well be that all the warnings to which I have referred were duly passed on. That is a point I consider should be clearly established one way or the other.

I would like to make it very plain that there is no intention in my mind that the proposed inquiry should take the form of a witch-hunt and I believe the high level form of inquiry visualized in the terms of the Motion would provide every safeguard against anything of the sort taking place. I do not believe that any person who has faithfully done his duty to this country has anything to fear and those who have nothing to fear I do not consider should have their work seriously interfered with by either having to give evidence or produce evidence for the Commission.

No one who has given any thought to the matter would, I believe, expect the Civil Service to accept quite the same standards of discipline and personal responsibility as are generally accepted and enforced in the fighting services. For instance, in the Navy if a captain strands his ship, he automatically appears before a court martial and similar conditions prevail in the other services. Nevertheless, there is, I believe, a very strong feel-



[Group-Capt. Briggs] ing in the country to-day that there is far too much tolerance in these matters, which I do not believe it is healthy for the country or the Colonial Service. Therefore, I can see no reason why, if any individual be found to have been grossly negligent or guilty of gross misjudgment, why he should not suffer some inconvenience as the result.

I have already referred to the fact that many warnings were given to Government. I will not recapitulate them in detail but as early as 1947 the Executive Committee of the Electors' Union had an interview with the Attorney General of that date and warned him of evidence in regard to the activities of certain Africans who are now in custody. These warnings were repeated from time to time by the European Unofficials until finally in July last year the hon. Member for Rift Valley moved a Motion in this Council calling attention to the disregard of law and order and urging Government to take action. In speaking to the Motion the hon. Member used these words: "I want to suggest that there is amongst us to-day a subversive organization which is like a disease which is spreading through the Colony and the leaders of that movement have a target and that target, as I have said, is the overturning of Government and my information leads me to believe that that target may well be within nine months of the time that I am speaking of at the moment".

The events of the past year, Mr. Deputy Speaker, Sir, prove how right my hon. friend was in his appreciation of the situation. Yet despite that grave warning a lack of awareness continued to prevail in the Government and no action was taken until nearly four months later as the result of events. The country has a right to know the reasons for these things. For instance, was the information at the disposal of the Government less accurate than that available to the European Unofficials? If that was not so, how is it that they failed to act? On the other hand, if there was something wrong with the Government machinery then it should be brought out and steps taken to rectify it for the future.

There has been a tendency in certain circles to blame the European Unofficials because it has been said in the past that they have not supported expansion of

the Intelligence Branch or the Criminal Investigation Branch. The latter, as you are very well aware, is a matter that falls within the scope of the Police Vote. I would point out that the Police Vote rose from the figure £728,000 in 1939 to a figure of £1,051,000 in 1952. I mention this because I should like to point out that the Elected Members had no similar extensive organization and if they could see the shape of things to come, surely the Government did not lack the resources to do the same.

Furthermore, I believe that certain Members of the Administration did foresee events and the country should know why their warnings were unheeded.

The pernicious and subversive teaching of the Kikuyu Independent Schools Association was well known to many people in the country including the missionaries and the missionaries, I believe, gave many warnings in regard to those activities. Unfortunately, no action was taken until it was too late.

Now, Sir, it may be argued that this is not the right moment for holding an inquiry owing to the preoccupation of hon. Members with matters relating to the Emergency; but my answer is that the present conditions may prevail for a long time and even after the shooting war is over I believe the problems to be faced will be just as great and just as difficult as they are to-day. I believe it is good for the prestige of Government and good for the country that the inquiry to which I have referred should be set up and that it should be held now.

Mr. Deputy Speaker, I beg to move.

MR. MACONOCHE-WELWOOD seconded.

*Question proposed.*

MR. SLADE: Mr. Deputy Speaker, I beg to move an amendment of this Motion in the following terms: that paragraph (c) be deleted and the following substituted therefor—

(c) To report whether and to what extent and at what times information was given to the Colonial Office or any individual officer serving in the Colonial Office concerning the situation or the steps which this Government desired to take to deal with the situation.

[Mr. Slade]

Sir, in moving this amendment, I must make it clear that I am fully in agreement with the purpose of this Motion and the reasons given by the hon. Mover for the Motion. My only anxiety my only reason—for moving the amendment is some doubt as to whether the Motion as it now stands is not asking the Governor to go rather further than he can properly go. Under the Commission of Inquiry Ordinance the Governor has very wide powers to institute inquiries into various matters. Indeed, according to the terms of the Ordinance, any matters which he considers to be in the interests of the public welfare: but it is implicit, I think, that he can only order an inquiry into conditions or acts or omissions within the area of his own jurisdiction—that is, the Colony.

Now, paragraph (c) of the Motion as it stands, asks for—among other things—a report on the actions of the Colonial Office or officers of the Colonial Office, and I think, Sir, we can hardly ask the Governor to institute an inquiry of that kind. The amendment I propose limits the inquiry to what was done by civil servants or others in this Colony to acquaint the Colonial Office with the situation or the Governor's views on the situation and, if we limit the inquiry that way, I think, we shall be asking the Governor to do something which he can very properly do.

MRS. SHAW: Mr. Deputy Speaker, I second the amendment, and reserve my right to speak.

*Question proposed.*

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to oppose the amendment for the reason that I oppose the Motion as a whole.

I am not quite sure, Sir, whether I have your indulgence to make a composite speech about this, or whether I should wait until a later stage to speak to the substantive Motion?

THE DEPUTY SPEAKER: As the amendment does not alter the main purport of the substantive Motion, and it will be difficult to debate the amendment by itself, I think it will be for the convenience of hon. Members and the Council as a whole, if Members who desire to speak to the amendment cover the whole ground in the one speech. That

is, I think, the procedure that has been followed on previous similar occasions.

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I must, on behalf of the Government, oppose this Motion, and when I say "oppose this Motion" I do not mean that I do not believe that any inquiry or investigation of any kind is necessary. The Government, Sir, feels very strongly—and has already given some thought to it—that historical examination of the origins and development of *Mau Mau* is a very necessary thing. It is necessary not only to safeguard the future of this country, but it will also be of assistance probably to other Territories. The precise scope of that inquiry would require to be examined. But the reason, Sir, why I oppose this Motion is because the present is not the opportune time.

We have, Sir, on our hands still the Emergency. We are planning and embarking on reconstruction which is not unconnected with the Emergency, but this reconstruction, Sir, covers the untroubled areas as well as the troubled areas. The acceptance, of this Motion, Sir, would involve an enormous amount of additional work for a great many people not only in Government, but outside Government, and it would undoubtedly interfere with the conduct of the Emergency.

As I say, the present is not opportune, but I should make it clear that this opposition is not based on any desire for concealment of anything. It is true, Sir, that defects in the Government machine were found. Those defects had relation to the particular circumstances of the time—circumstances which have developed undoubtedly in other countries as well as this. Those defects, Sir, have been remedied, and the remedies taken will enable the Government to guard against any further defects which might not be defects at the present time but would, in the light of changing circumstances, become defects.

Now, as I say, Sir, some preliminary thought had been given to an historical analysis—examination—call it what you will—of *Mau Mau* and its development. It may be suggested, Sir, that delay in embarking on this or any other inquiry might prejudice the gaining of valuable information. It may be

[The Chief Secretary] suggested that records will not be available. That, Sir, is not the case. All records will be available and information—further information—is being gained from day to day which will have to be taken into account in compiling that complete history.

Now, a suggestion was made, Sir, that an inquiry of the nature proposed in the Motion would not interfere substantially with the conduct of the Emergency, but I cannot agree to that, Sir. The proposed Commission could not function entirely on its own. Its researches into documentary history—it would cause considerable chaos in the offices in which those records were, and amongst the people who are busy from dawn till dark—and after dark—in those offices. That is quite apart from the matter of calling witnesses, whose time spent on the matter would not be confined to the time when they are giving oral evidence.

I am not prepared, Sir, to say when the time would be opportune for any investigation, nor am I prepared to give a guarantee that such investigation would be of the nature contemplated in the Motion. To my mind, Sir, although the hon. Mover made it clear in his speech that he did not regard this as a witch-hunt—I think he used that term—to my mind the terms of the Motion do not lay sufficient emphasis on the necessity for getting at the reasons for the development of this movement which has given rise to the Emergency.

As I say, Sir, the opposition to this Motion, or to the general lines of the Motion, is based on a matter of timing, and I must reiterate, Sir, that such an inquiry now could not affect, except adversely, the conduct or the length of the Emergency, or the restoration of peace and order. (Applause.)

THE DEPUTY SPEAKER: If no other Member rises to speak I will put the amendment.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, I rise to second this Motion, and I do so in complete disagreement with what the hon. Chief Secretary has just said about timing. I personally believe that the time for such an inquiry is now ripe, and it is because I think that such an inquiry may well be of assist-

ance to the further prosecution of the Emergency that I take that view. (Hear, hear.) It seems to me probable that such a Commission making an inquiry at this time may well unearth facts and documents which will be of value to us in the final settlement of this Emergency.

I do not support the Motion out of any feeling of bitterness against Government. I am very well aware that Government made great mistakes in not dealing with the matter earlier, but I am also prepared to say that many people, like myself, outside Government, who heard many of the tales of *Mau Mau* before the Emergency, were equally apt to under-rate the strength of the movement—and still more to under-rate the tenacity of the Kikuyu people once they have taken the *Mau Mau* oath—but the main reason why I support this Motion is that I do not want it to happen again and, from events—not golly here, but throughout the Colonial Empire—it is perfectly clear that subversive activities and matters which eventually boil up into a very serious situation for Government are almost invariably not noticed or are tackled too late. It is not only in Kenya we see this happening. It is happening, I repeat, all over the British Colonial Empire, and by putting off the time—by saying the time is not ripe—I agree it may be inconvenient to certain officers to-day, who are admittedly over-worked—that this Commission should start now, nevertheless if there is any chance of such a Commission discovering facts now which are going to help us to prevent not only this movement going on, but, what is far more important, the spread of this movement—which may well happen—then I think no considerations of over-work should weigh with us in not starting it now.

The public in this country have also some rights in this matter. They have some right to know what is going on—what has gone on—and what steps the Government is taking to see that it does not recur. After all, the result of this Emergency has meant the near-ruin of a lot of people, and surely they have a right—a clear right—to know why nothing was done earlier, and also that Government should freely accept the extra work and the extra difficulty of finding out things which may lead to suppressing *Mau Mau* more quickly.

[Mr. Maconochie-Welwood]

Furthermore—and although it is not specifically mentioned—documents that are asked for may well shed a light on the causes of *Mau Mau*, and that is a question which I view as of the greatest importance. Both the Government of this Colony and the people of this Colony have been continually placed in the position in England and in the Press of the world of having caused this Emergency by their action or by their supineness. Government and hon. Members opposite are gradually getting an idea of the causes of this Emergency, and I think the time is now ripe when—if a Commission like this sits—we shall be able to publish to the world what are the true causes of the Emergency, and not those causes which are usually given for purely political reasons by various people.

Furthermore, an inquiry such as this may show us why Governments—particularly Colonial Governments—are so often completely out of touch with the people they govern. The Administrative Service is, in my view, in touch. I do not take the view that many people do that all warnings came from unofficials, such as the Electors' Union and so on. They are no cleverer than Government officials, and they are, in fact, far less in touch with the people in the reserves than the administrative officers, but it is clear—and must be clear to everybody—that those administrative officers must have repeated those warnings again and again to the Central Government of what was going on in the reserves. If Government denies that, they are simply saying the Administration is less efficient than un-official bodies in this country. That I, for one, do not believe. I believe those warnings were given—those warnings were ignored—and it is the right of people in this country not to be fobbed off with the idea that the time is not ripe, because the time is ripe. If we do not admit that the time is ripe, we are simply leading to a situation where the Emergency may spread and where it may happen again. (Applause.)

MR. MADAN: On a Motion of this kind I came into this Council this morning with an open mind. I was willing to be convinced either to support it—I would say I have listened with great attention to the Mover and his seconder,

but I am not satisfied that I should support this Motion.

I am not satisfied that to institute any inquiry such as is contemplated in the Motion would serve the interests of the country at this stage—I fail to see—it may be that my logic is poor—I fail to see what purpose it would serve to fix the responsibility for the past misdeeds—if I may call them so—on any Member, whether present in the Colony or not.

Let us hope that the Government is aware of the mistakes that have been made and that they are not being repeated. I was hoping, Sir, in order to convince me, at least, that such mistakes, which have been repeated, or have happened in the past, would have been mentioned by the hon. Mover, but no instances have been given.

As a member of the public to which the hon. Mover and seconder has referred, naturally I am also interested in the early termination of the State of Emergency. As a representative of the public who are affected daily, especially in districts by the existence of the State of Emergency, I am all the more interested in the matter. But, with all due respect to the hon. Mover and seconder, I feel it would be, and it is, indulging in sensationalism at this time to move a Motion of this type. I think our energies should be concentrated on rehabilitation and rebuilding the structure of this Colony which stands in danger of falling down.

Our first efforts should be to maintain and try to restore confidence, not only here, but abroad also—maintain the confidence in the minds of the loyalists, who at great risk to their own lives are supporting the Government and therefore the public of this Colony, and to try to restore confidence abroad, because without their goodwill it would be impossible for this Colony to carry on on the road of progress.

I feel our energies should be directed not towards trying to find out who has been responsible for any mistakes amongst us—I repeat, if the responsibility, for any mistakes, were fixed on any person, which took place in the past, I do not see how it could avoid a similar state of affairs arising in the future. For all I know the man has gone—for all

[Mr. Madan]  
I know, the man who is responsible may never come back, but the time, and energy, and resources, which we are going to spend upon trying to find out what mistakes we made, should be spent in trying to put a speedy end to the State of Emergency.

I think, Sir, that if we pass a Motion of this kind, we challenge the prestige of the country; in the sense of challenging the prestige of the Government, consequently we challenge the prestige of the country. In my opinion the passing of this Motion by this Council would have a tremendously detrimental effect upon our good name abroad. In spite of all the misgivings we have and doubts, I am satisfied that this Colony still has got a good name abroad—I am still satisfied that the people who do not believe all the propaganda that is put up against us, when some people say there is ruthless suppression here—every Government has the right to deal with all unlawful movement and this Government must claim this right for itself.

If it adopts measures to suppress an unlawful movement of the type that we have here, in my opinion any measures are justified, because the peace and prosperity of this country must come before the discomfort of certain terrorists.

THE DEPUTY SPEAKER: No other Member rising to speak, I will put the question on the amendment in the first instance.

MR. BLUNDELL: I wish to intervene in the debate, if I am not too late.

THE DEPUTY SPEAKER: You may still debate on the substantive Motion once the amendment is disposed of.

I will put the question in the form required by our Standing Orders—that the words proposed to be deleted stand part of the Motion.

Just a reminder to the hon. Members for fear of mistakes—that means those who are opposed to the amendment will say "aye" and those who support it will say "no". (Laughter!)

The form in which it is put is that the words proposed to be deleted stand part of the Motion.

The question was put and carried.

THE DEPUTY SPEAKER: The substantive Motion stands then as originally proposed by Group-Captain Briggs.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, I think all hon. Members will obviously be in some difficulties over this Motion because there are pros and cons to be considered in the timing of the inquiry which is asked.

After thinking the whole matter over, Sir, I am going to make an appeal to the hon. Chief Secretary to reconsider his decision on the substantive Motion that is now before the Council and I do so for these reasons.

The hon. Member, in what I considered was an excellent speech, moved without rancour or bitterness, nor in any form that he was desirous of a witch-hunt—he made it perfectly clear that those were not his intentions—now I believe that if hon. Members opposite turn down this Motion, rightly or wrongly, they will create in the minds of many people in this country the suspicion that they are determined not to examine the causes for this movement in our midst or the reason why it did not become evident to Government earlier. I do not think that is in the hon. Member's mind. Indeed, in speaking he made it clear it was not.

But I must point out to him that if this Motion is moved and is refused by the Government, inevitably the inference drawn is that Government have no intention whatsoever of looking into the causes of the trouble. "I believe" that would be unfortunate.

The second point the hon. Chief Secretary made; he felt fundamentally that the time and energy devoted to this Motion might be better spent in pursuing the terrorists. I do not agree with him. Firstly, I do not think a great deal of time and energy will be necessary. The hon. Member made it quite clear that there was no necessity if the inquiry was properly instituted and prosecuted for officers to feel that they have to defend themselves, nor do I think it will need a great deal of individual examination of officers. I believe that there again the hon. Chief Secretary is allowing doubts and suspicion to build up in his own mind which are not really necessary.

[Mr. Blundell]

There is, Sir, I believe, a deep disquiet in the country as to why it was that the information which was available was, apparently, at any rate, not appreciated at higher levels, or possibly, not transmitted, at higher level. I myself, when moving the debate on law and order, to which the hon. Member referred, did give my personal opinion. I would be perfectly willing before the inquiry to give my reasons for making the statement—to wit—there was a group of men who were determined to overturn Government within nine months. The reasons were the same, the factors which caused me to make that statement were available to hon. Members opposite. They were not, in my opinion, used by them or else did not reach them.

I think the position really is "do not let us recriminate about the past"; that was not the intention of the Motion. What we are extremely anxious about is that we all know that as a result of the Emergency in our midst, we have made certain changes in the structure of the administration and the information services. Nevertheless, it is alarming to think that such a movement was able to develop to such a magnitude over five years without adequate warning being available to us.

I believe an inquiry of this sort, Sir, would not cause a great deal of time and energy to be taken from officers. I believe it might well satisfy us that our present arrangements, methods, alterations, were amply adequate to prevent the recurrence of a similar sort of movement in other areas. I do not wish to repeat the arguments which my hon. friend the Member for Uasin Gishu put forward, but I would emphasize that I thought there was much cogency in what he said, especially in trying to ascertain what is behind the movement and why it spread so rapidly and why it was so unapprehended by everyone.

Two further points I wish to make are only these: the hon. Member for Indian Affairs, Mr. Madan, did mention—(laughter)—

MR. MADAN: I might be one! (Laughter.)

MR. BLUNDELL: I must disillusion the hon. Member, in no way

is he going to compromise my views on that issue—I think him most unsuitable! (Laughter.) The hon. Member for Central Electoral Area raised the question of our name overseas. Now I do not think that the deduction he has drawn in that regard is correct. I believe an inquiry on the lines which the hon. Member has outlined, clearly instigated as an investigation and not as a witch-hunt, would do our name overseas a great deal of good. I think our name has suffered because of the onslaught of this terrible movement, without our knowing anything about it and without the hon. Members opposite—forgive my stressing this—without apparently taking any steps to inquire into why that happened.

Lastly, one small point, I fear if we delay, evidence which will help us will inevitably disappear, because much of the evidence will, I think, be verbal; it will be conversations of officers recorded to other officers, not necessarily recorded in writing, and further as time goes on, with the development of modern government, the amount of writing which will have to be examined will become greater and greater and the consequential energy expended by the Commission will, of course, be greater.

For all these reasons I would urge the hon. Chief Secretary to reconsider his decision and let this inquiry go forward. I do not believe it would do harm; it is not intended as a witch-hunt, it is intended as a genuine attempt to avoid future pitfalls and draw conclusions from the past.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, I have only one point to make in supporting this Motion. It has been an accepted principle in the carrying out of British justice that whenever an executive or administration blunder occurs, an inquiry is immediately instituted. I know of no exception to that principle in the lower strata of government—an example is the recent inquiry into the incident at Naivasha Police Station.

I think it is most unfortunate if the Government cannot accept the principle at the level of Government in this Council.

MR. AWORI: Mr. Deputy Speaker, I think everybody in the country would be very sympathetic to the Motion brought by the hon. Mover. However, I am not satisfied with the wording. I feel that if a Motion had come to Council that an inquiry should be set up to inquire into the root causes of *Mau Mau* and how to stop it permanently, I think I would support that Motion but at present all I find is that this Motion, if accepted, is only to blame the Government and people who were in Government during the time the subversive movement started.

Now, Sir, I do not think, particularly at the present time when we are gradually spending a lot of money of the taxpayers of this country for the elimination of *Mau Mau* and the Emergency, that we should spend more time and more money in setting up a Commission of this nature. I agree wholeheartedly with the hon. Chief Secretary that the time is not opportune. I feel at present we should contemplate on fighting the Emergency instead of trying to blame some other people. This sort of thing I feel is already in America, if I remember rightly, where a witch-hunt has already started to indict the former President and I wonder whether the Mover has any view to indict our former Governor or other officers who have been in the country during that time.

If the hon. Mover could have changed his wording and asked for an inquiry to look into the root causes of this subversive movement it would help us a great deal.

During the course of time it has been mentioned that *Mau Mau* was started by people who want to overturn Government for their own end. Some have said that *Mau Mau* was started by people who want to go back to savagery. Some have said the root causes are economic. Those are the things I would have liked to be looked into instead of trying to lay the responsibility on somebody else's shoulders.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I rise to oppose this Motion for the reasons that have been given by my hon. friend the Chief Secretary.

I can give an assurance to all hon. Members that Government is taking the

ideas that are underlined and which lie behind this Motion with extreme seriousness. There is no question whatever of Government not being just as desirous as the hon. Members opposite of endeavouring to try and really discover how this movement arose, how it got so strong without anybody really appreciating what was occurring and what went wrong with our machinery in that respect. Government is just as aware as hon. Members opposite that what has happened once might, indeed, happen again and I am quite sure one of the reasons which caused the hon. Member who has proposed this Motion to bring it before us to-day was in order to do what he could to make sure that this cannot happen a second time. We cannot afford once again to be caught to some extent by surprise.

The Chief Secretary has stated categorically that an historical record is being kept, and an inquiry will be conducted at the opportune time. Now, hon. Members have disputed that timing. They have suggested that if we do not conduct the inquiry now that some valuable evidence might be lost; that despite the Emergency and overwork caused thereby, that it would be possible to conduct such an inquiry effectively now and that it might be, indeed, of some use in terminating the Emergency. I am afraid I do not agree. I think, had we had some sort of inquiry right at the very beginning, it might have served a purpose, but I dispute whether you could make a thorough inquiry, and get the information the Members really require at the moment. At present I think it would be perfunctory; I think it would take up a great deal of time with little result. I question very much when you have the Royal Commission out here, when you are about to receive visits from some Members of Parliament, when you have, a hundred and one inquiries going on at the present time, whether you would achieve the object we all desire by endeavouring to stage a rather meticulous inquiry as suggested in the Motion at the present time. It is because I believe that this would lead to nothing really thorough and because we had much better concentrate on dealing with the Emergency, that I oppose this Motion. It is not because we do not feel these matters have got to be gone into in due course and very thoroughly at that.

THE DEPUTY SPEAKER: No other Members rising to speak, I will call upon the hon. Mover to reply.

GROUP-CAPT. BRIGGS: I regret very much that Government has not seen their way to accept this Motion. I believe had they done so, I think it would have vastly increased their prestige in this country. I believe had they the courage to face up to it, it would have done a great deal of good. I believe it is always unwise for a Government to flout public opinion too often and too much. I believe, in speaking to this Motion, I have represented the views of quite a large number of people in this country who believe an inquiry of this sort should be held.

Now, Sir, to me the reasons advanced by the hon. Chief Secretary in opposing this Motion were, to say the least of it, extremely unconvincing. I think that at a time when home leave privileges have been restored, when a number of Commissions of Inquiry of various sorts are taking place, I find it very hard to accept that an inquiry of the nature visualized in the Motion cannot be held without seriously interrupting the work of the country. The country will come to one conclusion and one conclusion only, that the Government have something to hide. There will also be a fear in the country that it may be that some of those persons who were responsible for the failure to take action in the earlier stages of *Mau Mau* still may be directing our affairs. I believe that is a very genuine feeling.

I would mention that during the late war, both in His Majesty's Services and in other Civil Services, a number of inquiries took place. There was never, as far as I can remember, any general disruption resulting from that inquiry. It does seem to me that if the morale of our own administration here is not sufficiently robust to stand up to an inquiry of the type I have referred to, then there is something really wrong. (Hear, hear.)

I will not refer at length to the remarks of the hon. Member for Central Area, Mr. Madan, but the hon. Member rather gave me the impression that he was trying to perform the task that should properly be performed by the Commission of Inquiry. His remarks in regard to confidence—I believe if the inquiry were held, there would be a great restoration

of confidence in this country and other places in the genuine efforts of the Government to put their house in order with the best people they can find for the job.

The question was put.

The Council divided. Ayes, 14; noes, 37. (AYES: Mr. Blundell, Group-Capt. Briggs, Messrs. Cooke, Crosskill, Lt.-Col. Gherstie, Lt.-Col. Grogan, Messrs. Harris, Havelock, Letcher, Maconochie-Wellwood, Lady Shaw, Mrs. Shaw, Messrs. Slade, Usher, 14. NOES: Dr. Anderson, Messrs. Awori, Blunt, Major Cavendish-Bentinck, Messrs. Coventry, Cowie, Edye, Gikonyo, Griffith-Jones, Hartwell, Dr. Hassan, Messrs. Hope-Jones, Jeremiah, Dr. Karve, Mr. Madan, Sheikh Mahfud Mackawi, Mr. Mathu, Sir Charles Mortimer, Chief Mukima, Messrs. Nathoo, Ohanga, Okwirry, Petrie, R. B. Patel, J. S. Patel, Sir Eboob Pirbhah, Messrs. Potter, Riddoch, Roddan, Sheikh Mohamed Ali Said, Chanan Singh, Tameno, Taylor, Vasey, Wadley, Whaytt, Windley, 37. ABSENT: Messrs. Carpenter, Sheriff Abdulla Salim, Tyson, 3.)

#### MOTION

##### COMMUNICATION BETWEEN MOMBASA AND THE SOUTH MAINLAND

MR. USHER: Mr. Deputy Speaker, Sir, with your indulgence and that of the Council, I should wish to amend the Motion and to substitute other words in the same spirit. I do this after consultation with the Government and I trust I might be allowed to read my amended Motion.

It is—"That this Council requests the Government immediately to call a conference of the interests concerned to consider the question of communications between Mombasa and the South Mainland".

THE DEPUTY SPEAKER: In my view, that does not materially alter any principle embodied in the Motion and can be accepted in lieu of the Motion of which notice was given.

MR. USHER: This Motion now arises really from the question I put in the Council quite a short time ago to which I received what Sir Winston Churchill would call "a dusty answer". We were told that if money was available, it was proposed, within the next three years to construct certain ramps. I did not

[Mr. Usher] pursue the matter through a series of Supplementary Questions which would have amounted almost to debate but I did think of rising in my wrath and saying we were tired of ramps; we had known about that for two months and I wanted rather more encouragement than the answer given me.

For the benefit of any hon. Member who does not know, the ferry is operated at present under an agreement between the Road Authority and the Kenya Bus Company. I think the performance of the ferry is sufficiently well known to most Members to need little comment. It is neither altogether safe, nor is it adequate.

When I was considering how I should approach this Motion, I ranged in spirit both in time and space. In time to my own boyhood and in space to the River Thames. When I was a boy there was quite a popular song—I jotted down the refrain of it. I am afraid I have forgotten the tune, Sir, so I cannot burst into song! The words are these:—

"Aho! and Oho, and it's who's for the ferry?"

(The briar's in bud and the sun's going down)

And I'll row ye so quick and I'll row ye so steady,

And 'tis but a penny to Twickenham Town."

Well, it costs a pretty penny to get to Likoni and it is not safe.

I think we are all aware in this Council that there are industrial projects—I do not wish to refer specifically to them now—but hon. Members might well consider the effect of an inadequate service upon these projects and upon the general development of the mainland south of Mombasa.

I do not propose either, Sir, to discuss the matter technically, because as I have discovered during the recent controversy about Mzima Springs, everyone was an engineer and I am quite sure, if I were to make a suggestion about the way we should proceed from one shore to the other, I should find everybody was that kind of engineer as well!

I have heard a great deal from a number of people who suggested we

should have a Sydney Harbour Bridge, we should have this, that and the other, and all the great club of "Why don't they's"—"Why don't they do what they do at Hong Kong, why don't they do what they do at Birkenhead and why don't they do what they do at Kamchatka?"—I must leave that kind of question to those qualified to speak about it.

I do see it, Sir, in two distinct parts, two questions: there is the long-term and the short-term scheme we might consider. What the long-term project might be I do not propose to prognosticate but we do want an adequate service very quickly now.

Sir, those who have suffered from a classical education will remember the poignant picture painted by Virgil of the departed souls who were waiting their time to cross the Styx—he describes them as stretching forth their hands with longing for the further shore.

That is not quite the picture you will see on the ramp at Likoni Ferry to-day. But you will hear the impatient honking of horns, you will hear, I am afraid, people just swearing themselves to a standstill, then relapsing into a sort of hopeless coma, waiting for the pontoon and then commending, if they are wise, their souls to their Maker as they embark upon a rather perilous passage!

Sir, we do not mind whether we have a ferry or a helicopter service or even if we were catapulted across that strait, but we must get there and we must get there quickly. So, in the name of all who have suffered in the past, of all who are suffering now, and in the name of common sense, I do ask that we may have adequate service and have it quickly and so I commend my Motion. (Applause.)

MR. COOKE seconded.

MR. BLUNDELL: Strange bedfellows!

Question proposed.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, I think I can open by saying that Government will accept the Motion. (Applause.)

Sir, there are one or two other things I would like to say in dealing with this particular subject.

First of all, I would like to repeat what I think has already been said once, that

[The Member for Finance and Development]

The Road Authority has included in the 1954-1956 estimates a sum of £50,000 for new ramps on the ferries. This scheme will enable the present service to be more than doubled and it would therefore meet a normal increase in traffic—speaking from memory—for quite a number of years to come.

We all know, of course, that there is the possibility of this establishment of this mysterious industry to which we do not refer on the south mainland and we do realize that that might involve an abnormal increase in traffic.

It is therefore, perhaps, to some extent, unwise to proceed with this particular plan until we know what that increase in traffic would be if the mysterious industry were established. So that I welcome a conference between the interests concerned—I have already had interviews with the representatives of Messrs. Sir Alexander Gibb and Partner who are going into the question of a survey down in Mombasa on the sociological and inter-racial aspect of the staff if the oil company decided to proceed, I think we can say we have had a very useful exchange of ideas and information which now I think should be passed on to all the transport interests concerned.

There is also included in the Road Authority plan for the 1954-56 period a proposal to spend some £200,000 on the Mombasa-Tanga road. This proposal envisages the construction of a bridge over Mwachi Creek at the cost of some £80,000 and the road would take off from the Mombasa-Nairobi road at Miritini, which would enable a lot of material to be off-loaded at Miritini and taken by road transport from that point to the point of this mysterious industry we are all thinking about, so there is quite a lot in prospect in this regard.

The present agreement with the Bus Company—between the Road Authority and the Bus Company—expires, I think, on the 30th June, 1959, though, of course, the Director of the Public Works Department may, under the agreement, take over the service at 12 months' notice, on the payment for the ferry-craft and buildings.

MR. USHER: Twelve or six months?

THE MEMBER FOR FINANCE AND DEVELOPMENT: I have been given twelve—the hon. Member may be correct—but the information supplied was twelve; I think it was given after a study of the agreement.

All these points can usefully be discussed by the interests concerned but, of course, I must come back to the safeguard that this is largely subject to the money being made available by the Planning Authority. We have at the present moment the stage where we are dealing with a hypothetical mirage—the possibility of a certain industry affecting a practical problem and we need also to deal with the present situation. I remember in 1948, when in other guise, I was asked by the Mombasa Municipal Board, together with the Treasurer of the Nairobi City Council, to undertake an investigation into the finances of the Mombasa Municipal Board. I think we reminded them then that indeed the ferry between one part of Mombasa and another was, to some extent, a main road and should be regarded as such under which circumstances, of course, the local authority would have contributed towards the maintenance of the main road, as it has done in the case of Nairobi.

However, that, I think, is also a point which a conference of all interests concerned could consider.

I have pleasure in accepting the suggestion of the hon. Member for Mombasa that this should take place immediately. (Applause.)

THE DEPUTY SPEAKER: If no other Member rises to speak, I will ask the hon. Member to reply.

MR. USHER: All I have to do is to thank the hon. Member for Finance, Sir, for the action which he proposes.

If he were capable of blushing, I am sure he would be doing so now.

The question was put and carried.

THE DEPUTY SPEAKER: The Council will suspend business for fifteen minutes.

Council adjourned at Eleven o'clock and resumed at twenty minutes past Eleven o'clock.

## MOTION

## DISCRIMINATORY RACE LAWS

Mr. CHANAN SINGH: I would like to make a few alterations in the Motion that stands in my name and I ask for your permission, Sir, under section 34 to do that. The Motion, as I want it to read now, is this: "That this Council resolves that a Select Committee be appointed (a) to compile a list of laws and subsidiary legislation which discriminate between persons on the ground of race and (b) to report thereon."

THE DEPUTY SPEAKER: In my view that does not materially alter the purport of the Motion of which notice was given and may be accepted.

## Question proposed.

Mr. CHANAN SINGH: I wish to place on record one fact that is not known to the Members of this Council. In the original draft Resolution I included a phrase which asked the Committee to be appointed not to touch any laws which were made for the benefit of the indigenous people. At the special request of the African Members of this Council, I deleted that phrase so that the Resolution now is a general one and applies to all discriminatory laws.

Sir, I am obliged to my African colleagues for their attitude in this matter. Their attitude does show that they appreciate the true nature of the problem with which we are faced.

Mr. BLUNDELL: May I ask the hon. Member if he gave us the opportunity of showing our appreciation to us as well? Did we see the Motion before he moved it?

Mr. MADAN: On a point of order, Sir, it was brought to the notice of the Unofficial Members at the meeting of the Elected Members' Organization.

Mr. HAVELOCK: It is not a point of order.

Mr. CHANAN SINGH: That is a fact. I brought the notice of this Motion to the Unofficial Members' Organization first and it is recorded in the Minutes. Now, Sir, I feel that a time must come in this country when all discrimination artificially introduced by law will disappear. I am not suggesting that everybody even then will be equal: that is not possible.

Some inequality must remain so long as human beings remain. We have got different economic conditions and we have different traditions. So that inequality due to these two factors will continue whatever we do.

But I think that nothing should be done by Legislature to make the situation worse by introducing inequalities which are not justified by merit. I hope that even when Kenya has reached the state of full nationhood the racial groups, more or less pure, will continue to exist, but I also hope that the race or religion of any person will not entitle him to any special privileges, and it will not expose any other person to any special detriment disability.

I think we all agree that such a time will come, and I think that the conception of "one nation", which has been placed before this country by the European Elected Members' Organization, is one for which the country owes them a great debt of gratitude. I am sure that this conception, once it is accepted in its right spirit, will be of great benefit, although I realize that improvements, which will be implemented in the social conditions, will come gradually. I think we can improve the conditions of the various groups by steps—it will be by evolution in other words, but a beginning has to be made and we must know how much work is involved. It is for that reason that I am moving the Motion this morning. The Committee that I suggest, if appointed, will show us how much remains to be done to introduce equality, as far as possible, in the society of Kenya.

There is one development which was prominently in my mind when I drafted this Motion. That is the decision of the United Kingdom Government to extend to Kenya the European Convention on Human Rights. Sir, I want to make it clear that this is not the Convention which the United Nations Commission on Human Rights is drafting. This Convention was drafted and was adopted originally for the people of Europe. It was intended to apply only inside Europe. The British Government has extended it of its own volition to forty-two of its British Dependencies and, I think, I must record the thanks of the people of this Territory to the British Government for extending that Convention to Kenya.

[Mr. Chanan Singh]

Now, Sir, discrimination as sanctioned or enforced by law is of several kinds, but I wish to make it clear that my Motion refers only to laws as such and to subsidiary legislation made under definite laws.

Now the word "law" is a more wide word than Ordinance. Laws enacted by this Council are called Ordinances, but I contend that the word laws should cover all laws that apply in Kenya. That means that the Motion covers the Ordinances passed by this Council, it covers all applied Acts and Orders in Council and it also covers laws that are passed by the Central Legislative Assembly. In fact, it covers all laws that are applicable in Kenya.

Discrimination exists in all types of laws. First of all, we have constitutional instruments, that is laws which establish legislative bodies and Local Government bodies. There are various discriminations in terms of service for servants of the State, and there is also discrimination here and there in the Penal Laws of the Colony. There is discrimination also in the laws governing Government finance—that is laws covering taxation and expenditure from the public funds. Then there are laws which discriminate against persons in regard to property rights.

I wish to say that the Motion does not ask for anything revolutionary; it does not ask that discrimination on the grounds of race be prohibited; in fact, it does not ask for any definite change to be made. All I have asked is that the present position be surveyed dispassionately and that any committee appointed under this Motion should examine the list of discriminatory laws and give us the benefit of its views and its conclusions. The Motion is thus two-fold; it asks for a list of the laws to be compiled and, secondly, it asks any committee that may be appointed to report on that list. Thus the committee will examine the list when it is ready and make recommendations on it. Of course, this Council will have the final say when the list and the report are ready. If any changes are to be made in the laws that apply in this country naturally it will be this Council that will be asked to sanction the changes. Meantime, my purpose is to have a body of persons who

will assess the problem; who will show us to what extent racial discrimination in fact exists in the laws of this Colony. Once we know this, we will be in a position, as hon. Members of this Council, to ask what action be taken.

With these words, I beg to move.

Mr. MATHU seconded.

## Question proposed.

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to propose an amendment to this Motion. The amendment consisting of the following:—"That the Motion be amended by the deletion of the words "a select committee be appointed" and by the substitution thereof of the words "the Government be requested". The Motion will then read, if I have got it right—"BE IT RESOLVED that this Council requests the Government to compile a list of laws under subsidiary legislation which discriminate between persons on the ground of race and to report thereon". The purpose of this Motion, this amendment, is designed to enable the carrying out by the Government of the mechanical process which the hon. Mover visualized in the first instance. I suggest that the mechanical process will best be done by Government and properly done by Government and the results will be brought to the notice of this Council. It will then, Sir, still be open to this Council to take such action as it thinks fit on the information placed before it whether by way of an appointment of a select committee or whatever Council may desire.

I suggest, Sir, that this factual information will be better provided in this way than by a select committee at this stage.

The hon. Mover's words referred to evolution and, I think, he referred to a beginning of changes. Beginnings have already taken place. A certain amount of evolution has taken place and I suggest, Sir, that the further evolution will be continued in the light of the factual information provided.

I beg to move.

THE MEMBER FOR LEGAL AFFAIRS seconded.

## Question proposed.

THE DEPUTY SPEAKER: The amendment will first be debated, I would ask



[The Deputy Speaker] hon. Members to confine themselves to the amendment in this particular debate.

MR. CHANAN SINGH: Mr. Deputy Speaker, Sir, if it is possible for me now, I am prepared to accept the amendment.

THE DEPUTY SPEAKER: The way to show your acceptance will be to vote for it when the vote is taken.

MR. MATHU: Mr. Deputy Speaker, Sir, I would like to speak on the amendment. I do not think there is very much difference between the substantive Motion and the amendment except that the amendment leaves out one very important element in the process of compiling the list of legislation and that is to associate the representatives of the people with the actual compiling so that they can, themselves, also gain the necessary experience in studying the contents of the laws and listing them. That, I think, is the only factor, I think personally, in which the amendment weakens the whole case.

What happens now, is that Government will compile the list and then will present the list to this Council as a complete affair and the experience that I am suggesting. Unofficial Members would have in the actual investigation—will get lost but apart from that, Sir, I do not think there is very much difference between the substantive Motion and the amendment. So I, like my colleague here, the Mover, would like to support the amendment.

THE SOLICITOR GENERAL: Mr. Deputy Speaker, Sir, just to allay any apprehension on the part of the last speaker, may I point out that there is nothing to prevent him or any other Members or group of Members in this Council from studying the list of laws applicable in this country themselves. It will take them a long time! But if there is any particular law which they have in mind, they have only to make representations to Government and provided it is a law of the nature mentioned in the Motion, it will be included in the list.

The question that the words proposed to be deleted stand part of the Motion was put and lost.

The question that the words "Government be requested . . ." be substituted, was put and carried.

MR. COWIE: Mr. Deputy Speaker, Sir, I think it is unlikely that any one would wish to oppose this Motion especially as the hon. Mover has put it forward in such reasonable and temperate words.

I would like to invite his attention to one aspect which has always worried me and that is that if this racial question is fanned by extremists in either direction—I would not say the hon. Mover is an extremist—it seems to me it overshadows the opportunities of that very large group of moderate-minded people who would probably assist in the evolution and in the solving of this problem. As long as extremists go on handling the problem politically, continually making references to it—and there is evidence of this in many of the debates in this Council—I believe it will only postpone the day when the problem will tend to solve itself. If the extremists can be muzzled, I believe a very large group of moderate opinion could progressively come forward and we could achieve the result we all want to achieve. Then it will be more of a social than a political problem.

I would like to support the Motion.

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, as the amendment moved by the hon. Chief Secretary was accepted by the hon. Mover, I think probably the Motion will go through! (Laughter.)

But I want to inquire from the Government on one point. That is, when they will be able to submit the report because if the report is not submitted to the Council in a reasonable time, then I do not think that the Motion will serve any useful purpose.

THE SOLICITOR GENERAL: Mr. Deputy Speaker, I would remind the last speaker that there are, I think, seven large volumes of the Laws of Kenya; there are a very considerable number of Statutes of general application of the United Kingdom which apply in this country and there is, for each year from 1948 onwards, a volume not only of principal legislation in the form of Ordinances, but also of subordinate legislation.

Now an examination of all these laws is not a matter, if it is to be of any use at all, which can be undertaken in a short time. So I think that to suggest that any estimate could be given as to when the

[The Solicitor General] list could be compiled and given to Council, I think that suggestion was made in ignorance of the magnitude of the task.

DR. KARVE: I admire the courage of the Officials of Government in having accepted this Motion and I congratulate the Mover for having moved it in a very moderate way. I, however, feel the same as the speaker before me, the hon. Nominated Member, Mr. Cowie, that such Resolutions do not necessarily achieve the object they are intended to do. It is true that the hon. Mover was very moderate in moving such a Resolution but it is not necessarily true that people who speak to the Motion will necessarily have the same moderation in speaking to the Motion and they may stir up feelings that will not achieve the object desired by the Mover.

However, now that Government has accepted the Motion in this modified form, I support it.

GROUP-CAPT. BRIGGS: About 2,000 years ago, a wise man called Aesop wrote a series of fables. One of those was called "The Apple of Discord". I commend his words to the consideration of this Council.

"Hercules was once travelling along a narrow road where he saw lying on the ground in front of him what appeared to be an apple. As he passed, he stamped on it with his heel. To his astonishment, instead of being crushed, it doubled in size. He attacked it again, smiting it with his club but it swelled up to an enormous size and blocked up the whole road. Upon this he dropped his club and stood looking at it in amazement.

Just then Minerva appeared and said to him, 'Leave it alone, my friend. That what you see before you is the apple of discord. If you do not meddle with it, it will remain as small as it was at first, but if you resort to violence it develops into the thing you see.' (Applause—laughter.)

MR. MATHU: I would like to congratulate the previous speaker on his reference to Hercules but I do hope that he does not imply that we should adopt a policy of *laissez-faire* in matters connected with the public.

MR. MACONOCHE-WELWOOD: I am going to have the temerity to oppose this Motion and I have a reason for doing it which, I think, hon. Members opposite at any rate will agree with. That is, it has been suggested quite often that they are rather over-worked, that there is a great deal to be done and that we have an Emergency on our hands. Perhaps at this time the acceptance of a Motion of this sort is not wise.

The hon. Solicitor General has pointed out very truly that a Motion such as this entails the overhaul of masses of legislation, not only of the laws of Kenya but a whole lot of Council Orders, African District Council Orders, which are quite different from those in the European areas, it also means the overhaul of the Agricultural Acts which are placed there for the specific defence of the land and the people of this country.

Is this a time, I put it to hon. Members opposite, to go in for this sort of thing? (Hear, hear.) Even, I am told, that some of them are working after dark to settle the Emergency.

Mr. Deputy Speaker, it is not that all of us do not know that there are discriminatory laws which many people may consider are objectionable, but the point I wish to make is that the hon. Members opposite with the support of this Council in the past and with the support of Her Majesty's Government of both shades of opinion in England have had to introduce laws here which do discriminate; not so much between races as between the different customs of different people and the different stages of evolution which those people have reached and I suggest that any inquiry into this at this time is not only a waste of time but, as my hon. friend the Member for Mount Kenya has said, will merely produce the discord that we all wish to avoid. (Applause.)

THE DEPUTY SPEAKER: No other Members rising to speak, I will ask the hon. Mover to reply.

MR. CHANAN SINGH: I am grateful to the Government for accepting the Motion in its amended form. There is only one comment I wish to make on the speech of the hon. Chief Secretary. He drew my attention to the fact that

[Mr. Chanan Singh] evolution has been going on for some time so that it is wrong to say that one should make a beginning. I do acknowledge that evolution has, in fact, been going on for quite a considerable time. But I suggest that the time has now come to know how much work there is still to be done, so that we shall be able to think of the ways and means of doing it. When I mentioned the making of a beginning, I naturally had in mind the beginning of the work of doing away with discriminations which may be disclosed by the list that is to be compiled. I did not mean at all that no beginning has been made in the past.

Now, Sir, I do agree with the hon. Mr. Cowie that these are matters which should be examined dispassionately and that we should leave political prejudices aside, in fact, as long as prejudice continues, no improvement is possible.

I also agree with the hon. Solicitor General when he said that the work involved is considerable. The work is, in fact, considerable but I do hope that they will do it in the minimum possible time. Most of the discriminatory laws naturally are already known and whatever other Statutes have to be examined will, I hope, be examined in the shortest possible time.

I must say that I do not agree with one expression used by Dr. Karve. He seems to suggest that a Resolution like this is not likely to achieve its object. I think that this Resolution is likely to prove useful and in any case, if we do not make up our minds about what has to be done, we will never do it. We must sometimes have before our eyes the object that we want to achieve and make some attempt at achieving it.

Then, Sir, it may seem strange, but I do agree with the hon. and gallant Member for Mount Kenya. The unfortunate fact is that I am not asking the committee or this Council to create an apple of discord! What I am asking Council to do is to try and remove the apple of discord that already exists. I am now asking for any discriminatory laws to be examined, not for discrimination that exists apart from the laws to be tackled just now, all I say is that where discrimination has been introduced by law, that should be examined.

The remarks made by the hon. Member for Uasin Gishu were meant more for the Government than for me and I can leave them in their care. (Laughter.)

The question was put and carried.

#### COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read.

Mr. Deputy Speaker left the Chair.

#### COUNCIL IN COMMITTEE

[Sir Charles Mortimer, C.B.E. in the Chair]

THE CHAIRMAN: On suspension of business last evening, the Committee of Supply was considering Vote 13-10—Miscellaneous, on page 26 of the Draft Development Estimates. Item No. 1 has been disposed of; No. 2—Tourism had been called.

MR. COOKE: It seems to me, I may have misread it, but for the six months up to the end of June there seems to be a reduction of £1,000, that will be £2,000 in the full year. I should have thought this was one of the votes that should not be cut because, as so many other people have said, notably Mr. Cowie, have drawn attention to the fact of the importance of tourism in this country which is calculated to bring in £5,000,000 a year to East Africa alone.

I have a quotation from the latest *Overseas Economic Survey*, British East Africa for 1952, in which it says this about American tourism which is very significant. It is a very brief quotation. It says: "Visitors from the dollar areas have more than quadrupled (in four years), despite a setback in 1950 because of the world political situation and the Korean crisis. There is every indication that the emphasis that has been laid on advertising in dollar areas has been effective and that great interest in East Africa has been aroused".

If we can quadruple business from the dollar areas in four years, we should try to even quadruple that number in the next four years, but we will require a good deal more money than the £9,000 voted. At any rate, it seems to me—I may be misreading the Estimate—that it is

[Mr. Cooke] very wrong to reduce it by £1,000 for the half-year, that is £2,000 for the full year, but perhaps this is susceptible to some explanation?

THE MEMBER FOR FINANCE AND DEVELOPMENT: If the hon. Member for the Coast will turn to the main Estimates, page 270, Vote 8-6, he will see that in so far as the East African Tourist Travel Association, we have not reduced the Vote at all. That is the 1953 figure of £8,000 has been agreed to and £4,000 has been put in for the half-year. If the hon. Member will look at the note on 26A he will see no reduction of allocation to tourism—Of the Planning Committee allocation of £257,000, approximately £165,000 will have been spent by the end of 1953, leaving a balance of £92,000. So there has been no reduction in all the outlay. It is only a question of the money that would be spent in the half-year. I hope that explains his point.

MR. COOKE: No. 10. I thought Mrs. Shaw had—

MRS. SHAW: We are doing 13-10 (2).

No. 3, 4 and 5 agreed to.

#### Item No. 6

MRS. SHAW: I am glad to see the hon. Member for Agriculture and Natural Resources is here because I should be most grateful for his assurance that close liaison between the Administration and the Veterinary Department who are carrying out the scheme for bush-clearing for tsetse fly control is maintained so as to ensure that settlement is effected immediately behind the clearing. In other words, that the areas cleared are quickly settled so as to ensure no degeneration of the bush.

In the past that has not been so and there have been large areas, as the Tsetse Fly Control service will tell you, that were cleared and a vast amount of money was spent but because the Administration schemes for settlement were not brought into being, the money was lost and the bush came back. The clearing is going so satisfactorily now that we have help; the work is being done by Mau Mau prisoners—that is the one good thing I know of that has come out of this movement—we have tremendous gangs of people on clearing and it is going ahead faster than it has ever done and therefore

the settlement schemes will need to be brought into being very much more quickly. Indeed, in the past in many cases they were not brought in at all.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Chairman, in reply to the hon. and gracious lady, I think she was thinking of two things. There was an area cleared, not a very large area, but a cleared barrier that did degenerate owing to certain difficulties as regards population movement penetration of Kipsigis into Masai lands. Since then, there have been very large areas—to which I think she was probably referring—in which a lot of felling was done and due to climatic conditions it was impossible to burn it. For about a year and a half there was a mass of felled material, in some places six or eight feet high, that has now been burned and the area is gradually being occupied. I think I can assure the hon. lady that we certainly are keeping in close touch with the Administration.

Items 7, 8 and 9 agreed to.

#### Item No. 10

MR. COOKE: When the estimate for this work was put in, it was a very conservative estimate. It was thought we would receive £2,000 net for this work, but we were calmly informed by the Public Works Department that they deduct 23½ per cent—why 23½ per cent I do not know—I would say not misappropriate but appropriate that is, the account for the work done in giving us advice, drawing out plans, etc.; so really this £2,000 is reduced to less than £1,600 net which is inadequate for the work. If we had realized that this 23½ per cent would be deducted, more would have been asked for. I do ask the hon. Member for Finance to help us in this very difficult and necessary matter of the Jetty at Malindi.

THE DIRECTOR OF PUBLIC WORKS: The £2,000 will remain as £2,000 in respect of the year 1954 because the reduction on account of what is known as D.A.R.A. surcharges ceases at the end of this financial year.

MR. BLUNDELL: May I ask one question? I understood the money for the jetty at Malindi was coming out of the Cotton Cess Fund. If I am right, I would like to ask how that Cess has got

[Mr. Blundell] itself into the D.A.R.A. Development Plan?

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I think I am right in saying, Sir, that the project carried out—the result of the money received from the Cotton Sales Fund have always been included in the Development Budget.

I think if hon. Members will look at the revenue of the Authority, they will certainly see that included in that. Page 8, item 5—Nyanza Cotton Sales Fund, £38,900 under the revenue resources of the Colonial Development and Welfare Fund. I hope the answer that my hon. friend, the Director of Public Works has given has satisfied the hon. Member for the Coast. If he is in further trouble, he will, no doubt, make further representation.

**THE CHAIRMAN:** The hon. Member referred to the Nyanza Cotton Sales Fund, does he not mean the Coast Cotton Sales Fund?

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** In the marginal note against the Coast Province Jetty at Malindi is the letter "x" which refers it as chargeable to the Nyanza Cotton Sales Fund which is what the hon. Member for Rift Valley was referring to.

**MR. BLUNDELL:** It was not in my view, the amount for the Malindi Jetty should be chargeable to the Coast Cotton Sales Fund.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Yes—I'm sorry—the Coast Cotton Fund.

Vote 13, items 11, 12, 13 and 14 agreed to.

#### VOTE 14—BUILDINGS

**MR. NATHOO:** Under Vote 14—Asian Education, Sir, and the item 1 am referring to is No. 6, Mixed Primary School, High Ridge, Nairobi.

**THE CHAIRMAN:** Does any hon. Member wish to rise to anything before that?

**MR. NATHOO:** Mr. Chairman, I would like to inquire that, in view of the remarks that were made in a previous debate, to which I do not want to refer, I would like to ask the Government the

reason that out of a scheme of almost £84,000, Government only proposes to spend £5,000 when we have requested Government that they must catch up with the back-log. Is there a hitch about the plans or the land? What is the reason? Recently, Sir, almost 200 houses have been built in High Ridge. I think the establishment of the school will be of the greatest benefit to the parents who have small children to send to school?

I would like to know from the hon. Member opposite.

**THE DIRECTOR OF PUBLIC WORKS:** The reason why is that it is likely that only £5,000 will be spent in the first half of the year—this particular project is still in the sketch plan stage, and will be finished during the course of the next six months, the work will probably be let out to contract but it is not anticipated that the work will be let out to contract much before the end of the first six months period.

**MR. COOKE:** Have we come to Vote 14? I did try to stand up before, but page 31, it is rather badly put here, you have to turn over. Item 12 (2).

**THE CHAIRMAN:** As there has been some misunderstanding, the hon. Member may proceed.

**MR. COOKE:** May I bring this one up? Prison Buildings.

**THE CHAIRMAN:** Any hon. Member wishes to raise any point before that?

#### Item 12 (2)

**MR. COOKE:** We had what we regarded as a pledge, at any rate a gentleman's agreement, that the Mombasa prison would be evacuated by the end of 1952. As you know it has been handed over to the National Parks to administer and make a museum there. All our calculations were founded on the fact of its being handed over at the end of last year. I was surprised to hear that not only is it not to be handed over, but it might be made into a remand prison for some incalculable period. We think that is a distinct breach of the agreement made with us.

Apart from all that, the prison is a very insanitary place to have prisoners in. It has been a source of complaint for years in Mombasa. It is more or less in

[Mr. Cooke] a residential occupied part of the town. For every reason, we must ask, in fact, almost demand the Government to make a quick decision in the matter. We ask that it should be handed over certainly before the end of June.

**THE CHIEF SECRETARY:** I find myself in agreement with a considerable number of the remarks of the hon. Member for the Coast and for my part, being responsible for Prisons, I would be only too glad if this new Prison was finished by the end of this year.

As far as I can recollect, I studied the papers in connexion with a previous occasion when the hon. Member brought this up, no pledge or guarantee was given of a specific date for vacating the prison. There is no question of turning it into a remand home. Remands are kept there at present and when the convicted prisoners are removed to Shimo-le-Tewa it will be impracticable to remove the remands to Shimo-le-Tewa. But there is, in the planning programme of the Prisons Department, a remand home to be put up; or perhaps other arrangements may be made for the remands when the convicted prisoners are moved to Shimo-le-Tewa.

I, from the point of the Trustees of the National Parks as well as from the Prison accommodation point of view, shall be only too glad to see the building handed over to the Trustees. I can assure the hon. Member for the Coast that it is for no lack of eagerness on the part of the Prisons Department that the move has not yet taken place. I hope that the convicted prisoners will have been removed by the end of next year. I can assure him that the utmost expedition will be undertaken.

**MR. COOKE:** In order to save trouble, will the hon. gentleman give me an indication of when the remand home will be ready to take the overflow of remands?

**THE CHIEF SECRETARY:** That I am unable to do at the moment until the Planning Committee has finished its deliberations.

**MR. COOKE:** When is that likely to be?

**THE CHIEF SECRETARY:** When the Planning Committee has finished its deliberations. Whether it is possible for

room to be found in the three-year planning period, I do not know. But if it is not possible to find that room, I will endeavour to see if some other arrangements can be made.

**MR. COOKE:** Thank you.

**MR. COWIE:** There is one small point on this, which may not be apparent to the Chief Secretary. The Trustees did cause an examination to be made of Fort Jesus by a panel of expert advisers, mainly to ascertain whether it would be possible to do any restoration work in Fort Jesus while it was still occupied by prisoners. The conclusion, Sir, was that it was not possible. Therefore, it must be accepted that no restoration work can be done in Fort Jesus as long as it is occupied either by convicted or remand prisoners. That, therefore, postpones the possible date when any plans could be started to bring this ancient monument into a state where it could be presented to the public. In the meantime, they are naturally trying to watch any damage that might be caused either by the sea or anything else and are endeavouring to protect Fort Jesus in its present state.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** In answering my hon. friend, the Member for the Coast, I should think it would be possible to present the Planning Committee Report before the Council at the first Session next year.

**MR. JEREMIAH:** Mr. Chairman, another item, that is Vote 14 (2)—Medical Buildings.

#### Item 13

**MR. BLUNDELL:** I have a point before that. I would like to draw the hon. Member for Finance's attention to item 13—Public Works Department—New Workshops and Yards—£111,843.

Mr. Chairman, the point I would like to ask the hon. Member for Finance is this: that when the Estimates of the Department come before the Planning Committee, it is necessary sometimes to adjust the amount available to each department; the requests of the departments come either in the balance of money unspent already allocated or in a request for more money. In the event of the Planning Committee having, of necessity—because we are very short of capital

[Mr. Blundell] money—to reduce the money available to the Public Works Department, the point I want to raise is this: will passing the Head over-ride the Planning Committee or will the Head be adjusted in terms of the Planning Committee's recommendations?

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Unless the project is in the commitment stage—that is, included in the £7,000,000—to which, as the hon. Member is already aware, the Planning Committee has already agreed we are committed to, unless it is in that stage, then the flexibility that the hon. Member for Rift Valley is seeking will exist.

**MR. COOKE:** The hon. Mr. Cowie has made an important suggestion which I hope will be answered, that is about the restoration of the prison during this interval; if it could be undertaken by the prisons.

**THE CHAIRMAN:** We have already passed that point.

**MR. COOKE:** Somebody jumped up.

Vote 14 (2), Item 3

**MR. JEREMIAH:** Referring to Vote 14 (2)—Medical Buildings, on page 32—New Group Hospital, Mombasa.

I would like to know whether or when it is likely that this new Group Hospital will be ready? The matter of building that hospital in Mombasa was discussed a long time ago and approved. I think the money was voted for it but up to now no appreciable improvement has been made. The present hospital in the place where it is situated, Sir, is in the centre of the town and just off the main road, where the noise is terrible. The building itself is insufficient and anything which would make it possible for the new Group Hospital to be expedited would be very much appreciated.

I would like to know, Sir, when it is likely that this one will be ready?

**THE DIRECTOR OF MEDICAL SERVICES:** The position about the new hospital in Mombasa is this. The building is in three phases. Phase one included a certain amount of staff buildings; that phase has been completed and some staff quarters have been erected. The second phase is to build the administrative block which also

contains the out-patients' department, the operating theatre and so on; that is being built now. Phase three includes the wards on which work is being done on the finished drawing at the present time. I hope the building will start before very long.

**MR. BLUNDELL:** I did not want to interrupt Mr. Jeremiah again but I had a point on 14 (1)—if I might have the leave of Council—African Women's Training Centre, Kikuyu. The point I wish to ask from the Member for Education—is that the site?

**THE MEMBER FOR EDUCATION AND LABOUR:** As the hon. Member knows, I think, we decided to try to find an alternative site for that building, and we are still doing so. At the present time we have not yet fixed on a site.

**MR. BLUNDELL:** I did not know. When I saw Kikuyu here, I assumed the new one had been rejected.

**THE CHAIRMAN:** If no other hon. Member has anything to raise on buildings we will pass on.

Vote 15-2 (1), Item 5

**MR. NATHOO:** May I ask the hon. Member for Education and Labour or the Member for Health, Lands and Local Government, is that the site for a grant-in-aid school or is it the site for a Government school?

**THE MEMBER FOR EDUCATION AND LABOUR:** I am afraid that I cannot answer that question off-hand but I see the Director of Education at a distance; I will try to keep Council occupied until he arrives. I think when he is in his seat he may perhaps be able to provide an answer.

**THE MEMBER FOR LEGAL AFFAIRS:** He is not there yet!

**THE DIRECTOR OF EDUCATION:** The sum in question, Sir, is for the grant-aided schools.

Vote 15-4, Item 2

**MR. BLUNDELL:** I am afraid this is rather an unfair question but would it be possible for the hon. Member for Commerce and Industry to give the estimated amount already expended on the Embakasi Airport?

**THE DIRECTOR OF PUBLIC WORKS:** I cannot say what precisely is the amount already expended on the development, I would like notice of that. We are going to spend something in the order of £200,000 this year. I cannot recollect the precise figure.

**MR. BLUNDELL:** In 1953?

**THE DIRECTOR OF PUBLIC WORKS:** Yes.

**THE SECRETARY TO THE TREASURY:** The expenditure of 1953 is estimated at £280,000 and we will bring to this Council, Sir, the Supplementary Estimates showing that we propose to spend rather more than was anticipated when Embakasi came before Council.

**MR. MACONOCHE-WELWOOD:** May I ask a question on the Embakasi Airport? Whether the work is entirely carried out by the Public Works Department or whether consultant engineers on the building of aerodromes are being consulted?

**THE DIRECTOR OF PUBLIC WORKS:** As the Member is aware, consultant engineers prepared the project report; since then the Public Works Department has undertaken the responsibility for the design.

**MR. MACONOCHE-WELWOOD:** Arising out of that answer, might I ask if the Director of Public Works is satisfied that those carrying out the work have the experience required to make an aerodrome of this magnitude, which is to carry the load it is going to have to take, because it is a highly technical matter?

**THE DIRECTOR OF PUBLIC WORKS:** I can assure the hon. Member that I am quite confident of this question. Of the six senior officers of my department concerned with this project, I think between them—I counted it up the other day—they have been responsible either for the construction or the extension of something like 70 to 80 airfields which have been situated in Scotland, England, North Africa, Egypt, West Africa and East Africa. (Applause.) I think our combined experience is sufficient to guarantee an airfield of the strength and size required. (Applause.) (Hear, hear.)

**MR. BLUNDELL:** Are the 70 still working? (Laughter.)

Votes 16-1, 17-1, 17-2 agreed to.

**THE CHAIRMAN:** That concludes the various items, I will put the question.

The question was put and carried.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.  
Council resumed.

[Mr. Deputy Speaker in the Chair]

## REPORT

**SIR CHARLES MORTIMER:** I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £3,486,708 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Votes 12-17—Development.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that Council doth agree with the Committee in the said Resolution.

The question was put and carried.

## COMMITTEE OF SUPPLY

### MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** I beg to move that Mr. Deputy Speaker doth leave the Chair in order that we may discuss Vote 5-3—Agricultural Department.

**MR. DEPUTY SPEAKER, Sir,** The Agricultural and Veterinary Services are among those which come within my portfolio, and these are the subject of fairly frequent discussion in this Council, and I am not aware of what particular items or subjects in that somewhat embracing subject that hon. Members particularly wish to discuss.

I do not propose to embark on a long policy exposition—we have recently had discussions and I have published or laid papers in connexion with the various aspects of Agriculture, so, Sir, in introducing this Vote, I propose just to deal with some of the Heads shortly, and then try and answer questions or criticisms that may eventuate from hon. Members.

[The Member for Agriculture and Natural Resources]

One of the first items under this particular Vote concerns the new Scott Agricultural Laboratories, and as the hon. Members are aware, they are now being rebuilt and not before it was high time to do so.

It is hoped that these new laboratories will be ready for occupation early in this new year. I would like to remind the hon. Members that the laboratories that we have been using, for all these years past, were originally adapted for the use of the Department in 1926 from an old condemned nursing home. So I would, Sir, submit it is high time we had these new laboratories, because more and more, as we progress, we require research and examination and elucidation of inquiries that come to the Department from all angles.

The next thing that I would like to refer to is the question of plant breeding, because it is often suggested that we are very short of staff in that particular sphere of Agricultural investigation. It is one of the most important in the country, and I would like to say that the Plant Breeding Services have been recently strengthened by the posting of a plant pathologist for the new plant breeding station at Njoro, who will work specially on wheat rust and assist the Senior Plant Breeder in the breeding of rust resistant varieties. Also that a second plant breeder arrived during the year, but a third is required to work on hybrid maize. The work on this is being pressed forward, and has often been mentioned in this Council. We also want to give considerable attention to African crops such as Sorghums and Millets.

As regard pasture research, which again comes under very frequent criticism from hon. Members, the capita works envisaged under the first phase of Dr. William Davies' scheme are now practically completed; these, of course, comprise of the Kitale main station and the high altitude sub-station at Molo. I do not know how many Members have been to the Kitale main station, but I hope that as many as are interested will pay it a visit.

We are still short of an officer with experience of the ranching areas, and we are trying to find one—the work on

the semi-arid areas is considered a very urgent matter.

Another subject which is sometimes discussed here is the shortage of facilities in regard to horticulture generally. The main station at Molo with sub-stations at the Coast, Kitale and Ruiru, have now been fully established. The development of the pineapple canning industry, on which I have been asked several questions in the last few weeks, and which is of importance, both to the European and African producers, postulates further investigational work for which extra staff will be necessary, and that has been provided for.

I had put down some notes about cash crops, but I think I dealt with those fairly fully in the Paper which I laid last week.

As regards Agricultural training schools which again have come under discussion, I think I mentioned only yesterday the three training schools for African departmental staff in the Nyanza Coast and Central Provinces, the latter recently completed, continue to supply some 50 recruits per annum for instructor staff in the African areas. With emphasis on planned farming a higher standard of initial education is desirable to enable pupils to absorb instruction in the elementary survey required for land planning, and we are trying to introduce that.

With regard to soil conservation—the Soil Conservation Service continue to expand in its terracing and dam-making work for farmers, the emphasis being on works constructed as part of pre-determined overall farm plan. All district units have now been equipped to construct the smaller farm dams, and thereby relieve the pressure on the large dam construction units in the demand from the mixed farming areas. Work in the African areas, particularly in the Central and Ukamba provinces, despite the Emergency, continues to expand, results being in direct proportion to the number of departmental staff employed.

Here, I would like to add that we have been very hard hit in regard to soil conservation units by the Emergency—the number of officers now employed in Emergency duties in one way or another. That leads me to the old question of staff

[The Member for Agriculture and Natural Resources]

—the Department has suffered tragic and serious losses of both European and African staff in the Emergency, especially as regards the latter, a number of senior and trained persons whom it will be hard to replace. The recruitment of technically trained European staff is proceeding slowly—I am afraid it will be some years before even our present establishment is reached. As regards African staff the great need is for Makerere graduates and a higher standard of education for instructor recruits, but in neither of these cases is there hope of obtaining requirements in the immediate future.

I think it was only yesterday that I did explain what was happening at Makerere College on long term—I am very optimistic indeed of what will in time eventuate from the Makerere College. And I repeat we have got an absolutely first class man in charge and I have great hopes, but it will take a year or two before we see the results.

With those few remarks I would introduce this Head, and will do my best, Sir, to answer questions arising therefrom.

THE MEMBER FOR COMMERCE AND INDUSTRY seconded.

*Question proposed.*

THE DEPUTY SPEAKER: As it is almost 12.45 I do not suppose any hon. Member wishes to rise to speak at this late hour.

#### ADJOURNMENT

THE DEPUTY SPEAKER: Council will stand adjourned until Nine-thirty tomorrow morning.

*Council rose at forty-five minutes past Twelve o'clock a.m.*

Friday, 4th December, 1953

The Council met at thirty minutes past Nine o'clock.

[Mr. Deputy Speaker in the Chair]

#### PRAYERS

#### PAPER Laid

The following paper was laid on the Table:—

A statement of accounts for the Colony for the period 1st January to 30th September, 1953.

(BY THE MEMBER FOR FINANCE AND DEVELOPMENT)

#### NOTICE OF MOTION

##### KENYA MEAT COMMISSION LOAN

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:—

WHEREAS the Kenya Meat Commission has arranged, for the purpose of obtaining working capital, to borrow by way of overdraft from the Standard Bank of South Africa, Ltd., a sum not exceeding £100,000, repayable with interest at £3 per centum per annum by annual instalments of £10,000 over a term of ten years ending on the 31st December, 1953; and has requested the Government, in addition to existing commitments undertaken by the Government to or in respect of the Commission, to guarantee to the said Bank repayment of such overdraft:

BE IT RESOLVED that the Government do hereby guarantee to the Standard Bank of South Africa, Ltd., all such sums as the Kenya Meat Commission may borrow from the said Bank on account of the said overdraft, but so that the liability of the Government under this guarantee shall not extend to any sums due on account of the said overdraft remaining unpaid after the 31st December, 1963, and shall not exceed, in the year ending the 31st December, 1953, the sum of £100,000, and shall not, at any subsequent time, exceed such proportion of the sum of £100,000 (or such lesser amount as may be borrowed by the Commission on account of the said overdraft) as the then unexpired

[The Member for Agriculture and Natural Resources] residue of the said term ending on the 31st December, 1963, bears to the term of ten years.

#### GOVERNOR'S CONSENT SIGNIFIED

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, this might be a convenient moment for me to notify, in accordance with Standing Order 128, that all the Motions which are grants or charges upon the public revenue or the public funds, which involve the finance of the Colony now on the Order Paper have received the recommendation and the consent of the Governor.

#### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW  
LEAVE THE CHAIR

Debate resumed.

THE DIRECTOR OF AGRICULTURE: Mr. Deputy Speaker, Sir, I would like to add just a little on general policy to what was said by my hon. friend, the Member for Agriculture, yesterday.

Firstly, I would like to say something about staff. On the research side the position has improved considerably. We still have one or two gaps but on the whole I am very pleased with the improvement over this time last year. The chain of research stations which are all part of the agreed development plan are all in operation with one exception and that is the main station for Nyanza where we have had difficulty in getting suitable land but I think the difficulties will shortly be resolved and we will be able to get a station near Kakamega. The stations at Eldoret, Embu, Matuga and the other three main stations, are all now in operation and should be producing a flow of results in the near future. Solik, one of the sub-stations, is also being developed this year.

On the field side, the staff position is not nearly so good. We are extremely short of experienced qualified officers and these people are, to my mind, absolutely essential if we are to get the best out of the large number of young and inexperienced officers in the field. This

gap in experienced officers is not just peculiar to Kenya, other Colonies are more or less in the same position and it all goes back to the thirties, from the early thirties until the late thirties when all Colonial Governments were economizing in staff and, to my mind, very foolishly, the first economy was made in technical staff and it is from that that we are suffering now.

Before I leave staff, Sir, I would like to pay a special tribute to those officers of my department who have been serving in the Central Province. I am quite sure that if my hon. friend, the Chief Native Commissioner, was here he would agree that, particularly in the early stages of the Emergency, they played a most important and vital part. (Hear, hear.) We have suffered quite heavy losses in the Central Province: In addition to two European officers, we have lost 15 agricultural instructors and assistant instructors and they, together with those bad boys who have been put behind barbed wire, have seriously depleted our trained African staff in the Central Province, and it is going to take some years to get back to where we were before the Emergency.

Turning to general policy, Sir, mention has been made of a Troup Report for the African areas. I think I should tell this Council something of what we have been doing in order to arrive at a more definite agricultural policy particularly for the African areas. There are, Sir, certain unalterable factors which influence agricultural policy and our experienced officers have, for some time, been working on a new policy plan taking into account these factors. The approach has been what we call an ecological one, in other words, province by province we have demarcated the natural complex of vegetation, climate and topography and we have classified the country according to these characteristics. For each zone we have, to the best of our ability, laid down what crops can be grown there and what stock is best suited to that particular area. We have also laid down, to the best of our knowledge, what farming system should be employed in each zone under the various conditions. That may seem very elementary but mistakes have been made in the past and the point I am trying to make is that as an expedient we have

[The Director of Agriculture] on occasions pushed people or stock into a particular area without taking due regard to the essential basic factors which do determine what is possible in that area. We have, on occasions, pushed in people or stock beyond the potential of that area and if we do that then we are simply laying up a great deal of trouble for the future.

I would like to touch very briefly on the subject of land tenure—it is a thorny one, but all I would like to say is that we, as a department, wherever possible in mixed farming areas in Kenya, favour the enclosure of land and the granting of a title of occupancy to that land with, of course, suitable safeguards on use and inheritance. It is an historical fact that real land development and capital investment has only come after enclosure has taken place and titles have been issued which give adequate security.

The hon. Member for Agriculture yesterday only touched on cash crops to the extent of saying that he had laid a Paper on the Table recently which shows the big development that has taken place in African cash-crop production. The Paper does not touch on policy and I would like to give at least my views on that policy in general terms and not specific to any particular crop.

As a result of investigations and research into the methods and suitable areas for the cultivation of cash crops, disease control and the plants really suitable for the various areas and, of course, experience gained by established industry we have, in my view, reached a stage when we can confidently embark on a vigorous campaign to increase cash-crop production in those areas. But this campaign must have certain safeguards. Firstly, it is the prime duty of my department to do everything we can to assure the food supplies of the people and, in the first instance, it is my view that cash-crop development should take place as part of a balanced farming system. The second, a very obvious safeguard which Government must recognize, is that it will be foolish, to my mind, at this stage to allow the Africans to put all their eggs in one basket. The reason for that is fairly obvious—pests and diseases. I need only instance here that the coffee industry in Ceylon and again in Nyasa-

land, was more or less wiped out overnight by disease. The other reasons why the eggs should not be put in one basket, is depressions or recessions, or whatever the correct term is, and in support of that, I would instance that over the last 20 years the price of sisal has varied between about £10 and £12 a ton to over £200 a ton, and coffee from £30 a ton to £600 a ton.

The third safeguard, Sir, is that we must insist on sound cultural practices and that planting takes place in correct ecological zones which we have determined by experiment and experience. On the other hand the progressive farmer must be given all assistance to develop the full acreage which he is capable of managing with his family or with employed labour.

Fourthly—this, Sir, is a point which is not, I think, always appreciated when the pros and cons of this problem are being considered—the research services and the extension and advisory services of Government cost quite a lot of money and if we are going to have this accelerated production of cash crops in the African areas, it is going to cost even more money and Government, as the investor, has, I think, the right to see that the money is put to the best advantage and have some control over its expenditure.

I was very glad to know, Sir, that the development of cash crops in the African areas has received the full blessing of the European Elected Members' Organization. Cash crops, in my view, are absolutely essential if the standard of farming and of living are to be raised and their development under suitable conditions and efficiently managed, will continue to receive every support and encouragement from my department.

In case, Sir, I have given the impression that everything in the garden is lovely and we know all the answers, I would like to say that the general picture is still one of inefficient land use; of rapidly increasing population and a steady decline in soil fertility. The principles of good husbandry under tropical conditions are still imperfectly understood and we have no great past experience to draw on and the need for research is paramount. The other great



[The Director of Agriculture] should like to hear from the hon. Member an assessment of what he considers is the present position in regard to rehabilitation. We all know that very constructive work has been done—particularly in the Ukamba reserves—but I think we should like to know—it is of such vital importance to the country—whether we are gaining ground, whether we have now beaten the problem, whether we are beating it or whether the problem is still running away from us. If it is still running away from us—if the deterioration of the soil is continuing at a faster rate than we are restoring it I feel we should set our minds to ways and means of accelerating this rehabilitation process.

Sir, I beg to support.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, I think we were all extremely gratified yesterday to hear from the hon. Member about his discovery of the potential new markets for meat, because, without any doubt whatsoever it is one of the most vital and important problems with which this country is faced to-day: not the disposal of meat, but that factor in the general rehabilitation and development of the country and, in particular, the African reserves.

I do suggest to him, however, Sir, that I think he painted a rather blacker picture than actually exists, in the notes which he circulated to the Council a few days ago, when he showed that the disposal was only about 1½ per cent of the 6,000,000 at present held in the African reserves; but I think that those were only sales. I should like confirmation from him that the actual figure of take-off was considerably greater. I should like to believe that it is something over half a million, which would work out at about 9 per cent, but I do put it to him that we have still not achieved the right target in that 9 per cent: I should like his comment as to whether he does not consider 15 per cent, or even 20 per cent, at least temporarily, would be more the right figure that we should aim at.

I should also like to reiterate the point I made yesterday to the hon. Member with regard to traders in the reserves—about purchasing cattle. I think I did not make myself clear. I am filled with admiration as regards the new organization set up for the disposal of meat, but I suggest that until this is functioning fully and properly it might be desirable to retain traders and the native and Somali buyers in the reserves.

With regard to the general problem—this very vital problem of rehabilitation and development—particularly of the African reserves—I should like here to pay a tribute to the work of the African Land Utilization and Settlement Board. I think they have shown great vision, and have put in a great deal of work, thought and energy into their planning; but I

should like to hear from the hon. Member an assessment of what he considers is the present position in regard to rehabilitation. We all know that very constructive work has been done—particularly in the Ukamba reserves—but I think we should like to know—it is of such vital importance to the country—whether we are gaining ground, whether we have now beaten the problem, whether we are beating it or whether the problem is still running away from us. If it is still running away from us—if the deterioration of the soil is continuing at a faster rate than we are restoring it I feel we should set our minds to ways and means of accelerating this rehabilitation process.

Rightly or wrongly, Sir, I think we are apt to think that the attitude of the Department is perhaps too academic, too scientific, perhaps too much on a test-tube scale, rather than on a big commercial scale, and I should like to know the hon. Member's views on the general situation, Sir.

To give an example of one particular area which is still deteriorating very quickly—very rapidly—which is going to build up great social trouble in the future, Sir, I should like to refer to South Baringo. We have spent a great deal of money and trouble on conservation work in other areas, but I do think we should now pay some attention to this particular area. It is inhabited by a very friendly tribe—the Tugan. They are at present in very desperate straits, and I think their reserve deserves very urgent attention. Attention has been drawn to this problem by the settlers of the Eldama Ravine Association. I think their opinion is worth considering. We have these farmers who have lived contiguous to this reserve for many, many years. They are, I think, in a position, if not to give technical advice, at least to give an opinion on the deterioration that has taken place during the last twenty or thirty years. There has been undoubtedly a great lack of continuity in administration of that area, and insufficient supervision of the stock and land by the Agricultural and Veterinary Departments. To a great extent, that is unavoidable, and therefore I think that if we can, in co-operation with the settlers, we should learn quite a deal of what must be done in such areas.

[Mr. Crosskill]

I was very pleased also to hear the hon. Member say yesterday that it would be futile to consider the development of new land until we have put our house in order; and are controlling and cultivating properly the land which we already have. A disturbing figure was given to us recently in an authoritative report by a member of the Agricultural Department that only about 5 per cent of the people in the Central Area were now cultivating their farms in a manner which was considered desirable and necessary by the Agricultural Department. This, Sir, has led me to wonder whether the seven agricultural teachers, who are in the expenditure account, are sufficient for that purpose. It seems to me that would possibly be wholly inadequate, because the time has arrived when we must impose our will and see that the instructions of the Agricultural Department are definitely carried out. It may even be necessary to have Agricultural Police.

The hon. Director of Agriculture has just made some most interesting observations with regard to the development of the African poultry industry. I imagine the development must be very considerable because he said all their eggs should not be in one basket. (Laughter.) I should *en passant* just like to remark that it is rather difficult to assess the position with regard to expenditure on rehabilitation and development, particularly with regard to accounts on soil conservation. We have recurrent charges both in the development accounts and in the annual revenue and expenditure accounts on soil conservation. Now, it is not that the recurrent expenditure in the development accounts comes entirely from the Colonial Development and Welfare Fund. The majority of that is from our annual general revenue, and I do suggest it would be simpler and easier to understand and more real, if that recurrent expenditure could be transferred to the annual revenue and expenditure accounts.

I should just like here, Sir, to refer to the Plant Breeding Services. We are very gratified to hear that the staff in that respect is being increased. I should like to mention that the cereal industry—the European cereal growers—have now realized the very great importance of this service; and they are determined to increase that, by their own efforts and

by a cess on cereals. They have realized that very important work is being carried on in the breeding of rust resistant wheats. It is of vital importance to the country and we wish to increase that, and I think it only right to say that they are enterprising and prepared to bear quite a proportion of the expenditure themselves. They realize that there must be additional work on maize—particularly on hybrid maize—which will greatly increase the production of maize in African and European areas. They are prepared to assist in this work. Furthermore, in other seeds, such as oat seed—I believe there is no really good oat seed in the country at the present time.

Here, Sir, just in conclusion, I think it pertinent that one should refer to some of the agricultural vicissitudes through which we, in England, have passed, because I think inquiry into such matters can obviate a lot of the dangers and tribulations through which others have passed. Such inquiries are always useful. I think, if only Government will accept and institute them, I would here like to say that in the Eleventh Century we were practising a similar form of agriculture to that practised by the Kikuyu at the present time. (Question!) By the thirteenth century it was reported that there was a land hunger. Quite obviously that was only an apparent one and not a real one. That was overcome rather drastically by the Black Death which wiped out practically 50 per cent of the people in the country. I am not suggesting we should emulate that. (Laughter.) It is merely an historical fact. In the sixteenth century again there was a land hunger. It appeared almost insoluble—but again it was apparent and not real. That was solved by intelligent distribution of manpower; apprenticeship to commerce and industry, dispersal of population generally and by further concentration on agriculture, and as further developments have shown, there was land enough for everyone, had they wanted to go in for farming.

I think it is right that one should point out that the difficulties faced at the present time are not insoluble. I think the present situation is very similar to that with which we were first faced many hundreds of years ago, and which was solved; and that was solved mainly

[Mr. Crosskill] through science—and even more particularly by applied energy.

Sir, I beg to support. (Applause.)

MR. MAITLAND EYDE: Mr. Deputy Speaker, the hon. Mover made reference yesterday to the effect that the loss of manpower was having on certain sections of agriculture, and I should like to add a few words on that aspect in regard to agriculture generally.

We all realize the need to utilize all available manpower in the prosecution of the Emergency. I feel, as Chairman of the Board of Agriculture, I must issue a warning that, in the present policy continues, it is bound to have a serious effect on European agricultural production. I am about to make, in the next few days, a tour of the main Agricultural Production Committees to try and ascertain the position finally and accurately, which is a follow up of a tour that has already been made by the Chief Executive Officer of the Board. Until I have done that tour, and got the position accurately assessed, I should not like to try to forecast what impact the present policy will have on European agriculture, but it must be obvious that, with the planting season due in the near future, the present policy will need considerable clarification.

It has been somewhat disconcerting to have planting leave granted in the early part of the year, and to have leave required to harvest those crops very seriously curtailed when applied for. In addition, I must make a plea for a number of young farmers who have started farming on borrowed capital—and have been encouraged to do so—and who now, having been away for a considerable period, are finding themselves in a position whereby they have not been able to give the necessary development work for which that capital has been borrowed, and earn an income with which to pay it off. They are now getting into a serious financial position.

Before I sit down, I should like to pay tribute to the Agricultural Production and Manpower Committees and Sub-committees who have the very unenviable task of sorting out all the applications for leave, and the reasons, and making recommendations thereon. I have no hesitation in saying that in every single instance they have carried out the work

with great conscientiousness and care—and here I am sure the Director of Manpower will bear me out on that, with whom we have worked in close co-operation. I should like to ask the hon. Member for Labour to give us an assurance—which I am sure the agricultural community will be glad to have—that when the Board has been able to work out the position in detail, that he will agree to go into the position in consultation with the Commander-in-Chief and try to arrive at an improved agricultural leave policy.

MRS. STAW: Mr. Deputy Speaker, I should merely like to touch on two points of policy which the hon. Director of Agriculture stressed in his speech.

One is that I am very glad to hear—coming from him—that he does support the policy of individual land tenure in African areas, and here I should like to pay a very high tribute to all the officers of the Agricultural Department who have done such sterling foundation work in that regard in the Kipsigis reserve, where they have changed the face of the country in quite half of that reserve in the last five years; and also where the results of their work are beginning to be seen in the Kisii and Luo reserves.

The other point he touched on was the policy of opening sub-stations in European areas. I should like to thank the hon. Director and the Department for having opened such a station in Sotik. It will be of inestimable value to the farmers in that area. It is already starting to bear fruit but, at the same time, I should be very grateful to him for some assurance that, as soon as financial stringency—the need for financial stringency, brought about by the heavy burden of the Emergency expenditure, is over or has lessened, he will consider setting up another sub-station in the Songhor, Koru and Fort Ternan areas, for those areas contain districts which have been very badly served in the past, and which stand in very great need of such help.

In the meantime, Sir, I hope the hon. Director of Agriculture will see his way to extending the system of experimental agricultural plots within those districts in any case. (Applause.)

MR. COWIE: Mr. Deputy Speaker, as the hon. Mr. Maitland Eyde has raised this point of planting leave in relation to

[Mr. Cowie] the direction of manpower, I should like to take the opportunity of enlarging on it slightly.

In the first place, during the last war, when manpower was directed, it was possible then for a great number of women to remain on farms and do a good deal of work. I think it has already been said in this Council that they did that work with great credit. (Hear, hear.) Under these conditions to-day it is not easily possible for that same system to operate but, in the earlier part of this year when men were granted planting leave, I think it was clearly implied, if not accepted, that they would, of course, have harvesting leave in due course in order to harvest the crops they had planted. Unfortunately, it was not possible for that to be done, owing to the needs of the security forces.

I, personally, was prevented from carrying out what I hoped to do and, I think, in the coming year a clearer policy will have to be devised, otherwise the development of agriculture will become rather difficult. I do know the hon. Member for Defence is already giving this consideration, and I hope—probably before the year starts—it may be possible to have some idea of what is going to happen about planting leave and harvesting leave, and leave from the Forces.

Turning also to the Agricultural Department, without wishing to join any kind of back-scratching competition, I should like to pay tribute to the hon. Director of Agriculture and his Department, because they have endeavoured, in a very successful way, to provide men for the security forces. I know they have their commitments in other directions, but on certain occasions the Director has—sometimes under pressure—released a number of men, and I know it has caused him a great deal of difficulty.

The next point is in regard to leave again—from the security forces. There are a number of firms and commercial organizations dealing with agricultural products and machinery that have also been rather badly hit by the lack of manpower, and it was not possible to release men back to those organizations—as was originally predicted—for the same reason that I mentioned under the heading of

"Planting Leave". Therefore, I think, when the new year comes in, it may be possible to clarify that policy so that all those concerned may have a better idea of what kind of manpower may be available. I see some difficulty, but I have the greatest sympathy with those people who have had to endure a great deal of hardship, especially on isolated farms, where they have not had the protection they required.

MR. MATHU: I would like to refer to some points made by the Director of Agriculture. I entirely agree with him—efficient agriculture in African areas will be very much accelerated if this system of individual land tenure is adopted—if there is this system. In African areas you have some feeling of insecurity and when you have developed the individual system of land tenure, the farmer knows for certain that that piece of land is his, he is going to invest money to develop it. The point he raises about enclosures is a point actually that I think has the very wide support of the African people in many parts of the African areas, and it is progressing very rapidly. But no one is going to spend money on permanent fencing of a piece of land which he knows that he has not complete security to, and in fact a landowner—if this man was a tenant—he would not allow him to have any permanent fencing—that is why I think it is absolutely vital that Government should accelerate their policy in regard to the issuing of some title to the farmers who own the land in the various parts of the country.

I know that this matter is in hand, Government is arranging to have this done. All I am suggesting is that any further delay would injure the development of agriculture in African areas, and I am suggesting that this matter should be expedited.

While I am on land tenure I would like to say that the best terraced lands in the African areas, particularly in the Central Province, are those where the people feel that the land is theirs. Here, I think, my hon. friend will agree with me the Africans have given very willing co-operation in terracing their land in order to prevent the soil going into the Indian Ocean. That is not where we stop. I have raised this matter before. After preventing the soil going, we have much

[Mr. Mathu]:

moreover do—I have in mind the question of manuring.

The policy of the Agricultural Department should be a campaign to organize African farmers in such a way that there would probably be a pool where they can buy animal manure, artificial or composite manure and so on, because if you saw, for example, some of the terraces that have been made in certain parts of Kiambu or Fort Hall, you will find that red earth; sub-soil, is on the top and that would not support any growth of crop at all. It is absolutely vital that the Agricultural Department now should have a very intensive campaign to encourage the African to use manure on his land. Without that, Sir, our progress in production will be hindered very much indeed.

The point I should like to make is the point raised by the previous speaker that mixed farmers—that where, in regard to the keeping of animals, the African should be taught to make composite pits out of the manure of the animals and the residue of crops, so that he can make his land more fertile.

There is also a further point that I would like to make—that is the point in regard to the water supply. That this individual tenure, of course, has encouraged some African farmers to have their own water supply by boreholing. Some African District Councils have, in fact, boreholing machinery which they lend to the farmers on a small charge and they have managed to get some of their water supply in this way. I suggest that a scheme such as that in semi-arid areas would be very useful. I think the Agricultural Department can help a great deal here, so that farmers have water which is necessary for proper farming.

I would like to refer to this question of ecology which my hon. friend has very ably described—I want to do this in relation to the cash crops. I will refer to this only this morning, Sir—I suggest that the ecological studies would have, I am sure, convinced him that the Wakamba country, Machakos and the Kiambu Districts in particular are suitable for the growing of sisal. He would have that support of the Machakos people, where the African District Council have

raised funds for putting up a factory for the decorticating of sisal. But the rules under which the Wakamba in the Machakos District work limit them to growing sisal only as hedges between *shambas*. I do know that according to the law which governs the growing of sisal it does not prevent any person growing sisal as a plantation crop. But the conditions laid down in the Ordinance which will enable the African to grow sisal as a plantation crop are impossible, because as an individual he has not got sufficient capital, required under the Sisal Ordinance, to enable him to establish a sisal plantation. What I suggest is that the Government policy in regard to this matter should change, and change rapidly, and allow Africans into the districts—I am talking about other districts in which general ecology will allow to grow sisal as a plantation crop. I think Machakos has got a very strong case in this matter, because they have a factory going with money which they have contributed themselves, and money from the Central Government.

I say that the time has come to allow the Wakamba in this area to grow sisal as a plantation crop. The district does not favour the growth of any other crops because geographically it is sandy and it is a semi-arid area. For this reason maize and such other crops do not do well, but sisal does very well—that is where we should cash in and have a liberal policy with regard to these particular cash crops in these semi-arid regions of the Wakamba country.

There is one further point I would like to make before I sit down, Sir. It has been referred to by my hon. friend, the Member for Mau. I agree with him that we have to organize our policy in regard to the purchasing of the surplus poor stock in the African areas. That, even with the Livestock Marketing Organization functioning, we should encourage more and more the individual African traders to play a greater part than they are playing to-day. It is a question that the individual trader should have a personal interest in the business—he will try to do the work more efficiently than a Government body trying to come into the business in the way the Livestock Meat Marketing Organization is doing. I would like to suggest here that we—the African opinion in this matter is not

[Mr. Mathu]

—I think it is almost unanimous that they feel, as individuals, they are being left out of an important business. If my hon. friend, the Member for Agriculture and Natural Resources, is about to get a profitable market for the disposal of meat from these poor beasts, I think it will be for his own interests and the interests of the country if these men were given almost a free hand in this work of buying livestock in the African areas.

I would like also to support the point made by the hon. Member for Mau in regard to arresting the deterioration of the Tugen Reserve. I have been to that reserve very often—the last time I was there I was, as I think he did say, struck by the very rapid deterioration of the land in that area. I would like to support that view that he expressed, and was expressed by the local farmers there, that something should be done to arrest the further deterioration of that area.

Before I sit down, Sir, I would like to say that any criticisms that the African Members make on the Agricultural Department or Veterinary Department is sometimes misunderstood. The Member responsible seems to think that the African Members only see the "black" side of the activities of the Department and do not see what achievements have been made. I would like to correct that and say we do see certain very remarkable strides have been made by the Agricultural Department to put African agriculture on a sounder basis than at any time before. (Hear, hear.)

I would like generally to pay a tribute to that Department, because I know I am speaking the truth—I know there is a general appreciation by the African people of the efforts of the Agricultural Department. What I would like him also to appreciate is that now, more than at any other time, there is a more willing co-operation of the African people in the African areas. If the Africans know that they are appreciated, they come more and more to the support of the officers in the field, in carrying on a very important work for the development of this country.

Mr. Deputy Speaker, Sir, I beg to support.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, in

view of the observations made by the two hon. Members on this side of the Council on the subject of European manpower and agriculture, I think it is necessary for me to say a few words on that subject. I would like to remind the hon. Members of the joint communiqué issued by the Commander-in-Chief and His Excellency the Governor on the 15th of October this year. In it they explained that the Government appreciated that the call-up of manpower would necessarily have some effect on the economy of this country, and that the very difficult duty of the Director of Manpower was to try and balance the demands of the Security Forces on the one hand, and the demands of civil economy (including the farming industry), on the other hand. The communiqué went on to say that in order to assist the Director of European Manpower in that task he was to be provided with an advisory committee, which would contain civil, military and police representatives. Applications for the release or leave from the Security Forces would in future be considered by that committee. That arrangement is working at the present time.

The communiqué also said that the Commander-in-Chief attaches great importance to the role of the Kenya Regiment as part of the Security Forces. It explained that the operational strength which he considered necessary was 500 men, but as a result of discussions between myself and the Commander-in-Chief, he agreed, in order to make it possible to release for civil duties, men who were most urgently needed for those civil duties, to reduce the strength of the Regiment to 420 at the present time. Four hundred and twenty is the figure on which the Director of Manpower and his advisory committee have been working on, and I think the Director of Manpower would agree that it has enabled them to grant leave to the most urgent cases. Indeed, at the present time the committee is finding it possible to maintain the Regiment at a figure a little above 420.

The communiqué went on to say that we hoped that the position would get a little easier in the year 1954 for two reasons. Firstly, because early in 1954 there will be the return from Southern Rhodesia of some 90 to 100 men who

[The Member for Education and Labour]

have been receiving their military training there; they will be available to reinforce the Regiment. Secondly, the permanent police officers who have been recruited or are being recruited in substantial numbers from the United Kingdom, will become available for police duties.

With regard to the assurance that the hon. Mr. Maitland Edye asked for, I think I can safely give it. I have already opened negotiations with the Commissioner of Police regarding the strength of the Kenya Police Reserve and the rate of release from the Kenya Police Reserve in 1954. Early next week I am having discussions with East African Command on the similar question in the case of the Kenya Regiment. The Director of Manpower will be associated with me in those discussions.

The information which the hon. Mr. Maitland Edye is going to collect in his capacity as Chairman of the Board of Agriculture will of course be very helpful to me in those negotiations. I look forward to receiving that information as soon as possible, so that I can use it in my discussions with both the Police and Military Authorities.

Before I sit down I would like to take this opportunity—because I do not think there is going to be any other opportunity as the head "Defence" is not down to be debated—of acknowledging the Government's appreciation and gratitude to Directors of Manpower; both European and Asian; the Manpower Committees; the Advisory Committee to the Director of European Manpower; and the Exemption Tribunal, which considers appeals from a call-up notice. All these people have done a great deal of inconspicuous work of a very invidious and thankless kind; I think we should be grateful to them for what they have done.

MR. BLUNT: I am prompted to enter into this debate by some of the remarks made by my hon. friend, the Member for Mau.

He referred to the position of the Tugen areas of South Baringo. I believe that looking back some way, as I am able to do, there is a valuable lesson to be learned from the position there. It so happened that in the early days of my

service in Kenya, I spent a good deal of time in that reserve—that was 26 years ago. I know quite well many of the older settlers who lived on the border of it, and the information I got from them was that that reserve had, until quite recently, been one of the richest grazing areas in any native reserve in the country. During the period 1927 and 1928, that reserve was suffering from a tremendous deterioration resulting from one or two years of short rainfall, combined with overstocking, and within a matter of three or four years that reserve was reduced from being one of the most productive areas to almost a desert. I saw that with my own eyes.

Now, in the years since then a certain amount has been done in an endeavour to rehabilitate that reserve. Although I have not been there for a number of years now, I know that those rehabilitation measures were becoming effective. We now hear that there is again a repeated deterioration. I believe that that rapid deterioration arises probably from the fact that those in control of that area have been a little too kind-hearted in their dealing with the native stock problem in that area. It is no good trying to put a quart into a pint pot, but there is always a tendency, while rehabilitations are going on, to try and maintain more stock than the area can really properly hold. One must always look forward to the year of short rainfall when the carrying capacity is going to drop suddenly.

I believe, Sir, that what has happened in that area is an indication to us of the need still for very strict control in dealing with the African agriculturists. We have heard it suggested during the course of this debate that in the most advanced African areas, namely, Kikuyu, only some 5 per cent of the population are pursuing methods which can be called satisfactory.

In the more backward areas, such as the one I have referred to, the percentage must be 1 per cent or less. If that is the case, I do submit that a fairly strict control has got to be kept over these people, and the way they keep their land, until such time as they adopt improved practices. I think that this is borne out when one comes to the consideration of cash crops.

[Mr. Blunt]

I happen to see the other end of the coffee industry in that I am responsible for the coffee mills this year. I think I am correct in saying the best coffee that has gone through the mills up to date has been native—African produced. (Applause.) That reflects great credit on the African. Also, I submit on the Department which has fostered this industry and kept it under fairly strict control.

Now, Sir, it is all very well in these days when coffee realizes extremely high prices—there is everything to encourage careful cultivation to obtain the biggest possible crop, but the day will come when the price of coffee will not remain round £500 a ton, and I foresee a considerable danger in those times. There will not be the same encouragement to the producer to do his coffee as well as he does it now. I believe that will be the time when the Department will have to take very stringent measures to see that the African-grown coffee is not allowed to deteriorate.

I have one more remark I wish to make before I sit down, and that is in connexion with the mention that has been made about individual tenure. I entirely agree with the remarks of the hon. African Member, Mr. Mathu, that there are many benefits that will ensue from individual land tenure in the native reserves, but I would like to sound one serious note of warning. In countries where individual land tenure by peasants has been in force for many years there is one very serious misuse that it is apt to create—I refer to indebtedness—which arises from the possibility of mortgaging land individually held.

Now, Sir, I served for one period in Cyprus. Cyprus is an agricultural country and the major trouble over many years in that country was the fact of the indebtedness of the peasant. If we are going, as I believe we should, to introduce individual land tenure in African areas in this country, I do beg that the possibility of that indebtedness creeping in will be kept fully in mind, and that the strongest possible measures will be taken to ensure that it does not happen here.

MR. NATHOO: Mr. Deputy Speaker, Sir, there are three or four points on which I wish to make some observations,

and get information from the hon. Member for Agriculture and Natural Resources. I would like to know, Sir, what is Government's policy with regard to the Sotik Transport Subsidy, and how long is it going to last?

The second point I would like to ask is that, as we are aware, recently owing to the new policy introduced in Uganda as regards their sugar, we are not going to get very much sugar, or if I may say so, we are not going to get any sugar at all, either this next year or for some years to come. In view of that, could the hon. Member tell me whether any further steps have been taken to develop any areas which may be suitable for this crop, or, alternatively, assist the present two sugar factories in Kenya, who are, I am told, working very efficiently and satisfactorily, to acquire some of the land round areas so that; particularly the coastal areas so that sugar production can be increased, and in a few years we may be able to supply all the sugar we need for ourselves. At the moment, sugar prices have dropped as compared with two or three years ago, but as soon as an emergency occurs in the world or things get difficult prices will go up again.

Again, the question of shipping must be kept in mind, and by manufacturing these things ourselves we can save a lot of shipping space that can be used for other important things.

I was very glad to hear, Sir, that in the Vote there was further provision for research in cotton. I want to ask the hon. Member, Sir, does he envisage that, in the near future, or shall I say before the 1954-55 season, Government will be in a position to establish the Lint Marketing Board on which a lot depends, and what the policy of Government is going to be regarding cotton. I am happy to say that during the last few months in Nyanza due to the arrival of a Provincial Agricultural Officer with great drive, great strides have been made in putting the industry on a sound footing. I do beg of the hon. Member for Agriculture that, in spite of many difficulties which generally occur in transferring people from one place to another, he will try and see that the officer can stay there for a few months so that he can consolidate the work he has started.

[Mr. Nathoo]

The other point I would like to make is about the Agricultural School going on at Morogoro. Are any steps being taken to either press the Tanganyika Government to come to a quick decision about the re-siting of the school and putting it on a sound basis, or, alternatively, can we do something in consultation with the Tanganyika Government and/or Uganda to have a school somewhere ourselves where it can be properly run and the Asian boys, who are anxious to get this training, can be properly trained? With our experience in the Egerton School, I am sure we can contribute a great deal towards such a project, and in time Asian youths and other races can take part in this school to lasting benefit.

MR. AWORI: I have a few remarks to make on this policy debate on agriculture. I shall endeavour not to touch on those points which have been covered by the previous speakers.

Firstly, Sir, I would like to know during the reply from the hon. Member for Agriculture and Natural Resources regarding the cotton sales proceeds fund. I feel that this fund came from the cotton-growing areas, particularly Nyanza and the Coast. I do not know very much about the Coast, so I will touch areas that grow cotton in Nyanza. The people who grow cotton are not satisfied with the returns that the Department of Agriculture is doing particularly towards the construction of roads in those areas, water supplies and other works. I, myself, come from that area and I think a number of hon. Members in this Council on both sides of the House and the hon. Mr. Nathoo will bear me out on that account. In the areas where cotton is grown we have the worst roads you can come across, and it is a pity that Government is not endeavouring to help the people on that line of trying to provide such facilities when they contribute something towards the economy of this country. In certain areas we need more bore-holes for water. I think that Government is not doing the best they could to facilitate these conditions.

Mr. Deputy Speaker, Sir, we have got African District Councils who are doing as much as they can to help African agriculture in co-operation with the Department of Agriculture. I do not see

why certain African District Councils who help African farmers should not get a grant from this fund. As far as I know, some of the money from this fund has gone to D.A.R.A. only. Last year our District Council provided £15,000 to be utilized by progressive farmers in the districts. I do not see, Sir, why Government should not help those African District Councils by providing funds of that nature.

On the question of cash crops, Sir, I was happy to read in to-day's paper that several hundred acres in North Nyanza around Mt. Elgon were to be used for the growing of coffee. Now, anybody in that area will agree with me that coffee does very well; in fact, one farmer told me that coffee matures in two years. I think the Department of Agriculture must be aware of that fact. It is good to know, Sir, that Government is prepared to encourage Africans to grow cash crops. In the past what has happened was that African areas were not fit for the growing of coffee; tea, pyrethrum, wheat, etc. On the other hand, the excuse that was given was that the African was incapable of growing such crops.

Now, Sir, if in the course of time we shall be able to see the same sort of crops that are growing in the White Highlands growing in the African areas, you will be able at least to kill the suspicion and the envy that the Africans in other parts have towards the White Highlands, because if they go around and see coffee in European areas and coffee in their own areas at least they will know that Government, or anybody is not in their way towards contributing something towards the economy of the country. It is not, Sir, that Africans have wanted to grow coffee and other crops without any reason at all, but it is that they would also like to contribute more towards the wealth of this country.

Now, Sir, I come to another point, and that is, the question of surplus cattle in African areas. I am not satisfied with the views given by Government on that matter, particularly, in not encouraging more African traders to participate in the buying and selling of cattle. There is a great demand for meat in Uganda and I have known a number of traders who have markets in Uganda. If they would be allowed to sell their cattle in Uganda,

[Mr. Awori]

they would be prepared to take this privilege. However, this has not occurred, particularly in the Nyanza areas. I feel, Sir, that the Government if they consulted the Government of Uganda in providing passes or licences many traders would be able to buy the surplus cattle we have and sell elsewhere. I know that a great amount of meat that is consumed in Kampala comes from Eldoret, which means that there is a great demand for meat in Uganda.

I have got two other points before I sit down. It is the question of the storage of maize and other crops that are consumed by the Africans. A few months ago there was a famine in Nyanza and I was not satisfied about the storage of maize in places like Yala, where a grain store has been erected. A good amount of this maize had been destroyed by weevils and flour sold to the Africans was not fit for human consumption. I feel, Sir, that that is a point which the Government—the Department of Agriculture—in consultation with the Medical Department can take up for finding proper ways of storing this maize by providing good ventilation so that the people are not given stuff which is detrimental to their health. At the same time, Sir, I would like the Government in the areas which grow crops, such as *cassava* and *wimbi*, to start a scheme whereby at every location centre during a harvest every individual farmer should be able to send at least one bag of *wimbi* or *mohogo* to be stored in the location under the Chief of that area. I have seen this sort of experiment in Uganda, around the Lango country, and it worked tremendously, because, during a time of famine, the Chief has been able to provide the people with their own crops that they kept instead of having to go to Government and ask for food because of famine.

The last point, Sir, is the question of the growing of rice in Nyanza. Because of a certain policy that was adopted by the Maize Control, Africans in that part of the country were discouraged in growing rice because, after the harvest of the rice, they were not allowed to eat it themselves. They were not allowed to take it from one place to another, even if it was a question of one or two miles to send to their friends or anything of that sort. The

people felt it was no use to grow a crop they were not allowed to eat. I hope that this question can be dealt with by Government and that they can see that if Africans are to sell it, besides selling it, they can eat it.

Mr. Deputy Speaker, Sir, I do not think I have any more to add.

I beg to support.

MR. HAVELOCK: I just want to touch on this matter of manpower first of all. I thank the hon. Member for Education and Labour for the review he has given us, and I would like to say that, in my view, as regards the manpower requirements of agricultural areas, I am sure that it is the Kenya Regiment we have to consider before any other unit, as a great proportion of the Kenya Regiment are men who are concerned with agriculture, and it seems to me, and I hope that Government will take that into consideration and also, of course, the Military Authorities, that the time has now arrived when, if the recruits coming from Southern Rhodesia in the near future, are not sufficient to keep the Kenya Regiment to the necessary strength, then other people should be called up to the Regiment to relieve many of these gallant men who have been in the Forces for up to 18 months, many of whom have had very little leave, very little prospect in view of getting away, and who are young men on the verge of their career, many of them married, indeed, I repeat, that their case is very much more important, in my belief, than members of other units. (Hear, hear.)

What we really require, of course, it is not this Government's fault entirely, is a detailed, definite policy as to how many men are going to be required in the Security Forces as, say, from the beginning of the year. We want this urgently. The hon. Member for Defence said that he was going to see the Commander-in-Chief—I hope he will do that quickly, very quickly—so that these figures can be arrived at immediately.

THE MEMBER FOR EDUCATION AND LABOUR: If I might interpose: I said I was doing it early next week.

MR. HAVELOCK: As usual, "early next week" is a phrase thrown up—we do not know what it means, Monday, Tuesday, Wednesday—I leave it there—but it is extremely urgent.

THE MEMBER FOR EDUCATION AND LABOUR: Tuesday.

MR. HAVELOCK: Now, we have got something definite out of Government at last. Tuesday of next week! I am glad we have got this on record.

MR. BLUNDELL: Tuesday afternoon?

MR. HAVELOCK: The hon. Member will be having an interview on Tuesday next week—morning we hope. Still we have to have a policy and actual detailed figures set out, I know the hon. Member has got a great deal of sympathy with this and I do not think it is the fault of this Government. What we want is a definite answer out of the Military Authorities, even if the hon. Member is having an interview on Tuesday of next week, it does not necessarily say that he will get a definite answer out of the Military Authorities.

I did hear, I hope I heard correctly, the hon. Mr. Awori saying that it takes two years for coffee to come to maturity. If he did say so, where did he get the seed for such coffee—I would like him to tell me.

THE DEPUTY SPEAKER: It is now Eleven o'clock and we will now suspend this debate for fifteen minutes.

#### ADJOURNMENT

*Council adjourned at Eleven o'clock and resumed at twenty minutes past Eleven o'clock.*

LADY SHAW: Mr. Deputy Speaker, Sir, I only want to make a brief intervention in this debate because I particularly want to refer to the vast improvements and the large amount of work that has been undertaken in the reserves—anyhow—in the Wakamba reserve which is the one I know best. I have frequently been a critic of the work done in the reserves or perhaps work not done in the reserves and for that reason I feel one must recognize the work which has taken place over the last few years; and one should acknowledge and admit it.

In the last few years the work that has been done in the Wakamba Reserve is of such a remarkable amount and to such a great extent successful that I think it is well mention should be made of it in this Council. (Applause.) It is due primarily to two causes, the remarkable work of the Agricultural Department combined with the Administration and

other services, all together under the general guidance of the District Commissioner, and the co-operation of the Wakamba themselves. They have worked under very great difficulties—climatic difficulties being very noticeable with very little rain and most disappointing seasons. But they have achieved a sense of responsibility, a feeling of enthusiasm which should be commended and should be recorded. It produces in me a sense of admiration. In feeling that admiration, I would like to mention the work done by the African Administrative services, chiefs, and headmen in that reserve, particularly some of the chiefs. We have amongst us here to-day one of the most noteworthy of them, I am referring to Chief Ukoo who has always been known in my part of the world as a man of great courage and enthusiasm and great ability.

I wish to support.

MR. TAMENO: Mr. Deputy Speaker, Sir, I do not wish to appear very much or unduly enthusiastic about the matter of the African officers in the Agriculture Department, but I feel it is important that some sort of recognition should be given to them. We have in Kenya to-day a few African officers qualified at Makerere in Agriculture who have refused to remain in the Department. That has been mainly due to the treatment which they have had after they have qualified and come to join the Agriculture Department in Kenya.

I would like here to pay a tribute to one of the Agriculture officers, he is now the late Mr. Luka Kamiri who was working at Nyeri, he was a very able person and through subversive terrorist action we have lost a very valuable person from our midst. (Applause.) It has been said that before a person can be able to take responsibility he should be a responsible person. I do feel, Sir, that you cannot by refusing to give a person responsibility, you cannot expect him to be responsible; after all he has nothing to be responsible for.

I said earlier at the time when I should not have mentioned about this matter, about the fact that you have quite a few agricultural officers well qualified from Makerere, but they have to work under unqualified persons. Now I just do not happen to be referring to any racial

[Mr. Tameno]

matter here, but I think where due regard is necessary, I think all departments should be able to realize this and give whoever has the qualification and the sense to undertake his duties, I think, regardless of race, that person should be given the responsibility he deserves.

We have again quite a number of Assistant Agricultural Officers who have been promoted from being agricultural instructors to the post of Assistant Agricultural Officers. Now these people have not had the necessary qualifications of Makerere graduates, but I wish to give tribute to the Agriculture Department here; at least they have been able to give promotion to those instructors who are capable to become assistant agricultural officers. But what happens to those qualified at Makerere? They remain all their lives—as assistant agricultural officers, none of them so far has been promoted any further. It appears as if the limit is the post of Assistant Agricultural Officer.

I would like the hon. Member for Agriculture and Natural Resources to tell this Council what has made it difficult or impossible, for us in Kenya, to get more agricultural officers than we have at the moment. They have in Tanganyika as well as in Uganda quite a number of them. I think that it is all because they are given the responsibility and at least, they have a recognition they do not give here in Kenya. I feel it is time the Agriculture Department considered giving a man responsibility whenever he deserves it.

The second point I want to make, my hon. friend, Mr. Awori, did mention it; that is the storage of grain. There is a scheme which is known as a silo scheme, which the Government wish to implement. Now there is an area at Nakuru which has been reserved for a silo scheme. That area could very well be utilized for industrial purposes, but this scheme has been of long-standing; so far Government has done nothing at all about it. I feel a place like Nakuru which is important or about to be nearly as important as Nairobi—

MR. BLUNDELL: Hear, hear!

MR. TAMENO: I feel, Sir, that the Government should either put into effect the silo scheme at once or otherwise

allow the area to be utilized for industrial purposes.

The other point has been mentioned earlier, that is about the reserve in the South Baringo area. It seems to me, Sir, that the Tugan have been put in such a position that they are not quite certain what will happen next. We have the Lembus Forest there—the Tugan have some rights and because of the uncertainty of their having any rights at all there, there is no intention whatsoever to try and get good agricultural methods. I think it is one of the best areas I have seen and given encouragement, I think the Tugan could do quite a lot.

Again I happen to have visited the Elgeyo area. I wish to pay tribute to the Department for the encouragement they have given them for growing wheat on their highlands. I think it has been a very good scheme and if encouraged properly, I think we are going to get as good a wheat as you can get anywhere else in Kenya.

The last point. The Samburu ranching system—in Samburu, although the position of that area is not so clear as those of the other native land units, I think the Samburu have done a very good show in starting a ranching system there, by the African District Council setting aside so much land for ranching. Having gone so far, I feel it is time that the Samburu had some assurance in the possession of their land. I am talking now about the Leroghi plateau. The Samburu are contributing quite a lot to the economy of the country and to be able for them to feel that they are part and parcel of this country also, I think that that area should revert to the African District Councils and become one of the native land units.

Sir, I beg to support.

MR. RIDDOCH: Mr. Deputy Speaker, Sir, I should like to refer to one or two matters raised by my hon. friend, Mr. Awori.

First of all, rice in Nyanza. As a member of the Nyanza Provincial team, I should like to assure the hon. Mr. Awori and other Members of Council—at least, to understand the position—rice is a crop that is very strongly encouraged by the Provincial team, as a matter of provincial policy and also as part of the general policy of the country.



(Mr. Riddoch)

I can assure the hon. Mr. Awori that I am perfectly certain that no restrictions have been placed on any rice grower from eating his own crops! Perhaps restrictions have been placed on the selling of the crop but not eating it.

MR. AWORI: On a point of explanation I think since the last three years it was actually a fact if you go to the courts at Kakamega and look at the files, you will find several prosecutions about rice.

MR. RIDDOCH: I find that very hard to believe, Mr. Deputy Speaker, Sir, in fact, I do know one of the troubles in getting rice grown in that part of the world was that the growers were so fond of it, there was very little to sell!

But there are points to clear up. There are two types of rice grown in Nyanza—hill rice, which was thought might do well in North Nyanza and the swampy rice which it was thought would do well in the swampy land of the Kano plains, and other similar areas. Whereas the cultivation of hill rice has not been a success and production, as the hon. Mr. Awori said, has gone down, the cultivation of swamp rice has been very successful and a tremendous increase in the quantity in the areas planted, under crop, and the quantities brought to market, is taking place. It is one of the best features in the agricultural set-up in Nyanza that so much rice is now being grown in these swampy places.

May I now come to the point of storage? The hon. Mr. Awori complained about the bad quality of the maize which had been re-sold to Africans during the famine period which existed before the harvesting of the present—late—crop. Here again, I can speak from experience. The storage arrangements, as carried out by the Maize and Produce Control, are, I think, excellent, within the limits of the type of storage; they can keep crops of maize, in particular, for quite a long time, a much longer time than was possible some years ago and be able to re-sell it in fairly good condition. Now they are limited in that, as we all know, maize will not keep indefinitely in a bad form unless it is turned over and reconditioned periodically and the answer there, of course, is silage, on a big scale. That is

a matter that I know is receiving the earnest consideration of Government. But with regard to the storage of crops like *muhogo* and *wimbi* I have always been told that regarding *muhogo* the best storage place is the ground itself, in other words, it should not be dug up until it is actually required for consumption. *Wimbi* is one of the crops that is not attacked by weevil, but again I think the best place to keep it is in the village crib. There again steps are being taken, certainly in Nyanza, to encourage the African grower to treat his grain stored in his own crib with special insecticides. A campaign is just being initiated with the object of encouraging the purchase of this insecticide at a cheap rate, so that the Africans can help themselves, by properly treating grain, can save the terrific wastage that at present takes place.

I do not wish to detain Council very much longer, but I would like to refer to the question of manpower. Much has been said earlier this morning about the need of the agricultural industry, in connexion with its manpower, which has been much depleted owing to the Emergency. Well, Sir, the needs of the Emergency must be paramount but I would like to put in a plea for those members of the commercial community, especially of Nairobi, who have—I am not referring to those called up for full-time Kenya Police Reserve but those who carry out part-time Kenya Police Reserve duties—those individuals who have got to try and do a job. They very often have to carry out night duties on police work and then the next day they have to go back to their office; and try to do their work there. That would be all very well if the Emergency lasted a month or two—a few months—but as it has been going on for some time the position, in connexion with those people I have mentioned, is becoming serious. The strain is becoming great and in fact, I am alarmed, in connexion with one firm in which I have an interest, at the number of duodenal ulcers which are being contracted by those individuals trying to do two jobs at one time. I therefore put in a plea that the needs of those individuals should be considered just as much—in fact, in a prior way over—the needs of others who are giving full time service in the Kenya Regiment or the Kenya Police Reserve. (Applause.)

MR. LETCHER (Trans Nzoia): Mr. Deputy Speaker, Sir; the question of growing sugar cane was raised in this Council this morning. I do feel this is the right time for a vigorous attempt to be made to explore the possibilities of growing sugar cane, at any rate, for our own requirements in this country. We have heard quite a lot about the Tana River and having camped along both sides of the Tana River for three or four months during the last war, I think there are great possibilities of growing sugar cane, at least, for our requirements. We have to take into consideration the fact that if we plant sugar cane now, you may reap it in a couple of years' time, so I would suggest, Sir, that we explore the possibilities of growing our own requirements in Kenya.

When the hon. Member for Agriculture replies, I would like to know whether any plan exists for the expansion of the growing of sugar cane in this country.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, I wish to touch on one or two points in the hon. Member's portfolio.

First, the increasing concern I have over the tendency in the Kikuyu country to go in for a larger monoculture of maize. I have been a Member of this Council for six years and for six years have driven down from Kikuyu Station onwards constantly through nothing but maize; and maize only, year after year, is something that no land in the world can stand. We have got to find for the Kikuyu people, and many other Africans, alternative crops and in that process, we cannot eliminate cash income from animals.

I want to make this suggestion as a pilot scheme. I do not believe—I think we should venture with caution over raising the ordinary African cow to a very high level of grade production, because the higher the animal is raised, the more difficult it is to manage, and so, more difficult to keep it in good condition and get the proper results from it.

I wonder whether, with artificial insemination in certain areas, we could not inject one cross of a good European dairy breed and subsequently recross again by artificial insemination with a Baraton bull, so that we effect a raising

of the milk capacity of the cow in the one cross which would normally take us a decade to achieve with the use of the Zebu bull. Now, with modern techniques of artificial insemination, I think it is worth a try. The half-bred would have an element of Zebu blood which would make it reasonably strong, although it would not be so immune to diseases in this country as the pure Zebu. Subsequently by recrossing back with a Baraton bull, we might retain the higher milk yield, or in the case of beef animals, an increased beef-producing capacity and yet restore, once again, the Zebu's inherent ruggedness. That is worth trying.

The next point is this. We badly need in this country with the development of the canning industry, some form of grading quality for canning products. I suppose I ought to declare an interest as I have an interest in a canning factory, but as the industry develops, we ought to ensure that when export takes place, we have rules that ensure that only the best goes overseas. I believe the hon. Member has considered that but I would like to give him an assurance that he will get support from this side of the Council for it.

The only other point I want to make, Mr. Deputy Speaker, Sir, is this. All hon. Members on this side of the Council have been distressed to see that the hon. Member is in a certain amount of pain, judging from his lumbar region! (Laughter.) We wish to give him our sympathy and hope that he will be speedily restored to his normal vigour and equable temper. (Applause.)

DR. HASSAN: I rise to support the Motion and take the opportunity to pay a tribute to the hon. Member for Agriculture and the hon. Director of Agriculture for doing magnificent work in the development of agriculture in Kenya.

There are one or two points mentioned in connexion with Baringo. I myself spent a number of years of my service in the Government in that area, from 1906 and again 1930. I know when I saw that area in 1906 it carried magnificent grazing. The livestock was excellent, I think some of the best cattle I have ever seen in Kenya. But conditions had deteriorated considerably when I went back in 1927 and it was

[Dr. Hassan]

all due to the fact that no practical help was given to that community to look after the needs of running stock over there.

During the three years of my stay, in 1927 to 1930, I improved the conditions considerably in three or four localities, such as Elkhen, Luguruguru and Larok. The system I adopted was a very simple one—I did not carry on with inoculations in the dry season until I had produced enough grazing to hold five to six thousand cattle for a month after inoculation and that was one of the things which was impossible to do until I had provided enough grazing for the animals for a period.

The system adopted was that I first had to get the consent from the African to allow me an area to be used for quarantine. Naturally they put me on an area with no grazing but plenty of bushes. I cut the bushes down and waited for the rain. After the rain the grass grew there and I went through three years of inoculation without the least difficulty of finding enough grazing for the stock. A great deal of improvement was carried on in that area after I left and the point I want to make, Sir, is that unless in the ranching areas a strong warning is given to the Africans, to deal with the control of the grazing and have a large number of dams in different places, their problems of overstocking will always remain.

I would like the administrative officers in that area to visit the coast hinterland scheme which is only about two to three years old and the improvement effected by that scheme in the reserves of Ndigo and Giriama is worthy to be followed in other ranching areas. I feel a similar system will be absolutely essential in the Masai country. We have got over one million stock near to Nairobi and it is not surprising that with the exception of having some third- or fourth-grade stock for making compound meat, we are getting no benefit from that for this largest town in the country. It is all due to the fact that there is no regular control for the whole of that area; nor is there the system of having dams put up all over, and to control the grazing in different parts of the year.

Unless and until we provide dams and boreholes for the African ranching people and help them and assist them to make use of their stock product, it will be impossible to get rid of the headaches which were created by overstocking in these areas in the past.

The second point is the question of the coast, Sir, if you travel from one end of the coast to the other, you will find the natural growth of mangoes; very inferior mangoes everywhere. It clearly indicates that the area is quite fit for mango plantations, but the mangoes growing there are just good enough for monkeys and other birds. (Laughter.) The best variety of mangoes we all know very well are only grown just overseas in India and Pakistan. It has been the policy of Government to prohibit the import of mango plants from those countries. Now I quite realize that the prohibition of the import of mango trees is done with the idea of preventing the introduction of new diseases. Now we do not want to introduce other diseases, we have got plenty already, but surely an inspector could be appointed at the coast who could possibly eliminate that danger. I would like free import licences to be given for getting a better variety of mangoes to grow in the coast where the rainfall is more than enough for that purpose. Not only can that area supply the needs of Kenya but we can grow enough for the purpose of export.

The Member for Rift Valley suggested that we should try to improve the quality of the stock by making an experiment in the Kikuyu country. Sir, this system was tried, not once, but on several occasions, but the disease which is infecting the Kikuyu country is East Coast fever and it needs very expensive methods to prevent mortality amongst high-bred cattle. No doubt the system of improving their breeds with Boran cattle and with the Sindi cattle imported from India, I am positive will solve that problem.

But the first thing is that this community is complaining that they have not enough land for growing their crops, and to keep stock, it needs very extensive grazing areas and unless a system of hand feeding is introduced for the best-quality cattle, it will be very dangerous to introduce valuable cattle in that area.

[Dr. Hassan]

I do not think I want to speak on the Asian agriculture side and development and improvement because it is almost non-existent but I would like to request the hon. Member for Agriculture to see that in helping and assisting the African agriculture, it needs a very much larger number of the qualified type of agricultural officer to do the work and assist them. I would request that much greater use could be made of Africans and Asians to be trained for this purpose to help and assist the Africans in their agriculture. At the same time to provide facilities for the Asian youth to know something about agriculture and to enter into this occupation in the later part of their lives.

Sir, I support the Motion.

MR. GIKONVO: Mr. Deputy Speaker, Sir, I have only one point which I want to raise, in connexion with African agriculture.

One of the most valuable cash crops that is grown by Africans in the Central Province, and particularly in the three Kikuyu districts of Fort Hall, Kiambu and Nyeri, is wattle bark. I do know the Agricultural Department is doing, and has done quite a lot in the past to improve the quality of the wattle bark and to create a high marketable standard and I think that they have succeeded to a very great extent. What I want to know is this, Sir, who fixes the prices for wattle bark? Is the Growers' Association consulted in the matter of price fixing? If they are not consulted, I feel it is a matter of grave concern to the growers that the buyers should have a say in the price fixing, whereas the growers, who are the sellers, have no say. I want to know that from the hon. Member because I think it is fundamentally very important.

LT.-COL. GROGAN: Mr. Deputy Speaker, Sir, there is only one point to which I would like to draw the attention of the hon. Member for Agriculture, and that is whether it would not be advisable to take every possible step to wean the African population, in particular, away from their reliance upon maize as their major item of diet and lead them back to the original indigenous crops upon which they relied in the early days.

It is not generally known that maize in these parts was, fifty years ago, an

unknown crop. In all my travels through the middle of Africa, apart from the line the Arabs had pursued, a central line to Tabora from the Coast, there is only one place where I ever saw maize grown. When we first came to the country there was no maize grown in the Kikuyu areas or anywhere in the vicinity. The history of maize is a rather interesting one. I think it is worth putting on record that it was first introduced into these parts by Mr. MacDonald, who some of us will remember as one of the earliest and most likable Directors of Agriculture. (Laughter.)

When Mr. MacDonald first arrived here on a visit of inspection, he brought about 20 to 30 varieties of maize. The experimental station for Kenya Colony—it was not a colony then—the "B.E.A." Protectorate, was in that area of Muthaiga, just on the side of Muthaiga when you go up the road. These rows of maize were planted within 18 inches of one another with quite remarkable results upon their ultimate type—they did not come up but an enormous crop of castor oil came up in their place. It was then deduced that it was an unsatisfactory experiment and an unsatisfactory venue for experimentation and on further consideration that area was, very appropriately, handed over to the mental home now known as Mathari.

At an earlier stage all the people we employed in Nairobi and round about relied upon imported rice for their rations and the Government and the Railways put their heads together with the white farmers and decided that that was a very uneconomical method and as we had—the European farmers had—started to grow maize, we came to the conclusion that to try and wean the people from their dependence on rice to maize was the only thing to do.

The result was a strike—all the African population struck—(Laughter)—but as a result of doing without either rice or maize for a couple of days, they very wisely altered their minds and came back to maize.

The next phase was—in those early days we grew yellow maize—at a later stage the Agricultural Department came to the conclusion that we should get a better market for white maize—a hard white maize—for the export market than

[Lt.-Col. Grogan]

yellow maize so that was developed extensively and all vestiges of other maize were swept away and the country relied very largely on the export of white maize which went into Polson's Cornflour. When the transfer took place from yellow maize to white maize, they struck again.

Only the other day, down in my own part of the world, realizing the result of the investigations of the Medical Department—the experiment that was made with rats that relied on an exclusive diet of white maize—that it led in three generations to complete sterility on the part of the rats—I therefore suggest to the various racial groups to bear that in mind and see if they cannot introduce non-racial legislation to lead to the elimination of other parties! (Laughter.)

But I do quite seriously suggest that maize is one of the most disastrous crops both from the nutritional point of view—especially white maize—and from the point of view of the land. Every effort should be made to lead the people back to rely on the indigenous crops, bananas, cassavas, pulses, etc. I think it is a matter of very grave significance, I submit it to the attention of my hon. friend, the Member for Agriculture. (Applause.)

MR. CHANAN SINGH: Mr. Deputy Speaker, Sir, several hon. Members have referred to a proposal to introduce individual titles in the African areas. Individual titles have their defects and I agree with the hon. Mr. Blunt that they may lead to indebtedness among the peasantry, but I do think that individual titles will be a better tenure than the present muddle of tribal tenure.

There is another matter that has been mentioned in the recent discussion—there has been the suggestion to mix up the system of tenure with the system of inheritance. I do not know if the African community want to introduce the system of primogeniture, but I do want to say that that matter requires very serious attention. The system of primogeniture has existed in most countries of the world at one time or another but has had to be abandoned everywhere. Individual titles are desirable but they can be had apart from any change in the system of inheritance.

I wish to refer to the rules that have been made under the various Ordinances

governing the grant of licences to do one thing or another in connexion with agriculture—those which give one board or another power to grant or refuse a licence—I suggest that when these rules come up for review, a provision should be introduced allowing the Board to give reasons for the refusal of any application. At the present time an applicant is just told that the application is not granted. If he knows the reason for the refusal, he can try to eliminate them. In some cases the applicant is just told the District Commissioner or the Provincial Commissioner does not agree—that I suggest, Sir, is not satisfactory at all. The applicant should be told definitely what his application is lacking so that he can remedy it directly.

Asian agriculture has been referred to. There is very little of it. I admit, but seeing the very useful surveys that the Agricultural Department has recently produced on African agriculture, I suggest that when they have time they might prepare a note showing us what the Asian agriculture is in fact doing: we do not even know how much land is under cultivation by the Asian farmers, what the production results are of their cultivation.

My friend, the hon. Dr. Hassan, has referred to the employment of Asians in the Agricultural Department. I also wish to know what possibilities there are. In the past the Asian young men have gone overseas for higher education in medicine and in law mainly, but the possibility of future employment in those professions is nearly exhausted. It will be necessary to look around for other opportunities.

I do request the Agricultural Department to examine this matter and see if something can be done.

MR. HARRIS: May I have your ruling, Sir? In the event of my moving that the question be now put, does the Member for Agriculture and Natural Resources have the right of reply?

THE DEPUTY SPEAKER: He does not unless the Motion includes that the Motion be put after the hon. Member for Agriculture and Natural Resources has replied.

MR. HARRIS: May I move accordingly, Sir?

Mrs. SHAW seconded.

Question proposed.

The question was put and negatived.

THE DEPUTY SPEAKER: The debate will proceed.

No other hon. Member rising to speak I will ask the hon. Member to reply. (Applause.)

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I have to wander over a rather wide field necessarily somewhat incoherently, but I will endeavour to answer as many of the points as I can that have been raised during this debate.

The Director of Agriculture, when giving a review of the policy, did refer to land tenure—that has been subsequently referred to by a number of speakers during the course of this debate. Now, Sir, this raises very complicated issues which I do not propose to enter into at any length, but hon. Members are aware, that experiments and investigations are taking place, with a view to seeing what can be done in regard to the encouragement of some form of individual title to occupancy, as regards land, and more especially in highly productive areas, suitable for mixed farming.

I must, however, point out to those Members, who have suggested an acceleration of the process, that it is not necessarily the panacea for all ills, as is sometimes advocated. It has indeed been tried here before without the amount of success that was anticipated.

The hon. Mr. Blunt has mentioned one danger—that of indebtedness. I would mention another one which was referred to by the hon. Mr. Chanan Singh, who had advocated an individual title, but no system of primogeniture or inheritance by the eldest—or any other one son. Now, Sir, I would submit that that is a contradiction of the purpose we have in mind, because the great thing that we want to guard against—if we do have some form of individual occupancy or individual title, and this would be mainly recommended in the interest of the land; what we want to ensure is that that holding remains an economic holding, which can be properly developed and farmed, and is not fragmented on the death of the owner. There is, of course, another difficulty which manifests itself by degrees, and which again shows why one cannot be too rapid in bringing in these sorts of changes. There are areas in this Colony

which were inhabited by tribes which were mainly pastoral up to quite recently. Those people have in some cases developed very rapidly indeed, with the development of material resources, education and so on, have rapidly changed from being a pastoral tribe to becoming a tribe which cultivates large areas of land and in many cases they are encouraged to enclose holdings.

Now if that is done too rapidly it results in a very large number of stock, surplus to the carrying capacity of the land, due to the fact that of what used to be pastoral land, 60 per cent or 70 per cent has become arable land under the plough. The danger of discontent due to the difficulties which arise from this fact in respect of a large proportion of the population, who are not lucky enough to have an enclosure, is accentuated by the enclosure of individual holdings. I only mention this to show that the Government is alive to these difficulties, desirous as it is of improvements on the lines advocated by the hon. Member.

I would endorse again what my hon. friend the Director of Agriculture did say in regard to cash crops. As it was pointed out by the hon. Mr. Blunt, also, that we must retain in some degree, to a very considerable degree for the time being—a measure of direction and control of the growing of cash crops in the African areas. If ever there was justification of that policy, I suggest that it is probably to be found in the fact that some of the best coffee that has gone through the mills latterly has been African grown.

The hon. Member for Mau, I think it is called, asked me to make some comments on what should be the target for the take-off of stock in African areas or for the Colony as a whole. He quite rightly suggested that the figures I gave the other day represent the actual sales and the take-off must be very much larger in point of fact. Well, of course, it is. He wants me to give a figure of what I suggest we should dispose of per annum. At the present time I would personally say it should be not less than 500,000 head of stock, when you consider we probably have upwards of 6,000,000 head in this country you can imagine what the natural increase alone is per annum.

[The Member for Agriculture and Natural Resources]

The hon. Member also asked me to suggest whether in the matter of rehabilitation of land we are losing ground or whether we are maintaining the situation. Well, Sir, that is a very difficult question to reply to and I think I will say only this, that I believe, as has been suggested by hon. Members, that although we have made very great strides indeed in the last few years and have secured a very large measure of collaboration from the African people, I do not think I can say I am satisfied we are gaining ground as rapidly as we should, but *per contra* I think we are not losing ground as we were a few years ago.

The hon. Member also suggested that the attitude of the Agriculture Department towards these multifarious problems was possibly too academic and too scientific and rather too much on a test tube scale. Sir, I do not think that is really the case. It does give me the opportunity of saying this also in connexion, to some extent, with the question of manpower, technical manpower that has been referred to during this debate. You can go a very long way with officers of experience and officers who have a missionary sense, especially in the African areas, towards developing and rehabilitating and in improving the country as a whole; but in each province and certainly in every research or investigational centre it is, to my mind, absolutely essential that we should have at least a cadre of technically qualified officers. I am quite convinced that without the guidance of those who have the background of scientific education and, in many cases, post-graduate training and experience, a lot of our efforts in the field would, and do, go astray. I would back the remarks made by the Director that we are, indeed, very short of that type of officer.

The hon. Member stated that I had said it was unwise or even ridiculous to try and develop new land until we had put our house in order as regards the rehabilitation of the land that is already in occupation. I did not say that; what I did say was, in discussing a new settlement scheme such as Makuani one must appreciate that there was no comparison in the good you could do to the people as a whole through schemes of that size as compared to the real improvement in

general living conditions one might ensure to hundreds and thousands of people by inducing better methods of cultivation in their existing lands. That is why Government was adopting the policy which I endeavoured to explain in opening the debate yesterday.

The hon. Member also criticized our methods of accounting in showing what was spent on soil conservation. All I would say about that is that I think the dual system of D.A.R.A. expenditure and ordinary recurrent budgetary expenditure of Government does make it very difficult for those interested to keep pace with precisely what is being spent. This is a difficulty. I know the hon. Member for Finance appreciates and, no doubt, he will deal with it with his usual ability in due course. I agree it is sometimes difficult to see what actually is being spent.

The hon. Member also referred to the cereal growers of the Colony contributing towards the plant-breeding services. I am, of course, very happy to know that this is the intention or the desire and that our plant-breeding services have at last justified themselves to the extent of being so much appreciated. I would like to pay a tribute to those responsible because I think they have had a most difficult task. In this rather sort of new country you get tremendous disappointments. You think you have got something that is at last truly rust resistant, then it suddenly breaks down for no explainable reason! As regards hybrid maize, I repeat again this must be a long-term investigation.

The hon. Mr. Edye in his remarks referred to the manpower which has been, to some extent, possibly entirely, answered by my hon. friend the Member for Education, but I would just like to add this, that as a result of representations made, the Commander-in-Chief did go as far as he possibly could in reducing the number he was asking for the Kenya Regiment. He reduced the number down to, I think, 420, which certainly did go a long way to meet our difficulties.

The hon. Member for Nyanza asked whether we could have a further substitution for the Songhor, Koru, Fort Ternan area, and meanwhile whether we could encourage experimental plots in that area. I will give the hon. and

[The Member for Agriculture and Natural Resources]

gracious lady the assurance that we will do what we can.

The hon. Mr. Cowie also referred to manpower and the only thing I want to say in reference to his remarks is that I know the extremely difficult task he has. We have on one or two occasions had to make very emergency requests for individuals and I would like to pay a tribute to him for the way in which he always immediately tries to meet them. (Applause.)

The hon. Mr. Mathu referred at some length to land tenure and I have said all I think I need say about that. He then went on to suggest that not enough was done in supplying organic or animal manure or chemical fertilizers in the African areas. All I can say is this, that we have had some very valuable experimental work going on in that connexion for some time past and the results, I think, are now sufficiently advanced to enable, to some degree, a campaign of the type he suggested to be undertaken. But the application of fertilizers in a slipshod or uncontrolled manner can, of course, be very dangerous indeed. I would ask that he be patient because I have in the native areas seen what disasters can happen due to an enthusiastic but inexperienced farmer buying something he thinks is going to be a wonderful cocktail for his crops, but it is not even that, sometimes it destroys them. But I agree with the hon. Member that there is a need for dealing with soil deficiencies, and it is being investigated.

The hon. Member was also rather insistent that we should give a great deal more latitude to the growing of sisal especially as a cash crop in the Kamba Reserve. Well, as regards that, I would repeat that we have to go rather slowly in allowing plantations to grow up, as the hon. Member described them, in African areas. There are a good many disadvantages. The first is, as pointed out by the hon. Director of Agriculture, in our plans for improving these areas we cannot entirely lose sight of the fact that one of the first objects of husbandry in all areas is to produce food for the population despite the fact that some areas are more productive of food crops than others. I think in the African areas,

one has always got to realize that one must try to get the peasant cultivator to grow enough food for himself and his family. Secondly, sisal takes time, and an amount of capital which the African has not got. Thirdly, the crop is subject to variations in price which are not easily understood by the Africans. It has already been pointed out that prices have varied comparatively recently between £13 a ton and, I believe, well over £200 and I am not sure that the production of sisal on a plantation scale by Africans, even if Government did help them financially, would be the success that the hon. Member anticipates.

The hon. Member did draw attention to the fact that he felt that the African people, as a whole, were being more co-operative than before and I heartily endorse that expression.

The hon. Mr. Blunt referred to the Tugan area which has been referred to several times and it transpires from this debate that in the years 1927 to 1928, the hon. Dr. Hassan, the hon. Mr. Blunt and the hon. Major Cavendish-Bentink were all in that area at the same time! It was rather a long time ago! Actually a good deal was done in an attempt to rehabilitate that area some years ago and I will admit those efforts were, perhaps, not as continuous and distinct as they should have been. I remember Mr. Langridge and others there and a very good job of work was done. All I can say now is that it is a difficult area and the African Land Utilization Board is sending people to have another look with a view to producing a further rehabilitation scheme for it now.

The hon. Mr. Nathoo asked first of all about the Solik Transport Subsidy and how long it is going to last. It does not actually come under the Head we are discussing but I can say that the Solik Transport Subsidy is linked to the Increased Production of Crops Ordinance and there is a good reason for retaining it for the time being but when the Increased Production of Crops Ordinance terminates, normally, it will also terminate. In the meantime, the whole question of this transport subsidy is being investigated with the local people and the Government. We are going into the matter I think possibly in a manner which would satisfy the hon. Member.

[The Member for Agriculture and Natural Resources]

He also asked what we are doing to increase the production of sugar and that question was also asked by the hon. Member for Trans Nzoia. Well, we have done a good deal actually to try and help in the production of sugar. We are, for instance, doing something by means of a sales tax or cess, which enables us in fact to subsidize sugar producers to some extent, to quite a material extent! We have established a sugar-cane experimental station at Kisumu which has done very good work and in so far as we are able, we are trying to encourage and stimulate increased production. We are also discussing the possibility, by an improvement in communications, of helping production in the Lake Victoria area. But I do not think we must allow ourselves to be carried away with the idea that this is necessarily a first-class sugar-producing country. It is possible, as one hon. Member has said, that in the delta region of the Tana something could be done, but where sugar is at the moment grown, if we are honest with ourselves, we must admit that we are using what is climatically and from the soil aspect marginal sugar land. Nevertheless, we must try to make ourselves self-supporting and we are, I can give the assurance, doing all we possibly can.

As regards the hon. Member's allusion to the Cotton and Lint Marketing Board, I will, if I may, deal with that when I am dealing with cotton.

Mr. Nathoo also asked that a certain senior agricultural officer who has just gone down to the Kisumu area, Nyanza Province, should be left there. We are short of agricultural officers. He has been especially sent there to help that area and I am afraid I must leave it to my hon. friend, the Director of Agriculture, who, heaven knows, has difficulty enough in dealing with staff, to do what he thinks is best for the country as a whole. But we will do our best not to disturb any work that he has started there.

I think it was the hon. Mr. Nathoo who also asked if Tanganyika Territory cannot deal with the question of Asian agricultural education—had we not better do it ourselves? I think I have already given some such undertaking. We are in close contact with the Tanganyika Government and there is no

question that we must produce a better type of school or educational establishment with a suitable farm attached to it, and that is being pursued.

The hon. Mr. Awori referred to the Cotton Sales Fund. As I suggested to the hon. Mr. Nathoo, I would like to deal with cotton questions as one. Now, the hon. Mr. Awori suggested that from the Cotton Sales Fund more should be spent on roads, water and so on. Well, I will not worry the Council with a long story about the Cotton Sales Fund: in this matter we are, to some extent, of course, tied to the system that goes in Uganda. We reserve for Nyanza and the Coast Province funds equivalent and proportionate to those set aside in Uganda to buffer any fall in prices paid to the growers of cotton. A large sum for each Province is also authorized by the Legislature to be expended on approved development projects in these two Provinces in addition to any moneys previously allocated. At present the Cotton Sales Fund in mid-1953 was allocated roughly as follows: Price Buffer for Nyanza Province—£720,000; Development—£260,000; leaving a balance of £173,743. In the Coast Province: Price Buffer—£240,000; Development—£235,869; balance left over—£59,101.

In Nyanza Province the development projects which are at the moment being financed from the Cotton Sales Fund are roughly as follows: for expenditure on experimental stations and certain dams and roads connected therewith in that area—£60,000. On water supplies which the hon. Member suggested had been inadequately dealt with, no less than £140,000. On farm institutes—£15,000. On soil conservation in Central Nyanza—£6,000. On housing for, junior mostly, agricultural and veterinary African staff—£20,000; on tsetse clearing—£10,000 and on other roads—£6,400. In the Coast Province expenditure was £53,000 on water supplies and I do not think I need worry hon. Members with details of other similar expenditure.

Sir, I think it can be claimed that as much as we can do effectively at the moment is being done with allocations from the Cotton Sales Fund.

The hon. Member also was rather critical of our cash crop policy and rather suggested that Africans were not being

[The Member for Agriculture and Natural Resources]

encouraged to grow cash crops. That subject has already been referred to. I can claim, I think, that, since I have been in the position I still hold, I do not think anybody could say that I have done other than encourage, under reasonable direction, the growing of cash crops by Africans and, indeed, I go further than that and would say that as far as I can make out all Members of this Council are in one accord in support of that policy.

The hon. Member referred to storage and to maize that has been destroyed by weevils. I am unaware of the particular case that he has quoted but I will go into it; but I can say this that our total losses from weevil damage nowadays out of a very vast amount of maize that is being stored, considering we are still using, and will always have to use whatever happens largely bulk storage, is very small indeed. The figures appear in the Annual Report but I am willing to give them if they are desired.

The hon. Member also suggested that possibly famine crops such as cassava and so on might be stored, as they are in Uganda, at an administrative centre so that the chief could dish out famine relief in the event of an emergency. I know this is the system in Uganda. There may be something in what the hon. Member has suggested but I would say that I think possibly the first step in that sort of thing might well come from the provincial authorities; I think it is really a local matter. We will certainly help if it will do any good.

The hon. Member also suggested that people who grow rice were not allowed to eat it. I am not quite sure what the hon. Member was referring to. I think it might be possible to some extent that he got mixed up with some difficulties we have had over rice bulking concessions at one time and there was some difficulty about moving rice for local sales but I really know nothing about Africans not being allowed to eat their own rice. Indeed, as far as rice is concerned we have large-scale projects, indeed definite plans; of course subject to whatever the future holds in regard to finance and the financial position. We have plans for stimulating the growing of rice to a very large extent indeed.

The hon. and gracious lady representing Ukamba paid a tribute to the African chiefs and African people in Kamba Reserve and I am very glad indeed she did so. She has had personal experience of the help we are getting from these people and I would like to endorse what she said. (Applause.)

The hon. Mr. Tameno referred to the African agricultural officers: he has done so twice. He has suggested that Makerere-educated young men are naturally dissatisfied because when they come back to this country they are put under what he chooses to term unqualified officers. Now, Sir, I am afraid I have got to say several things about this because I think the subject is very important. In the first instance we must remember—I am not being unkind and I do not mean in any way to discourage—but officers trained in Makerere are not, in the sense I refer to, as yet fully qualified technical officers. A fully qualified technical officer is an officer who has a Bachelor of Science Degree, or at least has been through a full course at the university, obtained a degree and has done at least one, probably two or three-year post-graduate course. That is why I am so anxious, and we all are, to see Makerere faculty and Makerere course gradually improved and we are all aiming at that in order to get a higher quality of African qualified agricultural officer. However, that is to some extent beside the point. Now a lot of the European officers whom the hon. Member referred to as assistant agricultural officers—some actually have got degrees and nearly all of them have diplomas from pretty high-grade Agricultural Colleges, but again I would say that that is not the only point. In fact there are at the moment five African agricultural officers who have been through Makerere courses and I have taken the trouble to see if any of these are, in fact, working under what could be described as non-technical untrained officers. Not one is. Two are engaged at training schools. One is directly under an officer who is in possession of an English degree in agriculture. His substantive post is of Divisional Officer where he would come directly under an agricultural officer. Another one is directly under another agricultural officer who has a very high university degree. Three others are in the field, one is directly under an agricultural

[The Member for Agriculture and Natural Resources] officer, of course, qualified. Another, the second one is in North Nyanza and is also under a district agricultural officer, qualified. The third is also under an agricultural officer, qualified. As far as I know that has been the case for some time. It is suggested by implication that we should push these people a little faster. Now let me say here and now that I would like to do it but I would only do it when they have proved themselves. I do not mean necessarily that our standard should be unduly high; I will even go further and say that their standard need not be as high as would be expected from a European officer because I think we should give encouragement to people who naturally have not had the advantages of European officers. But, Sir, I am afraid, as this has come up several times, I will not go into detail but I must, I am afraid, say that, of these officers, there are a majority that I could not possibly recommend for advancement on their personal record at the present time. If the hon. Member wishes to discuss that with me I will be very happy to discuss it. Things will improve and no doubt the position may change later.

**THE DEPUTY SPEAKER:** It is now ten minutes to One o'clock. I believe I am right in assuming the hon. Member is almost at the end of his speech; I do not know what the wishes of hon. Members will be, whether to carry on or adjourn.

**MR. MADAN:** May we know from the hon. Member how long he is likely to be?

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** Another ten minutes or a quarter of an hour—I feel it is discourteous not to reply to the points raised by hon. Members.

**THE DEPUTY SPEAKER:** In that case, I think Council must adjourn.

Before we adjourn I want to make reference to the incident that occurred half an hour ago. I was asked a sudden question and had to give a quick answer, about moving of the closure. I have come to the conclusion that I was out of order in accepting the Motion as it was put. Under our Rule No. 77, there is only one form in which that particular Motion can be put and that is that the question

be now put, and there is no room for any qualifications. The House of Commons procedure is similarly without any opportunity for any qualification reserving the right to the Mover of the Motion to speak. I make reference to this now, so that what I then said may not be regarded as precedent. There seems to be no method under our procedure or the House of Commons procedure whereby a debate can be closed under this particular method reserving the right of the Mover to make his reply to the debate.

Council will stand adjourned until Ten o'clock on Tuesday morning.

#### ADJOURNMENT

*Council rose at fifty minutes past Twelve o'clock.*

**Tuesday, 8th December, 1953**

The Council met at Ten o'clock:  
(Mr. Deputy Speaker in the Chair).

#### PRAYERS PAPER LAID

The following Paper was laid on the Table:—

The Department of Lands Annual Report, 1952.

(BY THE CHIEF SECRETARY)

#### ORAL NOTICES OF MOTION BUDGET AND OPERATIONAL PLAN OF THE EAST AFRICAN AIRWAYS CORPORATION

**THE MEMBER FOR COMMERCE AND INDUSTRY:** Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

BE IT RESOLVED that this Council take note of the Budget and Operational Plan of the East African Airways Corporation for the year 1954, entailing an estimated loss of £47,639, and note further that the budgeted loss is likely to be increased by reason of the payment of cost of living allowances at a level higher than covered by the Budget.

#### ADOPTION OF REPORT OF THE SESSIONAL COMMITTEE

**THE CHIEF SECRETARY:** Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

That the Report dated 5th October, 1953, of the Sessional Committee on the "Circumstances in which the Report of the Proceedings in a Committee of the Council which appeared in the *East African Standard* of 30th July, 1953, under the heading 'Inter-Racial School to be opened in Nairobi' was made", which Report was laid on the Table of this Council on 6th October, 1953, be adopted.

#### MOTION

##### SUSPENSION OF BUSINESS

**THE CHIEF SECRETARY:** I beg to move:

BE IT RESOLVED that the Motion to suspend the Standing Orders passed by this Council on 2nd December, 1953, be annulled and the following substituted therefor:—

That on Tuesday, 8th December, and Thursday, 10th December, business shall not be interrupted under Standing Order 10 at 12.30 p.m. but shall be suspended at 12.45 p.m. and resumed at 4.30 p.m. and that the time for the interruption of business under Standing Order 10 shall be postponed until 7.30 p.m.

I should like to explain, Mr. Deputy Speaker, that there is no change of intention from the previous Motion which was moved but there was a slight misunderstanding of terminology. It had been the intention previously that Council should sit until 7.30 p.m. but the time 7 p.m. was mentioned under the misapprehension that business could thereafter continue for a further half hour.

I beg to move.

**THE MEMBER FOR FINANCE AND DEVELOPMENT** seconded.

*Question proposed.*

The question was put and carried.

#### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

Debate resumed.

**THE DEPUTY SPEAKER:** The debate on the Motion that Mr. Deputy Speaker do now leave the Chair will now be resumed. The Member for Agriculture and Natural Resources was winding up the debate when we adjourned on Friday last.

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** Mr. Deputy Speaker, when Council adjourned on Friday last I still had a number of points which had been raised in the debate on the Agricultural Estimates on Friday. I was, at the time when we adjourned, referring to certain comments made by the hon. Mr. Tamenno in regard to the employment of African Agricultural Officers. I had made a number of observations on this subject because it is, to my mind, an important one and one with regard to which I would like to leave no misunderstanding in regard to Government's policy.

The hon. Member—this is the last observation I have on the subject—did suggest, in fact, I think he did more than suggest, that certain officers who had



[The Member for Agriculture and Natural Resources] been educated at Makerere and who were to that extent qualified, owing to their treatment or disappointment or frustration, had resigned. Well, Sir, I have been into this matter; I have already referred to five officers who were educated at Makerere and explained to hon. Members what their position is at the moment and I can only, myself, trace two other Makerere officers who have left and they certainly did not resign. I am afraid their services had to be dispensed with for good reasons. I will not say more than that but I do not want to let the suggestion pass, that is why I am being rather precise in this matter.

I will again repeat two things. One is that most of us sitting in this Council have at one time or another, though possibly academically qualified, have subsequently had to work under persons who have possibly not had the same educational advantages as we had. Far from considering that a frustrating experience, most of us on looking back will remember we learnt a lot and it did us a lot of good. That, I suggest, is one aspect to be remembered, provided that the work entailed is not permanent.

Now, Sir, as far as African Agricultural Officers or any other officers coming within my portfolio are concerned, our one ambition is to have them contented and so arrange educational facilities that by degrees we get an ever more qualified type and an ever more satisfactory type.

The hon. Member next referred to an area in Nakuru which has been reserved for the building of silos in due course. He said that he felt that area was far too large. It is true there has been a large area of land reserved in the Nakuru township for silos; it is over-large. We have found it difficult to decide what portion of that land was suitable for providing foundations for buildings of this nature, which require a very firm foundation. At the moment—I think a question was asked in Council some time ago on the same subject—we are having further investigations with consulting engineers and other interested parties who are likely to construct silos. We hope as a result to be able to release a considerable portion of this reservation in the very near, in fact, the immediate future.

The hon. Member next referred to the Tugan or Kamasia and the Lembus forest and I think he insinuated that there is a lot of land in the Lembus forest on which there were already a number of these people and that we could do a good deal more there to help them. It is really a land matter, not, strictly speaking, an agricultural subject but I personally have had a great deal of experience in this particular area in the old days. As many hon. Members are aware there were a number of right-holders in the Lembus forest; a number, not more I think than 35 or 39 families originally—I may be wrong, I speak subject to correction, at any rate it was a comparatively small number. There is now a very large number of people there illicitly and I certainly do not think that we can make a big settlement in the Lembus forest reserve. The right-holders naturally remain there.

The hon. Member, Sir, referred to the Elgeyo growing wheat and I think he wanted to know whether there was any objection to the African growing wheat. The hon. Member, I hope, is aware that there is no objection to Africans growing wheat, in fact, in some areas, we are encouraging it. It is a crop that has to be—in African hands—it has to be subject to a certain amount of advice because, as we all know, wheat is apt to go down to rust and other diseases, very rapidly. But in the meantime there is no reason why Africans should not grow wheat; in fact, in some cases we are encouraging it considerably.

He also mentioned the Lerogi plateaus and commented on Samburu in that they were starting a ranching system. He suggested that the plateau should become an African Land Unit. Well, Sir, as far as the Samburu starting a ranching system is concerned, I would like to say that we have had a very happy experience on the whole of the Samburu in this area. They have co-operated very well with the Government indeed, I think to their own advantage. With regard to the future of the Lerogi plateau, I am not going back to the very bitter discussion that I remember in this Council when I was in a prominent position on the other side of Council. I do not think I have changed my opinion on that.

[The Member for Agriculture and Natural Resources] The next speaker was the hon. Mr. Riddoch who spoke about the silos in reference to storage problems. Again I would repeat that we are committed, I hope, to the construction of silos for suitable purposes. But the idea that the construction of three or four silos in this country is going to be the end of our storage problems, of course, is not the case. I know the hon. Member does not think so either. We want silos plus bulk storage; we want a very, very large amount of bulk storage at that.

He also mentioned certain crops—wimbi, *mohogo* and so on. Well, as far as *mohogo* is concerned, he stated the best place for storing that, of course, is in the ground; of course, he is quite right.

The hon. Member for Trans Nzola talked about sugar cane and I replied to the hon. Member on Friday.

The hon. Member for Rift Valley raised the question of mono-culture of maize and that he was worried that, year after year, he saw areas where maize was planted, especially in the African areas. I can give the hon. Member an assurance that we are well aware of that. I think I know the areas he has in mind. We are doing our best to try and prevent this constant annual repetition twice a year of planting maize. Of course, a lot is under-planted with legumes and pulses as the Member is aware, which, in some respect, lessens the evil.

The hon. Member then went on to suggest that more could be done to raise the quality of stock of animals rapidly, native animals, by crossing with high grade or pure bred animals, then crossing back in the next generation with Zebu, thus getting a rapid development of milk yield, or quality generally and then restoring hardiness by a Zebu back-cross I would like to discuss that with the hon. Member; he is well aware that we have made innumerable experiments of this and I think one the whole the Veterinary Department feel that it is probably wiser in the native areas—to see whether they cannot get the same results as the hon. Member has in mind by the importation of Sahiwal bulls with a good milking background.

MR. BLUNDELL: Does the hon. Member think that that cow will necessarily have any greater immunity than the ordinary first class European dairy animal? I doubt it myself.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I think from our experiments—I do not say it will necessarily mean increased immunity to disease but increased hardiness. That is a matter of opinion.

MR. COOKE: Perhaps the hon. Member will experiment himself.

MR. BLUNDELL: I have the management and care of a better breed.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Also it must be remembered that we have retained and must preserve defined indigenous breeds here, unlike South Africa and Rhodesia.

The hon. Member also suggested that we should do more in grading of canned goods for export; the hon. Member has discussed this with me and we are trying to see what we can do. I entirely agree that we must take steps to prevent any produce from going out of this country which can harm established industries.

The hon. Dr. Hassan paid tribute to the work done by the Agricultural and Veterinary Departments, for which I would like to thank him. He then went on to discuss the building of dams and the control of grazing areas with surface catchments. Well, Sir, I am sure the hon. Member is aware that we are doing all we can do with the finance at our disposal. We have done a good deal to try and introduce modern machinery for making dams, and earlier on in my reply—in my opening remarks—I did say that we were equipping soil conservation units also with machinery for making a small dam. I entirely agree with the hon. Member that we can go a great deal further in that regard.

The hon. Member then suggested that the whole of the Coast is covered with mango trees, but they produce mangoes that are not fit to eat, and it seemed a pity because obviously it was a type of country suited to the growing of mangoes on a big scale. If the hon. Member would go to the Batuga Coast Experimental Station, he would find we have a good deal of grafting material there for that specific purpose.

[The Member for Agriculture and Natural Resources]

The hon. Member also suggested we should make more use of Africans and Asians in our Departments. Well, Sir, it is perfectly obvious that, expanding as we are, we shall have to start to greatly increase our staff, and it is equally obvious that a very large proportion of those will have to be Africans and Asians. As I have already said to-day, and again I did say earlier on in my remarks, we are concentrating quite considerably on the training of suitable people.

The hon. Mr. Gikonyo spoke about wattle, and he asked who is consulted in fixing prices for wattle bark. Well, Sir, the person responsible for fixing the price of wattle bark is the Director of Agriculture, and he has the advice of an Advisory Committee, on which there are two Africans. It is a system which has been found, I think, to work quite smoothly and fairly for some years past.

The hon. Member for Nairobi West also deplored the concentration there is throughout the country on the growing of maize, in which I agree with him, and suggested why cannot we encourage returning in some areas to the more indigenous or old-fashioned crops. I can assure the hon. Member that a good deal is being done in that respect at the present time.

The hon. Mr. Chanan Singh referred to individual titles on land, and I have, I think, replied to his comments. He also said why have we no, or very few, Asians in the Agricultural Department. Well, Sir, there is no reason at all why we do not employ Asians in the Agricultural Department—in fact, we do, and we welcome suitable Asians in the Agricultural Department. It is not true to say that we have not any Asian officers in the Department. For instance we had until recently—I think we still have—a very able Asian officer in charge of the Sugar Experimental Station at Kisumu. He came specially for that purpose.

Mr. Deputy Speaker, I think I have done my best to answer the points raised at some length, I am afraid, but there were a great many of them.

I beg to support the Motion.

THE DEPUTY SPEAKER: I will put the question that I do now leave the Chair.

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

#### IN COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that a sum not exceeding £311,102 be granted to the Governor to defray the charge which will come in course of payment for the half year ending 30th June, 1954, for Vote 5-3—Agricultural Department.

THE CHAIRMAN: The Clerk will read the items one by one.

Sub-heads 1 to 19 and 50 agreed to.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORT

SIR CHARLES MORTIMER: I have to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £311,102 be granted to the Governor to defray the charge which will come in course of payment for the half year ending the 30th June, 1954, for Vote 5-3—Agricultural Department.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### COMMITTEE OF SUPPLY

VOTE 6-2—LABOUR DEPARTMENT

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, I beg to move that Mr. Deputy Speaker do now leave the Chair to enable Vote 6-12—Labour Department, to be considered.

[The Member for Education and Labour]

I propose, Sir, to take this opportunity to make a short speech on labour policy generally. Later on in this debate the Labour Commissioner will, I think, have something more specific to say about the present activities of this Department and he will also endeavour to answer any points of detail which hon. Members on the other side may wish to raise.

There are some 400,000 people, mainly Africans, employed in Kenya at any one time. These figures include women and children. Most of them are employed in agricultural industries. Without this large body of African labour almost all the agriculture and other industries of Kenya could not be carried on and the economy of the country would collapse. It is therefore obviously of first-rate importance that, so far as possible, we should ensure that our labour force is permanent, efficient and contented, and the policy of the Government is directed towards securing that end.

MR. BLUNDELL: Efficiency!

THE MEMBER FOR EDUCATION AND LABOUR: Now, Sir, the African attitude towards paid employment and African wage levels, have from the earliest times—I mean the earliest times of the British occupation of these Territories—have been profoundly influenced by a number of factors. I do not propose to describe those factors in detail now, because I have done so on previous occasions, and I think hon. Members are well aware of them; but, Sir, these factors have produced four fundamental defects in our present labour arrangements. Firstly, the worker tends to be irregular and to break his employment at more or less frequent intervals for various periods of time for a visit to his native land unit. Secondly, the standards of skill and industry and output tend to be low. Now, here I should like to explain that I am not saying that they are always low—no generalization can be universally true. I am saying that generally the standards of skill, industry and output tend to be low. Thirdly, wages are generally low, and indeed, in many cases are insufficient to enable the worker to maintain himself and his family. Fourthly, there

is no provision—or no general provision—for security in old age, other than the worker's holding in his native land unit. Government is convinced that these defects must be remedied, but we recognize that must be a gradual process. As Members are aware, a Committee under the Chairmanship of the Labour Commissioner is sitting at the present time and its function is to examine wages and conditions of employment in relation to skill and output, both in agricultural and in urban industry and to make recommendations on that subject. The Government hopes to receive the report of that Committee early, very early, next year, and we believe that it will contain a number of very useful suggestions, useful and practical suggestions. The report will in due course be laid on the Table of the Legislative Council, and debated here. I do not wish to anticipate the contents of the report or the debate on it but I think that few people will disagree with the broad view that, on the one hand, levels of industry and skill and output and regularity must be improved; and, on the other hand, wages and conditions of employment, including housing in the urban areas, must be improved.

Improvement in the standards of skill and diligence and regularity of workers is, I suggest, partly a matter of basic general and of specialized education, and partly a matter of incentive and supervision. Habits of industry and hard work acquired in early life have in other parts of the world among other people produced industry and hard work in later life and I can see no reason why in due course the African worker should not react to the proper sort of education in the same way. We must remember that, at the present time, some African workers have received very little education, and the African people as a group have been educated only for two generations; so that there has been very little time for habits of industry and hard work to be inculcated into the people.

Provision of incentives is a matter for employers, and it is within my knowledge that there is a number of employers in Kenya who have achieved very satisfactory results by the provision of suitable incentives, and have

[The Member for Education and Labour] succeeded, for securing higher levels of skill and output and better work. After all the African like any other person, is likely to work harder and better if he can see some clear prospect of definite material reward for doing so.

Supervision is also a matter for employers. It seems to me hardly necessary to argue that the degree of supervision which makes it possible to identify and get rid of the lazy or inefficient workman and to advance the diligent, hardworking, skilful worker must, if it is followed conscientiously over a period of years, gradually improve the general quality of the labour force. I believe that the experience of individual employers who have adopted these methods does show that that is true.

Improvements in wages and other conditions of employment can be achieved either by direct negotiations between workers, or groups or organizations of workers, and employers; or if this proves to be impracticable, by wages boards set up under the appropriate legislation—that is the Wages and Conditions of Employment Ordinance. The Government would generally prefer negotiations of this kind to be conducted directly by the workers on the one hand and the employers on the other. We have therefore tried to encourage the formation of staff associations, staff councils and trade unions in order that the workers may be in the position to conduct negotiations on a joint basis with their employers; but when negotiations of this kind turn out to be impracticable or fail, then we must fall back on the Wages and Conditions of Employment Ordinance which, as I have said, makes provision for setting up machinery for this purpose. It is the intention of the Government to make increasing use of that machinery when it proves to be necessary, but, as I have said, we would prefer direct negotiations between the two sides, the workers and the employers, in cases where that proves to be practicable.

I said earlier that the 400,000 persons in employment include substantial numbers of women and children—most

of them Africans. There is in most countries, including Kenya, special legislation governing the employment of women and children. Our legislation on this subject was, as members will recall, recently examined by a Committee under the Chairmanship of the Member for Aberdare, who made useful recommendations for the amendment of the existing legislation. Those recommendations have been accepted by the Government with some very slight modifications, and we shall, as soon as we can, introduce amending legislation to give effect to them. I would like to take this opportunity of thanking the hon. Member for Aberdare and his Committee for the extremely useful job that they did in this field. (Hear, hear.)

I have already said, in speaking on the Education Head, that it is our intention to expand technical training facilities so far as financial considerations permit, with a view to increasing skills among the artisans and craftsmen. Coupled with this expansion of technical education are apprenticeship and trade-testing schemes. In the United Kingdom, and other countries, generations of craftsmen have achieved high levels of skill through the apprenticeship system, but up to the present time that system has operated only to a limited extent in Kenya, mainly on account of the tendency of the African worker to leave his employment for varying periods for a visit to the reserve. We hope as education progresses that that defect will be remedied, and the apprenticeship system will be employed to an increasing degree and will succeed here, as it has succeeded in other countries, in raising levels of skill and ability.

MR. COOKE: What about the Railways?

THE MEMBER FOR EDUCATION AND LABOUR: Yes, the Railways is a very good example, I agree, of the success of that system.

MR. COOKE: Good supervision.

MR. BLUNDELL: The Public Works Department?

THE MEMBER FOR EDUCATION AND LABOUR: With regard to trade-testing, a small organization has already been set

[The Member for Education and Labour]

up in the Labour Department for this purpose. It works closely in collaboration with the technical side of the Education Department and with industrial concerns. The object of the organization is to establish in various trades recognized standards of skill, carrying with them recognized levels of remuneration. We believe that this will be to the advantage of the workers and employers alike and we intend to expand and foster this activity of the Department.

In this short speech, I am not referring specifically or in detail to the activities of the Labour Department, but I must draw attention to the fact that the work of the Department, which is difficult enough in normal circumstances, has been made more difficult by the Emergency in two ways. Firstly, the normal work of the Department has been made much more difficult by Emergency conditions and, secondly, entirely new work has been given to the Department resulting from the Emergency. In my opinion, the Department has discharged all these duties extremely well and I think it can be congratulated on the work that they have done.

The total cost of the Department for the half-year—from January to June, 1954, is about £88,000, which is a little less than one per cent of the total expenditure of the Government. To my mind, there is no doubt that in future years, as machinery for the regulation of wages and conditions of employment is set up, it will be necessary substantially to increase the staff of the Department, in order that orders and regulations which are made on this subject may be properly enforced. I think there is no doubt that we must in the future look forward to a gradual and ultimately substantial increase in the strength of the Department.

Sir, I beg to move. (Applause.)

THE CHIEF SECRETARY seconded.

Question proposed.

MR. USHER: Mr. Deputy Speaker, I will not detain the Council for any length of time.

It was a great relief to us to note that, for the moment at least, we have no great increase of expenditure in this Department. We always scan our Budget with the feeling—at least I do—that the welfare and social services are the "walrus" and that labour is the "carpenter" and that a great deal will be gobbled up. We think sometimes of what the "carpenter" said—"The Carpenter said nothing but, 'Cut us another slice.'"

There is one matter which I want particularly to mention and that is the establishment in Mombasa of the Joint Industrial Council of the dock workers. Now the Port employs very many thousands of labour and its success has, I think, been quite outstanding. I should like to congratulate the Department generally, particularly the Senior Labour Officer and the Port Labour Officer in Mombasa, for the way they have got this thing going and for the real good it has done. This is no elaborate trade union arrangement—it is just six people who employ and six people who are employed sitting on opposite sides of a table with a rather poor Chairman—that is myself—seeing fair play, but it is, as I say, conspicuously successful, and the just demands and desires of the employees are conscientiously gone into and met.

I would just like to add this, Sir, that in regard to that labour, as in regard to all large conglomerations of urban labour, I personally believe that there is no single factor which tends more to stabilize it and to bring contentment than a progressive housing programme. (Hear, hear.)

I beg, Sir, to support.

LT.-COL. GROGAN: Mr. Deputy Speaker, Sir, I listened with interest to the Member's diagnosis of the lowly, relatively lowly, part that the African plays in industry in this country, but I would suggest that he omitted the most important factor.

Now, fifty years ago in Nyassaland, all the buildings and all the houses and practically all the work was done by skilled Africans. It was quite possible to go and get Africans to build you quite a good and considerable house on contract. They made all the bricks, they did all the stone work and they actually built the house as long as you could put the corners at right

[Lt.-Col. Grogan] angles, which no African has ever succeeded in achieving yet. If you go to the Congo to-day, you will see all the petty trade of the Congo carried out by Africans. Now, in this country, you will find very little of the petty trade carried out by the African and you will find practically none of the technical parts or constructive parts, except on the farms, where the work of the country is being carried out by the Africans; and the reason for that is this, that both in Nyasaland at that time and in the Congo to-day, the African has been protected from competitive immigration.

MR. MATHU: Mr. Deputy Speaker, Sir, I would like to congratulate the hon. Member for the very objective way in which he has moved this Motion.

I should like, first of all, to refer to the point that he raised in regard to the new problems which the Labour Department is facing, arising out of the conditions of the Emergency. In this connexion, Sir, I would like here to pay a tribute to the African labour force of this Colony, because in spite of all the problems that they are facing in this labour force, we have not had any labour unrest. I admit I say "touch wood" here, but I think that is a remarkable thing that this has not happened. Now I do think, Sir, if I may say so, that is a point which I thought my hon. friend would mention, but I think it is better that I should remind him that it is not a point that is worth omitting—it is a very important point because if the problems of the Emergency had been increased my hon. friend the Member for Education and Labour and the Labour Department, trying to carry on negotiations of labour troubles, our situation in the Colony would have been very much worsened.

I should also like when referring to this question of the Emergency, to refer to the scheme which the Labour Department is carrying on for photographing labourers as required under the Emergency Regulations, they provide them with a green card, and in this particular matter, Sir, I would like to say that the Department has been doing this very well indeed, because they have had systematic arrangements as to which labour has to be photographed, when and where, except that I have been disturbed

recently in regard to the labour force working in the stone quarries near Nairobi. I refer to Kasaraini and to all the other quarry areas adjacent to the city of Nairobi, where labour was informed by the Labour Department that they would have photographs taken some time this month. While they were working and waiting for the time that the Labour Department would make the necessary arrangements for photographing, about roughly between 600 and 700 workers, leaving alone their families, were picked up, and quite a number repatriated, and my information is that it was because they did not have a green card.

I have already spoken to the hon. Mover on this point and to one of the senior officers in the matter, and I am still very dissatisfied with that. The labour—they have definitely been waiting for the date to be photographed, and they were picked up before that time came. I do not think, if that is so, that the labour should be blamed in this regard.

Now I should like to make a few further comments on the general principles that my hon. friend has spoken about relating to labour. First of all, I should like to say that the African labour is waiting, not very patiently, to hear the publication of the report of the Carpenter Committee. I think my hon. friend, the Labour Commissioner did inform me, not very long ago, that he hoped this report would be issued before the end of the year. My hon. friend now says very early next year, which, as you see, does not tie up very well. I would like him to say in reply what month and what week next year, because early next year may go on to June—our situation is not going to be improved by that. I hope he will be more specific about this report when he replies, because he agrees with everybody that the wages structure of the African labourer is very low indeed in the Colony, and it is very important that steps should be taken to remedy the situation. I agree with him that we have also got a lot to do to improve the efficiency of the workers, improve the output of work exactly as he says, but it is, I think, a vicious circle, because some people say "Improve the wages and then the output goes up"—other people say "No, put the output up

[Mr. Mathu] first, and then the wages will go up". As I say, it is a vicious circle. I personally think that if we have the necessary incentive you are likely to encourage the workers to increase their output and therefore their efficiency.

There is a point here, I was glad to hear the Member for Education and Labour mentioning, that is we have not ourselves been able to differentiate between the persons who work well and the lazy ones. Take also the question of the minimum wages structure that we have laid down. The minimum wages for Nairobi, for example, we pay all alike. I do not think my hon. friend can tell me they are equally efficient or equally inefficient. Surely there must be some differentiation to encourage the person who works better than another. That is something which is very necessary in all of the wages structure for the African people in Kenya.

My hon. friend complains, and I think rightly, that one weakness—one defect on the part of our African worker is his irregularity in employment. I share this view, and I think I agree with him the reasons he has given; that our general education has not been able, I think, to establish it sufficiently long enough to enable these people to adopt the regularity in employment, as in more advanced countries. I think he will appreciate this particular point, that unless the African worker goes back to the reserve, he will lose quite a lot of other things. As my hon. friend mentioned, he will have no security for work in his old age. Therefore, we have the worker with one foot in his place of employment, and the other foot in the reserve, because there may be a piece of land for him there. Unless he goes to see that his interests are carefully looked after, he may find he has no pension on which to live when he becomes old. That, I think, is a point we can improve by introducing social insurance for the worker, so that he can permanently stay in one place of employment without having one foot in the African reserve.

There is one further point, Sir—two further points—I would like to make before I sit down.

THE DEPUTY SPEAKER: As it is now Eleven o'clock and the hon. Member is

likely to take some little time longer, Council will suspend business for the usual break and will resume at Eleven fifteen.

Council adjourned at Eleven o'clock and resumed at fifteen minutes past Eleven o'clock.

MR. MATHU: The two points I want to refer to before I sit down are: the first is the Government policy in regard to trade unions. My hon. friend did refer to the workers' organizations other than trade unions. He also said he would think it best that, on the question of negotiations for the improvement of working conditions, trade unions should play their full part. Now, that is a point of view on which my hon. friend has the support of the African Members.

I would like to say, Sir, that the African worker himself feels slightly differently—he feels that, although we have the necessary legislation, it is definitely Government policy to discourage the proper working of a trade union. This is a point, Sir, that we have mentioned here many times before, and I would like my hon. friend to satisfy himself if that is definitely not the case, because, in fact, at one time employers were complaining that the Labour Department was a father of the worker. Now the position is the reverse, from the point of view of the worker, particularly when, as I say, they feel it is Government policy, although not expressed like that, to discourage the proper working of the unions. I would like to give Government this opportunity of re-examining their attitude towards this matter, because we do think that properly organized trade unions are an important factor in improving the conditions of the worker and the question of increasing efficiency and output generally. That is a matter I would like my hon. friend to mention.

Now I would like, Sir, also to mention when discussing about trade unions, that this question of supervision becomes a very important matter, and I think trade unions can help a great deal in getting their workers working properly in order that the name of trade unions gets into the good books, and that, I think, would reduce overheads as far as the Labour Department is concerned. If the workers are given responsibility of seeing that their output is increased—now, that is a

[Mr. Mathu] principle which, as my hon. friend knows, has been accepted in more advanced countries—that the workers who are given the responsibility of increasing output and efficiency, is only when they know they have got that responsibility that you get a change in the attitude of these workers.

Finally, Sir, my hon. friend for Nairobi West, who is not here now, touched on a point I had down as a point I wanted to raise. In view of what my hon. friend says about technical education, that unless we encouraged Africans to do a technical job themselves in building houses in our country and in doing technical work on farms and in industry, I think most of the money we spend on our technical education will be money wasted, because the competition which we know exists in our country in this field is so strong that, unless we look at it very carefully, we will find Africans ousted from technical employment in our country.

Mr. Deputy Speaker, Sir, I support the Motion.

MR. LETCHER: Sir, I would like to raise the question of African passes. I think the position to-day is that any African who leaves his reserve and enters a European settled area, or goes to Mombasa for that matter, no record of his movements is kept. I would like to suggest the possibility of introducing a pass system, from the time he leaves the reserve until he enters into employment, be adopted. I know this is done in other parts of Africa and it works efficiently and I think it would here. I think this would help in tracing people as well, Sir.

MR. MATHU: We don't want passes—too many already.

MR. TYSON: The hon. Member in his opening remarks, referred amongst other matters, to the low standard of skill on the part of the African due to his frequent absence to visit his land unit. It does seem to me pertinent to ask ourselves why does he go to the land unit and, surely, the principal answer to that is, that the minimum wage scale which applies in the urban areas is inadequate for him to maintain a wife and family in urban areas, and the result is that he has to keep one foot in the reserve.

Now, reference was made to the system of trade testing. I do suggest, Sir, that it is very much more important that we should give attention, first of all, to the need for speeding up technical training facilities which lead up to trade testing. There are certain facilities already available, I must confess I do not think Africans take sufficient advantage of them, but what we want is far more skilled bricklayers, carpenters, tinsmiths and so on, to fill the jobs which they are quite capable of taking on if they have these necessary training advantages.

There is one point I would like the hon. Member to deal with when he replies and that is: I would like to be satisfied that there is close co-operation in regard to the technical educational services for the Africans, which is provided by the Education Department; that there is that close co-operation with the Labour Department to enable the best use to be made of those facilities. My own feeling is that at the moment we are not producing the numbers of trained Africans that we ought to be if we are to make the fullest use of the technical training facilities which come under theegis of the Member for Education and Labour.

I support the Motion.

MR. COOKE: Regarding the point made by the hon. Member for Trans Nzoia I think that there are quite enough passes in this country at the moment. I think the tendency might be that, with too many passes, we will discourage the Africans from going out to work. I think our discouraging Africans to go out to work would discourage a great number of Europeans in employing Africans. No matter how desirous, in my part of the Kinangop, people may be to employ Kikuyus, it is becoming so difficult to employ them that people who would prefer them, because they are very good all-round workers, are forced to employ people from other tribes. I would deprecate anything that would impair the position of Africans. I would like to say something about the apprenticeship system. When the Member for Education and Labour was speaking, he was good enough to allow me to interrupt and draw attention to the Railway apprenticeship system, which has been a magnificent success. If we could find the source of its success we might get nearer the point

[Mr. Cooke] of persuading Africans to become apprentices. Why is it not working with Africans? I think one of the reasons is that there is not sufficient interest taken by the various firms that have, or would have, apprentices, and not sufficient supervision. Everyone who has seen Railway apprentices working cannot but be struck by the extraordinary goodwill with which they get down to the work. It is astounding to see them. Anyone who goes into the Railway workshops—this impresses more than anything else probably, visitors from abroad. I think it would be a good idea to see why apprenticeship does not seem to be a success except in the Railway and one or two other notable exceptions.

There is one further and last point and that is: that trained Africans building houses—Government has never explained, at least to my satisfaction, why a man with most excellent chits from Kijabe and Kabete can come out, maybe as an excellent carpenter or blacksmith, and before you can say "Jack Robinson" he has turned to petty trade. I can give an instance—a boy working for me with most excellent chits, and very good character and he was getting quite a lot of job work in the Kinangop, suddenly starts to sell petty goods on the market. That man is a great loss—only one of many—to industry—small industry—in this country. I often wonder why Government has not discovered the cause which makes these people leave a good trade and become petty traders. It may be lack of good, proper remuneration.

Sir, I beg to support the Motion.

THE COMMISSIONER FOR LABOUR: I welcome the opportunity to take up several of the points made by hon. Members on the other side. My colleague the hon. Member for Labour has dealt briefly with the policy of the Department as a whole. I do not propose to do other than deal specifically with the points raised. First of all, I would like to thank the hon. Member for Mombasa, in his capacity of Chairman of this, the first of our joint Industrial Councils in Mombasa. I think that it is largely due to his tutelage that this particular body has been the success that it undoubtedly is. (Hear, hear.) I think it will not be the first, and that many other industries would do well

to examine whether, or not, they could also institute a similar organization.

My hon. friend the Member for Labour laid stress on the fact that the Department was encouraging the formation of various Councils—Works Councils and the like—and that, where there was no machinery, no adequate machinery, for collective bargaining, then the Ordinance—the Wages and General Conditions of Employment Ordinance—was invoked and wages Councils were set up. As he said, we prefer an industry, and the industry no doubt also prefers, a direct approach between the industry and management, the employer and the employee, and in this respect, in answering the point made by the hon. Mr. Mathu, the hon. African Representative Member, I would like to stress the growing importance, of trade unions movement in this particular field. There is no question but that, during the last two or three years, they have taken an increasing part in just this sort of collaboration with industry.

On the first Wages Council, connected with the Tailoring and Garment Working Industry, the union concerned has played a very active, very important, and carried on a very responsible part in the negotiations which followed round a table. I think they ought to be congratulated on the way they have done so. Quite recently there has been another Wages Council set up in the transport industry, and I have every reason to suppose that their deliberations will also be attended with success. I make these two points particularly, Sir, because, in a way, they are answers to the criticisms which the hon. Mr. Mathu has seen fit to level at the Government of not encouraging the trade union movement. I deny that. During the past two or three years, the trade union movement has grown very rapidly. Its officers, Sir, and its members have constantly been within the doors of my own Department. The officers of my Department have as constantly been at their disposal, and I am quite certain that the members of the movement would not endorse the statement made by the hon. Mr. Mathu. If they do, Sir, then all I can say is, it is on other, and possibly can say is, it is on other, and possibly political grounds and not anything to do with fact, because I am quite certain the trade union movement considers that the

[The Commissioner for Labour] Labour Department and Government are behind them.

It is true, Sir, that during the Emergency they have experienced certain difficulties in connexion with holding of trade union meetings. It is true that certain of their members belonging to the Kikuyu tribe have found it difficult to move about. Mr. Deputy Speaker, I am sure this Council will not be surprised at that; all I can say is that every effort has been made by Government to smooth these difficulties where it has been possible.

The hon. Member for Nairobi West made mention of the competitive immigration. Government has always been conscious that the immigration policy, as far as the Labour Department has been concerned, should be based on the fact that no immigrant should come in who has any harmful effect on the inhabitants of this country. The Department conducts tests on behalf of the Immigration Authorities and I can assure you, Sir, that these tests conform to the highly skilled trade tests of first-class craftsmen. Over the past year we have examined well over a hundred of these immigrants and fifty-five of them, up to the end of September, managed to pass the test. The others did not, so that I can assure the hon. Member that, as far as the immigration of artisans is concerned, only those artisans who are going to be really useful in the training of workers of the Colony come in.

The hon. Mr. Mathu drew attention to the work of the Department in the Emergency connected with photography. Up to the end of last month no less than 115,000 green cards with photographs have been issued. It is of interest to note that only some 2,500 refusals have taken place and those took place very early on in the Emergency. There have been no incidents, and I think this reflects very well on the staff connected with the photography. I may say here that the staff is not composed of members of the Labour Department, the permanent staff, they are members of the public, drawn from the public, and it is to them that the tribute must really be paid.

The hon. Mr. Mathu mentioned the Committee's report and the fact that, as

the Member indicated, there would be further delay in its presentation. That is unavoidable. The target set was the end of the year and as it transpires it is not possible to get the report completed and signed before the 15th of January. I hope by that date that this will be done.

I fully agree with the hon. Mr. Tyson that a prerequisite to a big trade-testing organization is, of course, a speeding-up of technical training facilities. As a Department, we have always felt that there is a gap between the technical college as a college and the trade schools as they are to-day. There is no institution which could take care of the man who is already at work but wishes, and should be able, to do something further by way of evening classes and that sort of thing to improve himself. I understand that this last aspect is being taken care of quite shortly in the near future. I would like to assure the hon. Member that there is co-operation between the Education Department and my Department in respect of trade testing, apprenticeship policy, and the rest of it. There is a Committee upon which sit members of both Departments and neither of us move at all without close consultation with the other.

The hon. Member for the Coast referred to the success of the apprenticeship system in the Railways. Now one of the main reasons I personally believe for this success can be attributed to the fact that the Railway is the sort of organization which is able to impose the sort of discipline that must go with an apprenticeship scheme. The other more important reason is that they are able to house their apprentices on a sort of hostel basis. Now, Sir, I maintain that no apprenticeship system of any real worth can be successful unless you have got some sort of institution as part and parcel of the scheme. The fact that the railways and the Posts and Telecommunications are successful is largely due to this particular factor. I believe if industry was in a position to house and maintain that sort of institution that an apprenticeship scheme would be far more successful and far more popular than it is to-day.

I would like to thank the hon. Member for Labour for saying what he did

[The Commissioner for Labour] about the Department. All I can say is that I am perfectly satisfied that members of the Department have done their best.

Mr. Speaker, I beg to move.

GROUP-CAPTAIN BRIGGS: There is just one point I would like to make and that is this. It is all very well straining to produce supplies of skilled labour but it does seem to me that there is a weakness in that it is not always easy to get hold of skilled labour once it is there. For instance, in rural areas there is a very great difficulty—very often when you want a tractor driver or you want a *fundji* of some sort you cannot just get one. Either you find one by talking to one of the existing members of your labour force, or you may, by friendly co-operation of the Labour Officer, get hold of one. But what I have in mind is this: would the hon. Member for Education and Labour consider setting up efficient and properly organized Labour Exchanges so that you can obtain skilled labour when you require it?

MRS. SHAW: Mr. Deputy Speaker, Sir, I would like to say a word about itinerant contractors and ask the hon. Member if anything has been done to impose some form of control on these people. I consider that there should be a licence, a licence to be issued to contractors, any African contractors for any work. I also think that the licence should define the form of work that is to be performed, because then you would not have a flood of absolutely untrained people coming around your farms—"Mimi contractor ni", you say, "Kasi gani?" "Kasi yoi!?", then you find really they are completely unskilled, they do not know any job at all.

Another point is, I think, if you had a licence it could be withdrawn as a penalty for not fulfilling the contract or in case of a contractor, which so often happens, departing and not paying his labour. That, I think, very often happens; that contractor departs before the job is finished—leaves his wretched labour and there is nobody to pay the labour, nobody can get hold of the contractor who has disappeared into the blue. There is another reason, I think, for this control. It is absolutely essential, for there is no question about it as far as the Kikuyu

tribe, who go in for this form of work largely, is concerned. It has been a channel for the spread of subversive propaganda.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, the issue of productivity of labour is by far one of the bigger issues before this country. The Commissioner for Labour has repeatedly told us that the raising of the productivity of the employee and his efficiency must of necessity be largely in the hands of the employer. If we cannot do that then we cannot solve a lot of our problems. One of the biggest employers in this country is Government, but we have this extraordinary and conflicting state of affairs, we have the hon. Member for Education telling us this morning that it is a policy of the Labour Department to make labour efficient. That I accept completely, but if it is the duty of the employers to see that their labour produces the maximum amount of work so that we can pay the best possible wage, then Government, as the employer, must accept that responsibility as much as anybody else.

I want to ask the hon. Member what he is going to do about the method still used in the Public Works Department by which employees of that Department cut grass verges on the road with twisted hoop-iron. I suggest he is just as guilty as the hon. Members on this side of the Council, of saying things and never carrying them out. If he truly thinks employees are to be efficient—that there is to be efficient use of labour, then we must apply that to the Government Departments as well as anybody else. The first place he can start is in the Public Works Department. I venture to say, Mr. Deputy Speaker, it is impossible to create a wage rate on the cutting of grass with old pieces of twisted hoop-iron and that the reason they do that is that the wage rate is so low that even Government, which the hon. Member represents, does not see that the labour it is using is efficient and I would like to know when he replies exactly what has been done on this issue.

MR. CHANAN SINGH: Mr. Deputy Speaker, Sir, it is clear from the speeches that have been made that all hon. Members are anxious to see increasing opportunities given to the Africans for training in skilled occupations.



[Mr. Chanan Singh]

As far as the Asian community is concerned, Sir, I can give you the assurance that we shall always welcome such a step.

It is quite true that if there had been no immigration of skilled artisans into this Colony, the Africans themselves would have produced some sort of artisans but it is also true that if there had been no immigration from any part of the world, Africans would have produced some sort of Executive Councilors, some sort of farmers and some sort of engineers. These are all matters which are connected.

Now, if anyone passes through the River Road and sees what happens inside furniture shops or blacksmiths' shops owned by Asians, he will observe that a number of Africans are employed in all of them. Africans are also employed as typists and telephone operators in offices of all races.

I personally think that the limit to the employment of Africans in skilled occupations is not set by immigration but by the rate of training. If more trained Africans were available, I am sure they would be employed.

This question is also linked up with the question of supervision. At the present time the position is just preposterous. You find 50 African labourers supervised by one foreman. They get about 3,000 shillings a month and the foreman gets 1,700 shillings a month, so that supervision costs more than 50 per cent. I think you need to train Africans as supervisors who would understand what is to be done according to plan and do the work. They would do the work cheaper; indeed, it is too much to spend 50 per cent on supervision.

As regards the proposal for a system of passes, I think the introduction of such a system should be considered with caution. This is a matter which is connected with the sentiments of the African community. Restrictions which are imposed due to the Emergency have justification, but I feel there is no justification in restricting movement inside one's own country for people in general.

There is one other matter which I wish to bring to the notice of the hon. Member for Labour. Since the coming into being of the High Commission Services,

there is a number of trade unions or staff associations which work on an inter-territorial basis. All three Territories have different trade union laws and these associations are finding it very difficult to operate in the three Territories. Each Territory says, "No trade union from outside our Territory can operate here". Naturally a trade union can have its headquarters only in one place and that is a matter which should be looked into. It should be possible for trade unions catering for the interests of staff employed by the High Commission services to operate in all three Territories, and, if necessary, representations should be made to the other Territories to enact legislation to that effect.

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, to-day in the country the African community supplies most of the labour to the extent that the Africans have become the hands and legs in the country. If there is no proper co-operation between the labour and the employers then I think that in days to come the country can come to a standstill. That is why whatever steps Government will take to better the lot of the African labour in this country they will always find the support from the Asian community.

As far as technical experience is concerned, I would like to mention, Sir, that the Asians have always employed Africans as their assistants, bricklayers, carpenters, masons, mechanics and drivers, in shops, and so on, so whether my African friends may confess it or not, the Asian community is playing its part in assisting the African labour to achieve some sort of technical experience in this country, when they will be able to do these jobs themselves, independently. It is not the intention of the Asian community to come in the way of Africans in their progress.

THE MEMBER FOR EDUCATION AND LABOUR: Mr. Deputy Speaker, Sir, the Labour Commissioner has already dealt with a number of points raised by the hon. Members on the other side of the Council. I shall endeavour to deal with the remainder very shortly.

The hon. Mr. Mathu raised the question of several hundred Kikuyu working in the Kasaraini quarries, who were recently arrested by the Police. I have had an inquiry made into that by an

[The Member for Education and Labour]

officer of the Labour Department. The information which I have received is that they were arrested for offences which have no connexion with the Kikuyu History of Employment—the green card; they were arrested for other reasons. I have passed the information which I have on the subject to the Chief Native Commissioner and I suggest that the hon. Member should get in touch with him if he wishes to pursue it any further.

THE DEPUTY SPEAKER: Would the hon. Member please address his remarks this way, as the HANSARD reporters cannot hear.

MR. BLUNDELL: Hear, hear!

THE MEMBER FOR EDUCATION AND LABOUR: The hon. Member also referred to the fact that there has been no labour unrest during the Emergency and suggested that that is a creditable thing, both to the labour concerned and to their organization. I entirely agree and I agree that I might have mentioned that fact in my original speech.

He also emphasized the need for old age security. The hon. Member will recall that at the last sitting of the Council a Resolution was passed that a Committee should be appointed to inquire into this matter. That Resolution was accepted by the Government and passed and I hope to set up that Committee very shortly. Of course, I entirely agree with the hon. Member, and I said so, that that is one of the most important improvements required in the labour conditions in this country.

The hon. Member also referred to the need for Africans who go to trade schools to have the opportunity of practical work after they leave their school. As I have assured him, in other debates, I am quite satisfied that all men leaving trade schools at the present time are able to secure employment. We do keep in touch with them for a considerable time after they leave. It is also interesting to know that in one or two cases groups of Africans trained at Kabete and other trade schools are doing work under the supervision of the Public Works Department, mainly on schools

as a team. If he should be interested to see what they are doing, I could arrange for him to go to places where this work is carried on and see what these Africans are able to do.

The hon. Member for Uasin Gishu—

MR. LETCHER: Trans Nzoia.

THE MEMBER FOR EDUCATION AND LABOUR: I beg your pardon. The hon. Member for Trans Nzoia suggested that a pass system should be introduced for the Africans going out of the Native Land Units for work. He did not say precisely what he thought the benefit and advantage would be. I personally agree with the hon. Member for the Coast that such a system should not be introduced. At the present time Africans leaving the Native Land Units for work require a registration certificate issued under the Registration of Persons Ordinance. In addition to that the employer is obliged by law to send in a form, of which the hon. Members are aware, to the Labour Department, the contents of which are entered into a life card which is held in the Registration office of the Department, so that the particulars of the individual are available; that is provided that the employer does, in fact, comply with the law in that respect. I do not think the system advocated by the hon. Member is necessary or would be advantageous.

The hon. Nominated Member, Mr. Tyson, raised a number of points, some of which have been answered by the Labour Commissioner. But one was not answered; the hon. Member suggested that one reason why the African worker tends to leave his employment—I think he was referring to urban employment—and go back to the reserve, is that wages are low and make it necessary for the worker to retain his footing in the reserve, which, of course, affords him a supplementary source of income. I entirely agree with the hon. Member on that point, and I hope that that is one of the matters which will be dealt with by the Carpenter Committee.

The hon. Member for Mount Kenya said that difficulties are experienced in this area in securing the services of skilled Africans such as tractor drivers, and suggested that there should be a

[The Member for Education and Labour]

system of labour exchanges. There is a system of labour exchanges already in existence; the one nearest to the place where he lives is Nanyuki. I do not know whether he is aware of their existence or has tried to secure his requirements there. It is quite possible that he might not be able to do so, because I understand from the Labour Commissioner that there is a shortage of skilled men of this particular type, so it might be that he could not get a suitable man through the Nanyuki Labour Exchange for that reason.

The hon. Member for Nyanza referred to the problem of contractors, and expressed the opinion that they ought to be licensed. This is a problem that has been considered on several occasions by the Board of Commerce and Industry and by the Labour Advisory Board, and both of them, at any rate on the occasions that I am aware of, came to the conclusion that the practical difficulties of introducing such a system, to work satisfactorily and equably, were so great that they decided not to pursue the proposal. Of course, nobody is obliged to employ a contractor if he does not wish to do so, and I suppose that the fact that contractors exist at all in these areas, is evidence that people find them useful—think it is useful and worthwhile employing them. The question of the Kikuyu contractors to which the hon. Member referred to is a different one, a security problem, which I prefer not to refer to here.

The hon. Member for the Rift Valley referred to my statement, that it is the policy of Government to try and increase the efficiency of work. He then instanced that men of the Public Works Department who cut grass by the side of the road by hand. Now, I think—

MR. BLUNDELL: Mr. Deputy Speaker, Sir, it is not the hand that I object to, it is the implement—twisted hoop-iron that is inefficient, I think.

THE MEMBER FOR EDUCATION AND LABOUR: I do not know whether they use twisted hoop-iron or not.

MR. BLUNDELL: You ought to.

THE MEMBER FOR EDUCATION AND LABOUR: I shall certainly bring this to the notice of the Director of Public Works Department, to see if he thinks some more efficient implement could be provided—if so, I have no doubt that he will attend to it. But the point, of course, is that if you are going to cut grass by the side of the road, you have to do it by hand, and I do not know of any other way that it can be done. I am quite certain that the Director of Public Works, like any other head of department, is anxious to secure efficiency among his African workers; but, of course, he is faced with the same sort of problem that the other employees are faced with.

The hon. Member for Central Electoral Area, Mr. Chanan Singh, referred to the need for more trained African workers. We entirely agree, and it is the Government's policy, to expand training facilities as far as possible. I also agree with him that it is most desirable, in this country as it is in other countries, to train the indigenous people in supervisory work. I believe there are already many African supervisors of labour in various concerns, and I agree entirely that that is a system that ought to be extended.

He also referred to the difficulties, which he says certain trade unions and works associations encounter, which have interests in more than one territory. That is a problem which I am not up to date with—I remember that it cropped up at the time we were enacting the new Trade Union Law. I will look into it and see whether the practical difficulties at the present time; if so I will see what can be done to overcome them.

Those, I think, are all the points with which I have to deal, Sir, and I beg to move. (Applause.)

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £88,309 be granted to the Governor to defray the charge

[The Member for Finance and Development]

which will come in course of payment for the half year ending the 30th June, 1954, for Vote 6-2—Labour Department.

Question proposed.

Item Nos. 1, 2, 3, 4, 5 and 50 agreed to.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £88,309 be granted to the Governor to defray the charge which will come in course of payment for the half year ending the 30th June, 1954 for Vote 6-2—Labour Department.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### COMMITTEE OF SUPPLY MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Mr. Deputy Speaker do now leave the Chair.

I am very glad indeed of this opportunity to discuss the policy of the Audit Department. Hon. Members of Council will recollect that with the process of financial devolution, the responsibility of the Director of Audit has changed both in its direction and in its degree. Formerly the accounts of the Colony were audited on behalf of the Secretary of State for the Colonies under the supervision of the Director General of

Colonial Audit. However, with financial devolution and the introduction of the Audit Ordinance, the Director of Audit now audits the accounts on behalf of Legislative Council and is more or less in the same position as the Comptroller and the Auditor General of the United Kingdom is to the House of Commons in as much as he is primarily a servant of the Legislature and not primarily a servant of the Government. That, Sir, is the very important change which has taken place and which must lead the Director of Audit to have regard to the audit policy of the future.

He and I have had discussions on this matter. I would like to express my great appreciation of the care, thought and work that he has directed towards the evolution of the audit policy in this country.

Now, Sir, it is necessary in this changing position to reconsider the audit policy of the country in the light of two main points. One—the growth of the Colony is such that to continue to carry out a detailed or percentage audit on the present lines would involve a considerable increase in the staff and it might eventually result in making an audit of that kind an uneconomic proposition; and two—with the growth and development of the Public Accounts Committee and the system that is emerging from the Institution of the Public Accounts Committee, it is obvious that, in order that the Accounting Officer may be in a position to answer to Legislative Council through the Public Accounts Committee, it is necessary that he should have a more effective and most effective control in his Department, so that he can speak with certainty and accuracy. It will be difficult for him so to do unless some form of internal, departmental audit exists. It is obvious it would be wasteful for the Central Audit Department to superimpose on that internal audit the present degree of audit—that would be wasteful in the extreme.

Let me remind hon. Members when they are listening to the aspects of audit control and policy I am now outlining, let me remind them once again that the audits are not carried out on behalf of Government, but on behalf of the Legislative Council and the Treasury as well. It is, I think, therefore necessary that we should move towards four

[The Member for Finance and Development]  
particular types of audit. I will go through them and try to describe the fields that they cover.

The first I think could be called—here I use the words of the Director of Audit—the accuracy audit. That is the audit that ensures, as far as possible, that the accounts are accurate and correct. This involves also examining the internal audit and special attention having to be given to ascertaining the system of control and accounting in the department concerned and the degree of checks employed within the department.

The second and a very important type of audit from the point of view of the Public Accounts Committee and, therefore, the Legislative Council, is the control and the authorities audit. This—again using the words of the Director of Audit—is to ensure that the money is being used for the purpose for which it was voted by the Legislative Council; that statutory powers exist for the spending of that money; that there is no apparent lack of control over expenditure or failure to collect all due receipts to ascertain whether serious discrepancies exist between the Estimates and the actual expenditure and if the power of *virement* has been properly exercised. That is the most important aspect of the audit policy from the point of view of Legislative Council and, of course, from the point of view of Treasury control.

The third aspect of the audit policy as it must be shaped—it is again, I would say, of supreme importance to Legislative Council and the Public Accounts Committee—is what is termed the financial audit. This audit—again using the words of the Director of Audit—consists of looking into waste and extravagance and might involve going beyond the normal accounting records where necessary; investigating the aspects of potential extravagance; control in the use of Government transport; examination of contracts; rationing systems in hospitals, schools, prisons, etc., checking of standards; examination of the records of material issued for works as to quantity and control after issue and things of that kind. It is one of the aspects which the Treasury hopes that the Director of Audit, as the servant of

this Legislative Council, will more, and more be able to turn his attention to, rather than the mere checking of figures.

The fourth group is the matter of checking the ordinary checking of accounts—*quasi-Government* undertakings. This involves the audit or scrutiny of certain semi-Government organizations which are or were originally financed by the Government or in which the Government has an interest. It involves seeing that the capital, fixed, and working, capital of the organization is maintained; that the profit or loss are as true as can be ascertained; that the concerns are performing the functions which it was intended they should perform and—this is a very important point from the point of view of the Treasury—that excessive reserves are not being built up and maintained at the expense of the Government, that is the taxpayer, unless such was the original intention.

Those are the aspects of the audit policy of the future to which, since the time of financial devolution and the creation of the Public Accounts Committee and the Parliamentary system of authority and control, the Government and the Director of Audit have been steadily moving.

It is obvious that this policy will entail the Department in work of a very highly specialized nature. It is necessary that in future, so far as the Audit Department is concerned, that it must concentrate on quality rather than on quantity. I have the assurance of the Director of Audit that this is a consideration which he intends to keep in view in any future development in his Department.

As I have already said, such an audit policy can only be successful if internal control and audit is exercised by the Accounting Officer concerned who must be made to realize its importance. Experience in the past—I would say this, particularly by the case during the Emergency, has proved that officers appointed for internal audit and control are frequently used for other purposes when a shortage of departmental staff arises. Whereas the most important factor of the Accounting Officer's work is that he will have such a system of internal audit and control that both the Treasury on the one hand and the Director of Audit on the other hand can be certain

[The Member for Finance and Development]  
that he does control the expenditure of the department for which he is responsible.

I think too, and I know that here I have the agreement of the Director of Audit, that it is as important here now, as it is in the United Kingdom, that the Treasury should exercise an overall control of all what I will call Accounting Officers, because they exist to-day, though in many cases they have not been given that name. For this purpose it is most desirable that there should be a Treasury Officer of Accounts. Hon. Members may wonder what a Treasury Officer of Accounts actually is and does and I think the best thing I can do is to give the United Kingdom definition taken from departmental notes: "The Treasury Officers of Accounts" will be ready, when called upon, to assist and advise the officers who render the Appropriation Accounts upon all technical points connected with book-keeping and accounts. Whenever they visit a department they will report the object of their visit to the permanent Head of the office, and will work in concert with him. It will further be clearly understood that they do not interfere with the administration of the Department, that they are in no way responsible for the accuracy of the Departmental Accounts, and that their functions in no wise interfere with the powers of the Comptroller and Auditor General over the accounts when they have once passed into his hands.... Accounting Officers should communicate freely with the Treasury Officers of Accounts who have instructions to render, on behalf of their Lordships, all assistance in their power."

That leaves us in no doubt that in this country the Treasury Officers of Accounts would be of first class importance and value in the setting up of our control machinery which also means that that officer would have to have an interest himself in the form and manner in which the accounts of the commercial or semi-commercial undertaking, financed in part or owned by the Government, are presented to the Council.

With this background, it is considered and intended that in future our Audit Annual Report shall be drawn up on different lines. It is intended to omit from

the report such matters as routine verifications of assets, etc., and matters formerly included only for the information of the Director General of Colonial Audit which are of little or no interest to the Public Accounts Committee.

It is proposed to write the reports departmentally, that is, any matter affecting a department whether revenue, expenditure, advances, deposits, etc., will be shown under the section dealing with the department concerned. That is to say, in future audit reports, recognizing that, as in the United Kingdom, the Director of Audit is now a servant of Legislative Council, will follow as nearly as possible the lines of the reports of the Comptroller and Auditor General, the United Kingdom, on Appropriation Accounts and will deal with any matters arising out of the four different types of audit that I have considered.

I hope I have covered amply the audit policy which we have gradually been gradually moving to, which is our target for the future and is the audit policy which I believe is essential to ensure that proper Parliamentary control is kept on expenditure and to enable the Treasury to see that the battle against wasteful extravagant expenditure is unceasingly maintained.

I can do no better than close by quoting from the Public Accounts Committee of the United Kingdom when they were interviewing and cross-examining the Comptroller and Auditor General of the United Kingdom. In the Report they said to the House of Commons the following words: "Your Committee fully appreciate the importance of saving manpower, especially in the present economic position. They are not, however, convinced that economy in staff and economy in money can properly be dissociated. An efficient audit is in their view a vital factor in securing economies, but any audit must suffer a loss of efficiency if the degree of test applied is reduced below a reasonable level."

That is the point of view which the Kenya Treasury supports wholeheartedly, and submits to Legislative Council as an essential point of view, one which will be carried further by the adoption and implementation of the audit policy I had the honour to outline.

I beg to move.

THE SECRETARY TO THE TREASURY seconded.

*Question proposed.*

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

IN THE COMMITTEE

(Sir Charles Mortimer, C.B.E., in the Chair)

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £39,209 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 1-4—Audit Department.

*Question proposed.*

*Sub-Head A*

MR. JEREMIAH: I would like the hon. Member to tell us the policy of the Audit Department with regard to employment. Now, Sir, I refer to skilled employment. In the Estimates I find that there are only two Africans employed in that Department as Clerks. I think, Sir, unless there may be some special qualification required, I consider that number to be quite inadequate and I would like to know whether there is any specific reason why more Africans should not be employed?

THE MEMBER FOR FINANCE AND DEVELOPMENT: The Audit Department, like other Government Departments, has no racial basis in the employment of clerks. Therefore the answer is that so far only two Africans have been found suitable and acceptable. If the hon. Member is looking for an assurance, I can give him the assurance that as and when the higher state of the efficiency or knowledge required by the Audit Department is attained, and Africans present themselves, I can give him the assurance that the Director of Audit will see they are employed.

MR. MATIU: I am sure it was not in the mind of my hon. friend to suggest that there is any racial policy in the employment of people in Government departments. If he compares this figure—two little ones—with Scale III C, we know what that means—he would see why we like to draw his attention to the

fact that he might go out of his way in raising that number on future occasions.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I will draw the attention of the Director of Audit to this particular fact. I will assure the hon. Member that without any loss of efficiency in this very vital Department, the matter will be gone into.

*Sub-Heads B and C agreed to.*

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

*Question proposed.*

The question was put and carried. Council resumed.

(Mr. Deputy Speaker in the Chair)

REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £39,209 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 1-4—Audit Department.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

*Question proposed.*

The question was put and carried.

COMMITTEE OF SUPPLY

MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE CHIEF SECRETARY: I beg to move that Mr. Deputy Speaker do now leave the Chair for the purpose of enabling a debate to take place, if desired, on Vote 2-3—Department of Information.

It has been said, Sir, "That the provision of adequate machinery for information work is an integral part of modern Administration". This *dictum*, Sir, was supported by a committee which was set up in 1950 in this country, and was subsequently endorsed by the Legislative Council. The application of this *dictum*

[The Chief Secretary] depends on circumstances, of course, but all hon. Members will be aware that they have assisted during the past year in building up the machinery which was more adequate to the present circumstances than that which existed earlier.

At the end of last year arrangements were made for the appointment, in London, of a Public Relations Officer for Kenya, and he works in the closest association with the East African Commissioner and the Colonial Office and other bodies who are interested in Kenya. In the course of this year a Director of Information was appointed, and appointments were made to the posts of Press Officer and Arab Press Officer.

The Estimates for January to June, 1954, represent what has already been approved by this Council in the shape of substantive estimates for 1953 and the subsequent Supplementary Estimates. It will be seen, Sir, that the opportunity has been taken to draw together the various parts of the information machine into a Department of Information. This does not consist, as I have already indicated, of any additional buildings so to speak, but it is a drawing together of what has already been approved by this Council.

In the natural course of events, Sir, it has been necessary for the various parts making up the prospective Department of Information to concern themselves particularly with the Emergency, but, Sir, when we have got rid of the Emergency, the necessity for this machine will still exist, I feel, Sir, that this drawing together of the various sections will, with regard to its increased usefulness, provide better co-ordination than has been the case in the past. As I say, Sir, the only outstanding new point about this is the creation of the Department of Information, without any substantial variation of what has already been approved by this Council.

I beg to move.

THE MEMBER FOR EDUCATION AND LABOUR seconded.

*Question proposed.*

SHEIKH MOHAMED ALI SAID: Mr. Deputy Speaker, Sir, in March last year a Swahili and Arabic broadcast for Arabs and Muslims in the Coast Province was started in Mombasa, and given

the name of *Sauti Yo-Mvita*. I think that I am correct in saying that the *Sauti Yo-Mvita* Programme has been a great success and has more than justified its 20 months of existence. I would like to pay a tribute to the splendid work of those officers connected with it. (Applause.) I think they deserve every word of praise for their excellent work. I have, however, one plea to make, and that is, in my opinion, Sir, this section of the Department of Information is very much under-staffed. I am informed that the present staff cannot possibly cope with the volume of work. Sometimes the Acting Provincial Information Officer and her Arab assistant have to work nearly 12 hours a day which I think is really too much.

I would suggest to the Government, Sir, that Government should give consideration to the question of increasing the staff of this section of the Department when preparing the next Budget.

With those words, Sir, I beg to support.

MR. COWIE: I would like to draw the hon. Member's attention to one point only—that is the value and power of films. (see in this estimate there is provision for something like £1,500 for the half year, and I personally do not think that will go very far. I know everyone has a pet hobby and a pet line of action, but when I was first associated with the hon. Member for Finance, I think I can say we were both, to some extent, connected with films. I know he for one would know the power of films.

If one analysed for a moment what one can do, there is a vast scope in the American continent for television. That is not an expensive process, but it gets to millions of people. In Europe and especially in Great Britain, I believe there is tremendous opportunity for short documentary films throughout all the small cinemas of Britain, and that again gets to millions of people.

Here, locally in East Africa, we have another tremendous potential opening in putting information, and correct information, across to all kinds of people, especially Africans. When there is an estimate of only £1,500 covering all photography and films for the half-year, it is pretty clear to me that not a great

[Mr. Cowie] deal can be done with that. I would commend to the hon. Member that in the Estimates for the following year it would be wise to consider the value and advantage of going into film propaganda as one of the modern methods of spreading correct and accurate information.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, in supporting this Vote, I would like to record that information must not, of course, only pass within the country here, it must also pass overseas.

I think we have been extremely fortunate in the personalities which have built up the London office and I would like, on behalf of this side of the Council, to record our gratitude for the work that has been done in the Information Office in London.

It is also obvious, I think, that the information overseas must not only be directed to London, I am rather concerned at the moment because of the very lamentable ignorance of events here and the lack of knowledge of the brutal and bestial challenge which Government is facing which is shown by the reports in the Press in the sub-continent of India. I think this is a field where we should put much attention in order to correct the distorted views which are at present emanating from that area. I cannot help but feel that this is not a matter of new development within the Information Services; I feel somehow there must be a block in the channels of communication because if one looks at the great and contiguous area of Pakistan, we do not find the same lamentable ignorance or lack of knowledge of what we are attempting to do in this country or the challenge which Government is facing. I think it is important.

This is a matter which affects not only this country and the United Kingdom but actually affects the whole of the Commonwealth; the relations of the Commonwealth, one with another, and the satisfactory solution to the most difficult problems within the Commonwealth, which are those where the interests of the Commonwealth lie across, as it were, the feelings of emotion which are aroused to-day by race and other matters are most important. That being so, I would like to ask the hon. Chief Secretary, when he

replies, to give us an assurance that special attention will be put to trying to eliminate what appears to be a vacuum in knowledge in the sub-continent of India. (Applause.)

MR. JEREMIAH: Mr. Deputy Speaker, Sir, it was not my intention to speak on this subject but due to the speech by the hon. Member for Rift Valley, I would like to know what are the distorted views which he seems not to be happy about, that are spread overseas. Because I believe if there are any distorted views, it is up to people in this country to sit together and to discuss them, find out whether the views expressed here and overseas are quite distorted or otherwise; I do not see why someone should try to hide something that is happening. If what is happening is not true, the denial will be accepted, but if it is true, it is no use hiding it. The best thing to do is correct them.

MR. MATHU: Mr. Deputy Speaker, Sir, I have only two points I would like to make in this connexion.

The first is that when the Committee was appointed in 1950, at that time our information service was called the Kenya Information Service. We changed that because at that time Members of this Council felt that the information services should be directed towards the African community only. I do think that we were wrong in changing the name and my hon. friend, the Member for Rift Valley, I think in the remarks he made, supports what I am saying; not only is information required for the African community here but for other communities here and, what is more important, for overseas consumption, not only, I think, in India but in the United Kingdom itself and in America. I do think that these African Information Services should now be renamed Kenya Information Services so that they can be services for all communities here and particularly for overseas.

It is a point I have raised before in connexion with the East African Office in London—the Public Relations Officer. I do think that the money we vote for the Public Relations Officer and the Information Services required in London does not tally with the figures that we are debating now; that particular sub-

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(Evening Sitting)

[Mr. Mathu] head would not do what we want to be done. I suggest that the hon. Member might look into it and see whether we need not spend more for the benefit of the country, where misrepresentations have been made abroad, then we would be in a position to correct them and have the necessary personnel to do the job.

One further point is to welcome the policy of this Department, as reflected in these Estimates, of bringing Africans, almost on every level of the Information Services, from the Headquarters to the Provinces, up, Africans and Europeans are working in co-operation and this, I think, is a most welcome sign and I do know—I am speaking, at any rate, for that section of the African Information Services which belong to my own race, that they appreciate the close relationship and friendly relationship which these people find when disseminating information in the African areas.

I support the Motion.

#### INTERRUPTION OF BUSINESS

THE DEPUTY SPEAKER: It is now time for the interruption of business. The work of the Council will be suspended until Four-thirty this afternoon.

*Council adjourned at forty-five minutes past Twelve o'clock and resumed at thirty minutes past Four o'clock.*

THE DEPUTY SPEAKER: Before the suspension of business this morning, Council was debating the policy of the Information Department. Debate will be resumed.

MR. HARRIS: It looks rather as though the Director of Information has not got news of this meeting around very quickly.

The Vote which we are debating to-day reflects an expenditure over the first six months of next year at the annual rate of £120,000 in round figures, £54,000 of which are Personal Emoluments. I am wondering, Sir, whether this money is being spent in the best possible way, I am not in any way suggesting there should be a cut in the Information Vote, but I feel we should be certain that the money is being used to the greatest possible advantage. It would appear that the Information Department, at the present time, is doing a very good job of interpreting Government policy to the African population of Kenya, of interpreting many very praiseworthy activities of some Africans to the rest of the African population (but, having done that, it seems to rather fall short of some of the other duties which I would have thought should have fallen within the province of the Department.

Now, Sir, when the present Department was set up some months ago there was a good deal of talk of psychological warfare. Psychological warfare, Sir, I think would apply to more people than just the African population of Kenya. In the "war" part of this warfare I would have thought that it was essential that the true story of Kenya should be put across outside East Africa and, whilst endeavours are being made by the Information Department to this end, I feel they are not approaching it in quite the professional spirit which is acceptable to editors, publicists and so on overseas. There are many facets of Kenya life of which we can be very proud and of which I feel the Information Department is not making sufficient use.

The hon. Member for Commerce and Industry mentioned a little while ago that the Board of Commerce and Industry and its predecessor had been working for eight years and no decision had ever been taken on that Board in a

THE SECRETARY TO THE TREASURY seconded.

*Question proposed.*

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £39,209 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 1-4—Audit Department.

*Question proposed.*

*Sub-Head A*

MR. JEREMIAH: I would like the hon. Member to tell us the policy of the Audit Department with regard to employment. Now, Sir, I refer to skilled employment. In the Estimates I find that there are only two Africans employed in that Department as Clerks. I think, Sir, unless there may be some special qualification required, I consider that number to be quite inadequate and I would like to know whether there is any specific reason why more Africans should not be employed?

THE MEMBER FOR FINANCE AND DEVELOPMENT: The Audit Department, like other Government Departments, has no racial basis in the employment of clerks. Therefore the answer is that so far only two Africans have been found suitable and acceptable. If the hon. Member is looking for an assurance, I can give him the assurance that as and when the higher state of the efficiency or knowledge required by the Audit Department is attained, and Africans present themselves, I can give him the assurance that the Director of Audit will see they are employed.

MR. MATIU: I am sure it was not in the mind of my hon. friend to suggest that there is any racial policy in the employment of people in Government departments. If he compares this figure—two little ones—with Scale III C, we know what that means—he would see why we like to draw his attention to the

fact that he might go out of his way in raising that number on future occasions.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I will draw the attention of the Director of Audit to this particular fact. I will assure the hon. Member that without any loss of efficiency in this very vital Department, the matter will be gone into.

*Sub-Heads B and C agreed to.*

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

*Question proposed.*

The question was put and carried.

*Question resumed.*

[Mr. Deputy Speaker in the Chair]

REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £39,209 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 1-4—Audit Department.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

*Question proposed.*

The question was put and carried.

COMMITTEE OF SUPPLY  
MOTION

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE CHIEF SECRETARY: I beg to move that Mr. Deputy Speaker do now leave the Chair for the purpose of enabling a debate to take place, if desired, on Vote 2-3—Department of Information.

It has been said, Sir, "That the provision of adequate machinery for information work is an integral part of modern Administration". This *dictum*, Sir, was supported by a committee which was set up in 1950 in this country, and was subsequently endorsed by the Legislative Council. The application of this *dictum*

[The Chief Secretary]

depends on circumstances, of course, but all hon. Members will be aware that they have assisted during the past year in building up the machinery which was more adequate to the present circumstances than that which existed earlier.

At the end of last year arrangements were made for the appointment, in London, of a Public Relations Officer for Kenya, and he works in the closest association with the East African Commissioner and the Colonial Office and other bodies who are interested in Kenya. In the course of this year a Director of Information was appointed, and appointments were made to the posts of Press Officer and Arab Press Officer.

The Estimates for January to June, 1954, represent what has already been approved by this Council in the shape of substantive estimates for 1953 and the subsequent Supplementary Estimates. It will be seen, Sir, that the opportunity has been taken to draw together the various parts of the information machine into a Department of Information. This does not consist, as I have already indicated, of any additional buildings so to speak, but it is a drawing together of what has already been approved by this Council.

In the natural course of events, Sir, it has been necessary for the various parts making up the prospective Department of Information to concern themselves particularly with the Emergency, but, Sir, when we have got rid of the Emergency, the necessity for this machine will still exist. I feel, Sir, that this drawing together of the various sections will, with regard to its increased usefulness, provide better co-ordination than has been the case in the past. As I say, Sir, the only outstanding new point about this is the creation of the Department of Information, without any substantial variation of what has already been approved by this Council.

I beg to move.

THE MEMBER FOR EDUCATION AND LABOUR seconded.

*Question proposed.*

SHEIKH MOHAMED ALI SAID: Mr. Deputy Speaker, Sir, in March last year a Swahili and Arabic broadcast for Arabs and Muslims in the Coast Province was started in Mombasa, and given

the name of *Sauti Yo-Mvita*. I think that I am correct in saying that the *Sauti Yo-Mvita* Programme has been a great success and has more than justified its 20 months of existence. I would like to pay a tribute to the splendid work of those officers connected with it. (Applause.) I think they deserve every word of praise for their excellent work. I have, however, one plea to make, and that is, in my opinion, Sir, this section of the Department of Information is very much under-staffed. I am informed that the present staff cannot possibly cope with the volume of work. Sometimes the Acting Provincial Information Officer and her Arab assistant have to work nearly 12 hours a day which I think is really too much.

I would suggest to the Government, Sir, that Government should give consideration to the question of increasing the staff of this section of the Department when preparing the next Budget.

With those words, Sir, I beg to support.

MR. COWIE: I would like to draw the hon. Member's attention to one point only—that is the value and power of films. I see in this estimate there is provision for something like £1,500 for the half year, and I personally do not think that will go very far. I know everyone has a pet hobby and a pet line of action, but when I was first associated with the hon. Member for Finance, I think I can say we were both, to some extent, concerned with films. I know he for one would know the power of films.

If one analysed for a moment what one can do, there is a vast scope in the American continent for television. That is not an expensive process, but it gets to millions of people. In Europe and especially in Great Britain, I believe there is tremendous opportunity for short documentary films throughout all the small cinemas of Britain, and that again gets to millions of people.

Here, locally in East Africa, we have another tremendous potential opening in putting information, and correct information, across to all kinds of people, especially Africans. When there is an estimate of only £1,500 covering all photography and films for the half-year, it is pretty clear to me that not a great



[Mr. Cowie] deal can be done with that. I would commend to the hon. Member that in the Estimates for the following year it would be wise to consider the value and advantage of going into film propaganda as one of the modern methods of spreading correct and accurate information.

Mr. BLUNDELL: Mr. Deputy Speaker, Sir, in supporting this Vote, I would like to record that information must not, of course, only pass within the country here, it must also pass overseas.

I think we have been extremely fortunate in the personalities which have built up the London office and I would like, on behalf of this side of the Council, to record our gratitude for the work that has been done in the Information Office in London.

It is also obvious, I think, that the information overseas must not only be directed to London. I am rather concerned at the moment because of the very lamentable ignorance of events here and the lack of knowledge of the brutal and bestial challenge which Government is facing which is shown by the reports in the Press in the sub-continent of India. I think this is a field where we should put much attention in order to correct the distorted views which are at present emanating from that area. I cannot help but feel that this is not a matter of new development within the Information Services; I feel somehow there must be a block in the channels of communication because if one looks at the great and contiguous area of Pakistan, we do not find the same lamentable ignorance or lack of knowledge of what we are attempting to do in this country or the challenge which Government is facing. I think it is important.

This is a matter which affects not only this country and the United Kingdom but actually affects the whole of the Commonwealth; the relations of the Commonwealth, one with another, and the satisfactory solution to the most difficult problems within the Commonwealth, which are those where the interests of the Commonwealth lie across, as it were, the feelings of emotion which are aroused to-day by race and other matters are most important. That being so, I would like to ask the hon. Chief Secretary, when he

replies, to give us an assurance that special attention will be put to trying to eliminate what appears to be a vacuum in knowledge in the sub-continent of India. (Applause.)

Mr. JEREMIAH: Mr. Deputy Speaker, Sir, it was not my intention to speak on this subject but due to the speech by the hon. Member for Rift Valley, I would like to know what are the distorted views which he seems not to be happy about, that are spread overseas. Because I believe if there are any distorted views, it is up to people in this country to sit together and to discuss them, find out whether the views expressed here and overseas are quite distorted or otherwise; I do not see why someone should try to hide something that is happening. If what is happening is not true, the denial will be accepted, but if it is true, it is no use hiding it. The best thing to do is correct them.

Mr. MATHU: Mr. Deputy Speaker, Sir, I have only two points I would like to make in this connexion.

The first is that when the Committee was appointed in 1950, at that time our information service was called the Kenya Information Service. We changed that because at that time Members of this Council felt that the information services should be directed towards the African community only. I do think that we were wrong in changing the name and my hon. friend, the Member for Rift Valley, I think in the remarks he made, supports what I am saying; not only is information required for the African community here but for other communities here and, what is more important, for overseas consumption, not only, I think, in India but in the United Kingdom itself and in America. I do think that these African Information Services should now be renamed Kenya Information Services so that they can be services for all communities here and particularly for overseas.

It is a point I have raised before in connexion with the East African Office in London—the Public Relations Officer. I do think that the money we vote for the Public Relations Officer and the Information Services required in London does not tally with the figures that we are debating now; that particular sub-

Tuesday, 8th December, 1953

(Evening Sitting)

THE DEPUTY SPEAKER: Before the suspension of business this morning, Council was debating the policy of the Information Department. Debate will be resumed.

Mr. HARRIS: It looks rather as though the Director of Information has not got news of this meeting around very quickly.

One further point is to welcome the policy of this Department, as reflected in these Estimates, of bringing Africans, almost on every level of the Information Services, from the Headquarters to the Provinces, up. Africans and Europeans are working in co-operation and this, I think, is a most welcome sign and I do know—I am speaking, at any rate, for that section of the African Information Services which belong to my own race, that they appreciate the close relationship and friendly relationship which these people find when disseminating information in the African areas.

I support the Motion.

#### INTERRUPTION OF BUSINESS

THE DEPUTY SPEAKER: It is now time for the interruption of business. The work of the Council will be suspended until Four-thirty this afternoon.

*Council adjourned at forty-five minutes past Twelve o'clock and resumed at thirty minutes past Four o'clock.*

Now, Sir, when the present Department was set up some months ago there was a good deal of talk of psychological warfare. Psychological warfare, Sir, I think would apply to more people than just the African population of Kenya. In the "war" part of this warfare I would have thought that it was essential that the true story of Kenya should be put across outside East Africa and, whilst endeavours are being made by the Information Department to this end, I feel they are not approaching it in quite the professional spirit which is acceptable to editors, publicists and so on overseas. There are many facets of Kenya life of which we can be very proud and of which I feel the Information Department is not making sufficient use.

The hon. Member for Commerce and Industry mentioned a little while ago that the Board of Commerce and Industry and its predecessor had been working for eight years and no decision had ever been taken on that Board in a



[Mr. Harris]

That is a very creditable performance and I am wondering whether the Information Department has been to any pains to explain to the world that, at any rate, in commerce in this country there is complete understanding between the several races that go to make up the country. Such projects as the Bamburi Cement Works—now, Sir, has that been written up in a really intelligent manner and submitted to the building and cement publications of the world? There are many farming activities which should find their way into the *Farmers Weekly*, in South Africa and in Britain, *The Farmer and Stockbreeder* and all those sort of publications. I feel the Department at the moment is treating all these matters with too little specialized consideration. It seems that they will renege or stereotype a very well written article and then distribute it broadcast to the four winds, hoping that somebody will pick it up whereas everybody with knowledge of modern journalism knows that every article must be written for a particular paper or, at any rate, a particular piece of the Press of the world.

I have seen, Sir, an article produced by the Information Department on the development of the coffee industry in Kenya. It is a very good extract from an encyclopaedia—it has all the facts and all the figures—but in the story, Sir, if it is read carefully, there are some human factors which, I am sure, many papers of the world would be glad to reproduce if only they were written with those particular papers in mind. I refer to the slashing of African-grown coffee trees in the reserve. In that I believe there is a story that the world would like to read, but in the middle of it there is a whole lot of facts and figures of production and disappointments. No editor, unless he had very much more time than most editors, would ever pick it out and make a story of it. Which brings me, Sir, to another point that I believe the story of Kenya can best be got across by using the personal angle—that is the thing that the readers—millions of readers throughout the world—like to see. They do not like dry facts; they do not read them, but if those facts can be tied to a particular individual and the story written up from that individual point of view, the world is much more liable to take notice.

Now, Sir, in the Information Department, which we were very kindly invited to inspect two or three weeks ago, there is a mass of material which has been submitted by Provincial Information Officers in the form of photographs, but, Sir, very, very few of those photographs see the light of day. I would commend to the Director of Information and the Member responsible that an opportunity might be used of seeing how many of those photographs would be welcomed by people who would be willing to reproduce them regardless of the fact that they might not fit in with a particular article that the Director is trying to place.

Another aspect of information, Sir, would appear to me to be a trying to combat much of the ill-conceived and malign information which is being disseminated throughout the world to-day. We can see it in the Press of most countries and I wonder whether the Information Office takes really stringent steps to see that the right story is put across to contradict the wrong story.

Again, Sir, in America particularly and in Britain there are many students, some of them with a very limited knowledge of this country, who are being looked upon by local audiences as experts on every aspect of Kenya and East Africa. In fact, on the 23rd November of this year a Kikuyu, called Gikonyo Kiano, who was alleged to have been sponsored by the Kenya African Parents' Association, spoke in San Francisco, on "Kenya, East Africa and South Africa To-day". Now, Sir, I know that is more a matter for South Africa, but I am wondering what that Kikuyu knows about East Africa or South Africa. I think that it would be a proper thing for the Information Services, through their Press Officer in London, to keep a record of exactly what is said by Kenya citizens overseas, Kenya citizens of all races, and taking what steps they can to see that any mis-statements are corrected.

Finally, Sir, I would ask that the Service should be developed with a sense of imagination and not purely as a routine job. All Press publicity must be a matter of imagination—it must be a matter of putting one's self in the place of readers, or, in the case of films, of the audiences, and with this in mind I suggest to the hon. Member that he might

[Mr. Harris] consider calling a round-table conference of the many experts that there are in this country and in their different spheres who know something about publicity, in an endeavour to put the story of Kenya, a story of which we can be proud, over to the outside world.

MR. CHANAN SINGH: I have, during the past two or three weeks, had occasion to see some of the work done by the Information Department. I think they are doing their work very well indeed. I do agree that they might extend the sphere of their activities to other countries of the world. We, here, in this Council, must remember that other countries of the world are entitled to have their own views about our activities.

MR. HAVELOCK: And vice versa.

MR. CHANAN SINGH: And vice versa—there is no doubt about that. If the facts of Kenya are correctly known and appreciated in other countries, I think we have no complaint, but people are likely to differ with regard to interpretation that is to be placed on those facts. I think what annoys people here is the interpretations that countries are placing on events in Kenya. Now, Sir, here we are likely to make a difference between one country or another. I think most countries of the world are behaving similarly towards events in Kenya. One country may have an organization which passes a resolution, another country may not pass a resolution, but if you look at the papers of countries that are, in fact, interested in events in Africa, you find that the interpretations they place on Kenya events are similar.

You see papers from Pakistan and papers from India—they are nearly using the same language about what is happening here. Recently, I made another experiment. A friend of mine went on a world tour and I asked him to get me one or two leading papers from each place he visited. He sent me half a dozen bundles from various countries—America, Canada, Germany, France, Japan, Hong Kong, Singapore, Pakistan and India. Most of those papers seemed to think that there is nothing in Kenya apart from *Mau Mau*. I think that is one aspect which the Information Services might correct. There are other things, very creditable things, which do take

place in Kenya but they do not get any publicity, but there again, I must warn the hon. Members not to get unnecessarily upset by the views expressed by people in other countries—they are entitled to their views. I know many of those people are honest, they mean no evil by us, but they honestly have those views.

MR. AWORI: Mr. Deputy Speaker, Sir, this happens to be a subject which I say I am well acquainted with, and among the Members of this Council I am more privileged as I happen to be a publisher and editor. I can attack myself, criticize myself, say something about myself at the same time more than other Members.

First of all, I must say that I have watched the Department of Information during the last twelve months and I have got a very high regard for them since this Council accepted to appoint a Press Officer, and I feel that during the last twelve months the Information Department has been very well improved and is doing a good service for the country. However, I have got a few criticisms to put forward. One thing is, that in all countries it all depends on what the public wants to read. You will be aware of the fact that in Britain the greatest newspaper in the world is *The Times* and the circulation of *The Times* is about 300,000 copies, and yet there are about other people call the "Yellow Papers" or papers which only deal with sensationalism—the *Daily Mirror* with over 4,000,000 copies.

Now, Sir, I have watched over the various publications of the Department of Information, in almost every African language. The other day there was an exhibition and we were told the number of copies of different issues, some went into millions during the past six months, but the fact is, are these papers being read? That is the most important thing, or is it a question of the taxpayers' money and waste of the taxpayers' money. Frankly speaking, these papers are not being read and I do not feel that the being read and I do not feel that the taxpayers' money should be wasted on propaganda which the Africans will not read. I know very well that lots of publications are coming out in various vernaculars, but these papers are not being read. Who benefits—the printer of course because he has to use his news-

[Mr. Awori] print, his manpower and his ink and everything. He gets the cheque from the Treasury, and yet we think we are convincing the African to adopt what we would like them to. I think, Sir, that is a very important question. A lot of taxpayers' money is being wasted. Without prejudice, Mr. Deputy Speaker, I myself am a publisher and an editor and I know my paper is the "best-seller" among the Africans.

I do not say that Government publications should come forward for competition—they will not compete with my paper. They could not, but I want publications that people will read, not what will come out of a machine and go to the Department of Information, after which they are distributed and no one looks at them. I feel we will be wasting more money. I know this question of publications has come out during the Emergency. Before the Emergency there were very few publications sponsored by the Government, but Government felt they would like Africans to see the true picture of the situation in this country and so they would like Africans to read and see, but what is happening is only a waste of the taxpayers' money.

I had, a few months ago, a discussion with His Excellency the Governor on this matter. I proposed to him that we should have an African Assistant Director of Information, not only a person who would be able to see one side of the question, but who would be able to see both sides of the question and would be able to see what is good for Africans to read, not only a person who will see what is in the opinion of Government Africans should read. From what I have seen, Sir, despite the various publications we have in the country, nobody is taking any heed of what Government is publishing. I would like to have a test case in this matter. The Government should sell their publications in the same way as the commercial concerns do and see how many they will sell, because, at present, all Government publications, at least the majority, are being distributed free. I want them to sell at the usual price of twenty cents for each publication and see how many will be bought, because I find that we are wasting the taxpayers' money on free publications

which nobody is taking any heed of at all. Let us sell them and let us see which paper will sell even 5,000 copies.

I am very sincere on this matter, Mr. Deputy Speaker, because I feel Government should not on the pretence, not bad pretence, but on a conviction, show that they would like to get Africans to follow the right road and not squander public money and achieve nothing. If we could do that I think we are going more ahead instead of wasting public money on publications that achieve nothing. I know most of the publications are in the Kikuyu language and I am well in touch with the Kikuyu people and I know they take no heed of what is written in these publications. If no improvement can be made, the quicker such things are stopped the better.

The other point, Sir, is the question of the radio. We have heard and I am very much satisfied as to what the Department of Information is doing. I should say that the radio in Kenya has improved a lot during the last twelve months and the programmes are very good. I do not know if other Members in the Council usually listen to the African radio in Swahili, but I should say that they are very good. I could not say they are second to none but they are very good. We have got different features, music, stories and other programmes coming forward and I think that the African is satisfied with that sort of thing. If that sort of programme could be kept it would help, but my own inclination and my own feeling is that the Government is doing this sort of thing during the Emergency, and once the Emergency is over, everything will come back to normal and what it was before the Emergency. This was done during the 1939-45 war. There were regular broadcasts in almost every African language but when the war was over it was all stopped. I hope that Government, through the Department of Information, will maintain the same features that they are running at the moment. On this point I wish that my hon. friend, Mr. Blundell, was here. He would have supported me because he likes to greet me in my language, Luluyia, and I want him to support me on this point because my own constituency having three-quarters of a million people and every Member of

[Mr. Awori] Council knows is a very well advanced district. We do not have any Government publication besides the one publication which is by the District Commissioner, North Nyanza. We do not have any publications from Nairobi and we do not have any radio broadcasts. My own constituents have approached me and they have said it is because the Kikuyu people have made trouble and it is because the Wakamba people are near the Kikuyu that they might cause trouble? Is it because the Luo people are permanently in Nairobi and might cause trouble that Government is broadcasting in their language? Now, Sir, my people are divided, half a million in Uganda and three-quarters of a million in Kenya. I feel they should also have the privilege to listen to music in their own language. They are people who can be very dangerous if they wish to, but, God help us, I have put them down and told them. "Don't do it".

MR. HAVELOCK: What?

MR. AWORI: The hon. Members on the other side will be aware of the incident that happened a few years ago, *Dini ya Msambwa*, it was good luck whatever people might think of me I have been very careful and I have warned them that trouble is not for me. I hate people messing about with political situations or whatever situations are in the country. I feel that people can get their rights in a proper and normal manner without resorting to violence or whatever other course. I repeat, I have advised people in my constituency even up to the present moment—and the District Commissioner—I tell them there is no short-cut to get what you wish, you have to work hard and be sincere. You have to ask for whatever you like in a peaceful manner.

Now, Sir, what I am bringing forward is what my Constituency has asked me to do, that the Member concerned for the Department of Information should start as soon as possible broadcasting in Luluyia language for the people—not all of them understand Swahili—and I think that it would be a goodwill on the part of the Government if they started Luluyia broadcasts as soon as possible.

Mr. Deputy Speaker, before I finish I would just add a few words and that is

on the question of the type of broadcasts we have. Thousands of Africans are listening every day on the broadcast, but my feeling is this—these broadcasts should be the type that will be able to make them understand something more different from what they know. I do not believe that there will be any difference if they are told "Twenty Mau Mau gangsters have been shot in the Aberdares or in the Kenya mountains". I do not believe that will make any difference to them at all. I feel that the broadcasts and the way the information and the news is taken around should be more improved, because Government has improved broadcasts among the Africans on account of this State of Emergency. Now this State of Emergency does not apply to all the Kenya Africans. It applies mostly to the Kikuyu. I have known the Kikuyu for quite a long time. They are first class people, but when you have fanatics among them, it is a very difficult thing to cure. The people who are making this Emergency continue for a long time are the fanatics and it is these fanatics that we have to cure. We have to convince other people not to take the words of the fanatics. I do not believe that the Government machinery as it was, will be able to improve the situation unless they take more drastic steps on this matter. I do not believe that mere suspicion of certain African characters and their detention will be able to improve the situation. My belief is that the people who are running the situation are not even the African-educated people but the ordinary street-corner boys who have already known that the Government is almost in their pockets and everybody else. They can run the game as they like—then what does the Government do? They suspect Mr. So-and-So. This game could not be run by anybody—

THE DEPUTY SPEAKER: I must ask the hon. Member to remember that this is not a debate on the Emergency but on the Information Services.

MR. AWORI: I am very sorry, Mr. Deputy Speaker, but the whole reason why I raise this matter was that I wanted to impress on the Department of Information to see that when they broadcast, when they publish, they should be able to know the psychology of the people by whom the publications and the radio will be heard or read.

[Mr. Awori]

Now, Sir, before I sit down, I would just like to say a word that was raised by the hon. Member for Nairobi South. I think, if I am right, he had a word about the Department of Information not giving proper publicity—if I am wrong, he will be able to criticize me. Now, I have been in touch with the Information Department and I feel that they are doing the best they can. Just last week, my office received some photographs and some information regarding the Kisii coffee growers. My publication did use that and I do not see why anybody from abroad should not be able to use such photographs and publications to show how much the Government is doing in helping the Africans here in Agriculture, and elsewhere. I have been very much impressed with what that Department of Information has done towards publicizing African coffee in this country and if the hon. Members would like to know about it, the best thing is to contact the Press Officer in Nairobi and he will be able to get the photographs and materials required and he will be satisfied the Department is doing the best they can in publicizing whatever the Africans and other people do.

The last point, Sir, is that I feel that in this country we would like to see a Kenya nation and not continue saying—European, Asian or African. I am not satisfied with having a Department of African Information Services. Why do we not have Kenya Information Services and cater for all races, and not only for the Africans—or whatever it is. I feel that this question of African Information Services should be wiped out as quickly as possible and have only Kenya Information Service or Information Services—whatever is possible in the opinion of the Department or Government.

Now, Mr. Deputy Speaker, I am very sorry that this is a subject that concerns me and I took too much time. I will not continue further but just support the Motion and sit down.

**THE DEPUTY SPEAKER:** If no other hon. Member rises to speak, I will ask the hon. Member to reply.

**THE CHIEF SECRETARY:** Mr. Deputy Speaker, Sir, a number of points, some of them specific, some general, have been

raised and I shall endeavour to deal with some of them "anyway. I should say forthwith that in any event the record of the debate will be studied and the fact that I may miss out a particular point does not mean that it will not receive attention.

My hon. friend from the Coast on this side of the Council opened by referring to the heavy burden put on the Acting Provincial Information Officer and the Arab assistant at the Coast. I am well aware they bear a heavy burden, as indeed do all officers in the Information Department. He asks that expansion of staff to ease the burden should be considered in the next year's estimates, that is 1954/55. It will be considered, Sir, but as all hon. Members know, we have to give regard to the amount of money that will be forthcoming.

The hon. Mr. Cowie, Sir, referred to films and with particular reference, I think, to television in America and documentary films in the United Kingdom. Well, Sir, the Department has recently acquired a 35 mm. camera and I hope that increasingly we shall be able to provide the sort of films that he has in mind. I can assure the hon. Member that that particular aspect is not neglected.

Now, Sir, the hon. Member for Rift Valley paid a tribute to the Public Relations Officer in London and I should like to support that tribute. (Hear, hear.) I think a number of Members here know what a success he has made of the job and how much he has done. The fact that he has not been 100 per cent successful I suggest, Sir, is not his fault, but he has achieved a very considerable amount.

In connexion with that, the general question of our publicity overseas was mentioned and it was mentioned by certain other Members. We do distribute a considerable amount of material through the Central Office of Information in the United Kingdom which has its contacts with other countries—that is the central publicity organization of the British Government—and there is a large network of the Overseas Services of the Central Office of Information which we use. This reaches every capital in the world and a number of subsidiary cities. Articles, photographs and reference material dealing with such subjects as

[The Chief Secretary]

economic development, African advancement and the general progress of Kenya go through this channel, in addition to regular briefings on the State of the Emergency. Now, apart from that, Sir, arrangements have been made to open up certain direct channels with New York and New Delhi. I hope, Sir, that this will have some further effect. The general channel and these specific channels working together should improve the position. But, Sir, there is one point to which I should like to draw attention and that is, however much "stuff" is put out, even if it is of precisely the right kind, it is not a guarantee that it will be accepted. I hope, however, Sir, that it will be increasingly accepted. It is for that reason, Sir, that I cannot promise a 100 per cent success in talking about this matter of acceptance. I do not wish to generalize about the Press as a whole, but there are undoubtedly certain sections of the Press to whom bad news is good news and good news is no news at all.

The hon. Mr. Mathu, Sir, raised the question of the designation of the Department and referred to the "African Information Services", and wished it to be—I think he referred to its previous existence when it was called the "Kenya Information Services", and was then changed to "African Information Services"—and the same point was raised by the last speaker. Well, as I have already pointed out, we shall now have an "Information Department"—and I think therefore that the points raised by those hon. Members are met. It is true that one section of this Department retains the name "African Information Services" but that particular section is concerned with that particular function, and as I have said, it is merely a part of what will be the Kenya "Department of Information".

Now, Sir, the hon. Member for Nairobi South drew attention to the proportion of the money which is allocated for personal emoluments. Well, Sir, I can only say that, to my mind, that amount—I will not say proportion—that that amount could not be reduced without detriment to the service as a whole. Unfortunately, although mechanical aids can be brought into use in connexion with information services, they cannot replace the human body,

and I am convinced, Sir, that that amount is necessary.

In that connexion he asked whether the money was being spent in the best way. Well, Sir, I think that it is, but I have no doubt that we shall learn by experience and the opportunity for review of this matter does occur from time to time. I say "learn by experience" because the "Information Department" machine, as now provided, is a very, very different machine from that in existence a year ago.

Now, Sir, the hon. Member referred also, with commendation to the Department's activities in interpreting Government policy and in interpreting African activities locally in this country. I agree, Sir, there are other aspects of the work of the Information Department, and the overseas aspect is one of considerable importance as I think I have already indicated. I suggest, Sir, that the functions of the Information Department are to interpret Government policy to our local population, the population of Kenya, to educate and guide African opinion and to inform—keep those outside Kenya informed of events and progress in Kenya; also to counteract abroad mistaken ideas of the Colony and what goes on therein, caused by inaccurate reports, in some cases, general criticism and lack of knowledge. I agree, Sir, that those latter points are very definitely a function of the Department of Information and a considerable amount is being done in that way as I have already mentioned.

There were certain detailed points which he mentioned that might well be examined. I have no doubt, Sir, that everybody in this Council and most of the people outside it, could produce constructive points on which the Department of Information could work—and I do not say that in any critical manner, Sir, because I am quite sure that it is a fact—and I need hardly say that constructive suggestions of that kind which are made will be welcome.

I am unable to say to what extent the Department of Information has dealt with specific items of publication mentioned by the hon. Member, because I regret, in a sense, that the amount of material put out by them is well beyond my capacity to read.

[The Chief Secretary]

There were a number of further points mentioned by him and I shall see that they are brought to the notice of the Director of Information and shall myself consult him about them.

He did make a very important point and, although I possibly am the only person in this Council who would not regard himself as an expert on publicity and information, he did make the important point which I appreciate, Sir, and that is the matter of specialized writing for specialized sections of the Press. It is an extremely important point, and a certain amount has been done in that way but it is largely a matter of capacity and it is not always one man who can write for different specialized sections. Imagination is an extremely important thing provided it is guided and controlled, but one man's imagination is not always the same as another's.

Now, Sir, the hon. Mr. Awori was good enough to declare an interest when he opened his speech and I think I must take into account that interest, to some extent at least. It did strike me that although he wanted competition of one kind, he did not awfully like the existing form of competition. I refer particularly to the question of putting the papers on sale. Well, I do not believe it would be in the interests of the African people, or anyone else, if all Government papers were sold on a commercial basis. I know that from time to time in the past, the hon. Member has carried on a variety of ventures in this line. I think the particular business that he referred to at the moment is not the one in which he was interested some years ago in another place. Well, Sir, I do not know the extent of his success, but I would not grudge him what success he has and I trust that success will be increasing, but I was not clear that he was advising Government in the interests of the taxpayer to adopt the method of sale with a view to making a considerable commercial success, which, as I say, I trust that he has with his experience.

MR. AWORI: Mr. Deputy Speaker, on a point of explanation, it is only that if what Government publishes does not make good, then it is no use in publishing it at all, because I would not like the taxpayers' money to be wasted on news-

print for publications which are not read by anyone.

THE CHIEF SECRETARY: I am grateful to the hon. Member—I was just coming to that point because, from what I have heard and from talking to a number of people, I think he takes an unduly gloomy point of view about what happens to Government publications. I would not dispute with him, Sir, that every copy is read, but I do know that a considerable number of individual copies are read by a great many people, and all I quarrel with him about is the suggestion that all Government publications are promptly put in the wastepaper basket, or used for paper chases or dealt with in some other manner.

Now, Sir, on the matter of broadcasting, the hon. Mr. Awori said that he hoped that, after the Emergency, the same features or the same, generally speaking, the same amount of broadcasting would continue, and he referred to an experience when, at the end of the war, there was a diminution of broadcasting to Africans. Well, Sir, I am sure that I shall have the support of the Council in saying that it is not the intention that broadcasting shall diminish again. I am quite sure that, in the light of present day conditions, we must do everything that we can to increase that means of communication with the people of the country.

He referred, Sir, to the lack of broadcasting in the language of these people—the Abaluyia people—the language Luluyia. Also the matter of the lack of publication in that language. Well, as hon. Members are aware, the facilities for broadcasting are restricted by time, in time, owing to the fact that Government does not own, as yet, its own transmitters and it is necessary to use commercial transmitters which are in use for other purposes and not only for broadcasting. But I trust, Sir, that this complaint will, when circumstances make it possible, be remedied.

On the matter of what the people like to hear, there again, Sir, it is largely a matter of time, because I am sure the hon. Member will agree with me that taking his people as a whole, the Abaluyia, there will be quite a lot of difference of opinion amongst them as to the particular features individuals

[The Chief Secretary] would like to hear—that, Sir, is common amongst all communities.

I should like to take this opportunity of thanking those hon. Members who were able to spare the time to go and see the exhibition at the African Information Services' office—as the new Department has not yet come into being, Sir—and amongst those were people who could ill-spare the time. But I should, in that connexion, like to pay a tribute to the staff, who spent the previous week-end in preparing that exhibition. (Applause.) I trust, Sir, that although certain hon. Members were not able to attend on that occasion, that it will be possible to make arrangements to show them the working of what will be the Kenya Information Department. (Applause!)

The question was put and carried and Mr. Deputy Speaker left the Chair accordingly.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that a sum not exceeding £59,397 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-3—Department of Information.

Question proposed.

Sub-heads 1 to 3 agreed to.

#### Sub-head 4

MR. BLUNDELL: I see that the Provincial Information Officer of the Central Province gets less than the Provincial Information Officer of the Nyanza Province. Is it intended eventually to stabilize them all?

THE CHIEF SECRETARY: The scales for the Provincial Information Officers are the same.

MR. BLUNDELL: It is where they enter it?

THE CHIEF SECRETARY: The matter of entry does depend on qualifications and experience.

Sub-heads 5, 6 and 50 agreed to.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report progress and ask leave to sit again.

Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered and approved a Resolution that a sum not exceeding £59,397 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-3—Department of Information.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolution.

Question proposed.

The question was put and carried.

#### COMMITTEE OF SUPPLY

##### COMMITTEE OF SUPPLY

THAT MR. DEPUTY SPEAKER DO NOW LEAVE THE CHAIR

THE CHIEF SECRETARY: I beg to move that Mr. Deputy Speaker do now leave the Chair for the purpose of enabling any debate required to take place on Head 2-7—Registrar of Co-operative Societies.

There are now, Sir, some 300 co-operative societies in the country. It is some few years since the legislation was introduced, but during that time progress has been of an increasing tempo, although considerable care has been taken not to outrun the capacity of the Department to supervise what has been put in train. It is a fact, Sir, that continual and lengthy supervision is generally required for co-operative societies of a youthful nature, in order to ensure that they will be run on the right lines. For experience has shown otherwise, Sir, as well as here, that if a co-operative society is not gradually built up so as to keep on the right lines, once it gets off the lines—that is the end of that co-operative society. It has



## [The Chief Secretary]

been shown that when mistakes have occurred it is extremely difficult to put them right unless they are detected at a very early stage.

Hon. Members will be aware that this is a very small Department and there is no increase in the staff for the ensuing half-year.

Mr. Deputy Speaker, I beg to move.

THE MEMBER FOR LEGAL AFFAIRS seconded.

## Question proposed.

MR. USHER: Mr. Deputy Speaker, Sir, I should be glad of information on one point. Could the hon. Mover inform the Council what is the proportion of the societies registered—that is consumers' societies—as compared with the producers' or sellers' societies or co-operatives?

MR. MATHU: Mr. Deputy Speaker, Sir, I would like the hon. Member to inform the Council whether, in his opinion, or the opinion of the Government, that the 300 co-operative societies that are in Kenya to-day are really having the impact that they should have on the economy of the country. The purpose, Sir, of co-operation, as I understand it, is that if it is consumer society, it should get the money in circulation amongst themselves, so that they can keep down the cost of living. The producers' society is, of course, that their members through the bonuses that they get, or the profits that they get, should not only improve their standard of living, but that they should contribute very materially to the national income of the Colony.

Now I do suggest, Sir, that it is very important that we should feel that the amount we are asked to vote here, £8,000, is really money well spent.

Now he referred to the question of the carefulness that this Department has taken to see that it is not overrun by having too many societies, which it cannot, very adequately, supervise, and I think he did say that it is very important to be careful to make sure that the society runs on a proper line.

Now, Sir, I would like to put it up to him that one of the most important

principles in this business, as I understand it, is that it is very important to take certain risks, and if we are too careful and too cautious about these societies, I think we will be ruining the initiative of these organizations and perhaps defeat the end which we have put before us.

Now I am suggesting that he should indicate in his reply what freedom is given to the officials of the societies in running their own affairs and, indeed, to the societies themselves, because without that, Sir, I think I should not join with him in suggesting that we are following the right lines. I should, therefore, like—in one word—like to hear from my hon. friend whether he thinks that the 300 co-operative societies are having the necessary financial and economic impact in this country, as we should like them to have, in comparison with, say, for example, the African private traders. Who is the better off individually, the African private trader or the African member of a co-operative society? These are matters to which I would like my hon. friend to indicate the answers.

MR. HARRIS: Mr. Deputy Speaker, Sir, I think that we should give these co-operative societies, providing they are well organized, every possible encouragement. The co-operative societies' movement in Britain has done a tremendous amount of good for the people. I would go even further than we are going at the present moment, and see whether we cannot encourage them, in some way, to be very much bigger and more important organizations than they are to-day. That brings me to a point that I believe in all African trade, particularly these co-operative societies, the most important thing we can do is to teach those responsible for running them the principles of buying.

I was talking this morning to a gentleman who has done a great deal in Uganda to encourage African trade. He said if only Africans could be taught the principles of buying in the right place, and the way to buy, it would be three-quarters of the way to developing successful businesses. That is the experience of more mature business people.

## [Mr. Harris]

I am wondering, Sir, whether we could not, in some way, consider within the existing estimate some way in which some member of the staff could be detailed to take courses in buying, and give advice in buying, and try in every way to see that these new businesses are developed on the proper hit and miss lines and not on a rather hit and miss system, which has been adopted in the past.

I know a lot has been done to encourage co-operative societies—I think we should do a lot more, but, of course, we want to make sure first, that they are well organized societies and, having done that, give them all the help we can.

THE DEPUTY SPEAKER: It is now time for the customary interruption of business—Council will resume business at six o'clock sharp.

Council adjourned at forty-five minutes past Five o'clock and resumed at Six o'clock.

MR. BLUNDELL: Mr. Deputy Speaker, on a point of order, Sir, we seem to have had some foreign matter in our talks.

THE CHIEF SECRETARY: Deserters! (Laughter.) (Applause.)

THE DEPUTY SPEAKER: The debate will proceed on co-operative societies' policy.

MR. BLUNT: Mr. Deputy Speaker, I have had some little experience of co-operative societies of one kind and another and at one period in my career I was responsible for a co-operative department and I am now chairman of two co-operative societies in this country, and I think I would like to make some remarks on those which were made by the hon. Mr. Mathu.

He suggested, as I understood him, that it would be a good thing if co-operative societies were given more latitude to run their own affairs. Now, Sir, when I was in another colony where a number of co-operative societies had been started, and had been given very considerable latitude in running their own affairs, it was my unfortunate duty to have to close down some 90 per cent of those that then existed. They had almost without exception got themselves

into serious financial difficulties, and there appeared to be—and, in fact, was—no alternative but to start all over again, and it was only with the greatest difficulty that we rescued some 15 or 20 of them and started them off on the right lines. Therefore, I suggest to him that it would be most unwise to give undue latitude to the management of co-operative societies until the people are really thoroughly trained in the principles of co-operation—and the practice.

Now, he said one other thing. He inquired: whether, in fact, the African was benefiting from membership of co-operative societies. I believe he had in mind mainly purchasing societies and, in regard to those in this country, I have little or no knowledge, but I can say that, in so far as producer societies are concerned, I have had some connexion with vegetable producer societies, and I have seen something of co-operative coffee-producing societies, and I can say that in both those cases the African member of a co-operative society does undoubtedly benefit very considerably in comparison with those who are not members of the societies.

Earlier in the meeting I referred to the fact that African producers of coffee had produced the best coffee that had gone through the mills during this present season. That coffee was sent to the mills by co-operative producing societies, and I cannot believe that, if it had been handled by individuals, that they would have done so well as they did in the production of that coffee.

In regard to vegetable producers, the Horticultural Co-operative Union, of which I am chairman, has some seven or eight African co-operative societies as members. They supply fruit and vegetables through the Horticultural Co-operative Union, and there is no doubt—and they admit it themselves freely—and they do so they are making a very good thing out of their fruit and vegetable, and we know perfectly well that they are receiving prices for what they produce far in advance of the individual grower who tries to dispose of his own produce on his own.

As far as producer societies are concerned, I am perfectly certain that they are of tremendous advantage to the people using them.

[Mr. Blunt]

Mr. Deputy Speaker, I beg to support.

Mr. AWOBI: Mr. Deputy Speaker, if I may say a few words on co-operative societies—I think that in the rural areas I am very much impressed with the work the departments of co-operative societies are doing but, as my colleague, the hon. Mr. Mathu, mentioned a while ago, it is important for us to know whether the individual Africans are benefiting or not through either patronizing or using co-operative societies or by trade.

I have been satisfied with the reply from the hon. Member from the other side on what has been done towards the African by co-operative societies, and particularly in Nyanza I have known quite a number of African producers using co-operative societies for marketing their maize, eggs, coffee and others, and I feel that if the Government will continue with the same system it will be of immense help to the African.

There is, however, Sir, one other point—that is the question of the towns, such as Nairobi, Mombasa, Kisumu and Nakuru. Now, I feel that the co-operative societies should be given a greater lead in the towns, particularly in places like Nairobi, where there are Africans who are only individual traders. If the department concerned would be able to let Africans start co-operative societies—like Bahati or Kaloleni. They might be in the Government services or otherwise. If these people could be able to start shops on co-operative societies whereby they could get goods at lower prices than what they are getting in the meantime, it would reduce the cost of living. Unfortunately, from what I can see, there is not a single shop in Nairobi that is being run on co-operative society lines, I am not sure there might be one or two.

MR. MATHU: What about the Railway workers?

Mr. AWOBI: Yes, the Railway, I understand, I do not see why the same system should not be extended to elsewhere—Pumwani, Bahati, Kaloleni and Shauri Moyo—because, from experience and what I saw of the running of co-operative societies in Britain, I think

co-operative societies particularly help people who are not rich enough to buy goods on a very high level. I do not believe co-operative societies are being run for a profit, except they are being run for the benefit of their members. I feel that the same system could apply in towns of this country, and would be able to relieve the ordinary African employee in buying his provisions from day to day.

Mr. Deputy Speaker, I do not think there is any argument, I support the Motion.

LT.-COL. GHERSIE: Mr. Deputy Speaker, there are just one or two points I should like information on in regard to this particular Head. There is an "Examiner of Accounts" I see here—I was wondering—I regret touching on detail—who actually keeps these accounts and to what extent the African is being taught accountancy, and how he is responding, because that is one of the most essential factors, I think, really.

Again, there is the question of cost accounting, which is really the essence of any successful business concern—(Hear, hear.)—so that they should really know where they are going.

Again, I am wondering to what extent the actual goods they have in these co-operative societies are, in fact, secure—I mean what is the guard against pilferage. It is one of the greatest dangers in co-operative concerns. I do suggest that hon. Members should take very careful note of that particular point, as it has happened not only in African co-operatives but, I believe, it has been a failure in other co-operative societies.

Another point—the usual method of developing a co-operative society is that individuals should contribute something towards that society. Now, I do not know whether the individual members are given credit at all in respect of their purchases, but I would submit that, in order that they should not incur any bad debts, each person dealing with any co-operative society should place a deposit there, and when that deposit is diminished so he should augment the amount in the "kitty". That is the policy adopted really with most co-operative societies, apart from their initial contribution.

[Lt.-Col. Gherisie]

There is one other point, Sir, to provide for the day when the people concerned are really functioning in the right way. When they really know something about business, they will presumably take over the whole administration themselves. Have you any idea when you think that time will arrive?

MR. HAVELOCK: Address the Chair.

LT.-COL. GHERSIE: I beg your pardon, Sir. That was an aside.

I am all in favour of the creation of these co-operative societies, but I do suggest that there are a lot of very important details of this nature which I hope the hon. Member will thoroughly investigate, so that they shall not prove a failure, which would be a disaster.

I beg to support, Sir. (Applause.)

THE DEPUTY SPEAKER: If no other hon. Member rises to speak I will call upon the hon. Member to reply.

THE CHIEF SECRETARY: Mr. Deputy Speaker, there is one point which will come out from the answer to the question raised by the hon. Member for Mombasa, which I think will affect points made by other hon. Members. The hon. Member for Mombasa asked what proportion of the approximately three hundred co-operative societies were purchasing or consumer societies. Well, Sir, I cannot give accurate figures at this moment, but the figures at the end of 1952 were 230 producer societies and 11 consumer societies. I have reason to believe that the proportion of producer societies is even greater now than it was at that time. Experience has shown here and elsewhere that consumer societies amongst Africans do not normally have such a successful life as producer societies. What the reason for that is I would hesitate to say.

MR. BLUNDELL: Naturally.

THE CHIEF SECRETARY: It is in some cases concerned with a point raised by the hon. Member for Nairobi South, regarding buying. It is in a considerable number of cases, not only a lack of experience in buying, but difficulties in obtaining facilities to buy. I am afraid that most of my direct experience with co-operative societies was gained elsewhere, but I have no reason to believe

that conditions there were different from here, and one point about consumer societies is that they are a little bit apt to form themselves on too narrow a scale, with the result that they have not got the necessary capital to embark on large-scale buying.

It has also been the experience that consumer societies—and here, again, I think the point raised by the hon. Member for Nairobi North comes into the picture, that the members do not always justify their membership. The hon. Member mentioned the question of deposits. I have known that insisted upon for a time but, when supervision was relaxed, the deposits diminished also.

As I say, Sir, it is a fact that we are primarily concerned here with producer societies. When the hon. Member Mr. Mathu asked whether these societies are having a definite impact on the economy of the country—the success of their members—I felt myself that he had in mind producer societies, and I can endorse the fact that they are having a very definite impact on the economy of the African, and that members of successful societies do better than persons acting privately on their own. When he referred to private traders, I take it he did not mean the middleman, but the producer selling privately.

I may mention that in regard to coffee, which was mentioned also by my hon. friend, I am advised that the turnover was £100,000 in a year—and that applies to a restricted number of societies.

On the question of taking risks, that is part and parcel of the education of most of us, but it is very necessary that those risks should not be taken too early. I should say, Sir, that it is not the intention to keep a tight restrictive hold for ever on co-operative societies. That is what the Department of the Registrar of Co-operative Societies was designed for. It was designed for the design of these co-operative societies and their officers, so that they may run their own shows and prove themselves a success.

MR. HAVELOCK: Such as the Chaga.

THE CHIEF SECRETARY: That is outside this country.

**[The Chief Secretary]**

I am very glad to hear that we can learn from outside, Sir, and I would mention that the hon. Member for Nairobi North referred to a conversation he had this morning with somebody from elsewhere, and I should like to confirm that my experience in the place where his friend came from—

LT.-COL. GHERSIE: It was not my friend.

THE CHIEF SECRETARY: Nairobi South—if my guess is right—that the friend did a great deal to assist in teaching the principles of buying—he taught me the importance of the principles of buying in relation to co-operative societies. (Applause.)

Now, Sir, the hon. Member, Mr. Awori, referred to consumer societies in the towns, as I understood him, and he said a greater lead should be given. Well, Sir, it is for the people themselves to do that—(Hear, hear)—and it is a fact that, as far as consumer societies are concerned, much more depends on the people themselves in the first instance than in the case of producer societies in my experience. I trust that he will spread the gospel—if I may put it that way—and encourage people to form them selves into consumer societies in the towns with a view to reducing their cost of living—(Hear, hear)—and stressing upon them the importance of complete confidence in each other, and the justifying of that confidence. As I have mentioned before, that is one of the biggest things on which infant consumer societies have broken down. (Laughter.)

LT.-COL. GROGAN: Baby food!

THE CHIEF SECRETARY: I do not say that all have broken down, and I used the word "infant" as an adjective. (Laughter.)

Now, Sir, I have before had hypothetical questions—thrown at me—and I am looking at the right hon. Member—I mean the hon. Member who is the right one rather than promoting him to "Right Honourable Member"—the hon. Member for Nairobi North. He asked when I reckoned consumer societies could—co-operative societies could—take over the whole of their administration. Sir, I would not be so rash as to prophesy that in respect of the general question of all of them, or

any particular one. He did draw attention to the importance of accountancy. Well, Sir, accountancy is one of the points on which instruction is given to the staff of the Registrar of Co-operative Societies—new members of the staff—inspectors—and they in turn teach simple accountancy to the officers of the co-operative societies.

He referred also to the question of security of goods and pilferage. I would suggest pilferage is not confined to co-operative societies. It also occurs unfortunately occasionally in private commerce.

The various producer societies, Sir, range over a fairly wide field—coffee, pigs at Nyeri—the pigs are not members of co-operative societies—(Laughter)—but they are the subject of co-operative societies—and as regards the latter I may say that there are there six societies which form a union; the hon. Member for Nairobi South did refer to the importance of bigger and more important societies, and this method of forming a union—my hon. friend Mr. Blunt referred to another union—this system of a union being formed, Sir, from a number of societies is, I suggest, the best way of obtaining bigger and better co-operatives.

The Teita Vegetable Society, with a large trade in Mombasa is a further one. The Limuru Vegetable Co-operative Societies have been mentioned—then there are North Nyanza Maize Societies, South Nyanza Ghee Societies, Machakos Sisal, the Kenya Poultry Society—these give some idea of the range of commodities that are dealt with—

MR. HAVELOCK: Well done!

MR. BLUNDELL: What about the K.F.A.?

THE CHIEF SECRETARY: As the hon. Member suggested, there are a number of others, such as the K.F.A., K.P.C.U., K.C.C., H.C.U.—

THE DEPUTY SPEAKER: Hon. Members, I am sorry to interrupt the hon. Member but I would remind all hon. Members that this is the last of the allotted days for Committee of Supply. It is now 6.30, one hour before the time of interruption of business. It is therefore my business to put into operation the Standing Order 136 (f) and to follow the

**[The Deputy Speaker]**

procedure there laid down. Council will forthwith go into Committee of Supply to deal with all the remaining Votes.

Mr. Deputy Speaker left the Chair accordingly.

**IN COMMITTEE**

[Sir Charles Mortimer, C.B.E., in the Chair]

THE CHAIRMAN: I will dispose first of the Vote that has so recently been under debate, that is Vote 2-7.

**NOTE 2-7—REGISTRAR OF CO-OPERATIVE SOCIETIES**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £8,224 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-7—Registrar of Co-operative Societies.

Question proposed.

The question was put and carried.

THE CHAIRMAN: In dealing with the remainder of the Votes, it will, I think, suit the convenience of hon. Members and will certainly suit mine if I do not read out the Resolution in full each time but a shortened version of it as I am required by Standing Orders to put all the Votes severally for the approval of the Committee.

**NOTE 3-2—IMMIGRATION DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £27,201 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 3-2—Immigration Department.

Question proposed.

The question was put and carried.

**NOTE 3-3—LEGAL DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £15,365 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 3-3—Legal Department.

Question proposed.

The question was put and carried.

**NOTE 4-4—MISCELLANEOUS SERVICES**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £1,110,736 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-4—Miscellaneous Services.

Question proposed.

The question was put and carried.

**NOTE 4-8—PRICE CONTROL OFFICE**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £7,561 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-8—Price Control Office.

Question proposed.

The question was put and carried.

**NOTE 5-5—GAME DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £36,946 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 5-5—Game Department.

Question proposed.

The question was put and carried.

**NOTE 6-6—MISCELLANEOUS SERVICES**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £43,427 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 6-6—Miscellaneous Services.

Question proposed.

The question was put and carried.

**NOTE 7-3—LOCAL GOVERNMENT DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED THAT a sum not exceeding £11,020 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-3—Local Government Department.

Question proposed.

The question was put and carried.

**VOTE 7-6—LOCAL GOVERNMENT CONTRIBUTIONS**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £395,651 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-6—Local Government Contributions.

*Question proposed.*

The question was put and carried.

**VOTE 7-7—MEDICAL DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £681,167 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-7—Medical Department.

*Question proposed.*

The question was put and carried.

**VOTE 4-13—CONTRIBUTION TO EMERGENCY FUND**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £2,000,000 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-13—Contribution to Emergency Fund.

*Question proposed.*

The question was put and carried.

**VOTE 4-7—RENT AND INTEREST TO HIS HIGHNESS THE SULTAN OF ZANZIBAR**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £8,000 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-7—Rent and Interest to His Highness the Sultan of Zanzibar.

*Question proposed.*

The question was put and carried.

**VOTE 1-1—THE GOVERNOR**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £19,384 be granted to the Governor to defray the charge which will come in course of

payment for the half-year ending the 30th June, 1954, for Vote 1-1—The Governor.

*Question proposed.*

The question was put and carried.

**VOTE 1-2—JUDICIAL DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £89,966 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 1-2—Judicial Department.

*Question proposed.*

The question was put and carried.

**VOTE 1-3—LEGISLATIVE COUNCIL**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £35,165 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 1-3—Legislative Council.

*Question proposed.*

The question was put and carried.

**VOTE 2-1—OFFICE OF THE CHIEF SECRETARY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £26,710 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-1—Office of the Chief Secretary.

*Question proposed.*

The question was put and carried.

**VOTE 2-6—OFFICE OF THE MEMBER FOR AFRICAN AFFAIRS**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £7,248 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-6—Office of the Member for African Affairs.

*Question proposed.*

The question was put and carried.

**VOTE 2-8—MISCELLANEOUS SERVICES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £3,640 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 2-8—Miscellaneous Services.

*Question proposed.*

The question was put and carried.

**VOTE 3-1—OFFICE OF THE MEMBER FOR LEGAL AFFAIRS**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £4,236 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 3-1—Office of the Member for Legal Affairs.

*Question proposed.*

The question was put and carried.

**VOTE 3-4—REGISTRAR GENERAL'S DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £12,029 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 3-4—Registrar General's Department.

*Question proposed.*

The question was put and carried.

**VOTE 4-1—OFFICE OF THE MEMBER FOR FINANCE AND DEVELOPMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £2,206 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-1—Office of the Member for Finance and Development.

*Question proposed.*

The question was put and carried.

**VOTE 4-2—THE TREASURY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £81,159 be granted to the Governor to defray the charge which will come in course of

payment for the half-year ending the 30th June, 1954, for Vote 4-2—The Treasury.

*Question proposed.*

The question was put and carried.

**VOTE 4-3—INLAND REVENUE DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £36,778 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-3—Inland Revenue Department.

*Question proposed.*

The question was put and carried.

**VOTE 4-5—PENSIONS AND GRATUITIES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £367,841 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-5—Pensions and Gratuities.

*Question proposed.*

The question was put and carried.

**VOTE 4-9—LOANS FROM REVENUE**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £109,750 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 4-9—Loans from Revenue.

*Question proposed.*

The question was put and carried.

**VOTE 5-1—OFFICE OF THE MEMBER FOR AGRICULTURE, ANIMAL HUSBANDRY AND NATURAL RESOURCES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £10,702 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 5-1—Office of the Member for Agriculture, Animal Husbandry and Natural Resources.

*Question proposed.*

The question was put and carried.

**VOTE 5-2 — SERVICES UNDER THE AUTHORITY OF THE MEMBER FOR AGRICULTURE, ANIMAL HUSBANDRY AND NATURAL RESOURCES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £43,682 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 5-2—Services under the Authority of the Member for Agriculture, Animal Husbandry and Natural Resources.

*Question proposed.*

The question was put and carried.

**VOTE 5-4 — FOREST DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £153,322 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 5-4—Forest Department.

*Question proposed.*

The question was put and carried.

**VOTE 5-6 — VETERINARY SERVICES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £246,918 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 5-6—Veterinary Services.

*Question proposed.*

The question was put and carried.

**VOTE 5-7 — MISCELLANEOUS SERVICES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £49,599 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 5-7—Miscellaneous Services.

*Question proposed.*

The question was put and carried.

**VOTE 6-1—OFFICE OF THE MEMBER FOR EDUCATION AND LABOUR**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £7,437 be granted to the Governor to defray the charge which will come in course of payment

for the half-year ending the 30th June, 1954, for Vote 6-1—Office of the Member for Education and Labour.

*Question proposed.*

The question was put and carried.

**VOTE 6-3—COAST AGENCY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £8,984 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 6-3—Coast Agency.

*Question proposed.*

The question was put and carried.

**VOTE 6-5—MILITARY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £354,487 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 6-5—Military.

*Question proposed.*

The question was put and carried.

**VOTE 6-7—PRINTING AND STATIONERY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £119,758 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 6-7—Printing and Stationery.

*Question proposed.*

The question was put and carried.

**VOTE 7-1—OFFICE OF THE MEMBER FOR HEALTH, LANDS AND LOCAL GOVERNMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £9,067 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-1—Office of the Member for Health, Lands and Local Government.

*Question proposed.*

The question was put and carried.

**VOTE 7-2—SERVICES UNDER THE AUTHORITY OF THE MEMBER FOR HEALTH, LANDS AND LOCAL GOVERNMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £9,382 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-2—Services under the Authority of the Member for Health, Lands and Local Government.

*Question proposed.*

The question was put and carried.

**VOTE 7-4—LANDS DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £49,775 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-4—Lands Department.

*Question proposed.*

The question was put and carried.

**VOTE 7-5—GOVERNMENT CHEMIST'S DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £2,938 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-5—Government Chemist's Department.

*Question proposed.*

The question was put and carried.

**VOTE 7-8—TOWN PLANNING DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £4,413 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-8—Town Planning Department.

*Question proposed.*

The question was put and carried.

**VOTE 7-10—MISCELLANEOUS SERVICES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £26,027 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 7-10—Miscellaneous Services.

*Question proposed.*

The question was put and carried.

**VOTE 8-1—OFFICE OF THE MEMBER FOR COMMERCE AND INDUSTRY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £8,203 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 8-1—Office of the Member for Commerce and Industry.

*Question proposed.*

The question was put and carried.

**VOTE 8-3—MINES AND GEOLOGICAL DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £25,295 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 8-3—Mines and Geological Department.

*Question proposed.*

The question was put and carried.

**VOTE 8-4—WEIGHTS AND MEASURES DEPARTMENT**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £7,020 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 8-4—Weights and Measures Department.

*Question proposed.*

The question was put and carried.

**VOTE 8-5—DEPARTMENT OF TRADE AND SUPPLY**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £19,635 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 8-5—Department of Trade and Supply.

*Question proposed.*

The question was put and carried.

**VOTE 8-6—MISCELLANEOUS SERVICES**

THE CHAIRMAN: BE IT RESOLVED that a sum not exceeding £4,770 be granted to the Governor to defray the charge which will come in course of payment for the half-year ending the 30th June, 1954, for Vote 8-6—Miscellaneous Services.

*Question proposed.*

The question was put and carried.  
(Applause.)

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Committee doth report to Council its consideration of the question in respect of outstanding Votes, in accordance with Standing Order 136 (f) and its approval thereof.

*Question proposed.*

The question was put and carried.  
Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORT

**SIR CHARLES MORTIMER:** I beg to report that the Committee of Supply has considered and approved all the outstanding Votes appearing on the Order Paper.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Council doth agree with the Committee in the said Resolutions.

*Question proposed.*

The question was put and carried.

#### MOTION

SUSPENSION OF STANDING ORDERS 91, 93a AND 94

**THE CHIEF SECRETARY:** Mr. Deputy Speaker, Sir, I beg to move:

That under Standing Order 168, Standing Orders 91, 93a and 94 be suspended to the extent necessary to enable the First Readings of the Bills set out in the Orders of the Day to be taken and to enable the Appropriation 1953 Bill to be taken through all its further stages, and also that the Bills be exempted from the operation of Standing Orders 10 and 12.

**THE MEMBER FOR FINANCE AND DEVELOPMENT** seconded.

*Question proposed.*

**THE DEPUTY SPEAKER:** If no hon. Member wishes to speak, I will put the question.

The question was put and carried.

#### BILLS

##### FIRST READINGS

**Specific Loan (Colonial Development Corporation) Bill—(The Member for Finance and Development)—Order for First Reading read—Read a First Time**

—Ordered to be read a Second Time to-morrow.

**Forfeiture of Lands Bill—(The Member for African Affairs)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-morrow.**

**Special Tax (Temporary Provisions) (Amendment) Bill—(The Member for African Affairs)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-morrow.**

**Appropriation Bill—(The Member for Finance and Development)—Order for First Reading read—Read a First Time—Ordered to be read a Second Time to-day.**

#### THE APPROPRIATION BILL

Order for Second Reading read.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Mr. Deputy Speaker, I beg to move that a Bill entitled the Appropriation Bill be now read a Second Time.

This, Sir, is, of course, a formal moving of the Bill, because the amounts contained in the First Schedule have been passed, unaltered, by the Committee of Supply and confirmed by the Legislative Council. The Bill is necessary to give statutory sanction for public expenditure in accordance with the Votes passed by the Council.

I beg to move.

**THE CHIEF SECRETARY** seconded.

*Question proposed.*

**THE DEPUTY SPEAKER:** If no other Member wishes to speak, I will put the question.

The question was put and carried.

#### COMMITTEE OF THE WHOLE COUNCIL

Committee of the whole Council—Order for Committee read. Mr. Deputy Speaker left the Chair.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

#### THE APPROPRIATION BILL

Clauses 1 to 4 agreed to.

First and Second Schedules agreed to.  
Title and enacting words agreed to.

#### 897 Appropriation Bill

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Mr. Chairman, I beg to move that the Committee do report back to the Council.

*Question proposed.*

The question was put and carried.

Council resumed.

[The Deputy Speaker in the Chair]

#### REPORT

**SIR CHARLES MORTIMER:** I beg to report that a Committee of the whole Council has considered, clause by clause, the Appropriation Bill and has approved the same without amendment.

#### THE APPROPRIATION BILL

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Appropriation Bill be now read a Third Time.

*Question proposed.*

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

#### ADJOURNMENT

**THE DEPUTY SPEAKER:** That concludes business on the Order Paper for to-day. Council will adjourn until 9.30 a.m. to-morrow.

*Council rose at fifty-five minutes past Seven o'clock.*

**Wednesday, 9th December, 1953**

The Council met at thirty-five minutes past Nine o'clock.

#### PRAYERS

#### ORAL ANSWERS TO QUESTIONS

QUESTION No. 12

**MR. R. B. PATEL** asked the Member for Agriculture and Natural Resources:—

(a) Whether the prices of commodities sold on 30th October, 1953, at the Nairobi Produce Exchange were de-controlled?

(b) If the reply is in the affirmative, in view of the fact that the higher prices realized at that auction must cause an increase in the consumers' cost of living, will he state what steps Government propose to take to alleviate the hardships imposed by the adoption of the practice of sale by auctions by the Nairobi Produce Exchange on consumers and bona fide traders and exporters of many years standing in the produce trade?

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** (a) The produce which was sold on the Nairobi Produce Exchange on the 30th October is not now subject to price control.

In reply to part (b) Government cannot admit that sales by auction in this manner necessarily cause any increase in the consumers' cost of living nor that such consumers' cost of living nor that such sales impose hardships on bona fide traders and exporters. The Produce Exchange was set up on the model of similar Produce and Corn Exchanges in other parts of the world, with only slight modifications to suit East African conditions.

The Exchange is an impartial body, which was organized quite openly by the Chambers of Commerce in Nairobi and Mombasa, as a result of long investigations with which Asian traders have been associated throughout. There is no restriction as regards the control of the Association. There are at the moment 110 Asian member firms out of a total membership of 139; there are also African members of the Association.

Much of the produce sold, though surplus to local needs, was in short supply in the Colony generally. Similar items of produce are imported to make



[The Member for Agriculture and Natural Resources] up deficiencies in local supplies and when imported cost more than the local article. It was therefore decided that importations should be arranged by the trade and equally that all Kenya's limited stocks should be sold at open auction by the Produce Exchange which all traders are entitled to join.

## QUESTION No. 20

MR. NATHOO asked the Member for Agriculture and Natural Resources:—

(a) Will Government please state the total number of licences or cutting rights granted to Europeans and Asians in the demarcated forests?

(b) Having regard to the considerable sawmilling interest of Asians, will Government please see the propriety of increasing the number of Asian members on the Forest Advisory Committee from one to two?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: (a) The hon. Member will appreciate that licences in many cases are given to companies whose shareholding is not confined to any one race. In the figures I am about to give I have endeavoured to differentiate so far as possible as between mills which would appear to be under European management and mills which would appear to operate under Asian management.

The total number of permanent sawmill licences covering periods of 20 years which have been granted are: mills under European management, 23; mills under Asian management, 22.

Temporary Mill Licences up to a maximum of 12 months: mills under European management, 3; mills under Asian management, 5.

Temporary Mill Licences up to a maximum of 6 months: Europeans 7, Asians 18.

A considerable proportion of the Asian mills are comparatively small, which is indicated by the proportion of timber cut respectively by European and Asian mills, which is: European production 73.5 per cent, Asian production 26.5 per cent.

(b) It is not Government policy that members of the Forest Advisory Com-

mittee should represent any particular interest or race. In making these appointments the Government is concerned to obtain the advice of a number of persons who are best qualified to advise on the broad aspects of forest policy.

## QUESTION No. 21

MR. NATHOO asked the Member for Health, Lands and Local Government:—

(a) Is Government aware of the Notice No. 2531 appearing in the *Official Gazette* with regards to auction of business-cum-residential plots at Kisumu?

(b) If the reply is in the affirmative, will Government state why this policy is followed in this particular case when it has been decided that usual tender system is in the interests of the community generally?

(c) Will Government take steps to prevent this auction from taking place as it will certainly create a great deal of inflation due to the fact that only 13 plots are being offered and there are so many more people desirous of getting same?

THE CHIEF SECRETARY (on behalf of the Member for Health, Lands and Local Government):—

(a) The answer to part (a) of the question is in the affirmative.

(b) It is Government's present policy in the alienation of commercial plots of a general nature in municipalities, to dispose of them by tender rather than by auction where the Government considers this course desirable in the public interest. It was intended to use this method of alienation for the 13 business-cum-residential plots at Kisumu but when the plots were advertised 190 applications were received. The Kisumu Allocation Committee, which would normally have made a recommendation as to the persons to whom the plots should be offered, felt that it was impossible for them to make fair recommendations from amongst such a large number of applicants. It therefore suggested that the plots should be auctioned and this view was supported by the Municipal Board of Kisumu. The Government, therefore, came to the conclusion that in the absence of a local body prepared to undertake the selection

[The Chief Secretary] of persons to whom the plots should be allocated, it was impracticable to do other than accept the advice given. The sale of the plots by auction has been arranged and advertised to take place on the 18th December.

(c) The Government does not intend to alter its decision. In this particular instance it considers that the sale by auction of these plots should not result in undue inflation of land prices since it is generally known that a sub-divisional scheme has been prepared for the Station Road area of Kisumu which will make available for alienation a substantial number of desirable plots as soon as the removal of certain public and privately-owned property has been effected.

MR. MADAN: Mr. Deputy Speaker, arising out of that reply, may I ask the hon. Chief Secretary if the Kisumu Allocation Committee found it impossible or found themselves incompetent to allocate the plots, could not another Committee have been appointed? Because I do not think it is a good reason that because of the large number of applicants, that they could not allocate the plots.

MR. HAVELOCK: Mr. Deputy Speaker, arising out of that reply, will the Station Road area plots be available?

THE CHIEF SECRETARY: In reply to the first question, I am not prepared to accept the term "incompetence" which is generally taken to imply something which I do not think the hon. Member intended to imply. It would not have been a practicable proposition to form another Committee for this particular purpose. I personally can well understand the difficulty in which the Committee found themselves with this large number of applicants.

In regard to the second supplementary question, I am unable to give a specific reply to that, but it is intended and has been the intention for some time that it should be done as soon as is practicable. I have every reason to believe that it will probably happen in the latter part of 1954.

MR. BLUNDELL: Mr. Deputy Speaker, arising out of the answer of the hon. Member, does not the hon. Member agree with such a great number of applicants—190—and so few plots, many deserving smaller men must be debarred

from setting up business and the plots will fall to those who are already wealthy and can manage in any case.

MR. MADAN: Arising out of the last reply, is the hon. Member aware that there was a host of applications for the allocation of plots in the High Ridge area in Nairobi, but in spite of that, the Government did not change its method of allocating the plots; they proceeded and appointed a committee to consider the applications. Will the hon. Member consider reconsidering this matter especially in view of the remarks of the hon. Member for Rift Valley?

THE CHIEF SECRETARY: In view of the increased number of plots which are likely to become available, I hope, towards the end of 1954 or in the latter part of 1954, the Government does not consider that there should be undue detriment to the smaller trader.

As regards the further supplementary question, Sir, I am not aware of the details of the matter of the High Ridge plots referred to by the hon. Member, but circumstances are apt to differ in different cases and the Government is not at present prepared to reconsider its decision to put these to auction.

MR. NATHOO: Mr. Deputy Speaker, in view of the answer of the hon. Chief Secretary, which I do not consider satisfactory, and it raises a matter of public importance, I would like to move this matter at the adjournment.

## QUESTION No. 24

MR. COOKE asked the Chief Secretary: Was an armed guard provided for the late Councillor M. A. Ofafa?

And if not, why not?

THE CHIEF SECRETARY: An armed guard was not provided for the late Councillor Ofafa.

He was several times offered an armed guard by the police, and urged to accept one. On each occasion, including an occasion as recently as six weeks before his murder, he refused.

MR. COOKE: Would it not have been better to have provided an armed guard in spite of the refusal? He may have been too brave a man to have willingly accepted one?

[Mr. Cooke]

THE CHIEF SECRETARY: The fact that the offer was made repeatedly shows that Government thinks it would have been better for him to have had an armed guard but it is not practicable to enforce an armed guard on persons who are unwilling to accept it.

MR. OKWIRRY: Arising out of the reply, can the hon. Chief Secretary give an assurance that in future a proper armed guard will be provided, whether the man wants it or not, because I think it is a serious matter and we cannot afford to lose all the loyal Africans. (Applause.)

THE CHIEF SECRETARY: I entirely agree with the sentiments of my hon. friend, but, as I say, it is not practicable to enforce an armed guard on somebody who consistently refuses.

MR. COOKE: Could there not have been an armed guard without him even knowing it was there—could there not have been a plain clothes detective to have looked after him in the public streets?

THE CHIEF SECRETARY: That could have been done on certain occasions, but it would have been impracticable to ensure that there was no evasion of the armed guard.

MR. OKWIRRY: Is the hon. Chief Secretary aware that the two instances which led to the death of Councillors Ofafa and Mbotela left a bone to be chewed by the Loyal Africans. If so, what is being done by Government? I think it is lowering the morale of the loyalists and is a very dangerous matter.

THE CHIEF SECRETARY: Yes, I am aware of that fact and the particular expression used by the hon. Member applies also to a great many people, other than the loyal Africans. Where it is practicable, Sir, an armed guard will be provided for those who really need it.

MR. AWORI: Can I get information from the Chief Secretary whether Councillor Ofafa had been threatened at any time by gangsters?

THE CHIEF SECRETARY: I am not able to give specific occasions. I am under the impression that that is so. Perhaps I might

add that one of the main reasons for the late Ofafa's refusal to accept an armed guard was that, while he was a full supporter of the Government, he did not wish to be labelled as a Government man and hon. Members will be aware that if he differed with anything done by the Government, he said so. He was anxious to retain his independence.

MR. OHANGA: Mr. Deputy Speaker, arising out of the question and the reply, would the hon. Chief Secretary inform this Council if any persons have been detained in connexion with the murder.

THE CHIEF SECRETARY: I am not prepared to disclose the extent of the investigations and the action taken.

### MOTION

#### FORESTRY REPORT AND WHITE PAPERS THEREON

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, the Motion to which I am speaking is that the recommendations contained in the Government White Paper No. 1 of 1952 be approved in principle, subject to certain modifications in connexion with which a supplementary paper is laid.

Sir, the main objective of the wording of this Motion is to endeavour to open this debate to a fairly wide field of criticism and comment, because I am aware that there are a number of hon. Members who wish to discuss forest policy. The expression of views will be of assistance to Government in preparing—or rather in altering, to some extent, in view of recent happenings—a statement on forest policy which we have in view.

Sir, first I would like to give some explanation of the delay which there was first of all in producing a White Paper and, secondly, in providing opportunity for this discussion. Sir, the Hiley Report was signed in March, 1950, and it was published in April of that same year. It is a fairly full Report, containing a great many statistics, and takes a certain amount of digesting. The late Conservator of Forests, who had strongly supported the proposals for a Forest Commission, kept the Forest Advisory Committee fairly closely informed of the results of the Hiley Commission investigations, retired early in 1950, just about

[The Member for Agriculture and Natural Resources] the time when the Hiley Report was published. The Acting Conservator, who took his place, immediately let it be known that he and others connected with the Forest Department and forest policy were very much opposed to some—if not most—of the recommendations contained in the Hiley Report, and, in view of that, and in view of the somewhat drastic recommendations contained therein, in September, 1950, I appointed a working party consisting of a number of interested officers of Government, from various aspects, to consider the Hiley Report, and to give me some notes as a result of their investigations and consultations.

Towards the end of 1950 the Forest Advisory Committee was requested to confirm the proposals contained in the Hiley Report—confirm that the proposals were what the Committee had in mind when they agreed to the establishment of the Hiley inquiry—and the Forest Advisory Committee at that time supported the recommendations of the Hiley Report. The Acting Conservator strongly dissented. The report of the working party was not in my hands until the very end of that year.

Now, Sir, it was known that the new Conservator was likely to arrive in this Colony at the beginning of 1951, and it was therefore agreed by Government that it would be wiser to defer any further consultations on the subject until the new Conservator had arrived, and had had an opportunity of expressing his views on the Hiley recommendations. Also, to some extent, at the request of the Colonial Office the views of the officer who advises the Colonial Office on forestry matters—it was decided to consult that officer and also the Forest Advisory body—I have forgotten what it is called—which sits in London. Government gave much consideration to all these rather complicated recommendations and, after the new Conservator had had an opportunity of getting to know this country, and to study the Report of the Hiley Commission, the White Paper which is the subject of discussion to-day was prepared and laid before this Council. Since that White Paper was laid, in the opinion of Government, due to the Emergency and other matters, no really

suitable opportunity of discussing it has, I think, presented itself. In the meantime some of the recommendations contained in the White Paper have, in fact, been implemented.

Now, Sir, before I come to the recommendations of the White Paper, there is one other aspect to which I should like to draw hon. Members' attention. That is, the reasons which originated the Hiley Committee inquiry. We had had out here a mission, headed by Mr. Marquand, who made some rather extravagant claims for the prospects of a very rapid development of the timber industry in this Colony. It was at a time when perhaps rather excessive aspirations for other projects in this part of the world were also put forward, and Lord Listowel wrote a despatch drawing attention to the Marquand Report, and showing that there were, of course, financial difficulties in adopting Mr. Marquand's proposals. The Government at that time felt that what was chiefly wanted before we got down to the more practical aspects of developing the forest industry was to have some sort of economic survey as to what extent the claims made by Mr. Marquand and others were actually justifiable.

It was for that purpose that the type of commissioners and members of the Hiley Committee or Commission were selected really purely for their knowledge of economics and accountancy. They consisted of a very well-known forest economist—Mr. Hiley—of a prominent chartered accountant in this town and of another member who had also—was really by profession an accountant, who had long experience of accountancy in this country, who had at the time been manager of one of the bigger sawmilling concerns.

Now, the original idea was to confine into the purely economic aspects of the forest industries but, like any of these inquiries, the more the subject is dealt with the more probably that the subject will not altogether stick to the facts which are enlarged upon in the inquiry which was eventually undertaken and in writing itself. It was I who formulated the inquiry and, as I say, it is a very

[The Member for Agriculture and Natural Resources] to be wise after the event. I think, however, it is an aspect of the background that should be borne in mind. There was actually on the Hiley Committee no suitable silviculturist—no forester—nobody who had really practical experience of planting trees or looking after forests.

The Hiley Commission made a number of recommendations which are recorded in the White Paper which is before hon. Members. I shall refer to them but not quite in the same way as they appear on the White Paper.

The first recommendation they made was that there should be created a forest fund, into which the balance of Development and Reconstruction funds, and forest and development replanting funds, should be paid, together with the annual revenue derived from the Crown Forests.

The second recommendation—and, I think, the main recommendation—made was that the Forest Department, in so far as it has control over the forest estates in this Colony is concerned, should be replaced by a Statutory Forest Commission which should have considerable financial and administrative powers, subject, on certain reserved matters, to the control of the Member for Agriculture and Natural Resources but only indirectly, to this Legislative Assembly.

Thirdly, that the Commission should, as agents for Government, operate all native reserve forests.

Fourthly, they soft-pedalled on the Marquand Commission Report in so far as it suggested that the planting programme of softwoods should not be accelerated to the kind of level recommended in the Marquand recommendation, on the grounds that they thought it preferable to step up the rate of planting gradually as revenue and increased staff became available to justify the increased activity.

Fifthly, one of the main recommendations they made was that forest royalties should be doubled.

The sixth recommendation they made was that the cutting of indigenous timbers should be accelerated on the plea that when softwood production reached con-

siderable proportions there would no longer be such a big market for indigenous timber.

And the last main recommendation to which I will refer is the recommendation that a universal method of assessing royalty on invoiced output of timber should be adopted, as opposed to the varied methods which were enforced at that time.

I would like to deal with those recommendations one by one, and then perhaps make a few general observations on forest matters and forest policy. Now, Sir, the recommendation of the Hiley Committee that the Forest Department should become financially self-supporting and self-contained through the creation of a fund into which our Development and Reconstruction Authority allocation should be paid, and all revenue derived from the Crown Forests hypothecated, was not acceptable to this Government for reasons—some of which are explained in the White Paper. Nevertheless, this Government does recognize the importance of ensuring, as far as possible, stability of financial provision for this long term of development project, especially because it realizes that the full financial return from the policy which we have adopted, of planting forests on a fairly big scale, cannot be realized for a good many years: and therefore it is proposed—as far as is possible—or was proposed when this White Paper was written—to create a reserve forest fund of not more than £500,000 from the balance of the Development and Reconstruction Authority allocations and the Forest Development and Replanting Fund which, at the end of 1952—last year—would have totalled £238,000; and to pay into this Fund from 1953 onwards the excess of forest revenue over total forest expenditure annually until the ceiling of the Fund was reached.

I would like, if I might, to say a good deal—a certain amount—about this proposal. First of all, we took it for granted that the revenues for royalties would exceed the expenditure incurred in our Estimates of Forest Development expenditure. That is no longer the case and, in view of recent happenings in this Colony, for some years to come will not be the case. Whatever happens—and I will have more to say about this later—

[The Member for Agriculture and Natural Resources] the results of experience during the last few months have made it abundantly evident that our overheads and costs of producing timber will be increased.

Now, Sir, there is another fact that I think we have got to bear in mind. We were trying to build up the capital required for developing what is, in fact, a huge business entirely out of revenue. We were possibly over-optimistic on revenue due to our experience—our fortuitous experience, if I may say so—during the war years, when East Africa was producing for war and other purposes a vast amount of sawn timber. The Hiley Commission obviously were aware of this and their recommendation was that all the Development and Reconstruction Authority money, and the Forest Replanting Fund, should be put into a kitty, but at that time it amounted—if I remember rightly—to about £300,000—that Government should add to that no less than £450,000 to make the total capital available—I will put it—to the Forest Commission no less than £750,000, or three-quarters of a million, and even went further and said that that ceiling should be maintained, and if, at any time, the reserve fell below that amount, it should be made up.

Now, Sir, there are a number—of dangers, I think, in trying to create a vast industry or very big business purely out of revenue, and those dangers are obviously apparent in the forest industry. For instance, there comes a time when possibly sales are not so good, and when difficulties are met by the industry itself, and royalties are in consequence not coming in to the extent that is necessary to meet expenditure, and there is, of course, then a tendency to raise royalties, or squeeze in some way the industry, in order to get the money necessary for keeping up the revenues—to meet what should be and is in fact capital expenditure. I do not say that that has necessarily been very often the case, but hon. Members will be aware, from the subsidiary paper I laid with the White Paper, that as the result of experience Government has found it necessary and advisable to decrease royalties rates during the last few days, for the very

reason I mentioned. I think in the end Government revenue will probably be increased by that action.

To cut a long story short, Sir, Government is still anxious to create this Forest Fund, but hon. Members are as aware as I am of the financial position in which this Colony finds itself, and to ask the Member for Finance and Development to-day to try and conform to the Hiley Committee's recommendations would be asking the impossible; and to conform to this paragraph in the White Paper by putting in the revenue surpluses over expenditure, which no longer exist into this Fund is equally impossible. I also think, Sir, that what we must at all events avoid is any reduction in the maintenance of our existing plantations. We must keep up what is growing into a huge asset of great value to this country. I hope—and nobody hopes it more sincerely—that we can continue with our planting programme, but if, for the time being, anything is to be cut, it must be the planting of new plantations, and not the maintenance of those already in existence. But again it refers. I hope we can carry on without cutting anything, Sir, seriously.

Also I must stress that I fear the cost of our development will go up from now on. I will probably come back to questions—of the possibilities of developing—finding finance for development from other sources towards the end of my recommendations.

Now the second recommendation, that a Forest Commission with wide administrative powers should replace the Forest Department is not acceptable to Government.

There are a number of reasons which are set out, and not least would be the many administration difficulties which are now far greater than they were when this White Paper was written, or when the Hiley Commission sat, in connexion with the large and varied African population, who live and work in the Colony's forests. What Government feels is that they must retain the responsibilities for the administration, not only of the forest estates, but more especially of the people in these forests.

[The Member for Agriculture and Natural Resources]

It is, however, proposed to encourage the responsibilities and broaden the basis of the Forest Advisory Committee appointed under section 3 of the Forest Ordinance to advise the Member for Agriculture and Natural Resources. It is proposed that the Forest Ordinance should be amended to provide that the advice of the Forest Advisory Committee should be sought by the Member on all matters affecting forest policy, including Forest Department Estimates on the lines of what is done by the Water Resources Authority.

In other words, they will have an opportunity of commenting on the Estimates, but, of course, in an advisory capacity, and that committee under an independent chairman shall include representatives of the timber-milling industry, members appointed on account of business experience and ability, and people selected owing to their interest and knowledge of silviculture and the importance of the preservation and protection of forests.

It is hoped that by making this Advisory Committee a really powerful body, in regard to forest policy, by bringing into that Committee persons who have experienced all aspects of forest management, that we shall have better advice, perhaps covering a wider field than has been the case hitherto, and we will thus be able to overcome some of the difficulties and criticisms. I am fully aware that one of the criticisms of the present Forest Advisory Committee, is that it is only called together at not very frequent intervals, that it is not really representative, and as it sits under the chairmanship of the Conservator of Forests, it may find it rather difficult to express opinions which it may have rightly or wrongly, and which may be in conflict with those of the chairman.

We have had the same troubles in other departments of the Government, and we have found that by having an independent committee under an independent chairman we can obtain profit by the experience of others. I hope this will go a long way—we think that is the more satisfactory way, too, towards fulfilling some of the claims which are made for the Forest Commission.

Now, Sir, not entirely divorced from this subject is the third recommendation of the Hiley Commission, which is in effect that the native forest, that is native reserve forests, should be put under this Commission.

Now, Sir, I have no hesitation whatever in saying that that would have been unworkable and unwise. The operation of native forests, or what is left of them, is a very ticklish and difficult task, and I think one can only do it through the local native councils, native authorities, through the Administration, and I do not believe it would work—in fact I am certain it would not work—putting these forests under a hard business Commission. The Government is not prepared to accept this—it hardly arises, because we have not accepted the Commission.

Now, Sir, the fourth recommendation was that we should not accept the very violently accelerated programme suggested by the Marquand Commission. The programme we had at the time was 6,000 acres a year for new plantations, with an aim for 210,000 acres of what we could call mostly softwoods. We have in fact done better than that. We have in fact done very much what was recommended by the Hiley Commission. We have gradually been building up our programme—I think I am right in saying that last year or the year before we planted nearly 9,000 acres.

We are also not prepared to accept—this was also a recommendation—that the cutting of indigenous timber should be accelerated. The supply of indigenous timber is by no means exhaustible, the market is not always unlimited, and Government did not consider that that was a recommendation to accept.

Now, Sir, I am coming to the last recommendation, which was that a universal method of assessing royalty on the invoiced output of sawn timber from the mill should be adopted. Now, Sir, the methods of assessing royalty have been contentious for many years past and great claims have been made for the system recommended in the Hiley Commission Report, which was the system based on paying royalties on invoiced output.

Now, Sir, from the point of view of the Government, this has very many grave

[The Member for Agriculture and Natural Resources]

disadvantages. First of all it means that all sawn timber that has not been sold is retained at the risk of Government, and no royalty is paid until it is disposed of, and if by any chance there are fires or damage is caused, it is really at the cost of Government—wastage, deterioration and so on. To some extent it can be said to be a premium to those who are not as careful of their stocks of timber as they should be, and also on wasteful conversion. Those are some of the arguments against it.

Also, Sir, it is not easy with masses of mills of varying sizes—I have given the hon. Member some information on this in reply to a question this morning—who keep their accounts—naturally, in some of the smaller mills, they do not keep them under the most modern accounting system. In short I do not think it would ever be possible to apply that system to every mill.

Now the question of royalties has been under discussion for a very long time. That again is one of the reasons which perhaps held up discussions on some of our proposals, but I am glad to be able to say, as has been announced in the covering note which I issued when I laid the White Paper a few days ago, that a new method of assessing royalties has now been agreed. The new method is assessment on a sliding scale, based on selling prices. Distance Allowances have been standardized and all the various allowances which are recorded in the Supplementary Paper have been agreed and that I think is a very great step forward.

Lastly, before I leave the Hiley Commission recommendations, I would say that although I have been a little pessimistic—and I am afraid I have to be—about the present, we have, thanks to—and here I must pay a tribute to the members of the Forest staff—we have, thanks to their efforts over many years a very valuable asset in progress of growth and in process of development and when our plantations come into full production there will be a most substantial revenue coming into this country.

As I have mentioned the Forest staff, I would like to say this: they have been subject to what I consider in many cases

rather unfair comment during this Emergency; but I am sure hon. Members must realize that there are numbers of foresters who have, I may say, at great personal risk, stuck to their work and to the preservation of what is going to be a great asset to this country throughout many months under very, very trying conditions. (Applause.)

I am afraid I have been rather long but I know the debate will be of interest to a number of people and I would therefore like to add a few random comments on the various aspects of Forest policy.

As I have said in opening the debate, it is our intention to introduce—not what is a favourite request in this country, "a written policy" but at any rate what can be produced as a written indication of what our long-term ideas are in regard to the development of our forest estates. That, of course, will now have to be adapted to the rather drastically changed conditions which have been thrust upon us by the Emergency, and to the obvious post-Emergency conditions to which we will have to face up.

But there is one thing I think I must stress: that is that Government's policy as regards the capacity of the forest areas on both economic and climatic grounds remains unaltered. I want to say something about that because there is always a tendency to suggest that, for instance, in this country we are growing trees on some of the best land of the country that would be much better given over to the production of farm produce. There is also always the suggestion that well farmed land is just as effective on catchment areas as is a cover of forest trees. The forests are always the easiest area to attack in a country where there are great claims on all sides for more land.

Now, Sir, rightly or wrongly I believe we should be absolutely mad if we give up the sanctity of our forests, and it was for that reason that we appointed the Forests Boundary Commission in the hope that the claims that are admitted for land out of the forest estate or that any areas which should not be included in the forest estates could be excised once and for all and thereafter we could demarcate the boundaries of our forests once and for all, as is provided for by law. The reason we have not gone ahead with that demarcation since the Forest

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[The Member for Agriculture and Natural Resources]

Boundary Commission sat is that we have not been able to survey the new boundaries. In that sphere there will be a lack of surveyors for some little time. Whilst I am on the Forest Boundaries Commission—again I think it has never been done—it would be very discourteous of me if I did not publicly, and on the first occasion I think I have had, pay some tribute to the work they did because those gentlemen—I know they have been criticized—did a very arduous and difficult job and not under very easy conditions; whatever they did was bound to be wrong and they have done their best and I am very grateful to them.

The next thing I would like to say is something about our planting programme. We are endeavouring to plant up clear-filled areas in rotation cycles so that in due course an area, depending on the cycle it has been suggested in the case of exotics—conifers—it should be about 35 years but I think myself that is rather optimistic. I think the period should be longer—there would be 200 acres a year for a mill to cut; in other words the mill remains stationary and the rotation grows on around that mill. That is the way plantations are established in other parts of the world and I hope that we are going to do the same thing.

Whether we have done enough in experimentation on natural regeneration of indigenous forests I do not know—I personally think we have not—I think we have, perhaps, gone a little bit too far and a little bit too fast in planting exotics. But that is a matter for the silviculturists and I believe some of them hold my view.

Now, Sir, having planted and got our cycles into being, in due course we have to remember that the bulk of our future production will have to be exported over a very long railway haul, and it will have to compete against similar timber grown in other parts of the world where possibly the conversion is done on a bigger scale or under cheaper conditions, such as river transport and so on. Therefore, the importance to this country of maintaining a low cost of production must not be lost sight of. That is why the future of labour conditions in the forest areas is one which we must face and consider very carefully.

Now I know as well as all hon. Members that our experience has shown that one of the natural harbours for ill-disposed people or actual rebels is the forest areas—

MR. HAVELOCK: Right word!

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: We know that due to limited finance we have probably been overlax in the administration of our labour force. Those things must be put right, but to say, without giving very careful consideration, that the whole idea of a squatter or native resident system should be abolished in the forest areas might, in my opinion, break the industry, break an industry which is potentially one of the biggest we have in view in this part of the world. I fully agree that it is unreasonable to expect farmers and others living around the boundaries of the forests with their wives and children to be completely deprived of any say whatever in the administration of a large and potentially dangerous labour force on their boundaries. I personally agree that an arrangement has got to be come to whereby the labour employed in forests, just as the labour employed on farms, will have to, to some extent at any rate, indeed, to a very considerable extent, be subject to arrangements, rules and regulations which are and will in the future to an ever-increasing extent be drawn up by the district councils and local authorities. *Per contra*, I hope and am fairly confident that once these local authorities have powers, they, in turn, will recognize their responsibility to the future of this industry by considering the special difficulties and complications which attend the employment of forest labour in the forest areas.

It is not perhaps generally realized that the great advantage Kenya had had over other territories has been the remarkable cheapness with which our forests are established. Rightly or wrongly, under the squatter system, apart from the seedlings, up to the time the seedlings are planted out, there is practically no cost whatever. The labourers prepare the land, they plant up the seedlings, they keep them clean for the first two years and it is not until that stage is reached that there is really much cost to the Government. If I may draw an example from not

[The Member for Agriculture and Natural Resources]

very far afield—it is claimed that the cost per acre hitherto of preparing a plantation of exotics in this country was about one-fourteenth of what it costs in a neighbouring territory where everything plus all labour has to be paid from the very beginning, on an ordinary ticket rate.

Turning to the policy of giving licences, Government policy is to give 20-year licences, provided that the volume of timber in that particular area justifies that length of time. Of course, in due course, when we have the cycles to which I have referred, that consideration will not arise to the same extent. Licences are tied to volume of timber and not to area. The Forest Advisory Committee have accepted this 20-year period although I know there are many arguments put forward, and very sound arguments from their point of view, that it is difficult to float a company or get enough capital to really equip a mill with modern machinery on so short a term of security. But I am advised from other parts of the world that this 20-year tenure is considered reasonable, more especially since it is more than probable that an established mill would get a prolongation in due course and it has been found extremely inadvisable in other parts of the world for a government to commit posterity to a very much longer period.

Now there has been a good deal of discussion and criticism of the way in which concessions or changes in concessions or licences having been given out. It is laid down that all licences have to go before the Forest Advisory Committee as do all changes in licences or concessions. I can give the most definite assurance in view of the question asked this morning that there is no racial discrimination whatever in the granting of these licences. I think that is obvious from the figures I gave.

I have referred to the Forest Advisory Committee and to the manner in which we hope to increase its responsibility. I need say very little more about that.

There is another thing I would like to refer to: that is the disposal of the by-products of which other countries make use. We have under consideration

now projects and the possibility of having a pulp mill in this country. In the past, I personally was opposed to the giving out of bamboo concessions for the making of paper because at that time we had little knowledge of the real value of bamboo or otherwise as cover on high hill tops in this country, also we were not in a position to replant as we should have had to do had there been a drastic destruction of bamboo. But I think the position is entirely changed to-day with plantation thinnings. We have already enough plantation thinnings coming out of plantations to justify a pulp mill. Indeed, I think the disposal of other forms of timber also presents a problem. For instance, the wattle industry alone for the next year or two will be producing something like a hundred thousand tons of timber per annum, for which there is no very obvious use as yet. I think possibly something can be done in the way of charcoal impregnated posts and other matters of that kind. We must try and build up a market for this class of timber—of course, we have already got a lot of this class of timber coming in, more than we can dispose of. That problem I would like to assure hon. Members is being very carefully thought out by the industry as well as by Government.

It has also been suggested that we should try to endeavour to induce private enterprise to help us finance our forest development, possibly taking up a concession and possibly planting up on behalf of Government. The possibility of bringing in private enterprise is being pursued; it is not as easy as it sounds, but I have some hopes that something of the kind will emerge on quite a big scale.

It has also been suggested that instead of employing African squatters to prepare the land for plantations, that we might lease portions of the forests to neighbouring farmers and let them plant such crops as they will, on condition that in due course they will keep the land clean, plant seedlings under the direction of the Forest Department and hand the land back to Forests at the appropriate time. In theory that sounds a very happy solution. I do not definitely turn it down, but I will most definitely say this: that my experience of T.O.L.s, my experience



(The Member for Agriculture and Natural Resources)

of anything of this kind, has so far been most unfortunate. It is difficult to keep, even with the best will in the world, a tunnel under the control one needs for administrative purposes, and once a person has got into the forests it is by no means easy to get him out again. (Hear, hear.) Over the whole, I am not myself enthusiastic as to that method.

Well, Sir, I have covered a fairly wide field, possibly because I hope to introduce a bill on a very large number of matters of forest policy and not only will we note the opinions of hon. Members in the course of the debate, but I will do my best, of course, as far as I am able, to answer any questions that may arise.

I beg to thank the SPEAKER.

The MEMBER FOR FINANCE AND DEVELOPMENT RESOURCES

On the subject

The DEPUTY SPEAKER: Hon. Member, it is now approaching eleven o'clock and I think I should be right in assuming that the hon. Member wishes to start a speech and I should be glad to do so. I am sure that the hon. Member will spend his time for the usual break and resume his speech at eleven fifteen.

Council adjourned at eleven fifteen and resumed at eleven minutes past eleven o'clock.

The DEPUTY SPEAKER: The debate on the Motion moved by the hon. Member for Agriculture and Natural Resources will be resumed.

The MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, will this Motion to which I am speaking now be seconded?

The DEPUTY SPEAKER: Yes.

NOTION

The hon. MEMBER FOR FINANCE

The CHIEF SECRETARY: Mr. Deputy Speaker, will I beg to move that the hon. Member for Agriculture and Natural Resources be asked to withdraw his Motion?

The MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I beg to thank the hon. Member for Finance and Development Resources.

On the subject

The DEPUTY SPEAKER: Yes.

The DEPUTY SPEAKER: The debate on the Motion of the hon. Member for Agriculture and Natural Resources will be resumed.

COLONEL GROGAN: Mr. Deputy Speaker, Sir, I think I can without challenge claim that I am the person who started the timber industry in this country—(Applause)—and also to have opened up the Western forests in this country. Therefore, perhaps, the Chamber will bear with me for a few minutes on this particular issue.

I would not attempt to challenge the hon. Member for Agriculture and Natural Resources to a vast mass of detail, some of which I agreed with and some of which I did not agree with, but on the major principles, perhaps the Chamber will bear with me if I have a few general observations to make, because from the early days, the hon. Member who spent a very much appreciated associate in those highly remunerative days, will bear me out, I have always maintained from the very beginning that there was a basic fallacy and always has been a basic fallacy in the forest policy of this country.

In every other country in the world, so far as I know, the basic principle has been to endeavour to plant the best trees in the world in the worst land in the country. Now in this particular country, the policy so simple has always been to plant the worst trees in the best land in the country. I have no doubt whatever, because I did have ten years' physical experience of these forests, that which I do not think can be claimed by any other hon. Member of Council with the exception of the hon. Member and two associates on this side of the Council, I do not think there is anyone who can make a claim over it, there has been in the forests in all because it is not a very difficult operation. But in a very long time in the operation of the forests, when I started running the Chamber, that was quite a long time the Forest Department, losing in fact of timber, probably with mounting back of knowledge and in that time quite some substantial quantities in the forests, some of them had the timber, it was nothing of the nature which has the most valuable timber for anything of the quantity that the hon. Member has only

(Colonel Grogan)

to go back into the early history of this country and look at Limuru area, which at one time was covered with deciduous forest; huge areas of gums and wattle were planted there, and the result was that all the old permanent springs of that part of the country dried up. I think that is a lesson that, in fact, has been taken to heart, and to my pleasure, the plantations of eucalypts and mimosa—black wattle is the particular variety used here—have diminished. The sad part about that was that the trees could equally well have been grown on land that is of very little value for any other purpose.

But what has always occurred to me is this: that the areas that were occupied by the deciduous forests of Kenya—and deciduous forests require good land, as distinct from the conifer—they might very well have been cut down as they were very largely in the Kikuyu country and have been diverted to more remunerative purpose, with the same effect of protecting the rainfall and the general humidity conditions of the springs in the country at large. When you come to great areas of bamboo forests, my hon. friend opposite has drawn attention to what constitutes the most ideal conditions of damp, acid soils, for the multiplication of conifer forest on a grand scale. That leads me to the recollection of the greatest authority we have ever had in the country—Sir David Hutchins, who was here in the first decade of the century as the second Conservator of Forests. The first one personally assured me, after being invited to come here to develop the forests of the country, that, in fact, there was no forest that would keep a saw mill going for a week, which of course, nearly prevented me from coming to the country at all, perhaps to the great advantage of the various parties here. He did produce a blue book—whether that still exists in the archives of the State, I do not know. I had a copy but unfortunately my house in London was blitzed and that went down the drain with quite a lot of other records. I do assure the hon. Members here that if that is still extant here there is the most wonderful bible you could imagine for the illumination of the gentleman responsible for the forest policy of this

country! He was admittedly somewhat eccentric—and this is a little matter to which I wish to draw the attention of the hon. Member for Finance, too—when he bought a pair of boots and found his feet would not fit them, he cut off his little toe! (Laughter.) I think that is an example that might be followed with advantage by my hon. friend, who is responsible for the finances of Kenya.

But his recommendation—and this is the point I want to make, he was a very wise old man, a bit frisky to the end—he advised that we should first—that the first thing we ought to have done was to send an expedition to central American tropical areas, because he pointed out that in Mexico, in the Highlands of Mexico, during the recession of the Ice Age, a large number of valuable trees, including Douglas firs and about-eight species of oak, I think, if I remember rightly, were left behind and they gradually acclimatized themselves to the tropical conditions. He said that is the place where we should send our people to look for trees, shrubs, cockadoes and other forms of life, tuned to the conditions of tropical highlands, as distinct from chasing over the temperate zones trying to find something which in due course might, or might not, adapt itself to the very difficult conditions of the tropical highlands. That is being more and more recognized in all sorts of ways and I suggest that during this interim period—when we are warned there may be some slackening in our forest and other activities—that occasion could be taken to send two or three trained experts to specialists, over to those areas to see if they cannot bring back seeds, trees, shrubs, flowers, chickens, all sorts of things, adjusted to these particular circumstances, because personally I think the forest conditions to-day are in a very dangerous condition. Every plantation of exotic trees—there are already signs of serious danger amongst those trees—susceptibility to disease, this, that and the other. I think it is most important that we should limit our risks by getting as many varieties and species as we can to many varieties and species as we can to plant in these areas so that if one particular specie goes wrong, there may be a chance of one or other surviving.

I submit to the attention of the hon. Member that those vast, relatively vast, bamboo areas have ideal soil and climatic

[Colonel Grogan] conditions for growing conifer on a grand scale. In other words softwoods, should be very closely investigated. I think that is a very important matter.

I have no more to say except that I am advised by my friends in the trade—and they have every reason to be my friends—that these royalties that are being charged to-day are a typical example of the vampire soul of the bureaucrat—that awful idea of the slightest prospect of profit accruing to any taxpayer, should be prevented so that he can go on paying his taxes. I am told these taxes have been multiplied to the extent of 200 per cent to-day and that they do in fact deprive any possibility of export on any considerable scale. Now, whether or not we should export timber, in our present state, is a matter of higher policy, but if it has been suggested that it is part of our policy that we should rely on a considerable export of the produce of our forests, then it is essential that most careful inquiry should be made as to whether the scale of royalties to-day is or is not acting as a deterrent to the export side of the industry.

MR. COWIE: Mr. Deputy Speaker, I use to express my pride in the forests of Kenya. I think there are many town dwellers, who, like the hon. Member for Nairobi West said, never get into the forests, but those who do, would probably agree with me that it is something of which we can be justly proud that the earlier people responsible for the demarcation of the forest estate had the wisdom and foresight at least to save a very great part of the natural forests of this country.

Foresters are in the nature of being missionaries because they are seldom allotted a sufficient span of life to see the fruits of their endeavours. So I do think we should recognize that people like Hascombe and others who followed him in the earlier days are people to whom we owe gratitude for saving a very great part of the forest.

I find it difficult not to support the idea of a Forest Commission or something of that nature, simply because it is quite natural that I should. But I realize that this is not a very opportune moment for me to mention it because I can well

imagine that the hon. Member for Agriculture and Natural Resources will not take kindly to anything in favour of a separate body of people that might take a policy which is not always in accord with the Government policy. It is, however, Sir, a point that continuity seems to me so essential in a long-range plan like developing the forest estate; it seems awfully difficult to have policy changes due to changes in personnel. I am sure the hon. Member is aware of a certain sphere of activity where I have had a great deal of difficulty over this particular subject. It covers all branches of Government and where officers change frequently you will also get changes in minor policy. So when he said that consideration of the Hiley Report had to be deferred until the new Conservator of Forests was more attuned to the conditions here—I can well see that was necessary—it does seem an argument in favour of some kind of sheet anchor which would ensure more continuity of policy.

On the financial aspect, Sir, I did at one stage earlier in this Sitting endeavour to commend to the hon. Member for Finance a scheme of dividing expenditure between what I call basic stability expenditure and flexible expenditure. I do think that the Forest Department is a very typical example of where it is necessary to know precisely what might be that basic stability expenditure, because without that, I cannot see how any long-range plan can be carried through. Reference the reserve fund, it is a pity it was not possible to establish it, for it seems unfortunate that we could not have reaped the benefit of the surpluses that accrued in 1950 and 1951 to put into the fund to tide us over this awkward period of the Emergency.

Now, Sir, turning to softwoods and exotics, I find it impossible to agree entirely with the hon. Colonel Grogan. So far, although I have not lived so long, I have learned one thing—that man, and in that, I would include even wise men like him—cannot with all his ingenuity, improve on the methods of nature. Where you are dealing with vast areas of forest rain catchments, I very much doubt if in the long run it is a very wise policy to replace large areas with a monoculture of exotics. What effect that would have on soil, rain and climate may not be ascertained for many years to

[Mr. Cowie] come but if nature has built up a set of circumstances in which you have a great mixture of vegetation in some places or where you have only a single type of vegetation like bamboo, I very much doubt if it would be wise to replace that over a long period by some kind of man-made replica.

Again, with softwoods, I wonder if it is not possible to encourage the growth of exotics, useful exotics, in areas outside the forest estate? There are surely many parts of farms in the country or even in the African reserves where there is room possibly for the growing of more exotic timber. In the western states of America, particularly a place like Oregon, in the old days land was not given to a farmer unless he accepted conditions to plant a certain proportion of timber. Many of those farms to-day are the most valuable stands of conifer they have in the western states. If that were possible it would surely relieve the forest estate as such from the obligation to convert large areas into single exotic plantations.

The next point I wish information on from the hon. Member—he mentioned that once a farmer is in the forest it is difficult to get him out—I wonder what the actual plans will be, apart from Emergency plans, concerning the many thousands of squatters in the forest estates? Will the time eventually come when due to more plantation or due to natural human increases, there will not be room for those people to continue to live in the forest estate? If so, is the problem not much the same as the objection he applied to allowing farmers on a tenant basis in the forest estate?

The next question is one of firewood which the hon. Member for Agriculture did not mention. I wonder if it is possible to ascertain how much wood is burnt in Kenya? I am sure it is not. When you think of all the people who have enormous fires surrounding old petrol drums to heat water for baths, or someone who has a fire because he likes to sit round it, and someone else who has a grate burning all day only for one meal—the amount of wood actually consumed is excessive and, I think, wasteful. Are we in fact using up more wood than the earth is producing? If so, is this question being well considered? Is there a plan to

substitute firewood especially in big centres like Nairobi?

Lastly, the question of the sanctity of the forests. I hope it will be possible whether there is a sheet anchor or not that the hon. Member will be able to succeed in the policy he has enunciated in preserving the sanctity of the forests, because human beings, unfortunately, tend to subdue the resources of the earth to their immediate needs and it is the people who look far ahead and preserve their assets for the future who really can be commended. It is difficult. There is always this continual conflict between economic development and exploitation; between political forces and the long-range plan of what may be required for generations to come. I do hope that all thinking people, and responsible men in this Council, will recognize the importance and the value of preserving the sanctity of our forests, not only for their economic value but for their effect on climatic and other conditions.

MR. NATHOO: Mr. Deputy Speaker, Sir, there are only a few observations I would like to make on this Motion. In the first place, I would like to congratulate the hon. Member for Agriculture for having produced a Paper which, with a few disagreements, is welcomed by the industry in general. In the first place, Sir, I must also congratulate him for showing the moral courage to say that in the initial stages the personnel of the Commission was not such as would do the maximum possible good by their recommendations to this country owing to the fact that they were not aware of the conditions appertaining here.

The second thing is, Sir, that the report was produced such a long time ago—not in the terms of a period because it was only three years ago—but, in fact, since the report was prepared conditions have changed completely in this country as even compared with some of the factors with the world conditions; and, as such, I am so glad to see, Sir, that these factors have been taken into consideration whilst preparing the modified White Paper.

One particular aspect I would refer to is in paragraph 25 of the Commission's report where it says that the world prices of timber are much higher

[Mr. Nathoo] than those that appertain in Kenya. That was the case once upon a time, but it is not now.

The second point is, I would like an assurance from the hon. Member that the recommendation which has been made by this Commission to increase the amount of felling will not be put into effect, Sir, except with this proviso: that we shall follow a policy whereby our natural resources are not depleted by cutting more timber than we are able to plant.

Sir, I would also like to draw his attention to one fact. There is a matter pertaining to this also, which perhaps may not be quite cogent. It is that, due to certain statements, whether unauthorised or unauthenticated, appearing in the Press of certain countries, there is a widespread feeling among certain sections of the community that if this Hiley Report is put into action by the recommendations of this Commission, or whatever you have, the interests of one community will be jeopardized. I would like to beg of the hon. Member to give us an assurance that in all future policy the only criterion will be the efficiency of the people engaged in the industry and if they work efficiently in any branch in which new concessions are being given, the claims of these people do not be overruled because they happen to belong to one community or another.

I would also thank the hon. Member for not accepting the Commission for the simple reason that we have not men in this country who either possess expert knowledge or command the confidence of the people who should have confidence in all their decisions and their recommendations.

Finally, Sir, I would like to pay a tribute to the Forest Department, particularly to the Conservator of Forests for the able and impartial way in which he dealt with the matters which have come under his purview and I would like to express the thanks of the people who have had to deal with these matters with him. His courtesy, knowledge and fairmindedness is very much appreciated.

MR. RIDDOCH: Mr. Deputy Speaker, as a member of the Forest Advisory

Committee, I would mention that when the Hiley Report was published I, along with other members of the Advisory Committee, was fully in favour of its implementation. Well, that was some years ago and certain events have taken place since then which have made me modify my view and to-day I find myself able to support the Motion.

The Hiley Report, Sir, I consider to be a most admirable one. It has set out investigation into the forest conditions as they found them at the time and not only made a series of recommendations, but collected a mass of interesting information which will be of value to the Department and all other people interested in forestry.

Now, Sir, I will confine myself to two of the main recommendations; that is the Commission and the Forest Department. The Hiley Report, in addition to setting out all the data contained therein, drew attention to the great assets we possess in the forest estate and to the need for its proper management so as to secure the best results. Now, Sir, the Committee of the Hiley Report did not overlook the need to take care of our protective forests, both from the point of view of preventing soil erosion and protecting the head-waters of our rivers, but if the forest estate was going to be maintained, including the cost of looking after the protective forests, it was most necessary that the most economic use be made of the economic trees and especially the exotic plantations.

Now, Sir, keeping in mind the need for efficient management which also involves continuity of finance, the report recommended that a semi-commercial commission be set up to replace the present Forestry Advisory Committee and the Forest Department. With that idea I found myself in agreement, and still am in agreement, for the reasons set out in the Hiley Report. The White Paper, on the other hand—not only the White Paper, but the Member for Agriculture also—has emphasized this point—that it is not thought, by him and the authors of the White Paper, that a Commission would be very much better than the present Advisory Committee, enlarged and strengthened. It is thought that a Commission which would enjoy semi-independence might be extravagant in its

[Mr. Riddoch] methods during times of plenty and, having squandered the resources, make unduly heavy demands on the revenue of the Colony during times of depression. Well, Sir, I cannot accept that reason for opposing the Commission. In this country we have countless bodies of a public nature on which members of our various races sit and take part and consider and view their duties in a proper way; they have a full sense of responsibility quite apart from any selfish interest. I therefore do not think that that argument advanced by the White Paper is a valid one.

The other important reason advanced against the establishment of a Commission was that a body composed of men who were not necessarily silviculturists would not appreciate the necessity of protecting the forests. Here again I dispute the argument and I am quite sure men will be found in the country who are able to appreciate the importance of protective forestry.

There are, however, two other reasons which can be advanced against the establishment of a Commission. One is the squatter position. I do agree with what the hon. Member for Agriculture said under that head and I do appreciate that before any radical change can take place in the organization of the Forest Department an adequate and satisfactory solution must be found to deal with the future of the squatters in the forest areas. I agree myself that a retention of the squatter system is essential in the forest areas if we are to go ahead with our present plans for development; but also it is essential—I also realize that radical changes will have to take place in the administration of squatters and other labour in the forest areas. Hitherto they have been left almost entirely to the Forest Department themselves and, while much has been done by that Department, nothing like enough has been done in order to bring the squatters into a wider community than in the forest areas. I consider that individual workers, as well as squatter workers, should belong to a wider community which overlaps the forest boundaries. In order to bring that about, it is my view that much closer administration of squatters in the forest areas must be undertaken by the Administration itself, acting in collabora-

tion, of course, with the neighbouring county councils and African district councils and the Forest Department. That, however, is a very big question and I think it will take some time to work out in a proper way. Until that is done, I quite admit that the suggestion of a Commission should be postponed.

The other reason which I have for agreeing to postpone the Commission is the attitude of the Forest Department staff. For some reason, which I have not yet been able to fathom completely, there are fears entertained by quite a proportion of the responsible members of the Forest Department staff who are opposed to the idea of a Commission. My own view is that these fears are groundless but as they exist, I think they must be taken into consideration. Unless you have got a really co-operative staff, any implementation of a Forest Commission simply would not work.

My hon. friend has said (in an aside) that that is a case of the tail wagging the dog. I do not think that is the case. I think in any enterprise it is essential that you get the willing co-operation of the staff unless you are prepared to accept wholesale resignations.

The other question is that of the Forest Fund and here the White Paper is in agreement with the Hiley Report that a Forest Fund should be established. It does not go so far as the recommendations made in the report because it is suggested that instead of a minimum sum to be achieved, to be reached in the Fund—that is £750,000—a maximum sum of only £500,000 should be built up by allocating to the Fund the excess revenues from the Development and Reconstruction Authority, or rather the revenues which have been allocated from the Development and Reconstruction Authority to forestry and which the Department, at the moment, cannot spend, and any excess of forest revenue over forest expenditure. The Hiley Report went a bit further and recommended that, in order to increase the revenues of the Forest Department the felling of our indigenous forests should be accelerated. I agree that that acceleration is not advisable at present which means that, as my hon. friend has said—owing to the Emergency and other factors connected with market conditions—there is, at the moment, no

[Mr. Riddoch] surplus of ordinary forest revenue over ordinary forest expenditure, which means that it would be very difficult to create that Forest Fund in the way suggested both in the report and in the White Paper.

Now, Sir, my friend, the hon. Member for Finance, has indicated earlier—at least, not in this debate, in a previous debate—that if we were forced to curtail our expenditure in any way, owing to the Emergency, then the long-term policies would have to be curtailed or limited in order that the shorter-term projects might reach fruition in a quicker time. Well, Sir, if that viewpoint is going to be shared by this Council and adopted by Government, I have a very great fear for the Forest Department and the forest industry. It is so very essential that, having once embarked on a planting programme of exotics, that we continue with that programme, not merely stand still and maintain the existing plantations but keep going with the existing programme of planting in order that we reach a complete rotation within the period estimated within the development programme.

Now, Sir, here—just to illustrate and underline what I am getting at—I would like to read, with your permission, an extract from the Hiley Report, paragraph 146, and it says heret: "We must expect trade recessions in the future and yet we regard it as a matter of supreme importance that the Commission should continue its planting programme and should effectively maintain its existing plantations through a trade depression. The Forestry Commission in Britain has twice during its history suffered from a reduction in its votes and each time this was due to a financial slump. The Commissioners were forced to discharge some of their trained staff and even to burn nursery stock which they were unable to plant. And yet they were subsequently called upon to absorb more of the unemployed and money was made available for this purpose. We are anxious that such wastefulness should be avoided in Kenya. Neglect of plantations which have been made would result in irretrievable loss to the Colony".

Now, Sir, if it is found, and it is quite possible it may be found, that the

finances of the Colony are not sufficient at the present time to build up that Forest Fund, then I suggest and recommend that sources of finance should be found outside Government. I do not know to what extent investigations in this connexion have been made, but I feel confident that as this is a very attractive investment and will ultimately be realized it should not be very difficult to interest financiers, either in this country or outside. The type of investors I have in mind are the banks. I feel that the banks themselves, if properly approached and with a guarantee from Government, might well be prepared to put up suitable loans, or an adequate loan to take the place of the finance needed to build up the Forest Fund and a loan which might be spread over may be 10 to 15 years. By that time our forest of exotic trees should be coming into full maturity and the revenues of the Forest Department should be sufficient to be able to begin to repay that particular loan. Not only the banks, it may be possible to find insurance companies and other enterprises which do accumulate large sums of money for which it is not easy to find suitable investment here or elsewhere. I consider, Sir, that our development programme is such as to justify a full normal rate of interest—five or even six per cent, which, backed by a Government guarantee, should prove attractive to the type of investors I have just mentioned.

Before I close, I would like to say this: many speeches in this Council have stressed a need for interesting outside capital to become interested in Kenya. I agree that is essential. What better advertisement could we have than to demonstrate to the world that we are ourselves developing one of the best assets we have got? If we do so, we are continuing the development programme and doing it in a most vigorous and economical manner. I am sure and confident that we could not get a better advertisement to tempt other investors into this country. If we do not go ahead with the programme, if we shilly-shally and curtail it, that will create a lack of confidence in the minds of the outside investor, and will undoubtedly redound to our disadvantage. Therefore I request, Sir, that we adopt a long-term aspect to this very important asset of ours and demonstrate to the outside world that we

[Mr. Riddoch] are at least making the most of one of the best elements of our natural resources. (Applause.)

MR. CROSSKILL: Mr. Deputy Speaker, it is common during a debate on this subject of forestry that people declare an interest. If, Sir, I had to declare an interest, it would be in the maintenance of soil fertility and the rainfall of Kenya for the benefit of all races in Kenya. I would like to make it quite clear that it will be on that basis on which I will make recommendations and put certain questions to the hon. Member. I feel that in many ways the Hiley Report was a disappointing one in that its recommendations were very circumscribed and rather more commercial than one had hoped. It really only dealt with the forest areas which exist at the present time. I do feel that one of the most important aspects with which we have to deal is the extension of the forest areas or rather the dispersal of them. I believe at present the area is some 5,000 square miles but it is to a very great extent concentrated. I do not think such a concentration meets the future requirements of this country, for two particular reasons: from the point of view of the provision of a bulwark against the encroachment of desert, and secondly for the provision of fuel which will be required in the future and to which the hon. Mr. Cowie referred. We should plan our forests in rather a different manner from the existing state of the forest estates.

The hon. Member told us that with regard to fuel, there would shortly be some 100,000 tons of wattle fuel available to the country. But, Sir, a very great difficulty arises over the distribution of that fuel. As the hon. Mr. Cowie said earlier, the present requirements are tremendous and an astronomic amount is burnt every day, if one could only assess the amount being consumed in the reserves and our own areas. I am not satisfied that adequate provision is being made for the future in this respect. I suggest that the planning of the native reserve in the past was not as it should be. We should in future, when we extend the reserves as we have done recently, create a communal forest area from which these African people will be able to get fuel in future.

Quite recently a very large excision was made from the White Highlands—I think it is not generally known—many thousands of acres down towards the Ithanga Hills. I suggest that when the Wakamba people for whom the land was released are planning how that land should be used, quite a considerable area should be put aside for plantations which can be used for fuel. I am not suggesting that they should plant the "arboreal weeds" to which the hon. Member for Nairobi West referred but some other types which will regenerate and create secondary growth. Both there and also in similar areas such as the new African area Makueni.

With regard to the commercial aspect of this report—and I am not very well versed in its commercial problems—I do feel that, for many reasons, the gamble which this country is taking has hazards. I do not say they are insuperable, but they should be considered. As I think the hon. Member for Nairobi West has already stated, any considerable planting of exotics may lead to depredation by insects and diseases and all these factors must be considered when planning for the future.

Furthermore, we must recognize that in the future there is a possibility of a decrease in the consumption of timber throughout the world. We are now planting timber which will be on the market in thirty years from now. I think the present use of plastics and the use of metals has interfered to quite a considerable extent with the consumption of timber. With regard to acreage, Sir, which it is anticipated will be put under plantation timber. I see at the present time that we have some 150 square miles, and it is projected that there may be some 300 square miles; and I have also read that areas suitable for plantation timber may be as much as 1,500 square miles. It has merely led me to wonder, and ask the hon. Member for an opinion as to whether, if we implemented the Hiley Report to the extent of plantation timber which we recommended—whether we are utilizing as fully as we should the asset that we have.

The hon. Member for Agriculture and Natural Resources stated that he wished that the Forest Boundary Commission should delineate the extent of the forest

[Mr. Crosskill] areas once and for all. Later he said that he felt it unwise to commit posterity to some particular point—those, I think, were conflicting statements, Sir. I think that the word "sanctity" always elicits applause, but I think that in this case it elicited more applause than was really justified in the circumstances. For instance, the present forest area does include eleven per cent of grassland, which amounts to some 500 square miles. I do think that to decide here and now, once and for all, that this should be included would be a wrong decision. I feel that we cannot commit posterity to such a limitation, and that we must make *ad hoc* decisions from time to time as to whether it is advisable in the interests of the country that further excisions should be made.

A further point, Sir, is one I certainly accept—that there should be no acceleration of the cutting of indigenous forests at present. I believe, however, that in many cases there is deterioration of indigenous timber in the forests. We must from time to time cut that out. I refer particularly to cedar. We are in the very near future going to implement the Troup Report, and if we do so we will require many millions of fence posts. I think we should not cut out completely the indigenous areas, but I hope the hon. Member will consider putting out to contract the making of fencing posts of cedar trees which, were they not now cut, would deteriorate and die.

MR. HARRIS: Use plastics.

MR. CROSSKILL: Too expensive.

In that connexion I should like to refer to a particular forest on Mount Kenya—that part which lies between Timau and Meru. It is very sad that it appears that cedar there is dying out, not regenerating. That is a menace from the point of view of fire. Furthermore, it is a menace from the point of view of the possibility of the encroachment of desert on that side facing the Northern Frontier District. I suggested to the hon. Member for Agriculture that dying forests should be cut out and, if they will not regenerate, they should be replaced by something more hardy.

I was gratified to hear the hon. Member for Agriculture state that in future

the forest work will be carried out by employees rather than by squatters. I think that the system of the use of squatters in forests has led us into considerable difficulties, and personally I hope that will not be repeated. I feel that the work could be done equally well by contractors or casual labour employees, and furthermore that we should then have greater control, not only of their activities but of the crops they produce.

I do not believe it is always most desirable that we should grow food crops in the forests. I think the hon. Member might consider the extension of growing of pyrethrum and other cash crops—there is ample fuel for drying such a crop. Furthermore, to the advantage generally of the industry, I believe when any crops are under-produced, there is a danger of the purchaser finding synthetics and that I believe is the situation at the present time, with regard to pyrethrum. I believe it would alleviate that position if the crops were produced by the Forest Department for their profit and in the interests of the development of the forests.

I am not certain whether the hon. Member accepts the recommendation that the financial policy of the forests should be linked with the financial state of the country at any particular time. I hope he will accept that recommendation. The virtue of that principle is quite evident at the present time, when in the present financial stringency, we cannot set aside money for perhaps as full development of our forest estates as we should like.

Finally, Sir, I accept the Government White Paper. I believe it is a very sound compromise between the Marquand Report and the other recommendations which have been made. But as I said just now, it is rather circumscribed in its recommendations and is lacking in vision, but I do feel confident, Sir, that the hon. Member himself will provide that much-needed vision.

I beg to support.

MR. SLADE: Mr. Deputy Speaker. Sir, in supporting this Motion there are a few reservations that I would like to make. The other speakers have already touched on the great importance of continuity of policy and continuity of finance in dealing with such a long-term subject as the administration of forests,

[Mr. Slade] but it is such an important matter and one on which most of us feel so strongly that perhaps I may be given a moment or two to make my own remarks.

It does not appear to me, Mr. Deputy Speaker, Sir, that we can be assured of the continuity of the policy merely by strengthening the Forest Advisory Committee, even with a Member for Forests who is bent upon accepting, whenever he can, the recommendations of a more permanent body of that kind. Still, Members come and go, and even if they are consistent, one after another in acting upon the advice of a standing committee of that kind, they are to some extent at the mercy of this Council which may have been different policies from time to time, and it does appear to me, Sir, to be a very dangerous thing to suggest that the policy of the Forest Department should be affected by the financial stringencies of the Colony as a whole from day to day. For that reason I would ask the Government to think again whether we cannot establish something that will secure greater continuity of policy than is now proposed. Now as regards continuity of finance, I do welcome the idea that a reserve should be established and replenished from time to time as suggested in the White Paper—I believe that is the solution. It is rather alarming to see that we may have to modify our thoughts about that now in the light of present conditions, but I understand that the principle of a reserve is still accepted. If that is so, all I ask is that it should be on such a scale as to ensure that we do not have a sudden breakdown in the policy of the Forest Department through lack of funds.

The next matter I would like to mention is one on which the hon. Member for Mau has already touched. That is the future policy and function of the Forest Department. Now, I do agree with him that one can overestimate ideas of sanctity.

It is very true that we have valuable assets in our forests, and we owe deep gratitude to those who have preserved those forest assets for us, but a forest asset, in my opinion, is not an absolutely rigid asset, nor are the duties of those who administer them entirely rigid duties in the sense of preserving

particular areas of land in perpetuity. Forestry seems to me to be a kind of farming, and it has to be worked in with other farming activities of our estates of Kenya, just as a man with a farm of his own has to decide where he will plough his land, what he will plant there, where he will plant trees, where he will have grasslands, and from time to time with the changing of the soil, has to decide to alter those things and rotate from one to another. So, in my submission, it is the duty of the Forest Department to develop forests where forests are most suitable in the general economy of the country. That does imply looking at places where nothing will grow but trees—places where any other use of the land may involve erosion—other places where something more valuable than trees can be grown—that all comes, Sir, to an acceptance of a rather more elastic policy than that of having rigid boundaries of forest in perpetuity, in which, as the hon. Member said, there is 11 per cent of grassland, and outside which in the settled areas there are hundreds and thousands of acres that should be planted with trees, and are not.

It seems to me, Sir, that it should be the duty of the Forest Department not only to let people use the land in the forest reserves which is better suited for some other use than for afforestation, and on the other hand to help and encourage, and sometimes even compel, farmers to plant trees where trees should be planted to the exclusion of anything else. That implies a more elastic outlook than the idea of sanctity implies. What does matter is that we preserve at least as much forest as we have in the country now, and I hope a great deal more.

With all these experiments suggested from time to time, Sir, I do agree, and I think we must all accept, that you cannot bulldoze Africa. If you try to go in on a large scale with a great invasion you are certain to be defeated. Because of that—because you can only master Africa by careful experiment and patient trial, you must begin the experiment soon. In that I agree with the hon. Member for Nairobi West—that we have better for Nairobi West—that we have better to feel our way in every direction, going slowly, but without losing time in experimenting with all kinds of trees and all kinds of substitutes.

[Mr. Slade]

Mr. Deputy Speaker, Sir, the question of the administration of the forest labour is one again on which many of us have very strong views. Thanks to an assurance from the Member for Agriculture and Natural Resources that this question will be regarded as coming more and more under the direction of local government authorities, and will be handled more and more in consultation with them, I do not think I need waste the time of the Council discussing those matters further at this stage. But I would like to express my gratitude to him for that assurance.

As regards the employment of squatters in the forest reserves, I agree one has to experiment slowly. There are great arguments for doing away with the employment of squatters, and there is one point I would like to make. The hon. Member for Agriculture and Natural Resources said that it is thanks to the squatters that we have been able to plant, at no cost to the Department. That, Sir, is because the squatters themselves have made the most remarkable profits out of planting their crops in some of the best soil in the country, and I do believe, Sir, that those profits could accrue in part for the Forest Department if labour were employed on reasonably generous salaries and under good conditions, but the produce of planting went to the Forest Department, so that in the end it was not merely no loss but a profit as regards the crops grown.

Again for a moment I would like to touch on the experiments the hon. Member for Agriculture and Natural Resources mentioned, in putting farmers into the forest reserves, he thought this practice once started in the forest reserve cannot be stopped, but certain kinds, from my personal experience, such as experimenting with pyrethrum concessions, have proved completely successful, where you hand out concessions for 10 years on condition that every year a certain part is handed back for planting. This practice had enabled a great increase in growing pyrethrum in the Colony and, at the same time, the most satisfactory planting of trees, but there is no difficulty at all in removing the concession holder, because as trees grow up so it becomes less possible for him to grow pyrethrum there.

There is only one thing more before I sit down, and that is that I would like to join with the hon. Member for Agriculture and Natural Resources in a tribute to the Divisional and District Forest Officers of the Department. I have had the good fortune to come into touch with them quite a lot and I cannot speak too highly of their enthusiasm and courtesy and courage, both in past times and during the present Emergency.

#### ADJOURNMENT

#### MOTION

#### AUCTION OF BUSINESS-CUM-RESIDENTIAL PLOTS AT KISUMU

MR. NATHOO: Mr. Deputy Speaker, Sir, may I under Standing Order 12 (b) move an adjournment?

MR. DEPUTY SPEAKER: Yes.

MR. NATHOO: Arising out of the replies that the hon. Chief Secretary gave this morning in connexion with the auction of plots at Kisumu, I think, Sir, that it is a matter of grave public importance that when a policy has been laid down that plots will be given by tender and not by auction to prevent inflation—the very fact that 190 applications have been received for 13 plots, it must give rise to inflation. That is very undesirable. It will prevent people actually in need of those plots from acquiring them. I think I would mention here the fact that these plots are situated not on the principal streets in Kisumu, but just behind the main street, where largely shops likely to be of use to small traders will be established. I think the Committee instead of shirking their duties of allotting the plots to deserving candidates, or shirking the blame that they will be branded as invidious, or be accused of that, they should have taken their courage into their hands and given the plots to people they consider were in the most need of these. I would, Sir, cite an example that at times there has occurred in this country during the last few years, three, four, five or six times the number of applications which have been received for these plots, and the local committee have taken their courage into their hands, and allocated the plots according to what they thought were the needs of particular people. Even at this late stage I would beg of the Government

[Mr. Nathoo]

to postpone the auction. The argument has been that the plots in Station Road will be available—will prevent people from putting up prices too high in the auction—that is a complete fallacy, because the small people are not able to afford the Station Road plots on which are substantial building covenants—and if at this stage Government cannot do anything, they should forbid the matter, so that the matter could be re-examined and reconsidered in the light of the representations all communities have made, and also the commercial community in Kisumu and Nyanza protest at this.

MRS. SHAW: Mr. Deputy Speaker, Sir, this is a very vexed question. Now I know it is the opinion of the Kisumu Municipal Board that it is impossible to decide the rival claims of 160 applications for 13 plots, therefore the plots should be auctioned. I know, too, that until recently the Government did not agree with that opinion—the Kisumu Municipal Board—a nominated board has held this opinion for some considerable time. What I fail to understand is why the Government was prepared to overrule the expressed wishes of that Board to uphold a policy, which they stated, as recently as mid-October, was in the best interest of all communities in Kisumu, but a month later have decided to support the view of the Kisumu Municipal Board, although this means a complete reversal of a policy—a declared policy that they supported most emphatically less than two months ago?

I believe that the auction of these plots—business-cum-residential plots can only lead to nothing but the most undesirable inflation, and I maintain that a decision taken by the Government, and after considerable thought and examination at the highest level, should not be reversed unless that reversal is discussed and again decided at the same high level.

MR. MADAN: I would like to support the Motion. As you are aware, Sir, I tried to protest this morning against the change in the policy and I do so again. I do not think it is a good reason that, because the Committee appointed to deal with the allocation of plots thought the job was too big for them, Government should have thrown in the towel. I think

that if a policy has been decided upon and there is no valid reason to change it, it does not inspire much confidence in the assurances or statements of policy if Government can change its mind in a serious matter of this kind because a certain committee is unable to deal with the matter. If there had been an equal number of applications to the number of plots to be allotted, there would have been no need to appoint a committee. The committee was appointed because there were so many applications and they had to choose the most suitable applicants for the allocation of these plots. We are trying hard, Sir, in all directions to reduce the cost of living. One of the major factors which contributes towards it is the inflation in prices. I am sorry I have to say this—if Government persists in this policy, Government would be contributing towards a policy of inflation in the Kisumu area.

MR. HARRIS: In supporting the hon. Mr. Nathoo, I wonder whether Government could tell us why there has been this change in policy. The only answer I have received so far is because of the number of applications in proportion to the number of plots. But, Sir, I was on the committee that allocated both the Kilifeshwa and High Ridge areas in Nairobi, where I am sure the proportion of applications to the proportion of plots was higher. (Hear, hear.) The hon. Sir Eboos was also on that committee. He will remember the many, many hours we spent in trying to see that the allocation of plots was fair and was within certain income groups which we believed to be in the best interest of the country that they should have those particular plots. I cannot see that if there are 190 applications for 13 plots, as I understand is the situation, why there should be a sudden change in policy when a similar proportion of plots has already been dealt with elsewhere.

MR. MATHU: I rise to support Mr. Nathoo in this matter. I am not convinced at all that the reason Government advanced this morning, that there were too many applicants for too few plots—only 13—is any justification for their reversal of policy. The person that should be given the opportunity in this system in the allocation of plots, not public auctioning, is the small man with a low income, the man we cannot do away with



[Mr. Mathu] because he is a member of the community in Kenya. When you publicly auction plots in places like Kisumu, it is only those with large sums of money who take these plots.

I would like to join those who have asked Government to take their courage in hand and do not proceed with the auctioning of these plots and continue with their policy of allocating through the Committee in the fairest way possible.

The hon. Member for Nairobi South has given his experience in the allocation of plots in Nairobi, and this view sort of bulldozes any view Government has in the reverse of this policy.

MR. RIDDOCH: I feel I must rise and say something in connexion with this Motion. I was a member of that selection committee to which various speakers have referred. Now, Sir, I think there is a certain amount of misunderstanding by the Mover of this Motion and other speakers. In the first place, this selection committee has been in existence for some time. It has, on a number of occasions, dealt with the allocation of plots in the way mentioned by the hon. Member for Nairobi South. These, however, do not present the same difficulties as do business plots. It is comparatively easy to make the allocation of residential plots, and finally when you are stuck, and come to the hard core, you draw lots for them—that is the final way of doing them. But it would be impossible to do that in connexion with business plots. The reasons for an individual desiring a business plot are much more complex than the reasons for wanting residential plots and that is one of the main reasons why we, as a selection committee, felt we could not simply make a fair and equitable selection out of so many applicants.

There is another point—another two points. I contend that Government has not reversed its policy in any way. Its policy is—I will be corrected if I am wrong in stating this—but it is this, that they will employ a system of tender where it is in the public interest to do so. That is an important qualification. I have no doubt, in making the decision they have done, it is not in the public interest to allocate plots by selection of applicants.

Various speakers have referred to the inevitable inflation which will result from the auction of these plots. Well, Sir, to my mind, the upset price required by Government for those plots is far too low. If they were given by selection, the recipient of any plot would be given a plain gift which he would not otherwise get, had he got to pay the price in the open market.

Another point raised by Mr. Mathu was that if these plots are put up to auction, then it would mean that the small man without much means would not have a look in, but in the selection method he would not have a look in either, because one of the things that the selection committee would look for is that the applicant should have sufficient financial backing to develop a plot of land. I fear the small man would not have a look in either way.

Having said that, I am not sorry for the decision we took; in fact I think it the correct one. The only pity is that there were not more plots available to be put up for auction. Had there been more then I do not think that it would be at all contrary to the public interest to sell by public auction. As it is, I still contend it is the best step we could have taken.

DR. HASSAN: Sir, I find from the speech of the previous speaker as to the reason why they could not allow reasonable distribution, as a committee, for which they were appointed according to his speech, it looked like the committee felt that the upset price was small. I think it was not one of the things for which they were called on as a committee to make a decision. The upset price was fixed by the Government and they had to make arrangements by which equitable distribution could be made of those plots. It has not happened only this time, but on several occasions when applications are invited for plots, they are much more in numbers than the plots available. We had had this trouble and problem to face in development committees. In the Mombasa selection committee (?) the best way to deal with this was, we thought, first of all, as a committee, to go through every single application and pick out the most deserving ones, taking into consideration all the facts

[Dr. Hassan] and after reducing the number, which was always considerable—as a large number of people simply put in application for a plot—then we drew lots out of the most deserving selected applicants, which is the most suitable way in this situation. I am simply surprised that the committee shirked this duty of theirs.

Now, Sir, it is quite a fact that if these 13 plots are put to auction for 190 applicants, there is not the slightest doubt that inflation will occur and it is not to the interest of the Emergency or the Government to allow this thing to happen and I strongly support my friend Mr. Nathoo.

MR. J. S. PATEL: Mr. Deputy Speaker, Sir, before this matter was brought to such a high level, I had seen every possible officer of the Land Department to have an assurance that the policy of not trying to auction these plots would be pursued. I was assured at the highest level in this Department that under no circumstances would these plots be auctioned and it has really given me a great surprise that these plots are now to be auctioned because the committee which was appointed by the Government has not been able to allocate these plots successfully. As a previous speaker has suggested, the only possible method of doing justice to the people in Kisumu is to select those few who are really due their correct share and then draw lots. If the previous committee has failed in doing their duty, another committee should be appointed and the whole matter should be reconsidered, if nothing else, at least for the prestige of the Government.

MR. CHANAN SINGH: I agree with the hon. Member Mr. Riddoch in one matter, that is, whether you allot plots by selection or by auction, the richer men get them. The allocation in the High Ridge area—which has been referred to—I am sure if the plots had been auctioned, the same people would have got them because no richer men exist in Nairobi. But, Sir, there can be circumstances in which allocations can be made by a selection committee. Certain objective tests can be laid down and those tests fairly applied to all applicants. Unfortunately, the selection committees do not apply those tests fairly and there are

more dissatisfied people than there would be under a system of auction. But, Sir, I certainly think if the selection committee do act fairly, it is not impossible to say who deserves the plots best; it should not have been impossible to select thirteen people from Kisumu on the basis of their merits alone to get those plots.

MR. HAVERLOCK: I understand that the policy—which I understand has been reversed—was based on the fact that these plots should be used to the best interest of all citizens of the areas concerned and should be allocated, therefore, to those people who could make the best use of them. I do not agree that either the tender or auction system will lead to the richest men getting them. I do not think that the tender system will lead to that. Surely any committee should take into consideration the use to which it will be put although, of course, the person must have enough money to make good use of it. If the plots just go straight to auction in view of figures that have been put before this Council, it surely leads to speculators purchasing the plots on the open auction. I consider that under the circumstances that is not to the best interest of the community. The suggestion made by the hon. Mr. Riddoch that by tender the recipient would get a plain gift seems to me to be something that could be easily adjusted by the Government itself. I can see no strength in that argument at all. I would suggest to the hon. Member, the Leader of Government, that he has heard and seen that all sections of the benches on this side of the Council have very grave doubts as to the wisdom of Government in reversing the policy and I would ask him to look into the matter again and see if it should not be reversed again at the highest level.

THE CHIEF SECRETARY: I should like to make it quite clear in the first instance that there has been no reversal of the policy of Government. Now, that policy was announced in 1951 to the effect that in the municipalities it had been decided that for a trial period of three years commercial plots of a general nature should be disposed of by tender instead of by auction in cases where the Government considered such a course desirable in the public interest.

Now, as the hon. Members, who are interested in this matter are aware, the

(The Chief Secretary) original notice in respect of these plots was in respect of tender. It was due to local circumstances that a recommendation was made by the local selection committee and by the Kisumu Municipal Board to the effect that because of those local circumstances, a departure should be made from tender, and recourse should be had to auction. This question of auction versus tender has been a matter of argument in various places over a long period of years. The Government's policy, as I say, was announced two years ago, and from what the hon. Members have said, I understand that that policy has their support, and I should stress that the policy has not been reversed. It was in this particular instance, owing to local circumstances, that a departure was taken from that policy.

MR. HAVELOCK: Would the hon. Member state whether the policy in this instance has or has not been reversed?

THE CHIEF SECRETARY: The practice in this instance has been reversed. (Laughter.)

Now, a further point is that to my mind a selection of this kind must be carried out locally, and I think that most people will agree with me on that. Local knowledge is of the essence in weeding out certain applications—I am not saying it is impracticable or completely impossible to do that at the centre, but to my mind that is not a satisfactory manner of going about it.

Mention was made of certain plots in the High Ridge area, Sir. My information is that those were residential plots, and as my hon. friend pointed out, there is something of a difference between residential plots and commercial plots, but a further point of difference was that, I understand, those plots were in fact intended only for the existing local residents. That of course made the task easier. This particular point could not be applied to the Kisumu situation.

Now, it has been suggested that the allocation committee in Kisumu should have been disbanded and another appointed in their place. That, Sir, would not have been a suitable manner of going about it—it would have implied a lack of confidence in the local allocation com-

mittee and no lack of confidence is justified. They put up their arguments in this particular instance, and those arguments were accepted by the Government.

I did refer previously to the fact that knowledge that further plots would be made available offset this position—some 61 are likely to be surveyed and I hope will become available from the middle of next year, although I cannot guarantee this. But it was pointed out that those plots really had no bearing on this particular issue, because the plots, which are the subject of this particular question and debate, are of a smaller nature, or shall I say, intended for the smaller man, whereas the other plots in the Station Road section will be for the plutocracy of the commercial world. That is a point I should like to give further attention to.

MR. RIDDOGH: On a point of explanation. I think I am correct in saying that the plots which will become available in the Station Road area will consist very largely of a small type of plot—only a small proportion will be of a superior type.

THE CHIEF SECRETARY: I am grateful to my hon. friend. That information seems to be contrary to the information given from the opposite side—I did say that I would like to go into that particular point.

MRS. SHAW: On a point of information could the hon. Member tell us if these plots which are going to be put up in the future will be auctioned or on tender?

THE CHIEF SECRETARY: On that particular point I thought I had already made it clear that there has been no change in the policy of Government.

MR. HARRIS: Only in practice.

THE CHIEF SECRETARY: The question of practice would only arise if the circumstances changed in such a way as to indicate a departure from the policy in that particular instance. I suggest, Sir, that that is a hypothetical question—at the present moment there is no intention of departing from the policy.

MR. HAVELOCK: It is hypothetical because the plots are hypothetical.

MR. MADAN: What is the difference between policy and practice?

THE CHIEF SECRETARY: Practice is what has been done in a particular instance—policy is a general overall fact. (Laughter.)

Now, Sir, I should like to mention a further point which may have been overlooked in referring to the question of inflation, and that is that the cost of land is by no means a major part of the cost of the whole project. Generally speaking the erection of the necessary buildings form a much greater part than the cost of the land.

I should like to say here now, that one of the reasons, to my mind, which made the Government feel it was better to go on with auction, was the desirability of making these plots available at the earliest possible moment.

A number of points have been raised, Sir, and consideration will be given to those points raised during the debate. Although I do not give a guarantee that the practice of Government in this case will be altered, yet consideration will be given to the points raised in the debate. (Hear, hear.)

#### INTERRUPTION OF BUSINESS

MR. DEPUTY SPEAKER: It is now time for the interruption of business. Council will adjourn until Five-thirty this evening.

#### ADJOURNMENT

*Council adjourned at forty-five minutes past Twelve o'clock and resumed at thirty minutes past Five o'clock.*

Wednesday, 9th December, 1953  
(Evening Sitting)

Council met at thirty minutes past Five o'clock p.m.

#### PRAYERS

#### MOTION

FORESTRY REPORT AND WHITE PAPER THEREON

Debate resumed.

MR. CHAMAN SINGH: Mr. Deputy Speaker, I rise to support his Motion.

I think the Government has taken an extremely sensible view of a difficult matter. It would not have been appropriate in our circumstances to form a commission on the lines recommended by the Hiley Report. I think we should try to conduct all governmental business, if any outside advice is necessary, through advisory committees. I think it will not be in the best interests of the Colony to appoint an autonomous or non-autonomous commission.

THE MEMBER FOR FINANCE AND DEVELOPMENT: If I may begin to speak—

Mr. Deputy Speaker, I had not, of course, intended to intervene in this debate at all—(Applause.)—but I am well aware that my hon. friend, the Member for Uasin Gishu, wants, I think, to intervene later in the debate, I would like, perhaps, at this particular stage to refer to one or two points on the financial measures dealt with in this Paper and referred to by certain hon. Members in this Council.

The hon. Member for Nairobi West referred to the question of the doubling of royalties which had taken place during the past two or three years. I think the hon. Member is well aware now that we are indeed in the process of reducing the royalties on the representation of the industry that the royalties have become too big a burden. Indeed, Sir, in the past two years, we have, as a Government, agreed to certain royalty reduction in rates in order to develop the manufacture of pencil slats. I think my hon. friend, the Member for Agriculture and Natural Resources will agree that he has rarely taken a case to the Treasury and not met with a reasonable amount of sympathy

[The Member for Finance and Development] in the case that he has put forward, and I believe that, in paragraph 3 of the Supplementary Paper, the proposals which were put forward will indeed prove to be acceptable to the industry as a whole.

Now, Sir, there has been some talk about the question of finance and the Commission, and indeed my hon. friend, Mr. Cowie, a Nominated Government Member, in an aside to my hon. friend, Mr. Riddoch, said something about the tail wagging the dog. That, of course, is exactly what the Treasury is anxious to avoid.

MR. COWIE: On a point of explanation, this was in a context which related to the staff of the Forest Department and is nothing whatever to do with finance.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The remarks were very apposite. I am about to say that the Treasury is anxious to see that the tail shall not wag the dog, the dog in this particular case being this hon. Council. For as long as the Government can avoid—may I put it like this—it will resist the hypothecation of funds on any basis which pleases them beyond the control of this Legislative Council, and it is particularly important during times of financial stringency that this Council should have the right to decide on what the money should be spent. I think that is fundamental, Sir, and that is one of the reasons why we have been unable, as a Government, to accept the complete recommendations, but, Sir, I would refer to paragraph 4 of the original Paper which has not been departed from in principle though, in practice—as explained by my hon. friend, the Chief Secretary, this morning—in practice, it is not possible to adhere to it at the moment.

Paragraph 4 reads—

“The recommendation of the Hiley Committee that the Forest Department should become financially self-supporting and self-contained through the creation of a Fund into which the D.A.R.A. Allocations should be paid and all revenue derived from the Crown Forests hypothecated, is not acceptable to Government on the grounds that, although subject to Legislative Control there would be a

tendency when surplus Forest revenues were available for expenditure to be increased to a level which the general economy of the Colony might not justify and, conversely, if revenue fell below expenditure the Colony's general revenues would be expected to make good the deficit. However, in recognition of the importance of ensuring as far as possible stability of financial provision for a long-term development project the full financial return from which will not be realized for many years, and particularly accepting the necessity for making provision for recurrent expenditure resulting from the annual planting programme under the approved development scheme, it is proposed to create a Reserve Forest Fund of not more than £500,000, by funding the balance of the Development and Reconstruction Authority Allocations and the Forest Development and Replanting Fund estimated at the end of 1962 to total £238,000 and to pay into this Fund from 1953 onwards the excess of Forest Revenue over total Forest Expenditure annually until the ceiling of the Fund is reached.”

Now, Sir, I would like to point out to hon. Members who have spoken that the Government is not departing from this principle, but it is obviously impossible that there will be any money available to pay into the fund at a time when Forest revenue has slipped so far away from the hoped-for total, but the Government does recognize the need for creating continuity and, as funds are available, it will move towards the building up of this Forest Reserve Fund. But, at the present, in view of our position, it is impossible to do more than accept it in principle.

My hon. friend, Mr. Cowie, referred to a suggestion he had made on some previous occasion when he suggested there should be basic stability in one section and, what I would call, the surplus in another section. Now, Sir, everybody in every department has got, what he calls, his basic stability, that is his minimum needs, but there might well come a time when those minimum needs could not be entirely met and it would, I think, be wrong again to place it beyond the power of this Council and I suggest this Council could not agree to it that there should be any expenditure in any department of

[The Member for Finance and Development]

Government which is not a statutory commitment by agreement beyond the reach and power of this Council to control. That, I think, is the essential and fundamental parliamentary authority to which this Council must adhere. That is why, Sir, I feel that we could never, and should never, in any financial arrangements for this or any other section of expenditure, place anyone in the position where the tail of the hypothecated revenue could wag the dog of the Legislative Council.

My hon. friend, Mr. Riddoch, referred to other sources of finance and the possibility of obtaining money therefrom. Now, in the final issue, Sir, all finance has to be met by the guarantee of the taxpayer and the loan charges have to be met from taxes and all borrowing has to be placed against the final total of the Colony's debt. If it is a bank guarantee, a bank overdraft guaranteed by the Government, it has to come back to this Council, to be approved by this Council, and indeed the Public Accounts Committee has only recently stressed—this to me is a correct and important fact—that it must come back to this Council for approval because it is a liability of the country. It is wrong to think therefore that, because we borrow from a source which is not a public loan, that there is not indeed a debt liability and, to that extent, I think my hon. friend, Mr. Riddoch, has mistaken the basis upon which public authorities and public bodies like Government can borrow or can finance operations of this kind.

I would like however to tell the Council that, of course, we are looking as to whether there are other sources of finance. Indeed, when I was in London recently on other business, I discussed with finance houses in the City of London the possibility of providing additional finance for the Forest Department. But, first of all, that would mean a matter of Forest policy which is not within my purview and would have to be considered by my hon. friend, the Member for Agriculture, and, in the second place, if we did borrow, the loan charge would still appear on the expenditure side of our Budget and would have to be met in the interim period.

Now, Sir, I do not propose to keep the Council any longer. My hon. friend, Mr. Riddoch, said that these Forest matters were matters of supreme importance. I agree they are matters of supreme importance, but then, of course, Sir, the whole of the past three weeks, I think it is, have been spent on debating matters which are, to various individuals, of equally supreme importance. Therefore, we have to listen to each of these pleas and very few people have given a more powerful, special plea than my hon. friend, Mr. Riddoch, has done for the Forests. We have to listen to these pleas and make up our minds as a Council which is the most important of them all and which, in times when sacrifices will be demanded of us, we are prepared to forego.

My hon. friend, the Member for Nairobi West, in his inimitable manner, described how a friend of his, I think he said, when he got a pair of shoes too small for him, made them fit by cutting off his little toe. Now that is a painful performance and, of course, the thing about that is that his friend was cutting off his own little toe and, therefore, was suffering the pain. The difficulty of the Finance Member of this Colony is that, when it comes to trying to make a pair of shoes fit, he cannot quite decide whose toe to cut off because the owner of every little toe utters a loud and clamorous squeal. (Applause.)

MR. MATHU: Mr. Deputy Speaker, in supporting this Motion, I have three matters of policy to which I should like to refer.

The first is the question of the recommendation of the Hiley Committee in regard to the Forestry Commission and the Government's refusal, or rather, objections, that that proposal and the suggestion in the White Paper that the way to deal with that matter is to continue with the Forestry Advisory Committee and give it greater powers and greater responsibility, widen and broaden its basis. As far back as 1950 or 1951, my colleagues and I have pressed on the Member for Agriculture and Natural Resources that that broadening of the membership of the Forestry Advisory Committee should not forget all the communities which make up the society in Kenya. When the adviser, the Forestry Adviser

[Mr. Mathu]

to the Secretary of State for the Colonies came to the country in 1951 we made representations to him, Sir, on the 20th October of that year, and suggested that it was vital that all communities should be associated with the administration of our forests in Kenya. My hon. friend, the Member for Agriculture and Natural Resources gave an indication that when the whole question of the report, the Hiley Report, was going to be discussed and decisions taken, he would not lose sight of that possibility. This morning, Sir, in answer to a question, he did say that the representation of the Forestry Advisory Committee is not on a racial basis. In fact, in the White Paper on page 4, where the broadening of the Forestry Advisory Committee is suggested, it is stated that the membership will be of persons of the community who are distinguished in business, distinguished in silviculture, distinguished in forestry administration and so on. I do not think any person would disagree with the hon. Member when he says that because we do not want the Forestry Advisory Committee composed of members who know nothing about forestry or have no interest in it, but I would like to ask the hon. Member to consider this point when he said he did not want any person to suggest what the composition of that Committee should be on a racial basis. If we find in the membership for the last three years that one important community is left out, can he convince me that I would not conclude that it is not done on a racial basis, and on this point I suggest, that he should make it very clear to us and convince us that that principle which he lays down on page 4 about the composition of the Forestry Advisory Committee associates all communities. Now, if I have to be racial a bit, Sir, I would say that the African community in this country has, as far as forestry administration is concerned, played a vital part in the forestry estate. Not only that, he does the production side of it as my hon. friend has already admitted in his speech, but he is also the consumer of the forestry products in the way of timber for building houses and fencing poles and so on, and he is also exploited. Now those of the African community who are fortunate enough to get a concession in some small way, one

way or another do help to boost up our national income by doing the exploitation of our forestry estate like any other community, and I would like to suggest to him that that community should not be forgotten in the question of the administration of the forestry estate through the Forestry Advisory Committee.

Now what worries some of us, Sir, is that, initially, when a policy such as this is initiated, it is very difficult to get the Government to agree to a suggestion until much later when pressure is brought to bear by the general African public. I think it is better that we should be more imaginative, concede to a proposal which is going to be of use to the whole community at once than to wait for years later when the people have had their temper gone the wrong way. I can give you many examples of that kind and I would not like the hon. Member for Agriculture and Natural Resources to find himself in that position in years to come.

The second point, Sir, I want to deal with is the proposal in the Hiley Report and the Government reaction to it in regard to the administration of the Native Reserves Forests. I agree with the Government in this matter that it is better—these forests are better administered by local authorities in the African areas in co-operation with the administration of the Government generally. Now I think he will agree with me that in some places the co-operation between the African Local Authorities and the Government has proved very successful. I refer in particular to the North Nyanza Forest Reserve which is administered satisfactorily by the African District Council and the Forestry Department, and by the Embu forests on the eastern slopes of Mount Kenya. I do think that those have shown that co-operation can be carried on further without injuring the economics of either the local authorities concerned or the Government. In this conjunction, Sir, I should like to refer to the Mau Forest in the Masai Reserve where recently the Government decided rightly that forest was for the African District Council in that area. I have raised this matter before in this Council and I do know that there is a feeling of frustration among the Masai of that area

[Mr. Mathu]

that when they ask for licences or concessions to exploit the Mau Forest, mainly indigenous timber—cedar I think is the main thing—that a lot of stumbling blocks are put in the way, and the Masai Company, Limited, which has been one of the major applicants—and my hon. friend dealt with that on another occasion in this Council—even now feel very frustrated that speedier facilities are not provided for them in order to make sure, that they feel also that the forest is also for the general good of the country, they, as the administrators through the African District Council, are not hindered in carrying out the necessary exploitation. I should like to put that very point to him again and suggest that he expedites the position when these people would be able to exploit the forest there.

My third point, Sir, and final point and one which has been referred to by many previous speakers this morning, and that is the question of our policy in regard to afforestation generally and its relation to African labour. The squatter, and my hon. friend did say, and I think rightly, that we almost have reduced our forests expenditure in the country almost to nothing because our labour system is very cheap indeed, and I should like to say—to pay a tribute here to the Forestry Department and to the African squatters who have achieved this for us in spite of what other people say—I do think it is a point that we should not lose sight of. (Hear, hear.) My hon. friend, the Member for Agriculture and Natural Resources did say that some representations had been made to him that that system of forest squatter labour should be changed by giving grants, leases to farmers who have their farms adjacent to the forest reserves, or anybody else with the capital, so that you have hired labour instead of squatter labour. I personally would agree with the hon. Member that that would be as satisfactory as the present arrangement and my hon. friend, Mr. Cowie—I think he did say that the reason given by the hon. Member for Agriculture and Natural Resources that once people get into the forests, it is very difficult to get them out. His point was once we carry out an afforestation programme, there would be a time when even these squatters will

have no room, and if he agrees that some time or other, some persons will find it difficult to get out, why leave to those persons who are going to have the same difficulty in the future. So I do think that with certain arrangements in the way of community centres and social services for the African squatter labour, we will have the opportunity of developing these assets of ours as cheaply as possible.

The other point which has been raised is the question of relationship between the African squatter labour and the local authorities next door. I have a great fear, Sir, in principle about this matter. The resident labourer on the European farms went there on the invitation of the European farmer and he was given very attractive conditions—land to cultivate for his own consumption, allowed a large number of livestock to keep on the farm, and he did not care about wages or any other conditions of employment because these conditions were attractive to him. Since then, the District Councils' policy has been to eliminate—does not let them possess any stock at all and, in fact, in some District Councils that point has already been reached, and also reducing the cultivation plots to such a small minimum that it would not be able to support a family. Therefore the conditions are very unattractive to the resident labourers now more so than at any time before, and if therefore the associating of local authorities in these areas to have a part to play in squatter labour areas will mean that similar restrictions on the economic life of the people in those areas will be imposed, then I suggest that we are not going to produce or develop our forest assets in the cheap way that we have done up to now. I, therefore, personally—as I say, have my doubts in this matter unless the district councils and the county councils in those areas show greater humanity in dealing with those squatters in those areas.

Mr. Deputy Speaker, I think I must sit down and again reiterate the point that the Forestry Department and the African squatter labour are to be congratulated for what they have done for us at a very low cost and that policy should be improved slightly but not revolutionized in the way some of our hon. Members suggest.

I beg to support.

## STATEMENT ON FINANCIAL ASSISTANCE

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Mr. Deputy Speaker, Sir, I rise under Standing Order 14 to move the adjournment of Council for the purpose of discussing a matter of urgent public importance—the statement on the matter of Her Majesty's Government's financial assistance to Kenya.

**THE DEPUTY SPEAKER:** I am sure I shall be right in assuming that the hon. Member for Finance and Development has the approval of all hon. Members. If anyone has any objection, will he please rise in his place and say so.

The Council accepts the proposal, and the hon. Member for Finance and Development will now make his statement.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Mr. Deputy Speaker, with your permission, I rise to make a statement on the matter of Her Majesty's Government's financial assistance to Kenya. His Excellency the Governor has received from the Secretary of State for the Colonies the statement which Mr. Lyttelton will be making in the House of Commons this afternoon. It is as follows:—

"I have now received the financial position with the Governor and the Member for Finance and am able, with the agreement of my Right Hon. friend the Chancellor of the Exchequer, to make the following announcement.

2. The Government and the people of Kenya will, I feel sure, wish to take such steps to increase their revenues as they reasonably can without disrupting their economy or unduly deterring that inflow of capital which is so badly needed. But even when allowance has been made for this, they will not be able unaided to continue to bear the burden of the Emergency expenditure and at the same time to press ahead with essential social and economic development.

3. Precise forecasting is difficult, but the best estimate we have been able to make is that the Kenya Government will need assistance of about £6 million, if they are to maintain a reasonable level of liquid resources

and continue to meet their obligations at least until the end of the United Kingdom financial year 1954-55. I am glad to be able to announce Her Majesty's Government will be prepared, subject to Parliament, to make that sum available as a contribution towards the cost of Kenya's Emergency, £4 million as a grant and £2 million as an interest-free loan. (Applause.)

4. Should the present rate of Emergency expenditure continue throughout the period, it is possible more may be required thereafter. In that event Her Majesty's Government will be prepared to review the position in good time.

5. As the House is aware, the need for intensified agricultural development is greater in Kenya than in other African territories because it is in Kenya that pressure on the land is greatest. There are also special resettlement problems arising out of the movement of the population during the Emergency. Her Majesty's Government have therefore decided, in addition to the £6 million assistance towards the cost of the Emergency, a further grant of £5 million should be made for the specific purpose of financing a five-year plan, to be prepared by the Kenya Government and approved by Her Majesty's Government, for African agricultural development and rehabilitation. (Applause.) Of the £5 million required for the five-year plan, it is expected that £1 million will be needed during the first year. One-half of this will be added to the £6 million Emergency grant, for which Parliamentary sanction will be sought, and the other half, as well as the balance of £4 million to be used in the latter years, will be found from Colonial Development and Welfare funds. Issues up to a total of £5 million will be made against approved schemes.

6. The Kenya Government asked for a loan of £1 million a year for 10 years to meet certain charges on African education. I do not feel in this field of education that the same special case can be made out for distinguishing Kenya from other African colonies, but I have suggested to the Governor that this need should be

[The Member for Finance and Development]

included in his reply to the request which I have made to all colonial Governments for information of their estimated needs for financial assistance for the next five years Colonial Development and Welfare period beginning in 1955.

7. The £6 million Emergency assistance and the grant of £5 million for African agriculture should enable the Kenya Government to look ahead with confidence and to carry on with the economic and social development of the country.

8. These sums are, of course, additional to the extra Colonial Development and Welfare allocation of £500,000 on which I informed the House on 29th April."

That is the end of the message from the Secretary of State and, when I sit down, my hon. friend, the Chief Secretary, as Leader of the Council, will, I understand, be moving a Motion to express the thanks of the people of Kenya to Her Majesty's Government for their generous action. (Applause.)

I would, however, like to make one or two observations. It will be obvious to all Members of the Council that the people of Kenya must be prepared to accept, on their part, some extra burden, in so far as the raising of revenue for the Colony's purposes is concerned. I am certain that the people of Kenya will accept that, as I have said before, to the limit that economic wisdom dictates. I would also say that now, more than ever, it is important that every penny is wisely spent and that the Kenya Treasury will do its best, with the assistance of this Council and, I hope, the people of the country, to see that no expenditure is undertaken unless it is absolutely necessary and that all wasteful expenditure is avoided.

I should like to express my personal appreciation of the kind and courteous manner with which I was met by the Secretary of State for the Colonies and for the great assistance I received from the officials of the Colonial Office and Her Majesty's Treasury. (Applause.) Their sympathetic appreciation of the difficulties in which we were placed made negotiations much easier than might have

been the case, and the statement I have just read to this Council shows their sympathy was not only something to be expressed in words, but was translated by them into advice and by the Secretary of State for the Colonies and Her Majesty's Government into action. (Applause.)

**THE CHIEF SECRETARY:** Mr. Deputy Speaker, Sir, I beg to move that Standing Orders 31, 32 and 33 be suspended, to the extent necessary to enable a Motion of thanks to Her Majesty's Government to be moved forthwith.

**THE MEMBER FOR LEGAL AFFAIRS** seconded.

*Question proposed.*

The question was put and carried.

## MOTION

THANKS TO HER MAJESTY'S GOVERNMENT

**THE CHIEF SECRETARY:** Mr. Deputy Speaker, Sir, I beg to move that it be resolved that this Council records, on behalf of the Government and people of Kenya, deep and sincere appreciation of the financial assistance afforded to the Colony and Protectorate by Her Majesty's Government; and that Mr. Deputy Speaker do request His Excellency the Governor to communicate this expression of appreciation to Her Majesty's Government.

Mr. Deputy Speaker, Sir, the wording of this Motion may appear formal, but the feelings it seeks to convey are very much more than formal. (Applause.)

When the Emergency came upon us, much progress in Kenya had already been made with economic and social development, and that more particularly in recent years, after the period of the lean 1930's, followed by the war. The extent of that progress has sometimes been too little realized and sometimes, I feel, has been deliberately covered up. Much further progress had already been planned, but such plans cannot be carried into effect without finance.

Hon. Members are only too well aware of the drain on our financial resources which has been caused by the Emergency, and the assistance now rendered by Her Majesty's Government is a very present help in trouble.

[The Chief Secretary]

The hon. Member for Finance and Development has, in the course of the past month, painted a clear picture of the Colony's financial position, both present and prospective. That picture he has presented to this Council, and also to representatives of Her Majesty's Government in the United Kingdom, and I should like to pay a tribute to the clarity of his presentation. (Applause.)

We have heard, Sir, that the form of assistance promised falls into two parts. One is a contribution towards the costs of the Emergency by way of grant and interest-free loan. The other is a grant for the specific purpose of African agricultural development and rehabilitation. Kenya, Sir, is primarily an agricultural country, and the value to the future of this specific grant cannot be too much stressed, for it is designed to serve the interests not only of the present generation, but also the interests of all the generations yet to come. Apart, Sir, from the immediate benefit, agricultural development and rehabilitation, if properly carried out and maintained, is essentially an investment for all time.

The financial assistance now given by Her Majesty's Government, together with our own efforts—and I repeat, Sir, together with our own efforts—will enable the economic and social progress of Kenya to be continued and intensified for the benefit of the country and all its peoples, Sir, and of the British Commonwealth. It is, Sir, by our achievements that we, the people of Kenya—both inside and outside this Council—that we can best show our gratitude.

Mr. Deputy Speaker, Sir, I beg to move. (Applause.)

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, Sir, I beg to second this Motion.

It gives me, Sir, considerable satisfaction in being allowed to second this Motion—possibly for two reasons. One is that, in a very short time I shall have been a Member of this Council for twenty years. In that long period of time I have naturally seen many ups and downs in the prosperity of my country and, but for this timely help, it must have been obvious to every hon. Member that we were facing the most disastrous set-

back in my long experience to our plans and hopes for development.

Secondly, Sir, it is for the reason that it happens to fall to my sheer responsibility to deal with the plans that we had in view and now become possible for African development and rehabilitation, and the betterment of African lands.

Sir, in this message from Her Majesty's Secretary of State, it mentions that this grant, in so far as the grant for agricultural development is concerned, is to meet the cost of plans to be prepared by the Kenya Government. If also, Sir, was mentioned by the hon. Member for Finance and Development that it was incumbent upon us to see, in so far as is in our power, that every penny must be well and wisely spent.

Now, Sir, I would like to let hon. Members know that, during the past months, when it has been obvious that we would have to deal with displaced populations, and that we must continue with the plans which we had in preparation for the betterment of the African, we have not been idle and, indeed, have prepared in great detail not a very considerable number of individual plans—but one very comprehensive plan for the whole country—and I believe, Sir, that if we follow that plan we can meet the second requirement in that based on the experience of past years, and we shall not waste any money.

The plan, Sir, that we have covers a very wide field, and is not, I should like to say, an odd collection of individual *ad hoc* measures. I shall not say more than that at the present time.

I should merely like to terminate, Sir, by saying—by seconding the Motion so ably put by the hon. Chief Secretary. (Applause.)

Question proposed.

MR. BLUNDELL: Mr. Deputy Speaker, Sir, in rising to support this Motion, and record our thanks to Her Majesty's Government, I would like to say this. We have heard people recently who have said that they have no confidence in the future of this country, but we should like to thank Her Majesty's Government for the abiding interest they have shown, first, in the provision of troops to deal with the menace in our midst and,

[Mr. Blundell]

secondly, provision of this very welcome help, which also shows Her Majesty's confidence in our own future.

There is to-day a tendency to accept generous gestures of this sort as if by right, but I would like to record that it is my view that this gesture means ultimately something less to the British taxpayers in necessities or luxuries, and we should acknowledge that. I am confident that the people of this country will willingly contribute as much in cash and in effort as is wise for our economy, and in deeper thought on our own problems.

We are proud that for many years now we have been able to stand on our own feet in carrying forward the development of this country. We are certain this short period is only a temporary one in which we need assistance from overseas, and we particularly welcome the grant made to us for the development of African agriculture. For several years now the people of this country, under the able direction of the hon. Member for Agriculture and Natural Resources, have put many millions into the development of African agriculture—at Machakos and Kitui, in Nyanza and in the Kipsigis country. Demands in the Emergency on our capital resources would have meant that that process would have had to be arrested. The grant will enable us to carry on.

It is fashionable in some quarters to-day to decry British responsibility in undeveloped areas, but we should like to record that we are proud of the British connexion in this country, and are not ashamed to record it. I am certain that I speak for all hon. Members on this side of Council when I say that the people of Kenya are determined to see that this grant and this loan will create here a tangible asset, which will enable Great Britain—which will help Great Britain to honour her obligations to the world, and to the Commonwealth generally.

Finally, Mr. Deputy Speaker, I think it would be wrong of us on this side of Council not to add our congratulations to those already extended to the hon. Member for Finance and Development—(Applause)—for the very able way in which he has presented our case.

Sir, I beg to support the Motion. (Applause.)

MR. NATHOO: Mr. Deputy Speaker, I rise to support the Motion that has been so ably moved by the hon. Chief Secretary, and so heartily endorsed by the hon. Member for Rift Valley, and to say, Sir, that, on behalf of the community I represent, I entirely endorse all the sentiments which have been stated here.

Sir, in these days, from people with some ulterior motives, allegations are made against Great Britain with regard to her Colonies and Dominions. I should like to say that this magnificent help which the United Kingdom Government has given to us is a proof to those people to refute those allegations. (Applause.)

On our part, Sir, it is our job to see that the help which is being given by the Mother Country—as we call it—is well deserved by our own efforts in contributing to this Emergency at the earliest possible moment, by all the means and all the power at our disposal, in kind or cash, and I would like to assure the Council that my community will spare no pains and will not hesitate to make whatever sacrifices that are required to show that we are really grateful for the help we have received.

And in the end, Sir, I would beg of all the people in this country to see that the help that has been so generously given is gratefully received and faithfully applied.

Mr. Deputy Speaker, I beg to support the Motion.

MR. MADAN: Mr. Deputy Speaker, Sir, it gives me great pleasure to support this Motion.

I think the people of Kenya cannot adequately express their deep gratitude to Her Majesty's Government in the United Kingdom for this most magnificent gift.

I am all the more pleased that nearly half the aid will be applied to assist African agriculture. I consider this generous gesture on the part of Her Majesty's Government is an unanswerable answer to those malignant critics of the Colonial Office and the Government of this Colony, who say that the United Kingdom is out only to exploit her Colonies. I think it can be safely said—and I do say it—that, whenever there has been the need, Britain has never let down her children or those under her protection abroad at any time.



[Mr. Madan]

But that does not mean, Sir, that we should not take note of the fact that somebody is going to pay for the gift that has been given to us. Therefore I will stress that it is all the more necessary that we should redouble our efforts to ensure that in future we shall not be in need of any more assistance from Britain.

While I am expressing our gratitude to Her Majesty's Government, I cannot overlook that the credit for accomplishing this financial feat must go to the hon. Member for Finance and Development. In my opinion, once again he has proved that we have at the helm of our financial affairs a man who will be able to steer our ship through the storm. Some people may think it is a shaky ship at the moment, but I do not think so, as I have great confidence in the future of this Colony.

I should like to warn the people of this Colony that, because we have this magnificent help, that is no reason to sit back and enjoy the comforts of an easy life. The struggle which lies ahead of us is severe and our efforts should be matched to fight it.

In conclusion I should like to assure the Government of this Colony, and the Colonial Office and Her Majesty's Government that the people of this country—whatever comes—they are all behind the Government, and will support them in every measure needed to take the Colony on the path of progress.

**SHEIKH MAHFUDD S. MACKAWI:** Mr. Deputy Speaker, I rise to support the Motion and, on behalf of the Arab community, I beg to thank Her Majesty's Government for the financial grant and loan they have given to the people of Kenya; and I should like to pay a tribute to Her Majesty for the assistance she has given to this country.

Sir, I beg to support the Motion.

**MR. MATHU:** Mr. Deputy Speaker, Sir, the Kikuyu have a saying that if three or four wise men have spoken on the one topic, the fourth man finds it very difficult to know what to say. I find myself in that position but, fortunately, the matter under discussion could not be exhausted by even four previous wise speakers, as it is a matter of great sentiment.

I have pleasure in thanking Her Majesty's Government for the very excellent and generous financial assistance that they have offered to this Colony at its time of difficulties, and I should like—like the previous speakers—on behalf of my colleagues and on behalf of the African community, to thank Her Majesty's Government for this very generous offer.

The point that has been mentioned about the effect this very generous grant and loan will have on this country—that it will be the intention to take every opportunity to disprove the weakness of our country. The help is, I think, tremendous, and I should like to say, Sir, that those people in this country, or abroad, who work that way—the Press, public committees or elsewhere—in order particularly to influence the African community to think that anything but happy relations exist between us and Great Britain—I think that they have missed the bus. The African people here do not know of any other Government other than the British Government, and what has been achieved during these 50 years in all directions is evidence that no person of goodwill could support anything that goes to say that the African people have not benefited by the administration of this country.

And I would like to say also—mainly directed to those of my own community—that I do hope that we shall not know of any other Government. We hope to work in association with the Government of the United Kingdom. I have been privileged to visit the United Kingdom more than once, and to have studies there, and if any community will tell me to choose who is to govern Kenya, I should say one hundred per cent the United Kingdom Government, because I do not know the others. (Laughter.)

I would like, Sir, before I sit down to say that the African people should be very grateful to the United Kingdom for specifying one of the grants of £5,000,000 for the development of African agriculture. I think that is a point that personally I did not expect, and my hon. friend, the Member for Finance and Development—I had some very useful unofficial talks with him—never gave me any indication any more than the Emergency grant, and that is why it is so much

[Mr. Mathu]

appreciated. I think the African people will be the more grateful for the assistance given in this direction.

I should like, Sir, to congratulate the hon. Member for Finance and Development in the wonderful achievement he has made in negotiating with the British Government for the grant and the loan that has been so generously given to us.

Mr. Deputy Speaker, Sir, I beg to support the Motion. (Applause.)

**THE DEPUTY SPEAKER:** If no other hon. Member rises to speak I shall put the question.

The question was put and carried.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** Mr. Deputy Speaker, I beg to move that this Council do now adjourn.

**THE CHIEF SECRETARY** seconded.

*Question proposed.*

The question was put and carried.

#### ADJOURNMENT

**THE DEPUTY SPEAKER:** Council will adjourn until 9.30 to-morrow morning.

*Council rose at thirty-three minutes past Six o'clock.*

Thursday, 10th December, 1953

The Council met at thirty-five minutes past Nine o'clock.

#### PRAYERS

#### PAPERS LAID

The following Papers were laid on the Table:—

Supplementary Estimates of Expenditure of the Colony and Protectorate of Kenya, No. 10 of 1953.

[BY THE MEMBER FOR FINANCE AND DEVELOPMENT]

The Balance Sheets and Accounts for the Maize Control, Produce Control, Rice Control, Copra and Coconut Oil Control Management as at 31st July, 1952.

[BY THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES]

#### ORAL ANSWERS TO QUESTIONS

QUESTION No. 26

**MR. USHER** asked the Member for Health, Lands and Local Government: With reference to a recent resolution of the Mombasa Municipal Board, praying for Council status, whether Government has under consideration the desirability of enlarging the functions and area of the Local Authority?

**THE CHIEF SECRETARY** (on behalf of the Member for Health, Lands and Local Government): Yes, Sir, the Government has this matter under consideration and is sympathetic towards an expansion of local government functions and of the area of jurisdiction for the Mombasa region. No formal request has yet been received arising out of a recent resolution of the Municipal Board asking for Council status. It is well understood by the Board that the initiative for formulating proposals on the lines which have been under discussion, lies with the Board and not with Government.

**MR. BLUNDELL:** Mr. Deputy Speaker, in the absence of my hon. friend the Member for the Coast may I ask Question No. 15—

QUESTION No. 15

**MR. COOKE** asked the Member for Agriculture and Natural Resources if he will state the amount of whole maize and maize meal imported into

[Mr. Cooke]

Kenya during the eleven months ending the 30th November from: (a) outside the East African group, and (b) Uganda and Tanganyika Territory. And the landing and distributing cost of such maize?

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** A total quantity of 450,178 bags of maize was imported to Kenya during the period in question. 239,610 bags were imported from the United States and South Africa at a cost of £681,265 landed Mombasa, an average cost per bag of Sh. 57/16. 210,568 bags were imported from Uganda at a cost of £464,140, an average cost per bag of Sh. 44/10.

The distribution costs of this imported maize amount approximately to £13,500, an average cost of 60 cents per bag.

The figures I have given are provisional pending completion of shipping claims and reconciliation of out-turns.

Perhaps I might add I did give the hon. Member who asked this question a good deal of information on the subject during the last two days.

**MR. BLUNDELL:** Mr. Deputy Speaker, arising out of that answer, will the hon. Member give the thanks of this Council to the maize growers of Nyanza, and the Colony generally, especially the Trans Nzoia for their continued effort to subsidize the economy of the country by their own production? (Laughter.)

#### QUESTION NO. 18

**MR. BLUNDELL** asked the Member for Finance and Development to state what steps have been taken to protect the alignment of the road of access from Nairobi to the new Embakasi Airport from undesirable building and ribbon development so that the entry to the City may be made dignified and beautiful?

**THE MEMBER FOR FINANCE AND DEVELOPMENT** (on behalf of the Member for Health, Lands and Local Government):

1. The road from Nairobi to the Embakasi Airport will be the continuation of the East African Highway—the main road to Mombasa. A re-alignment is being planned which will by-pass the industrial area of the City.

2. The Nairobi City Council is responsible for controlling the development of land along the proposed road within the City boundaries. Detailed plans which will include planting strips, and service roads where appropriate, are under consideration by the City Council. Provision will be made where the road passes through residential development for screening the houses adjoining the road. Close control will also be maintained by the Council over the height, character and siting of buildings.

3. Outside the City boundaries the area through which the road will pass falls within the sphere of the Nairobi District Preparatory Authority which has been established under the Town Planning Ordinance. The Authority has agreed to pass a resolution to prepare a statutory planning scheme for the area including and immediately surrounding the new Embakasi airport. The general treatment of the roadsides under the plan will as far as possible conform with that adopted for the East African Highway within the City.

**MR. USHER:** Will the hon. Member say what "screening" means? I do not quite understand.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** "Screening" means "covering from sight". (Laughter.)

**MR. BLUNDELL:** Mr. Deputy Speaker, arising out of that answer, I have had in mind that at some time, if funds permitted, it would be desirable to project the Princess Elizabeth Highway to the Embakasi airport. I think all Members must have derived great pleasure from going along that highway. I wanted to get an assurance from the Member that he will discuss with the Nairobi City Council in the area where the projected road will pass through their jurisdiction the preservation of the adjoining strips of land so that the Highway can be carried on in the present form.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I think if the hon. Member looks back over the answer I have given on your behalf he will find that the Nairobi City Council is responsible for controlling this Highway to the City boundary and is adopting the same principle. Outside the City boundaries the Nairobi District Preparatory Authority has already stated that it is desirous

[The Member for Finance and Development] of following the same plan as on the Princess Elizabeth Highway, a view to which we all agree.

**MR. HARRIS:** Does his definition of "screening" apply in all cases where it is used?

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** We are dealing with a specific description in a specific question.

#### QUESTION NO. 19

**MR. MADAN** (on behalf of the Member for West Electoral Area—Mr. Nathoo) asked the Member for Health, Lands and Local Government:—

(a) Has Government's attention been drawn to an article which appeared in the *East African Standard* on the 9th October, 1953, under the caption of "Move to Restrict Timber Cutting in Highlands"?

(b) If the reply is in the affirmative, will Government please state under what authority the Highlands Board expressed this view as the area concerned is a demarcated forest and is administered by the Forest Department under the Forest Ordinance?

(c) Since the view of the Highlands Board was *ultra vires*, will Government please state under what authority the Special Commissioner and Acting Commissioner of Lands conveyed the view of the Unofficial Members of the Highlands Board to the Usin Gishu District Council?

(d) Is Government aware that a similar situation arose in the early Thirties when Usin Gishu District Council made representations against a non-European firm exploiting private forest belonging to a private owner and that it was decided then that saw-milling was a pure and simple commercial undertaking and as such laws peculiar to farming and agricultural activities did not apply to commercial and industrial undertakings carried on by non-Europeans in the Highlands?

**THE CHIEF SECRETARY** (on behalf of the Member for Health, Lands and Local Government):—

(a) The answer to part (a) is in the affirmative.

(b) In expressing its views regarding timber-cutting rights in the Highlands, the Highlands Board was concerned only with leases or contracts over privately owned farms on Crown land in the Highlands, and not with cutting rights over forest areas under the control of the Forest Department.

(c) In the circumstances the views of the Highlands Board were not *ultra vires*.

(d) The Government is not aware of any decision on the lines indicated in the question.

#### QUESTION NO. 22

**MR. CROSSKILL** asked the Member for Agriculture and Natural Resources:—

Will Government please state whether it intends to implement the recommendations of the Ibbotson Report and if so, when?

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** The Government has accepted the Ibbotson Report in principle.

The necessary Legislation has been drafted but has not yet been put into legal form.

In the meantime an interim board on the pattern of the statutory board recommended in the Ibbotson Report is being appointed, which will take the place of the existing Interim Management Committee of Maize and Produce Control, on the lines recommended in the report.

**MR. CROSSKILL:** Arising out of that reply, will the hon. Member say whether it is his policy or will it be practised?—whether it is the Member's policy to implement the Ibbotson Report or whether it will be practised?

**MR. BLUNDELL:** Answer!

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** I do not understand—it is our policy to accept it in principle and we are carrying that out as far as possible.

#### MOTION

FORESTRY REPORT AND WHITE PAPERS  
THEREON

Debate resumed.

**MR. MACONOCHE** - WELLWOOD: Mr. Deputy Speaker, before supporting this Motion, I have to declare an interest in

[Mr. Maconochie-Welwood] as much as I am Chairman of a co-operative selling organization known as Timales, which is one of the few non-forest organizations in this country that works, probably on a basis of mutual self-interest. I may say that I am also a shareholder in a sawmill.

New, Sir, I am not going to flog a dead horse in recommending a Commission at this stage, realizing as I do that it is quite out of the question for financial and other reasons. I regret that it is impossible for a variety of reasons which I will endeavour to show in the course of my speech.

The hon. Member for Finance has given very strong reasons against hypothecated revenue. He has stated that the great disadvantage of hypothecated revenue is that it removes revenue from the control of this Council. I do not think, in fact, he was thinking of control of this Council as much as Treasury control itself, because, in fact, this Council does not have the fullness of control that you have in a sovereign Parliament with an opposition and a replaceable government. In point of fact, this Legislature has relatively little financial control.

THE MEMBER FOR FINANCE AND DEVELOPMENT: No, no!

MR. MACONOCHE-WELWOOD: Very little financial control in fact.

The objection to hypothecated revenue falls down, in my view, in a matter such as forests. Under the original Hiley Report, we believed that the forests would be self-financing, showing an annual surplus of revenue. Unfortunately, circumstances have arisen whereby that is unlikely to happen for a number of years at any rate, and that alone completely puts the question of a Commission at this stage out of court. But a Commission here would not be quite the same under the original intent of the Hiley Report as the Forest Commission in England because, there, the main object of the Commission was to grow trees for use in time of war and for the security of the country rather than a profit-making organization. Here, when the Hiley Report was framed we believed that, due to certain favourable conditions of planting, we could produce a great

revenue-earning Commission who would not be allowed under Legislative control to overspend beyond a certain figure and that the rest would produce a revenue for the country, whereas in the United Kingdom great profits from forestry have always been extremely problematic. Nevertheless what we have been given in this White Paper is a strengthening of the Advisory Committee on forest matters which I welcome, and I welcome this because continuity in forest policy—as has been said before and I make no apology for repeating it—is vital, for forestry is a long-term thing—inevitably the life of trees is longer than the life of man—and parliaments are liable to take a short-term view, and that is why people like myself originally supported a Commission and welcome a Committee which will give us, to some extent, continuity of policy.

The other reason which is of vital importance which I welcome is that that Committee shall have a non-official Chairman. That should ensure the thing with which I am most concerned, the tie-up between the interests of silviculture, the interests of protective forests, and the utilization side of what may become a great industry, for, in the past, there is no doubt that the utilization side has suffered, and has suffered particularly recently from the unsympathetic attitude of pure silviculturists towards the industrial side of the forests. I believe that that buffer of the Forest Advisory Committee with an unofficial Chairman will act as a buffer between the conflicting interests concerned, not that I accept they are conflicting for one moment, but that attitude has become unhappily stressed in the last two or three years. For some reason, the milling industry has been considered, as it were, the enemy of forestry and that position is one which cannot but produce disaster, both to the forest itself and to the industry. There has been a marked—I take this opportunity of saying it publicly—a marked deterioration throughout the country between the Department and the people who live on its borders and the people who work in its forests, and I look upon that as tragic. Here it is only fair to pay a tribute, or rather re-emphasize the tribute paid by the hon. Member for Agriculture and Natural Resources to the Forest Department staff. I have

[Mr. Maconochie-Welwood] worked in forests for a considerable number of years, I have lived adjacent to forests on three sides for 27 years and I would not wish for better neighbours. I have the most immense respect for foresters who have done so much to build up the forests of this country. Their work to a large extent is unknown and they have produced something which is really impressive. In fact, not long ago, somebody was out here staying with me interested in forests, and he said that the thing that impressed him was the magnificent care that was taken of the plantations of this country, and that is true. I know no small group of men—and they are a small group of men—like the foresters of this country for getting on with the job quietly and without fuss.

I wish that when this Advisory Committee with strengthened powers is operating, it should have powers like the Water Board, powers which, in essence, are advisory but which nevertheless are very real because the Member rarely neglects their advice unless there are over-riding reasons against them. If that situation is established, I believe that the Advisory Committee can produce the virtues of the Commission without its controversial disadvantages.

The Forest Department, as such, is facing a time of intense difficulty and so is the milling industry for that matter, and, due to security reasons, it will never be possible again to go back to the same cheapness of the forest squatter. It is deplorable from the point of view of forestry, but I think one has to recognize it as inevitable that the squatter system, though it must continue, must continue in a different form and with many fewer squatters and on a totally different basis. If it were to be abolished overnight, it would destroy the industry and destroy the Forest Department but, nevertheless, we cannot go on running the risks we ran before under the uncontrolled squatters. The hon. Mr. Mathu said yesterday that thanks were due to the forest squatter for having built up our forests so cheaply. Well, I agree with him in one way. This is another case of what one might describe as mutual self-interest between the Department and the squatter. Very large sums have been made out of the Department's land by the squatter which in fact, were it pos-

sible to do so, might have accrued to the Forest Department, but the tragedy of the situation is that a very large proportion of the money earned by the squatter has gone to the financing of a rebellion. It is a great pity it should have been so, but there it is.

MR. MATHU: Trees are growing!

MR. MACONOCHE-WELWOOD: A very large proportion of that money I say, and I doubt if anyone here doubts that for a moment, least of all my hon. friend, Mr. Mathu.

It has been suggested that the forest land should be let out for farming and so afforestation go on in that way. Well, that would be all right if the majority of our afforestation was afforestation in the true sense of the word but it is not—it is re-afforestation, and re-afforestation in a land very steep and full of stumps, and so on, make mechanized farming entirely out of the question. So we have to consider some other method of re-afforestation cheaply. There is a possibility which I have always considered of relieving the Department of some of the responsibility of re-afforestation by either getting the large mills, or some of them, to take on under the Department's supervision the job of re-afforestation, or by forming other companies for the purpose of milling and re-afforesting land. I believe that this would be possible because any large sawmilling concern would be only too glad, if it could get length of tenure, to take on the job of re-afforesting the land under the direction of the Forest Department, and this might well lead to a cheapening of the whole programme of re-afforestation and also reducing perhaps the staff of the Department. The staff of the Department has never been large but, nevertheless, a reduction in staff by these means could be effected.

Like the hon. Member for Agriculture, I agree that any reduction of maintenance would be a disaster because trees reach a stage where, if they are not thinned and not dealt with, they go back and, curiously enough in some cases, if, you leave them for three or four years unattended, you have lost something you cannot regain by later attention. Therefore, whatever is decided on the financial side of this issue, I hope it will not be on maintenance that we will economize.

[Mr. Maconochie-Welwood]

As regards the new planting, the cutting down of the programme there, to my mind, might even have certain advantages. We are very far off from being certain of what are the right trees to plant. Our planting of certain varieties has been very largely destroyed by insects that existed before but which have found a happy hunting ground in a certain variety of cypress and are now destroying thousands of acres of timber. Therefore, there are advantages in lessening our planting programme and doing more experimentation, as the hon. Member for Nairobi West said yesterday, with other varieties and other species.

One other point I would like to make on that is the question of protection forest. It is often suggested and hinted at that we should cut down considerably more forests that are often on the best land, and devote it to farming, and move the other way and plant the worse land to trees, as it is done in other countries. I would not like any rule to be laid down about a certain amount of movement of boundaries between forest and other areas—exchanges of land—but I would be very sorry to see any drastic steps taken in this direction, because I believe we know virtually nothing of the ecology of Africa.

I believe if we start changing entirely where the forest is now grown on a big scale we may well pay a very long price, because Africa, so far as has been proved, is a hard country, unlike any other country in the world that we know about, and when you start dealing with things on a big scale and altering the natural conditions of the country, you will be liable to bring disaster on your own head.

I wish to say a few words on the question of royalties which was raised in this Paper. One of the things that I think is vital to any royalty—royalty method of assessment—is that it should be based on the selling price of the product, because if that is not done the industry may well be killed. This new reduction which we have had is not in fact a very large one—it is not one which I believe will lead to a great reduction in revenue to the Department, because I hope it will stimulate the production of timber. The industry as a whole has

accepted this, and I hope that they may be able to produce at a profit on it, but we are by no means sure that the royalty reduction is in fact sufficient.

When the royalties were doubled, I was one of the people who had agreed to it, in view of the fact that royalties were the same as paid before the war—that seemed to be impossible for the Forest Department. When I agreed to that I did not realize that simultaneously with the doubling of the royalties the flat would go out from the Department that allowances on defective timber and bark allowances were to be rigidly tightened up. That has had the very serious effect of not only doubling the royalties which I had approved, but of increasing the royalties in many cases by 200 per cent. Now an agreement has been reached which I hope will work—for the present at any rate.

One of the things of the greatest importance to this country—and I hope that people will not think that because I am interested in the industry I am speaking only for the industry—because it is very important for everybody here—is that we are now past the stage where the majority of timber produced in this country can be absorbed in it. It has, therefore, become a matter for export. And unfortunately very large quantities of inferior timber have to be cut as thinnings and disposed of. That timber has a very limited market here, and it is proving somewhat difficult, although we shall achieve it in due course, to find markets overseas. It is a delicate matter, because much of it is of poor quality, as I said, and poor quality timber is not a thing which one cares to export when you are trying to build up a reputation for this country of producing, in due course, a fine type of soft wood.

It may be interesting to the Members to know that the cyprus thinnings, which the Department wish to sell to-day, amount to rather more than half the total peak production of timber in this country during the war. During the war there was an inexhaustible market for timber, to-day that is not so.

On royalties again I am going to quote a figure—I dislike quoting figures because it is not interesting to most people, but this one might be illuminating. At the present time the reduced royalties on

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cyprus returns on the export price to the miller—I should not put it that way—what it really represents is 22 per cent of the f.o.r. price of timber. In America 20 per cent would be considered a totally impossible figure to work on. I mention this really partly in order that hon. Members can realize that the royalty reductions are not as high in relation to the selling price as they sometimes imagine.

The other point I would raise, here on these large quantities of timber, is that the Railways are as much concerned in this matter as the industry and as the Department, and at the present time the unsatisfactory position exists where the three of them are left working separately and not in touch with the Forest Department. Let us say that a mill unload so many hundreds of tons of sawn timber a month. If the miller says "I am totally unable to ship it" the Forest Department says "That is not my affair". If the miller goes to the Railways, the Railways say "We may be able to next month, or the month after, or the month after that". But there is no tie-up between what is a big industry for this country and the Railways Administration and the Forest Department. I hope that that tie-up may be effected through the Forest Advisory Committee.

I am exceedingly concerned that there is a lack of realization in many circles of what this cyprus-planting programme means—when in fact the timber comes to full production on 8,000 acres it represents 640,000 tons of sawn timber a year, and the maximum output in this Colony has never risen above 30,000 tons in any year. The Railways, at the moment, and to my mind for an unforeseeable time, would be quite incapable of handling it—it represents over 1,000 train-loads a year.

Another point I would like to touch on briefly is the question of the native reserve forests. I do believe that those forests must increasingly come under the control of the Forest Department, I can see no reason why they should not. At the present moment they seem to come under it, for some reason, rather less than the forests in the Highlands, which after all are in an identical position. It is quite impossible for the proper care to be

established, and the proper utilization of those forests to be done unless the Department has the fullest control in consultation with the local native councils.

That brings me to a point I would like to make as regards local councils in the Highlands. It will equally be essential that the forest methods of employment and so on shall come under, to a great extent, the rules of the local government. The reason for that is that it is absolutely impossible to have a set of rules working on one side of the line and not on the other. That the rules may be modified I fully realize, the county councils and district councils have no right whatsoever in interfering with the technical side of forestry and so on, but on a matter of labour and residence in the forest they must, because the labour employed over the line of the forest has an immense bearing on the labour employed on the other side of the boundary on the farms.

The point has been raised in this debate—a very good point on selective felling. I would like to say one word on selective felling. It is obviously good forestry. But it is extremely difficult in a country such as this where in fact the average stand per acre is between ten and a maximum of twenty tons of sawn timber per acre against eighty tons per acre of planted timber. Therefore, selective felling becomes, as a rule, prohibitively expensive in this country.

I would like to say one word on the reply to a question on a certain matter this morning. There has been a confusion of thought, to my mind, in the minds of many people since the publication of an article in the *East African Standard* on the subject of the Asian cutting rights in the Highlands.

As a member of the Highlands Board, I would like to say here that we have never commented at all on forest licences in the forest areas. This was a matter entirely concerning cutting rights on the European farms. I wanted to say this myself—I did not know the question was coming up—because I have been approached in many quarters about it, and I wish to be able to clear the position.

The hon. Mr. Mathu mentioned the question of more African representation

[Mr. Maconochie-Welwood] on the Advisory Committee. It was, of course, raised in another form by the hon. Mr. Nathoo as regards Asian representation. There is only one thing I would like to say on that, that is unless the Council gets away from the idea that racial representation is important on technical boards, then no technical board can ever be efficient. People are appointed to a board for their knowledge on the subject, they are not appointed to represent the interests of any one race. Again and again, we hear from all sides the words "merit and ability", but if a board is appointed the question of merit and ability is immediately forgotten.

In point of fact an African Member was appointed to the Forest Committee—he never attended a meeting, and finally resigned, and while I would have no objections whatsoever, as a member of the Forest Advisory Committee, to an African member of it, I am going to say this quite honestly now, I do not believe that there are any Africans at the moment in this country who could give advice of value on the matters we discuss, which are technical, which are matters of marketing, matters of forest growth, and so on. After all, if you are going to appoint a man to a board, you must do it in the belief that he is the best man, and not because of his colour, and I think we forget this so much; that unless we revise our ideas, there is no hope of any of these boards functioning efficiently.

Sir, I beg to support. (Applause.)

THE DEPUTY SPEAKER: No other member rising to speak, I shall ask the hon. Member to reply.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Sir, I will endeavour to reply to a number of points that have been raised in the order in which they were made.

The hon. Member for Nairobi West did criticize the policy of the Government—of the Forest Department, rather—he said that the proper policy is to plant the best trees one can on the worst land: but here we were planting the worst trees we could find on the best land in the country. He specially referred to eucalypts and mimosa that had been planted mostly in the past.

Well, Sir, I would like to say that we are fully aware that there is a good deal in that criticism, but I do not think the policy of the Forest Department is now following on the lines that it was in the time to which he referred. I think we are fully aware of the shortcomings to which he has referred in the past, and also to the fact that at that time we had to grow large quantities of fuel for the Railway.

The hon. Member also referred to the vast bamboo areas that he felt were eminently suited to the planting of exotic conifers, and there again, Sir, I think that the Department is fully alive to that possibility.

The hon. Colonel Cowie and also the hon. Member for Nairobi South have both referred to the question of wood fuel. Indeed the hon. Member for Nairobi South asked that I would give some information to hon. Members in connexion with the work of a Committee that was set up about two years ago to go into this whole question. Sir, we got into very grave difficulties in supplying both Nairobi and Mombasa with fuel about two years ago, and for that reason I set up a Wood Fuel Committee which submitted its report in August, 1952. I will allude to some of the recommendations that were made by that Committee and what has been done about them in a minute or two, but I would like to make one or two general remarks.

The Colony's consumption of wood fuel, as was pointed out by the hon. Member, certainly by the hon. Colonel Cowie, is undoubtedly extremely extravagant, particularly so in big towns like Nairobi and Mombasa, and consumption is such that supplies of wood fuel are being exhausted more quickly than they are being replaced. We have to go constantly further afield for *kuni*. Wood fuel of the type burnt in this country is difficult to handle, and it is extremely extravagant in transportation, as I think it must be obvious to anybody who has seen it being loaded and unloaded and carried on the Railway. It takes up a tremendous lot of space for its weight. We are doing our best, and the Forest Department is planting up areas with gums for fuel, in what they think are suitable places from the point of view of supply, but this is, nevertheless, in my opinion, a wasteful use of land, and in

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nearly every case the land used for this purpose could be better used, and that particularly applies to Mombasa, where there is a great demand at the moment for using coastal land not far from Mombasa for fuel plantations. The most important recommendation of the Committee I think stresses that we should recognize that that is the case, and that we should make up our minds that as big towns grow to the size of the one we are sitting in at the moment, we cannot go on indefinitely with a system of burning wood fuel as hitherto. We have got to find some substitute. It is possible that we might find a substitute by importing coal which, by comparison, is quite reasonable in price generally, and, indeed, has a much higher calorific value. Also of course, in due course by substituting electricity—electricity is being substituted on quite a large scale at the moment.

Now, Sir, as regards our immediate difficulties, we have done our best. I am now referring to recommendations by the Wood Fuel Committee, which I was asked to refer to. The Chief Conservator has done as much as he can to encourage the exploitation of wood fuel up to a radius of 150 miles from Nairobi by encouraging *kuni* contractors in the more distant areas by using his discretion in the amount of royalty he charges. In other words, he can reduce the royalties in order to encourage people to go further afield.

The Committee also hope that more use could be made of the sort of poor quality fuel that can be obtained from certain clearing operations—bush clearing operations, which in some cases are being carried out not too far from the main town. We have not been very successful in that. It is a type of fuel which has not got very much value—it is difficult to collect and we find it extremely difficult to induce contractors to deal with that class of fuel.

The next recommendation that was made was that the Committee was very anxious indeed to try and induce some organization to collect and above all to distribute wood fuel on a big scale. Efforts have been made to form some other organization to get someone to

undertake this on a big scale, but so far again we have not found anybody willing to do so. I think the profits made under controlled prices are not such as to encourage a commercial undertaking on a big scale to invest in this particular activity.

One thing we have done is that we have increased the price of charcoal. Now, I think, the hon. Member will agree that whereas in the past—the not so distant past—there were constant shortages of charcoal, latterly, I think charcoal has been in free supply, and very large quantities indeed are used in Nairobi.

We have approached the Railways, in co-operation with the Forest Department, to make additional transport available for *kuni* movement. The Railways were in great difficulties over moving firewood, because not only do domestic requirements use a very great deal of transport, as hon. Members are aware, but also the East African Power and Lighting Company are very big consumers of wood fuel. All I can say is that the Railway have done everything they can to help, and I am grateful to them.

I think, Sir, I have said, enough to satisfy the hon. Members, especially the hon. Member for Nairobi South, who has been of very great assistance to us in connexion with our difficulties of supplying this town with firewood, and that the recommendations of the Committee have been followed up.

The hon. Mr. Nathoo pointed out that there were changed conditions now both as regards our cost of production and world prices, and he was anxious to be assured that we were not falling at a rate greater than we could replant. Well, I can assure the hon. Member that we are trying to keep that in balance.

The hon. Mr. Riddoch spoke about the advantages and disadvantages of a Commission. He suggested that one of the arguments that had been put up against the Commission, which we did not subscribe to, was the question that the Commission, if there was such a body, would lack appreciation of the importance of protection of forests. I see no reason why they should, and I do not think I, personally, made that suggestion.

The hon. Member for Mau, and I think the hon. Member for the Aberdare both suggested that it was unwise to be too

[The Member for Agriculture and Natural Resources] categorical or too inelastic in the demarcation of the forest boundaries for all time, and they both made what is a very logical suggestion, that provided we keep the same amount of land under forest cover, it might be found in the future that we might be far better advised to plant trees, to a greater extent, on what is now poor land not very easily used for other purposes, and possibly, in due course, open up good land now occupied by forests for farming and other activities.

Well, Sir, the hon. Member for Usin Gishu has, to some extent, given the reply which I was going to give. If we demarcate our forest boundaries, which it is my intention to do, they can always be changed, but only on a Resolution of this Council. Therefore, it is not entirely inelastic, but it does mean it is going to be extremely difficult for the people to infiltrate and bring pressure to bear for small excisions, to the extent that that is the case to-day. I think we should be unwise not to take the line that you have got to be fairly inelastic, especially in appreciating the fact that, if a change is required, it can be carried out, but only at top level following a Resolution of this Council.

Now as regards the argument that we should use some of the poorer areas in this Colony for reforestation of course I agree—we all agree—but I would point out it is not always as successful as people think. For some reason, which we do not quite appreciate, we are blessed with areas in Kenya especially, but also throughout East Africa, which are still covered with dense indigenous forests, more so than in any other part of East, Central or South Africa, and as the hon. Member for Usin Gishu pointed out, I think we must be very, very careful indeed before we upset nature too readily and imagine that we can, by the hand of man, put that forest growth where we think it should be and not where God put it.

I think the argument put up, to which I have already referred, for instance, the growing of pyrethrum in the forest areas, has also, to some extent, been answered by the hon. Member for Usin Gishu. It is reforestation that we are after in

most cases and not pure afforestation, and the conditions are rather different, but I do not want anybody to think that we are completely hidebound. We are seeking any methods which will help us to clear the forests in as cheap, and as satisfactory, a manner as possible.

It has been suggested that we might be able to abrogate the squatter system—change it entirely into one of paid labour. In other words, that all the people we have been employing in the forest as squatters should, in future, be paid on a ticket, and that the crops they grew—they would still grow crops in the way it has been done in the past, though possibly not only food crops—and the profits would go to the Forest Department. That has been gone into and is still being examined. Indeed, at the present time, due to the Emergency, we have large areas of forests in which the forest labour, at the moment at any rate, is being paid-on a ticket system. They are not allowed to have food *shambas*. But under the system suggested I would not myself be very optimistic that, under the conditions that are bound to pertain in the forest areas when the harvest came, we would find a tremendous lot of grain awaiting harvest for the benefit of the Forest Department—it is difficult enough to stop pilfering on farms.

The hon. Mr. Mathu put up a very understandable plea that he felt there should be an African on this Forest Advisory Committee. I also was going to point out to him what has already been pointed out, that we did appoint an African originally to the Forest Advisory Committee, and it was not a very great success. I will certainly take Mr. Mathu's suggestions and bear them in mind. There are African interests which would justify possible inclusion in due course of an African, who is occupied in the forestry business, who would know a sufficient amount about it to make his advice useful.

I am not going to commit myself beyond what I have already said in answer to a question that the composition of this Forest Advisory Committee will be one which we think is in the best interests of the industry and the country as a whole.

The hon. Member also suggested that some Africans, who were anxious to take

[The Member for Agriculture and Natural Resources] part in this industry, felt rather frustrated. Especially I think he quoted the Mau forests and a Masai company that was trying to operate in that forest.

Well, actually the position at the moment, as far as I know, is that apart from the very large number of Africans employed in mills, 81 licences have been issued to Africans in the forest reserves for various activities, chiefly pit-sawing, fence-post contracting and charcoal burning on a very large scale. Some of these contractors employ quite a large number of persons. I admit that since the Emergency we have had to—and quite rightly—be very strict indeed about contractors in forest areas. Certainly some of them were a very considerable source of danger, and at the moment we are pretty adamant about not giving any more licences.

There were recently two African saw mills at Naro Moru and Meru which bought up timber produced by African pit-saws. There are two mills run, I think, by Indian managers for the Masai in the Naro area. I understand that the Department is trying very hard to assist the particular company to which the hon. Member referred, and has tried to do so for some time past, without any very great success. I think there must be some misunderstanding, because it would appear that attempts are made to arrange meetings, suggest machinery or give advice, but people do not turn up. I think there is something going on that I do not quite understand. I will certainly go into the matter, but I do not think really the Department is in any way to blame. I think the blame is probably more likely to be on the other side.

The hon. Member, I think, also was rather disturbed by the suggestion of what he called district council control over forest labour. Well, Sir, I did allude to that in my opening remarks, and will only repeat what has already been said by other speakers, as well as myself, that it is quite unworkable for large labour forces on one side of an imaginary line to be under entirely independent control to labour on the other side of the line, which is employed by the farmers and so on, who will

not stand, certainly not after the experiences of the last two years, for a completely uncontrolled and possibly, as they think, unadministered, possibly danger on their boundary. (Hear, hear.)

I think, Sir, that we have got to progress and give local authorities adequate powers and responsibility, which I am sure will be exercised with reasonable discretion. At this stage, I would point out to the hon. Member that if unreasonable proposals as to rules and regulations are made, before they can be put into operation, they have to receive the approval of the Executive Council, so that even at this stage we still have a very large measure of Central Government control, which I think is justified, because we are still in the experimental stage. I personally have no fear whatever that if we give these local authorities a reasonable measure of authority, that we shall find that we are progressing, and indeed avoiding a lot of friction, quite unnecessary friction, which is to be found to-day.

The hon. Member for Usin Gishu covered a very wide ground and, frankly, I do not find myself, I think, differing from him in anything he said. He did dot the i's and cross the t's to something I said earlier in my opening remarks, that the difficulty of dealing with thinnings and poor quality of small timber that is now beginning to offer in very large measures, and I do hereby agree with him that in handling this problem you must be very careful not to spoil our name overseas just at a time when we are about to produce large quantities of first-class timber for export, and I think we must bear that in mind, and I agree that it is a matter that Government must take into account.

Mr. Deputy Speaker, I think I have covered the main points. I think this debate has served a very useful purpose. It has brought out a number of aspects which we will certainly take into account and all I would say, Sir, is that account to Council acceptance. I would commend to Council acceptance the Resolution which is that, in principle, they agree with the policy we have delineated in the White Paper which is before hon. Members. (Applause.)

The question was put and carried



## COMMITTEE OF WAYS AND MEANS

Committee of Ways and Means—  
Order for Committee read. Mr. Deputy  
Speaker left the Chair.

### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the  
Chair]

### MOTION

ORDINANCE TO AMEND THE INCOME TAX  
(RATES AND ALLOWANCES) ORDINANCE,  
1952

THE MEMBER FOR FINANCE AND  
DEVELOPMENT: Before moving the  
Resolution that stands on the Order  
Paper in my name, I would like to alter  
one phrase in accordance with the notice  
of amendment that I will be giving out  
at a later stage with regard to the Bill  
itself. In the last line of the first part  
of the Motion, occur the words "(second  
child's allowance)"; these words should  
read "(earned income allowance)". That  
is to rectify an error that has been made  
in the presentation of the Bill in the  
Motion.

I beg to move:

THAT, subject to the provisions of an  
Ordinance to Amend the Income Tax  
(Rates and Allowances) Ordinance,  
1952, and published in the *Official  
Gazette* on 3rd November, 1953, the  
non-resident primary allowance be in-  
creased from £160 (single allowance)  
to £180; £245 (married allowance) to  
£280; £60 (child's allowance) to £85  
and the fraction of one-fifth (earned  
income allowance) to two-ninths.

And the non-resident secondary  
allowance be increased from £100  
(single allowance) to £115; £155  
(married allowance) to £180 and £40  
(child's allowance) to £55.

As I explained in the financial state-  
ment, this is something which arises from  
the 1952 United Kingdom Finance Act  
which increased personal allowances and  
reduced initial rates of tax in the United  
Kingdom, thus making the revision of  
the East African non-resident allowances  
necessary unless those people were to  
suffer.

The adjustments now being made are  
intended to maintain, as far as possible,  
the same relationship between the Kenya

tax and the United Kingdom tax as ob-  
tained before the 1952 United Kingdom  
Finance Act.

The amount of revenue is small and I  
think is justified as a relief to the non-  
resident East African taxpayers.

Sir, I beg to move.

THE CHIEF SECRETARY seconded.

Question proposed.

THE CHAIRMAN: Before the debate  
commences, I would remind hon. Mem-  
bers of the Standing Orders relating to  
the Committee of Ways and Means—  
"All speeches on such Motions shall be  
limited to ten minutes except in the case  
of the Mover, who shall not be limited in  
the duration of his speech when moving  
the Motion or in reply, and except also  
in the case of one *Ex-officio* or Nomi-  
nated Member and four Unofficial Mem-  
bers, each of whom shall be entitled to  
speak for thirty minutes:

Provided that no Member shall speak  
more than twice on any Motion.

If no hon. Member rises to speak at  
all, I will put the question.

The question was put and carried.

THE CHAIRMAN: It will be convenient  
for us to take the other Motion now, be-  
fore going back into Council to report.

### MOTION

EXTENSION OF THE EXPORT DUTY  
ORDINANCE, 1951

THE MEMBER FOR FINANCE AND  
DEVELOPMENT: I beg to move that—

WHEREAS by virtue of sub-section (1)  
of section 8 of the Export Duty Ordina-  
nce, 1951, the Governor may by pro-  
clamation, with the approval of the  
Legislative Council signified by Resolu-  
tion, declare that the Ordinance shall  
continue in operation until a date to  
be fixed in such proclamation.

And whereas it is expedient that the  
Ordinance should continue in operation  
until the 30th day of June, 1954.

Now, therefore, be it resolved that  
this Council approves of the continua-  
tion in force of the Export Duty Ordina-  
nce, 1951, until the 30th June, 1954.

I do not feel it is necessary to say very  
much on this particular Resolution. The  
principles thereof have been discussed on  
this Council on several occasions—a

[The Member for Finance and Develop-  
ment]  
number of Members have agreed with  
the principles, a number of Members  
have disagreed—and an Ordinance has  
been brought into force. I will only say  
that hon. Members will notice that in  
this particular case, the extension of the  
life of the Ordinance is parallel with the  
Finance Budget now presented to the  
Council.

Question proposed.

MR. BLUNDELL: Mr. Chairman, I rise  
to oppose the Motion. I am not going to  
delay the Council in arguing the details  
of my objection to this tax, I merely wish  
to record that none of the original ob-  
jections have in any way been altered by  
the passage of time. It is, as the hon.  
Member knows, discriminatory against a  
certain section of industry only. It falls  
equally on the efficient and the inefficient  
alone. It was based on a false premise  
called, erroneously, the Budget of Two  
Gaps, neither of which two gaps  
eventually appeared.

I can give an actual instance of the  
farious way in which the tax falls upon  
various estates as follows: I have the  
actual accounts here of a sisal estate  
which contributed in the year just con-  
cluded £4,140 in export tax; they made  
a net profit of £5,900, in other words, the  
export tax was very close to 100 per cent  
of the net profit. There was no such in-  
tention when the export tax was intro-  
duced. I do submit that, as this tax was  
brought forward under circumstances  
which subsequently proved false, as the  
Member for Finance himself quite openly  
admitted, due to the inadequacy of  
arrangements in his own Department for  
the assessment of likely income coming  
to the country and the movement  
generally of our financial economy, that  
he should reconsider the whole implica-  
tion of these taxes before he presents a  
Budget to us in June, 1954.

I would submit that in such considera-  
tion we must realize that the circum-  
stances have altered. The expected Bud-  
get of Two Gaps which was false has  
now arrived in a different form, which is  
the Budget of the Large Emergency Gap.  
Therefore, it is quite illogical to place too  
much reliance on the removal of this tax  
because of the original two gaps not

appearing, but it does seem to me that  
the hon. Member should devote that very  
nimble, agile financial mind of his to an  
examination whereby this tax should be  
used as a method of meeting the various  
economic structures of a country whose  
economy varies from an intense western  
economy to that of a very primitive un-  
developed peasant one. In other words,  
our tax structure has somehow or other  
to meet the production of the big busi-  
ness baron as well as the Turkana going  
along with his hair in a pigtail covered  
with red ochre. It does seem to me in a  
tax of this nature, suitably adjusted,  
which might be married in some way to  
the incidence of income tax, the hon.  
Member might produce what is called a  
fiscal instrument that might meet my ap-  
proval. Up to date, I will continue to  
oppose this tax for the reasons I have  
given. It is discriminatory, it is unfair,  
it is penal of developing industry and I  
can really see very little reason for its  
continuance.

GROUP-CAPT. BRIGGS: I would like to  
support all that the hon. Member for  
Rift Valley has said on this point. I be-  
lieve that the export tax was an imported  
idea from Tanganyika, but I believe in  
Tanganyika they have made a very wise  
provision and that is that, if the price of  
sisal falls below a certain figure, then  
export tax is not payable.

THE MEMBER FOR FINANCE AND  
DEVELOPMENT: It is exactly the same  
here.

Mr. Chairman, I think the hon.  
Member for Mount Kenya was  
apparently not aware that, indeed, there  
is a provision in this country where, if  
the price of any article falls below a  
certain level, no tax is payable. Indeed,  
the hon. Member will see that no tax is  
expected to be received from the sisal  
industry during the present period be-  
cause the price level is below that which  
was assessed. I think, therefore, a lot of  
the opposition of the sisal industry is  
based on principle and not on fact—that  
they will not be paying anything in this  
particular financial period.

I cannot, of course, agree with a lot of  
the statements of the hon. Member for  
Rift Valley, but, as I have said before,  
we have had these battles across the Floor  
of this Council and the principle has been  
held by this Council and accepted.

[The Member for Finance and Development]

I do, however, take full note of his remarks and now that we have, I trust, an economic research division beginning to work in the Treasury, I hope to be able to produce far more accurate figures in future. For the time being, Government must ask that this Motion be accepted. (Applause.)

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report back to the Council its consideration of the two Motions on the Order Paper, and its adoption thereof without amendment.

*Question proposed.*

The question was put and carried.  
Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that two Motions standing in the name of the Member for Finance and Development under Order 6 have been considered and approved without amendment.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that Council doth agree with the Committee in the said Resolutions.

THE CHIEF SECRETARY seconded.

*Question proposed.*

The question was put and carried.

THE DEPUTY SPEAKER: Business will now be suspended for the customary break of fifteen minutes.

Council adjourned at fifty-five minutes past Ten o'clock and resumed at twenty minutes past Eleven o'clock.

THE INCOME TAX (RATES AND ALLOWANCES) (AMENDMENT) BILL

Order for Second Reading read.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that the Income Tax (Rates and Allowances) (Amendment) Bill be now read a Second Time.

This, Sir, is of course, a formality in view of the fact that, in the Committee of Ways and Means, the Committee and

the Council has already passed the principle and the loss of revenue being incurred.

I would like to give notice, Sir, at this stage, however, that, in the Committee stage, I shall move an amendment that the words "second child's allowance" in parentheses in sub-paragraph (iv) of paragraph (a) of clause 3 be deleted and that the words "earned income allowance" be substituted therefor.

Sir, I beg to move.

THE SECRETARY TO THE TREASURY seconded.

*Question proposed.*

The question was put and carried.

THE SUPPLEMENTARY APPROPRIATION (1952) BILL

Order for Second Reading read.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that the Supplementary Appropriation (1952) Bill be read a Second Time.

This is, of course, Sir, again a Bill treated by the Council as a formality and its object is to legalize expenditure incurred during the year 1952 in excess of that authorized under the Appropriation Ordinance, 1951, and most, of course, of this expenditure has already been referred to the Council and passed.

I beg to move.

THE SECRETARY TO THE TREASURY seconded.

*Question proposed.*

The question was put and carried.

THE SPECIFIC LOAN (COLONIAL DEVELOPMENT CORPORATION) BILL

Order for Second Reading read.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that the Specific Loan (Colonial Development Corporation) Bill be read a Second Time.

Earlier this year, Sir, this Council passed the Housing Ordinance which established a Central Housing Board and a Housing Fund under the control of this Board. The purpose of the Bill now being submitted to the Council enables the Government to borrow a sum of

[The Member for Finance and Development]

£2,000,000 from the Colonial Development Corporation to lend to the Board to enable it to fulfil its purpose of rapid improvement in African housing in the Colony, particularly in its urban areas.

I am sure it is not necessary for me to say how urgently money is needed for this purpose. How fortunate we are indeed to have found an additional source of money which will enable the building of African housing to proceed apace. I think there is only one point I would like to make, Sir, and that is that the exemption from stamp duty is, of course, in line with exemption given on all Kenya development loans which are raised in London.

Sir, I beg to move.

THE SECRETARY TO THE TREASURY seconded.

*Question proposed.*

The question was put and carried.

THE SPECIAL TAX (TEMPORARY PROVISIONS) (AMENDMENT) BILL

Order for Second Reading read.

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, I beg to move that the Special Tax (Temporary Provisions) (Amendment) Bill be read a Second Time.

I think, Sir, that hon. Members will find the intentions of this Bill clearly set out in the Memorandum of Objects and Reasons. They are threefold, to impose tax on Embu and Meru in view of the development of subversive Mau Mau activities in those areas, to enable district commissioners to exempt sections of the community as well as individuals so that sub-locations or even locations may be exempted in areas where has been shown the marked loyalty and co-operation in resisting Mau Mau infiltration, and to bring the date payable into line with ordinary poll tax for administrative convenience.

I beg to move.

THE CHIEF SECRETARY seconded.

*Question proposed.*

MR. GIKONYO: With your permission, I have only one point which I want to raise in this connexion, Sir, and that is the question of exemption. I know that

it is provided in the principal Ordinance. I would like to know whether these exemptions are being given to those who are entitled to have them, because at the moment I find in Nairobi that everybody who passes in the streets is asked for a receipt for a special poll tax and there are quite a lot of what I call loyal Africans. I do not know whether they have got their exemptions, that is the point I wanted to raise in this connexion.

MR. TAMENO: Mr. Deputy Speaker, I would like to ask whether it is not a fact that Embu are coming more forward to help the Government, whether this would be fair if they are also to be taxed?

THE DEPUTY SPEAKER: No other hon. Member wishing to speak, I will ask the hon. Member to reply.

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, Sir, if I may answer the hon. Mr. Gikonyo, I think it is a difficult thing sometimes to decide. There may be a variety of opinion as to who is entitled to exemption from this tax. I know it is the policy of the district commissioners charged with this exemption to take a strict line in the interpretation of loyalists who are entitled to it—only those who have given active loyal support. Some of them may be active loyalists who have been the victims of Mau Mau outrages or the foundation leaders of the Kikuyu Guard Unit; indeed I do not think that one can say that all members of the Kikuyu Guard have been found to be active loyalists—some of them have had to be severely purged.

No one can be quite certain who should be granted this exemption, although certain Kikuyu guards who have recovered weapons or performed well in battle have been granted this exemption. But I know that every consideration is given, but only on a strict interpretation of proved loyalists. I do not know whether that answers the hon. Member, but I think it covers the policy in this matter.

With regard to the points raised by the hon. Mr. Tameno, I am afraid I cannot agree with him that Embu in large numbers are turning in favour to the forces of law and order, or bringing in information in adequate quantity. I

[The Member for African Affairs] cannot agree with his point that we should exclude Embu from this.

The question was put and carried.

#### COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair.]

#### MOTION

##### EMERGENCY EXPENDITURE—£500,000

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, Sir, I beg to move: BE IT RESOLVED that a sum of £500,000 be allocated to meet expenditure arising from the State of Emergency.

I would like to point out at this stage to hon. Members opposite, in so far as the next financial period is concerned, that they will have no Motions of this kind on which to use as debate for Emergency factors because they have, indeed, in the Budget already passed the Vote for the next six months. I do not propose to keep the Committee very long in this matter. I have already laid on the Table of the Council a statement of the expenditure for the period 31st October, 1952, to 31st October, 1953, a statement which I think is self-explanatory.

Hon. Members will, of course, know that that represents "expenditure" but does not represent expenditure which has been "authorized". It is only expenditure actually incurred and we have undoubtedly quite a number of bills accruing up against us from the Military. We received from the Military Claims Nos. 3 and 4 relating to Military Expenditure in April and May which total about £50,000, so that, hon. Members will see how far we are behind in the rendering of Military accounts. There is consideration going on as to the basis upon which the Military transport will be charged to us, and the formula for calculating the exact cost of War Department transport has not yet been agreed upon. This is indeed likely to be one of our heaviest recurrent items of expenditure. So, I must warn the Committee that Military claims are likely to increase both

in number and in size. We have not yet had our claims submitted for extra cost of having and operating in Kenya the Harvard or Lincoln bombers which are in use. In the circumstances, Sir, I consider it a wise precaution to ask this Committee for an additional half-million pounds so that we shall not finish the year with the Emergency Fund in deficit.

I will do my best to answer any questions that hon. Members have. I would like to anticipate one remark which might be made by saying that I am still far from satisfied that the demands for expenditure are subjected to critical scrutiny at the source that they should, and that there is still a tendency, I think, to forget that this Emergency has two aspects, the physical and the economic, and that in so far as the economic side of this struggle is concerned, it is important that people should realize that the economy and finances of the Colony will not provide for every risk to be insured against and that, indeed, there are some dangers and risks which must be taken because our manpower and our money are not sufficient for us to be placed, in every instance, in a one-hundred per cent safe position.

Sir, I beg to move.

#### Question proposed.

MR. HAVELOCK: I do not want to launch into a long debate on the policy of the Emergency. The hon. Member has warned us that it is not really the reason for this Motion, but, on the other hand, we have not had the opportunity to discuss it properly. I hope that there may be a Supplementary Estimate coming off in February when we can review the period between now and then. The actual points raised by the hon. Member in moving—I would like to touch on first of all this matter of Military transport. I realize, of course, that going to and fro in Military lorries is to the benefit and advantage of the Security Forces. I should like to remind the hon. Member also that for a number of years the Military have paid no licences—licence money—nor have they paid anything on consumption tax for petrol towards the up-keep of our roads. That has been considered by the Treasury, I believe, as a legitimate contribution of the Colony towards the Military, but, of course, it is a hidden

[Mr. Havelock] contribution and one, I think, which should now come out into the open. It should be shown how much we have contributed towards the Military in the past year and, indeed, now. I would like to ask the hon. Member, as regards the employment of Harvards and Lincolns. What is the principle on which charges may be made to Kenya for these aircraft? Is it not a fact that wherever they might have been stationed, they would have been operating anyway? Are there not some grounds, therefore, for sympathetic consideration by the Air Ministry as to the charges they make against Kenya?

The hon. Member raised a matter of extreme importance when he said he was not still satisfied entirely on the critical examination that is taken at the source on the expenditure of Emergency measures. I would like to ask the hon. Member—has he in mind any different system whereby such critical examination could take place? I realize that it is a difficult subject and the last thing we want is to in any way impede the operation of the Security Forces in order to bring the Emergency to an end as soon as possible, but, on the other hand, we fully appreciate the point made by the hon. Member for Finance and Development that our problem is two-fold: that of dealing with terrorists and rebels and that of keeping our finances in order. I would like to say that I am not satisfied either on the control of expenditure under the present system, and I hope the hon. Member has ideas, and there is sympathy in other quarters, towards a new system that will provide what he has asked for—a more critical examination of the expenditure.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, the hon. Mr. Havelock has raised a point about the Royal Air Force. I think, Sir, I must remind him of what I said at first, that this is the extra cost of having and operating in Kenya the Harvards—because it is the extra cost over and above what I might call peace-time stations in other areas. With regard to the question of another system I have given very serious thought to that. I have tried to do nothing that would hinder the quick operation of the Emergency Security Forces. I think that a great responsibility

must rest upon the District Emergency Committees in this regard who should, I think, have a very, very careful review of the cost of any measure before they recommend it, despite what, at times, I realize, may well be regarded as justifiable pressure from underneath to put a scheme into operation. I think one must look to the District and Provincial Emergency Committees to be the first line of economic defence in this matter, and I do appeal to the people of these Committees to bear that particular point of view well in mind when they are discussing and recommending measures. We are pressing more and more, Sir, for Heads of Departments and members of the Government to subject to critical scrutiny the demands for expenditure which come through their offices, so that we hope for a tightening up there. I think we must, for the time being, go on with the present rather difficult system, but I think the hon. Member for Kiambu knows well enough that I am thinking very seriously of the fact that if there can be no improvement in the near future, the answer, I think, must be to set up something in the nature of a Standing Finance Committee at which all races will be present to deal purely with the Emergency expenditure so that the personal responsibility will be lifted from my shoulders and it will be a matter for consideration by a group of Members of this Council. It will, however, prove to be a delaying factor, and I am anxious to avoid it, and it is for that reason that I keep pressing upon the people concerned the need for them to recognize the economic aspect of the struggle in which we are concerned.

THE CHAIRMAN: If no other hon. Member wishes to speak, I will put the question.

The question was put and carried.

#### SUPPLEMENTARY ESTIMATES OF EXPENDITURE OF THE COLONY AND PROTECTORATE OF KENYA No. 8 OF 1953

—PART I

THE MEMBER FOR FINANCE AND DEVELOPMENT: Supplementary Estimate of Expenditure No. 8. I propose to follow the usual custom of moving the Resolutions in three parts.

I beg to move—BE IT RESOLVED that a sum not exceeding £320,953 be granted to the Governor, on account, for or

[The Member for Finance and Development] towards defraying the charges of Supplementary Estimates of Expenditure No. 8 of 1953, Part I:

Question proposed.

Serial Nos. 1 to 6 agreed to.

Serial No. 7

MR. HAVELOCK: I do not think that 7 can be allowed to pass without some reference to the most extraordinary position outlined in the notes under Serial 7 (b). It really does seem an incredible position. If this had happened in the commercial world someone would have suffered very badly for it. It was this matter, Sir, of an option to a certain company which had been overlooked and, therefore, compensation had to be paid to them.

THE MEMBER FOR COMMERCE AND INDUSTRY: In replying to the hon. Member, Mr. Chairman—we are under certain difficulty in that the then Managing Director of the Industrial Management Committee in 1943 when the Agreement was reached is dead. The then Chairman of the Industrial Management Committee, Sir Charles Lockhart, has now been retired for many years; of the present Members of the Industrial Management Corporation which is the successor of the Industrial Management Committee, I think only one of them, I am not quite sure of that, was a member of the Board at the time the agreement was reached. Now, Sir, when this claim was made by the late Sir Charles Markham, a great deal of research was required to get at the facts of the position. There was the difficulty that Colonel Griffiths had died just before that time—and as I explained none of the members of the Board, with the possible exception of one member, had any recollection of the transaction or had been a member of the Board. I myself was not in the country at the time of the 1943 Agreement, and Sir Charles Lockhart had left the country. We went through the files and papers and we came to the conclusion that there was a case. Now, the question then arose as to whether this case should be fought in the courts. We were advised that, and of course a legal opinion is not a decision, that there was a case but, on the other hand, we were not to agree in any sense to the original claims of the

late Sir Charles Markham. Under the Agreement there were certain ambiguities in it. As a result of further discussions, the sum in settlement and final compensation was a sum agreed between the representatives of the late Sir Charles Markham and the representatives of the Industrial Management Corporation as the successor of the Industrial Management Committee. There has been in this matter, and I agree with the hon. Member for Kiambu, the unfortunate fact that, largely owing to the death of people concerned, including the persons who had drawn up the original Agreement, and the absence of the then Chairman of the Company from the country, there was the unfortunate combination of circumstances, that the existing officers of the Industrial Management Corporation's attention was not drawn to the existence of this Agreement of 1943 of which they were not aware. That is the explanation. I agree with the hon. Member for Kiambu that it was unfortunate in every respect and I can only say that mitigating circumstances that explain the mistake, because mistake it was, were due to death and the complete change in personnel on the Board and, moreover, death which caused the change in the officers of the Board who normally would have drawn the attention of the Board of Directors to such an Agreement.

MR. MACONOCHE-WELWOOD: I wish to raise a point on Serial No. 7 (a) if it is still in order to do so. I thought the hon. Mr. Havelock was going to mention 7 (a) but he spoke on 7 (b). I would like to ask under 7 (a) why mutton was ever imported into the country? It seems to me a most serious thing to import mutton into the country when most of the land in the African areas and some in the European areas have been destroyed because of the excessive number of sheep.

MR. BLUNDELL: I would further like to ask on this particular item whether or not I am correct in deducing that mutton so imported was more expensive than the mutton supplied locally?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: As far as I can remember, there was very considerable pressure brought to bear by the butcher and consumer for the importation of Australian mutton, it was allowed and it

[The Member for Agriculture and Natural Resources] was disappointing when it arrived, as far as I remember. If the hon. Member would like a statement of how this arose, I will be very happy to make one—I am not in a position to reply at the moment.

MR. BLUNDELL: If I am right in assuming mutton was more expensive than lamb and mutton locally, may I again convey the thanks of Council to the African and European mutton and lamb producers for their contribution to the economy of the country.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I do not think the housewives would agree with that. They thought our lamb was of such poor quality that they wanted delicious morsels of lamb from another country and when it came it did not prove so nice.

MR. MACONOCHE-WELWOOD: Why is it that the Meat Commission is responsible? Was it their wish or was it the wish of the housewives?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: At that stage there were so many grumbling, that the Meat Commission agreed that it would be wise to allow this one importation, but, I repeat, I only remember vaguely the circumstances.

MR. HAVELOCK: Arising out of Mr. Blundell's question, does the hon. Member for Agriculture and Natural Resources really accept the principle that local prices must be tied to the cost of importations?

MR. BLUNDELL: I did not say that. I merely asked for our thanks to be conveyed.

THE CHAIRMAN: Does any hon. Member wish to comment further on any sub-item under serial No. 7?

No. 8 agreed to.

No. 9

MR. BLUNDELL: I would like, Mr. Chairman, if the hon. Member would tell me how much of this loss is attributable to deterioration and how much to loss. Now, I do so, because, for the last three years, the Public Accounts Committee has drawn attention to the inadequacy of control of this stock. As far as I know no effort whatsoever has been made by the people in whose care the

stock was placed to look after it adequately. If it is so, I think Council should be aware of the fact. As Chairman of the Public Accounts Committee I would like to record that we are very dissatisfied with this item that has appeared three years running in the Audit Report. If there is an element of loss in this figure as well as deterioration, I do not think it is a fair charge. It should be charged to the agents in whose care the fertilizer was placed.

THE SECRETARY TO THE TREASURY: Mr. Chairman, Sir, the loss of this stock of phosphates arose because of the conditions under which it was stored. There was loss in quantity which arose from the disintegration of the phosphate. There was also loss in quality which arose from the same reason. I cannot attribute any part of the loss in quantity to any action other than disintegration. The agents of the Government were asked, some three years ago as Mr. Blundell said, to take steps to check the amount of stock and to ensure that it was maintained in a better condition. Unfortunately, by that time the disintegration had set in and there was no possibility of making any real saving. Attempts were made to reduce the loss by sales at reduced prices, some of that loss is covered by this amount now under vote. It was an unsatisfactory arrangement and the blame must attach, to some extent, to the agents who possibly were not well versed in the storage of that commodity and were unaware of the danger due to exposure to damp.

MR. BLUNDELL: Thousands of tons a year? I only want to record, if you do not know the danger of damp to fertilizer through exposure by now, we had better give them an example.

THE SECRETARY TO THE TREASURY: The agents were commercial agents and I had to assume that their apparent failure to keep the stock in good condition was due to lack of knowledge of that fertilizer.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I would like to say something about this. It is very easy to be wise after the event. This particular fertilizer, if this is the fertilizer I am referring to, was imported at a time when we were in the middle of war and no other fertilizer was available. We knew

[The Member for Agriculture and Natural Resources]

it was not up to standard and we knew the conditions under which it would have to be stored were unsatisfactory. But it was better than nothing and much more used. Thereafter we did our very best to induce consumers to buy the residue of this fertilizer as and when things got better and we were able to import and indeed get better local fertilizer. This was in the early days of Tororo rock phosphate and it was very variable indeed in quality. At the end we found it almost impossible to dispose of the residue—the bags did rot and I went up myself twice to see what could be done about it. But I must say, when you think of the circumstances of the time, this is not really a loss for which you should blame anybody, despite what has been suggested in this debate.

Nos. 9-18 agreed to.

No. 19

MR. HAVELOCK: I see here an explanation for this item "As a result of delays in the preparation and audit of the Mombasa Municipality accounts the final amounts due for the years 1947-1951 have only recently been agreed, etc." Are there any particular reasons why there were great delays? Is the system now improved so that there are not any further delays?

THE MEMBER FOR FINANCE AND DEVELOPMENT: I think the system has now been improved but we cannot guarantee that there will be no further delay.

Nos. 20 to 28 were agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES OF EXPENDITURE OF THE COLONY AND PROTECTORATE OF KENYA No. 8 of 1953—PART II

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £17,055 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 8 of 1953, Part II. This Part, Sir, refers to the Civil Contingencies Fund.

Question proposed.

Serial No. 28

MR. BLUNDELL: Mr. Chairman, the normal practice for oxen of this sort is to buy them young, work them for four years and then sell them to the Meat Commission. If that practice were adopted by the Administration, this charge would not then appear in the accounts of the Colony.

Serial Nos. 29 to 33 agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 8 of 1953—PART III

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £1,341 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 8 of 1953, Part III.

This, Sir, is a re-vote.

Question proposed.

Serial Nos. 34 and 35 agreed to.

The question was put and carried.

SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 9 of 1953—PART I

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that:

BE IT RESOLVED that a sum not exceeding £31,860 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 9 of 1953, Part I.

Question proposed.

Serial Nos. 1 to 5 agreed to.

Serial No. 6

MR. MACONOCHE-WELWOOD: The loss incurred by the East African Airways on certain uneconomic services—I should like to ask whether those losses were not, in fact, caused by using aircraft which could not be economically run on the Kitale-Eldoret service, and whether we could be told whether the East African Airways are going to purchase, or have purchased, more suitable aircraft, because

[Mr. Maconochie-Welwood]

I understand that they use these very large aircraft which could not possibly be economic, except under a full load—which they never got—because of a strong prejudice against using single-engined aircraft.

THE MEMBER FOR COMMERCE AND INDUSTRY: Well, Sir, I will give the answer to the last part of the hon. Member's question first. I understand that the East African Airways Corporation is seeking to provide aircraft suitable for their various types of routes. The problem is one facing all airways corporations. That is, that variations in the type of machine are reflected in increased cost of maintenance and in increased cost of carrying spares, and also the factor of the full employment of machines enters into the picture. It is not therefore possible to say that losses on a particular route are due to the employment of a particular type of aircraft beyond certain limits.

I could, of course, agree with the hon. Member that, if it is necessary for a period to use aircraft that are very large on routes where the passengers often are not very large in number, then there is a debit on that particular route. Undoubtedly, if it were possible to account for that particular route by using small aircraft that would be fully loaded—or nearly fully loaded—on every trip, there would clearly be less loss, but set against that saving would be money locked up in the provision of spares for those particular aircraft which might not be suitable for routes where more passengers were offering than they could carry. It would either mean flying two aircraft or refusing passengers and, secondly, the fact of different maintenance on different types.

However, I can say that the East African Airways Corporation has got that factor very much in mind, and is making endeavours to find suitable machines. There is always, however, the element I have referred to. I could not accept the hon. Member's suggestion that the loss on that route was due entirely to the factors he mentioned, but I would agree with the hon. Member that that is a consideration, but what precisely would be the overall effect on the Cor-

poration would be a matter for experiment, if and when both types of machine were in service after a long period, and both types of machine were economically and suitably adapted for their use.

MR. HAVELOCK: Could the hon. Member clarify, Sir, for me the notes on Serial No. 6? Does it mean that in future we will not have an extra charge for the Nairobi/Kitale service, but that it will all be included in the general payment which we have to make?

THE MEMBER FOR COMMERCE AND INDUSTRY: Provided the Corporation found that within the limits of finance made available by this Council, and the Legislative Councils in other territories, it could carry on that particular service, and wishes to do so in terms of its charter, then there would not be a separate charge except under special circumstances, in which case a separate sum would be brought to account, if Council agreed.

MR. HAVELOCK: Have other territorial Governments paid specific sums for specific purposes in the past and, if so, what?

THE MEMBER FOR COMMERCE AND INDUSTRY: The answer is that the specific territorial Governments have paid sums relating to the provision of uneconomic services within the territories. I can give the hon. Member the sums paid by those Governments in respect of any services he wishes, but I would need to have notice, because I was not prepared, but I shall be very happy to provide those figures for him.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I would like to say specifically as far as the Nairobi/Kitale route is concerned, that as from the 30th June as is stated in the memorandum note—this service has been included in the Corporation's general services in a specific agreement.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 5 of 1953—PART I

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move: BE IT RESOLVED that a sum not exceeding £386,311 be granted to the Governor, on account, for or towards

[The Member for Finance and Development] defraying the charges of Development Supplementary Estimates of Expenditure No. 5 of 1953—Part I.

*Question proposed.*

Serials Nos. 1 to 11 agreed to.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 5 OF 1953—PART II

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move: BE IT RESOLVED that a sum not exceeding £46,770 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 5 of 1953—Part II. This is the Civil Contingencies Fund.

*Question proposed.*

Serial Nos. 12 to 16 agreed to.

The question was put and carried.

DEVELOPMENT SUPPLEMENTARY ESTIMATES OF EXPENDITURE No. 5 OF 1953—PART III

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move: BE IT RESOLVED that a sum not exceeding £41,514 be granted to the Governor, on account, for or towards defraying the charges of Development Supplementary Estimates of Expenditure No. 5 of 1953—Part III. This, Sir, is the re-votes part.

*Question proposed.*

Serial Nos. 17 to 19 agreed to.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report to Council its consideration of the Motions on the Order Paper, and its adoption thereof without amendment.

*Question proposed.*

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

## REPORTS

SIR CHARLES MORTIMER: Hon. Members, I have to report that the items appearing under Order No. 11 have been considered by the Committee of Supply and have been approved without amendment.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Council doth agree with the Committee in the said Resolutions.

*Question proposed.*

The question was put and carried.

## MOTION

BUDGET AND OPERATIONAL PLAN OF THE EAST AFRICAN AIRWAYS CORPORATION FOR THE YEAR 1954

THE MEMBER FOR COMMERCE AND INDUSTRY: I beg to move:

BE IT RESOLVED that this Council take note of the budget and operational plan of the East African Airways Corporation for the year 1954, entailing an estimated loss of £47,639, and note further that the budgeted loss is likely to be increased by reason of the payment of cost of living allowances at a level higher than covered by the budget.

Kenya Legislative Council approved the provision of £39,186, as being Kenya's share of making good the operational losses incurred by the East African Airways Corporation up to the end of 1951. This sum—£39,000 odd—was to pay the balance of the full loss incurred in running the uneconomic services in accordance with section 20 of the East African Territories' Air Transport Order in Council. The £9,320 is the Kenya share of the Corporation's general working loss based on the old proportion.

The provision of £17,638 is in respect of Kenya's contribution to the Corporation's estimated losses in 1953 has been included in the Votes which have been passed.

MR. HAVELOCK: Well read! (Laughter.)

THE MEMBER FOR COMMERCE AND INDUSTRY: Thank you. (Laughter.)

As a result of the decisions taken at the Financial Secretaries' Conference held in Dar es Salaam in September, it is hoped that it will be possible to change

[The Member for Commerce and Industry] the basis of allocation towards our point of view, and to put it on a more satisfactory basis.

The Resolution that is before Council at the present time relates to the Corporation's estimated loss for 1954, which it is hoped will be possible to allocate on the revised basis. Copies of the Corporation's budget and its operational plan for 1954 have been circulated, and a loss of £47,639 is estimated, to which it has been necessary to add an estimate of £14,000 for additional cost of living allowance, since the original estimates were prepared. This is in line with the cost of living allowance granted to the employees of the various Governments and self-accounting services—for instance the Railways and the Post Office, East African Airways Corporation therefore come in on the same basis.

The Motion that I am moving is to warn the Council of what we estimate will be the loss incurred, and it is to give the Council an opportunity to comment on it at this stage. It will, of course, be necessary to come to Council again. It may be of interest to hon. Members if I quote figures relating to the loss of comparable corporations engaged in air traffic in Africa. Central African Airways made the following losses: For the year ending 1950 the loss which had to be met by the taxpayers was £172,163. For the year ending 1951 the loss which had to be met was £135,000, and for the year 1952 the loss was £108,000.

Now, Sir, that represents the cost of providing an essential service for Central Africa, just as the deficiencies in the operation of the East African Airways represents the cost to the taxpayers of providing essential services here. The comparable figures for 1951, 1952 and 1953 for the East African Airways were £76,000 loss in 1951, £74,000 in 1952 and £47,000 estimated for 1953.

I think a point worth mentioning is the loss incurred by West African Airways. Their experience is not quite as comparable as operations in Central Africa, but the loss is of interest. In 1950 the loss was £89,000—in 1951 it was £245,000—and in 1952 it was £145,000.

Now, Sir, while it is an ungrateful task to come to this Council and refer to the

losses incurred by a Corporation such as East African Airways, I have no hesitation whatsoever in commending what I consider to be an important achievement to hon. Members, which is that, working under difficulties—to which earlier the hon. Member for Uasin Gishu referred—working under difficulties which have to do with the provision of services in the more remote parts of these territories, which are essential because other transport is not available. I believe that the East African Airways is providing a service that is efficient, courteous and safe—(Hear, hear)—and I believe that we should be quite prepared not only to meet this loss, as it is our obligation to do, but also to be ready to do so with generosity and appreciation of the work done by the Corporation.

I think in closing I would like to refer to the safety record of the East African Airways. So far, their record has been remarkable. I am advised that it is permissible to refer to the safety record in general terms.

MR. BLUNDELL: I think it is tempting providence, that is all.

THE MEMBER FOR COMMERCE AND INDUSTRY: Perhaps the hon. Member would like me to stop! But I do believe that the efforts of the maintenance staff, the skill of their pilots and the conscientious, skilful way in which they have operated up to date has resulted in a very fine record, and I am sure that every hon. Member will join me in a prayer that this record may continue. (Hear, hear.)

THE MEMBER FOR FINANCE AND DEVELOPMENT seconded.

*Question proposed.*

MR. HAVELOCK: Mr. Deputy Speaker, I would like to start by congratulating the staff of the East African Airways for providing the extremely good and pleasant service we use. (Hear, hear.)

Now, the remarks of the hon. Member on which I should like to ask him a few questions—we are told, and are asked to note in this question that there may be a note in this question that there may be a note in this question for cost of £47,639 loss, plus £14,000 for cost of living allowance, but I do not think—unless I missed it—that the hon. Member gave us any hint as to what proportion of that money Kenya would have to pay. I



[Mr. Havelock] think I am entitled, Sir, to clarification of the point referred to in the debate we have just had in Committee, where the proportion mentioned there of Kenya's share was eight-twenty-firsts. I do not know if that proportion is going to be the same proportion if that proportion is going to be the one which is used in this regard, but, whatever the proportion is, I should like to refer to the budget which has been laid on the Table of the East African Airways Corporation, and especially to the page which refers to "Anticipated Route Results", which is, I think, on the second page of the budget.

Now, Sir, these routes are grouped in five different groups. The first one, Kenya-Tanganyika (Interterritorial) Coastal Routes, shows an overall gain or profit. The second one, Central Routes, includes Nairobi-Dar es Salaam via Arusha, Moshi, Mombasa, Tanga and Zanzibar; and also Nairobi-Musoma-Mwanza; and also Nairobi-Dar es Salaam via Tabora, Urumbo, Mpanda, Mbeya, etc., etc. In fact, from Nairobi to Tanganyika and back. That shows an anticipated loss of £20,000.

We then go to the next group, Kenya-Uganda, and it shows a profit of £1,500 odd. The fourth group, Tanganyika Internal Routes, which, as I work it out, shows a loss of £28,000 and General, which is the route down to Durban, shows quite a considerable profit.

Well, Sir, it seems to me that the routes which are serving Tanganyika—both internally and from Nairobi—provide the loss which we are asked to take note of: £20,000 for the central routes and £28,000 for the Tanganyika routes, and we are asked to take note of the overall loss estimated at £47,000.

I wish to bring these figures to the notice of Council, and to have them on record, as I understand from the hon. Member's speech that there are negotiations going ahead as to what share each territory will pay, but, from Kenya's point of view, and from the figures put before us, it would seem to me that possibly 100 per cent of the subsidy should be paid by Tanganyika. If, in fact, that is the proportion. If it is not 100 per cent to Tanganyika, and we in Kenya do pay something, I do not say we should refuse to pay, be-

cause contact with Tanganyika is of advantage to Kenya; but whatever we do pay is, I think, a pretty generous gesture on our part, even if it is only a few pounds.

I was interested to hear the comparative figures the hon. Member mentioned of other air lines, but, of course, I have no idea what mileage the other air lines travel. Central African Airways' mileage might be less than ours.

THE MEMBER FOR COMMERCE AND INDUSTRY: Central Africa is slightly less than ours.

MR. BLUNDELL: And Nigeria?

MR. HAVELOCK: That, then, brings it into the picture. I repeat, I should like the hon. Member to give me a reply on the figures quoted. First, what is the situation at the moment and, secondly, what is his opinion of the figures I have given him according to the Estimates, and according to the responsibility of each territory. (Applause.)

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, I am not sure if my hon. friend, the Member for Kiambu, made the point I wanted to make or not, because it is a little obscure—(Laughter)—that is, on what basis certain services are paid directly by a territory, and on what basis certain services are overall.

I raise that because the hon. Member for Commerce and Industry knows as well as I do the appalling drain on this country of subsidizing every form of transportation in Tanganyika. We have been misled into taking over their derelict railways, which we are now trying to put in order; and, in addition, we have taken over their derelict road services, which my hon. friend and I will discuss probably in another place; and now we have got to run uneconomic air services in that bare Territory at our own expense.

MR. J. S. PATEL: Mr. Deputy Speaker, I would like to know what method of control over expenditure we have over the Airways and how, at a time when there is every necessity for economy in this Colony, whether we cannot make any economies in the offices of Airways, because there are so many private agents catering for this service in Nairobi—whether the staff could not be reduced or whether we need two central offices?

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I would like to cover one or two important points which have been raised. I would like to say that, first of all, it does not seem to me to be a service which should be considered on an East African basis. But Nairobi is, of course, the centre—we hope it will continue to be the centre of East Africa and from my point of view I have always endeavoured to regard a service of this kind as an economic whole—East Africa rather than in sectors. However, the position at the present moment under which was known as the Orange Formula is that they would be paying eight-twenty-firsts. The suggested basis of negotiations would be that Kenya would be paying three-eighths—that is only the suggested basis of negotiation.

MR. HAVELOCK: Mine!

THE MEMBER FOR FINANCE AND DEVELOPMENT: It will not, indeed, according to my estimate involve us in very much extra. However, that has not been decided and indeed cannot be decided until it comes back to this Council. The present negotiations are merely to try and arrive at some basis of agreement between the Governments.

Hon. Members seem to have missed one particular point in the present procedure that we are adopting.

MR. BLUNDELL: We have got to speak yet!

THE MEMBER FOR FINANCE AND DEVELOPMENT: The hon. Member, if he will listen—(Hear, hear)—the hon. Member is extremely fond of interrupting but he does not take the interruption quite as smoothly when he is developing an argument. I suggest he allows hon. Members to develop their arguments.

Hon. Members who have so far spoken in this debate seem to have missed the point of procedure we are now applying. Hon. Members must be aware in the past the only time when finance has been presented in regard to the East African Airways has been after expenditure has been incurred. The reason for the present procedure is to give the Legislative Council a chance to express its opinion in advance on the budget and operational plan of the Corporation. That will mean, Sir, that we shall be able to

convey to the East African Airways Corporation the opinions of this Council before the expenditure is incurred instead of having to place before the Council, as we have so often had to, a request to vote money which indeed they could not very well refuse. One of the difficulties—and the hon. Mr. Maconochie-Welwood has raised this—is the assessment of what is really territorial and what is overall loss. One of the reasons why I have been pressing for a reorientation of that basis is that I was far from satisfied with the position with regard to certain economic services. I found, for instance, that when it was a question of a certain service against—about which we had expressed doubts, we were told if these machines were withdrawn, see these routes were not covered by success—the overall loss would be greatly increased because this service was bearing part of the general maintenance and administration charges. When, however, I came to argue the case of the Nairobi/Kitale service there was no such allowance made inside and it became fairly obvious to me, as I think the hon. Mr. Maconochie-Welwood would agree, that it is extremely difficult to fix territorial loss and an overall loss. For instance, and the hon. Mr. Maconochie-Welwood, I can see, by the smile in his eye, is well aware of this one, it is easy to alter the basis of loss by re-routing aircraft, altering the flying time over certain territories. In view of all these things it did seem to me the sooner we got down to the question of the whole, the plainer the position, and the more solid the facts upon which the Council would have to deal with on that basis, Sir, we have arrived in discussion at the conference in Dar es Salaam, on two factors. One, that in future we should lay before the Legislative Council the budget and operational plan for the ensuing year, and we should give the Council a chance to express its opinion on the plan. Two, that, of course, we would not ask directly for the money, because we did not want to go as far as making the money available in advance of acceptance. Three, ensuring that if the loss was greater than anticipated, we would have to come back to the Council and report. Thus, Legislative Council will have plenty of chance to comment on the

[The Member for Finance and Development] operation and finance of the Corporation, and I can assure my hon. friend, the non-Muslim Member for the Western Area, he has seen now there is indeed adequate control being established. I think that to cover the financial points that have been made I would like to reiterate this point, Sir, that whereas roads may be taken as territorial, and whereas railways may be taken indeed as territorial, I believe we will be very short-sighted if we do not recognize that a transport service, like the air service, is essentially an East African service, must be regarded as an economic whole.

MR. HAVELOCK: Would he say the same thing applied to internal Tanganyika services, as such?

THE MEMBER FOR FINANCE AND DEVELOPMENT: Yes, Sir, I would, for the very same reason that I have put up with regard to Kenya's Kitale service. There is, in all these services the factor that, if these services are not run, there is an increasing loss borne by the overall cost.

MR. HAVELOCK: Possibly.

THE MEMBER FOR FINANCE AND DEVELOPMENT: It is possible, and it is because, as I have already said, of the position where these things cannot be ascertained—in fact—that I think this Council, and the Councils of all the Territories, will move to a far better position of control when the service is regarded on an overall basis, and the loss is not split up into the groups suggested.

MR. HARRIS: I wonder if, when replying to the debate the Member for Commerce and Industry could give the figure of the recent census of the origin of the passengers on the Tanganyika Territory internal lines. I believe you will find that a very high proportion of passengers are indeed Kenyans—farmers and businessmen going about their lawful occasions.

THE DEPUTY SPEAKER: No other Member rising to speak, I will ask the hon. Member to reply.

THE MEMBER FOR COMMERCE AND INDUSTRY: Of course, the hon. Member for Nairobi South is quite correct.

MR. HAVELOCK: Partly.

THE MEMBER FOR COMMERCE AND INDUSTRY: I was going to come to that, if I may be allowed. I cannot give him the exact figures. I was, however, going to pursue the point my hon. friend kindly referred to in replying to the point about anticipated route results raised by the hon. Member for Kiambu.

As the hon. Member for Finance and Development remarked, it is perfectly easy, in many cases, not in all, to show a profit for a particular route by an adjustment of the time-table by the constitution of a route from "A" to "C", instead of terminating at point "B". I will illustrate my point. The hon. Member referred to a certain route which should have a large profit. In referring to the scope of this route, I hope the hon. Member for Kiambu is listening, because I am trying to deal with these points.

MR. HAVELOCK: I am listening.

THE MEMBER FOR COMMERCE AND INDUSTRY: He referred to the profit on a certain route, he then referred to—from the Tanganyika point of view—a separate route. Take then Dar es Salaam-Nairobi-Mombasa. And a loss from Dar es Salaam to Nairobi and a profit from Nairobi to Mombasa—I quote this for the purpose of illustration only. It would be quite possible to reduce the profits on one route and decrease the loss on the other, possibly to show a small profit on both, or a small loss on both, merely by continuing that same route from Mombasa through Nairobi to Dar es Salaam and back, instead of having two separate routes. That is a point my hon. friend is well aware of. Again there is the point made by the hon. Member for Nairobi South about Tanganyika Territory's internal routes.

Well, Sir, quite a number of those routes—the one quoted by my hon. friend going to Lake Victoria, going to Tabora—by a circular route—that is, I think, one of the easiest to attack in the term of losses, but a great many people on business from Nairobi and from Uganda, and from other parts of the territories, make use of that service because it is the most convenient way of visiting, for business or pleasure, a very large portion of that territory.

MR. HAVELOCK: £27,000 loss.

THE MEMBER FOR COMMERCE AND INDUSTRY: There is a loss on that route. It would again be possible, by juggling with the Tanganyika Territory route, to connect it up with other routes to show a loss or gain, without altering the fact that as the hon. Member knows the service is one provided admittedly within the Tanganyika Territory, not only for the benefit of the people living in the Tanganyika Territory, but for businessmen and visitors from all over East Africa who want to get about that particular territory, which geographically is larger and more sparsely populated than some other parts of the East African Territory.

I believe that the proper way to approach this problem is to take it as a whole, within the subvention provided on the basis described by my hon. friend when he spoke, and to determine whether the services are necessary or not. In my submission, this service is of value to the whole of East Africa.

I would like to come to the point raised by the hon. Member for Uasin Gishu on transport in general. I do not think that he will expect me to comment, except to say that there is another side to the story.

I would like to refer to the remark made by the hon. Mr. Patel. I thought he made a most extraordinary remark which my hon. friend, the Member for Finance and Development referred to very briefly. "How do we control the Corporation from a financial point of view?" Well, he said that is what we are seeking to do here, to go into details affecting the Corporation, and the hon. Member has his remedy. All he has to do is to persuade other Members to vote, as he would wish them to do, on any particular item. There are many opportunities in the course of a Parliamentary year, if he feels something is wrong, then let him raise it, but as a Member of this hon. Council I would have thought that he would have appreciated his own power and responsibility in regard to the financial control, when a matter is brought to account—I will yield when I have finished.

On a point about economy in the offices of the Corporation, Sir, I am satisfied that the General Manager who, in my view, has done a magnificent job for South Africa in East Africa, is a man

—(Hear, hear)—who has—under constant review every possible means of economy, provided always that it does not result in inconvenience to the public or reduced efficiency. I understand that he is employing experts in office management and organization—has done so and is endeavouring by every means to reduce cost, but I believe that the hon. gentleman did not wish to imply that all possible was not being done. I will give way now if he wishes to speak.

MR. J. S. PATEL: In a small city, at a time when there are so many private agencies, I wondered if we needed two central offices—

THE MEMBER FOR COMMERCE AND INDUSTRY: In every air centre, whether in a great and growing city like Nairobi, or whether it be in some smaller centre, such as the one my hon. friend is referring to, I cannot believe he is referring to Nairobi in the terms he used—I believe the hon. Mr. Patel is quite well aware that it is necessary to have private agencies seeking business and the Corporation. In these places, in this city it is necessary to have both in view of the growing freight-carrying capacity of East African Airways—in view of the fact that members of the public wish to be able to go to the Corporation itself and make their complaints. I believe there is room for both. I do not believe it would be wise to abolish the services provided by either means. I have practically finished, Mr. Deputy Speaker.

I beg to move.

The question was put and carried.

#### INTERRUPTION OF BUSINESS

THE DEPUTY SPEAKER: It is now time for the interruption of business. Council will now be suspended until Four-thirty this afternoon.

Council adjourned at fifty-five minutes past Twelve o'clock and resumed at thirty minutes past Four o'clock.

Thursday, 10th December, 1953

(Evening Sitting)

The Council met at thirty-five minutes past Four o'clock.

#### COMMITTEE OF THE WHOLE COUNCIL

**THE DEPUTY SPEAKER:** Hon. Members, under Order No. 13 there is a slight correction on the Order Paper which should read "Committee of the Whole Council" instead of "Committee of Ways and Means".

**THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES:** Mr. Deputy Speaker, I beg to move that a Motion which I have already read out which I think all hon. Members have before them, so I need not read it out again as it is in very long, legal phraseology. Hon. Members will be aware that although the Meat Commission operates as a commercial entity, it has certain limitations as to its powers in regard to borrowing the fixing of prices and so forth. Furthermore, that the Government hold a mortgage debenture on the whole of its property and, therefore, when it requires working capital—at the moment it is unable to go to a bank or to make its own arrangements due to the fact that, of course, the Government has this mortgage debenture over all its property.

Now, Sir, the reason for the request for additional working capital is really twofold. The first is that there is a steadily expanding turnover of the Commission's business, which is estimated to reach £2,500,000 for the year 1954 as compared with £1,067,000 for 1952. The increase in the number of cattle bought by the Commission is one reason for increasing the turnover. In 1952, 44,000 head of cattle and 108,000 head of small stock were purchased by the Commission, whereas in 1953, estimating the figures for December, 59,000 head of cattle and 122,000 head of small stock were purchased. The increased value of the additional stock purchased alone represents £150,000. In addition, Sir, owing to the policy of slaughtering stock as far as possible at the time of year when supplies are plentiful and in reasonable condition and maintaining a considerable reserve of frozen beef and mutton in cold storage, some 80,000 pounds worth of capital is

locked up for several months in the year. The requirement of expanding export trade also demands that meat should be held in cold storage in anticipation of orders. During the last few years, the increased costs and enhanced value of meat have necessitated the expansion of working capital. The total sum of the proposed guaranteed overdraft will not be required throughout the year. The amount drawn will fluctuate in accordance with the quantity of meat and by-products held in stock. It is really to make provision for peak periods. Since the Commission was established, its working capital has not exceeded the Government loan of £107,000 which was inherited from the Meat Marketing Board and this sum was made available for the buying and selling of livestock only. The Commission, during the last two years, has been able to make some use of capital provided by banks for capital works, but these funds are no longer available since the factory and cold storage have now been completed and paid for.

In conclusion, I would only say, Sir, that we have accepted the principle of the Meat Commission and it is, for the reasons I have stated, only reasonable that we should provide them with the facilities they must have as we hold a mortgage debenture over the whole undertaking to enable them to carry on their business.

#### Question proposed.

**MR. HARRIS:** Sir, I have made a promise that I would not discuss the Meat Commission again in this Council for two years since the last time we debated it, but, on this occasion, Sir, I merely have to ask a question, and that is: it has always been the hope of many people that slowly the stock-breeders would, in fact, take over the capital of the Meat Commission. I am wondering whether the process has yet started, or whether facilities are available and, if they are, whether they have been taken up with the idea of slowly transferring the capital of the Meat Commission from a Government-financed organization to a breeders'-financed organization.

**MR. TAMENO:** Mr. Deputy Speaker, I am going to approach this debate from a different point of view. I happen to be a member of the Meat Commission Board

[Mr. Tameno] found out, Sir, after a long time, possibly I may be contradicting myself—I do not think I am—that in the Meat Commission there is very little done concerning African stock, and I say this knowing exactly how many head of cattle have come through the Kenya Meat Commission. I suggest, Sir, that this money should go into establishing another Kenya Meat Commission which will deal entirely with the African stock in Kenya. The Kenya Meat Commission, so far, has failed completely to take up the number of African stock which the Africans wish to dispose of, and it is, I think, the policy of this Government to try and reduce the number of stock in the African areas. Well, they cannot do it if the only organization we have in Kenya to deal with livestock will have nothing to do with African stock, or have very little to do with the African stock.

What we have dealing with the African livestock is the African Livestock Purchasing Organization on which I do not think I should repeat the arguments I made the other time, but I think I should refer here, that that is the only organization now which has to deal with African stock, and that organization has also to depend on the Kenya Meat Commission. Now, the Kenya Meat Commission stands on its own and would not accept, unless it is the balance-of-the-stock which they need, they will not accept African stock. That is why I suggest, Sir, that this amount of money should go to start another Kenya Meat Commission, which is a Kenya African Meat Commission.

**THE DEPUTY SPEAKER:** The hon. Member is getting quite out of order in proposing the establishment of another Meat Commission, which is entirely irrelevant to the terms of the Motion.

**MR. TAMENO:** Thank you, Sir. While accepting your ruling, Sir, I feel that from my way of approach, Sir, it was a bit relevant because, from the point of view of African livestock at the moment, Sir, I think what the Meat Commission has done—the Kenya Meat Commission—it has put itself completely into dealing with European farmer's stock. It deals entirely with the European stock, forgetting that in Kenya we have also got the African stock, and before I accept

that this Kenya Meat Commission is really concerned with the whole of the livestock in Kenya, I have got to have an assurance, Sir, that it should put in the same interest in the African stock as is done in the European stock. Another point, Sir, I think if that is not possible to have the Meat Commission to be more interested with the African stock, the only thing I can suggest is that we should have more representation of the African stock owners on that Meat Commission Board.

**LADY SHAW:** Mr. Deputy Speaker, arising out of the remarks made by the last speaker, I think he must be unaware of the fact that the reason why the African meat, or the beasts of the African stock owners, is not bought by the Meat Commission is that they will not accept the prices offered by the Meat Commission. This meat is not bought as African or European meat or meat of any other sort. It is bought on a definite grading at certain prices which are offered for a certain type of meat, and those prices are not acceptable to certain owners. That is the reason why there is a certain amount of African stock which is offered and not, in fact, bought, because the prices do not suit the owners. At the same time I would like to point out to the last speaker that a great many of the beasts on offer which the Meat Commission cannot deal with are usually low-grade stuff and often the property of European owners. Sir, I feel that the reasons that have just been given by the last speaker for not supporting this Motion are insufficient and I would like to support it.

**MR. TAMENO:** On a point of explanation—I am quite aware of what the hon. Lady for Ukamba says, but does she realize that in the African areas the same African stock are bought by the Africans themselves. Cannot the Meat Commission supply meat which the Africans want?

**LADY SHAW:** At higher prices.

**MR. BLUNDELL:** I wish to ask the hon. Member one question tied up with the financial aspect. I understand that this capital is largely required for working capital within the Meat Commission? Now, Sir, from June onwards—I think I am right—the canning plant will be in operation, but I have seen no figures and

[Mr. Blundell]

have been given no information whether the output of the canning factory is calculated to deal with the in-put of meat which will be suitable for canning. If this is not so, then, of course, we may have to increase this working capital at a later date, because we will not reduce the stocks.

MR. LETCHER: Mr. Deputy Speaker, Sir, if my memory serves me right, quite recently I sat at a board meeting of the Meat Commission with the hon. Mr. Tameno, when we were told that the cold storage was full of beef, chiefly from native areas, and I do know that European farmers have orders cancelled because of the amount of second-, third- and fourth-grade beef in cold storage. So I think he is quite wrong in saying that the Meat Commission deals entirely with European stock.

MR. COOKE: Mr. Deputy Speaker, I hope the hon. Member gets up and will clear up the position completely because here we have a member of the most important cattle-owning tribe in this country making certain observations, but we must assume that he made them in all fairness. What we would like to know is there any truth in the assertions? It may be that African stock is graded down—I do not know—it may be that they do not get proper grading—but I think it is a matter in order to retain the friendship of this tribe that this is one of the good reasons why we should have this matter cleared up. I hope it will be thoroughly gone into.

DR. HASSAN: Mr. Deputy Speaker, I rise to support this Motion. There is one point I wanted to draw the attention of the hon. Member for Agriculture and Natural Resources to and that is that the community I represent would like to have fresh meat and fresh mutton given to them. They do not like frozen meat.

THE DEPUTY SPEAKER: The hon. Member is not in order in referring to that question. The subject is not the kind of meat which the Meat Commission supplies to the general public, but whether the Government should guarantee a loan up to £100,000 for the current year and a further guarantee beyond.

MR. BLUNDELL: I do not want to be an *enfant terrible*, but if the hon. Member is so dissatisfied with the operation of the Commission—he may well be developing an argument why we should not vote any more money—and then it would be in order.

DR. HASSAN: The hon. Member for Agriculture and Natural Resources said that we said that we are having a space to keep frozen meat to tide over times when we are not likely to have fresh meat, and it was on that point I was trying to point out to the hon. Member for Agriculture and Natural Resources that my community does not like frozen meat at all. Therefore, the system of frozen meat must be left for the community who prefer it and appreciate it.

The second point, Sir, is a matter which some of the Members have already mentioned and it is the question of third-grade meat which has filled the cold storage of the Meat Commission. Now, Sir, we are told there is no market for it. Well, Sir, we have not a lot of third-class people in this country who like third-class meat, and while the Meat Commission is dealing with this sort of thing and might have no market for it, why not third-class for third-class people to buy and eat themselves as they have done before.

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, Sir, with all due respect, we cannot deal with the principle of the Meat Commission. That has been established, and I suggest that, while the hon. Member is in order, he cannot deal with the principle of the Meat Commission.

THE DEPUTY SPEAKER: I did not understand that the hon. Member was dealing with the principle of the Meat Commission. As I regarded his later statement it was this: the Meat Commission is short of finance because its stores are filled with a lot of third-grade meat that it cannot dispose of, and the hon. Member, seems to me, to be questioning the policy of the Meat Commission which has allowed that situation to arise, whereby they have to come to Government for a guarantee of finance. To that extent I thought the hon. Member might be regarded as in order.

DR. HASSAN: Thank you, Sir. Third-class meat, I think, should be sold at third-class prices to third-class people in this country (Laughter). And so far as the guaranteed loan is concerned by the Meat Commission, Sir, I wholeheartedly support it. (Applause.) (Laughter.)

THE DEPUTY SPEAKER: Hon. Members will remember that we are in Committee and that consequently the interchange of free debate may take place.

MR. TYSON: I really wanted to get from the hon. Member for Finance and Development some explanation in regard to his attitude over his proposal. True, it was on a much larger scale but he will recollect that in due course of the forestry debate my hon. friend, Mr. Riddoch, had proposed that finance for the Forestry Organization and development might be obtained from outside sources, but I think the hon. Member for Finance and Development raised certain objections. What I would like to know, Sir, is whether the same objections, although the amount involved is very much smaller, whether the same objections do not apply to the proposal before us.

THE MEMBER FOR FINANCE AND DEVELOPMENT: The answer of course is a fairly easy one. This Commission has been established by a Statute of this Council, and all we are dealing with is the question of the extension of the Government guarantee. If the hon. Member who has just spoken will look into this figure fully, he will see that what I said exactly applies to this, that we have to come back to this Council for a guarantee—that this adds to the Government's contingent liability and that this is what I stated with regard to outside finance in "other debates" to which the hon. Member should not have referred.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: While replying to the last speaker first I have no doubt he is aware of the fact that, as I have already pointed out, as to going to outside for independent finance, the Meat Commission is not in a position to do so, because of the mortgage debenture on all its assets held by Government. The hon. Member for Nairobi South asked whether we had already taken steps to begin transferring the Meat Commission to stock-owners. The answer is that that is the eventual intention, but it is not yet

the right time to begin taking steps to do so. I think that has been generally agreed on previous occasions when that subject was raised in this Council.

The hon. Mr. Tameno alluded to the fact that the Meat Commission was not dealing with African stock and also it has been alleged by other speakers that if the Meat Commission cannot take third-grade meat—what a pity because it was always dealt with by the dealer in the past! So it was and is to-day, but on what scale? On a scale so totally insufficient that over-stocking in this country is increasing by leaps and bounds, and the object of introducing this new system which takes a long time to start is to try and deal with this disposal of meat on a scale commensurate with the natural increase of stock held by Africans and others in this country. I am not in a position to make any definite promise but, as I indicated to this Council a few days ago, in this so constantly reiterated debate, we have in view now one or two contracts on a scale never before envisaged in this industry, and when we land one or more of those, it will be the best justification for the Meat Commission that there has been up to date. Now, Sir, actually this subject is entirely outside the purview of this debate and it is really out of order to discuss it in this particular Motion, but as it had been raised I thought I would just reply to it. It is quite untrue, of course, to suggest that the Meat Commissioners are oblivious of the difficulties in African areas. The hon. Member for Rift Valley asked about the canning factory and I think he asked whether the through-put of the canning factory would possibly not be up to the meat intake, and whether they might in consequence have to have further finance. Well, Sir, I am no prophet but I hope that when the canning factory is working and when we have concentrated to a greater extent on manufacture of by-products, which is going to be the main outlet in this country for getting rid of low-grade stock, that the financial position will not get worse but will be very much better, because these by-products, with the exception perhaps of canned meat, are not only easy to get rid of, but have a very ready sale indeed at the present time throughout the world.

[The Member for Agriculture and Natural Resources]

I think the hon. Dr. Hassan again alluded to third-grade meat. As the hon. Member is aware, and I believe he agrees, we now even have a lower grade than that; a grade so low that I do not think you will find a low enough class of people to eat it, and therefore I suggest it is better that this should go out of the factory in sacks for the benefit of the land, either in this country or elsewhere.

One point I did not mention in opening the debate which I should have pointed out is this guarantee is based on the system of a gradually disappearing liability over a period of ten years. This guarantee of £100,000 in the first year is reduced by £10,000 per annum thereafter.

**THE DEPUTY SPEAKER:** If no hon. Member rises to speak I will put the question.

The question was put and carried.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Committee doth report to the Council its consideration and adoption of the Motion with amendment.

*Question proposed.*

The question was put and carried.

Council resumed.

[Mr. Deputy Speaker in the Chair]

## REPORTS

**SIR CHARLES MORTIMER:** Hon. Members, I have to report that the Committee of the whole-Council has considered the Motion under Order Number 13 in the name of the Member for Agriculture and Natural Resources and has approved the same without amendment.

**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Council doth agree with the Committee in the said Resolution.

*Question proposed.*

The question was put and carried.

## MOTION

### ACCEPTANCE OF THE SESSIONAL COMMITTEE'S REPORT

**THE CHIEF SECRETARY:** Mr. Deputy Speaker, I beg to move that the report dated 5th October, 1953, of the Sessional Committee on the "Circumstances in

which the report of the proceedings in a Committee of the Council which appeared in the *East African Standard* of 30th July, 1953, under the heading 'Inter-racial School to be opened in Nairobi' was made", which report was laid on the Table of this Council on 6th October, 1953, be adopted.

**Mr. Deputy Speaker,** Members will recall the circumstances in which the Sessional Committee was charged with the inquiry in question and, Sir, it was no light task. The report, Sir, was laid, as stated in the Motion, on 6th October and that was the first opportunity, owing to the arrangements for Sittings of the Legislative Council, after the Committee had been charged with their task. A further lengthy period has elapsed since the laying of the report and perhaps I should give some explanation of that. It is, of course, partly due to the fact that we have been occupied with certain other business for the last two or three weeks, but there is another point, Sir, the Sessional Committee did consider, in the first instance, that their task was discharged with the laying of the report on the Table. The point was later, however, raised that since this is the first matter of the kind, so far as we are aware, dealt with in this Legislative Council, that further action should be taken to ensure its proper record in the annals of this Council as beyond the mere mention of a Paper laid.

The Sessional Committee approached this inquiry as, may I say, a *quasi* judicial matter and regulated their procedure accordingly. In this, we were lucky to have the assistance of two outstanding members of the famous profession, my hon. friend for Legal Affairs and the hon. Mr. A. B. Patel, who is absent today.

Now, Sir, two particular points were raised in connexion with the submission of the possible breach of privilege. One was as to whether the article was a false report of the proceedings of a Committee of this Council, and the other was whether an hon. Member had indulged in the continuation of a debate after the completion of the proceedings in Council.

Now, as regards the first point, Sir, evidence was given before the Sessional

[The Chief Secretary]

Committee that the article did not purport to be a report of the proceedings of this Council or a Committee of this Council. Now, Sir, it was clear from HANSARD that it was not a true record of the proceedings of Council and the Committee found that it was not a false report. In effect, Sir, the Committee accepted the evidence that it did not purport to be a report of the proceedings at all.

Now, Sir, on the second point, the matter of the continuation of a debate, that matter had, before I became a Member of this Council, formed the subject, I understand, of a ruling by Mr. Speaker. The Committee, Sir, considered the matter in the light of this ruling and found that what was reported in the article did not represent a continuation of the debate. What appeared in the article, apart from a reference to the proceedings of Council, was information given by a head of a department, following on an earlier inquiry some months previously in respect of that particular matter when, at that time, he had said that the giving of information or the making of a statement would be premature, and also following on that, a request by the Press, after the adjournment of Council, for information on a particular matter which had been recalled by an item which had come up in the Committee of the Council.

The conclusions of the Committee, Sir, are set out in the report and perhaps, since it is some time since this Paper was laid, it would be as well if I read the conclusions.

"The Committee have considered the evidence and have come to the following conclusions:—

1. That the article was not a false report of the proceedings of Legislative Council.
2. That Mr. Wadley's remarks might reasonably have been interpreted by some readers as having been made in Legislative Council.
3. That it was unfortunate, having regard to the fact that the article opens with reference to decision taken in the Council and closes with a report of the debate, that it was not made clear that the hon.

Member's remarks were made in an interview as distinct from in Legislative Council.

4. That the statement made by the hon. Member cannot be regarded as a continuation of the debate, but was a factual statement except in so far as he was answering questions."

As an addendum, Sir, it is recorded:—

"The Committee noted with satisfaction that the newspaper staff possessed a very proper sense of responsibility, both as regards the correct reporting of Legislative Council debate and as regards their duty to the public, and they are satisfied that there was no intention to mislead the public in this particular instance. (Applause.) They are of the opinion, however, that it is desirable that, in any article containing a reference to proceedings of Legislative Council, a distinction should be made to indicate what is in fact a report of such proceedings and what took place outside the Council."

I beg to move the adoption of the report, Sir. (Applause.)

**THE MEMBER FOR LEGAL AFFAIRS** seconded.

*Question proposed.*

**MR. HAVELOCK:** Mr. Deputy Speaker, being a member of the Sessional Committee, I sat in at the first meeting on this matter, but unfortunately I was unable to attend further meetings, and when this report was placed before me, on reading it, I felt that I could not sign it and I would like now to give my reasons why.

First of all, Sir, I understand that the witness referred to in this report has denied what is stated here that he had been told to await the outcome of the debate in Legislative Council. Now, I think that the verbatim report of the proceedings may show that exact wording was not recorded. It surprises me very greatly that any witness—that witness or any other for that matter—should be told to await the outcome of a debate in Legislative Council, because this debate arose without any notice out of a Supplementary Estimate, as I remember it, and certainly very few members on this side of the Council had any expectation of a debate at all.

[Mr. Havelock]

Now, Sir, the actual recommendations which the hon. Member has mentioned, I cannot agree with either. The first one, although possibly the sense of it or what is meant to be the sense of it, I would agree but the wording, certainly not that "the article was not a false report of the proceedings of Legislative . . ." That gives an indication that the article was a report and possibly true, but my contention is that the article was not a report at all—possibly a little at the top and at the end—and I think the way it is worded is most obscure and very misleading.

Another point, Sir, the fourth conclusion reads as follows: "That the statement made by Mr. Wadley cannot be regarded as a continuation of the debate, but was a factual statement except in so far as he was answering questions". That is an untidy way of expressing it. Does that mean that when Mr. Wadley was answering question, his answers were not factual?—because that is how I would read it.

I would say, Sir, that I do agree with the conclusions 2 and 3—that Mr. Wadley's remarks might reasonably have been interpreted by some readers as having been made in Legislative Council, and I do feel that the report as it appeared was a careless one and did not make proper distinction between what was happening within this Council and what happened outside it.

As regards the matter of the continuation of the debate, I am afraid I cannot agree whole-heartedly with the conclusion come to by the Committee in that Mr. Wadley cannot be regarded as continuing the debate. I believe, Sir, that the hon. Member, quite unconsciously—I will say that—was continuing the debate. I am quite certain that he had no intention to do so but I believe that he was in fact continuing it, because the remarks which were reported would have been answered by the hon. Members on this side if we had had an opportunity to do so, but we had none.

Finally, Sir, I would say that I do not think that the report was a breach of privilege and, indeed, the conclusion which the hon. Chief Secretary read out—"The Committee noted with satisfaction that the newspaper staff possessed a very proper sense of responsibility . . .",

etc., I do agree with it and I believe also that the hon. Member who raised the matter in the first place, having studied the report, will also agree with me that the remarks as regards the general tenor of the recommendations—that it was not a breach of privilege, but, Sir, because of the points that I have laid before the Council, I cannot support the Motion. (Applause.)

MR. COOKE: I am supporting the Motion. I think it is unfortunate that the hon. Member for Kiambu has allowed the debate to continue. I think it would have been much better if the Motion had been accepted—the whole thing is just a storm in a teacup. This kind of thing is bound to happen with the rapid reporting that must go on in this country under difficult facilities. Actually it is unfortunate that the juxtaposition did take place. When I read it—of course I was present at the debate—I did not associate one with the other. But I can quite believe that people up country, not being present at the debate, might have done so, but I personally think that there was obviously no malicious intent or malevolence, and therefore the matter should have been allowed to drop and therefore I support the findings of the Committee and the point should be dropped.

MR. HAVELOCK: The hon. Member for the Coast must realize that a Member who does not sign a report has every reason to express the reason why he did not sign. The hon. Member himself has often been in the minority and has taken the opportunity of explaining his reasons in Council.

MR. COOKE: Was it not a very good reason for not signing when you were only present at one meeting?

MR. MACONOCHE-WELWOOD: As the Member who originally raised this point, I would only like to say one word. The final end of this report says "that it is desirable that, in any article containing a reference to proceedings of Legislative Council, a distinction should be made to indicate what is in fact a report of such proceedings and what took place outside the Council". If that is correct, the Committee holds the view that the report was in fact misleading. I am very well aware that there was no intention on the part of the reporter to make it misleading. Nevertheless, it was misleading and when I

[Mr. Maconochie-Welwood]

brought this question before the Council, I did so in good faith having consulted several people best qualified to know whether it was a suitable case to bring up and, in doing so, I think I did the right thing by this Council. The report seems to me—I will not go over what my hon. friend, the Member for Kiambu, has said—but it appears to me that the report is contradictory and I, for one, cannot support it.

THE MEMBER FOR LEGAL AFFAIRS: Mr. Deputy Speaker, Sir, in rising to support the Motion moved by my hon. friend, the Chief Secretary, that this report be adopted, I would like the hon. Member for the Coast to know how welcome it would have been to the Government if this Council had been content to adopt the report without further debate. But since the hon. Member for Kiambu has challenged two out of the four conclusions of the report—which was, I might mention, signed unanimously by all the members of the Committee who attended all the meetings and who had the advantage of discussing and considering the evidence—naturally, we who support the report must answer the hon. Member's challenge.

The report contains one sentence to which no particular reference has been made up to the present, but in fact the sentence contains the key to all the issues which are now raised in this debate, and on which the Council is asked to reach a conclusion. That sentence is found at the top of the second page of the report which I take it is in the hands of the hon. Members of the Council and reads as follows: "The Committee has considered the evidence and has come to the conclusion, etc."

Well, that, I suppose, Mr. Deputy Speaker, would entitle one to say that those who have considered the evidence are in a rather special position. I am not sure that the hon. Member for Usin Gishu would regard that as a particular advantage, because I notice, looking back through the HANSARD that he seems to have made up his mind on the matter before evidence of any kind was taken. He has now modified his views somewhat and describes the report merely as "misleading". But this is what he said before any inquiry was made at all—he said,

"this is a breach of privilege by the East African Standard in publishing what amounted to a false report of the proceedings of this Council. . . ." Now I take it it is rather more than misleading to say that it was a false report. Then he concluded—it is all in HANSARD if anyone is sufficiently interested to read it—by saying, "I raised it because I think it fit and proper that reports of proceedings of this Council shall be accurate, and those who misreport it shall do so at their peril". Now, Sir, that, as I said, was the view of the hon. Member for Usin Gishu before any evidence was heard at all. Indeed, it is impossible for anyone to pronounce upon the issues raised in this particular matter without hearing the evidence and considering it carefully.

Now, what was the first issue on which evidence was given to this Committee? It was whether or not the facts, as reported by the East African Standard, were reported correctly or whether there was some misreporting of facts. That is the first issue. If all the facts were correctly reported, then it would be difficult to say it was a false report. (Laughter.) Now, Mr. Deputy Speaker, to assist the Council in forming a view of this matter I have looked at the transcript of the evidence on this particular point. The reporter said, "HANSARD goes on to talk about a false report"—and that was, of course, the hon. Member for Usin Gishu's reference—to a false report. "I can only say," he said, "that no facts have been disputed to my knowledge so far". So, therefore, the actual facts which appear in that report, whether the facts are relating to what was said in this Council or what was said by Mr. Wadley in the conversation he had with the East African Standard reporter after the Council was not in dispute. They were correctly reported as facts. Then I follow up this little matter in Committee and I ask one of the witnesses—"I just wanted to get the sequence of events" and Mr. Wadley, who was the witness to whom I addressed the question, says, "Apart from that, I think the actual facts, as given by me, are reasonably correct as reported in the paper".

"When you say reasonably correct, have you any criticism at all?"

"I do not think so. No, none whatever."



[The Member for Legal Affairs]

"It is a completely fair and accurate report as far as you are concerned?"

"Of the facts that I gave, yes."

So there, Mr. Deputy Speaker, is the evidence on this particular question as to whether the facts reported in the *East African Standard* are the correct facts and the evidence on that is all one way. The evidence is not disputed and could only have led to one conclusion, namely that the facts were correctly reported and that therefore it is a misnomer to say the report is a false report.

Of course, the arrangements of the facts in that article in the *East African Standard* was a matter for criticism. The arrangement of the facts in such a way that part of what was said in the Legislative Council was given at the beginning of the article and thereafter facts were given which were obtained from Mr. Wadley outside Legislative Council and finally further facts were given of what was said in Legislative Council was misleading. On that point the Committee came to the conclusion that there was a matter for criticism and they found the *East African Standard* at fault in that respect. There again, those who sat on the Committee had the advantage of hearing the evidence and this is the question which was put to one of the witnesses—"What gives you doubt as to whether the ordinary reader would interpret it as having been said in Legislative Council." The reply was—"I think it is true that the ordinary outsider would get the impression that it all did happen in Legislative Council. The only reason that I do not, is that I did know what did happen." That was what the hon. Director of Education said later when he was asked about it. "That your explanation had been given in Legislative Council. . . . Have you any doubt about that?" "I do not think I have really. No."

Therefore, it was agreed by the witnesses who gave evidence that the arrangement of the facts was misleading in this sense, that the ordinary reader—~~not possessed of any inside knowledge—~~would come to the conclusion that all those facts had been spoken to in Legislative Council and not partly in Legislative Council and partly outside. The conclusion which the Committee

reached on that point is set out in Conclusions 2 and 3 in the report. I submit it is a sound and proper conclusion, and, indeed, that part of the report is not challenged by the hon. Member for Kiambu.

Now, the last issue that the Committee had to address their minds to was the question of whether Mr. Wadley continued the debate by giving an interview to the reporter for the *East African Standard* after the Council. It is quite true, of course, that the hon. Member for Uasin Gishu expressed considerable apprehension when raising this matter on the Supplementary Estimates lest it might lead to a debate. He said, "I hope this will not give rise to a debate because I do not think this is the proper time". Well, Mr. Deputy Speaker, it did not give rise to a debate in Legislative Council, so how can it be said that any Member continued outside that which did not take place inside.

Let us examine the proposition which the hon. Member put forward in the course of his speech that if someone in Legislative Council expresses the hope that there will be no debate in Council, thereafter no one in the Government, heads of departments, or anyone else should refer to the subject until such time as the Member of the Council who expressed the desire that there should be no debate should see fit to bring the subject before the Council again. To suggest that Government should be muzzled by a pious expression of hope such as that is, of course, a completely wild proposition and quite indefensible.

The true proposition—but one which I personally would be far from accepting without qualification—is that, after a debate in Legislative Council, Members should not go outside and comment on points of issue raised in the debate or offer explanations on the issues raised in the debate which they might well have put forward in the debate itself. That would at least be an arguable proposition.

Well, let us see again what evidence we have on that matter. A question was put to Mr. Wadley:—

"To put the question another way, do you think, as Director of Education, you

[The Member for Legal Affairs] had any reasonable grounds to make a statement to the Press after the matter had been ventilated to the extent it had been in Legislative Council?"

"I do not think I would have had any reasonable grounds for refusing it."

"You consulted your Member? Did he take the same view?"

"Yes, he did."

Then the hon. Member for Finance interposed:—

"I take it Mr. Wadley was of the opinion that he certainly was not continuing the debate?"

"Mr. Wadley: Not at all. There was no discussion, nothing whatsoever."

"Was there any reference, in the course of your interview with Mr. Meadows, any reference to the Legislative Council proceedings?"

"Mr. Wadley: The only occasion on which there was a reference was by Mr. Meadows himself when he said, 'Oh, yes. Mr. Turnbull mentioned that in the debate'. But there was no reference to the discussion."

Then Mr. Patel asked:—

"Did you intend to give information about the inter-racial school or did you intend to explain any points raised in the debate?"

"Mr. Wadley: I merely behaved as if I was dictating a minute to my secretary on the subject of the inter-racial school. There was nothing more to it than that, no comment on the debate at all."

That is the evidence, Sir; there was in fact no comment or argument about the debate. I dare say that the hon. Member for Uasin Gishu and the hon. Member for Kiambu would have preferred a complete shut-down, no reference to this subject at all. That is why they did not want to debate on the Supplementary Estimates. But their writ does not run outside this Chamber, so that the Government has got to keep silent about this subject.

If the hon. Mr. Wadley had argued about the issues raised in the debate, that would have raised a different question. I would be reluctant myself to concede that a Member may not continue a debate in that sense or that he is

estopped from arguing about a matter once it has been mentioned in Legislative Council. Certainly it would be contrary to all that one knows about politicians in the House of Commons in the United Kingdom, who walk straight out of the House of Commons on to a public platform where, perhaps, they deliver a speech which they have not been able to give in the House, or perhaps they elaborate a speech for the benefit of their constituents. So why should Members of Government not do the same if they want to?

Therefore, Mr. Deputy Speaker, the conclusions at which the Committee arrived, which, I submit, should be supported and approved by this Council, are: firstly, that every fact which was reported in the article in the *East African Standard* was correctly reported as a fact; secondly, that the arrangement of those facts was such that it might have misled the ordinary reader as to where the facts were spoken and to that extent it is desirable they should alter their practice so as to distinguish what facts are spoken to in Legislative Council and what facts are spoken to outside Council; and, lastly, no comments, no explanations and no arguments were raised by the hon. Director of Education after the debate in regard to any points or issues raised in the debate. Therefore it is untrue, and would be incorrect to say that, in the interview with the *East African Standard* he was continuing the debate, such as it was, which took place in this Council. (Applause.)

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, on a point of explanation I should like to point out to the hon. Member who has just spoken, that I did not describe this report as misleading. I said the report in the *East African Standard* was misleading, as it happens I quoted the last words of the report—"They are of the opinion, however, that it is desirable that, in any article containing a reference to proceedings of Legislative Council, a distinction should be made to indicate what is in fact a report of such proceedings and what took place outside the Council." I said that that was in fact a misleading report. I did not say this report was misleading. I have the deepest respect for my hon. and learned friend's legal training when he said—

THE MEMBER FOR LEGAL AFFAIRS: Is this really a point of explanation?

MR. DEPUTY SPEAKER: No it is beyond it, he is now introducing a new matter.

MR. CHANAN SINGH: Mr. Deputy Speaker, I think this report should have been adopted without further comment. It is a report of a Committee appointed by this Council and the incident which the Committee was asked to investigate was, I believe, the first of its kind. The Committee who investigated it thoroughly, examined all witnesses who had anything to say on the matter, and came to a conclusion which is impartial and to my way of thinking, right. What is important in a matter like this is the intention of the reporter. If there was no intention to misrepresent the proceedings of this Council, I think we should have said nothing about it. Given honest intention I am of the opinion we must give some freedom to the Press. Without that freedom it would be impossible for the daily Press of these days to function. We must also realize the difficulties of journalists working for the daily Press. They have very little time to compose difficult compositions. So long as they do not intend to misrepresent us or create mischief I think they should not be penalized. The same to my mind applies to the heads of Government departments. They are responsible people and they know what they are saying and they know what they should say. I think they also should have freedom to give facts to the Press. The only limits we can reasonably lay on the conduct of the heads of the departments and on the conduct of journalists, are those which have been described to this Council by the hon. and learned Member for Legal Affairs.

With these remarks, I support the report.

MR. USHER: Mr. Deputy Speaker, I do not want to prolong this debate. I must point out that the hon. Mr. Chanan Singh has spoken of my hon. friend, the Member for Usain Gishu, as having prejudged the issue. In what way is it prejudging the issue to ask that a body be set up to examine facts and the merit of them?

MR. HAVELOCK: The Attorney General said it!

MR. USHER: I am sorry.

THE SOLICITOR GENERAL: Mr. Deputy Speaker, I do not want to prolong this debate but I think the hon. Member for Usain Gishu and the hon. Member for Mombasa are in doubt as to what is meant when it is said that the hon. Member for Usain Gishu prejudged the issue. It is that he referred to this report when he raised the matter in Council as "a false report". Now then, that is a matter which has been inquired into by the Sessional Committee. The Committee has heard the evidence, and it has applied its mind to that evidence and reached certain conclusions. Among those conclusions is one of fact, that this report was not a "false report". For that reason I commend that particular conclusion to my hon. friend, the Member for Usain Gishu, and suggest that he might reconsider his decision to oppose the adoption of this report.

THE DEPUTY SPEAKER: Is there any hon. Member who does not wish to prolong this debate? (Laughter.) I will call upon the hon. Mover to reply.

THE CHIEF SECRETARY: Since I am among those hon. Members of this Council who do not wish to prolong the debate, I will not keep you, Mr. Deputy Speaker and hon. Members, very long. There is one particular point, the hon. Mr. Chanan Singh referred to, I think, the difficulties of journalists owing to swift moving life and having an awful lot to do. May I suggest, Sir, that, while that may react in the output of the Press, yet, in these days, readers also have a great deal to read and are apt to read what they read with swiftness, cursorily, and sometimes with carelessness. (Applause.)

The question was put and carried.

#### ADJOURNMENT

THE DEPUTY SPEAKER: Hon. Members, that concludes the business on the Order Paper for to-day.

Council will stand adjourned until Nine-thirty to-morrow morning.

*Council rose at forty-five minutes past Five o'clock.*

Friday, 11th December, 1953

The Council met at thirty minutes past Nine o'clock.

#### PRAYERS

#### ORAL ANSWERS TO QUESTIONS

##### QUESTION No. 16

MR. COOKE asked the Member for Agriculture and Natural Resources to state the approximate area of bracken country it is proposed to clear in order to provide land for the surplus population of the Kikuyu tribe; and the number of new families it is hoped to settle on such land; and is he satisfied that the use of such lands for agricultural purposes will not seriously decrease the rain catchment areas and so affect the water supplies of Kenya.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: The reply to the first part of the question is that the high zone in the Kikuyu, Embu and Meru Districts amounts to about 320 square miles, which is mostly under bracken with some wattle plantations. It is estimated that more than half of this area is not being put to any beneficial use. Agriculture in this zone presents some difficulty, and trials designed to establish the most economic method of clearing and the most suitable method of farming started some time ago. In recent years over 25,000 acres of bracken have been cleared but since the start of the Emergency almost all work in this zone, which lies along the forest edge, has had to stop for operational reasons.

It must, however, be explained that the whole area is the subject of rights claimed by various families and if the area is to be put to full use means must be found to enable unused land to be taken up by others, under suitable conditions of occupancy and farming which have due regard to existing rights.

The present indications are that the optimum use of this area may be grassland utilized by productive dairy stock and sheep with limited and controlled cultivation. On this basis the area could accommodate possibly some 50 families per square mile, or some 6,000 to 8,000 families altogether. I do not wish to give the impression that this area presents an easy solution for the settlement of sur-

plus Kikuyu. The area is deficient in certain plant nutrients which may in the first instance have to be imported. Investigation and research must be continued into the correct methods of land use for the area, into what grasses are suitable, and how they can best be established. Satisfactory research and investigation in present circumstances is extremely difficult and in some areas impossible, but it will be resumed at the earliest possible moment. I can give the hon. Member the assurance that if and when settlement of this area does take place the assistance and advice of the Agricultural Department will be made freely available.

I am satisfied, after consultation with the East African Agricultural and Forestry Research Organization, that the clearing of the bracken from this land, and the substitution thereof of a grass cover, will not cause any appreciable decrease in the rain catchment area or in the water supplies of Kenya, since the effects on rainfall of grass and bracken are almost the same.

MR. COOKE: Arising out of the answer to paragraph 2, would the hon. Member agree that the using of bracken land would only be a partial solution to the over-population of the Kikuyu zone?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I have never made any other claim.

MR. COOKE: Your colleagues have!

MR. MATHU: Arising out of the answer, Sir, as the hon. Member has agreed there are existing rights, how is he going to assure that he is not going to have wars between the families without any rights at all and those who have rights?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: The hon. Member must be aware that if they had these areas, some arrangement must be come to by an agreement with all concerned.

MR. MATHU: Arising out of that reply, Sir, as the bracken country referred to is already under occupation, can the hon. Member find no other land elsewhere where there is no occupation by the population?

MR. COOKE: Would it not be wise to appoint a committee to go into this

[Mr. Cooke] matter thoroughly, ensuring that there are representatives from both sides of the Council so as not to make any mistake?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I do not know precisely what the hon. Member is referring to.

MR. COOKE: I was referring to the whole Government policy of bracken land for pastoralists. It is such a big step, interfering with nature and with Kikuyu custom. I would suggest that a small expert committee be asked to advise Government as to the propriety of following this policy.

MR. BLUNDELL: Mr. Deputy Speaker, was not the higher land at Limuru originally under bracken and is now a profitable dairy area?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Yes, Sir, not only at Limuru. I do not think there would be any profit in appointing a small committee. We have committees and committees and committees and they never do very much! What we are trying to do is to make the best use of that land through consultation between the Agricultural Department, on the technical side, and the Administration on the other side.

MR. COOKE: Arising out of the answer to the hon. Member, is it not a fact that the Limuru rivers have dried up in the last few years very seriously and might that not be due to the cultivation of the bracken areas?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I do not think that is substantiated in any way.

#### QUESTION No. 25

MR. COOKE asked the Member for Agriculture and Natural Resources to state:—

(1) When Government will make and announce a decision as to how the intake works for the new Mombasa water supply scheme are to be constructed at Mzima Springs.

(2) If the National Park Trustees have been or will be consulted before Government arrives at a decision.

(3) Whether or not it is a fact as stated in a Government Press Office Handout No. 344 of 14th August, 1953, that the recent further investigations at Mzima will cause no delay in completion of the whole scheme.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I would refer to Government Press Handout No. 344 of the 14th August. As a result of the investigations referred to in that communiqué Government has now decided that water for the Mombasa major project shall be taken from an intake above the visible Springs at Mzima by the construction of works which will control the underground flow before it reaches the visible Springs. The quantity of water required for Mombasa will be conveyed from this intake to the main pipeline and under this scheme there will be no necessity to raise the level of the Long Pool.

The Trustees of the Royal National Parks have been informed of Government's decision.

As stated in my former communiqué these further investigations have not of themselves occasioned any delay in the timing schedule of the Mzima Springs project. A recent decision of Government to put construction of these new head-works out to tender and not to negotiate a contract with a contractor already on the site, may cause some small delay, which would, however, be one of weeks at the most. Factors such as the relative purity of the water, final costs of construction and extra head, have all been taken into account by Government before arriving at this decision. Needless to add Government is fully aware of the importance of completing the scheme in accordance with the timed programme.

MR. COOKE: Mr. Deputy Speaker, I am sure the Trustees will be very grateful to the hon. Member for his patience and consideration in this matter. Could he give any indication as to the eventual cost—whether less or more than the Long Pool cost?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Deputy Speaker, the hon. Member will I am sure appreciate that it is extremely difficult at this stage of a project, costing a very large sum of money, to be precise as to what the eventual cost is going to be. As I

[The Member for Agriculture and Natural Resources] said in my reply, the Government has taken the cost factor into very careful consideration. The construction of this different form of head-work may, of itself, cost more. On the other hand, under the old plan, were that adopted, it is not impossible—in fact it is almost probable—we would have had to add a filtration plant to the scheme, and had that been the case—I think the likelihood is that that would have been the case—it is not impossible that this new off-take will work out at a lesser cost than the original idea. That is all I would say.

MR. BLUNDELL: Mr. Deputy Speaker, is it the intention of Government to rely upon the technical resources of the Public Works Department for advice in this matter?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Yes, Sir.

MR. BLUNDELL: Arising out of the answer, is the hon. Member satisfied that the technical resources of the Public Works Department are sufficient for a project of this magnitude or whether it would not be better advised to have more specific advice?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: As the hon. Member is aware, we have had the advice of consulting engineers in recent investigations.

MR. USHER: Would the hon. Member state now whether it is likely that any further cost, any additional cost to the consumer in Mombasa will be involved in any case?

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I do not think, Sir, that at this stage it is possible for me to say anything about the ultimate cost to consumer in Mombasa.

#### MOTION

SUSPENSION OF STANDING ORDER 93A

THE CHIEF SECRETARY: Mr. Deputy Speaker, Sir, I beg to move—that under Standing Order 168 Standing Order 93A be suspended to the extent necessary to enable the Forfeiture of Lands Bill to be taken through all its further stages at the present sitting.

Question proposed.

The question was put and carried.

THE FORFEITURE OF LANDS BILL  
Order for Second Reading read.

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, Sir, I beg to move that the Forfeiture of Lands Bill be now read a Second Time.

Hon. Members, Sir, will recollect that this Bill was forecast by His Excellency the Governor in his speech at the opening of Legislative Council when he defined Government policy in this matter. To refresh the memories of hon. Members, I would wish to read the relevant extracts from his speech. The Governor said, Sir:—"It is felt that some striking action should be taken against the few most villainous leaders of the Mau Mau movement. For this reason a Bill will shortly be introduced providing for the forfeiture of land held in the Kikuyu land unit by two classes of persons. First, those convicted of certain serious offences connecting the offenders closely with the direction of the Mau Mau movement, and, secondly, any still at large who may be declared subject to the provisions of the Bill—that is in practice the best known gang leaders now opposing the forces of law and order. In connexion with this forfeiture of Mau Mau leaders' land I wish to make clear two points. The first is that the Government have no intention of taking action against land other than that of those I have already mentioned. The second is that the land, which will be forfeit will be put to a public purpose—for example it might be used for a clinic, for a school, or for agricultural experiment."

Now, Sir, the provisions of this Bill have been most carefully considered in consultation with leading Africans. The action proposed has been unanimously supported in Kikuyu African district councils and by chiefs meetings in the districts, and also by leading Kikuyu from many sections of the community. It was, indeed, largely because of representation from leading Kikuyu that Government decided to take this line of action. It may be noted also that the operation of the proposed Ordinance will only be during the period of the present Emergency and also that it is designed expressly to deal with the Mau Mau leaders I have mentioned.

[The Member for African Affairs]

Powers to take action of this nature, Sir, were contemplated in section 69 of the Native Lands Trust Ordinance which, however, on examination, was found to be defective for a number of reasons among which was reference to the offence of rebellion which apparently does not exist as an offence in law.

MR. BLUNDELL: Stones!

THE MEMBER FOR AFRICAN AFFAIRS: Also its failure to provide for consequential matters of detail. This Bill is accordingly designed to provide for an effective and practical means of forfeiture of individual interests in land, not only the Kikuyu land units but in other areas mentioned in clause 2 of this Bill.

It will be noted that under Part III, provision is made for the Appeals Tribunal to hear appeals under certain circumstances defined. It is my intention to recommend to the Government that Africans should serve on this tribunal.

The Memorandum of Objects and Reasons gives some detailed explanation of the sections and I would emphasize again, Sir, that the powers provided will be exercised most carefully and sparingly and directed at the real leaders of *Mau Mau* who have been convicted of defined offences and at the best known gang leaders opposing the forces of law and order and they would certainly, Sir, be the subject of most serious charges if captured. In dealing with the notorious gang leaders, the procedure envisaged is that the penalty of forfeiture would be imposed after publication of a notice reciting the charges against them, giving reasonable time to surrender and show cause against the penalty.

The provincial commissioners and the district commissioners will take loyal clan elders and local land boards into full consultation in the administration of the forfeiture procedure. I believe, Sir, that in the exceptional circumstances of the times, exceptional measures are necessary and, bearing in mind the events of the last year, there can be no disagreement among the right thinking people but those responsible for the organization of the calamitous *Mau Mau* movement and for leading the murderer-terrorist gangs in the forest and elsewhere, should suffer the severe penalty of outlawry, particu-

larly when such penalties have been strongly recommended and urged by the loyalist element among the Kikuyu themselves.

I beg to move.

THE MEMBER FOR LEGAL AFFAIRS seconded.

*Question proposed.*

MR. JEREMIAH: Mr. Deputy Speaker, I rise to oppose the Bill and in doing so I wish to touch briefly on a few points involved in the question of the Bill.

Now, Sir, the title of the Bill provides for the forfeiture of the lands of persons convicted of certain offences and of persons leading or organizing armed or violent resistance against the forces of law and order, and for the penal setting apart of lands situate in the native lands in which such persons have interests and for matters connected therewith and incidental thereto.

Now, Sir, forfeiture of land is a very severe punishment indeed, but as it is specific—it provides that people who are suffering punishment are the people referred to in the title of this Bill. No one, in my view, would try to object to the Bill, because those people have brought untold harm to the country and worsened the country as a whole; especially the people who have directly suffered at their hands would not think this Bill to be anything but appropriate.

What I would like to mention is that when we talk about land we should not forget that land is not cash in the bank, and land cannot be regarded as private property or belonging to an individual. Therefore, I do not know how this law can be applied, and be applied to concern specifically the people convicted of such offences.

In my view, Sir, the people who are referred to in this Bill are the people who have been convicted and sentenced to imprisonment for a term of seven years or more. Some of them would have been sentenced to death, and in some cases they have already died. I do not know how we can take their land and expect that we are still to punish them. It is, therefore, in my view, that the forfeiture of land is not actually a punishment to the offender, but a punishment to other people. If an offender is punished to

[Mr. Jeremiah]

death there is no other punishment for him. If he is in prison, he is in prison. It is expected that this punishment will only affect him up to his release—we should not forget that, even if he is in prison and we are taking his land, we are in fact punishing the dependants of that person, wives and children.

In my view, I think, forfeiture of land is not punishing the offender only, who is specifically provided for, that he is the person who should be punished, we include others in that punishment, who are, in most cases, innocent. Some of the wives of the persons concerned and their children will have been by that time widows or orphans—they may be wives or children whose husbands or fathers have been hanged according to their offences. I do not know how we can continue to punish these people who, I submit, are innocent, because if they are not, they should also have been convicted. I think we should not forget that the land provides the only means of livelihood amongst many Africans, and especially in the Central Province, which the Bill is concerned with.

My information is that the place is almost congested, and if the wife of an offender is deprived of a piece of land that she has, she will have nowhere else to go. I see that the Government has tried to take care about that, and has provided for fair and reasonable compensation, but there is no compensation, in my view, that can be considered as sufficient as land. No matter how much money we give a woman to live decently with her children, as she should with her children, if she was cultivating her land, it is not possible. Therefore, I submit, when that land—when some other people have interests on that land, besides the offender, such a forfeiture should not take place at all, because if we do that I think we are going to punish the innocent. The people concerned in this Bill are the people, Sir, who have caused great harm to the country and have given trouble almost to everyone.

The Emergency has affected the country and many people have suffered by their actions, but that, I think, should not make us forget the sense of justice and adopt the method which is punishing everybody, irrespective of what he or she has done. I believe, Sir, that the Govern-

ment will consider this action. If the person convicted of such offences is sentenced to land, and the land he belongs to him individually and no other person has any interest in it, I have no objection at all to that land being dealt with in any way, because the person concerned would not have any use for it. That not being the case I think this is a very silly step, because I do not believe that we can, in justice, claim that you can punish, in a sense, for the sins of the offenders. It is not even British justice, but even jungle justice cannot accept that.

Another point, Sir, on which I strongly disagree with this Bill is that it should have retroactive effect. Now, Sir, it appears to me that we are called upon to express our deep dissatisfaction with the judgment passed, because what we are asked to do now is to enhance the sentences already passed, and that we should take upon ourselves to reverse the judgment given in the courts. That, Sir, I think is not, in my view, at all justifiable.

The hon. Member for African Affairs, in his Memorandum of Objects and Reasons, is very silent on that point. I do not know whether it is that his conscience would not allow him to comment on something he himself believed to be wrong. I do not remember, Sir, seeing a man being punished twice for an offence which has been committed once. He can, if he commits it more than once, but an offence committed once is not usually punished twice. I would like, Sir, to hear whether British justice, of which we are proud of and of which we speak so loud, allows that. I fear, Sir, we are trying to overdo what we consider justice.

Mr. Deputy Speaker, on anything which concerns land, I must admit, Sir, it is very difficult for me to agree that it can be justified at all. Anything which concerns the deprivation of land is a very serious matter and, in my view, the more we talk about land, the more we are likely to offend each other. I, therefore, respectfully beg the Government to reconsider their action, and take back the Bill and see if they can devise a means by which, if this method is considered to be the most possible and most effective way of punishment, then devise a means by which that punishment will only affect the offender and nobody else.

[Mr. Jeremiah]

I would like to propose an amendment, Sir, but that is only as a last resort. My intention actually is to oppose the Bill, and therefore, Sir, I oppose the Bill.

MR. CROSSKILL: Mr. Deputy Speaker, Sir, there is just one point on which I would like some information from one of the hon. Members opposite, and that is whether he is satisfied, in view of the system of the plan for family land tenure, he is satisfied that he will be able actually to set land apart.

I beg to support.

MR. AWORI: Mr. Deputy Speaker, Sir, this is a very important Bill that the hon. Member for African Affairs has brought before us to-day. I have got a few observations to make on this Bill, and unfortunately I am neither supporting it, nor objecting to it.

Particularly I would like to get more information from the Government whether, realizing the atrocities that have been committed by the leaders of *Mau Mau*, we cannot make a more drastic punishment that would only affect them, instead of affecting other people and their families, who have nothing to do with this matter.

I support whole-heartedly the view that my hon. colleague, Mr. Jeremiah, mentioned regarding the distribution of land among the Africans, and how, if this Bill is passed, it will affect a good many innocent people.

I was not satisfied, Sir, with the method that Government adopted by taking this Bill behind our backs. That is to say, taking the Bill to the African district councils, who, as we have been told by the hon. Member for African Affairs, have sanctioned the Bill. He has also mentioned that many Kikuyu loyalists have approved of this Bill, and have asked the Government to bring the Bill before this Council.

Well, Sir, we have all seen what *Mau Mau* has done to this country. It has retarded the progress of this country. We have got in our memories thousands of people, good citizens of this country, who have suffered. We can recollect the Lari massacre, and definitely, when we have got that in our minds, we can have no sympathy with the people who plan this ghastly state of affairs. However, Sir,

let sentiment not carry us too far. Let us not entertain the spirit of vengeance on our enemies, but let us teach them that despite their evil doings, there is forgiveness and justice in the country.

Mr. Deputy Speaker, Sir, if this Bill is passed, I do not think that it is going to improve the situation. It might satisfy those who have suffered at the hands of *Mau Mau*. It might satisfy them to know that the culprits behind this ghastly affair have been punished, but I do not believe it will improve the situation in the Kikuyu Reserves at all. I do not believe that it will have served our purpose.

I would request the Government, Sir, to think again, if they will be able to bring to this Council a Bill that will be able to affect the real culprits by themselves, instead of touching on their comrades, who might be innocent of what has happened.

This Bill, Sir, affects the land question amongst the Kikuyu. Now, it is not only among the Kikuyu; but almost amongst all African tribes in this country. It is that we do not have any system of land titles. Therefore, I do not believe there is any African in Kenya, and any individual African, who can claim the right of any land at all in Kenya. Most of the land is held by families. Now, in a family of about twenty people, they all cultivate that land. If one person is guilty of this sort of offence, how is the Government going to make—going to know the percentage of land that that person is entitled to in the native land units. I think it is a very, very difficult state of affairs. It would have been possible, if by now the Government had given titles to all individual Africans, so that that particular person should be able to suffer.

On the other hand, it does not go too far, because if that particular person has got an individual title, he and his family, his wife and children, have got a share in it.

From what I can read in the Bill, Sir, that compensation will be given to the people who have got rightful shares over the land in question. Now, it is not specified whether that compensation will be given in cash or by substituting some land somewhere for these innocent folk to take over.

[Mr. Awori]

MR. DEPUTY SPEAKER, Sir, as my hon. colleague, Mr. Jeremiah mentioned, we are punishing the people twice. Particularly it is more so if a person has been sentenced to be hanged, and has been hanged, that we should go back and punish him again—it does not make any sense at all.

MR. HARRIS: Not to him.

MR. AWORI: I would feel that since we have proper cause in this country to punish the offenders despite the realization of the atrocities they have done, let them suffer. We have got capital punishment to meet all these sentences.

I would not mind, Sir, if in this case the Government put in a Bill for punishing these people for ever. I would have supported that, because it would only punish individuals by themselves, but I do not support the contention of punishing some of the innocent families, who may be a person who was detained or convicted when his wife was pregnant. If a month later she gives forth a child and the child was unaware of the father's guilt, I do not think that is fair. I do not think, Sir, that that is justice.

I think, Sir, that Government should reconsider, and I, myself, am prepared to support any Bill that will hit hard on the people who have retarded the progress of this country, but I fear to hurt some of the people who are innocent.

Well, Sir, during the speech made in this Council by His Excellency the Governor, he mentioned rightly, and it has been repeated by the hon. Member for African Affairs, that the land which will be set apart will be used for public purposes. It might be used for agricultural experiments, clinics, schools, and for other public purposes. I do not know whether the Government, so far, has an idea of how much land we are going to get when this Bill is passed. It might happen that one individual has only one-quarter of an acre, or even something less than that, and I am sure that all this land will be at different places. It will not be in one particular place. I do not see how that land is going to serve any good purpose, particularly, Sir, as I know very well that *Mau Mau* has spread through fanatics, who believe that they can play on the minds of the ignorant masses and persuade them to follow their ways.

What the Government should do particularly is to try to rehabilitate these people, so that they can realize their mistakes; so that they realize that crime does not pay, but from what I can see, this Bill is not going to improve the situation. All it is going to do is to enhance bitterness among those people who will lose their land. I do not mind at all if the real leaders have any bitterness, because they have lost their land. I have no sympathy for those people, but my sympathy goes to the people who might be innocent that this affects.

I am wondering whether the land will be used for public purposes—for on the other hand, if people are aggrieved over it, anything might happen to what might be created on that land.

MR. HAVLOCK: Threats again!

MR. AWORI: We must take that into consideration, and, therefore, Sir, before I sit down, as I mentioned before, when I rose up to speak, I had my sympathy at two ends, and I will have my sympathies at two ends. At one end I have the greatest sympathy for the loyalists who have suffered and for the country that has been retarded, and my other sympathy is for the innocent families, and I repeat the innocent families of the *Mau Mau* leaders and gangsters who have brought this bad state of affairs about in this country.

Those are the only comments I wanted to raise before this Council.

COLONEL GROGAN: Mr. Deputy Speaker, Sir, I support this Bill for reasons—one reason, particularly, which I will attempt to explain later.

As a prelude, I would compliment my hon. and learned friend for Law and Not Very Much Order for having taken cover behind the winsome and disarming personality of the hon. Member for African Affairs.

I can claim, possibly, to have had some small measure of responsibility in this particular document, as possibly I may have been the medium—the artificial insemination—that led to pre-fertility in this particular Department that has eventually arrived at this stage. It is quite natural that when it was rumoured that the mountain was in

[Colonel Grogan] labour, that I should have paid very close attention to the lying-in-ward of the hon. and learned Member's Department to see what form of progeny would appear.

In the ordinary course of the fables, the result of our experience, one might have expected that the ordinary, ridiculous mouse would emerge, but it had no resemblance to any ordinary mammal, like a mouse, the only approximation I could find, Sir, searching back in my studies of natural history, was a weird ornithorhynchus creature, called the duck-billed platypus, which, all Members will remember, is neither a decent mammal nor a reasonable sort of bird, nor even an effective reptile which I understand were the functions originally intended for this particular Bill.

It has always struck me that in the whole of this lamentable happening, this long period of gestation—14 months—which has gone to a very close parallel to that of the rhinoceros—during all that period we have had an endless succession of quaint freaks of legislation, while at the beginning of the trouble all the necessary laws were available to have enabled the Government to deal with the tragedy. Look at section 69 of the Native Lands Trust Ordinance—that would only have had to be given effect, without any change in the law whatsoever. It would undoubtedly have provided a very severe psychological shock to all of the Kikuyu people and made it easy for the Kenya Administration, at their leisure, to reorganize the whole of that particular land unit. As has already been suggested by the hon. Member that there has been a great howdydoo in the office of Messrs. Dodgson and Fogg, as I understand it, on the grounds that there was no possible legal definition of a rebellion.

Now, the ordinary language of English surely prevails. Any civic explosion is aptly and tersely described in ordinary parlance as a rebellion, just the same as physiological explosions are capable of interpretation in terse, crisp English terms understood by people.

Therefore, it seems quite absurd that contention. Because if we are not capable of proving this is a rebellion, it is quite clear to me, having had a little training in law, that if in the first

instance, His Excellency the Governor, when he declared a State of Emergency, had given as his reason for declaring that State of Emergency this condition of rebellion in the Kikuyu native unit, the onus would then have been on any offender to prove that he was not rebelling. In view of the fact that the home Government has taken occasion to send out all of its available margin of army and a symbol of the navy, I should think it would be very difficult for anybody running around with a gun, trying to shoot anyone he saw in any way connected with the Government, to claim that there was not a rebellion and he was not a participant in it.

Those things are the joy and to a large extent the substance of that venerable profession to which the hon. and learned Member belongs.

I want to come really to my reason for supporting this measure. (Applause.) I welcome it to the Statute Book because undoubtedly it will go down to history as proof positive—the culminating proof positive of the unbelievable inefficiency with which the whole of the Emergency has been handled by Government and I will not elaborate that any further. I have tried and tried again and again to suggest that it is impossible to deal with the Emergency in any country of this sort with a small, select, exotic itinerant clique of professional civil servants, dominated by a Governor, who has to take his instructions from those remote, quaint denizens of Whitehall, who have done so much to destroy the British Empire in the past. This again is perfect proof that something quite drastic has to be done in order to transfer authority in these details and vital principles when any country like this is faced with an emergency from that archaic institution into the hands of the people present.

All I have to say in conclusion—I have given my reason for welcoming it to the Statute Book—I would suggest that there is one satisfactory feature about it. That undoubtedly the hon. and learned Member will find a niche in the Valhalla of eminent legal luminaries of the British law and, perhaps, even on the terrestrial sphere, he may be found with some small, unpretentious Governorship in some remote island that has not yet found the attention of the United Nations

[Colonel Grogan] Organization and led to the evacuation of that part of the British Empire.

I support the Bill. (Laughter.)

MR. USHER: Mr. Deputy Speaker, Sir, those who support this Bill, I am quite sure, have not done so lightly, or in any spirit of vindictiveness. I support this Bill but there are features, parts, of it that trouble me also.

I am not so much troubled about the punishment of the innocent, of which we have heard a good deal from hon. Members who have spoken, because in our own history there are many instances of this form of sanction and invariably the innocent have suffered with the guilty. But there is a question that I would like to ask: we have in this Bill provision that the land confiscated shall be used for public purposes. Now is that use to last for ever? Because again if we look at our own history—for instance, in the case of the Stuart Pretenders—where land was confiscated from the rebels, it was in many instances ultimately restored.

I would like to know whether that is possible or whether that is precluded by the provisions of this law?

THE MEMBER FOR LEGAL AFFAIRS: In rising to support the Motion which has been moved by my hon. friend, the Member for African Affairs, I shall endeavour to avoid the errors, and they were grievous errors, into which the hon. Member for Nairobi West fell as a result of his perennial enthusiasm for this particular subject.

The first step, I suggest, to be taken in order to avoid these errors, is to draw a clear distinction between the policy of the Government and the method and practice by which the Government seeks to put their policy into effect.

I realize, Mr. Deputy Speaker, that any Member of this Council and of course any of the African Representatives in this Council are entitled to exercise their rights of criticizing the policy of Government or the methods which the Government seek to employ to give effect to that policy. They may certainly—again to that policy. They may criticize both the policy and the practice. But I would suggest that Members of the Council should try to avoid the error into which the hon. Member for Nairobi West fell,

when he took a little of the policy, a suppon the practice, some obsolete archaic, home-made law, piddled it into an amorphous amalgam, and then criticized it as being the policy of Government when it was nothing more than a figment of his own imagination.

I realize, of course, that it would be asking too much to expect the hon. Member for Nairobi West to take a Government policy and deal with that as a separate matter, because the hon. Member for Nairobi West has always clung tenaciously to the belief that the Government of Kenya has never had a policy, has not got a policy now, and never will have a policy; and far be it from me to attempt to disturb that consoling faith to which the hon. Member for Nairobi West still clings. I was reminded, as I listened to him, of the daring young man on the flying trapeze who flies through the air with the greatest of ease. But we, on this side of Council, and particularly, the hon. Member for African Affairs, have to put both feet firmly on the ground in order to discharge the responsibilities in the Emergency with which we are faced.

I would like to draw attention to one aspect of this Bill that, strange to say, has been completely overlooked by the hon. Member for Nairobi West. It is a very special feature of the Bill and is contained in the first sub-clause of the first clause which states that this Bill cannot become law unless it has received the signature of Her Majesty's pleasure. That means, in constitutional language, that unless the Secretary of State for the Colonies, being the Minister responsible, advises Her Majesty to that effect the Bill will now become operative. So that we start off from the position that this Bill could not become law unless it receives the support of the appropriate Minister in Whitehall and indeed, the support of the British Government, and behind that, of the British Parliament as well.

Therefore I suggest it is very necessary in discussing this Bill in this Council that those who support it should do so not in obedience to the crack of a kiboko but in consequence of an appeal to reason and carefully considered argument.

MR. HARRIS: Kiboko do not crack!

MR. HAYLOCK: What is a kiboko?



THE MEMBER FOR LEGAL AFFAIRS: It has been said, and said rightly, that the most severe weapon that any Government can wield in a peasant society is the confiscation of land. Next, after depriving a man of his life, depriving him of his land is the most drastic punishment that can be inflicted on a person who belongs to a community whose traditions are rooted in the soil. That is something which can be appreciated not only by those who belong to a peasant community but by those who are attached to land, and who have developed a philosophy of the soil and a sentiment for the land. Therefore the Government recognizes that this is a very severe weapon which is being wielded in this Bill.

The Government policy is to wield the weapon against the leaders and the organizers of the *Mau Mau*. Now, some may say—I gather that the hon. Member for Nairobi West is one of those who does—that to wield this weapon only against the leaders of *Mau Mau* is not being severe enough. Others have indicated, in some speeches from my hon. friends, the African Representative Members, that they think it is too severe to wield it against even that limited class, the leaders and the organizers of *Mau Mau*.

First, let me deal with those who hold that it is not severe enough. The alternative would be, as was pointed out by my hon. friend, to wield it against the whole tribe of the Kikuyu. That is what he—

COLONEL GROGAN: On a point of explanation, I have never suggested anything of the kind. If the original clause 69 had been implemented then the whole control would come back to the Crown and it would not have meant, had any particular effect on any single individual in that tribe, nothing penal, only a return to common sense. I trust my hon. friend was misinterpreting what I did mean. It is quite obvious my whole attack on this thing was not on the purpose of it—only partially but because of the methods which are very.... (inaudible) of every single legal question on which the hon. gentleman has been blubbering about for the last twelve months.

THE MEMBER FOR LEGAL AFFAIRS: I think my hon. friend went a little bit

beyond a point of explanation. I will deal with section 69 a little later on. I am glad to hear he never proposed that the whole Kikuyu tribe should be dealt with by a drastic action of that kind. If not the whole Kikuyu tribe, I take it it must be certain selected individuals but he has never yet told us how they will be selected. If he does not contend for that view then since no-one else in this Council contends it should be applied to the whole Kikuyu tribe, I will leave that point and pass on to those who suggest it is too severe to apply it even to the leaders and organizers of *Mau Mau*.

The answer to those Members is that what they are really saying is that there should be no Bill of this kind at all, and that this weapon should not be wielded by Government against anybody at all; because it is inconceivable—if it is to be used by Government—that it should not be used against the actual organizers of the *Mau Mau* movement. As against this point of view put forward by the African Representatives from the other side of Council, I would set the views of important members of the Kikuyu tribe, the leaders, the elders and the African district councils—who have said, in terms, repeatedly and on more than one occasion to His Excellency the Governor that they were in favour of having this weapon and using it against the leaders of the *Mau Mau* movement. That, I submit, is a good evidence that the Government is right in its policy. If it is not good evidence, then I would invite any hon. Member opposite to indicate where Government could seek better evidence.

Therefore, I say the Government has rejected the two extremes of using the weapon against the whole tribe, on the one hand, and not using it against the *Mau Mau* leaders, on the other; it has taken the middle course between these two extremes and its action in doing so is one which, in my submission, should commend itself to the Council. If, then, the policy has been agreed, the only question that still remains to be substantiated is whether the method of carrying out that policy is the most efficient method that Government can devise. It was largely upon that aspect of the matter that, as I understood the argument of the hon. Member for Nairobi West, his attention was chiefly

[The Member for Legal Affairs]

directed. Now the Government's claim in this regard is that no better method can be devised of carrying this policy into effect than that set out in this Bill. Indeed, so far from criticizing this Bill, those who have studied it, realized its implications and appreciated the safeguards it contains, should praise this Bill as providing the most workmanlike, efficient and expeditious means of ensuring that the policy of the Government is carried into effect.

COLONEL GROGAN: Fourteen months!

THE MEMBER FOR LEGAL AFFAIRS: And reducing at the same time to the minimum the risk to innocent parties.

Now what is the method? The method, stated in principle and expressed in non-technical language, is forfeiture by the act of the Executive instead of forfeiture by order of the Courts. It may be that that sounds a little startling to British constitutionalists. I have no doubt that some of them will look askance at this method but, as the hon. Member for Nairobi has reminded us, it is some consolation to know that these British constitutionalists are several thousands of miles away. If he, or anybody else, can make more of that argument, I hand it to them. For my part, I do not care to develop that argument at this moment. I think it requires more of the skill of the trapeze artist or the tight-rope walker than I could aspire to at the present time. But though it may be startling to British constitutionalists that Government should use the procedure of executive action in forfeiting land, it is not startling to those who live in Kenya because this very principle has already been embodied in the laws of Kenya.

COLONEL GROGAN: Which one?

THE MEMBER FOR LEGAL AFFAIRS: Wait a moment. This principle was not embodied in our laws, hastily or in any ill-considered manner by an arbitrary Government of tyrannical bureaucrats. On the contrary, it was embodied in our laws as a result of advice and encouragement from other quarters, quarters which are situated several thousands of miles away. It was none the less acceptable to this Government because they were so far away. The genesis of this matter—and I am very surprised that the hon.

Member for Nairobi West, in his researches and his intimate knowledge of this subject, has not given this information to Council—the genesis of this matter is to be found in the recommendations of a Commission, the Carter Commission, set up by the Secretary of State in the early Thirties. In that Commission's Report, at paragraph 1796, they recommended that a certain clause be inserted in the proposed new Native Trust Ordinance, to the effect that native land may be escheated in the event of treason or rebellion and that such an escheatment may apply, according to circumstances, either to tribal land or to land held by a group or an individual right-holder. So that is the origin of the principle—to which the hon. Member for Nairobi West referred in such complicated genealogical terms in the course of his speech. It would have been easier for people to understand him if he had gone to his sources and checked his references.

Following upon the recommendation in the Carter Commission, this Council passed an Ordinance known as the Native Lands Trust Ordinance (which Ordinance was subsequently approved by the United Kingdom Government) and it is in that Ordinance that the famous section 69 is to be found. When I say it is to be found, I think the hon. Member for Nairobi West was a little less than generous when he was referring to the discovery of this particular section. This is what he said in July of last year—“It is obvious that the movement (that is the *Mau Mau* movement) is not going to be checked by piling all the people together and locking them up. I believe somewhere tucked away at the back of my memory—it is amazing what does tuck itself away into my memory—there is in the laws of the land, probably in the law dealing with native land, something of the sort, in my recollection there is some clause where in the case of a rebellion or major subversion Government can recover areas of land from the native reserves and bring them into the category of Crown Lands.”

Having given that indication of this subject in the speech he made in this Council, he may recollect that I wrote to him the same day and assisted his memory by giving him the specific reference in that matter. It is true that that particular section—6—had for

[The Member for Legal Affairs] many years never been mentioned, and had been completely lost sight of. But it is a little distressing, Mr. Deputy Speaker, to find that the hon. Member for Nairobi West, having made his speech, having received some assistance in tracking down the particular section, in the words of Edmond Burke—"having looked to Government for bread, now turns and bites the hand that fed him." (Laughter.)

The principle of forfeiture of land by the Executive is, of course, clearly embodied in section 69 and not only that but the principle of retrospective punishment is to be found there too; because 69 says, in addition to any other punishment lawfully inflicted in respect of the offence so committed, the Governor may order that any land in the native land unit held by any tribe, group, family or individual shall be forfeited and revert to His Majesty. Those principles, therefore, were clearly embodied in the laws of this land and were—

COLONEL GROGAN: Is the hon. Member really suggesting that that particular clause is retrospective as it is a punishment for any recognized crime on the part of a tribe—

THE MEMBER FOR LEGAL AFFAIRS: I will try to make myself clear. I said the clause embodied two principles, the first, that the executive may forfeit land without an order of the Court and the second that that step may be taken notwithstanding that the person named in the forfeiture order has already been punished. In that sense it is retrospective because it punishes him a second time for an offence for which he has already been punished. So I claim that the principles which are embodied in this Bill have already received the support not only of this Council but also of the United Kingdom Government when they approved the provisions of the Native Lands Trust Ordinance.

Up to that point I hope I am in general agreement with my hon. friend, the Member for Nairobi West, I think substantially we are in agreement as to the principles embodied in the Bill—

COLONEL GROGAN: Not the timing.

THE MEMBER FOR LEGAL AFFAIRS: At this point we part company. I contend

that section 69 is a defective method and that the Bill which is put forward by the Government to-day remedies the defects that exist in clause 69, avoids its shortcomings and, in fact, produces a workman-like weapon that can be used to carry out the policy that Government has in mind. It is in other words a much more efficient weapon than that which exists in section 69 and if that contention is made good I shall expect the hon. Member for Nairobi West to recognize it and give credit to the Government for producing a more efficient weapon. Of course, I know it is a good deal to expect that he will agree that the law had made progress since 1939 when section 69 was passed, but if he will bear with me a moment, I will point out to him two defects which exist in section 69 which have been eliminated in this Bill.

The first defect is that there is no provision in 69 for providing as to who is to say that the offences have been proved. All that it said is that the Governor, in cases where the offences of treason and rebellion against His Majesty have been proved to have been committed by any African tribe, may order forfeiture. It does not say how the proof is going to be established or to whose satisfaction it is to be established. It is left in the air, it is nebulous. Although the hon. Member for Nairobi West might guess and say, "Let it be so-and-so's opinion; let it be His Excellency's opinion", it is not for him to make a law. That is the first defect in section 69 which is apparent to any who reads it closely with attention. But there is an even greater defect in section 69 where it speaks of forfeiting land to His Majesty. If it were an individual right-holder, then, of course, it might be easy to put that provision into operation. But as my hon. friend knows, there are many rights and interests in the native land units which are shared in common. For example, if a Kikuyu leader or organizer of the *Mau Mau* movement were to own a right in the native land unit of grazing goats, let us say, in common with others, how is it suggested that such a right as that could be forfeited to the Crown? It would be just unworkable; it could not be done. You might, I suppose, nominate a District Commissioner to exercise the grazing rights, but then he would not have any goats and if he procured any goats, who

[The Member for Legal Affairs] would milk them? (Laughter.) It is abundantly clear that section 69, as it stood, was completely unworkable.

Now, this Bill which is before the Council cures these defects. In the first place, it provides specifically that proof of offences must be to the satisfaction of the Head of the Executive—namely, the Governor. That clears up that difficulty. It then goes on to deal, not with forfeiture of the land in the native reserve which would be impracticable, but with the procedure known as "setting apart" land in the native reserve for the purpose of using it in the public interest, that is a practical method of dealing with interests in land which have been taken from their owners in the native reserve. Surely it is clear to the Council that this is a more practical way of dealing with land in the native reserve than purporting to forfeit it to the Crown.

There is one other improvement in this Bill as compared with the procedure laid down in section 69. A special tribunal is set up. That tribunal must include one person at least who has knowledge of native law and custom. The function of this tribunal is to protect the rights of innocent parties. Much has been said by the hon. Mr. Jeremiah and the hon. Mr. Awori regarding the rights of innocent parties. At one time I was inclined to think that perhaps they did not appreciate that the very purpose of setting up this tribunal is to protect the rights of innocent parties. If the language of the section setting up the tribunal is perhaps a little complicated, then I invite their attention to the marginal note to clause 12, which reads "Compensation to innocent persons". It will be seen from that marginal note and from the provisions of that section that as far as is humanly possible the tribunal will ensure that innocent people will not suffer as a result of a "setting apart" order being made by the Government under this Bill.

It cannot ensure, of course, that innocent people who have no interest in the land shall not suffer by reason of the fact that the bread-winner, whether he be their husband or father—the bread-winner—loses his interest in the land. That is one of the inevitable consequences that is inflicted on innocent people, whenever the bread-winner is

sent to prison, whether the bread-winner provides money for his family by following an occupation in the town or by cultivating land in the native land units. But the tribunal set up here will ensure that if there is any person who has an interest in the native lands who is not the subject of a forfeiture order or a setting apart order, he will not suffer as the result of the making of such an order.

Lastly, this Bill will be an improvement on section 69 in this respect that although it is retrospective in its effect, yet it is the intention to move a clause in Committee which will ensure that if a forfeiture order is made against a person who has already been sentenced to imprisonment then the Governor will consider whether it is equitable that some remission of his prison sentence should be made, in view of the fact that further punishment is being imposed on him by forfeiting his land. Having taken that into consideration, the Government is authorized by this Bill (or the amendment which the hon. Mr. Mathu knows is to be moved in Committee) to make such adjustment as in his opinion is equitable to make in the circumstances.

For those reasons, therefore, the Government claim that this Bill is a very great improvement on section 69, though the principle is the same. Therefore, if I may sum up the main reasons why this Council should support the Second Reading of the Bill, they are as follows:—

First, that the policy of the Government is to strike at the leaders of the *Mau Mau* in a manner which will inflict upon them the most severe and most powerful punishment that can be devised against them. The second principle that is embodied in this Bill, namely that forfeiture is effected by the action of the executive and not as a result of the order of the court, has already been approved in principle by the Carter Commission and in the Native Lands Trust Ordinance; thirdly, the Bill remedies the defects in that Ordinance by specifying in that Ordinance of proof and by the proper method of proof and by the setting apart land in the native land units instead of forfeiting it. Finally, it sets up a tribunal which will protect the rights of innocent persons.

The measure is a severe measure but like all severe measures, it carries with it

[The Member for Legal Affairs]

great potentialities for good if it is properly used. If the powers vested in the Government and in the Executive in this Bill are used with discretion and with sound judgment and wisely, then according to the cogent evidence of the Kikuyu leaders and the elders in the Kikuyu reserve, it will prove to be a very great deterrent to the leaders of the *Mau Mau* movement and by deterring them, will also deter others who might otherwise aspire to become leaders of that movement. Thus it will, Government hopes, help in the struggle to terminate the sufferings which those leaders and organizers of this subversive movement have inflicted on the African people and most of all upon those Kikuyu who are looking for and longing for a better life and a more prosperous future.

For those reasons I beg to support this Bill. (Applause.)

THE DEPUTY SPEAKER: This will be a convenient time for our customary break. Council will suspend business for fifteen minutes.

*Council adjourned at Eleven o'clock and resumed at twenty minutes past Eleven o'clock.*

MR. GIKONYO: Mr. Deputy Speaker, Sir, it is not my intention to repeat the arguments advanced by my hon. friends, Mr. Jeremiah and Mr. Awori, but just to fully endorse those arguments.

Both the hon. Member for African Affairs and the hon. Member for Legal Affairs have emphasized that the Kikuyu leaders and elders in the Kikuyu reserves have urged the Government to take this measure which is brought before the Council to-day, but, deliberately, I think, they have completely left my hon. friend, the Member for Nairobi West, out of the picture, and have refused to tell this Council that he, the hon. Member for Nairobi West, has been very keen in urging the Government to invoke the provisions of section 69 of the Native Lands Trust Ordinance.

Some time ago, when it became apparent to us that some sections of the Europeans were very keenly urging the Government to take action with regard to forfeiture of land, African Unofficial Members took the opportunity of the visit of the Secretary of State for

the Colonies when he was here and presented the African case in this matter and, somehow or other, we were left with the impression—rightly or wrongly—that this measure would not be taken, and now that it has been taken I am left with no alternative but to oppose this Bill.

I do so, Sir, not because I minimize the atrocities that these *Mau Mau* leaders have done, or the position in which they have put us—and in particular the Kikuyu people—I do so because I appreciate the effect that this Bill, if it becomes law, is going to have on the future generation of the Kikuyu people. The families and relatives and dependants of these fellows will suffer for many years. I here wish to say that it is unfortunate that this legislation should be brought because it is going to be a source of headache to present and future governments over this matter. When you create a class of landless Kikuyu, you are not going to have it very easy for many years to come. You are going to have many headaches, and I would request the Government to consider this and find out whether there is no alternative way of causing what the hon. Member for Nairobi West calls a "shock" to the Kikuyu people. It may not be a shock—it may be hatred and bitterness.

I was asking the Government whether there is no alternative method of punishing these fellows. Punish them in any way you like, but I do not think it just to punish fellows who are innocent.

Mr. Deputy Speaker, I did say I was not going to repeat the arguments advanced by my hon. friends. All I want to say is that I do oppose the Second Reading of this Bill.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, Sir, there is only one point I want to raise, which is a point in clause 12, Part III, where an innocent person gets compensation for forfeiture if he has an interest in the land.

In view of the fact that this legislation has been discussed for many months, and in the reserves, I wonder if Government is aware that, when they try to apply it, a large proportion of this land has been handed over to dummies. Really, if there is any means of covering that could be thought of, I think possibly the Ordinance might work. As it is, I do

[MR. MACONOCHE-WELWOOD] not believe the Ordinance will work at all. You will find when you come to apply it that the land of these people is largely held by the people to whom they handed it over due to an immense amount of talk—verbiage and consultation—before it was brought in—in my opinion, far too late.

Sir, I beg to support.

MR. TAMENO: Mr. Deputy Speaker, there is only one point I would like to raise in this debate, and that is the fact that so often we have heard of the settlement of the Kikuyu. Now this time we have forfeiture. How are we going to have it? At one time it is resettlement and another time it is forfeiture. It follows that one day Government will be faced with those people who are, as some hon. Members have said, they will be innocent, and Government will be faced with the problem of resettling these people. I just wondered if this was not a contradiction in terms.

MR. HARRIS: Mr. Deputy Speaker, I am really astonished at the attitude taken in this debate by the hon. Members representing African interests. The hon. Mr. Gikonyo has just made the point that he would welcome any alternative form of punishment, but not this one.

The history of Emergency Regulations and Emergency Legislation during the last 15 months has been a history of trying to find the right forms of punishment for the leaders and the people instigating *Mau Mau*, and yet every measure that is brought forward in this Council is opposed from those particular benches, and it seems to me there is a great deal of confusion.

The hon. Mr. Jeremiah commenced his remarks by reading the title of the Bill and pointing out that it was making provision for the forfeiture of the lands of persons convicted of certain offences, and of persons leading or organizing armed or violent resistance against the forces of law and order. He went on to say that he did not believe any Member of this Council would oppose that principle, and yet, Sir, having said that, we have now heard three African Representative Members speak, and every one of them has found reasons why this measure should not be supported.

I think, perhaps, Sir, the answer has been—the answer can be found in the remarks just made by the hon. Member, Mr. Tameno, who says that at one moment we talk about resettlement of the Kikuyu, and the next moment about forfeiture of land. I believe it is in that that the confusion has arisen. We talk about the resettlement of many of the Kikuyu people who, for one reason or another, have had to be displaced but we are now talking about the forfeiture of land of the persons convicted of leading the *Mau Mau*, or of organizing the *Mau Mau*. I think if the hon. African Members would draw a distinction between the Kikuyu people and the leaders of this rebellion we might get greater sympathy from them for this measure, which I believe Government have introduced in a genuine endeavour to hurt those leaders and organizers of *Mau Mau*, and at the same time, to do the least possible harm to the Kikuyu people in general.

I would appeal to any other hon. African Members that speak to try and draw that distinction which, I am sure, is intended by this Bill.

Sir, I beg to support. (Applause.)

MR. R. B. PATEL: Mr. Deputy Speaker, Sir, I should like to make observations on a few points. In October last year, when this Emergency was declared, everyone was of the opinion that this Emergency would be over in a few months' time, but, to the surprise of everyone, it has lasted so long, and no one can possibly say very accurately when this Emergency will be over. This Emergency has put the progress of the country far behind, and those who are responsible for starting this *Mau Mau* movement and retarding the country's progress should be punished—and punished very heavily.

All hon. Members will have noticed that the Indian political leaders and Indian political institutions have supported Government in any measure that Government thought fit to take to suppress the *Mau Mau* movement, but personally I do not find myself in agreement with this Bill because it was said some few weeks back by General Erskine, the Commander-in-Chief in East Africa, that the *Mau Mau* movement, the suppression of this *Mau Mau* movement, and if the people of this country are going to give this Bill as an answer for

[Mr. R. B. Patel] the suppression of the *Mau Mau* movement, I think we are making a great blunder, because what is the objective of this Bill? To suppress the *Mau Mau* movement. In my opinion, we will increase the bitterness and the hatred and discontent in the hearts of those who are innocent, because this sort of action—though there is actually not much similarity in it—was taken by the Government in India in 1931, when a non-payment of taxes movement was started there. The lands of those who had not paid their taxes were forfeited, and as such there was so much discontent among the population there—especially those who were absolutely innocent—that ultimately, when the movement was stopped, all the lands had to be given back to those to whom it originally belonged.

I think my hon. friend, the Member for Mombasa, has rightly pointed out what is the intention of the Government at the end of the Emergency? Are they going to give this land back to those from whom it has been taken?

MR. USHER: In explanation I should say, Sir, that I did not mention the end of the Emergency. The parallel I drew involved the restoration of the land to generations afterwards.

MR. R. B. PATEL: I am sorry. Probably I misunderstood him, but if it is the intention of the Government to give this land back to those to whom it originally belonged, then I think no useful purpose will be served in passing this Bill today and, at the same time, there is a great doubt in my mind whether, after the forfeiture of this land, would it be possible for the Government to start clinics, schools and other such things, on such small pieces of land which the Government will take from those connected with this *Mau Mau* movement?

Sir, if this Bill is passed, and if power is given to the Government, I appeal to the Government that, in the exercise of that power, they should take such great care that they may not ultimately increase the bitterness in the hearts of those who are innocent, and proper care should be taken that the innocent may not suffer at all.

MR. MADAN: Mr. Deputy Speaker, Sir, I assure you I did not really intend to

intervene in this debate, but I am compelled to do so by certain remarks just made by the hon. Member for Eastern Area.

Sir, I have the privilege of representing the Central Area, which includes the Central Province, along with the hon. Mr. Chanan Singh and the hon. Mr. Nathoo. I recognize that the hon. Member for Eastern Area has as much right to hold his own views. I also recognize that he is entitled to a certain extent to speak on matters which concern the Central Area—and, indeed, the Central Province—but I would submit this: that, as a direct representative of the people from the Central Area, which includes the Central Province, I am in a better position to speak for them.

I would like to say this, Sir, that the Asian community in the Central Area—I can assure Council that I have spoken to the hon. Mr. Nathoo on this—the Asian community in the Central Area are not opposed to the provisions of this Bill. We realize that the measures contemplated in this law are drastic and severe, but, as the hon. Member pointed out, exceptional circumstances require exceptional remedies to meet them.

A point has been made that this Bill is not a complete answer to the problem with which we are faced. It may be that that view is right. It may be that we have put into the field all the number of soldiers and aeroplanes and fighting men that we need to combat the terrorists, and I have now begun to think that we need something more than that. It is my opinion, Sir, that, while aggressive action must be taken and pursued relentlessly against the terrorists, we have to adopt other measures also to produce a change of heart in the people who are working against the forces of law and order. I have begun to think, Sir, that the time has come when we need to reconvert the people who have taken refuge in the mountains and in the jungles, and the problem—the question arises as to how we are going to do it?

I think what we need is an organized campaign—a crusade, if you like to call it—including members of all three communities, to try and make it clear to the terrorists that, in addition to the primary object of the Government to restore law and order—and, indeed, the Government

[Mr. Madan] most pursue all measures to restore it as soon and as speedily as possible—that those who surrender to the forces of law and order will not be punished unduly or more severely than justice and ideas of clemency require, and that those who try to revert to the forces of law and order on the side of the Government will not be beaten up. This crusade could be formed—should be formed—by members of all three communities. If necessary, they should be prepared to go into the bush and the jungle and the mountains—

MR. USHER: Are these observations in order?

THE DEPUTY SPEAKER: They are not strictly in order, but I was allowing the hon. Member to proceed as what he was saying is of importance, and has a bearing on the purport and objects of the Bill before us.

MR. MADAN: Thank you, Sir. I am trying to say that this crusade should be formed by members of all three communities, and they should be prepared to go out and meet the terrorists, if necessary. We should have the courage of our convictions.

I recall the time when—during the communal troubles in India, the late Mr. Gandhi walked into the trouble-infested areas, when there was every danger that he might be murdered on the spot, yet he talked to the people—those who were fighting amongst themselves—talked to both sections—the Hindus and the Muslims—and he was able to induce and produce in their minds a feeling of calmness instead of bitter hatred against each other. That is the suggestion I make this morning, Sir.

In so far as the Bill itself is concerned, I should like to refer to clause 3 of the Bill—(Applause—Laughter—Hear, hear)—and in particular to clause 3 (b), which lays down that “the Governor is satisfied that any person is leading or organizing, or has, at any time after the date aforesaid, led or organized, armed or violent resistance against the forces of law and order, whether or not he has been apprehended, charged or convicted in respect thereof”.

I should like to say that I hope the powers given by this sub-clause will be

exercised with extreme caution, because these powers can be used in cases where no conviction has taken place, and it may be—it could happen that, as a result of personal dislikes, the Government will be getting derogatory reports against certain people from alleged loyalists, and I would ask the Government to ensure that the powers conferred by this sub-clause will be exercised with the greatest caution possible.

Sir, I beg to support.

MR. CHANAN SINGH: Mr. Deputy Speaker, Sir, I will not drag my constituents into this debate. It is not a matter which concerns them, and they have not been consulted. In any case I am a representative of a certain section of the population, and I have been elected to this Council because of my general views affecting various matters in Kenya. It is wrong to say that the views I express in this Council are necessarily those of my constituents. They may not be their views. I express them as my own views. I have not consulted my constituents—nor, I am sure, has any other Member.

Now, Sir, this measure, in my view, is open to very serious criticism. The first criticism is that it seems to suggest that what is of importance is the punishment of criminals, rather than their apprehension. I think that if we can manage to arrest the criminals who are responsible for the present trouble, the question of punishing them will not give much trouble. The punishments that are provided by the present law are severe enough already, and they fit the seriousness of the crime.

This measure, as I have said, Sir, seems to suggest that we should concentrate on punishing them. I think the question that is really relevant is to determine who they are and where they are. If we can manage to apprehend them, then I am sure they can be punished, all right!

One other effect that this measure has is that it seeks to punish only those who have land. Those who have no land will have the punishment provided by the other laws, and they will escape the punishment provided by this particular Bill. To this extent the Bill differentiates between persons who are guilty of the same crimes.

[Mr. Chanan Singh]

One other matter that should be remembered is that the demand for forfeiture of land originally arose under section 69 of the Native Lands Trust Ordinance. It is being said that the provisions of that Ordinance are not workable. With all due respect, Sir, I do not agree with that view. After all, it is not a question of whether the Penal Code provides for the offence of "Rebellion": it is a question of determining what the word "Rebellion" means in that context.

There is another similar provision, Sir, to which I wish to invite the attention of the Council. That is section 72 of the Crown Lands Ordinance. That reads: "Notwithstanding anything in this Ordinance contained, the Governor, in cases where the offences of treason or rebellion against Her Majesty have been proved to have been committed by any African tribe, group, family or individual, and in addition to any other punishment lawfully inflicted in respect of an offence so committed, may order that any rights, permits or leases in respect of any land comprised in the areas defined in the Fourth, Fifth, Sixth and Eighth Schedules to this Ordinance, shall be forfeited. Every such order of the Governor shall be subject to the approval of the Secretary of State".

Now, Sir, this particular provision applies to serious offences of treason and rebellion—the present Bill is much more comprehensive. And, again, forfeiture under section 72 is subject to the Secretary of State's approval: the present Bill envisages that everything can be done locally once the law is approved.

Now, Sir, let us look at the Bill before us. In section 3 the provision is that two types of person can be punished under the provisions of this Bill. One is a person who has been convicted of an offence. Now, Sir, this I submit can be accurately determined. Once a person has been called before a court of law and has been convicted, there is no difficulty in saying whether he is guilty of the offence contemplated. The second type of person is the one about whom the Governor is satisfied that he is "leading or organizing, or has, at any time after the date aforesaid, led or organized, armed or violent resistance against the forces of law and order". Now, this provision, in my view, is rather vague. The Governor will have

to rely on his officers, and as the person will not have been called before a court of law, the possibility of punishing innocent persons does exist.

The offences, for which land can be set apart or forfeited, are defined in section 10. This is how the section reads, Sir: "This Ordinance applies to all offences being offences punishable by law with death or with imprisonment, for a term of or exceeding seven years, which are committed in furtherance of the objects of an unlawful society or with a seditious intention within the meaning of the Penal Code". Now, Sir, in as far as this section refers to offences committed in furtherance of the objects of an unlawful society there cannot be much objection, but the section applies to sedition also. Sedition may have nothing whatever to do with *Mau Mau*. Sedition sometimes is committed by persons who have no sympathy with *Mau Mau* or any society like that.

THE SOLICITOR GENERAL: Might I ask the hon. Member if *Mau Mau* can be divorced from sedition? That is the converse.

MR. CHANAN SINGH: *Mau Mau* itself may be sedition, that is quite true, but this section differentiates between two types of offences. One type is the offence which has as its objective the furtherance of the objects of an unlawful society. The second is the offence committed with seditious intention. Now, sedition in countries like Kenya is quite often committed by other people who have nothing whatever to do with unlawful societies. I certainly think if this Bill is to be passed, sedition should go out of it. Sedition, as the hon. Members of this Council are aware, is already punishable very severely under the Penal Code. In other countries of the world there is imprisonment and fines for sedition, but here the Codes give power to order forfeiture of machinery used for printing seditious matter.

Now, Sir, my next criticism is with regard to the appeals and compensation provisions of the Bill. Now, Sir, although the heading of Part 3 is "Appeals and Compensation", I do not see any specific provisions giving guilty persons the right to appeal. The jurisdiction of the Tribunal is quite wide. The matter on which a person can appeal would presumably come under one or the other of the

[Mr. Chanan Singh]

clauses of section 13, but there is no specific provision, as I see it, allowing an aggrieved person to appeal. I think that should be included.

There is one other point I want the Government to consider, and that is this. Is it really desirable to have an Appeals Tribunal when we have courts functioning in this country? Why not give aggrieved people the right to appeal to the ordinary courts of the land?

Then, Sir, I refer to section 17 of the Bill which takes away from the courts the power to interfere in any matter arising out of this legislation. I personally think that provision should not exist. Having given the Governor the power to order the forfeiture or setting apart of land, there is no need to go further. If His Excellency does not exercise his powers as they are given to him in this law, there is no reason why an aggrieved party should not have the right to appeal to a court. Powers should be given—they should be specified in the law—and there I think this present law should end. If those powers are not properly exercised, it should be open to aggrieved parties to go to a court of law.

The next matter on which I have a suggestion to make is with regard to making the forfeiture or setting apart orders. Now, Sir, there are one or two points there. The forfeiture or the setting apart order is to be published in the *Gazette*. I think something more should be done to make sure that the power given by the law will in fact be exercised by His Excellency the Governor and by nobody else. Power is given to the Governor and there should be some assurance that it will be exercised by His Excellency alone. I think, Sir, it is necessary to provide that an order shall be made by the Governor in every case and made by the Governor in every case and shall be served on somebody. The person concerned may not always be available. If he is in jail, he can be served; but in other cases he may not be available. In those cases I think the order, after having been made by His Excellency the Governor, should be served on some local native council or some other representative body. The whole idea that is worrying me is that the power given by law should be exercised only by His Excellency the Governor. I also think,

Sir, that the order that His Excellency makes must specify the section under which His Excellency is acting.

There are two clauses in this particular provision in section 3. One says: "Where (a) any person is, or has at any time after the 20th day of October, 1952, been, convicted of an offence to which this Ordinance applies; or (b) the Governor is satisfied that any person is leading or organizing, or has, at any time after the date aforesaid, led or organized, armed or violent resistance against the forces of law and order, whether or not he has been apprehended, charged or convicted in respect thereof". I think, Sir, the order made should specify which of these two provisions applies in any particular case.

Then, Sir, there is section 8 of the Bill which says in sub-section (1): "In exercising any powers conferred upon him by this Ordinance the Governor may consult the Local Board for the district concerned . . .". I suggest, Sir, that it should be compulsory for His Excellency the Governor to consult the local land board. He should consult the board in every case.

My next complaint is with regard to the rights of third parties. If the person against whom an order is made was only a part-owner of the piece of land in question, there is no reason in my view why the other owners should suffer. I think they should be entitled either to continue to have their share of the land or to buy the share of the other person. Compensation should not be compulsory. If that innocent third party is satisfied with compensation, he should have it; but if he wants to have the land he should be allowed to have it.

MR. MACONOCHE-WELWOOD: Mr. Deputy Speaker, Sir, if I am in order I should like to move that the hon. Mover be called upon, to reply, in view of the fact that there have been many speeches and the time of the Council is limited.

THE DEPUTY SPEAKER: I am afraid that is not in order. There is no provision—under our Standing Rules and Orders—for a Motion of that kind.

If there is no other hon. Member who wishes to speak, I will call on the hon. Mover to reply. (Applause.)

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Deputy Speaker, Sir, my hon. and learned friend, the Attorney General, in a very able speech, dealt with many of the points raised by the hon. Members opposite, and in particular he demolished the suggestion from the hon. Mr. Jeremiah that the Government, under this proposed legislation, intended to punish innocent people. I think the hon. Mr. Jeremiah went so far as to say Government intended to punish everyone irrespective of what he or she has done. With all due respect I find it very difficult to see how he could have read it into the Ordinance, if indeed he had read it at all.

The hon. Mr. Awori accused the Government of going behind—I am not sure whether his back or over—all the backs of the Members representing African Interests—in introducing this legislation. I should like to assure him it is the usual practice to consult all kinds and sorts of people in matters such as this, and in this case it was indeed most carefully done—to consult all shades of loyal Kikuyu opinion, and indeed, to consult experts on Kikuyu land tenure, because that, needless to say, is a very important aspect in studying legislation such as this. I should also like to disilusion him on this subject of individual land tenure. I feel that possibly he has not been abreast of the development in the Kikuyu country during the last decade. While, indeed, the land may be largely clan held, individual tenure has developed with the changing times and is recognized, and I believe myself, when we come to operate the land forfeiture machinery here, we shall find we are dealing in cases that may be enviaaged—that it will in fact be individually held land—the land purchased by these people—and purchased I venture to suggest by money which may have been subscribed for other purposes. It is that type of land that we have particularly in view. I should like to reassure the hon. Members and to repeat that it is the Government's intention to apply this legislation very sparingly, very carefully, after the most careful consideration, taking into account the full discussion—and consultation provided for with the clan elders and local land boards. It will only be aimed at those few leaders or organizers of the *Mau Mau* movement that I have mentioned, and those

very few terrorist gang leaders, who are still at large.

I would, also, repeat that the Government would not have brought in this legislation if it had not been for the wide support and, indeed, the wide demand for its introduction. The large number of loyal Kikuyu who were consulted on this matter—and I feel a sense of regret that the hon. Members for African Interests, who found themselves unable to support this legislation, should have been unable to support this demand from the loyal Kikuyu. (Hear, hear.)

I should like also to reassure the hon. Member for the Eastern Area that the Government has no intention of giving this land back when forfeited, otherwise, Sir, I find it difficult to believe that we could have undertaken the long process of discussion and debate that we have embarked on. I should, also, like to express appreciation of the point made by the hon. Mr. Madasa—that indeed you cannot defeat a movement such as this *Mau Mau* by repressive measures only, and I should like to reassure him that the Government is very well aware of this, and in bringing forward this legislation it was fully appreciated that it was necessary to support the views of the loyal Kikuyu in this matter. Indeed, it is only one facet of the campaign against the *Mau Mau*, and he would admit, I feel certain, that some facet of this campaign must indeed be repressive.

I appreciate, also, the difficulties envisaged by the hon. Member for Uasin Gishu. These have been fully considered. There are indeed difficulties and there will be other difficulties in carrying out this procedure but I do not believe that they are insurmountable, and I believe that with full co-operation of the loyal clan leaders and the local land boards that we should be able to bring these penalties to rest where they are most richly deserved.

I beg to support. (Applause.)

The question was put and carried.

MR. HARRIS: (Aside) Divide!

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, Sir, on a point of order, Sir, is the hon. Member who was calling for a division, challenging your opinion?

THE DEPUTY SPEAKER: I heard a very half-hearted whisper from this corner, but I did not take it seriously.

MR. HARRIS: I am sorry you did not take it seriously, Sir—

THE MEMBER FOR FINANCE AND DEVELOPMENT: I would like to raise a point under the Standing Orders—I think I am right in saying that the only time a division can be called for is when your opinion is challenged.

THE DEPUTY SPEAKER: That is true, and I am firmly convinced that the opinion I gave was correct—that the "ayes" have had it. If a division is called for it rests with me to decide whether a division should be taken. In order to help me in that decision, I want to ask those who challenge my decision to rise. As this matter has been raised in this form, I will take that course and ask those who challenge my ruling that the "ayes" have had it, to rise in their places.

There will be no division, the "ayes" had it.

MR. BLUNDELL: Might I speak on a point of order which the hon. Member for Finance and Development raised? Am I to assume that the old practice of calling "divide" must now depend entirely on your judgment, Mr. Deputy Speaker, Sir?

THE DEPUTY SPEAKER: The Order is No. 54 which reads:—

(i) If the opinion of Mr. Speaker or the Chairman as to the decision of a Question is challenged, he shall direct a division to be taken and thereupon the Serjeant-at-arms shall cause the division bell to be rung.

(ii) After the lapse of five minutes, Mr. Speaker or the Chairman shall direct the doors of the Council Chamber to be closed and thereafter no Member may enter or leave the Council Chamber until the division has been taken:

Provided that the aforesaid period of five minutes may, on the request of a Member, be extended to ten minutes if Mr. Speaker or the Chairman, in his discretion, so directs."

That procedure I have followed and I declare that the "ayes" have had it, and there is no division.

MR. BLUNDELL: I am not questioning in any way the ruling which you made just now—that in my view I would support completely. The point I am now raising, Mr. Deputy Speaker, Sir, is this. It has been the past custom of this Council for Members, if they wished to record their votes, for them to call "divide". Under this procedure it will be in order for you to prevent them doing so by merely asking them to rise in their seats. In that event their votes will not be recorded. I think in view of a very substantial change that this ruling makes in the old procedure, I should like to give notice that we should like to discuss it in the Sessional Committee.

THE DEPUTY SPEAKER: May I say that it is not my ruling that makes the substantial change in the procedure, but it is the Standing Orders and Rules passed by this Council.

MR. BLUNDELL: I accept it. It is the first occasion that it has been brought to notice and implemented.

THE DEPUTY SPEAKER: It is not the first occasion.

THE MEMBER FOR FINANCE AND DEVELOPMENT: On a point of order, Sir, surely the position is that if any hon. Member wants his vote to be recorded, as against your decision, he is at liberty to challenge your decision. I am sure you would not deny him the right to do so.

MR. BLUNDELL: If that is clear—the point I have raised—as long as we can, if we wish to have a division.

THE DEPUTY SPEAKER: May I make the position clear as I understand it. Under the old procedure it was quite a frequent event that a division was called when there was not the slightest doubt as to the voting. It was known that there was a big majority either on one side or another, but a division was called for in order that it might be placed in the HANSARD record that certain named persons voted for the Motion, and certain other named persons voted against. Under Standing Orders that now apply, there is no provision for that kind of procedure but a division can be called as only when the ruling from the Chair, as to the majority of any particular Vote, is challenged.



MR. HARRIS: Is not the whole of this matter tied up with the interpretation of the word "unnecessary" in the Standing Order you have just read? I would have thought, that in this Council that is composed of representatives, that it is often very necessary, on a matter of public policy, that those representatives should be able to assure their constituents and those that they represent, of their exact opinion in any particular matter of policy. I would have thought it a matter of interpretation of the word "unnecessary".

THE MEMBER FOR FINANCE AND DEVELOPMENT: I would suggest that the operative words are at the beginning of Standing Order No. 54, Part 13—Divisions, "If the opinion of Mr. Speaker or the Chairman as to the decision of a question is challenged", that means that if indeed the minority wish to place on record their vote against a particular measure and challenge your decision, they are fully at liberty to do so.

LADY SHAW: Would there be a division for that?

MR. HARRIS: On a point of order, I am surprised, Sir, at probably the most experienced Parliamentarian trying to deny the right of somebody, who, in fact, is in favour of your decision, recording his vote in that manner.

THE MEMBER FOR FINANCE AND DEVELOPMENT: It is nice of the hon. Member for Nairobi South to pay me a compliment, but, Sir, in that respect, surely the interpretation of the right is in the Standing Orders.

THE DEPUTY SPEAKER: That certainly is as I interpret the Standing Orders, and I shall persist in standing by that until the Standing Order is changed by some Resolution of this Council, and the interpretation that I have placed on this Standing Order is reversed.

#### COMMITTEE OF SUPPLY

Committee of Supply—Order for Committee read. Mr. Deputy Speaker left the Chair.

#### IN THE COMMITTEE

[Sir Charles Mortimer, C.B.E., in the Chair]

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move:

BE IT RESOLVED that a sum not exceeding £1 be granted to the Governor, on account, for or towards defraying the charges of Supplementary Estimates of Expenditure No. 10 of 1953.

The sum is, of course, a token Vote as is explained in the Memorandum note.

#### Question proposed.

THE CHAIRMAN: There is only a single item which hon. Members have before them.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: Mr. Chairman, in order to clarify the Memorandum explaining this Vote, I would like just to make a few remarks.

In the first instance, Sir, this does not mean, of course, that this special officer is going to be removed from my portfolio. He will remain as Secretary for Agriculture under me. Nor does it mean, Sir, that we are considering a complete separation of African agricultural problems from European agricultural problems. I would not like that read into this because it would be a great mistake. But, Sir, we have produced and we have now obtained the finance for what amounts to a co-ordinated plan covering all aspects of an intensified agricultural development of African lands.

We have endeavoured, Sir, to take as a criterion the need to raise the productivity and the human and stock-carrying capacity of these areas. Also the income and standards of living of the people, whilst, at the same time, effecting a substantial increase in the resources of the economy of the country. We have tried to make the approach, Sir, to this problem to some extent an ecological one. We have considered the problem as applicable to African lands of high potential, and equally to semi-arid and pastoral areas. We have to include in our plan the rehabilitation of land and the intensification of farming very much, the development of cash crops and livestock improvement and we cannot divorce from these tasks problems of rural water, irrigation, bore-holes and surface catchments and also swamp reclamation. In order to carry these things out, we also have to bring into the picture the necessity for further provision for agricultural education.

[The Member for Agriculture and Natural Resources]

In addition, Sir, as is mentioned in the Memorandum, we have the problem of dealing with displaced persons—I am referring, of course, to displaced Kikuyu—and providing these with work which is of economic value to the country is one which has fallen within the purview of my portfolio. In order, Sir, to deal with all these problems, it is essential that I should have, at any rate for the time being, two permanent secretaries because the work is more than one could possibly compete with.

Lastly, Sir, I would like to stress, lest there be any misunderstanding from the wording of this Memorandum, that, although I think I must have already made it plain, this expenditure of £5,000,000 is not going to be spent entirely on the Kikuyu tribe. Far from that, Sir, the very considerably larger proportion will naturally, in accordance with the plan I have outlined, be spent on the country as a whole and therefore on tribes other than the Kikuyu.

Sir, I just thought I would make that plain lest any misunderstanding should arise from this request for the extra post.

MR. COOKE: Mr. Deputy Speaker, there are two points—both rather technical—I would like to raise. Number one, it is very undesirable to bring in Supplementary Estimates immediately after the Draft Estimates and surely such a post must have been envisaged—in respect of the loan we were told we were getting—weeks ago.

The second point is more important, it concerns the Civil Service and I happen to be Chairman of the Civil Service Advisory Board. I have not heard who is to fill it. It is a new post; and is it going to be filled by somebody who happens to be number two in my hon. friend's office, or is it going to be advertised so that officers in other Departments may be given a chance to apply for it? It is a very important post. Or is—excuse the term—some blue-eyed boy going to be put into it? I think it matters.

THE CHAIRMAN: I think the hon. Member is getting quite out of order in raising that point which does not arise in the Motion.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I think I can deal with the financial side of this and why this has been produced after the Draft Estimates. I must take the responsibility in that I refused to agree to a supernumerary appointment of this kind until the money was available to justify the appointment and the work.

MR. MATHU: There is just one point I want to raise in conjunction with this just because my hon. friend has raised the question of £5,000,000. I do hope in the plans that the hon. Member for Agriculture has said, he will take the advice of Africans in this matter, because I would hate that, after three, four or five years, we look around in these African areas and do not see anything tangible as an improvement in agriculture, owing to the money which will be spent in overheads, large salaries for so many people and in the end there is nothing actually that will benefit the people you want to benefit. I just wanted to make the point here.

THE MEMBER FOR AGRICULTURE AND NATURAL RESOURCES: I do not think the hon. Member is justified in making any sort of suggestion that that has happened in the past. Having said that, I will, of course, give him an undertaking that we will consult the Africans.

THE CHIEF SECRETARY: In reply to one point made by the hon. Member for the Coast, I would point out that the appointment to this post lies in the hands of the Secretary of State for the Colonies and it is not within the terms of reference of the Civil Service Advisory Board.

The question was put and carried.

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Committee doth report to Council its agreement with the Resolution on the Order Paper.

#### Question proposed.

The question was put and carried. Council resumed.

[Mr. Deputy Speaker in the Chair]

#### REPORTS

SIR CHARLES MORTIMER: I beg to report that the Committee of Supply has considered the Resolution and has approved the same without amendment.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Deputy Speaker, I beg to move that the Council doth agree with the Committee in the said Resolution.

*Question proposed.*

The question was put and carried.

COMMITTEE OF THE WHOLE COUNCIL

Committee of the whole Council—Order for Committee read. Mr. Deputy Speaker left the Chair.

IN THE COMMITTEE

(Sir Charles Mortimer, C.B.E., in the Chair)

THE INCOME TAX (RATES AND ALLOWANCES) (AMENDMENT) BILL  
Clauses 1 and 2 agreed to.

Clause 3

THE MEMBER FOR FINANCE AND DEVELOPMENT: In accordance with the comments I made in the Second Reading, I beg to move the following Resolution:—

That the words "second child's allowance" in parentheses in sub-paragraph (iv) of paragraph (a) of clause 3 be deleted and that the words "earned income allowance" be substituted therefor.

*Question proposed.*

The question was put and carried.

Clause 3, as amended, agreed to.

Title and enacting words agreed to.

The Bill, as amended, to be reported.

THE SUPPLEMENTARY APPROPRIATION (1952) BILL

Clauses 1 and 2 agreed to.

Schedule agreed to.

Title and enacting words agreed to.

Bill to be reported.

THE SPECIFIC LOAN (COLONIAL DEVELOPMENT CORPORATION) BILL

Clauses 1 to 15 agreed to.

Title and enacting words agreed to.

Bill to be reported.

THE SPECIAL TAX (TEMPORARY PROVISIONS) (AMENDMENT) BILL  
Clauses 1 to 7 agreed to.

Title and enacting words agreed to.  
Bill to be reported.

THE FORFEITURE OF LANDS BILL  
Clauses 1 and 2 agreed to.

Clause 3

MR. JEREMIAH: Mr. Chairman, I would like to move an amendment that in Part II, Clause 3, sub-section (1) (a), substitute for the words: "any person is, or has at any time after the 20th day of October, 1952", the words: "any person is at any time after the 31st day of December, 1953".

My reason for proposing that Motion is because I do not think it is fair for such a measure to have a retroactive effect. But the hon. Member for Legal Affairs tried to explain that this provision is provided in the Native Lands Trust Ordinance, section 69, but I submit that such a provision in that section is only when the state of affairs is regarded as a rebellion. Which I submit, Sir, this is not one.

*Question proposed.*

THE MEMBER FOR AFRICAN AFFAIRS: Mr. Chairman, Sir, I regret that Government is unable to accept this amendment and will not support it, as we feel that this Bill, as I have already described, is a special measure to deal with these most special circumstances in this very difficult time. We feel this amendment will, in fact, render the aims and objects of the Bill migratory.

MR. JEREMIAH: Mr. Chairman, I think if the intention of this Bill is to try and deter people from joining *Mau Mau*, I do not see why it would have a retroactive effect as it is proposed here, it means that those people who are concerned have already been sentenced for the mischief they have already done.

THE CHAIRMAN: I will put the question in the form required by the Standing Orders, that the words proposed to be deleted stand part of the clause. That means that those who oppose this Motion will say "aye".

The question was put and carried.  
Clauses 4 to 18 agreed to.

*New Clause*

THE MEMBER FOR AFRICAN AFFAIRS: I beg to move that the following new clause be inserted.

THE CHAIRMAN: Does that come after clause 18?

THE MEMBER FOR AFRICAN AFFAIRS: Yes, Sir. Section 19, as a forfeiture order—"Where a forfeiture order or a setting apart order is made by reason of the conviction of the person named thereunder for an offence to which this Ordinance applies, and, at the time of making the order, such person is undergoing a sentence of imprisonment imposed upon such conviction, the Governor shall consider whether or not any remission of the sentence of imprisonment as aforesaid should be granted, having regard to the making of such forfeiture order or setting apart order, and, if the Governor is of the opinion that it would be equitable so to do, he may grant a remission of the whole or part of such sentence".

THE CHAIRMAN: In accordance with Standing Order 105, this should be moved as a First Reading. Will you propose that this clause should be read a First Time.

THE MEMBER FOR AFRICAN AFFAIRS: I beg to propose that clause 19 should be read a First Time.

THE MEMBER FOR COMMERCE AND INDUSTRY: On a point of order, if the clause is being read for a First Time, is it in order that you are still Chairman?

THE CHAIRMAN: Yes. Do you wish to make any comment?

THE MEMBER FOR AFRICAN AFFAIRS: No, Sir.

*Question proposed.*

The question was put and carried.

THE CHAIRMAN: It should be moved that the clause be read a Second Time.

*Question proposed.*

The question was put and carried and the clause was accordingly read a Second Time.

Title and enacting words agreed to.

The Bill, as amended, to be reported.

THE MEMBER FOR FINANCE AND DEVELOPMENT: Mr. Chairman, I beg to move that the Committee doth report back to the Council.

*Question proposed.*

The question was put and carried.  
Council resumed.

[Mr. Deputy Speaker in the Chair]

REPORTS

SIR CHARLES MORTIMER: I beg to report that a Committee of the whole Council has considered, clause by clause, the Income Tax (Rates and Allowances) (Amendment) Bill and has approved the same with amendment.

INCOME TAX (RATES AND ALLOWANCES) (AMENDMENT) BILL

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Income Tax (Rates and Allowances) (Amendment) Bill be now read a Third Time.

*Question proposed.*

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORTS

SIR CHARLES MORTIMER: I beg to report that a Committee of the whole Council has considered, clause by clause, the Supplementary Appropriation (1952) Bill and has approved the same without amendment.

THE SUPPLEMENTARY APPROPRIATION (1952) BILL

THE MEMBER FOR FINANCE AND DEVELOPMENT: I beg to move that the Supplementary Appropriation (1952) Bill be now read a Third Time.

*Question proposed.*

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

REPORTS

SIR CHARLES MORTIMER: I beg to report that a Committee of the whole Council has considered, clause by clause, the Specific Loan (Colonial Development Corporation) Bill and has approved the same without amendment.

**THE SPECIFIC LOAN (COLONIAL DEVELOPMENT CORPORATION) BILL**  
**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Specific Loan (Colonial Development Corporation) Bill be now read a Third Time.

*Question proposed.*  
The question was put and carried.  
The Bill was accordingly read a Third Time and passed.

#### REPORTS

**SIR CHARLES MORTIMER:** I beg to report that a Committee of the whole Council has considered, clause by clause, the Special Tax (Temporary Provisions) (Amendment) Bill and has approved the same without amendment.

**THE SPECIAL TAX (TEMPORARY PROVISIONS) (AMENDMENT) BILL**  
**THE MEMBER FOR FINANCE AND DEVELOPMENT:** I beg to move that the Special Tax (Temporary Provisions) (Amendment) Bill be now read a Third Time.

*Question proposed.*  
The question was put and carried.  
The Bill was accordingly read a Third Time and passed.

#### REPORTS

**SIR CHARLES MORTIMER:** I beg to report that a Committee of the whole Council has considered, clause by clause, the Forfeiture of Lands Bill and has approved the same with amendment.

#### THE FORFEITURE OF LANDS BILL

**THE MEMBER FOR AFRICAN AFFAIRS:** I beg to move that the Forfeiture of Lands Bill be now read a Third Time.

*Question proposed.*

The question was put and carried.

The Bill was accordingly read a Third Time and passed.

#### ADJOURNMENT

**THE DEPUTY SPEAKER:** That concludes the business of the Order Paper for to-day, and, subject to any summons of the Council in an emergency, Council will now stand adjourned until the 16th day of February, 1954, at 10 o'clock in the morning.

*Council rose at forty-five minutes past Twelve o'clock.*

#### WRITTEN ANSWER TO QUESTION No. 28

how many of these are promoted to the post of Assistant Education Officer?

**MR. MATHU** (Member Representing African Interests) to ask the Member for Education and Labour to state:—

The number of African teachers employed by the Education Department who hold university degrees and

#### Reply:

There are three African teachers employed by the Education Department who hold university degrees; none of them has been promoted to the post of Assistant Education Officer.

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10th Council—Third Session—First Sitting

VOLUME LVIII

20th October, 1953, to 11th December, 1953

### Explanation of Abbreviations

Notice of Motion=NOM; Bills: Read First, Second or Third Time=1R, 2R, 3R; In Committee=IC; Referred to Select Committee=SC; Select Committee Report=SCR.; Recommitted to Council=Re.C.I.; Withdrawn=Wdn.

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20th Oct., to 11th Dec., 1953.

Reference No. From Central Government Library.

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