



C-6  
HARRIS.  
GOVERNOR.

1. Sir R. BROOKE-POPHAM (S/O to Sir J. MAFFEY)  
Summarises ten points about which he wishes to talk to Sir J. Maffey in the near future.

*Mr. Brock*

Sir C. Bottomley. 5/1

Sir Robert Brooke-Popham will probably be coming to see Sir John Maffey at 3 p.m. on Monday, January 11th.

I am afraid that there are rather a lot of points in Sir Robert's letter, but I think that it would be useful if Sir John could have brief notes on them to read before Sir Robert calls.

*ABCohn  
5/1*

2.

I annex separate notes on points 2, and 4-8. Mr. Lee is preparing a note on point 9 and I will send it on as soon as possible. As regards the remaining points 1, 3 and 10:-

1. I understand that the question whether the Governor should be present at all the debates of the Legislative Council was raised by Sir E. Grigg. I have not been able to find any papers on the subject, but I understand that the view was taken that he should always be present.

3. The Colonial Office approves in principle of the re-organization of the Secretariat as recommended in the Pim Report.

10. I annex a copy of <sup>a revised</sup> ~~the~~ table of precedence <sup>as was recently submitted by Sir E.</sup>. As regards the question whether, if a Cabinet Minister visits the Colony, he

*x being copied  
see me if not*

S. S.  
HARRIS.  
GOVERNOR.

1. Sir R. BROOKE-POPHAM (S/O TO SIR J. MAFFEY)  
Enumerate ten points about which he wishes to talk to Sir J. Maffey in the near future.

*h. R. Popham*  
Sir C. Bottomley. 5/1

Sir Robert Brooke-Popham will probably be coming to see Sir John Maffey at 3 p.m. on Monday, January 11th.

I am afraid that there are rather a lot of points in Sir Robert's letter, but I think that it would be useful if Sir John could have brief notes on them to read before Sir Robert calls.

*ABCohn*  
*5/1*

2.

I annex separate notes on points 2, and 4-8. Mr. Lee is preparing a note on point 9 and I will send it on as soon as possible. As regards the remaining points 1, 3 and 10:-

1. I understand that the question whether the Governor should be present at all the debates of the Legislative Council was raised by Sir E. Grigg. I have not been able to find any papers on the subject; but I understand that the view was taken that he should always be present.

3. The Colonial Office approves in principle of the re-organization of the Secretariat as recommended in the Pim Report.

10. I annex a copy of <sup>a revised</sup> ~~the~~ table of precedence <sup>wh. was recently submitted by Sir G. S.</sup>. As regards the question whether, if a Cabinet Minister visits the Colony, he

*x being copied*  
*see end of 10/1.*

becomes

becomes senior to the Governor, the answer is that, as representative of the King, the Governor takes precedence over everybody else in the Colony including members of the Cabinet or of the Royal Family, though special ad hoc arrangements are usually made when the heir to the throne visits a Colony.

X  
or someone like the Duke of Kent: but not for anyone other than Royalty & high Royalty at that.  
J.

J. J. Popham  
8.1.37.

- 1) If the Governor didn't attend Council and listen to the dreary rubbish (mostly) talked the elected members would accuse him of showing deliberate contempt for the Legislature to which they attach a fantastic and absurd importance. It might be a good thing not to attend on the plea that his job was to govern the Colony & not to listen to occasional "hot-air", but then he would be accused of contempt of "the representatives of the people". I'm afraid Sir Robert will have to put up with it at any rate at first but he can do a good deal to cut things down by letting it be known that he doesn't like long-winded eloquence. Sir J. Byrnes told me that the trouble was that all the elected members (Quipians) will get up and talk on any subject. Then they were angry because he used to put up some one official to reply. This was called "lack of tact".
- 3) will take time and a lot of thought. The Finance Secretary is more or less done <sup>up</sup> anyhow.
- 10) He needn't worry. He comes first, & the local Cable settles the rest. A Cabinet Minister as such is nowhere in a Colony but a Governor would treat him as an honoured guest & make him No 2 at dinner.

A man in London  
can't see out. Talk  
to the Governor.

Have added notes on various points  
Wed. 8/1/37

3. SIR R. BROOKE-POPHAM (3/0 TO SIR J. MAFFEY) — 12.1.37.  
States that he would be grateful for answers in writing on :-  
Reform of the Executive Council; Attitude towards the Penn Report,  
and Indian immigration.

Sir Robert Brooke-Popham wants written memoranda on three points and unfortunately they are not at all easy. I annex notes on all three which I submit for consideration, but in some respects it is impossible to say definitely what <sup>the proper</sup> ~~anybody's~~ view is as it may change.

Nov. 4, 5, 6.

J. J. Popham  
14.1

P.T.O

Sir J. Maffey.

Mr. Flood's notes on the three points are written from the personal point of view, and I think that they are none the less useful on that account.

But it will be desirable, in a covering letter, to fit the notes on to Sir R. Brooke-Popham's desire for a statement of "the policy of the Colonial Office". In the case of the first two notes, Mr. Flood's introduction practically does this, but I think that it would be desirable, in the covering letter, to state definitely:-

1. Executive Council. There is no present policy strictly so-called. The Secretary of State desires Sir R. Brooke-Popham to consider how the Executive Council can be made more useful as a means of association with Unofficial opinion, without derogating from the authority of the Governor and his responsibility through the Secretary of State to Parliament.

2. The Pim Report. Here again there is no policy. The recommendations in the Report, as in any other report, have to be studied, and their practicability and the way of carrying them into effect has to be considered. Here again what is desired is that the Governor should express his views, after full study of the circumstances. On one recommendation - that of the taxation of multiple native huts - the Secretary of State has already informed the Governor

Governor of Kenya that he considers that the change should be adopted.

3. Indian Immigration. No policy is possible as we cannot differentiate against the Indians as such. Their presence cannot be allowed to hamper the gradual advance of the African, which must ultimately reduce the opportunities open to Indians. In this way the attractions of immigration will be reduced and it is probable that the first objection to it will come from the very large Indian population already in Kenya (and largely Kenya born). The ultimate question of the future of Indians in Kenya when the advance of the natives deprives them of a living, is too remote for consideration.

If you agree, we will draft a letter on those lines.

W.C.S.  
15.1.1937

Yes. I shall be most grateful for a draft on these lines.  
J.M.  
18/1

Sir C. Bottomley

I have prepared a revised version of my note on (1) & (3) as directed. The one on (2) will do.

21.1.37  
20.1.

Sir J. Maffey.

Re-submitted. I am sorry that I must have overlooked this yesterday. I shall better sign the letter as you direct?

W.C.S.  
22.1.37

Yes. The notes are now "paid down"  
sufficiently, but it would be as  
well for A. G. S. to see.

Mr. Boyd

Jan 22/11

22/11/37  
SECRETARY OF STATE

4 To His Highness Maharaja R. B. P. (3 sent)  
(copy notes) 23. 1. 37

W

13.

9

C. O.

38290/37

Mr. Flood.

Mr.

Mr.

Sir C. Parkinson.

Sir G. Tomlinson.

X Sir C. Bottomley. 18-1-37

Sir J. Shuckburgh.

+ Permt. U.S. of S. 22/1

Parly. U.S. of S.

X Secretary of State. WJ 22-1-37

C.D.  
R 23 JAN  
O 23rd

DOWNING STREET.

23 January, 1937.

*Genl. Doree Pyleau*

It is somewhat difficult

for me to reply definitely to your

letter of the 12th of January, in

which you ask for statements as

to "the policy of the Colonial Office"

in regard to the reform of the

Executive Council, the Pim Report, and

Indian immigration.

The fact is that with

regard to the Executive Council and

the Pim Report, there is no definite

policy. As regards the Executive

Council, the Secretary of State

wants you, on your arrival, to

consider it and to suggest how it can

be made more useful as a means of

associating Unofficial opinion with

Government without derogating from

the

**DRAFT.**

AIR CHIEF MARSHAL SIR R.B. POPHAM,

G.C.V.O., K.C.B., C.M.G., D.S.O.

*intro 2*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(notes here with: keep copies)

FURTHER ACTION.

*after you have seen it working.*

the authority of the Governor and from his responsibility through the Secretary of State to Parliament; *was part of improved machinery and practice of consulting local unofficial opinion on as many matters as is practicable.*

The Pim Report was only issued in September, and since then, the time of most people in Kenya has been taken up with immediately controversial questions centring on income tax. There is no real policy in the sense that the Secretary of State has in ~~any~~ <sup>any</sup> way made up his mind. <sup>on details</sup> The Report requires to be studied carefully, and the practicability of each recommendation, and <sup>when</sup> how it is to be carried out, has to be considered. Here, also, what is really wanted is that you should give the local circumstances full study and express your own views. <sup>But</sup> The Secretary of State has already <sup>Lord Francis Scott</sup> told the Government of Kenya that he is strongly of opinion that Pim's recommendation in regard to the taxation of plural native huts should be adopted.

With regard to Indian immigration, it is not possible to lay down a policy,

since

C. O.

- Mr.
- Mr.
- Mr.
- Sir C. Parkinsson.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permi. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

DRAFT.

since it is not practicable to <sup>bring British subjects of British protected persons</sup> differentiate against Indians as such.

Their presence in Kenya cannot be allowed to hamper the ~~general~~ advance of the Africans, which must ultimately reduce the opportunities open to the Indians. That advance <sup>in some directions</sup> may be more rapid than would, at first sight, seem possible, ~~but no one can say when it will become effective.~~ Then the attractions of immigration will be reduced, and it is quite likely that the first objection to fresh immigration would come from the large Indian

population which is already there, a <sup>part of the Colony</sup> ~~must now be regarded as permanent.~~ good part of which is Kenya born. What is to happen to Indians in Kenya when their livelihood becomes insecure, owing to the advance of the native, is a remote question <sup>for the future</sup>.

I asked Flood to produce some notes for you, and I send you a

copy

FURTHER ACTION.



copy of what he prepared. They express

*And they will not be the less useful*

his own personal views, perhaps rather

~~to you because they are fairly opposed. I do~~

violently, but there is not much in

essentials with which I would disagree,

~~and you may like to have his notes, though~~

*his notes*

it would never do to let them get abroad

in Kenya.

You might let the S of S  
know when you are ready  
to have a further talk with  
him.

*You are*

(SIGNED) X. C. BOTTOMLEY.

(for Sir John Keating, who has  
seen the same the draft of the  
letter before going to leave).

87

INDIAN IMMIGRATION.

The Indians have had a long connection with East Africa, and there is now a fairly large settled population of Indians in Kenya. It would be impossible to take any measures which would appear to be directed against the admission of Indians, and it is doubtful whether such a policy would, in fact, be necessary. When times are prosperous in Kenya a few more traders come across, but when times are bad they return again to India. There is, however, the large population of Indians permanently resident in Kenya, whose children are born and brought up in Kenya, and it would be difficult to know what to do with them. In point of time the situation may solve itself, because if the native African increases in numbers, as he is bound to do, and if there are sufficient white people to press upon the Indian from the upper side there will be very little room for him in the economic structure of the country. He may therefore be expected to leave Kenya gradually. On this point, too, it is impossible to lay down any policy, except to say that a policy of restricting Indian immigration cannot be adopted for many good reasons.

## EXECUTIVE COUNCIL.

The Secretary of State has already announced his policy of inviting the new Governor to consider the re-modelling of the Executive Council in Kenya with a view to making it a more convenient body to work and more useful as a means of association with unofficial opinion.

The Executive Council in Kenya is an unwieldy body. It is composed of -

- The Governor
- The Colonial Secretary
- The Attorney General
- The Treasurer
- The Chief Native Commissioner
- The Commissioner for Local Government etc
- The Director of Medical Services
- The Director of Agriculture
- The Director of Education.

together with such other officials as the Governor may, from time to time, appoint. There are also four unofficial members, of whom two are European elected members of Legislative Council; one is Mr. Pandya, one of the Indian elected members, and the remaining one is Archdeacon Burns, who is one of the members of the Legislative Council selected to represent native interests. There is a sort of custom in Kenya whereby the Governor nominates to Council the leader of the European elected members and one of the members for Nairobi, but this is only a custom and need not be perpetuated.

There can be little doubt that the Council, as at present constituted, is unwieldy. The mere task of circulating the papers, of which there are a considerable

number, to a body of this size must be a considerable strain and I have been given to understand that sometimes proper secrecy is not preserved.

About twenty-five years ago most Executive Councils were small bodies. The normal composition was -

The Governor

The Colonial Secretary

The Attorney General and

The Treasurer

Sometimes an officer like the Director of Public Works or a senior Administrative Officer was added.

About 1910 a practice began of adding more and more heads of departments to the Executive Council, partly with a view to giving them increased status and precedence. The doctors began it, the head of the Medical Department being added to Executive Council in Colony after Colony as opportunity occurred, and the head of the Medical Department was followed by heads of other departments who were thought to be equally important. Hence the presence on Councils of the Director of Agriculture and the Director of Education. There can be no doubt as to the importance of these officers in the affairs of the Colony in tropical Africa, but their advice in Executive Council on matters outside their own departmental knowledge can never be of very much value and if a question involving departmental knowledge were concerned, it is always easy to invite the head of the department to attend Council. There is, therefore, no reason why they should be regular members of Council, and

I understand that, in practice, they confine themselves to supporting the Governor, except on matters within their own knowledge.

In regard to Kenya, the question becomes more complicated by Sir Alan Pim's proposals, because if his proposed organisation of the Secretariat, when three secretaries (Colonial Secretary, Financial Secretary, and Secretary for Native Affairs) is adopted, then all three will have to be on the Executive Council, the Financial Secretary replacing the Treasurer, and the Secretary for Native Affairs replacing the Chief Native Commissioner. Therefore, before any reorganisation can be carried out, the Secretariat reorganisation will have to be decided upon, which will not be easy.

The position of unofficials of Executive Council is itself a bit of an anomaly. An Executive Council is not like a House of Lords, a superior Second Chamber with powers of revision. It is much more analogous to the Cabinet or, indeed, to a smaller body such as the 'War Cabinet' in the War. Its function is to discuss with the Governor matters of policy and advise him, but he is not bound to follow its advice. The analogy with the Cabinet can, however, be pressed too far. No one can conceive of a Cabinet meeting with members of the opposition present, but that assumes that unofficial members would naturally be an opposition. That is not the correct doctrine. The Legislative Council is a deliberate, consultative body, and when, as in Kenya, there is a large body of educated unofficials, there is no reason why such should not be appointed to the Executive Council where their advice on matters of policy concerning the government of the whole place

place could not but be of great value.

One difficulty in regard to Kenya is that if there are European unofficials on the Executive Council, then in deference to popular opinion it becomes necessary to have a representative of the Indians and one representative of the natives. It is contended in some quarters that it is wrong to have an Indian member on Executive Council because the Indians have nothing to do with the administration of the Colony. At the same time the fact that the Indians outnumber the Europeans has to be taken into account and it seems clear that there will have to be an Indian member.

Then with two unofficial Europeans, one Indian, and one member representing native interests, there are four unofficial members. The official side had better therefore contain at least four, although proceedings in the Executive Council need not go by vote, as the Governor can always act in opposition. If the Secretariat is reorganised there will be three Secretaries, while the Attorney General must obviously be a member, and so should be, I think, the Officer Commanding the Northern Brigade of the King's African Rifles. Such a Council, with the Governor presiding, four unofficials and five officials, (one of whom is the Officer Commanding Troops) is of a fairly independent nature, and would be quite a useful consulting body. The influence of the unofficials on it would rather be by persuasion and consultation than by votes.

INDIAN IMMIGRATION.

The position here is very awkward. If we were to come out in the open and tell each other the real truth, there can be no doubt that Indian immigration is not wanted in Kenya. The reason is not that the Indian is an unpleasant person, unsanitary, a political nuisance and liable to oppress the natives if he can. He is all these things, but they do not of themselves provide insuperable objections to his entering Kenya. What does make him a nuisance is the fact that he cannot assimilate with the people of the country, and as conditions improve in Kenya as the population increases, which it is bound to do with improved public health and the discontinuance of tribal fighting and slave raiding, the land in Kenya will be wanted for its native population, and the Indian will have nowhere to go. At the present time, of course, the Indian does not till the soil but prefers to remain a small trader and confines himself to the townships while he pretends to want land in the highlands. He probably does want the land because he thinks he could do well by speculating in it, and no doubt he could: but the Kenya Indian taken by and large is not an agriculturist.

That apart, however, it would be absolutely impossible politically to attempt to limit Indian immigration. As Sir Cecil Bottomley says, they only come along when times are prosperous and when things are bad they

3

they go back to India, and as a result it is doubtful whether there is really much immigration. The Indian population in Kenya, however, has a high rate of natural increase and there is going to be trouble with the increasing numbers of Indians born in the territory who cannot be got rid of. The Indian serves a very useful purpose in buying and selling native produce. In fact most of the trade with the natives is done by the Indians, and though one may not like it at present and one may wish that he were somewhere else, he does serve a useful purpose. Indians also serve very largely in subordinate posts in all departments of Government and are cheaper than Europeans. They are not so cheap as Africans, but they are employed in preference to Africans because they are more efficient: but in process of time as the Africans develop, the Indian will find himself knocked out and then he will probably be driven by economic pressure to find his way back to India whence his fathers and grandfathers came. But Government can do nothing to stop the entry of any Indian who complies with the Immigration Ordinance, and it must always be remembered that Kenya is a place where racial or national discrimination is forbidden by the terms of the Congo Basin treaties.



514

PIM REPORT.

As regards the Pim report, what Sir Robert Brooke-Popham asked in his first letter was whether the Colonial Office approved of the reorganisation of the Secretariat as recommended in the Pim report. It has been stated on several occasions that the Governor and the Secretary of State were impressed with the Pim report and proposed to accept its recommendations generally. In particular, the proposal to have a Financial Secretary to Government is one which had previously been engaging the attention of various Secretaries of State and had been urged upon Colonial Governments in a Circular despatch during the course of last year. It may therefore be taken for granted that, so far as the Financial Secretary appointment is concerned, Government and the Secretary of State are entirely in favour of the Pim recommendations.

There will, however, be some considerable difficulty in fitting the proposed organisation into the ordinary structure of a Colonial Government such as exists in Kenya. In particular, the position of the Chief Native Commissioner who will be absorbed by one of the secretaries will be somewhat awkward. The Joint Select Committee, when it considered the affairs of Kenya, recommended that the Chief Native Commissioner should have his powers and status considerably enhanced, and under the present system he remains the adviser of the Governor on native affairs. He is regarded by people in this country

as a sort of watchdog on behalf of native interests, and for that reason attempts are always being made to aggrandize him and give him an impossible position in the Government machine. This, however, should not present much difficulty since the Secretary for Native Affairs will also be an official of great importance, but the Chief Native Commissioner as such must disappear. Then later on it may well be found that Sir Alan Pim's organisation won't work in practice, in which case the Chief Native Commissioner will inevitably have to be reconstituted.

Sir Henry Moore in talking to me about the Pim report said he had considerable doubts as to whether the reorganisation would be found to be practicable and that is just one of the things that would have to be gone into. Mr. Wade, who has no doubt given as much thought to the matter as he can, will probably have prepared recommendations for the Governor when he arrives. All one can say at the present is that the most important recommendation in this regard is that of the Financial Secretary which has been approved long ago, but that the other changes will involve a good deal of hard thought.

EXECUTIVE COUNCIL.

The Secretary of State's declared policy is to consider how the Executive Council could be made more convenient in working and more useful as a means of association with unofficial opinion. The Executive Council in Kenya now consists of the Colonial Secretary, the Attorney General, the Treasurer, the Chief Native Commissioner, the Commissioner for Local Government, etc.; the Director of Medical Services, the Director of Agriculture and the Director of Education, together with other officials as the Governor may appoint (subject, of course, to approval) and some unofficial members. There are now four unofficial members, of whom one is Archdeacon Burns who is one of the members of the Legislative Council representing native interests. Another is Mr. Pandya, one of the Indian elected members, and two other Europeans are Lord Francis Scott and Captain Schwartze. There has grown up a sort of custom whereby the Governor nominates<sup>to</sup> the Council, the leader of the European elected members and one of the members for Nairobi, but this is only a custom and there is nothing particularly sacred about it.

I think the Secretary of State feels that this Council is too big. It must be admitted that circulating papers to it, all of which have to be secret, must be a considerable strain, and there is some difficulty in preserving proper secrecy.

The original shape of an Executive Council is to be found in Colonies about twenty-five years ago when the normal composition was:-

- The Governor
- The Colonial Secretary
- The Attorney General
- The Treasurer
- With sometimes an officer like the Director of Public Works or a Senior Commissioner of the Administration

About 1910, however, there got to be a practice of adding other heads of departments to Councils with a view to giving those heads of departments the increased status and precedence which came from a seat in Executive Council. The head of the Medical Department was the first to be added and he has rapidly been followed by other departmental officers who think that they are just as important or whose status it is desired to enhance. Hence the presence of the Director of Education and the Director of Agriculture. There can be no doubt as to the importance of these officers in the affairs of a Colony in Tropical Africa, but their advice in Executive Council can never be of any particular value except on questions immediately affecting them, and if such questions did arise, provision could easily be made for their attendance without making them regular members of Council.

The thing is much more complicated for the future of Kenya by Sir Alan Pim's proposals, because if  
his

19

maintain stoutly, what I think is the correct constitutional principle, that the unofficial members in the Legislative Council are in no sense an opposition, but meant to be advisers and helpers. Accordingly in a Colonial Executive Council there is room for unofficial representation, and in the case of Kenya there are very good reasons for having it there.

One difficulty arises as to whether there should be any kind of understanding as to who the unofficial representatives ought to be. I have referred to the present understanding in Kenya, but I do not think it is a satisfactory situation. The European elected members do not in point of fact represent anything very much. In the country the real farmers are too busy to bother about their local politics and the only ones who vote are the idle or politically minded minority. The people in Nairobi itself cannot represent the farming community and it is the farming community that should count in Kenya. It would therefore seem advisable that the Governor should have a free hand in nominating people to Council and that, though he should normally expect to have one at any rate chosen from the elected members, he need not feel bound to do so. Further, appointments to Executive Council should be made for a fixed term and should not be renewed to the same man except in very special circumstances. This would enable the honour to go the rounds.

In view of Kenya's unfortunate racial position, if you have European unofficials you are forced to have Indians and somebody representing natives as well in deference to uninstructed popular opinion in this country. There is no objection on the part of anybody to the presence of Archdeacon Burns as representing native interests, but the Europeans feel very strongly that an Indian ought not to be on Executive Council at all because they say the Indian is an interloper and has really nothing to do with the administration of the Colony. On this point they may be right: but the Indians do outnumber the Europeans by a considerable amount (there are over twice as many), and if it comes to being interlopers, the European is rather more of an interloper than the Indian. I therefore can see no way out of having an Indian on Council if you have unofficial Europeans.

If then you have four unofficial members on Executive Council - and I certainly would not advocate more - and if the official membership consists of the three secretaries, the Attorney General and the Officer Commanding the Northern Brigade of the K.A.R., the Council will be a more compact body and will probably be able to get through business better. But before they can get remodelled at all all idea of voting and official versus unofficial will have to be dropped, because you cannot conduct the Government of a place with an Executive Council trying to regulate itself by voting.

*And the Governor can ignore their vote if he likes?*

The influence to be exercised by the unofficials will have to be done by persuasion and consultation. The result, of course, would be that théoretically and on paper the unofficials will have no more power and will be no more closely associated with the Government of the Colony than they are at present. But that can't be helped.

RECEIVED  
12th January, 1957.  
-5 FEB 1957  
O. O. REC

My dear Maffey,

Referring to our interview yesterday, I would be grateful if you could let me have answers in writing to a few of the questions that I asked you in my letter of the 4th January. Although you did answer them verbally, I feel I ought to have them in writing so that I may be quite clear as to the policy of the Colonial Office.

The questions to which I want a written answer are those referred to in the following paragraphs of my letter:-

- No. 2 - Reform of the Executive Council,
- No. 3 - Attitude towards the Pim Report,
- and No. 7 - Indian immigration.

Yours sincerely,

W. Brooke-Polham

*Amud (4)*

Sir John L. Maffey, G.C.M.G.,  
K.C.B., K.C.V.O., C.S.I., C.I.E.,  
Permanent Under-Secretary of State,  
The Colonial Office,  
S.W.1.



2. Re-organization of the Executive Council.

In the Secretary of State's telegram authorizing the Governor to accept the "compromise" on the taxation issue which was recommended by the Standing Finance Committee, the following passage occurs:-

"As regards the assurances which they desire:-

(1) I had already intended that the new Governor should be asked to consider how the Executive Council could be made more convenient in working and more useful as a means of association with unofficial opinion. But it should be understood that the responsibility of the Government of Kenya must be through the Secretary of State to Imperial Parliament and that I am not prepared, and indeed am unable, to agree to anything which would be inconsistent with that responsibility. I do not propose to make any change with regard to the composition or powers of the Legislative Council."

So far as I am aware no detailed consideration has been given in the Colonial Office to the question of the new constitution of the Council, but it may be observed that before the recent resignation of Lord Francis Scott and Captain Schwartz, the Council consisted (apart from the Governor) of eight official members and four unofficial members. Of these four, one was the Indian member and another was Archdeacon Burns, who represents native interests.

1922

As regards the Indian member it was recommended in the Wood - Winterton Report that the practice for appointing one unofficial Indian member of the Executive Council should continue; and in the White Paper of 1923 on "Indians in Kenya" it was stated that

Ans. 92

"As regards the Executive Council, the present position as set forth in the Wood-Winterton report will be maintained, except

that

2  
23

2. Re-organization of the Executive Council.

In the Secretary of State's telegram authorizing the Governor to accept the "compromise" on the taxation issue which was recommended by the Standing Finance Committee, the following passage occurs: -

"As regards the assurances which they desire: -

(1) I had already intended that the new Governor should be asked to consider how the Executive Council could be made more convenient in working and more useful as a means of association with unofficial opinion. But it should be understood that the responsibility of the Government of Kenya must be through the Secretary of State to Imperial Parliament and that I am not prepared, and indeed am unable, to agree to anything which would be inconsistent with that responsibility. I do not propose to make any change with regard to the composition or powers of the Legislative Council."

So far as I am aware no detailed consideration has been given in the Colonial Office to the question of the new constitution of the Council, but it may be observed that before the recent resignation of Lord Francis Scott and Captain Schwartz, the Council consisted (apart from the Governor) of eight official members and four unofficial members. Of these four, one was the Indian member and another was Archdeacon Burns, who represents native interests.

1922

As regards the Indian member it was recommended in the Wood - Winterton Report that the practice for appointing one unofficial Indian member of the Executive Council should continue; and in the White Paper of 1923 on "Indians in Kenya" it was stated that

Ans. 92

"As regards the Executive Council, the present position as set forth in the Wood-Winterton report will be maintained, except

that the Governor will be given authority to nominate as an additional unofficial member a suitable person, preferably a Missionary, whose advice on matters affecting Africans will, in the opinion of the Governor, be of value."

Since that date there has always been an Indian member of the Executive Council except for a short period between 1923 and 1925, and a longer period, 1928-1933, when the Indian community adopted an attitude of non-co-operation.

A proposal now to drop the Indian member would inevitably create great resentment in India, which it would seem very expedient to avoid, as it might well give rise to the reopening of the questions of representation in the Legislative Council and of the franchise.

It would seem, therefore, that we must contemplate the continuance of the existence of an Indian member of Council; and, I think also, of an unofficial member to represent native interests; and we could hardly do away with one of the other two European unofficial members. It therefore appears necessary to contemplate that the re-constituted Council will consist of the Governor, together with four official and four unofficial members.

*Ingrate but that will please the  
Europeans. Apart from members, only  
Governor can judge whether there  
is a possibility of fuller constitution.*

*Let's 8/1/37*

#### 4 Defence.

24

The whole question of the defence of East Africa is to be examined by the Chiefs of Staff sub-committee of the C.I.D. in the light of the situation created by the Italian occupation of Abyssinia.

It is not expected that the result of this deliberation will be available for some months to come and that Committee will no doubt wish to avail themselves of the services of the Inspector-General of the RWAPP and KAR for consultation and advice when he returns from West Africa in April next.

Pending this consideration by the Chiefs of Staff Committee any attempt to formulate a new defence policy would be premature. In the meantime, the responsibility for the defence of the Colony will continue to rest with the K.A.R., as at present organised, and the available local forces.

It may, however, be mentioned that when Lord Swinton, then S. of S. for the Colonies, was in Nairobi in 1934, he took advantage of the presence of Air Vice Marshal Newall and Brigadier Norman (then I.G.K.A.R) to have the defence problem of E. Africa examined in the light of modern air development and he issued instructions to Brigadier Norman to do this in collaboration with A.V.M. Newall. A joint report was drawn up by these officers which contained recommendations regarding the future organisation of the defence forces in E. Africa. These recommendations included a reduction in the infantry forces to provide for the addition of an air arm.

The Report (termed the Newall-Norman Report) was transmitted to the Oversea Defence Committee for examination and advice. Before this examination could take place, the Italo-Ethiopian situation arose and as it was obviously impracticable to make any changes in the defence organisation, or to consider the defence problem anew, at that juncture it was decided to defer consideration of this Report.

At the end of 1935, it was decided to place the report in cold storage, for a variety of reasons, the chief being that the Italian occupation of Abyssinia would necessitate a complete reconsideration of the defence requirements of East Africa and it was not possible to do this until the result of the Italian occupation ~~was known~~ and the military policy to be adopted by the Italians in North Africa could be more clearly seen.

As regards the Kenya Territorial Regiment, it should be remembered that this Regiment is taking the place of the old Kenya Defence Force and may be regarded as a remodelling of that old Force in order to attain a greater measure of military efficiency. This auxiliary force gives the settler element, who comprise the Territorial Regt, some sense of security against any contingency of native rising and it is

clear that this community would not be satisfied by its abolition and replacement by an auxiliary air unit.

The real military value of the T. Regiment as against external aggression is that it forms a source of supply of trained Europeans from which the K.A.R. on expansion could draw for the officers and British Wt & N.C.Os which would be required for its mobilization strength and for new units raised on expansion. No reliance can be placed on obtaining these necessary white re-inforcements from the Army, or elsewhere, and it is improbable that the War Office would be in a position to spare officers or N.C.Os for any of our expanded colonial forces.

The local Committee which was set up to examine the proposals for the reorganisation of the auxiliary local forces gave particular attention to the possibility of establishing an auxiliary air unit but came to the conclusion that the expense involved would be entirely beyond the colony's financial resources. They considered, however, that the strategical position of the Colony would justify representations being made to the Imperial Government to maintain an air unit in Kenya.

To some extent their recommendation has been met by the decision to station an Imperial Air Squadron at Nairobi. This Squadron, however, forms part of the Middle East Command under the control and disposal of the A.O.C. for all purposes. The decision to station this R.A.F. Squadron at Nairobi was based on Imperial strategical requirements and had no reference to the local defence problem.

The A.O.C. is being given discretion to place the Squadron at the disposal of the Government of Kenya for any particular defence operations.

Colonel Campbell, the Commander of the N. Brigade K.A.R. and C.C. Troops Kenya & Uganda, is at present on leave in this country and would appreciate an opportunity of meeting Sir R. Brooke-Popham and to give him any information regarding the military forces which the new Governor may require.

5. The Kenya-Abyssinia Frontier.

The <sup>early</sup> history of ~~the~~ hitherto unsuccessful efforts to obtain a satisfactory Northern frontier for Kenya is set out in paragraph 53 of the "Maffey Report" on British interests in Ethiopia.

In January, 1936, the Governor of Kenya reported that the Italian forces were understood to be about to advance westwards along this frontier, and that it was therefore necessary that there should be an understanding with the local Italian authorities as to the boundary to be observed; that the Italian maps were based on the "Gwynn" line, and that as it was to our advantage that this line should be recognized, he had issued instructions accordingly. The Foreign Office demurred to this, however, and the Governor was informed that, while this line might be adopted as a provisional boundary at its Eastern end, where it is South of the "Maud" line (i.e. the line marked in the map attached to the Treaty of 1907), we should be involved in considerable difficulties if we attempted to adopt the "Gwynn" line in the central section of the frontier where it is North of the Treaty line. The effect of this decision has been that, for the purposes of the hostilities and for the subsequent occupation of Abyssinia, the line provisionally <sup>observed</sup> ~~adopted~~ has been the "Gwynn" line where it is South of the Treaty line, and the Treaty line where it is South of the "Gwynn" line.

In June, 1935, the Governor reported that the Italians appeared to be prepared to recognize as the provisional boundary the line marked on their map, which was practically the same as the "Gwynn" line, except for a very small and unimportant area at the point where the "Gwynn" line crosses the Treaty line. As the recognition of this line would

(21 on 38066/15/36)

W.S.A. 82/137

This is being amongst J.

safeguard the watering facilities of the Kenya tribesmen, the Governor recommended that the Italian Government should be requested to recognize this line provisionally, and the draft of a note to the Italian Government was prepared for discussion with the Foreign Office. Eventually, however, the Foreign Office came to the conclusion that it was inadvisable to discuss boundary questions with the Italians, even provisionally, as it would be impossible to do so in terms which could not be represented as implying recognition of the Italian occupation of Abyssinia.

We then proceeded to discuss with the Foreign Office whether we could not request the Italian Government to instruct their local authorities in Abyssinia to continue to afford to the Kenya tribesmen the watering facilities across the Treaty line which they had enjoyed in the past. While this was going on, the local authorities in Kenya and the Italian authorities in Abyssinia came to an arrangement as to these watering facilities, and the Governor asked that the Italian Government might be approached with a view to confirming this local understanding. Eventually, however, the Foreign Office came to the conclusion that it was undesirable to approach the Italian Government officially in the matter as the effect might be to jeopardize the informal arrangement which had already been reached between the local authorities. In the circumstances, the Governor was instructed that the District Officers in the area affected should

should continue to take every opportunity of assisting the tribesmen by concluding such provisional arrangements, on the de facto basis of Italian military occupation, as might be possible without prejudice to the territorial and other claims of the Government of Kenya in the border territory.

While, therefore, the Foreign Office are fully alive to the importance of getting the Northern frontier of Kenya settled on a satisfactory basis as soon as possible, it is certain that they would take the line that the time is not yet ripe to discuss such matters with the Italian Government.

*That is so as to formal boundary  
 verification. Perhaps, if the informal  
 Rome discussion as to the paper  
 question with Mr. Somell and side lines  
 front, we may get a more systematic  
 arrangement on the same Kenya side.  
 Lond 8/1/39*

5 on 38066/15/36

6. Railway Development.

There are not, at present, any proposals for the further development of railways in Kenya, Uganda, and Tanganyika. In fact, so far as Kenya is concerned, it is open to question whether the construction of some of the branch lines was economically justified. Any proposals for development in any of the territories in future would now fall to be examined by the Governors' Conference in its capacity as a Transport Policy Board.

Apart from the question of the liability of the K.U.R., or of the Governments of Kenya and Uganda, to repay the original Imperial loan which was raised for the construction of the Railway - which will come up for consideration in 1938 - the principal problems before the railway are:-

- A. The adjustment of rates, and other measures, to meet the growing competition of road transport, and
- B. <sup>the</sup> A distribution of traffic arising in the Lake Victoria area between the K.U.R. and the Tanganyika Railways.

Both of these questions are dealt with in the report recently submitted by Sir Osborne Mance.

[ *Kenya roads appear to be the most probable line of development. There is nowhere in Kenya where a railway could be built with any prospect of traffic.*

*W.C.F.]*

*W.C.F. 8/1/37*

*Sir O. Mance has told Mr. ...  
that he would be happy to  
in Sir Robert. We can  
send Sir Robert an Air copy  
of the report if he will  
like it*

*W.C.F. 8/1*

*W.C.F. 11/1*

7. Indian Immigration.

The only powers possessed by the Government of Kenya to deal with any immigrants are those conferred by the Restriction of Immigration Ordinance, which prohibits the immigration of various persons, including:

- (a) any person without visible means of support or any person who is likely to become a pauper or a public charge . . . .
- and (f) any person deemed by the Immigration Officer to be an undesirable immigrant, in consequence of information or advice received from any Secretary of State or Colonial Minister, or through diplomatic channels or any Minister of a foreign country, or from any other trusted sources.

Any person desiring to enter the Colony has to satisfy the immigration authorities that he is not a "prohibited immigrant". It would clearly be quite impossible, on political grounds, to take any action for the exclusion of Indian traders under the powers conferred by paragraph (f) quoted above, or to introduce fresh legislation for this purpose. In practice, therefore, (apart from criminals, persons suffering from contagious diseases, etc., etc.) the only effective restriction on the immigration of Indians into Kenya is the possession of visible means of support, or other guarantee against their becoming a public charge.

(It would be impossible to stop Indian traders as they are very necessary in the rubber trade - they sell all the stuff to the Kikuyu & buy his produce - it would really be indivisible, but to try it would cause a row in India of vast size. S.O.S.)

This question had some importance in the 1923 discussions. It was left there that

that statistics would be prepared;  
but that fizzled out because  
it was impossible to trace mass  
business beyond Mombasa (to or  
from).

Actually, the gross output  
figures are a good barometer  
to local prosperity - users  
don't hang about a spot anymore

C.S. 87/37

8. White Settlement.

The ~~stated~~ <sup>declared</sup> policy of the Government of Kenya - and of the Secretary of State - is that the Highlands of Kenya should be developed by the encouragement of European settlement. So far as the Colonial Office is concerned, however, this policy is subject to the qualification that it is not yet regarded as absolutely proved that the European community will be able to prosper in the Highlands of Kenya, owing mainly to the distance from the markets in which their products have to be sold, and, in particular, to the long and expensive haul to the coast. These doubts as to the ultimate success of European settlement in Kenya have been accentuated by the experiences of the farming community in Kenya during the recent trade depression, accentuated by droughts and invasions of locusts.

On the other hand, the success of European settlement in the Highlands is held as a passionate article of faith by the existing settler community, and the public expression of any doubts as to its ultimate success would be regarded in Kenya as little short of heresy. The latest pronouncement on the subject, though not for public consumption, was in a confidential despatch of the 6th of June in connection with the proposals for the settlement of ex-officers of the Indian Army, retired under the "War Block" scheme. The proposals were:-

- A. That selected officers should be settled on small Crown land farms of 200 to 700 acres each, for the purposes of mixed farming. The farms were to be granted free, and the settlers were to be financed on easy terms by the Land Bank.

(No. 7 on  
38232/1/36)



B. Other selected officers were to be granted small plots for residential settlement, assisted by minor market gardening.

In rejecting proposal A, the Secretary of State referred to an opinion expressed by Sir Philip Cunliffe-Lister in 1932 that no further subsidized settlement should be undertaken unless it could be established that it was economically justified. While agreeing that the settlement of Kenya by suitable Europeans is a thing to be encouraged, the Secretary of State expressed the view that the experience of recent years had proved that a reasonably large amount of free capital is almost essential to the success of any European settler in Kenya, and that the proposed advance of £1,000 would not be sufficient to enable the settler to make a start and repay it within a reasonable time, while the risks to Government resulting from failure or death were serious and must be admitted.

In reply to this despatch, the Governor expressed concern at the views which had been expressed, which seemed to him to imply that the propriety of all propaganda to attract settlers to Kenya would be similarly open to question - a proposition which would be very embarrassing to the Government of Kenya. The Governor was informed, however, that the Secretary of State did not think that the considerations which had led to the rejection of a settlement scheme need be regarded as precluding the advertising of the admitted attractions of Kenya as a place of residence or settlement. When, as in the

The Dep. to the Gov. continued as follows:-

30

the case of Kenya, the Government considers that further settlement is advantageous, it is a perfectly proper activity of Government to bring the acknowledged attractions of the Colony to the notice of persons who would be likely to make deserving settlers. That Kenya offers definite attractions to settlers of a certain class and possessed of a certain amount of means is self-evident, and there is no reason why information about it should not be widely distributed. It is, however, possible to draw a sharp distinction between such statements of fact and offers of financial assistance which might serve, or might be regarded as serving, to induce persons who had not sufficient means to take the chance of settlement in Kenya, with a view to making their fortunes. So long as Government propaganda is confined to statements of fact and statements of what Kenya, as a country, has to offer, it can do nothing but good, and the Government cannot be blamed in the event of failure on the part of any settlers. The Government, however, would not be free from blame if it embarked on a policy of offering definite monetary inducements to intending settlers which could be held as constituting some sort of Government pledge, and which might, in the event of failure, lead to embarrassing claims against Government."

It is necessary to be very cautious. A man with £500 or £1000 a year from outside can have a better time on it in Kenya than he could here. But a man with no capital and no income would go to the wall. All he can do is to farm & produce stuff - maize, sisal, etc. - which cannot be relied upon to yield an income. Coffee is valuable but this is not much land where it will really grow well & that is all in use.

So no one can expect to make his fortune in Kenya or even to get a return on capital. Therefore it would be wrong to

encourage more settlers. As it is they contend that Government  
invited us to come here and ought to help us when we crash.

My own private view is that whole settlement is for  
economic and medical (they all go 'newy') reasons utterly  
hopeless & doomed to damnation. The existing settler holds  
to the contrary view because he wants a land boom when he  
can sell his farm to a "mug with money" and get out.

U.S.O.F.

Page No. Flood, I think there are more  
settlers who want additions to their  
reserves either because it will  
increase property or because it  
will increase their political weight.  
As trade reserves and land  
questions get settled, the pressure  
for encouragement of settlement will  
become as explicit as it was in  
1919. All we can do is to take  
care that the new manure is used -  
as they were then? only more so, that  
success is not assured.

W.S. 8/1/37.

9

What should be our attitude with regard to South Africa? Looking a long way ahead, is it the policy to try and develop a separate Dominion of East Africa or is it to amalgamate all the British territories south of the Sudan into one? This is perhaps somewhat an academic question at present, but it does come in a bit over questions of defence. Will East Africa have to rely upon reinforcements from South Africa as it did in the last war?

1. Presumably by "a separate Dominion of East Africa" Sir Robert Brooke-Popham has in mind a federation of all the non-self-governing Dependencies on the mainland - i.e. Kenya, Uganda, Tanganyika, Nyasaland and Northern Rhodesia. His alternative is, presumably, a federation embracing not only the above territories but Southern Rhodesia and the Union as well.

It is really impossible to say whether our policy is to aim at one of the above combinations rather than the other; the question is really too hypothetical and too much in the distant future for discussion. Certainly it is not likely to approach becoming a live issue during Sir Robert Brooke-Popham's tenure of the governorship of Kenya; and the present attitude of the Governments of the East African Dependencies towards the Union will not be affected by any hypothetical considerations about future political combinations of the kind envisaged.

In short, the policy vis-à-vis the Union Government should be one of cordial co-operation without any *arrière pensée* about possible political ties. There is a Commissioner for the Union of South Africa in Nairobi (Colonel Turner) with whom close contact is maintained. As an instance of co-operation may be quoted the scheme (about to be put to Mr. Pirow) for the interchange of officers on a limited scale between the Union Defence Forces and the K.A.R.

2. It is impossible to return a categorical answer to the question whether the East African

Dependencies would "have to rely on reinforcements from South Africa as they did in the last war". The question whether reinforcements from South Africa would be needed would clearly depend on the scale of attack to which the East African Dependencies were exposed and the possibility of obtaining reinforcements from elsewhere (e.g. West Africa or India). The question whether reinforcements from the Union would be available would in its turn depend on the attitude adopted by the Union Government in regard to the war generally.

Generally speaking, it is hoped that if the East African Dependencies were engaged in major operations, help would be forthcoming from South Africa, particularly in the direction of (a) technical services - e.g. wireless, medical services and transport; ~~(b) reinforcements~~ (b) officers to serve with the expanded K.A.R.; (c) possibly a small artillery unit for the defences of Kilindini. The possibilities of help being made available on the above lines were discussed with Mr. Pirow during his recent visit, but no definite plans were made, and it should be emphasized that the present defence schemes of the East African Dependencies are self-contained - that is to say, they do not rely on help from South Africa, although it is hoped that that help may be available if needed.

( S<sup>D</sup> F. G. Lee )

B.1.37.

33

As regards the policy for the future it is very difficult to say what will happen. At first blush the idea of a large united territory has its attractions but the objections are very many.

The policy of Government has more and more swung down in the direction that the interests of the natives must come first and that the development of territories in East Africa can best be done entirely by the natives. To start a Dominion with the very small white population which can live in Kenya and Tanganyika would be to upset things very much and to tend to ignore the interests of the native population of those territories. Those native populations also differ vastly in outlook, civilization and progress, and generations will have to elapse before anything of the kind could be tried based on native development.

Apart from this there is the objection that Tanganyika is a mandated territory and could scarcely be incorporated into anything like a self-governing unit.

Also the position as regards the two Rhodesias is very different from that in the other territories. The Rhodesian policy towards natives tends to copy South Africa which is not a model to follow.

To contemplate the amalgamation of Kenya, Uganda and Co. with the Union would, I think, be out of the question either now or at any time in the future.

I was talking yesterday to Colonel Campbell, the O.C., Northern Brigade. He - like every other

soldier

*Both the Union & So. Rhodesia want to improve, but there will always be a colour bar*  
Leds

soldier who has considered the question - is firmly of opinion that the employment of white troops in tropical territories is at all times and in all circumstances a grievous mistake. The troops are not suited for the climate, they have to be more or less waited upon by natives, and troops from South Africa do not treat the native population in our Colonies very well. It is true that we are arranging, on a small scale, a system of lending Union officers to the K.A.R. in exchange for K.A.R. officers lent to the Union but that won't get very far though it may establish liaison.

It is hardly right to say that in the last war East Africa relied on reinforcements from South Africa. They did send up a large contingent from South Africa which helped to crack the German resistance and drive them down southwards, but the South African troops were mainly withdrawn, and long before the end of the war the operations were being conducted by the expanded K.A.R. with a brigade from West Africa. What we should rely upon in the next war would more likely be technical assistance such as the provision of medical services, mechanical equipment and possibly Air Force, if necessary, with some R.E. officers and things like that. The expanded K.A.R. would probably be officered largely by men drawn from the Kenya Auxiliary Regiment and not by asking

for

34  
for troops from South Africa. After all, South Africa is busy envisaging a situation where it might remain neutral if the rest of the Empire went to war. Whether this is more than eye-wash or not I do not know, but they talk about it.

J. S. G. Reid

9.1.37.

*Josephine the Union is the best already attached part of the Commonwealth, & that consideration, apart from all other things, must reduce the chances of a Cape - Sudan Dominion. As to help in time of war, we cannot exclude the possibility of our wanting complete S.A. units; but we are preparing - apart from technical services - for the possibility of our ~~own~~ having to use a certain number of trained Union officers & help to command enlarged K.A.R. formations.*

*W.S.  
9.1.37*

soldier who has considered the question - is firmly of opinion that the employment of white troops in tropical territories is at all times and in all circumstances a grievous mistake. The troops are not suited for the climate, they have to be more or less waited upon by natives, and troops from South Africa do not treat the native population in our Colonies very well. It is true that we are arranging, on a small scale, a system of lending Union officers to the K.A.R. in exchange for K.A.R. officers lent to the Union but that won't get very far though it may establish liaison.

It is hardly right to say that in the last war East Africa relied on reinforcements from South Africa. They did send up a large contingent from South Africa which helped to crack the German resistance and drive them down southwards, but the South African troops were mainly withdrawn, and long before the end of the war the operations were being conducted by the expanded K.A.R. with a brigade from West Africa. What we should rely upon in the next war would more likely be technical assistance such as the provision of medical services, mechanical equipment and possibly Air Force, if necessary, with some R.E. officers and things like that. The expanded K.A.R. would probably be officered largely by men drawn from the Kenya Auxilliary Regiment and not by asking

for

for troops from South Africa. After all, South Africa is busy envisaging a situation where it might remain neutral if the rest of the Empire went to war. Whether this is more than eye-wash or not I do not know, but they talk about it.

J. F. W. Knox

9.1.37.

*Josephine the elements the most closely attached part of the Commonwealth, & that consideration, apart from all other things, must reduce the chances of a Cape - Sudan Dominion.*  
*As to help in time of war, we cannot expect the possibility of our wanting complete S.A. units; but we are preparing - apart from technical services - for the possibility of our ~~own~~ having to use a certain number of trained Union officers & help to command enlarged K.A.R. formations.*

*W.F.S.*  
*9.1.37*

soldier who has considered the question - is firmly of opinion that the employment of white troops in tropical territories is at all times and in all circumstances a grievous mistake. The troops are not suited for the climate, they have to be more or less waited upon by natives, and troops from South Africa do not treat the native population in our Colonies very well. It is true that we are arranging, on a small scale, a system of lending Union officers to the K.A.R. in exchange for K.A.R. officers lent to the Union but that won't get very far though it may establish liaison.

It is hardly right to say that in the last war East Africa relied on reinforcements from South Africa. They did send up a large contingent from South Africa which helped to crack the German resistance and drive them down southwards, but the South African troops were mainly withdrawn, and long before the end of the war the operations were being conducted by the expanded K.A.R. with a brigade from West Africa. What we should rely upon in the next war would more likely be technical assistance such as the provision of medical services, mechanical equipment and possibly Air Force, if necessary, with some R.E. officers and things like that. The expanded K.A.R. would probably be officered largely by men drawn from the Kenya Auxiliary Regiment and not by asking

for

34  
for troops from South Africa. After all, South Africa is busy envisaging a situation where it might remain neutral if the rest of the Empire went to war. Whether this is more than eye-wash or not I do not know, but they talk about it.

J. F. W. Reid

9.1.37.

Josephine the Union is the best closely attached part of the Commonwealth, & that consideration, apart from all other things, must reduce the chances of a Cape - Sudan Dominion.  
As to help in time of war, we cannot expect the possibility of our wanting complete S.A. units; but we are preparing - apart from technical services - for the possibility of our ~~not~~ having to use a certain number of trained Union officers & help to command enlarged K.A.R. formations.

W.F.S.

9.1.37



RECEIVED  
5 FEB 1937  
O. O. NEGY

4th January, 1937.

My dear Maffey,

There are several points on policy regarding Kenya, about which I want to come and talk to you in the near future, and I thought I had better let you know what they are at first.

1. Is it necessary for the Governor to be present throughout the meetings of the Legislative Council? I had a glance at the debates of 1936 and 1935 and it does seem to me that it is rather waste of time for a Governor to sit throughout all the debates and act more or less as a speaker which apparently he does. I quite see that he ought to open the session of the Legislative Council and then I should have thought he could retire and get on with his other work. However, I know very little about the subject so I am keeping an open mind. I may say that when I spoke to Hubert Young of Northern Rhodesia a few days ago, he thought it was very useful for a Governor to attend the meetings of the Legislative Council, *but perhaps they don't talk so much in Rhodesia.*

2. Have the Colonial Office got any definite policy as regards the reform of the Executive Council? I know the idea is to give the unofficial members more responsibility and reduce the size of the Executive Council. If we adopt the Pim recommendations and have three Secretaries *on* the Government, these would presumably be the official members

Sir John L. Maffey, G.C.M.G.,  
K.C.B., K.C.V.O., C.S.I., C.I.E.,  
Permanent Under-Secretary of State,  
The Colonial Office,  
S.W.1.

/of

of the Executive Council and might perhaps be balanced by three non-official members, with the Governor holding the *scale*. ~~balance~~. But the snag that I see is over the Indian member. Apparently there is an Indian member now on the Executive Council. Would it be essential for him to remain? If so, of course his relative importance becomes increased as the size of the Executive Council is reduced and that may upset the balance of things.

3. Am I correct in supposing that the Colonial Office approve, in principle, of the reorganization of the Secretariat as recommended in the Pim report?

4. With regard to defence, bearing in mind the nature of the country and our possible enemies, I should have thought that what one wants are aircraft and mechanised forces, with, of course, Police. We are of course getting an R.A.F. Squadron stationed in Kenya for Imperial purposes and I know that finance must be a limiting factor but we ought to be quite certain what we are aiming at and this may affect the organization of the new defence force which Stratheden has gone out to form. I should have thought that an Auxiliary Air Force Squadron would have been of more value than an additional Infantry Battalion which is apparently what the new defence force is to be.

5. Has anything <sup>been</sup> started with regard to de-limitation of the boundary between Kenya and Abyssinia? I presume we shall acknowledge Italy as the de facto ruler of Abyssinia in the near future: in which case we presumably ought to get on with the de-limitation of the frontier.

6. Is there any paper on the policy regarding railway development of the three territories, Kenya, Uganda and Tanganyika?

7. Has the Government of Kenya any powers to stop Indian immigration? As things are looking up in Kenya now, there seems some possibility of an influx of Indian traders, which presumably we do not want at all. Am I right in supposing that it is the policy of H.M. Government at home

/to

to develop Kenya as a white man's country in so far as this may be practicable? I know there are certain things one cannot say, as for instance, as regards the children born and brought up in that country, and further one must guard against the problem of the poor white; but what I do want to know is whether the Government at home would like Kenya to be developed as a white man's country in so far as it is suitable.

9. What should be our attitude with regard to South Africa? Looking a long way ahead, is it the policy to try and develop a separate Dominion of East Africa or is it to amalgamate all the British territories south of the Sudan into one? This is perhaps somewhat an academic question at present, but it does come in a bit over questions of defence. Will East Africa have to rely upon reinforcements from South Africa as it did in the last war?

10. Can somebody give me a table of precedence? For instance, if a Cabinet Minister pays a visit to Kenya, does he become senior to the Governor.

Yours sincerely,

R Brooke-Popham