

1931.

*Kenya*

No. 17075

SUBJECT

CO 533/407

*Kenya circumcision ceremony.*

Previous

16004/30.

Subsequent

18005/32.



If have been  
in view with  
yes 30 less as to  
printing.  
M.  
27/6

11. Hon. Payne Conf 68 ————— 5 May 2  
states no reason why second operation should  
be performed but it has been severely  
prohibited in letter.

Others might send the  
substance of this to the Duchess  
etc 3? " etc for cover

Edmond  
29.6.31

Yes etc cover - all  
exp. act? No 11 enclosing  
copy of the letter to be sent  
to the Duchess.

all  
29.6.31  
atms

Yes has  
Edmond  
2.7

T. B.  
11.7.31

12. No Duchess of Atholl ————— 13 July 31

13. No: Case Conf (2) - (1/c. 12.) - 11. Edmond - 15 JUL 1931

DESTROYED UNDER STATUTE

W

Duchess of Atholl ————— 17.7.31  
Order No. 12 Will bring matter before  
Committee at early date

DESTROYED UNDER STATUTE

Partly  
Edmond  
29.7.31

W

15 Duchess of Atholl % \_\_\_\_\_ 4 August  
inquire as to declarations by girls desiring to  
solicit operation and as to measures taken to  
ensure that it is widely known that no girl  
can be legally operated on against her will.

DESTROYED UNDER STATUTE

16 To Duchess of Atholl (15 ans.) 6 August

17 Duchess of Atholl % \_\_\_\_\_ 6 August  
state as to limitations of amount of  
bolsa, or better price in T.T. and  
inquire if possible to get native councils  
in other colonies to limit the amounts

18 To Duchess of Atholl (17 ans.) 8 August

? send a copy of 15<sup>th</sup> out to  
the Sec. of course in continuation  
of no. 13 & ask for his obsvns  
& I think we might  
send a separate draft with a  
copy of no. 17 & ask for his  
obsvns on that. 17 & the draft  
should then be transferred to a  
separate file as it is really  
a different point.

J. Gordon  
18/8/21

The Sec

Any obsvns on para 1 of 17?

J. Gordon  
14/8

The Sec  
I have spoken to Mr. Jamieson about  
this, the raising or lowering of 'bolsa'  
is not a matter which is likely to  
appear in P.C.I. Reports, I have just  
been able to trace a reference, and  
there are no separate P.I. pp. Nor is  
there any info about this in P.I. No 418  
"Papers relating to the health & progress  
of Native Population in certain parts of  
the Empire."

J. L. Rossan  
29.8.31

Mr. Huxley

You will see that we have no info  
here as to the lowering of the bride price in  
the T.T.

The Duchess of Atholl appears to suggest  
enquiry of other places as well as Kenya.  
if enquiry is to be made as she suggests  
- to which promised that it should - T.T.  
might be included in the enquiry.

J. Gordon  
29.8.31

Whitton  
31/8

draft  
attached 31/8

Ms 17 118  
transferred to  
20139/31/EA

15 Duches of Atholl 6 August  
Inquire as to declarations by girls desiring to  
avoid operation and as to measures taken to  
ensure that it is widely known that no girl  
can be legally operated on against her will.

DESTROYED UNDER STATUTE

16 To Duches of Atholl (15 and) 6 August

17 Duches of Atholl 6 August  
State as to limitations of amount of  
bribe, or bride-price in T.T. and  
inquire if possible to get native councils  
in other colonies to limit the amounts.

4 1-18  
me to  
9/31/EA

18 To Duches of Atholl (17 and) 6 August

? send a copy of 15 out to  
the Sec. General in continuation  
of no. 13 & ask for his obs'n's  
& I think we might  
send a separate dep. with a  
copy of no. 17 & ask for his  
obs'n on that. 17 & the dep.  
shd then be transferred to a  
separate file as it is really  
a different point.

J. S. Seal  
18/8/31

Mr. Seal

Any obs'n on para. 1 of 17?

J. S. Seal  
14/8

Missed I have written you  
I have spoken to Mr. Smith about  
this, the raising of loans of 'loans'  
is not a matter which is likely to  
appear in P.C. Reports, I have not  
been able to trace a reference, and  
there are no separate P.C. pp. Nor is  
there any info about this in the  
"Papers relating to the health & progress  
of Native Population in certain parts of  
the Empire."

J. L. Rowan  
29.8.31

Mr. Knight

You will see that we have no info  
here as to the lowering of the bride-price in  
the T.T.

The Duches of Atholl appears to suggest  
enquiry of their places as well as Kenya.  
if enquiry is to be made as she suggests  
- D. Smith promised that it should - T.T.  
might be included in the enquiry.

J. S. Seal  
29.8.31

W. H. ...  
2/11

draft to ...  
31/18





24 To Duchess of Atholl - 50: 19 Nov 31  
(15 amended)

25 To Gov. Conf. (W/CP24) 21 NOV 1931  
(23 amended)

26: The Duchess of Atholl — 7/17/31

In bringing the contents of No 24 before the Committee (for the protection of Coloured women in the Crown Colonies) as soon as it is reconstituted. It is not sure that all women missionaries would agree that a "native girl has not a will of her own, but is merely the puppet of tradition".

? put by

Garland  
10/14/31

W. Stanton  
15th

DESTROYED UNDER STATUTE

DESTROYED UNDER STATUTE

Duchess of Atholl  
Agrees that an energetic campaign of educational and propaganda and administrative action would be better course; enquires as to the performance of a second operation and as to reports of complications under the new code.

To Duchess of Atholl (1 ack'd)

11 February 31

The Duchess's letter can clearly be treated as official. As well as being her reply to Dr. Shiels' confidential letter of the 1st January - No. 38 on 16004/30, it deals from paras 4 to the end with the memorandum sent to the Colonel Wedgwood on the same date - No. 26 on 70005/1/30. The Committee have read the latter memorandum with interest, and have no comments to make regarding it except on the question of these initiation ceremonies. In the circumstances it would seem to be much more convenient to coalesce the two series of correspondence, and to treat them in future as one, as the Duchess has done.

Taking now the various points raised:-

Paragraph 3. It is a relief to find the Committee agreeing that in the circumstances it would be a mistake for the Kenya Government to try to amend the definition of the word "maim" in the Penal Code. As for the question of the minor operation; in No. 39 on 16004, the Duchess suggested ~~that~~ that it might be desirable to have further medical opinion either from the B.M.A. or the Women's Medical Federation as to the extent to which its results were harmful. Dr. Stanton considered that there was nothing to be gained by reference to either of these bodies, and that if further advice were required the C.A.M.S Committee, or Dr. <sup>Miss</sup> ~~Dawson~~ Blacklock would be much more likely to give it. As however the Duchess has

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(15 amended)

25. To Gov. Conf. (w/c 24) 21 NOV 1931  
(23 amended)

DESTROYED UNDER STATUTE

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? put by

Stanton  
10/1/31.

Admiral  
15/1/31

1 Duchess of Atholl 5 February 31  
Agrees that an energetic campaign of education and propaganda and administrative action would be better course; enquires as to the performance of a second operation and as to reports of convictions under the new Code

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Taking now the various points raised:- 1.

Paragraph 3. It is relief to find the Committee agreeing that in the circumstances it would be a mistake for the Kenya Government to try to amend the definition of the word "main" in the Penal Code. As for the question of the minor operation, in No. 39 on 16004, the Duchess suggested ~~in 39-26~~ that it might be desirable to have further medical opinion either from the B.M.A. or the Women's Medical Federation as to the extent to which its results were harmful. Dr. Stanton considered that there was nothing to be gained by reference to either of these bodies, and that if further advice were required the C.A.M.S. Committee, or Dr. <sup>Mary</sup> Blacklock would be much more likely to give it. As however the Duchess

But she has not had an answer. See C.C. Committee's minute 1 of Jan before 1930 of 16005/30 1930?

has not renewed the suggestion of obtaining further advice it seems unnecessary to pursue it for the moment.

Paragraph 4. The memorandum promised that every endeavour would be made to limit the <sup>right</sup> to a "mild and innocuous form", and I can see no objection to giving the assurance <sup>that</sup> wherever possible the propaganda will include the lesser form of the operation as well as the greater. (The words "wherever possible" make the assurance meaningless.)

Paragraph 7. See para. 2 of the Colonial Office Memorandum on 70005/1/30. The difficulties of giving girls an opportunity of saying that they want to avoid the ceremony have already been pointed out to the Committee. There could be no harm, however, in putting the suggestion to the Governor for his consideration.

Paragraph 9. The second operation is referred to in para. 3 of the <sup>Embry</sup> resolution enclosed in No. 37 on 16004. We know nothing about it, but can ask for further information.

Paragraph 10. It had, I think, already been contemplated that reports on progress should be asked for once a year.

Perhaps we might write as in the drafts herewith for conson.

You have suggested that perhaps the Duchess might be interested in para 26 to 31 of the lay P.S. Dept. as to the status of native women & children - see 11 a 70005/1/30, flagged I. This has been printed as a Conf. print, but it is intended that some at least of this

\* They are used in the letter - not intended here as only to indicate the assurance.

Since then I have seen the H.R. again & as before published the T.T. Dept will have to consider whether (the possibility of) was not affect them (banc) perhaps it must be better not to circulate them now. 1930

content should be unpublished in these para's. ? send a copy to the Duchess. On the assumption that this proposal will be approved, I have included a para. in the dt.

Flatman 24.2.31

Mr Eastwood & I have collaborated in the revised draft submitted herewith for conson. This letter seems to me to be much more satisfactory than we might have expected. In all the cases it does not seem necessary to pursue the point as to obtaining further medical opinion - see under para 3 in Mr Eastwood's minute. It has therefore not included in any reference to it in the drafts, nor included to 39 of 16005/30 in the conce. sent to the Gov. - 45 with strict in the series has been sent.

well with.

W. Allen

26/2/31

Mr Allen & Mr Eastwood have forgotten part of the which I think meet the requirements admirably.

W. Allen 1.2.31

Yes! Thanks! T.D. 10.3.31 P10/3

W. Allen 2.3.31

3. To: The Duchess of Atholl: \_\_\_\_\_

12 MAR 1931

4. To: Gov. Gen. (2) (Nos 38, 40 on 16004/30 & 1 + 3 on this file) - bono - 12 MAR 1931  
(37 on 16004/30. Attached.)

11/6

13/31  
1931

5. Duchess of Atholl \_\_\_\_\_ 11 March  
Enclose opinion of Women's Medical Education on subject

DESTROYED UNDER STATUTE

To: The Duchess of Atholl (5 ans) - s.o. - 17 MAR 1931

7 To: Gov. Gen. (Nos 5 (incl. 2 & 6) - A/1 - 28 MAR 1931

Indones  
A. J. ...

8 Duchess of Atholl \_\_\_\_\_ 11 March  
acknowledges nos. 3 + 6; requests information included  
in no. 5 to be forwarded to Governor

The Gov. has already had a  
copy of no. 5 & its enclosure  
There is therefore no necessity  
to take any action on this

Put

Granton

22-4-31

alance

9 copy of miscellaneous dep. of 10 Jan 1931  
on 70005/1/30 Rev.

10 To Rev. T.T. 182 on 30024/31 T.T. 21<sup>st</sup> March  
copy attached.

TELEPHONE.  
FLAMMAN 7071.

RECEIVED  
9-DEC-1931  
OGL OFFICE

88, ELM PARK GARDENS,  
S.W.10.

7th December 1931.

Dear Sir Robert

No 24  
Please forgive the delay in replying to your letter of the 19th November. I refrained from replying to it personally as I had hoped to be able to lay it before a re-constituted Committee, but there have been so many other things to do in this crowded Session that I have not been able to get the Committee re-formed.

I shall hope, however, to get it set up as soon as Parliament meets again. I note that the Governor of Kenya is definitely of the opinion that no useful purpose would be served by the introduction of any formal declaration of a girl's wishes, such as I suggested in my letter of the 4th August. I am not sure, however, that all women Missionaries would agree that a "native girl has no will of her own, but is merely the puppet of tradition". Until two years ago I understood that there were more girls trying to get into boarding houses than could be accommodated in them, *Church of Scotland & other* (in order to escape the initiation ceremony. The campaign for its continuance organised by the Kikuyu Central Association of course caused a



set-back, however -

I am glad to know that the Kikuyu chief, Gibson,  
is well spoken of.

I shall lay your letter before  
the Committee as soon as it is  
re-constituted

Yours sincerely  
R. M. M. M. M.

Sir Robert Hamilton, M.P.,  
Colonial Office,  
Downing Street,  
S.W.1.

O. O. J.

Mr. Eastwood 14.

Mr. Freeston, 16

Mr. Allen. 17/11

Mr. Tomlinson.

x Sir O. Bottomley. 17/11

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S.

x Parly. U.S. of S. *18-11-31*

Secretary of State.

s.o. for Sir Robert Hamilton's signature

Downing Street,  
November, 1931.

*Dear Duchess of Atholl (Grace)*

On the 4th of August last

you wrote to Dr. Shiels about initiation

ceremonies in Kenya. As Dr. Shiels

told you, the suggestions in your

letter were passed on to the Governor

who has now furnished the S. of S.

with his comments upon them.

The Governor is definitely

of the opinion that no useful

purpose would be served by the

introduction of any formal declaration

such as that suggested in your letter

. Every reasonable effort is, he says,

made

for conson. v. minutes

DRAFT.

HER GRACE THE DUCHESS OF ATHOLL,  
D.B.E., M.P.

*And 26*

*copy to Sec. Comf 21 NOV 1931*

made to ensure that it is widely known that no girl may legally be operated on against her will. The main difficulty is that the average native girl has not a will of her own but is merely the puppet of tradition. Also in so far as she may be held to possess the rudiments of a will she is impelled to exercise it in the direction of obedience to that tradition.

The Governor says that ceaseless propaganda and education are doing their natural work and are achieving their inevitable end, and he assures the Secretary of State that the situation is gradually improving. He instances as an illustration of this improvement the resolution of the Embu Local Native Council which has recently been approved

by



by the Executive Council of the Colony, reducing the operation to one of a superficial ~~nature~~ <sup>incision which</sup>

normal functions of women.

~~could cause no interference with the~~

The Governor says :-

"I feel that definite progress is being made, and that direct action by the Government would tend to retard rather than to accentuate that progress. It would by inciting suspicion of the Government's bona fides arouse increased opposition. ~~I would~~ <sup>do not</sup> therefore propose to take ~~so any~~ further action in this matter for the present".

I think you will agree that in this matter the Governor <sup>has</sup> of Kenya is doing all that wisdom dictates.

~~I~~ I should add that it appears that the Kikuyu chief named Gideon, whom you mentioned in the last paragraph of your letter, is a

gazetted

made to ensure that it is widely known that no girl may legally be operated on against her will. The main difficulty is that the average native girl has not a will of her own but is merely the puppet of tradition. Also in so far as she may be held to possess the rudiments of a will she is impelled to exercise it in the direction of obedience to that tradition.

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~~Handwritten scribble or signature~~

I think you will agree that in this matter the Govern<sup>ment</sup> of Kenya is doing all that wisdom dictates.

I should add that it appears that the Kikuyu chief named Gideon, whom you mentioned in the last paragraph of your letter, is a

gazetted

gazetted headman of the South

Nyeri District. He is <sup>said to be</sup> a man of

progressive and enterprising  
character with a certain amount

of education. His statutory

authority is limited to the

location to which he is appointed, <sup>but</sup>

his influence extends over <sup>a</sup> consider-

ably wider area, and he is generally

regarded with respect, and ~~also~~ the Governor

believes - with affection by the

neighbouring population. He is a member

of the Local Native Council. During the

last few years his influence has increased,

and this increase is due to his own force of

character. He was presented with a Certi-

ficate of Honour and a Badge on the 17th

September 1930. You will see therefore that

the Kenya Government is fully cognizant of

Gideon's merits, and by conferring upon him

public and honourable recognition has done

its best to foster and increase his

beneficent influence.

~~Yours sincerely~~

(Signed) R. W. HAMILTON.

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Nyeri District. He is <sup>said to be</sup> a man of

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Yours sincerely

(Signed) R. W. HAMILTON

23

KENYA.



GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

No. 148

CONFIDENTIAL.

14<sup>th</sup> October, 1951.

REC  
9-NOV-1951  
COL. OFFICE

Sir,

No 19

I have the honour to refer to your Confidential despatch No. 2 of the 3rd September, 1951, enclosing a copy of a letter from the Duchess of Atholl on the subject of female circumcision.

Forward Conf 21 NOV 1951

2. I am definitely of opinion that no useful purpose would be served by the introduction of any formal declaration such as that suggested by Her Grace. Every reasonable effort is made to ensure that it is widely known that no girl may be legally operated on against her will. The main difficulty is - as has been explained in previous correspondence - that the average native girl has not a will of her own - she is a puppet of tradition. The second difficulty is that in so far as she may be held to be possessed of the rudiments of a will she is impelled to exercise it in the direction of obedience to that tradition.

3. However, ceaseless propaganda and education are doing their natural work and are achieving their inevitable end: the situation is gradually improving.

THE RIGHT HONOURABLE J. H. THOMAS P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.

*23*  
KENYA.

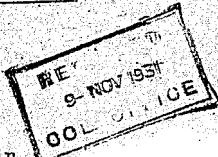
No. 148

CONFIDENTIAL.



GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

14<sup>th</sup> October, 1951.



Sir,

*No 19.*  
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*revised Conf 21 NOV 1951*  
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THE RIGHT HONOURABLE J. H. THOMAS P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON, S.W.

4. An illustration of this improvement is furnished by a Resolution of the Embu Local Native Council, which has recently been approved by Executive Council, reducing the operation to one of superficial incision which could cause no interference with the normal functions of women.

5. I feel that definite progress is being made and that any direct action by Government would tend to retard rather than to accentuate that progress. It would by exciting suspicion of Government's bona fides arouse increasing opposition. I do not, therefore, propose to take any further action in this matter for the present.

6. I attach for your information a copy of the Acting Chief Native Commissioner's Circular No.16 of 1951.

7. Gideon wa Githu is a gazetted Headman of the South Nyeri District. He is a man of progressive and enterprising character with a certain amount of education. His statutory authority is limited to the Location to which he is appointed. His influence extends over a considerably wider area and he is generally regarded with respect and, I believe, with affection by the neighbouring population. He is a member of the Local Native Council. During the last few years his influence has increased and this increase is due to his own force of character.

48115/30cc. 8. As Mr. Moore informed Lord Passfield in his despatch No. 624 of the 24th September, 1950, Gideon was presented with a Certificate of Honour and Badge on the 17th September, 1950. In forwarding his recommendation that Gideon should receive this honour the District Commissioner reported on him as follows:-

" Perhaps -



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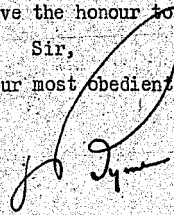
48115/30 cc. 8. As Mr. Moore informed Lord Passfield in his despatch No. 624 of the 24th September, 1930, Gideon was presented with a Certificate of Honour and Badge on the 17th September, 1930. In forwarding his recommendation that Gideon should receive this honour the District Commissioner reported on him as follows :-

" Perhaps -

" Perhaps the best of the newer generation of more  
 " sophisticated and educated chiefs. He has 6 years  
 " service as chief, is a baptised member of the  
 " Church of Scotland Mission, Tumu Tumu, and has  
 " received quite a fair education. He has a good  
 " knowledge of Swahili which he both reads and writes  
 " An able and progressive man, he has done good work  
 " in encouraging education and schools in his area:  
 " he keeps his roads and bridges in excellent order,  
 " collects tax efficiently, and I believe can be  
 " relied on for a fair judgment in Native Tribunal  
 " cases; he is a useful member of the Local Native  
 " Council".

9. It will be seen therefore that this  
 Government is cognisant of Gideon's merits and by  
 conferring on him public and honourable recognition has  
 done its best to foster and increase his beneficent  
 influence.

I have the honour to be,  
 Sir,  
 Your most obedient humble servant,



BRIGADIER-GENERAL.

GOVERNOR.

4th May 1951.

Circular No. 16.

To all Provincial Commissioners,  
(With sufficient copies for District Commissioners)

FEMALE CIRCUMCISION.

Reference N.A.D. Circular No. 28 of 1928.

It is recognised that the abolition of this rite can only be gradual and Government has decided that no general attempt should be made to abolish immediately the milder forms of the operation.

2. It is however the wish of Government that a policy of propaganda by Administrative Officers should be pursued with a view to educating the tribes who practice the rite into an appreciation of its undesirability and its dangerous effects and that such propaganda should include as far as practicable the milder as well as the more serious forms of the operation. In this connexion the question of the substitution of some innocuous form of ceremony may be worthy of consideration.

3. It should also be made as widely known as possible that no girl can be legally operated on against her wish.

4. Administrative Officers are also desired to bear in mind the possibility of inducing other Local Councils to follow the lead of the Embu-Council as suggested in para. 5 of the Circular above referred to. It is realised that conditions vary in different districts; for this reason the steps to be taken must largely be left to the discretion of the man on the spot.

4th May 1931.

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(With sufficient copies for District Commissioners)

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Reference N.A.D. Circular No. 28 of 1926.

It is recognised that the abolition of this rite can only be gradual and Government has decided that no general attempt should be made to abolish immediately the milder forms of the operation.

2. It is however the wish of Government that a policy of propaganda by Administrative Officers should be pursued with a view to educating the tribes who practice the rite into an appreciation of its undesirability and its dangerous effects and that such propaganda should include as far as practicable the milder as well as the more serious forms of the operation. In this connexion the question of the substitution of some innocuous form of ceremony may be worthy of consideration.

3. It should also be made as widely known as possible that no girl can be legally operated on against her wish.

4. Administrative Officers are also desired to bear in mind the possibility of inducing other Local Councils to follow the lead of the Embu Council as suggested in para. 5 of the Circular above referred to. It is realised that conditions vary in different districts; for this reason the steps to be taken must largely be left to the discretion of the man on the spot.

5. The Secretary of State requires early next year a general report on the subject together with a statement showing how many charges have been brought under the Penal Code up to the end of 1951, in how many cases convictions have been obtained and what penalties have been imposed. The statistics should also show separately any cases under the Embu Council Resolution No. 5/1926, or under any similar Resolution that may be adopted by other Local Native Councils.

A. de V. WADE  
Acting Chief Native Commissioner.

TELEPHONE  
DUNKELD 24.

EASTWOOD.

DUNKELD.

4th August, 1931.

34

Dear Dr. Shiels,

No. 12

I communicated your letter of the 13th July to the Committee for the Protection of Coloured Women in the Crown Colonies. They asked me to say with what satisfaction they had heard that propaganda directed towards the gradual suppression of the rite will include the milder as well as the more serious forms, and the assurance that the second operation of this kind had been prohibited with satisfactory results.

In regard to the suggestion of the Governor of Kenya that most native girls desiring to avoid the operation would be more frightened of making a public declaration than of approaching the Commissioner or a missionary, the committee asked me to point out to you that the suggestion we made was not for a public declaration of this kind but

Copy Gov. Kenya (2) - 3 SEP 1931  
Answered 19 Nov '31



for a formal declaration in a recognised form. We agree that it would probably be difficult for most African girls to make a declaration of this kind in public. We feel, however, that if a declaration of this kind can only be made before a Commissioner or a missionary, it may often be very difficult for a girl to make it, owing to the distance at which she may reside from either. We feel that if the declaration could be made before a native minister or even perhaps a native teacher, in some recognised building such as a Church or a school, it would make the declaration much more feasible for many girls.

The Committee also wonder whether if, in the event of this proposal being adopted, there could be an agreed formula of words, i.e. perhaps some printed form which could be signed by the girl or read over to her if she cannot sign her name? But probably most girls wishing to avoid the operation would be able to write, as opposition would usually be due to missionary teaching.

In regard to the last paragraph of your letter, would it be possible to ask what the measures are which are taken to ensure that it is widely known that no girl can be legally operated on against her will. What measures exist to ensure

that the girls themselves know this?

I do not know if I have told you that among the Kikuyu, I think at Tumumu-tumu, an association of African women was in existence a year or two ago when Miss Agnes Brown was there, the purpose of which was to get the custom abolished.

The Committee also asked me to let you know that they have been informed that a Kikuyu Chief named Gideon is very strongly opposed to the custom. I have been sent a photograph of Gideon addressing a meeting of his people on the subject. The Committee ask me to ask if you could suggest to the <sup>Kenya</sup> ~~Kenya~~ Government that any opportunities that occur be taken of increasing Gideon's influence among his people.

Governor  
 W. A. Tholl

Dr. D. Drummond Shiels, M.P.  
 Colonial Office,  
 S.W.1.

Mr. Eastwood 2/7

Mr. Perkins 2/7/28

Downing Street,

July, 1931

Sir C. Bottomley 4-7

Sir J. Shuckburgh

Sir G. Grindle

s.o. for Dr. Shiels's signature.

+ Permt. U.S. of S. 6/16/31 7.7.31

+ Parly. U.S. of S. 1.15.11.1.31

Secretary of State.

7.5.

CONFIDENTIAL.

DRAFT. for conson.

Dear Duchess of Atholl,

HER GRACE THE DUCHESS OF ATHOLL,

D.B.E., M.P.

( > )

You will remember that I

wrote to you on the 12th of March

~~last~~ saying that the correspondence

which we had had about Kilauya

~~initiation ceremonies~~ was being

sent out to the Governor of Kenya

~~and that he was being asked for~~

~~his observations on certain points~~

I now write to say that

the Secretary of State has received

<sup>the Gov's reply,</sup>  
a despatch from him. In the first

place <sup>Gov</sup> he gives assurance that

propaganda directed towards the

gradual suppression of the rite will

include the milder as well as the

more serious forms.

Case - 504 Conf (2) - 15 JUL 1931

In <sup>answer to</sup> explanation ~~of~~ the Secretary  
of State's enquiry regarding the circum-  
stances in which, and the reasons for  
which, a second operation may be performed,  
the Governor <sup>says that he</sup> is advised that, according  
to native custom there is no reason why  
a second operation should ever be  
performed. He says, however, that it  
was feared ~~that~~ in Embu that women whose  
daughters had <sup>been circumcised</sup> ~~undergone the rite~~ in  
accordance with Rules 1 and 2 of the  
Local Native Council Rules, of which you  
already have a copy, <sup>would</sup> ~~will~~ subsequently  
insist on the incision being enlarged to  
conform to their own views of what the  
operation should amount to. It was  
therefore considered advisable to  
prohibit <sup>only</sup> such subsequent operation and  
the Governor is advised that experience  
has proved this prohibition to be very  
salutary.

With



District Commissioner or the nearest  
Missionary. Incidentally, there is  
nothing to prevent a girl from making  
such a declaration (if she wishes to do so)  
in front of any number of witnesses.

The Governor feels that all  
that can be done is to ensure that it  
is widely known - as indeed he believes  
it already is - that no girl can be  
legally operated upon against her will.

( am  
Sincerely yours

(Sgd.) T. DRUMMOND SHIELS.

KENYA.

No. 68 CONFIDENTIAL.



17075/81 19/11  
GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

5<sup>th</sup> May, 1951.

RECEIVED  
30 MAY 1951  
COL. OFFICE

My Lord,

NO 4  
I have the honour to refer to Your Lordship's confidential despatch No.2 of the 12th March on the subject of female circumcision and to assure Your Lordship that propaganda directed towards the gradual suppression of the rite will include the milder as well as the more serious forms.

2. In answer to the specific question in paragraph 5 of Your Lordship's despatch I am advised that according to native custom there is no reason why a second operation should ever be performed. It was feared however in Embu that women whose daughters had been circumcised in accordance with Rules 1 and 2 of the Local Native Council Rules would subsequently insist on the incision being enlarged to conform with their own views of what the operation should amount to and it was therefore considered advisable to prohibit any such

- subsequent -

THE RIGHT HONOURABLE  
LORD PASSFIELD, P.C.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.,

Amud. Conf(2). 15 JUL 1951

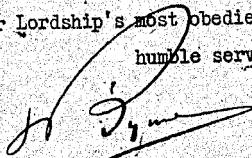
subsequent operation. I am advised also that experience has proved this prohibition to be very salutary.

5. With regard to paragraph 4 of Your Lordship's despatch, I am doubtful if anything would be gained by making provision for formal declarations as proposed. As Sir Edward Grigg informed Your Lordship in his Confidential Despatch No. 44 of the 15th March, 1930, any girl who has the will and the strength of mind to refuse to submit to the operation can have the protection of the law if she wishes to avail herself of it, and I am inclined to think that most native girls in such a position would be more frightened of making a public declaration in the manner suggested than they would be of appealing to the District Commissioner or the nearest missionary for help. Incidentally there is nothing to prevent a girl from making such a declaration if she wishes to and in front of any number of witnesses. I feel that all that can be done is to ensure that it is widely known - as I believe it is - that no girl can be legally operated upon in this way against her will.

I have the honour to be,

My Lord,

Your Lordship's most obedient,  
humble servant,



BRIGADIER-GENERAL.

GOVERNOR.

21  
10

30024/31. T.T.

Downing Street.  
21 March, 1921.

TANGANYIKA TERRITORY.  
No. 182

Sir,  
I have the honour to acknowledge the receipt of Sir Donald Cameron's despatch 1174 of the 12th December, transmitting the Tanganyika Government's replies to the questionnaire on the subject of the welfare of African children issued by the "Save the Children International Union".

2. I have read with interest the information contained in the replies, and desire in particular to express my appreciation of the memoranda on "Female circumcision and the status of women in the Tanganyika Territory", and on "The improvement of physique of the natives" which were prepared by Mr. P. H. Mitchell and Dr. Mirdore respectively.

3. I consider these memoranda to be of outstanding interest, and I have caused copies of them to be distributed to the Colonial Advisory Medical and Sanitary Committee, and to the Governments of the other East African Dependencies.

4. Four printed copies of each memorandum are enclosed herewith for record locally.

I have the honour to be,  
Sir,  
Your most obedient,  
humble servant,

(Signed) PASSFIELD

Memorandum.  
Memorandum.

THE OFFICE ADMINISTERING  
THE GOVERNMENT OF  
THE TANGANYIKA TERRITORY.



## MEMORANDUM ON THE IMPROVEMENT OF PHYSIQUE OF THE NATIVE.

WHILE there can be no doubt that the standard of physique of the native population of the Territory, taken as a whole, is below that which might be attained by further combating disease and promoting better health conditions in general, by the augmentation of measures which have already been elaborated on a comprehensive scale, it is necessary first to consider the subject, briefly, from its historical and aetiological aspects.

Until a comparatively recent date, coinciding with the German occupation, it might be taken that the several tribal groups were segregated by inter-tribal warfare, the stronger tribes thus occupied the more fertile country, the weaker were driven out into the low-lying unfruitful unhealthy areas or remote mountain fastnesses, taking care to keep a wide neutral zone between; and in no way, either by cultivating extensively, or breeding large herds of cattle, to stimulate the cupidity of their more powerful neighbours. It is clear also that for centuries past remedial medicine and hygiene existed in their most primitive form and disease must have been rampant. Witchcraft, pillage, and slave-trading were rife. In this manner to him that had was given, to him that had not was taken away that which he had. And therefore over vast tracts of land an undernourished, diseased population, subject to periodic famine, continued to live and probably decrease.

With the advent of the Germans matters were somewhat improved, but the extensive punitive expeditions devastated several large areas, of which the inhabitants were practically decimated. Following upon these events came the Great War which, apart from the casualties incident to warfare, brought about a very large number of deaths through disease, exposure and famine. We are told on high authority that the sins of the fathers are visited upon the children unto the third and fourth generations, and our present-day knowledge leads us to believe that gross errors in hygiene take at least one or more generations before correction brings about a recognizable improvement of the race. This then was the condition of the population and the dysgenic forces we were called upon to deal with and counteract. It might, therefore, be stated, with truth, that the initiation of measures to improve generally the health and economic condition of the native in Tanganyika could not have taken concrete shape until some ten years ago.

What has been done in the ten years?

In 1920 no Annual Medical Report could be published, for the medical department was not sufficiently organized to provide returns. There were 7 native hospitals functioning; to-day there are 35, not including small dispensaries. There were about four Nyasaland African Dispensaries, a few Urban Sanitary Inspectors and no Tribal Dressers. In 1921 a total of 112,336 patients were treated at the several hospitals. To-day we have 81 trained African Dispensaries, 239 African Urban and District Sanitary Inspectors, about 250 Tribal Dressers in charge of dispensaries, 46 Female Hospital, and 56 Maternity, Assistants. It might be well here to state that the African Dispenser, the District Sanitary Inspector and the Tribal Dresser, all of whom receive tuition in the elements of hygiene, are specifically charged with the mission of advancing the education; both by precept and example, of the population among whom they work, to a higher ideal and standard of living. The figures for 1929, including 15,858 cases returned by Missions provided with Government drugs, and 40,445 dealt with by African Dispensaries, totalled 506,959 treated at hospitals. Besides this the Tribal Dressers treated 190,545 cases.

In 1924 there were no Maternity and Child Welfare Clinics, during 1929 there were 9 Government and 7 partially subsidized Clinics, wherein 2,503 confinements were conducted, 342,221 attendances of mothers and children recorded, and 32,285 visits were paid by the Health Visitors. All mothers who attend or are confined at the clinics receive instructions before discharge on the proper management of their infants, and are encouraged to bring them periodically for examination and advice.

In 1921 there were 1,109 cases of yaws and 1,775 of syphilis treated, whereas during 1924-1929, inclusive, 568,830 cases of yaws and 105,652 of syphilis have received treatment. During the last five years 70,443 cases of ankylostomiasis and 7,313 of bilharzia have also been treated.

Besides the above a special Epidemiological Survey is being conducted in the Kahama district for the express purpose of ascertaining whether or not the population in the selected area is increasing and of gauging the effect of the health measures adopted. The death-rate, for the first ten days of life, at the Kahama clinic at which 1,139 children were born during 1929 was less than 30 per mille. See the Tanganyika Annual Medical Report, 1928, pages 105-115 for detail and statistics.

A Tuberculosis Survey and Tuberculosis Hospitals have been established in the Kilimanjaro and Pare areas.

From such knowledge and experience as have been acquired during the course of study of the various health problems of the Territory the outstanding features that demand attention, as may be gathered from the examples given, are the widespread incidence of endemic disease, the wider application of the Maternity and Child Welfare Clinic System, the improvement of dietary by suitable agricultural measures and hygiene. There is no question that education, both of the male and the female, is of high importance, but the improvement of health must always be a step ahead. Few sick or ill-nourished subjects can take proper advantage of education.

From the figures given it might be accepted that we have been, and are, well awake to the importance of endemic disease, the necessity for an extension of the clinic system, the improvement of sanitation, and the provision of medical facilities, throughout the Territory.

The question of diet and of vitamins are of the first importance. Apart from famines and the inhabitants of unfertile areas who live on a restricted, largely unvaried and unbalanced diet, the lack of vitamins is a matter of deep concern. In cattle areas it is considered that the vitamin content of the food is good, but throughout the districts carrying the tsetse-fly the most important vitamins, A and D, which are the organizers of growth and resistance to disease, the latter with regard especially to the intestinal and respiratory systems, which return nearly 30 per cent. of the total diseases recorded for the Territory, are seriously deficient. Incidentally Calcium salts and Iodine in some districts are also deficient. They are all the more important in that unless the woman with child is provided adequately with supplies of Vitamin A and D for some three months prior to confinement, the new-born child inherits a definite diathesis which manifests itself later in structural maldevelopment, caries of the teeth and lowered resistance to disease. It is also necessary that the child be supplied with these vitamins for several months after birth, if full development is to be maintained.

The subject has exercised one's mind for some time, and were it not for the organization of Tribal Dressers it would be impossible at present to bring relief to the areas distant from medical centres. It is being arranged, however, to include cod liver oil, which possesses a high content of Vitamin A and D, in the schedule of drugs for the Tribal Dispensaries and to issue a circular of instructions as to the manner in which it should be administered to the mother and child during the critical period.

In my opinion the question of ceremonial circumcision of males and females is negligible from the point of view of the incidence of morbidity and mortality in this Territory. From 1921 to 1929, inclusive, 2,354,176 patients have been treated at the Government Hospitals of the Territory, and no case of disease or death has been reported, brought to my notice, or attributed to this cause. Furthermore no case of this nature has been reported from among 58,297 mothers who received attention during the four years 1926-1929 at the Maternity Clinics, which are situated in 12 widely separated different districts.

With reference to the status of the native woman, during 22 years divided service in Nyasaland, Uganda, Kenya and Tanganyika, while one has been intimately associated with district and native hospital work, no suggestion of what might be construed as slavery of the African wife has come to my knowledge. It does not appear to be appreciated, generally, that the African woman and her grown-up daughters have, of necessity, to do their own household work—they keep no servants, there are no village stores and means of local transport.

J. O. SHIRCOBE,  
Director of Medical and Sanitary Services.

Dar-es-Salaam,  
5th May, 1930

Annexure I to No.

TABLE OF WORK DONE IN TANGANYIKA DURING THE PAST FIVE YEARS.

	1925.	1926.	1927.	1928.	1929.
Visits paid by Health Visitors—					
To new births and other conditions	2,018	3,702	7,354	7,807	12,477
Mothers admitted to clinics—					
In ante-natal state	—	3	57	564	697
For confinement	—	21	507	1,654	2,525
In post-natal state	—	13	162	992	1,514
For gynecological and other conditions	—	—	—	—	763
Ante-natal examinations	—	—	1,131	1,019	5,308
Total number of new births	—	—	562	449	488
Total number of confinements, including district	—	—	—	—	2,576
Total number of still-births, premature births, miscarriages, retained placenta, &c.	—	—	1,191	2,019	730
Children admitted to clinics	—	36	183	272	416
Total number of new cases, in and out-patients, seen at clinics—					
Mothers	—	2,506	10,736	16,686	29,259
Children	4,207	4,224	16,515	24,870	39,131
Total number of attendances at clinics—					
Mothers	—	6,164	27,745	74,340	148,511
Children	—	12,924	56,725	90,747	198,152
Special examinations, dentals, slides, vaccinations, &c.	—	2,114	10,071	—	13,257



17075/31

9

C. 70005/1/30 (No. 23)

No. 85.

*Despatch from the Secretary of State for the Colonies to the  
Officer Administering the Government of Kenya.*

DOWNING STREET,

1st January, 1931.

Miscellaneous.

SIR,

I have the honour to acknowledge the receipt of your despatch No. 702 of the 7th November,\* and to thank you for the statement which you have supplied in connexion with the Memorandum from an Unofficial Committee dealing with the conditions among coloured women and children in the Colonies.

2. I now enclose, for your information, copy of a letter which has been sent to Colonel Wedgwood, together with copies of the Colonial Office memorandum referred to.

I have, etc.,

PASSFIELD.

Enclosure 1 in No. 85.

DOWNING STREET,

1st January, 1931.

[70005/1/30 (No. 23).]

SIR,

I am directed by Lord Passfield to refer to the letter from this department of the 11th April stating that he had forwarded to the Governor of Kenya, for consideration, copies of the memorandum prepared by an Unofficial Committee constituted to consider the position of coloured women and children in the Colonies not possessing responsible Government and forwarded by the Duchess of Atholl and yourself on the 18th March.

2. I am now to enclose, for the information of the Committee, a memorandum which has been prepared in the Colonial Office from information supplied by the Government of Kenya, dealing with the various points raised in the Committee's memorandum.

3. As regards the suggestion that the Committee's memorandum should be published, I am to say that the Acting Governor of Kenya and the Director of Medical and Sanitary Services in that Colony are both of the opinion that it would be better that publication should be deferred at least until the enquiry referred to

in paragraph 7 of the Colonial Office memorandum has been completed. It is therefore suggested that the memorandum should not be published at present.

I am, etc.,

A. C. C. PARKINSON.

Colonel the Right Honourable  
J. C. Wedgwood, D.S.O., M.P.

#### MEMORANDUM.

1. If the girl does not give consent, expressed or implied, a charge would lie under Section 214 of the new Penal Code which reads as follows:-

Any person who unlawfully does grievous harm to another is guilty of a felony and is liable to imprisonment for seven years.

2. It is, however, extremely difficult to decide in any particular case whether or not the girl did in fact give her consent expressed or implied. Powers of volition among tribes just emerging from barbarism are in a very rudimentary state of development, and this is particularly true of the women. For instance, when asked if they wish to undergo what appears to the European mind to be a definite hardship, such as carrying heavy loads of fire-wood, they are quite unable at present to appreciate the sense of the question. They merely reply that it is their custom, and with the vast majority the breaking of a custom is not a matter of liberty of action; it is simply unthinkable. Hence comes one of the greatest obstacles in dealing with such a custom as female circumcision. The chief opponents to any reform are the victims themselves and their attitude is due to the fact that they are bound by custom. Few have reached the state of contemplating any departure from custom; those who do are very easily persuaded by their more conservative relatives and friends that any such departure would be sacrilege, and it is for this reason that almost every girl gives her consent. It is none the less the case, however, that any who definitely refuse can have the protection of the law if they will avail themselves of it.

3. The Government of Kenya agree as to the urgent need for the extension of health services, and particularly of midwifery services, and this need will be carefully borne in mind when the financial position of the Colony improves. The present stringency, however, not only prevents any increase in the Estimates for 1931, but will in fact, entail reductions of the activities referred to at centres already in existence, as new hospitals are being brought into commission and must perforce be staffed from the existing personnel.

Health exhibitions for natives continue to be held in various parts of the country and were a prominent feature at the Agricultural Shows held recently at Lamu, at Gotani in the Kilifi District, and at Nyeri; while the Health Shows and Baby Weeks achieved considerable success at Nairobi and Mombasa both this year and in 1929. The 1930 Show at the latter place was considered good enough to be awarded a Certificate of Merit by the National Baby Week Council, whose certificates are competed for throughout the Dominions.

The account of the Mombasa Health Show, which appeared in the *Kenya and East African Medical Journal* for September, and is appended to this memorandum, illustrates the principles on which such shows are organized in Kenya. The exhibits are arranged with the object of affording practical illustrations as to the manner in which improvement in the mode of life and therefore of the public health generally can be obtained by the utilization of the resources which are available in the particular district and the state of culture, economic position, and education of the population concerned. A notable advance has occurred in connexion with the recent shows in that the correlation between agricultural development representing improvement in the economic position, and improvement in the manner of life and therefore of the public health, has been stressed.

In regard to training for midwifery, the Government is considering the provision of funds for the erection of additional accommodation for probationers at the Pumwani Maternity Home and the increase of its contributions towards the recurrent cost of the institution.

4. In the view of the Director of Medical and Sanitary Services in Kenya the present fixed dispensaries in Native Reserves, having regard to the average facilities for communication, serve a more useful and permanent purpose than travelling dispensaries would; they provide a fixed centre where individuals can receive medical treatment and where the activities involved in such treatment can form the basis of education in health matters.

5. The Government agree with the remarks in the Committee's Memorandum regarding the need for the retention of officers for longer periods of time in districts of defined language groups. Hitherto, shortage of staff, the need for relieving officers in unhealthy areas, and other factors have often militated against this policy, but it is hoped that it will be possible to give greater effect to it as a result of the increase of Cadets which is proposed for 1931.

6. The importance of learning the African vernaculars is fully recognized and it is now laid down in the Code of Regulations that in addition to Swahili each officer must pass in a vernacular during the first 10 years of his service.

7. An enquiry into the effect of female circumcision on maternal and infant life is fraught with great difficulties and must perforce be spread over a considerable period of time. Such an enquiry is already on foot as part of a general enquiry into the processes and results of labour and childbirth among African women. Definite information can only be obtained by the consideration of details of actual cases which have been under skilled observation. To date, the details of less than 1,000 cases have been collected, the patients concerned belonging to over 20 tribes. Any attempt to estimate the possible results on labour and childbirth of female circumcision by any systematic or general examination of women would provoke intense indignation. The dislike of native women, and particularly of the Kikuyu, to any examination of that nature is no less strong than among Europeans.

8. The Government entirely endorse the remarks in the Committee's Memorandum as to the need for the education of native girls; under present conditions such education is undertaken by the Missions which are in receipt of substantial grants-in-aid for native education.

9. The need for the removal of any fear of the natives in regard to the alienation of their land is fully recognized and the object of the Native Land Trust Ordinance passed this year was to secure this.

10. In general, the Government of Kenya are most anxious to secure progressive administration in the native reserves, including such additional health education and agricultural services as finance permits. They feel that, apart from other obvious advantages to be obtained from such a policy, it is by means of education combined with specific propaganda to be undertaken both by the Medical Officers and by the Administrative Officers in the reserves that they will best be able to achieve their object of limiting the initiatory rites for girls to a mild and innocuous form.

There is good reason to hope that the local native authorities themselves will give more and more assistance as time goes on. In this connexion copies of minutes of Meetings of the Embu Local Native Council held on the 25th August, 1926, and on the 26th February, 1930, are of special interest.

COLONIAL OFFICE.

December, 1930.

TELEPHONE  
FLYMAN 8907.

218  
/

98, ELM PARK GARDENS,  
S.W.10.

RECEIVED  
28 MAR 1931  
COL. OFFIC

Dear Dr. Drummond Shiels,

Nos. 3 & 6

I am sorry not to have been able to reply sooner to your letters of the 12th and 17th March. I am very glad to know from the first that copies of our correspondence, including my letter of the 5th February, have been sent to the Governor of Kenya.

No. 5

A

Might I ask that the information of the Council of the Women's Medical Federation on the "lesser" operation, which I forwarded to you on the 11th instant, should also be sent to the Governor?

I am so glad that the desirability of including in the propaganda, so far as may be practicable, the milder as well as the more serious forms of the operation has been impressed on the Governor. My Committee will also be glad to know that enquiry is being made as to the circumstances in which a second operation may take place.

I am also glad to know that the Governor has been asked to furnish in about a year's time the statistics asked for by my Committee. I quite see, however,

that statistics alone cannot tell us all we should like to know.

Many thanks for sending me these two Memoranda on the Tanganyika Territory and on the improvement in the physique of the natives. I shall be very interested to read them.

I hope to hear Sir Donald Cameron to-morrow in the Empire Association rooms.

*G. S. Smerey*  
*W. M. Atwell*

Dr. Drummond Shiels, M.P.,  
Colonial Office,  
Downing Street,  
S.W.1.

2  
TELEPHONE  
FLORIAN 2907

*copy (enclosed) - see leaf 23 MAR 1931 A1*

98, ELM PARK GARDENS,  
S.W.10.

11th March 1931.

18  
K5  
3d

Dear Dr. Drummond Shiels,

I think that in a previous letter I told you of the wish of our Committee to get the opinion of some medical body on the nature of the "lesser" operation supposed to exist among the Kikuyu.

I enclose herewith the opinion of the Women's Medical Federation on the subject. It confirms our Committee in the view that every endeavour should be made to wean African tribes from this form of operation as well as from the other.

*G. S. Smerey*  
*W. M. Atwell*

Dr. Drummond Shiels, M.P.,  
Colonial Office,  
Downing Street,  
S.W.1.



Copy.

MEDICAL WOMEN'S FEDERATION.

9, Clifford Street,  
Bond Street,  
W.1.

February 23rd, 1931.

To Her Grace the Duchess of Atholl,  
98, Elm Park Gardens, S. W. 10.

Dear Madam,

The Council, representing the Medical Women's Federation have carefully considered the enquiries addressed to them regarding the effects of the operation of clitoridectomy as performed on native girls.

The following are the conclusions which they are pleased to submit:-

Question 1.

Would the operation be likely to cause severe pain?

Answer.

As the clitoris is very richly supplied with sensory nerves, its excision must be accompanied by intense pain. Even when the operation is performed under anaesthesia, the patient, unless very deeply anaesthetised, evinces signs of special sensitiveness.

Question 2.

Would it be likely to affect injuriously the health of any girl on whom it was performed?

Answer.

There is danger of haemorrhage as the part is vascular, and the loss of blood may be severe; there is also possibility of septic infection; and there is a danger of injury to the urethra.

Question 3.

Would it be likely to have effects at childbirth injurious either to the mother or to the child?

Answer.

The operation of clitoridectomy performed for a justifiable reason, (which occurs only in the case of malignant, or non-malignant tumours of that organ) under aseptic conditions, by an expert surgeon, and under a general anaesthetic, need not necessarily be attended with any after results injurious to the girl on becoming a mother, or to the future child. On the other hand, the extreme suffering caused by such an operation, if done without any aseptic precautions, and with no anaesthesia either general or local, results in a severe mental shock and sexual trauma, and the mutilation and resultant scarring caused by the badly performed operation, may lead to great pain during sexual intercourse and also to difficult childbirth.

I am,

Yours very truly,

(Sgd) VIOLET KELYNACK.

Medical Secretary, Medical Women's Federation.

17075/1931 Kenya.

4/31

To be seen with same date as the letter to D. B. ...

Mr. Allen  
Mr. ... 27.2.31  
Mr. ... 1.3.31

Downing Street,  
12 March  
February, 1931.

Hand to 11  
\$4

Mr. ...  
Mr. C. Bottomley. 2.3.31.  
Sir J. Shuckburgh.  
Sir G. Grindle.  
+ Perm. U.S. of S. 3.3.31  
+ Parly. U.S. of S. 10.3.31  
Secretary of State.

Sir,

I have the honour to refer

2 DRAFT for consen. V. ...

KENYA

Confidential (2)

Gov.

No. 22 of 10005/30 sub file 1.)

to Mr. Moore's confidential despatch No. 154 of the 6th November, 1930, regarding female circumcision, and to transmit to you a copy of corres. on the subject which has passed between Dr. Drummond Shiels and the Duchess of Atholl. A copy of the Colonial Office memorandum referred to in the correspondence accompanied my miscellaneous despatch of the 1st January.


2. As regards the suggested amendment of the definition of "main" I concur in Mr. Moore's view that, having regard to the circumstances to which he refers, it would be unwise to proceed further with the proposal

To Duchess of Atholl  
No. 38 on 16004/30  
3rd Jan. 1931  
Fr. No. 40  
To (dit herewith)  
12 Jan. 1931  
23rd 17075/30

proposal at present, and I agree that  
the wiser course is to proceed by means  
of education and propaganda and such  
administrative action as can be under-  
taken with the assistance of the native  
authorities themselves. I have already  
in paragraph 5 of <sup>my</sup> ~~your~~ Confidential  
despatch of the 23rd April, 1930 indicated  
my wish that extensive propaganda of this  
nature should be carried out, and although  
in that despatch I recognised that the  
abolition of the rite can only be gradual,  
and agreed that no general attempt should  
be made to abolish immediately the milder  
forms of the operation, I consider that  
this propaganda should as far as practicable  
include the milder as well as the more  
serious forms, and I shall be glad to  
receive an assurance from you that this  
will be done wherever possible. I should  
also be glad if you would take into ~~serious~~  
consideration the possibility of persuading  
*Nakivi*  
other Local Councils to follow the lead of  
the Embu Council, although I appreciate that  
the

(No. 18 on  
16004/30)

[ I delete the word  
'serious' as we do not  
want to make too  
much of this. Our  
info from Mr. Leakey  
suggests that the Embu  
are in a specially  
favourable position in  
regard to this ceremony,  
as the practice is very  
much restricted already  
in that tribe - hence for the  
prohibition of the rite from  
being advanced on a general



the <sup>question</sup> ~~problem~~ is not free from difficulties since local <sup>practices</sup> ~~conditions~~ vary.

(No. 37 of  
16004/30)

3. Resolution No. 3 of 1926 of the Embu Council, a copy of which accompanied Mr. Moore's ~~Confidential~~ despatch No. 154 of the 6th November, 1930, makes it an offence to perform more than one operation on an individual and you will observe that in her letter of the 5th ~~of~~ February, the Duchess of Atholl enquires in what circumstances <sup>a</sup> the second operation may be performed and for what reason. I should be glad if you would furnish me with information on ~~the~~ point <sup>so</sup>.

4. I also desire to receive your observations on the suggestion in the same letter of the 5th February that the Colonial Government should consider whether steps could be taken to give a girl the right to avoid the circumcision operation by affording her adequate opportunities of expressing her

her

her wishes in the matter. In this connection I would invite your attention to the specific suggestion that a girl <sup>be allowed to</sup> might possibly make a declaration in the presence of witnesses.

5. I have further to request that you will send <sup>home</sup> up early next year a <sup>1/3/52</sup> general report on the subject, together with a statement showing how many charges have been brought under the Penal Code up to the end of 1931, <sup>in</sup> ~~and~~ how many <sup>cases</sup> ~~cases~~ of convictions have been obtained, and what penalties have been imposed. The statistics should also show <sup>separately</sup> approximately any case under the Embu Council Regulation No. 3 of 1926, or under <sup>any</sup> similar Resolution that may be adopted by <sup>Nairobi</sup> any other Local Councils. It would be convenient if the report could be rendered in a form which could be made public if desired, reserving for the covering despatch <sup>any</sup> further observations which you would wish to be treated as confidential, or which might be communicated

communicated to the Duchess of Athol  
for the confidential information of  
her Committee.

I have, &c

(Signed) PASSFIELD

Mr. Allison 27.2.31  
Mr. Nicholson 1.3.31  
Mr.

Downing Street,  
12<sup>th</sup> March  
February, 1931.

Confidential

Mr. Tomkinson

X Sir C. Ballowley 2.3. For Dr. Shiels's signature.

Sir J. Shuckburgh,

Sir G. Grindle.

+ Permt. U.S. of S. 3.2.31

+ Parly: U.S. of S. T.H. 10.3.31

+ Secretary of State.

10/13

C. D.  
R 11 MAR  
D 11

55

Dear Duchess of Atholl,

have not met before the S. of S.  
I am now replying to your

2 DRAFTS for circula:  
1. minutes

HER GRACE THE DUCHESS OF ATHOLL,  
D.B.E., M.P.

letter of the 5th of February regarding  
female circumcision in Kenya, & I am now  
in a position to reply fully to it.  
We are all agreed upon the

objective; but the more the subject is  
studied the deeper grows the conviction  
that the quickest and surest way of

at ~~st~~staining that objective is to hasten  
slowly and to carry the natives with us.

Therefore  
It is very gratifying to learn that  
your Committee agree that it will be  
better to rely upon the effects of an  
energetic campaign of education and  
propaganda, and such administrative  
action as can be undertaken with the  
assistance of the native authorities  
themselves.

copy - Gov. Com. (2) - 12 MAR 1931

i.e., my letter of the 1st January, your replies of the 3rd January and 5th February, and this letter, are being sent to the Governor of Kenya; and in the covering despatch the S. of S. has expressed his concurrence in the view that it would be unwise to proceed at present with the suggested amendment of the definition "main", and that reliance should be placed on a policy of persuasion by the means which I have already mentioned. The S. of S. has at the same time impressed on the Governor the desirability of including in the propaganda, so far as may be practicable, the milder as well as the more serious forms of the operation, and I have no doubt that this will be done wherever possible.

The Governor has ~~also~~ been asked to give ~~serious~~ consideration to the possibility





possibility of persuading the Local Native Councils to follow the lead of the Embu Council, although it must be recognised that the question is not free from difficulty, as local <sup>tribe</sup> conditions vary. Enquiry is also being made as to the circumstances in which a second operation may take place, and for what reason.

The S. of S. has ~~also~~ invited the Governor's observations on the suggestions in your letter as to offer-  
<sup>ing girls</sup> ~~ing girls~~ / an adequate opportunity of <sup>formally</sup> ~~and recording~~ expressing their views; <sup>by it</sup> ~~in regard to the operation~~ must also be recognised that this aspect of the matter <sup>presents</sup> ~~is fraught~~ with considerable difficulties. These difficulties were indicated briefly in the second para. of the Colonial Office memorandum, and I cannot blind myself to the fact that there is here a real danger that any

hasty

hasty and ill-considered action may  
arouse a state of feeling in the minds  
of the natives which might nullify the  
good effects of propaganda in other  
directions, and thus retard instead of  
facilitating progress towards our common goal.

Nevertheless, I am sure that while realising  
the need for caution, the Governor  
will give very <sup>Careful</sup> consideration to  
the suggestions put forward by your  
Committee.

The Governor has been requested  
to furnish in about a year's time, the  
statistics desired by the Committee. But  
here again I should like to enter <sup>the</sup>  
caveat, that the efforts of the Govern-  
ment and the progress made, cannot be  
fairly judged by <sup>such</sup> statistics, since the  
policy of the Government is to rely mainly  
<sup>Persuasion</sup> on observation, and anything in the nature  
of a police drive is clearly undesirable.

I remain,  
Yours sincerely,

TELEPHONE  
FLYMAN 6807.

98, ELM PARK GARDENS,  
S.W.10.

5th February 1931.

36

E.A. Dr. Shiels

3c

Dear Dr. Drummond Shiels,

No. 38 on 16004/30

I am sorry not to have been able to reply sooner to your letter of the 1st January, but our Committee was not able to meet until two or three days ago.

I read then your letter and we were interested to find the result of the enquiry that has been made in Kenya into the question of circumcision shows that the lesser form of the operation has very little existence; in fact this, as you will remember, confirms what we had already heard from *unofficial sources*.

The Committee on hearing further medical evidence is also reluctant to see the Government of Kenya sanction even the lesser form of operation, and therefore we believe that it will be better, as you suggest in your letter, to rely upon the effects of an energetic campaign of education and propaganda and such administrative action as can be undertaken with the assistance of the native authorities themselves. We hope, however, that education and propaganda will include not only the major form of the operation but the lesser one, as the medical evidence

COPY - Gov Com (2) - 12 MAR 1931

Acba. 11/2/31

Amad. 12/3/31

The District Medical Officer  
reference to the  
of the hospital  
- ca. 39 1/2  
16/11/1911

we have heard points to the fact that the operation must be a very painful one, and though not likely to be so serious in its effects on childbirth as the major one, may well cause serious after-effects to health.

We are glad to believe from paragraph 10 of the memorandum drawn up in the Colonial Office in reply to the memorandum sent by our Committee to Lord Passfield last Spring, that Administrative Officers as well as Medical Officers will be instructed to undertake specific propaganda against the operation. I shall be glad to have your assurance that this propaganda will, wherever possible, include a lesser form of the operation as well as the greater.

The Committee have read the memorandum above referred to with great interest. They are glad to learn of the new hospitals and Health Exhibitions and of the consideration the Government is giving towards the erection of additional accommodation for probationers at the Pumwani Maternity Home, and the increase of the Government contributions towards the recurrent cost of these institutions. They are also glad to know of the enquiry that is proceeding into the processes and results of labour and childbirth among African women.

No 261  
700057100  
Sent

Previous hand  
no. 6  
16/11/1911

Para 3  
16/11/1911

the question of

Para 5  
16/11/1911

See para 2  
16/11/1911

women. They note that this enquiry is being conducted among some 20 tribes. They are sure that the Government of Kenya will be alive to the value of comparative data as to Infant and Maternal Mortality among tribes practising or not practising female circumcision, and will no doubt find such data valuable in educating the Kikuyu and other tribes which practise it as to the evil of this custom.

The Committee are also glad to know of the arrangements which are being made to retain the Officers for longer periods of time in districts of defined language groups, and the regulation which has been made requiring each Officer to pass in a vernacular, in addition to Swahili, during the first ten years of his service. The Committee feel sure that this will add greatly to the influence that Officers in the Government service will have among the native tribes.

The Committee, however, notes no reference in the Colonial Office memorandum to the request made by the Committee in their memorandum that the Government of Kenya should be asked to consider whether steps could be taken to give a girl the right to avoid the operation by affording her adequate opportunities for expressing her wishes in the matter. In view of the indications existing

See para 27-31  
16/11/1911  
700057100

existing that there are girls who wish to avoid this operation, the Committee would like to be assured that careful consideration could be given to this matter. A lady missionary of long experience among the Kikuyu spoke strongly to me on this subject a few months ago, just before she died. Her suggestion was that a girl might be allowed to make a declaration before any administrative officer or before a recognised Minister of Religion in a place of worship registered for the celebration of marriage; in both cases in the presence of two witnesses.

In view of the fact that the Penal Code will not inflict any penalty on an operator unless it is done against the girl's wish, it seems all the more necessary that very careful consideration should be given to the possibility of enabling a girl to make a formal declaration in this manner.

The Committee have also noted with concern, from the papers sent, that sometimes a second operation is performed. They had not heard of such cases before and were taken aback to think that such a thing is possible. Can you inform the Committee as to the circumstances under which this happens and for what reason?

/ Would

10 Would it be possible for the Committee to be informed, say, at the end of six months or a year, how many cases have been brought against operators under the new Code, and how many convictions have been given and what penalties have been enforced?

*Yours sincerely*  
*Katherine Atwell*

F. Drummond Shils Esq., M.D., M.C.; M.P.,  
 Colonial Office,  
 S.W.1.

14/12/20