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26 Sept. 1923 My sear brusby Tore on the 15th august Bottomley sent me, private + confidential, a memo on native affairs in Kenya by E. D. Horel, a unrited a reply have auswered rather fully for the reason of stated at the end I how See you a copy The reply was compuled

26 Sept 23 Lear Bottomley. Herewith reply to E.D. Morels nemo. on native afairs in Kenya. It is button's work, and I hope a useful elfort. Things generally we going well here form sinceres Moundon

ly my private secretary
Major Sutton. I hope it
will be of use to you
yours sincerely
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No.

PERSONAL AND
CONFIDENTIAL.

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GOVERNMENT HOUSE NAIROBI, KENYA,

26th September, 1923.

My dear Bottomley,

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Thank you for your letter of the loth August and the memorandum by MF. E. . . Morel which it enclosed.

I am not quite sure as to what you want or now much of it, but a gather ou wishing to crite about this member and a size length; in Ormsby-Gore or the pick but anothers that may be useful to him an above a permit of also and anothers and advance of anywhite watch may be useful members and advance. Anywhite watch may be useful members as advance, anguments watch may be useful members.

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intermediate the native than by laying stress on resolutions they have themselves passed.

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There must be a beginning, and now that there are signs of a new spirit it would be unjust and ungenerous to criticise the settlers for selfishness and narrowness of outlook in the past.

ATTITUDE OF LOCAL GOVERNMENT TO THAT POLICY".

How the stormy periods through which Kenya has passed and in which Settlers and Government were in conflict in the last eighteen years can be described as Government acquiescence in the Settlers' views is asyond my comprehension.

*ATTITUDE OF COLONIAL OFFICE TO THAT POLICY":

I think I can safely leave that to you.

A. RESERVES.

This is inaccurate. Prior to 1910 there were no "hative Reserves" since that term was only first introduced in the Crown Lands Ordinance, 1910, and subsequently Native Reserves have been gazetted and have been jealously guarded from that time.

The present Native Heserves as marked off on the maps equal 29,977,500 mores.

The only steps taken prior to 1915 was the closing of very wide (and then dangerous) areas in 1902 purely to prevent missiventures happening to travellers.

Section 8 of the Outlying Districts Ordinance must be studied....

studied. Up to the end of 1905 (this is 18 years ago)
the following areas had been declared under this
Ordinance:-

- (1) Lumbwa, Buret and Sotik (1.12.04)
- (2) Part of Kenya Province (4.2.05)
- (3) The section of country North and East of (2) (15.5.05).

I attach a rough map which illustrates, as far as it is possible to illustrate the loose descriptions of those times, the closed areas, which include the practically uninnatited regions of the Northern Frontier District.

That was the position eighteen years ago. In the interval between 1700 and 1710 information was collected to enable poverment to enclose certain areas, and in 1910 legal effect was given to them and Mative Reserves were first constituted. At the same time portions of the large area referred to in (2) above, the whole of c, and part if the Lasal Asserve etc. as before, remain legally closed areas. The great portion of the Native Reserves as at present constituted was, moreover, not even closed areas eighteen years ago.

TEMBER :

The position always has been that the land within the Reserves is vested in the Crown on behalf of the tribe and no modification of their boundaries is permissible without the prior sanction of the secretary of State.

The scheme, which has been...

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studied. Up to the end of 1905 (this is 18 years ago) the following areas had been declared under this Ordinance:-

- (1) Lumbwa, Buret and Sotik (1.12.04)
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TITHIN THE RESERVES THE NATIVES HAVE NO SECURITY OF

The position always has been that the land within the Reserves is vested in the Crown on behalf of the tribe and no modification of their boundaries is permissible without the prior sanction of the Secretary of State.

The scheme, which has been...

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been advocated by Missionaries and others here, of introducing some form of individual tenure, is hedged This is so much around with serious difficulties. the case that in South Africa the first courageous effort in this direction, namely the Glen Grey Act. As an instance of these was never repeated. difficulties. I quote from a letter written by Mr. Richardson, as Director of Surveys and Land Officer in the Uganda Protectorate: -

"The Indians are intent on acquiring an interest * in land, and they get over the no-freehold rules by "getting natives into debt and then acquiring land "cheaply by forced sales at the High Court. I have "already advised that mortgages and debts on native "land should be stopped".

. should have preferred to have put this in a different way, I do not think the sative needs any persuasion on the part of the initial to anythe else to , et into sect. But it soes show that he is not sufficiently advanced as an individual to be allowed measure of control over his lands which would be given num by individual tenure. | understand Dr. Arthur agrees with these views.

We are now going into the question; I have only mentioned individual tenure as it seems to have been in Mr. Morel's mind, and I thought it as well to point out that same of the very evils Mr. Morel is himself the first to deprecate may be brought about by the institution of that form of tenure at this stage of East African development.

"B. TAXATION".

I quote a resolution of the Convention of Associations passed in March 1922:-

"That in the opinion of this Convention the

"present native hut and poll-tax is excessive and

"more than can be reasonably borne by the natives

"and that this Convention advocates its reduction

"from the present rate and is of the opinion that

"all District Commissioners should be given power

"to reduce the amounts in individual cases when they

"are satisfied that genuine hardship exists".

In 1919 the Convention had already protested means the raising of the Mut and Poll-Tax.

The texation is certainly 12, - at present, naving meen reduced from 16 - in 1922. In numerous asses Juring the last three years, however, reduction of tax has been made:-

In 1920-21 when the Tax was 10/Malindi, kombasa, Nyika, Vanga, Embu, Meru, Elgeyo and Marakwet Districts paid 10/-.
Suk District and the Gosha and Bajun natives paid 12/-.
Lamu and Tana River District paid 14/-.

In 1921 (9 months) when the Tex was still 16/There were reductions of various amounts mainly owing
to famine conditions, drought and Veterinary quarantine
in the Districts of Embu, Meru, Elgeyo, Kamasia,

Marakwet, and the whole of the Northern Frontier
District; most of these districts were reduced to 10/-Owing largely to these reductions the tax for the 9
months of 1921 was £161,141 below estimate.

In 1922 when the Tax was 12/-.

Juba Province, Taveta District and the Somalis paid 10/-.

Embu and Meru Districts, owing to the inability to collect the 16/- rate for 1921, 16/- was collected to cover the two years.

The tax in 1922 was \$149,656 under estimate largely owing to these reductions.

Every effort is made by Government to make the incidence of taxation fall as lightly as possible on the native; widows and old people in indigent circumstances are very generally exempted, so much so that in Ugania the degree of exemptions became almost a scandal.

"The Tax must be paid in cash".

The Lovernment is at the present moment engaged in considering the recommendations of a Committee set up to investigate Coastal development and trade which urges that both with a view to alleviating the hardships sometimes inflicted on the coast native by the incidence of taxation, and also with a view to stimulating native trade grain should be accepted in lieu of taxes in the Coastal areas.

There....

There are, however, serious difficulties, and I personally have had experiences of disaster in this direction in several countries in South Africa.

"He (the native) paid \$500.365 last (this) year in direct taxes. (Incidentally the European population paid about £12.000 in direct taxation)".

To be accurate the amounts collected last year by the three principal communities were as follows:

1922.

| | Natives. 2.500.000 | Indians. | Europeans. |
|--|-----------------------|--------------|------------|
| Direct Taxation | £506,414 | | 3.4 |
| (Including Licences, game, liquor, etc., estate duty, fees | | | |
| of court, vaccin rents, premia et etc.) | ies, | £46,790 | £162,775 |
| Estimated Customa | s. £215,900 | £96,300 | £222,300 |
| | 2725,314 | £143,090 | £385,075 |
| 1.e. 2,500,000 n | atives contrib | ute £725,514 | |
| 23,000 I | ndlans | £143,090 | |
| 10,000 H | turopeans " | £385,075 | |
| | | | hand |

i.e. the natives contribute about 6/- per head

- Indians * 26
- Europeans * 238 *

although some further returns were received subsequent to the above, which was forwarded to me in.

England, I am informed by the Hon' Treasurer that they are unimportant and that for all purposes of argument the figures I have given are sound.

"C. and D. REGISTRATION OF LABOURERS ACT."

The native is not now forced to carry his registration certificate (Kipande) in the Reserve, but only when moving outside his Reserve, i.e., in exactly the same manner as an Englishman has to carry his passport when he leaves his own country, with the minor exception that an Englishman has to carry a passport for his wife, whereas a native does not. The Chief Native Commissioner himself informs me that he has had no difficulty in bringing these things within the comprehension of the native.

With regard to the Native Registration Ordinance (No. 56 of 1921) and the Masters and pervants Ordinance which I may as well take together for, as Mr. Morel remarks, the latter completes the purpose of the former.

The points in favour of the Lative
Relistration Ordinance are, very briefly:- I quote
the Hon' Chief Native Commissioner almost verbatima

- (a, That it stabilises labour upon which production is entirely dependent.
- (b) That it provides the native with a passport into areas which were foreign and nostile countries to him before the Pax Britannica.
- (c) That it protects the whole public by assisting in the detection of crime and the arrest of criminals.
- (d) That it enables us to identify and assist natives who die or fall ill away from home.

To abolish the Ordinance in toto now would, I believe, lead to a serious disorganisation of native life which would cripple both public services and production, and the effects of such a calamity on the whole prosperity of the Colony would necessarily react on the native population. This is the Chief Native Commissioner's view.

It is my definite belief, however, that

Section 2 of Ordinance No. 1 of 1916 and Section 16

of Ordinance No. D6 of 1921 should be repealed; I

question if it is a proper function for Government

to arrest and prosecute deserters from European

estates. This is a question which has been the

subject of strong public controversy for some years.

Should these two Sections be repealed the registration
certificate would remain stay as

- a) a passport of ert. L. ale of identity.
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- on of equal value of the wilke and European.

 And of these are special and a separations

The number of matives when required on as at one measure with was bayers.

"The mettlers have persistently striven to "prevent natives from improving their economic "position". You will see from the resolutions I have quoted how far from the truth is this general statement. I particularly refer to Nos. 1, 4, 5, 7, 9, 10, 11, 14, 16, and 18.

Government has during the last year set in motion a campaign for bulk production of staple crops I will not burden by the whole native population. this letter with figures, but it is estimated that the native production of maize alone in 1923 will amount to not less than 25,000 tons surplus for export. There are very large areas evenly populated by more or less industrious tribes which are not concerned with The object is to controversial questions of policy. foster the sense of industry and responsibility and to raise the whole level of the material prosperity of the natives, and so permit of a much larger and more efficient medical and educational service in the Native Reserves.

"EFFECT OF THIS POLICY"

Mr. Morel's first general statement under this heading is a monstrous perversion of the facts. There is no general demoralisation.

The Medical Department has no reason to believe that there has been any general increase in the death rate of recent years in the Colony. In Upanda the campaign against venereal disease among the natives, and in Kenya the campaign against yes have been attended by brilliant and very encouraging success.

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The European settler is a generous and sympathetic employer; on the great bulk of the farms the labourers are well fed and looked after; many settlers maintain dispensaries and evening schools.

I speak with some authority on this point, and from long personal experience of five other African Colonies.

His statement that "virtually nothing - some "£20,000 on education, a few hundreds in medical service "is being done for the natives - - - -". expenditure on military and police is very largely to control and guard him from malign influences of every sort - many of them of his own making; there are approximately 120 administrative officers almost entirely concerned with his moral and material welfare; the bulk of the work of the Courts is to stabilise and maintain society of which he is so large a factor; his produce and energies are fostered by Railway and Port it is not possible to estimate what all services. this represents in money and energy. There is no need to prolong this argument, so generally forgotten or suppressed by critics of Government. impartial and experienced observer will agree that the balance is very greatly in favour of the native in a Colony under British Administration.

"RESERVES".

I recommend Mr. Morel to study the report of the Southern Rhodesia Native Reserves Commission of 1915. The European settler is a generous and sympathetic employer; on the great bulk of the farms the labourers are well fed and looked after; many settlers maintain dispensaries and evening schools.

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"RESERVES".

I recommend Mr. Morel to study the report of the Southern Rhodesia Native Reserves Commission of 1915. The principles underlying that report as to security and adequacy of the native reserves do not differ substantially between Rhodesia and Kenya.

"TAXATION".

I have dealt with the first part of this heading elsewhere, and the second part on page 5.

"REGISTRATION OF LABOURER'S ACT. AND MASTERS' AND SERVANTS' ORDINANCE."

These points have been dealt with.

"FURTHER REFORES".

I must say at once that the bare fact that Er. Morel can combine the entirely diverse conditions of Nigeria, Basutoland and Uganda and use them together in a technical and nostile analysis of the mative social system in Menya, must greatly weaken his authority as a critic.

"Meantime there are a few educated Africans
"a couple of whom should be selected as

[&]quot;nominated members of the Council. I personally

[&]quot;don't believe either in missionary representation

[&]quot;that I think it is a mistake."

I am sure that every single person with any experience of the country is agreed that the time is not ripe for direct native representation. As to a missionary representative, Mr. Morel will recollect that the leader of his party, Mr. Wedgwood, who was selected to act as spokesman in the debate on the White Paper was himself in favour of a Missionary being placed on the Council.

I believe that the settlers can be led in the right direction. Everything is in train now for native development to go ahead, I hope and believe largely with the willing support of the settler himself. I trust that nothing will be said or done at home by Mr. Morel or others to drive them into opposition against this principle.

Yesterday I spent some nours at the Hailway and Futlic Works Department workshops, and I cannot imagine that anyone who had seen the measures taken there for the education and comfort of the African sould ever suggest that henya is today not whole-neartedly is favour of native sevelopment.

I have methany of the figures and misstatements produced by ir. Morel; I must leave you to deal with his argument as to the strong governor and the backing to be given to him by your department.

I'm afraid I have written at great length,

but I have done so with the idea of placing Mr. Ormsby-Gore in a position to answer not only Mr. Morel's questions but others that may arise in the future.

Yours sincerely,

Ril Coupadon

RESOLUTIONS PASSED AT THE SESSIONS OF THE

CONVENTION OF ASSOCIATIONS. January, 1919.

- (a). That this Convention urges that the Government take immediate steps to further the industrial education of the native population.
 - (b). That this Convention is of opinion that Government should take immediate steps to ensure that the instructors and appliances now in work at the Mechanical Depots, on the Fort Hall Road, together with any other worksnops and appliances in British East Africa and the conquered Territory, be acquired by Government as the nucleus of a Mechanical Training School for Natives.

January, 1919.

2. That this Convention agrees with the Select form ittee that the present time is not opportune to raise the dut and coll Tax.

'anuary, 1919.

That the report of the Sub-Committee we adopted and endorsed, and Fovernment be arged to proceed on the general rines suggested therein, and that the proper care medically of the fative population of the Protectorate is one of the primary duties of Government.

The Sub-Committee further view with grave concern the present lack of medical assistance in the native....

native reserves, and that Doctors will not be obtainable at the present low salaries offered by the Government, and further, that even if salaries are made adequate the scarcity of medical men makes it certain that the increase of the medical profession here is a matter of grave doubt. That so far as the native reserves are concerned they consider the Mission doctor is a better asset than the Government doctor, because he comes out to work among natives, he is kept in one district, thus winning the confidence of the natives and preserving continuity and he is on the field a longer period of time.

August, 1919.

This Convention wishes to emphasise very strongly the urgent necessity of Government initiating at once the pulsey of technical education for natives and that a sub-Committee be appointed to consider fully details and suggestions in connection with native technical education and that such Sub-Committee should report to the next Jessian of Convention.

February, 1920.

That representations be made to the Director of Prisons with a view to furnishing employment to discharged convict native artisans.

August, 1920.

Precis.

That the Convention was in favour of some means of facilitating...

facilitating the treatment and doctoring of minor ailments of natives by their employers or by native missionaries and that to effect this such employers of native labour and missionaries be allowed to buy their medicines and dressings etc., at the discretion of Government, at cost price.

August, 1920.

7. In the opinion of this Convention the immediate institution of a technical school for natives on a large scale is of the atmost importance and that an addition to next year's estimates be sale of a sufficient abount for this important work.

December, 1920.

That a so ittee to approve to meet animetern of a negrouse of the party and the party and the free and the fire that a subject to the fire the fire that the

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That this unfertion of harry approves the a confirme same restriction of the african with a special reference to the callity to fire official positions

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That the private is a layou of the privable of forming a Skilled Mative Land Estimate

facilitating the treatment and doctoring of minor ailments of natives by their employers or by native missionaries and that to effect this such employers of native labour and missionaries be allowed to buy their medicines and dressings etc., at the discretion of Government, at cost price.

August, 1920.

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That this invention of approximation of the administration of the african with a special election of the african with a special election.

Jane, 1921.

That the Convention is in favour of the discoup of forming a Skilled Hative Labour Association

11. . .

June, 1921.

12. That this Convention of Associations considers that the monetary value of the payment exacted for wives by the Wakikuyu is too high and asks Government to introduce legislation or to take other measures similar to those in force in the Nyanza Province to restrict the marriage dowry to a maximum of 30 goats or sheep.

August, 1921.

13. That it having been alleged in certain isolated cases that employers of labour have refused to sign off natives when requested to do so on the termination of their contracts this Convention records its emphatic disapproval of such conduct and urges Government to press for severe penalties in any authentic case brought to its notice not only in the interests of the natives themselves but in that of all employers of labour.

October, 1921.

14. This Convention supports the principle of a Native Affairs Board with representation of the various interes

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so as to formulate and maintain a policy in native affairs.

March, 1922.

15. That in the opinion of this Convention the present native hut and poll tax is excessive and more than can be reasonably borne by the natives and that this Convention advocates its reduction from the present rate and is of opinion that all District Commissioners should be given power to reduce the amounts in individual cases when they are satisfied that genuine hardship exists.

October, 1922.

opportunity for advancement and in view of the increasing number of them who have fitted themselves to take advantage of such openings and in view of the still greater number of them who seek so to fit themselves this Convention asks Government to announce its adoption of a policy aimed at filling the subordinate ranks of Government Departments including the Uganda Railway with trained Africans.

October, 1922.

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October, 1922.

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February, 1923.

18. That this Convention wishes to place on record its appreciation of the encouragement the Government is giving to the natives to increase the production of native products and trusts that necessary regulations will be introduced to ensure that existing industries will be safeguarded.







