

1925

KENYA

C. O.
55530

11 DEC 25

GVERNOR GRIGG.

TEL
573

DATE /
10th December 1925.

737

CIRCULATION:

Alger

DEFENCE FORCE ORDINANCE.

Requests earliest information as to position, if possible in time to inform Council now sitting.

U.S. of S.

Mr. Stanley

U.S. of S.

U.S. of S.

Secretary of State.

Previous Paper

MINUTES

There are recovered for the O.D.C. the first on hand Act of appeal since August, i.e. the Sub-Committee of the O.D.C. which is to consider the organization of all local forces in the Colonies has not yet been able to consider the Kenya Bill.

[The Bill is on 21337/24. A brief note of its history up to the end of 1924 is typed on 57093/24. On that paper S.S. informed the O.A.C. that the Bill was approved he agreed in principle to the Bill but that some of its details would need fuller elucidation.]

Subsequent Paper

1185/26

To W.O. Cons. 1. 11. 26

? We can only reply that S.P.S. is still present in O.D.C. as indicated in let on 350/11/25, but will endeavour to send a further reply as soon as possible.

The recommended letter to Major Clements, O.D.C. (to whom I have spoken) who suggests that he should take steps to have the ^{Bill} ~~document~~ brought before the ~~next~~ ^{main} O.D.C. Cttee, without waiting for the sub-cttee, which is not likely to be able to tackle them for some time.

W. Peel
11.12.25

In the first instance I'll see a staff member & re-circulate

W. Peel

11/12/25

Next meeting. If there is being. Obv any difficulty - but direct communication to the main Cttee perhaps a letter from you or Sir S. Wilson might help.

Wed 11.12.25

CA 11.12.25

W. Peel

Mr. Allison has essayed for this to be considered at our meeting of O.D.C. on Tuesday. Someone from

E. African Dept had better be present.

733

W.H.G.
at once

12.12.25

SIR SAMUEL WILSON.

This question was considered by the Oversea Defence Committee at their 268th Meeting, held on 16th February, 1926, and I enclose copies of their Remarks No. 676-R, for distribution, if approved, as follows:-

Colonial Office..... 1 Copy.
War Office..... 1 Copy.

After approval of War Office has been obtained:-

Colonial Office for:-

Governor, Kenya..... 4 Copies.
Admiralty (for inform.) 1 Copy.
Air Ministry (do.) 1 Copy.

L. Clements.

Secretary,

23rd February, 1926.

OVERSEA DEFENCE COMMITTEE

Mr Shackley

For the necessary action

W.H.G.
at once

23.2.26.

Mr. Bottomley - you & I have already expressed views

on the copy furnished in draft (A below)

It appears to be our business to submit
the comments to the W.O. for approval before sending
copies to the Governor -

* This might be registered -

CS.
26. 2. 26

* Mr. Stuchey does not

press this; it is quite for "Remarks" to be
attached.

Please draft to W.O.

[The matter comes before the C.S.D.

tomorrow]

W.O. 24. 2. 26 some

Person...

Sir M. Hankey, K.C.B.

739

8th January, 1926.

My dear Hankey,

Many thanks for your letter of the 31st of December in connection with the Kenya Defence Force Ordinance. I agree that it would be a good thing for us to get the blessing of the C.I.D. to the compulsory clauses in that Ordinance and I will talk to Amery about it as soon as he returns from Switzerland.

yours sincerely

J.H. WILSON

Lieut-Colonel
Sir Maurice Hankey, G.C.B.

31/12/25
418
23rd December, 1925.

My dear Hankey.

One of the questions which came up for consideration at a recent meeting of the Oversea Defence Committee was a proposed Defence Force Ordinance in Kenya. I pointed out to the Committee that before the war we had always taken the line that as we did not force people to serve in this country we should not do so in our Colonies where they had not got representative Government. It was accordingly agreed that I should discuss the matter again with the Secretary of State for the Colonies who, before I came in here, reversed a decision already arrived at by Mr. Thomas not to allow the Ordinance as it stands: and further that Clemens should consult you as to whether the Oversea Defence Committee, as a Sub-Committee of the Committee of Imperial Defence, should refer the matter to the main Committee

tenant-Colonel
Sir Maurice Hankey, G.C.B.

Committee. I have discussed it again with Avery who strongly holds the view that there is no reason why they should not have compulsory service in Kenya and, in spite of the fact that I told him we were sure to have questions asked in the House here about forcing the whites to arm against the blacks, he practically told me that he had no intention of re-considering his decision. In the circumstances I do not think there is anything more to be said in the matter and that it is better for us to assume that the Oversea Defence Committee has only been asked to consider the details of the Ordinance and to confine their remarks to these, and to take the line that they are under no obligation to offer an opinion on the question of policy.

If you concur in this view I will arrange that the Sub-Committee's remarks should be confined to dealing with the drafting of the Ordinance and certain details as regards training, and then there will be no necessity to refer it to the Committee of Imperial Defence, and the onus of agreeing to the policy

policy of compulsory service will be entirely on this Office.

(Signed) S. H. Wilson

W. Miller 11/12
B. Stanley 11.12

Gar
55580
25

712

Stracey 11/12
Shuckburgh
Davis

Central
J.E. 1-357
12/12/25

Grindle
Ormsby-Gore
Amery
12.12.25

12th Dec
Your tel 10 Dec 573

AFT. Fee

Garmon
Mairobi

regret that causing of
Defence Force Ordinance
by Sub Commdr of
Arms and Defence Comms
has been unavoidably
delayed but hope it
may be possible to
arrange for early
consideration

Re-arrange

Cliffe. 25.11.26.

Machtig 25/11

743

- J. Harding.
- Stacey.
- Shuckburgh.
- Girardie.
- Davis.
- S. Wilson.
- Ormsby-Gore.
- of Clarendon.
- Amery.

C. D.
R 25 FEB
D 26

Secret
CANCY

February 1926.

~~RAFT~~ Secret.

Sir

I am so to transmit for
to you, to be laid before
~~the information of the~~

Army Council, a copy of
Paper No 676 R (No 19)
~~the remarks of the~~

~~Armed Sub-Committee of~~
~~the Committee of Imperial~~
~~Defence on the Kenya~~
~~Defence Force Ordinance.~~

2. Before forwarding these
remarks to the Court of

Office.
P.
CANCY No 676 R
CANCY No 19

CANCY

Kenya, Mr Amey would
be glad to ~~specify the~~
~~observations of the Army~~
~~Council~~ ~~from whether~~
the Army Council approve of
these ~~remarks~~ ~~his~~ course of
action.

2. Mr Amey would be
glad to ~~leave~~ ^{with Mr} ~~of the~~
Army Council ~~approve of~~
these ~~remarks~~ being
forwarded to the
~~Governor of Kenya~~
Concur in this ~~measures~~.

DOWNING STREET.

55530/25.

SECRET

March 1941
February, 1941

Sir,

I am directed by Mr. Secretary Amery to transmit to you, to be laid before the Army Council, a copy of Oversea Defence Committee memorandum No. 676 R (19) on the Kenya Defence Force Ordinance.

2. Mr. Amery would be glad to learn whether the Army Council concur in this memorandum.

I am, Sir,

Your most obedient servant,

Signed W C Bottomley

THE UNDER SECRETARY OF STATE
WAR OFFICE.

Mr. Strachey.
Mr. J. Shackburgh.
Mr. O. Davis.
Mr. G. Grindle.
Mr. H. Wilson
Mr. J. Austerlough Smith.
Mr. Ormaby-Gore.
Mr. Amery.

~~to file in:~~ N.A. This memo
unpublished
CJ8 745

I desire to bring to the

notice of the Committee of Imperial
Defence the position in regard to a
proposal for the creation of a
European Defence Force in Kenya.

DRAFT.

NOTE to the Committee of
Imperial Defence.

Secretary of State's
signature.

sent

In 1919 the Governor of
Kenya (then the East African
Protectorate) submitted two draft
Ordinances providing respectively
for the establishment in the Colony
of a Defence Force and a Territorial
Force. Service in the Defence
Force was to be compulsory (with
certain exceptions) for Europeans;
the Territorial Force was to be
organized on a voluntary basis and to
consist of such members of the
Defence Force as might volunteer.

The Oversea Defence
Committee in their Memorandum 497 M.
dated 11th November, 1920, took the
view that the conditions in East
Africa

Africa, where there were small white populations living in the midst of large native populations, were somewhat different from those generally prevailing, and for this reason they agreed that although the principle of compulsion had not been generally adopted throughout the British Empire it was probably only by resorting to it that it would be possible to organize the adult male Europeans in Kenya (and Uganda) into efficient military forces for dealing with any internal disturbances that might arise.

Subsequently legislation to provide for the creation of a Defence Force on the lines proposed was introduced in Kenya in August 1921. It was however rejected in the Legislative Council, all the unofficial members being opposed to the measure, their opposition being to a great extent on account of the compulsory conditions attaching to it. The Territorial Force Bill was however passed and became law.

In January 1924 the Governor on

his own initiative reintroduced the
746
Defence Force Bill and it was accepted
by the Legislative Council: but was
subsequently not assented to as the
Governor was informed that the then
Secretary of State for the Colonies
(Mr. Thomas) was not prepared to approve
a compulsory service Ordinance.

At the end of 1924 the
Governor reported that the feeling
among the British settlers in Kenya was
emphatically in favour of the Bill. At
the same time attention was called to
the fact that the enactment as drafted
only provided for a very modified form
of compulsion in times of tranquillity
and that the existing absence of local
defence arrangements might in the event
of a native rising result in the loss
of much life and property in the
scattered farm areas before a force
could be sent to the districts affected.
The Governor took the view that to meet
this risk there must be compulsory
registration and an obligation to serve.

After

After careful consideration of the matter I telegraphed to the Governor in February 1925 that I agreed in principle with the provisions of the proposed Defence Force Bill but that I would require to be satisfied as to the proposed use of the Force. The Governor has since reported that the Force would be employed in the event of native unrest for the purpose of localising the disturbance as far as possible and protecting life and property until such time as the situation could be taken in hand by the King's African Rifles, assisted if necessary by the Territorial Force.

When the details of the proposed Bill were recently under the consideration of the Oversea Defence Committee the question was raised as to whether the compulsory clauses contained in the enactment might not be criticised as providing for the arming of Europeans to shoot down the black population: and in consequence it has been suggested to me that before authorising

the Governor of Kenya to re-introduce the Defence Force Bill into the Legislative Council I might like to bring the matter to the notice of the Committee of Imperial Defence. *by own opinion is*
~~In doing so~~ I submit that there is no reason why, by general agreement, the proposed compulsory service conditions should not be introduced in Kenya.

THE COMMITTEE OF IMPERIAL DEFENCE.

I desire to bring to the notice of the Committee of Imperial Defence the position in regard to a proposal for the creation of a European Defence Force in Kenya.

In 1919 the Governor of Kenya (then the East Africa Protectorate) submitted two draft Ordinances providing respectively for the establishment in the Colony of a Defence Force and a Territorial Force. Service in the Defence Force was to be compulsory (with certain exceptions) for Europeans; the Territorial Force was to be organised on a voluntary basis and to consist of such members of the Defence Force as might volunteer.

The Oversea Defence Committee in their Memorandum 497 M. dated 27th November, 1920, took the view that the conditions in East Africa, where there were small white populations living in the midst of large native populations, were somewhat different from those generally prevailing, and for this reason they agreed that although the principle of compulsion had not been generally adopted throughout the British Empire it was probably only by resorting to it that it would be possible to organize the

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At the end of 1924 the Governor reported that the feeling among the British settlers in Kenya was emphatically in favour of the Bill. At the same time attention was called to the fact that the enactment as drafted only provided for a very modified form of compulsion in times of tranquillity and that the existing absence of local defence arrangements might in the event of a native rising result in the loss of much life and property in the scattered farm areas before a force could be sent to the districts affected. The Governor

took

750

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proposed

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