SOME ASPECTS OF THE NATIVE PROBLEM OF KENYA COLONY

by

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INTRODUCTION

1. The importance of the Kenya problem.
2. The native problem: native interests.
3. African progress towards emancipation.
4. Direct Rule, Indirect Rule and the Kenya Dual Policy.
5. The questions the native administration must answer: Educational, Labour, Land, and Taxation.
INTRODUCTION

In 1923, when the clamour for political recognition raised by the Indian population of Kenya Colony had awakened the Colonial office and the British Government to the fact that all was not well in Britain's East African empire. Mr. Charles Roberts M. P. told the British House of Commons that

this Kenya question is one that has to be discussed in the light of the Empire and of the whole imperial position and it is not a separate question by itself. It raises any number of Imperial problems, it affects our Imperial position in Africa and in India itself.

This was at the time of the publication of the first of the Kenya White Papers. These papers have stated and restated the fact that Britain's mission in Africa is as the trustee of the native races.

There are several different aspects of the Kenya question, each one of them important enough to demand discussion in the light of Mr. Robert's statement. He was concerned then mainly with the problem of satisfying the demands of the Indians of Kenya who were agitating for the same political emancipation that the Nationalist Congress in India sought for Indians at home. But it is the solution of the many-sided native problem of Kenya Colony that will provide the real test case of the sincerity of Britain's aim in her African colonization.

1. 167 H. C. Debates 5s, 25 July 1923, Col. 559.
The existence in Kenya Colony of a very vocal European community accounts for the most difficult features of the race problem. The white community started when the administration adopted a settlement policy. So the administration feels that it must do its duty by the white men, for whose coming to Kenya it was responsible. Where this obligation is coupled with Government responsibility towards the natives and the Indians, you have the Kenya question in all its complication.

The 1931 Report of the Joint Select Committee on the closer Union of the East African Dependencies states that the mixture of races in East Africa not only raises all the problems of race relations upon which so much thought is concentrated in the modern world, but it is coming to be regarded as a test case in Imperial statesmanship in harmonizing the separate interests of the British subjects or protected persons of different races in the framework of the Empire as a whole. This is the dilemma that faces the Colonial Office in its administration of Kenya. There is a feeling that it has a duty to perform towards each of the three races. The success of any policy which shall satisfy all three, depends upon the unselfish cooperation of all three. So far the Europeans and Indians have refused to admit that their rights must come after those of the native millions.

Every factor enters into the question of race relations in Kenya which from the earliest clash between civil-

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izations at different stages of development, has gone into the making of the world’s race problems. But in Kenya there is one great difference. The so-called backward race, the Bantu, is fast awakening to its position in the modern world and is clamouring for an administration whose policies will speed the emancipation of the African. In the study of the native problem of Kenya this fact should always be kept in mind: though we may study the African, his mind, his social, political and economic organizations and the effect of Western civilization on them, they no longer exist in their old form but have evolved in this struggle for emancipation.

Throughout this study the terms Direct Rule and Indirect Rule will be constantly used. The Indirect Rule system of native administration demands, as will be seen, the saving of what is worth while in the old African system. Neither system seeks to hinder African evolution but each differs in the channels into which it seeks to guide native life. Indirect Rule has met with so much success in other British African colonies that one cannot but suspect the Kenya native policies to be inferior. This comparison with Indirect Rule is perhaps the most fascinating approach to the colony’s native problem. It is to be seen whether the policies in Kenya which aim at balancing the interests of all races act as palliatives rather than as cures for the race problem. The nature of the country dictates that the success of white settlement depends on the satisfaction of the demand of the white community for the labour of the Africans. The evolution of the African makes certain of his demands incompatible with those of the white settler. We
should try to decide whether both sets of demands can be satisfied, or whether native policy in Kenya should seek to carry out to its logical conclusion the most important concomitant of the doctrine of trusteeship: the principle that native interests are the paramount concern of the Colonial Office. Should the present policy of trying to find some juste milieu be carried on, or should the relatively small European and Indian communities be left to shift for themselves?

Professor Julian Huxley states what he considers to be the main questions which must be answered by the administrators who attempt to devise new policies for Kenya native administration. These questions provide a practical foundation for such a study as this. As he says, they are "the points on which dispute is now most violent and practise most divergent, and upon which guiding principles are therefore most urgently needed."

First, Huxley says, there is the choice between the profitable investment of outside capital in Kenya and the development of a prosperous native population with its own economic basis and its own stable social system. Capital, wherever it has poured in, he says, seeks to answer the question in its own interests. Second: should native production for export be discouraged or encouraged? This is often bound up with the first question. Third: when the appropriate deduction has been made from money derived from direct native taxation for general administrative services, should any of the proceeds

of native taxes be devoted to any purpose save the direct advancement of native interests? In Kenya, for instance, it seems clear that native taxation contributes to the education of white children and the financing of agricultural and medical advice to white settlers, as well as to administration and the needs of native education and native agriculture and health. Fourth: are we to aim at widespread or universal education for native peoples? If so, are they to be given a mainly technical education or are the resources of western knowledge, thought and skill to be thrown open to them, for those to profit who can? As it stands the settlers in Kenya, for obvious reasons want education to be of a technical nature. Fifth: In a country with a great numerical preponderance of natives, should questions involving native interests ever be decided by the votes of an elected assembly on which the natives are not adequately represented? Sixth: Should native chiefs and councils be given a generous degree of freedom and responsibility in regard to local administration, or should they be kept in leading strings as long as possible with very little power to act save as cogs in a prescribed train of governmental machinery? Seventh: as regards land, should there be some principle irrevocably reserving certain native areas? Eighth: again concerning land policy, should the system of native land tenure be such as to make it possible for an individual cultivator to benefit himself and his descendants by the improvements he has made? Finally: concerning labour, is it justifiable to employ any form of forced labour? and, if so, is it justifiable to employ such labour on private estates, or solely for governmental
or communal purposes?

The Hilton Young Commission of 1929 stated the nature of the questions that must be considered thus:

The definition of native interests can best be given by considering them under the following headings:

- Land;
- Economic Development, Government services and taxation;
- Labour;
- Education;
- Administration and political institutions.

In the following pages an attempt will be made to deal with certain of these questions; namely, Education, Labour, Land and Taxation. In the discovery of the right system of native education lies, I think, the key to the race problem. The question of native land constitutes the sorest point of interracial relations in Kenya. Inequitable taxation is an ever-present cause of native resentment. And labour abuses continue to keep the Kenya question before the labour organizations of the world. These are the most closely related and, in some ways, most fundamental aspects of any study of the native problem. They should be considered in broad perspective if possible; not merely as questions to be settled for Kenya alone but as part of the task of devising policies for the government of the backward peoples of the Empire in general. To do this properly would require the perspicacity of Lord Durham combined with Balfour's ability to reconcile divergent interests.

One thing that is presupposed by such men as


Julian Huxley and Sir Edward Hilton Young is a knowledge of Africa and the Africans. This should be part of any study of Kenya's native problems. If British policy of to-day is tending towards the preservation of the traditional cultures of the native, the factors which made them different from our western culture must be understood. So, though most of this anthropological material is applicable to Africa generally rather than just to Kenya, it must be understood before the study of the particular phases of the native problem outlined above is attempted.

This then is the plan that will be followed hereafter: first, to sketch the main features of the geography and climate of Kenya so as to see its relation to settlement; second, to consider briefly the events of the colony's history which have contributed to the growth of the present inter-racial relations and to trace the growth of the clash between settler wishes and official policy; third, to study along lines which might be called anthropological, something of Africa and the Africans; finally, to consider in chapters of varying lengths the problems of native Education, Land, Labour, and Taxation.
Chapter One

Geography and History of Kenya Colony

Part One: Geography and Climate

(a) description

(b) effect on past and future of Kenya

Part Two: The History of European Enterprise in East Africa

(a) The Portuguese and Arab Empires

(b) Chartered Company Days

(c) White Settlement and the Growth of Settler Influence

(d) The Development of the British Government's Native policy.
CHAPTER I

GEOGRAPHY AND HISTORY OF KENYA COLONY

Kenya Colony, the third largest unit of Britain's East African empire consists today of an area of 208,320 square miles, straddling the Equator. It is flanked on the north by Ethiopia and the territory known as Jubaland, which, in 1925, was ceded to Italy by Britain, as an addition to Italian Somaliland. To the northwest, in the angle between Kenya and Ethiopia--five hundred miles from the Indian Ocean--lies the Sudan, the part of it Emil Ludwig tells of in his story of the Nile. Here, almost at the intersection of the three boundaries, lies the huge expanse of Lake Rudolph. From Lake Rudolph, the boundary between Kenya and the Uganda Protectorate runs in a south-westerly direction, cutting through the corner of the highland areas to Lake Victoria Nyanza. Curving so as to include a corner of the Lake in Kenya, the line runs in a general south-westerly direction, now separating Kenya and Tanganyika.

1. Table of areas of parts of British East Africa.

<table>
<thead>
<tr>
<th>Area</th>
<th>Square Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tanganyika Territory (Mandate)</td>
<td>373,494</td>
</tr>
<tr>
<td>Northern Rhodesia</td>
<td>291,000</td>
</tr>
<tr>
<td>Kenya Colony</td>
<td>208,320</td>
</tr>
<tr>
<td>Uganda Protectorate</td>
<td>110,300</td>
</tr>
<tr>
<td>Nyasaland</td>
<td>39,964</td>
</tr>
</tbody>
</table>


- 8 -
Territory, to reach the Ocean again about opposite the little island of Pemba.

Geography and climate, the two greatest factors in the conditioning of a country and of the races inhabiting it, have played and are going to play an important part in the history of Kenya Colony. Perhaps, in the long run, as many authorities think, the geography and climate of the colony will clear up the race problem by dictating that the white race cannot inhabit Kenya permanently. Even to-day no one can be really positive what the future may hold in store for the white man.

The Highland areas of Kenya, the home of white settlement, resemble both in climate and geography some parts of Italy's new Empire of Ethiopia. The trip up from Mombasa to Nairobi, the capital of Kenya along the Uganda Railroad resembles that from Djibouti to Addis Ababa. Not, of course that the Kenya traveller meets with the hardships that Mussolini's troops had to face. It is a case of geographic and climatic resemblance. There is the same passage from the tropical swamps of the Indian Ocean coast up gradually to a dry plain parallel to the coast and finally into the great altitudes of the highlands with towering snow-covered mountain peaks set amidst rolling grasslands and forest belts resembling in many ways the scenery of parts of British Columbia. Beyond these high areas, in Kenya as in Ethiopia, the continent slopes away to the west, dropping, in Ethiopia, to the feverous swamps of the upper Nile and the Sudan and, in Kenya, to the shores of the huge Lake Victoria Nyanza in the heart of Africa.

No other colony of Great Britain in Africa can
surpass Kenya for variety of climate and geography. All who
tell about the colony speak of it as a land of contrasts.
Think of some of the extremes: from the eternal snow of great
Mount Kenya on the Equator to the Sahara-like expanse of the
great desert of the Northern Frontier Province that abuts on
Ethiopia, the desert in which last year so many of the Boran
tribesmen fleeing from Ethiopia died of thirst. Think, too,
of the fever swamps of Kenya's low-lying Indian Ocean coast,
swamps which prevail along perhaps one half of its four hundred
mile long stretch, and of the rare atmosphere and temperate
climate of the highland areas in the centre of the colony. And
go farther inland down the long sloping plains of the Kavirondo
country, a thousand miles from the Indian Ocean, and think of
Kenya's inland coastline, the long, deeply indented shoreline
of Victoria Nyanza.

So, in Kenya colony can be found climate and
geography of every type: the Alpine scenery of the high alti-
tudes, the scenery and temperature-range of British Columbia
in the white-settlement areas, the rolling downs and lakes of
England, the most poisonous of tropical swamps and the dryest
of deserts. Canon Leakey gives us a graphic account of the
variety of climate. He tells of the trip up-country from
Mombasa to Nairobi, of the chilly air of the country hotel at
Limuru about thirty miles from the capital, of the climb down
to the sun-baked floor of the Rift Valley and, finally, of the
sight of the snows of Mount Kenya and of Kilimanjaro, the

Sketch Map of Kenya, Uganda, and Tanganyika

Showing areas above 1500 & 2500 metres
Railways and possible branch lines and extensions.
highest peak in Africa—all this within thirty-six hours.

With the Hilton Young Report is included a map of the East African territory which shows in black the areas with altitudes of over 8000 feet. Those ranging from 5000 feet to 8000 feet are shown by cross-hatching. These constitute the so-called Highland areas. It can be seen that while Tanganyika and Kenya have about equal areas of from 5000 to 8000 feet in altitude, Kenya contains nearly all the land of over 8000 feet. Moreover, in Kenya the Highland areas are in one large block, while in Tanganyika they are found in three sections: one, a part of the Kenya block; a second, far south in a line between Lake Nyasa and the foot of Lake Tanganyika; and a third, to the west of Lake Victoria along the boundary of Belgian Congo. It can also be appreciated that the Uganda Railway running from Mombasa to Kisumu on Lake Victoria opened up the whole area of the Kenya Highlands to the white-man.

The chain of the Highlands, running from North to South, part of the range which forms the backbone of Central Africa, lies as a barrier between the swampy littoral along the Indian Ocean and the jungles of the Congo and of Uganda. As far as range of temperature goes, these areas can be compared to British Columbia. But the fact that the temperateness of the climate is occasioned by the altitude, so that the white settlement areas average over 6000 feet above sea-level, is likely to prove a potent factor in determining the future of the white community. There are those authorities who say that Kenya can be a permanent and healthful home for the European. Such a one is Elspeth Huxley (whose biography of
Lord Delamere has, incidentally, some fine photographs showing the beautiful and varied scenery of the Highlands. Critics of white settlement—such as Norman Leys and even men like Canon Leakey who is Kenya-born—say, on the other hand, that the nervous diseases resulting from the strain of altitude must ultimately dictate that the white man cannot stand the Kenya climate, or at least that he cannot do the manual labour which will be required of him in the future. It is likely that the white-man cannot remain for all time the overseer of African labour. White settlement, if it is to endure in Kenya must ultimately, perhaps, be based, as in North America, on white labour.

But perhaps the most wonderful physical feature of East Africa is the Rift Valley. This great geological break in the earth's crust begins far north in Palestine in the Jordan Valley, runs south to form an arm of the Red Sea, and then turns south-west to cut as a great gash across East Africa as far south as the Zambesi River. In Kenya this wonderful valley is flanked by sheer-cut escarpments, higher on the west, whose walls drop from the cool air of the Highlands to the baked floor of the rift, thousands of feet below. But in parts of the valley is found some of the finest farm-land in Kenya. The valley is a paradise of wild-game for which its towering walls act as a corall. To the railway engineers, the descent into the Rift Valley proved the greatest of all obstacles.

Norman Leys describes the Highlands and the Rift as forming an

elevated "island" in the midst of the huge territory unsuitable for the European and adds:

- The shores of this island are 4000 to 5000 feet above sea-level. Its highest peaks are 12000 to 15000 feet high. Down the middle of the island there runs from north to south, the Rift Valley with its some half-dozen lakes but no river on its floor, a broad cleft in the earth's surface with walls sometimes straight and precipitous, sometimes lost in a jumble of hills of fantastic shape. 4

To the west of the area demarcated as "highland," and stretching to the shores of Victoria, Nyanza are the grassy plains of the province of Kavirondo, taken from Uganda in 1903 to provide Kenya with a lake-coast and also to allow alienation of the lands to whites.

The entire area of the Kenya highlands does not exceed 60,000 square miles. Thus only a small fraction of the Colony's 200,000 odd square miles is suitable for the whites at all. In the whole of Kenya 10,294 square miles had been alienated in 1935. Of this total over 10,000 square miles lie in the highlands. So it can be seen that with the highlands we are mainly concerned. The 200 or so square miles alienated at the coast around Mombasa have not meant so much to the Africans. But that 10,000 square miles of fertile highlands are held by 2,000 or so Europeans while almost 90% of Kenya's 3,000,000 natives inhabit only the remaining 50,000 square miles is the feature of Kenya's population distribution that is important. More than two thirds of Kenya's total area is useless for anything at present.


But whether this area must be considered permanently so concerns us here. The Annual Report said "In addition (to the areas occupied in the highlands by Africans) there are 119,801 square miles comprising the Northern Frontier District, Turkana, and an extension of Uganda which are occupied by natives." Considered in their context these figures seem to help show that perhaps the balance of land distribution in Kenya is not so bad as the critics of administration make out. This is not fair when one considers that in these 119,801 square miles less than 10% of Kenya's natives can produce barely enough to live on. In fact, of late years, famine in Turkana has been almost continuous. Opinions differ as to the possibilities of reclamation of any large area of desert Kenya. In any of these considerations the uncertainty of adequate rainfall plays a vital part. In fact failing rainfall may prove the ruin of Kenya as a whole.

Canon Leakey places great emphasis on this important feature of Kenya's changing geography. In the consideration of Kenya's future, as he says "Things which are beyond the control of man in his present state of knowledge have got to be taken into consideration."

He opens his discussion of the dessication of Kenya with the statement that ever since 850 B.C. the climate has been getting gradually drier. This would at first seem to give one no cause for alarm. But the figures given for the dessication since the beginning of the present century

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*3. Leakey; op. cit.; 167.
are really alarming.

We in North America know only too well the lesson of "soil-mining" and erosion. In the last two or three years most of us have been startled to learn that areas which ten years ago were counted the world's best grainlands are now ruined. And North America does not depend for its climate on such a precarious balance of altitude and temperature as does Kenya.

In the last quarter century the cultivation of the Kenya highlands has grown continually more intensive. Forests, absolutely vital in a country so dependent on certainty of rainfall have been ruthlessly burned off. This deforestation was required in the native agriculture. The ashes of invaluable tracts of forest served to fertilize the soil for a few years. So whole areas have been utterly ruined by the drying-up process that follows deforestation or by the almost equally destructive process of "soil-mining". This man-made destruction is only hurrying the slow process of natural dessication. By reforestation and by scientific soil reclamation the damage done by man can, perhaps, be undone. This need is vital to Kenya's whole population, white and black as well.

But the prospect for the colony when the process of gradual rainfall decrease is considered is certainly not a bright one. One feels that the sooner the forces of science are brought into action against the forces of geography the better.

Leakey shows that the water needed for human
use could be very likely obtained through artesian borings. But this would not offset the loss of rainfall. Without much reforestation this loss could not be combated. It appears that if great unused areas of Kenya could be rendered available for population right away much of the present land could be re-claimed.

Now the areas of East Africa at present made useless for man and animal by the scourge of the tsetse fly seem to answer these purposes. Great fertile areas could be opened if the tsetse fly curse could be done away with. Black-water fever and rhinderpest too render large grassy areas unfit for pasturage. Adequate scientific measures could destroy all these barriers to development.

But in spite of all that man can do to combat dessication, erosion and tropical disease the query must remain as regards the future. As it is Kenya Colony, in its present state of "pluvial decline" bids fair to provide a rather tragic example of the effect of geography and climate upon history. This apparently is the greatest of all questions for the country. But what concerns us more is the immediate past and the near future. The geography and climate as the white men found them appealed greatly to him. The native problem of Kenya has resulted.

4. The Ormsby-Gore East Africa Commission in 1925 devoted ten pages of its report to the subject of the tsetse fly and its ravages in East Africa (Cmd. 2387, 1925; 70-80). These should be read if one is to appreciate the awful damage done. Most of the desolation is in Uganda and Tanganyika. A huge belt of tsetse-ruined land stretches "approximately 120 miles east and west from Kazi-Kazi to Tabora and northward to Lake Victoria, while west of Tabora there is fly practically all the way to Lake Tanganyika."
II. The History of European Enterprise in East Africa

(a) The Portuguese and Arab Empires

While the greater portion of this study could be done without reference to events before Britain came to East Africa, there is a good deal to be gained if the story of these areas when they were under Arab domination or part of the Empire of Portugal is known. For the centuries of domination by stronger races before Britain came, especially the centuries of Arab rule, must have had permanent shaping influences on the native races, particularly the races of the coast. Then, too, the early periods of British penetration are important to the study as periods of shaping interracial relations, when the forerunners of western economic civilization and of Christianity began to work themselves into East African life.

In 1497, Vasco da Gama, rounded the Cape of Good Hope and, sailing up the east coast, planted the seeds of a Portugese Empire in East Africa. This Empire was won from the Arabs who had been for several centuries the overlords of the huge territory. The sultans were driven from their coastal towns and Portugal ruled along the Indian Ocean. But she lacked the man-power necessary to sustain the rule and, more important, the toleration necessary in such a Mohammedan territory. The riches of the spice empire brought the other powers of Europe in to crush Portugal. Ruthless persecution united the Mohammedans against her. So the Portugese
were driven out of East Africa after a struggle lasting from 1627 to 1727. In the latter year the Arabs recaptured Mombasa, the chief coastal town. The long rule of Portugal was ended. Only Mombasa's Fort Jesus remains as visible evidence of her domination. The Second Arab Empire came into existence. The Sultan ruled now from Zanzibar, having moved the capital over from Muscat. The Arab rule went on from 1727 till the advent of Great Britain late in the nineteenth century.

But the fact that the second Arab Empire was based on slaves not on spices, proved its downfall. The terrible slave trade at the beginning of the last century brought humanitarian Britain to the scene with the new and powerful weapon of economic pressure to subdue the Arabs a second time.

The slave trade was indirectly responsible for the beginnings of Kenya. The territory itself, due to the highland barrier was not directly affected by the trade, which centred in Uganda and other parts of central Africa. But, once British emissaries began to win influence at the Sultan's court it was not long before the possibilities of the whole of East Africa were realized.

By the 1870's this was an accomplished fact. Imperialism was at work. British consuls were to be found throughout East Africa. Sultan Zaghreb's army was officered and trained by Britishers. Following the usual formula Political Imperialism yielded place to the more compelling Economic Imperialism.
So the next great step in the history of Britain in East Africa was the formation of the Chartered Company. In 1872 Sir William Mackinnon had founded a shipping line connecting India, Zanzibar and European ports. In 1877, when the Sultan offered Sir William a concession to handle his customs and administration for seven years, the British Foreign Office refused permission. But in the early eighties British explorers pushing into the heart of the continent ran into German opposition. Dr. Carl Peters was at work. The race that followed between the emissaries of the two powers in the making of treaties with native chiefs who were coaxed into accepting protection from one power or the other,--though often not even knowing what a protectorate was--has its humourous side and yet is a tragic reflection on the methods of Imperialism. France too insisted upon her share. Of course this partition of East Africa must always be considered in its perspective: that wholesale division of a continent between the raw material-hungry and prestige-mad races of Europe which Lamar Middleton has called The Rape of Africa.

The powers came to several agreements among themselves as to the etiquette of the Imperialist game and agreed, without any thought of the African's feeling, just who was to take what. This process was typefied in the so-called

Berlin Agreement of 1886, of which the most important result was that what is now British East Africa, apart from German Tanganyika, became a British sphere of influence. So Germany and Britain agreed to respect each other's winnings in a card game with the Sultan of Zanzibar. East Africa was the stake.

But the agreement did not kill Anglo-German competition. So in 1867, with Foreign Office consent, the British East Africa Association was given the concession, promised in 1877, of control of the mainland from Wanga to Kipini in the matter of tax-collections, appointment of district administrators, customs collections, trade regulation; and all this for a term of fifty years.

The next step towards the realization of Britain's hopes was made when the association, by treaties with interior tribes, spread its influence far inland to the great lakes. Promising to open the new territory as a British market and to improve the condition of the natives, it won a charter of monopoly as an official company from the Queen. The petitioners for the charter put their case before the Crown thus; "the conditions of the natives inhabiting the aforesaid territories and regions would be materially improved and their civilization advanced, and an organization established which would tend to the suppression of the slave trade in such territories, and the said territories and regions would be opened to the lawful trade and commerce of our subjects and of other nations." This might be called the credo of Britain's

enterprise in East Africa and might still, with varied stress on its different aspects, be stated as such, according to one's opinion of the Imperial aim.

So the Association became a Chartered Company, the British East Africa Company, pledged to carry out these difficult objectives. At the same time, German emissaries were negotiating with the Sultan of Zanzibar for rights in the ten-mile coastal strip similar to those the British association had obtained in 1887. As a result, Germany got her concession to the south of the British and with like administrative rights. This strip and the hinterland behind it became, in later years, the German colony of Tanganyika. But, the ten-mile wide coastal strip of British East Africa remained a protectorate when the rest became Kenya Colony in 1921. The British Government pays a sizeable rent for it each year to the Sultan of Zanzibar. That this should be paid was part of the conditions under which the British East Africa Company gave up its charter.

Most of the early history of the chartered company is connected with Uganda rather than with Kenya. The charter of incorporation was granted in September of 1888 and the company ran into difficulties right from the start. Owing to the methods used by the Germans in taking over territory ceded to them by the Sultan, the natives were ready to rise against the white men, whether German or British.

Since the first entry of H. M. Stanley into Uganda in 1875, the European missionaries had been coming in, in answer to the challenge of Livingstone and of Stanley. The Buganda were the most advanced of the native tribes of
central Africa. Old Mutesa, their King received the English missionaries kindly in 1877. But when French priests of the Roman Catholic faith and emissaries of the Moslems of the coast arrived to swell the missionary ranks and also tried to influence Mutesa, trouble began. In 1884, Mutesa was succeeded as Kabaka, or chief, by young Mwanga. Intensely suspicious of European motives, Mwanga started his rule with the murder of Bishop Hannington and his native converts. There followed several years of bloody opposition to the Christians. By 1889 the native Christians were powerful enough to rise and drive Mwanga from the throne.

In that same year, the Chartered Company, pressing its operations inland, sent an expedition to the interior under Frederick Jackson. Mwanga had, meanwhile, regained his throne but held it so precariously that he was glad to accept the Company flag as a sign of protectorate. So his lands, including the Kavirondo province on Lake Victoria, now part of Kenya, came under British control. More trouble came quickly for quarreling broke out now between the followers of the French Roman Catholics, strongly incited to drive the British out, and the Protestant converts of the British missions. To add to this the Moslems formed a third faction swinging their support to favour whichever Christian party seemed to be winning. Captain Lugard, now Lord Lugard, the dean of British African administrators, was sent to Mwanga's capital to put down the quarrel. For two years Lugard saw his full share of fighting but finally, in 1892, managed to arbitrate between the three factions.
But apart from the bad effect such affairs as this quarrelling of the churches in Uganda had on the cause of Christianity it might be asked how these happenings in Uganda had anything to do with the history of Kenya. It had been terribly expensive to keep the company going in Uganda and so Captain Lugard was sent to England to get the Government to declare a Protectorate. Lord Rosebery's Liberals were apathetic. But, seeing that the Company was determined to leave Uganda if the Government did not see fit to back it, and pressed by the missionary societies to keep Britain's influence in the country alive, the Government, in 1892, sent Sir Gerald Portal out to report on Uganda. Meanwhile it granted the Company a subsidy to carry on temporarily. Trouble between the factions was breaking out again and Portal, acting for the British Government proceeded to put it down. As a result the Uganda Protectorate was declared in June of 1894.

So the Chartered Company now shifted its operations into the great area which is now Kenya, between Uganda and the Indian Ocean. Once again the Company ran into all sorts of difficulties. The whole country was under a reign of terror at the hands of the warriors of the Masai tribe. These roving, fighting pastoralists were the natural enemies of the great Kikuyu people who, owing to their settled, agricultural habits, fell an easy prey to the Masai. As the Kikuyu were friendly to the white men, many of the Company porter caravans were wiped out by the *elmoran.*

7. Note: Masai warrior
The vast areas of the Highlands, too, provided terrific obstacles in the way of the transportation of Company goods. Hobley, in his book on Kenya, describes the hardships of the route across from Mombasa to Victoria Nyanza. One can imagine the expense of transporting the tons of trade-goods on the heads of native porters, to say nothing of the armed forces necessary to ward off the Masai, who killed often from sheer blood-lust. Company posts formed a continuous chain right across East Africa along the carrier route and the trade, in many ways as stupendous as the old trans-Canada fur trade, was carried on until the Company found its expenses over topping its earnings. Yet, perhaps, when speaking of the withdrawal of the Chartered Company, it is only fair to stress a point about its nature which is brought out in the following words of Lord Salisbury:

"It would hardly be just to describe it as a purely commercial body, for it is notorious that the majority of, if not all, the subscribers are actuated rather by philanthropic motives than by the expectation of receiving any adequate return for their outlay."

By 1893 philanthropic zeal had reached its limits after attempts to raise money in England to build a railroad to Uganda along the trade-route had failed. Lord Rosebery and his "Little Englisher" Liberals, were in power and evinced little interest in the Company's tale of woe. So rather than lose all the 450,000 pounds already spent in opening East Africa, the company shareholders were obliged to accept about half of this

8. Hobley, C.W., Kenya from Chartered Company to Crown Colony; London; 1929

9. Evans; The British in Tropical Africa; Cambridge; 1929, 312
sum as compensation and to let the British Government take control. So in June, 1895, the East Africa Protectorate was declared which comprised what is now Kenya Colony plus the ten-mile coastal strip (now called the Protectorate) and minus the Kavirondo Province which still remained part of Uganda until land-greedy settlers forced the alienation of its rich plains.

July of 1895 saw the advent of Lord Salisbury and his Conservative Imperialists. It was not long before East Africa felt the effects of their forceful policies. Joseph Chamberlain, as Secretary of State from 1895 to 1902 provided the force that carried through to completion in 1902 the great Uganda Railway, from Mombasa to Lake Victoria.

The huge cost of the Uganda Railway was born by the British tax-payers. Its benefits, and one is here inclined to believe the modern critics of the colonial theory, have fallen mainly upon the white community of East Africa. Leys and others accuse the British Government of fixing the freight rates so as to exploit the Africans and subsidize the Europeans. Be this as it may the Railway made Kenya what it is. If there were no railway there would, like as not, be no native problem. One arrives at the ultimate question as to whether white settlement has been a curse or a blessing to the Africans.
(c) White Settlement and the Growth of Settler Influence

With the opening up of the railway, East Africa's race problem began to develop. For though one of the avowed purposes of building the road had been to allow Britain to carry out her efforts to stamp out slavery—or what remained of the old slave-trade—at its source, the actual result of the construction was to throw the Protectorate open to trade and, unfortunately for the African, to white settlers and land speculators. With the railroad too, came the third element in the race problem of Kenya, the Indian population. Called from India to build the road, the Indians remained in East Africa and became the shop-keepers and artisans of the country. In these lines they are only now yielding place to native Africans. Railway work did not cease with the completion of the main line--far from it. Influential men, favouring the development of settlement, saw to it that as new areas were opened, they were served by branch lines. This is one of Norman Leys' greatest complaints, that most of the millions of pounds spent on railway in Kenya have been used to benefit the white community, rather than the native.

10. Leys, N.; A Last Chance in Kenya; London, 1931; chap. III,44.

<table>
<thead>
<tr>
<th>Branch Railway Lines in Kenya</th>
<th>Through European Areas</th>
<th>Through Reserves</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solai branch</td>
<td>26 miles</td>
<td>---</td>
</tr>
<tr>
<td>Kitale branch</td>
<td>40 &quot;</td>
<td>---</td>
</tr>
<tr>
<td>Thompson Falls branch</td>
<td>47 &quot;</td>
<td>---</td>
</tr>
<tr>
<td>Nakuru-Eldoret-North Kavirondo</td>
<td>170 &quot;</td>
<td>61 miles</td>
</tr>
<tr>
<td>Nanyuki branch</td>
<td>102 &quot;</td>
<td>42 &quot;</td>
</tr>
<tr>
<td>Yala branch</td>
<td>---</td>
<td>32 &quot;</td>
</tr>
<tr>
<td>Voi-Kahe branch</td>
<td>---</td>
<td>93 &quot;</td>
</tr>
<tr>
<td></td>
<td><strong>387 miles (sic)</strong></td>
<td><strong>228 miles</strong></td>
</tr>
</tbody>
</table>
In 1902 the British Government set afoot a movement to give free land in the Highlands to the Zionists, in order to establish a national home for the Jews. Elspeth Huxley explains why these plans collapsed. The settlers detailed to show the Zionist agents the lands destined to be their new home took very great care that the agents got the worst possible impression of East Africa.

In 1902, also, began what critics of Kenya policy damn as the most bare-faced piece of official robbery in the history of Britain overseas, the alienation of all unoccupied, or apparently unoccupied land in the highland areas. A government publicity campaign, in South Africa sponsored by Governor Sir Charles Eliot of the Protectorate, brought settlers flocking. Ifor Evans, conservative though he is, Norman Leys, MacGregor Ross, all quote the famous statement by Eliot that "East Africa will probably become in a short time a white-man's country, in which native questions will present but little interest." We might well use this as a gauge of the foresight of the men who were responsible for the present native problem of Kenya Colony.

So, in 1903 the white settlement of East Africa began in earnest. Though the rate at which land was alienated was amazing, the growth of the settler population has been comparatively slow. To-day the Europeans number around 18,000.


But their influence in Kenya is in inverse ratio to the fraction they comprise of the total population. It is interesting to trace the way in which this handful of Europeans have gained its political voice.

The year 1906 saw the establishment of a Legislative Council for East Africa on pressure from the white community, then a very vocal three thousand odd. This was certainly a new departure for the government of a so-called protectorate. Yet this condition obtained until the colony was declared fourteen years later. To this embryonic Legislature the white population sent three nominated "unofficial" members. An advance was made (from the settlers' point of view at least) in 1908, when the community gained the right to elect its three representatives. To-day the Legislative Council is composed of twenty official members, eleven elected "unofficial" Europeans.


<table>
<thead>
<tr>
<th>Non-Natives:</th>
<th>March 1931</th>
<th>Dec. 1932</th>
</tr>
</thead>
<tbody>
<tr>
<td>Europeans</td>
<td>16,812</td>
<td>17,249</td>
</tr>
<tr>
<td>Brit. Indians</td>
<td>39,644</td>
<td>34,966</td>
</tr>
<tr>
<td>Goans</td>
<td>3,979</td>
<td>3,369</td>
</tr>
<tr>
<td>Arabs</td>
<td>12,116</td>
<td>11,752</td>
</tr>
<tr>
<td>Others</td>
<td>1,346</td>
<td>1,362</td>
</tr>
</tbody>
</table>

From Hilton Young Report, Cmd.3234, 1929, 25

Census 1926

<table>
<thead>
<tr>
<th>Europeans</th>
<th>12,529</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native</td>
<td>2,549,300  (estimated)</td>
</tr>
<tr>
<td>Br. Indians</td>
<td>26,759</td>
</tr>
<tr>
<td>Others</td>
<td>3,824</td>
</tr>
</tbody>
</table>

13. "unofficial" is used in Kenya as a noun. "Unofficial" members are those elected by the settlers as opposed to the Governor's appointees from the Colonial Service, the "officials".
five elected Indians, one nominated and one elected Arab and, greatest anomaly of all, one Christian European missionary, appointed by the Government, to represent over three million natives.

It might be argued that, despite the unfair balance in favour of the Europeans, these "unofficial" members are still out-balanced by official members and so really have no great power. Not so, for it is the boast of the European settlers that their organization called the Convention of Associations composed of the executives of all the European Agricultural Associations has been called the "Settler Parliament". Elspeth Huxley calls the Convention "the unofficial parliament recognized by Government as the organ of general settler opinion". This organization can bring great pressure to bear on the Governor and the administration.

In 1923 Colonel Wedgewood referred to the process by which the settlers coerce the officials in a speech in the House of Commons. After all, the Europeans are a community of a few thousands set amidst several millions of Africans. It is with the whites that the civil servant must live during his term of service in the colony. The threat of ostracism at the hands of a community on the whole so jealous of any leaning away from it in favour of the Africans is a very real one. He must be a very strong man who dare face it. Then, if this "cutting" fails to daunt the official there is always

a powerful lobby of Kenya settlers waiting on the Secretary of 16 State in London.

It is far easier for a Governor to bow to the wishes of the unofficial members of his Executive than it is for him to oppose them. In the last year or so Governor Sir Joseph Byrne has apparently provided the exception to the rule. In this period, as we shall see later on much reform progress has taken place.

But perhaps we can guess at another possible explanation. World events seem to cast a shadow in far-away Kenya. When Mussolini's troops occupied Ethiopia the presence of British troops in Kenya took for the settler, a new significance. Since June of 1936 there has been little talk of vigilance committees on the part of the settlers. And it is noticeable that the speeches in the British House of Commons of pro-settler members have become somewhat fairer and that the demands that such and such be done to aid the white community have been fewer.

But it is more probable that the talk of the redistribution of colonies has given the Colonial Office a new determination. In 1937 measures have passed the Kenya Legislature which would never have passed without direct Colonial Office orders ten years ago. With this in mind let

us study briefly the policies of the Colonial Office and their clash with the aims of the settler community.
(d) The Development of the British Government's Native Policy

The militant character of the white community, as we have seen, has given the settlers influence with the administration disproportionate to their numbers. Whenever a British Government has made a statement as regards native policy, that statement has contained clauses meant to allay the Kenya settlers' fears that the Government intends to neglect white interests and favour those of the African. Not that it is a case of the Colonial office fearing to offend the whites. The Government feels that, having been responsible for the policy of white settlement to begin with, it is its duty to see that the community's interests are cared for. But this does not mean that the interests of the African are to be secondary. It is the core of the Dual Policy that both white and black interests are to be fostered. The Europeans favour a Dual Policy but, unfortunately want the balance weighted in their favour.

As the Joint Select Committee on Closer Union in East Africa said, the term "native policy" has been given two distinct meanings. It has been loosely used to express, on the one hand, objectives in native development and administration, and, on the other, inter-racial relations. From reading the history of Britain's official policy towards the natives of Kenya as expressed during the last fifteen years, one can see that the Colonial office administration looks on

native policy in its wider light. It sees it as a type of government aiming towards a certain goal of native development. The settler and, in fact, most writers on the race problem, adopt the view that native policy in Kenya is a matter of balancing the interests of black against white. That is the reason the official attitude toward the native has been misunderstood. The settler cannot understand the wider aspects of the statements of British policy. The administrator sees that native policy in Kenya is not a matter of Kenya alone. Its fundamental principles must be applicable over a far wider area than one colony. As the Hilton Young Commission said

'It is not safe to allow policy in Kenya to be framed regardless of what is being done in Tanganyika and Uganda. It should be framed for Eastern Africa as a whole. But more than this, policy for Eastern Africa should be framed with regard to experience and policy in all other territories of Africa.'

The most important official statements of the policy of the Colonial Office have appeared in the Duke of Devonshire's White Paper of 1923, Mr. Amery's White Paper of 1927, and Lord Passfield's "Memorandum on Native policy in East Africa of 1930".

Article 22 of the Covenant of the League of Nations expressed the principle which lies behind the policies expressed in these Kenya White Papers thus:

To those colonies and territories which as a consequence

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19. Cmd. 1922, Indians in Kenya
20. Cmd. 2904
21. Cmd. 3573 (1950)
of the late war have ceased to be under the sovereignty
of the States which formerly governed them and which
are inhabited by peoples not yet able to stand by them­
selves under the strenuous conditions of the modern
world, there should be applied the principle that the
well-being and development of such peoples form a sacred
trust of civilization and that securities for the per­
formance of this trust should be embodied in this Coven­
nant.

This statement of the position of mandatory powers as trustees
of the backward races was adopted by Britain as the credo of
her colonial administration. The 1923 White Paper embodied
it in the doctrine of the paramountcy of native interests:
"In the administration of Kenya His Majesty's Government re­
gard themselves as exercising a trust on behalf of the African
population, and they are unable to delegate or share this
trust, the object of which may be defined as the protection and
advancement of the native races." These declarations may or
may not have been made to silence the clamour of the Indians
of Kenya for more political voice. But for a time they did
satisfy the Indian politicians since they demonstrated that
the white community was not going to be favoured. Even the
whites were for a time pleased with these policies. They
quieted the Indians and as long as the Government did not carry
them into effect no harm could come to white interests.

The report made by Mr. Ormsby-Gore's East Africa
23
Commission in 1925 recommended a dual policy of development.


23. Report of the East Africa Commission (Cmd. 2387); Presented
by the Secretary of State for the Colonies to Parliament;
April, 1925; hereafter referred to as the Ormsby-Gore
Commission Report or as Cmd. 2387.
The Government was at one and the same time to help the development of both native and non-native communities. This, of course, was exactly what the settlers wanted. The settlers demanded that such be stated by the government as official policy.

So in 1927 Mr. Amery published the Second White Paper. As the Joint Select Committee of 1931 points out this 1927 Paper was to be easily misinterpreted. One Section read "At the same time they (His Majesty's Government) wish to place on record their view that, while the responsibilities of trusteeship must for some considerable time rest mainly on the agents of the Imperial Government, they desire to associate more closely in this high and honourable task those who, as colonists or residents, have identified their interests with the prosperity of the country." The settlers accepted this as an alteration of policy. The 1931 committee points out, however, that this constitutes an expansion rather than an alteration of the Duke of Devonshire principles. So, though in actual practise a dual policy has been carried on in Kenya, this has been owing to the pressure of the settlers on the government, and to the Government's recognition of the needs of the whites for whose coming to Kenya it was responsible. But as far as the official policy of trusteeship was concerned, there was no change. Britain had no intention of passing her trust, or any part of it, over to the local administration.


This was misunderstood by the settlers.

So when, in 1930 Lord Passfield issued his memorandum on Native Policy in which he referred back to the 1923 White Paper rather than to that of 1927 for the policy he and his government favoured, he raised a storm of protest. The settlers looked on this memorandum as containing a reversal of policy.

Also in June 1930 the Government published a White Paper (Cmd. 3574) entitled Statement of Conclusions of His Majesty's Government in the United Kingdom as Regards Closer Union in East Africa.

The publication of these two White Papers aroused the settlers. They argued, led by Lord Delamere, that the outlined native policy denied the white settlers their proper share in the trusteeship of the natives promised to them in the 1927 White Paper.

But, as far as officially declared native policy is concerned the British Government has stuck to its 1923

26. Cmd. 3573

27. Cmd. 3234 of the Hilton Young Commission, in 1927, had stated the means by which the closer union of the colonies in East Africa could be brought about. Opinion in East Africa was against these conclusions. Sir Samuel Wilson was sent out in 1929 to sound public opinion. He published his Report on October 4, 1929 in which he said opinion was swinging away from union of the dependencies but advocated like the Hilton Young Commission a measure of closer fiscal union and the appointment of a High Commissioner. He was also to be over the governors of the East African dependencies as a coordinator of policy. The Government conclusions were published as Cmd. 3574 (see above) and stated the decision to put the question of Closer Union in the hands of a Parliamentary Joint Select Committee. The findings of this committee were published as H. of C. 156.
decision. The Joint Select Committee reported in 1931. The Committee accepted the doctrine of paramountcy of native interests to mean "no more than that the interests of the overwhelming majority of the indigenous population should not be subordinated to those of a minority belonging to another race, however important in itself." The interests of the whites, the report says, are not to be neglected, but they are not to be held of more importance than those of the African.

On July 9, 1936 during the annual Colonial Office Estimates debate in the House of Commons a very important discussion took place on the subject of the carrying out of the principles of trusteeship in Kenya. The whole subject of the duty of Britain's Imperial duty, of the Dual Policy and of official British policy in general was discussed. Reading the speeches gives one great hope for the future of the natives. For though the native problem in Kenya has so far, in most respects, developed from bad to worse, one cannot help feeling that reform is sure to come. There has been no declaration of official policy in Kenya for six years so it is worthwhile for us to consider some of the above debate.

The speech of Mr. Ormsby-Gore, the Secretary of State, it must be admitted, would not be very reassuring to the critic of the Dual Policy. He said, after speaking rather diffusely in favour of the doctrine; "Let us be perfectly clear that in the dual policy stands—the policy of developing the native in his own area and the European in that

area where successive British Governments have invited him to try to make good in very difficult circumstances." But as we shall see later Mr. Ormsby-Gore was then favouring the statutory reservation of the Kenya highlands for Europeans only. This measure has been blocked by adverse criticism.

Other speakers in this debate however, showed that British opinion is strong for curbing the ambitions of the settler community. While the Secretary of State's speech harked back to the 1927 White Paper those of most of the other speakers against the Government's highlands policy were founded upon the 1923 declarations. Mr. deRothschild struck the keynote of the debate when he quoted Queen Victoria's promise that:

"In the eyes of the law there should not be any distinction or disqualification whatever founded upon mere distinction of origin, language or creed."

Another speaker, Mr. Morgan Jones spoke thus of the Kenya situation.

"If we accept the concept of trusteeship it is inconsistent with it so to administer the estate, if I may so call it, for the primary benefit of ourselves or of our own kin and colour who may happen to reside in those areas. The prime function of a trustee is to run the estate for the benefit of those to whom the estate belongs, and not for the friends of the family of the trustee."

It is to be hoped that men with such opinion will continue to control Kenya's destiny.

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29. 314 H. C. Debs., 58; 9 July, 1936; Col. 1531
30. Ibid; Col. 1416.
31. Ibid; Col. 1426.
CHAPTER II
Natives of Kenya

Changing Africa

----Social anthropology in the new Africa
----Kenya ethnography

(a) the Anthropologist and the Administrator
----Indirect Rule, Direct Rule

(b) The Mind of the African
----psychology of native

(c) How policies are to be shaped to these discoveries
CHAPTER II

THE NATIVES OF KENYA

"I think of Africa and in my mind's eye see enormous lakes, horrid expanses of dry scrub, surprising mountains, little villages of bee-hive huts, herds of zebra and antelope, tall black men with spears who do not think of hiding the nakedness of their magnificent bodies, laughing chocolate-coloured women in beads and skins, the farms of lonely white settlers and the golf-courses and clubs with which they relieve their loneliness, little schools far in the bush where black children learn the magic of reading and writing, whole tracts of country gone out of use because of tsetse fly or tick, labourious cultivation that yet but scratches the face of the land, volcanoes big and small, strange saline lakes, rifts that scar the continent; I feel the wicked power of the equatorial sun and the effort and strain of altitude; I hear the distant reverberation of lions roaring, the ear-splitting noise of the cicadas and mole-cricketts, the native drums at night where a dance is being danced; I am conscious of the presence of lurking disease in the air, earth and water, all around, of the existence of crocodiles and beasts of prey and pachyderms, of African ways of human life entirely alien from the ways of Europe; I am aware of change, invisible, often unwanted, stealing in upon the land with white men and their ideas and inventions--capitalism, Christianity, books and motor cars, science and cinemas, law and cheap trade-goods."

In this paragraph Julian Huxley integrates a dozen or so of the impressions which his African tour have left upon his mind and paints a picture which might readily pass for Kenya Colony.

To understand the problems of race in Africa, we, too, must be "aware of change";—change in every phase of

1. Huxley, Julian; Africa View, P. 433; London; 1931.
African life. It is necessary then to know something of the work of the social anthropologist. He is concerned with Africa and the Africans before the white men came. From him we learn the nature of the old life which is undergoing transmutation.

The anthropologist has done some of the most fascinating work in the field of African studies. It is a combination of his discoveries with the policies of the administrators that will eventually lead to the emancipation of the African in a new type of westernized society. Heretofore any interest in the social, political and economic foundations of the indigenous cultures of Africa has been almost purely academical. People think of anthropology as a matter of cephalic indices, of treatises on stone-implements, and the like. But the day is coming when a knowledge of the methods of this science of living man will be a necessary adjunct of the administrator's training. And with this trend has come the realization that the "African ways of human life entirely alien from the ways of Europe" are not the unreasoned ways of "savages".

The African culture or cultures are just as deeply rooted in tradition as those of Europe and are, in fact, often of a more complicated and balanced pattern. Captain Rattray, in the Journal of the African Society tells of life in the ages before the European came, in the era when the family, the kindred group, the clan, and the tribal organizations were the bases of all society. "This was the time

2. "savages" in the sense of lacking a reasoned way of life.
when indigenous (West) African culture, law and religion were evolved—and finally established. To understand this epoch, with its...really beautifully graded and co-ordinated organizations; its religion, which at first sight might seem rank fetichism; its legal codes, which might appear almost non-existent; its constitution, which might seem so elementary as to be negligible, requires almost a life-time of patient and indefatigable study based on sympathy and understanding—.

To the uninitiated this phase has always seemed to present little more than a primitive pagan simplicity—.

Knowing of the traditional beliefs and customs one can soon discover how rational are many of the things that the Europeans have considered quite irrational in the negro's way of living. The same knowledge, if its significance be fully realized, may often make one wonder whether, after all, our Western ideas are as far in advance of those of Africa as we have thought. But that is the age-old lesson that has been learned by every "civilizing" race that has ever tried to bring its particular culture to a race of a different, and assumedly lower, plane of existence.


4. That is, according to our meaning of "rational".

5. "The structure of primitive tribal society had in itself much to be said for it, and as an experiment in government must be considered a decided success in its elementary degree. It can be claimed that the system produced a community where crime was rare, pauperism and paid prostitution unknown, and drunkenness not a serious evil; where, under normal conditions all were adequately fed, clothed and housed, according to the primitive standards expected; and
It can be seen that, in the anthropological approach to the study of the problems of Kenya native administration, such arbitrary things as the political boundaries of the colony do not really mean much. The natives of Kenya and their culture should rather be considered in perspective, against the whole background of Bantu and Negro culture. For, with variations, mainly in the field of political development, the institutions of the Kenya tribes are those of their kindred all over the southern half of the continent.

The accepted anthropological grouping of the African tribes is still a linguistic one. The anthropological chart of Africa is still too incomplete to allow the classification of the peoples of the continent according to less changing characteristics. So each of the terms Bushman, Hottentot, Negro, Hamite, Nilote, or Bantu refers to one of the main linguistic divisions. The true Hamites and Nilotes of the north, however, can be distinguished by physical appearance from the other peoples who inhabit the southern half of Africa.

But East Africa is a racial melting pot. Kenya is peopled mainly by Bantus. The Bantu race, sprang originally from the fusing of Negro and Hamite. The language of this greatest of African races developed around the area of the great Lakes. The so-called Bantu Line, the line of farthest north penetration of the Negro peoples, runs across the continent through East Africa. In Kenya, the part of East Africa


†1. See Seligman, Dr. C.G.; The Races of Africa; London; 1930.
closest to Ethiopia the waves of Hamitic and Bantu advance met. So here are found both Bantu and Hamitic tribes. Some tribes combine features of both races. As a result the Colony is, in many ways, an anthropological museum. But in these days when Indirect Rule is being developed throughout Africa, Kenya is something of a nightmare for the administrator. For Indirect Rule demands a knowledge of tribal institutions. In Indirect Rule Tanganyika, these institutions are almost purely Bantu. So the administrator can make free use of administrative experience throughout most of the southern half of Africa. But in Kenya, forgetting for the moment the difficulty with the settler community, the Colonial Office must shape institutions to suit the requirements of tribes which vary greatly in characteristics. The Masai and the peoples related to them, the Hamitic tribes of Kenya, have entirely different institutions from the great Kikuyu or Kavirondo tribes who are pure Bantu. Any Indirect Rule system evolved for Kenya would have to start from widely different beginnings and yet aim to evolve a homogeneous native society. With this task before them the Kenya administrators must certainly require the aid of the social anthropologist.
(a) **The Anthropologist and the Administrator**

The study of human culture along the lines first traced by Professor B. Malinowski in the functional theory of anthropology throws an entirely new light on the problems of colonial policy. The interpretation of culture as a mechanism of co-operation for the satisfaction of social needs, in which every element is linked with and conditioned by the rest, implies the necessity of giving more serious consideration to the indigenous institutions of uncivilized people than has usually been accorded in the past.  

It is in the work of the International Institute of African Languages and Cultures that one finds the modern approach to the problems of the African, in which the findings of the new school of practical anthropology are correlated with evolving administrative methods. The Institute aims too, to study some of the characteristics of the African, which, being misunderstood, were branded for the discard, thus throwing native life entirely off balance. By examining their findings we may discover why many Africans look on our civilization as a curse rather than a blessing.

Directly and indirectly the African is being confronted with European civilization in its most diverse aspects. He observes its virtues and its vices, its energy, its forethought, its self-control, its persistence, its zest for individual responsibility, its loyalties and disloyalties to its Christian faith, its arrogance, its stolidity, its hardness, its greed. He sees the church,

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7. See Westermann, Diedrich; *The African To-day*; London; H. Milford; 1934.

Dr. Westermann is a director of the Institute. The *African To-day* might be called the handbook of the Institute's methods and should be read as background for any study along anthropological lines.
the school, the race-course, the cinema, the gin shop. He hears the multitude of doctrines, all of them, high or low, alike in their conflict with the traditional ideas which have hitherto ruled his life. His mind is stirred as it has never been stirred before in the history of his race. Ancient custom is no longer quite so sacrosanct. He dreams new dreams of what he might make of his life. And inevitably, these new ambitions, at any rate in the young, are imitative.

It is the realization of this clash between the old and the new and the mind of the African that has led the anthropologists to attempt to save what is worth saving of African tradition. They are convinced that a slavish imitation of western ways should not be fostered and are in hopes of finding the means by which can be built a distinctively African civilization incorporating the best feature of the new and the old.

In the administrative field the characteristic British policy of Indirect Rule—as opposed to the philosophy behind Direct Rule—is based on similar reasoning. True, in Kenya, with its reactionary settler population, Indirect Rule policies have not advanced further than a statement of the paramountcy of native interests and a strengthening of local native councils. However, the reform of the many abuses of Kenya native administration must come through Indirect Rule policies. Huxley compares the natives living under Indirect Rule in Tanganyika with those not so governed in Kenya and says

As against orderly development there, here you felt a makeshift social life that might collapse into real disorderliness of existence. As against a human

bond between black and white, you felt a relation that was almost solely economic.\(^9\)

Indirect Rule is the policy which fits in best with the practical anthropological approach recommended by the Institute of African Languages and Cultures. France, with her policy of Direct Rule, aims to make each native into a French citizen, to teach him to take his place as a black Frenchman in the Empire, rather than as a colonial ward of the mother country. The Direct Rule administrator has no concern for the guarding of the culture of the African from the destructive influence of European culture. Julian Huxley says that there are two channels along which the Colonial powers can guide the main stream of African life. One of these channels is that of Indirect Rule. The other, that of Direct Rule, he says,

is the channel of Economic Least Resistance which would assimilate the African peoples to Western Civilization as an economic appendage, a new kind of proletariat, black-skinned, and concerned with raw materials instead of white-skinned and concerned with manufacture. It seems clear that unless a more deliberate attempt is made to organize native society, it will not develop but simply collapse in contact with the powerful and corrosive forces of supra-national economics.\(^10\)

It is to find a basis for such organization that the African and the background of his culture are to-day the subject of so much research.

\(^9\) Huxley, J. op. cit., 145.

\(^10\) Huxley; ibid.; 129.
(b) The Mind of the African

It is a great mistake (and one made only too often) to assume that the word "backward", when applied to the Bantu race, or, in fact to any race, implies some fundamental mental deficiency. Psychological study in recent years has shown that, there may possibly be some difference between African thought and European. But if such difference does exist it implies no inferiority for the African.

It is upon this premise that much modern research has been built; that the African thinks in a manner different from ours and, hence that the culture derived from centuries of African reasoning, irrational though it may seem from a western point of view, need not be branded as "savage".

As we have seen, in Kenya, as in the rest of Africa, the white man has made the fatal mistake of assuming that, because he cannot understand the African reaction to European civilization, the native is necessarily of inferior mentality. Perhaps, had science been in a position to disprove this mistaken assumption, much trouble would have been avoided.

11. In the British Columbia Historical Review a writer defined culture as "a reasoned way of living". So a "savage" would be a member of any race or people which lacks such a reasoned system, which possesses no characteristic mode of existence. If we believe with many authorities, that the thought process of the European is not the same as that of the "savage", this implies that more than one meaning can be given to the word "reason" and, at the same time to the phrase "a reasoned way of living". Rickard, T. A.; Gilbert Malcolm Sproat, British Columbia Historical Quarterly, Vol. I., No. 1 Jan. 1937, 28.
Unfortunately for the African the postulations of Jean-Jacques Rousseau on "la belle sauvage" coloured the attitude of Europeans in Africa until almost the present century. In fact one might say the influence is not dead yet.

Rousseau and his contemporary Voltaire in their satire and criticism of European civilization were typical of the sophisticated thought of their age. To them the civilization of the West had nothing in it worth while giving to "la belle sauvage". But the century that followed was marked by the great revolutions in science, in industry and in thought which led to a new pride in European civilization. Now the field was reversed; the things of Europe were things which must be given to the "savage". Lacking them he must always remain inferior to the white. Thus the postulations of Rousseau were now turned against the African who in the eyes of the average European came to be looked on as inherently inferior. Many Kenya settlers believe, apparently, in the native inability to progress.

Not, of course, that any logical thinking could lead to such a conclusion. As a matter of fact, when one reads of the most modern ideas of students of African thought and mentality, one is struck by the similarity of the modern premises to those of Rousseau. But any product of a great man's mind is bound to be distorted in the brains of lesser men. So the backwardness of the African has been considered as due to

12. see Allier, Raoul; The Mind of the Savage; London; 1929; 6 on Voltaire's Essai sur les Moeurs which compares the noble savage to the boor of Europe.
his mental inability to comprehend the great civilizing influences of Europe. What possible use could there be in giving such a race the opportunities of European civilization? His role was to be the servant of the white man in a new white Africa.

Modern psychology has done much to change our ideas of the capacity of the African for progress, by its theories as to the nature of the negro's mental processes. Some of these theories are well worth consideration. But it should be remembered that their chief value lies, so far at least, in the conclusions that can be drawn from them rather than in the soundness of the assumptions upon which they are based. It should be understood that in the work of psychologists in the study of African thought no finality has been attained. The nature of psychology does not admit of it. So, if certain ideas are presented which are not, perhaps in accord with the most modern trends in this changing "science" they are used solely because for our purposes they best fit the facts and explain the difference between European and African thought.

The doctrines of Rousseau were accepted by all great scholars up to the present century. Their main postulation, it must be kept in mind, assumed that there was no fundamental disparity between the minds of civilized and uncivilized men. It was a question of culture and development. "La belle sauvage" was, so to speak, the core around which the appurtenances of our civilization were built.

One of the first men to dispute these Rousseauian
assumptions was Professor Lévy-Bruhl, a psychologist at the Sorbonne. Though his theory of the African mind may not be generally accepted to-day at least it awakened a questioning and scientific attitude. Lévy-Bruhl postulated a fundamental distinction between the thought process of civilized and uncivilized man: such a distinction as might be assumed say between that of the Kenya native and the white settler. He explained the apparently irrational action of the African, by saying that, in any uncivilized society, the thinking of the individual was dominated by a system or set of mental images which belong to that society or group and which are passed on to every individual member of it. In the same way that we, as members of a civilized society inherit certain reactions to certain things, just so does the African inherit the set of dominant images which condition his reaction to all circumstances. But the inherited reactions of the African are far more numerous than those of the European and of a different sort. So, if the African shows no sign of the logical thought process which is characteristic of western civilization, this lack is due to some factor in his mode of thought which does not exist in European thought. And the African mode is conditioned by these inherited reactions and images.

Of Lévy-Bruhl's hypotheses it is sufficient to keep in mind that: first; they imply no inferiority for the African. The negro may be a different creature from the European but need not be considered an inferior one. There is a vertical division between the white and the black mind, the European mind, child and adult, being different from those of
the African child and the African adult. Second: and perhaps more important, Lévy-Bruhl called attention to the inherited beliefs, taboos, etc., which, integrated, made the African seem, to the undiscerning white man, an inferior being.

Using as guides the views expressed in J.W.C. Dougall's fine monograph *The Characteristics of African Thought* we can proceed now to consider some of the later developments in the study of African psychology, which have, it might be said, developed from the controversy awakened by Levy-Bruhl.

The key to these developments is the fact certain psychologists have discovered that in the mind of the adult European are found vestiges of an inherited system of images and reactions. It is similar to the one that governs the life of the negro. So perhaps Levy-Bruhl's theory should be altered to allow for some measure of horizontal distinction between the minds of civilized and uncivilized man as well as the vertical division he insists on. Perhaps their minds are basically the same but differ when the child mind develops into the adult. That is the characteristic of the modern viewpoint that Dougall explains.

He shows how the work of Piaget, on the thought process of the European child can be worked into the study of the African's mind. The African, Dougall says, owing to the operation of his collective ideas has a mind with the following characteristics; it is prelogical, mystical, insensible to

contradiction, indisposed to discursive thought or reasoning.

Now Piaget's main work showed that these same features characterized the thought processes of the European children he worked with. The European children, like African children and adults lacked any system of logic. Another feature common to them all was egocentricity; all thought they were the centre of creation and that it moved around them. Further, there was a common tendency towards animism. Then too, just as in the case of the African, there was a common belief in the powers of magic.

The African spirit world is vague and dark and cold. Its inhabitants would fain return to sunlight and old friends and are often heard or even felt in the village at night, when a leaf brushes past or boughs groan, or flutterings and rustlings are heard in the wind. One can meet them too on mountain ridges at dusk, flitting behind the trees and bushes, or pattering uncertainly like driven leaves along the path. Most of all, perhaps, they frequent caves, gorges and waterfalls in the hills, remote from society---

Correlating the above discoveries, it would seem that the difference between the European adult and the African adult must be accounted for by some factor which is operative

14. see Dougall, op. cit., 8 ff. also note that these are characteristics often complained of by teachers, settlers, administrators.

15. Logic: the gift of Greece to the civilization of the West

16. The endowment of everything, living or inanimate, with conscious powers.

17. Leys, N., Kenya, London 1926, 68. Norman Leys, is one of the many who refuse to believe in any differentiae of African mentality. He says that this idea is advanced by anthropologists and is seized upon by those who want to keep the African in his place. See also Leys, N., A Last Chance in Kenya, Ch. IX, 101-23; passim.
on the European child and not on the African child. This factor is environment. Dougall, and here I do not know if he is in accord with accepted psychological theory or not, uses the theory of the conscious and the subconscious mind. He says that the difference between the child and the adult European is that the latter, influenced by his environment, develops the conscious system of thought. This system is characterized by a reasoning and logical power. It is developed to dominance over his primary, or subconscious system, which is characterized by the emotional reactions (as opposed to reasoned actions) of a child.

It can be seen where this leads us. These authorities reason that—or conclude that—the African mind operates along the same lines as that of the European child. The primitive culture fails to contribute the environmental factor which supplies the transition from child to adult in the case of the European. But, most important from the practical point of view, the African—if European civilization can be given to him by means which will not result merely in apathy—can undergo the transition which will allow him to take his place alongside the European. It is a lesson for administrators and educators all over Africa that patience and a revised approach to African education and the study of African life is needed.

With these developments behind it, the work of to-day's practical anthropologist goes far deeper than did that of the old academical type. Native customs and beliefs appear in a new light when considered against this background of native
thought. The wish of the new anthropologist is to preserve old Africa from the crushing power of Europe, not purely as a museum piece but as institutions worth preserving as are the symbols of a traditional mode of thought. If these traditions and customs are preserved and judiciously mixed with Western ideas, they will become the backbone of a new and distinctly African culture, a culture which will be alive and dynamic.

For, on the other hand, if Western civilization is allowed to crush out the autochthonous, the imitation which will follow and which is indeed already going on, especially in Kenya, will make African life empty and static. Fortunately it is still possible for the anthropologist and the administrator, working hand in hand through the principles of Indirect Rule, to build this new society.

The Kenya native problem reveals the same features that have been elaborated in a general way above. Here again are to be found the clash of two civilizations.

In dealing with this subject, we will consider each aspect in the light of the feature of European cultures with which it has clashed. Thus, if some African educational custom is found to clash with the European practise, we shall consider it in our study of Kenya education. If native labour traditions are found to differ from those of the European community they can be discussed in the chapter on Kenya's Labour Problem. This separation is the method adopted by Brown and Hutt in their study of the administrative problems of the Wahehe tribe of Tanganyika. It is obvious that such a breaking

18. See Brown, G. Gordon and Hutt, A. McD. Bruce; London; 1935; passim.
up of what, from the anthropological point of view should be bulked together is the only possible approach to a study such as this. The tendency is to lose the perspective of African culture as a whole and to think that it is composed only of those features which strike our attention because of their marked contrast to European customs. Let us try to avoid this great error.
CHAPTER III
Native Education in Kenya

1. African education in general
   - aims
   - utilitarian versus "literary" education
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2. Mission Education in Kenya
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CHAPTER III

NATIVE EDUCATION IN KENYA

Caliban: You taught me language; and my profit on't
Is I know how to curse; the red plague rid you
For learning me your language!

Tempest Act I. Sc. 2

It is essential that the problems of education in Kenya Colony be considered in the light of the whole question of race contacts in Africa. By tracing the attempts at raising the status of the African by educational means, we can gain a backdrop against which to set Kenya education, and, by this means judge of its development.

What are, or rather, what should be, the aims of African education? Lord Lugard says "The word itself, the 'leading forth', the guiding of the evolution of primitive peoples to higher standards of life, is an epitome of the whole task of the nations which have assumed the responsibility for the backward races." All but a few of the most selfish white inhabitants of Africa agree on the need for this evolution. Even the self-interested admit that education for the African is a necessity, though they may at the same time think that he must remain forever the servant of the white-

man and his economic civilization.

Their aim is, without changing his social status, to render the black more efficient by the deliberate raising of his mental plane and to make him consume more European goods by raising his standard of living. Ends in view among the whites in Africa may differ but this general aim of education is agreed on: that it is to guide the natives toward higher standards of life. Otherwise there is a wide divergence of thought on the aim of Europe in Africa. Is it to be exploitation or civilization? This question, so relevant to the purpose of colonies as a whole and one on which opinions vary greatly, must be applied also to the subject of education. Are the interests of the African to be paramount or is the white-man to remain the master? Is the African to be educated to the docile acceptance of an inferior status, economically and socially, or is he to be trained to take his place in the community as the equal of other races? Basil Fletcher writes,

The colonial administrator, discharging his task in the light of the highest conceptions of colonial government, has at his disposal three forces with which to determine the character of colonial evolution. These three forces are educational, social and economic. Of these three, the force of education is the one most within his control.\(^2\)

And this force can be used to further whichever European aim gains ascendancy in Africa.

So a man's views on African education might be considered as the best mirror of his views on African social and political evolution. The question resolves itself into a

\(^2\) Fletcher, Basil A. Education and Colonial Development, \(^2\). London, 1936; 3.
consideration of the two main schools of thought upon African political evolution: the believers in Indirect Rule, and the advocates of its opposite, Direct Rule. Lucy P. Mair writes thus:

In French territory, the French language and literature, French history and the characteristics of French institutions, are regarded as the most important subjects of education. In English colonies there has been less insistence on a spread of English culture which would be inconsistent both with Indirect Rule and with the policy of European settlement.3

As Miss Mair shows, the educator in Direct Rule colonies seeks to turn his native charges into fellow nationals of a different colour. There is no catering to real or imagined fundamental differences in racial mentality and no attempt to save worthwhile characteristics of native culture.

Education under Indirect Rule, however, in the words of L.S. Amery, has, as its main principle "that of grafting our ideas and our civilization onto the rootstocks which we know can grow in the soil and which we believe have in them innate powers of resistance and vitality," a principle which if we accept the dicta of the Phelps-Stokes Commissioners on Education in East Africa, is in line with modern trends of educational theory. The Commission says "The movement of present-day thought is toward the recognition of the native qualities of all people. The element of truth in the much-discussed doctrine of self-determination is an expression of the demand for the cultivation of whatever is worthwhile in

the customs and life of the people under consideration."

In theory at least, Amery's idea of the ideal process of progressive Indirect Rule, seems satisfactory since it places no obstacles in the path of native evolution. In practice, however, improperly administered education under Indirect Rule can be reactionary. It can tend to become static by too rigid an insistence upon the features of the autochthonous civilization. Its purpose should be to lessen the force of the smashing blow of western civilization, not to render the African immune to its influence. The presence of a large body of reactionary opinion, of men interested solely in economic gain at the expense of the native, will nullify the humanizing influence of Indirect Rule. One can see how a reactionary group could turn to their own advantage the following statement by a man who has only humanitarian ends in view;

In the interests of the African we can hope for nothing better than that his land should remain a land of farmers, and that well-populated farming villages with a cultivated and progressive population will be its chief wealth. We should make it our object to prevent the Negro from losing his joy in agriculture and also to hinder the growth of a prejudice—that anybody who cannot get on at school is good enough to be a farmer. The remedy for this is to show the Natives that a thorough training is not only advantageous but also indispensable for the farmer of the future.\(^5\)

It is on account of the deliberate misinterpretation, in Kenya Colony of such well-meaning writing as this that Dr. Norman


\(^6\) Westermann, Deidrich, The African To-day, London, 1934; 64.
Leys and Victor Murray doubt the value of Lord Lugard's principles of Indirect Rule as applied to Britain's trusteeship in that colony. As Murray says

Lord Lugard's principles have, in the mouths of some administrators, become shibboleths and a convenient excuse for keeping out the Christian missionary, while admitting the trader, the railway and the post-office. It (the system of Indirect Rule) has tended to stereotype the position as it was found in the beginning, and to deprive a community of the means of change which, in the words of Burke, is the means of its conservation. It has given occasional opportunity to the young Englishman to go abroad and play the part of the eighteenth century country squire which changed times prevented him from doing in England. It has blocked advance in education and has lent itself to a policy of 'good education for the sons of chiefs and agriculture for all the rest'.

When we read the words of educated Africans such as testified before the Joint Select Committee in 1931 or told their life-stories in Margery Perham's Ten Africans (especially Martin Kyamba) we learn that the native is eager, above all else to gain education: not only the utilitarian education which will render him efficient in the economic struggle under the new system, but also the higher and more literary forms. There is a tendency to derogate the giving to the African of the type of education such as is given to children in the schools of England—an education founded upon the desire for accumulative knowledge. This criticism may depend either on generous or on selfish motives. Westermann, of course, believes in the perpetuation of native culture only in order to keep alive for the African something

nationally distinctive. He, and others of his type, the men of the school of social anthropology such as G. Gordon Brown or Richard C. Thurnwald want to perpetuate the indigenous cultures for the sole reason that they are the root-stocks necessary for the growth of Indirect Rule. But the harsher critics of this policy say that the aim of such rule is only to block native progress and that a purely utilitarian education can serve no other purpose than reaction when carried out by the men who, officially or unofficially, control Kenya's affairs to-day.

But this, after all, is not really a criticism of Indirect Rule. Lord Lugard, we may assume, had no intention of holding up African progress. It is in their misapplication that his principles are rendered weak. As a matter of fact, they have not been generally applied in Kenya because such application would demand administrators uninfluenced by interests other than those of the African.

It is rather difficult at first to understand how the education Lord Lugard favours is to work towards the aims of Indirect Rule. Perhaps there has been too much stress put on the word "utilitarian" in describing it. Perhaps it is unfair to attempt to describe its principles so simply. Let us, therefore, consider the following statement of those

11. c.f.: L. S. Amery, supra. 58.
principles by Lord Lugard himself. He wrote

In the past, education has been confined, on the one hand to the so-called 'literary' or classroom tuition of a small and chiefly urban minority, on the model of the schools of Europe, and generally by means of the same text-books, abounding in illustrations and metaphors wholly incomprehensible to tropical races; or alternatively to the purely utilitarian instruction of the workshop. Both have aimed at supplying the requirements of a material development—of clerks and accountants, or of artisans and skilled workmen. The larger conception of today, while not ignoring these necessary objects, realizes that the primary task of education is to raise the standard of life and the moral plane of the community, and not of the individual alone. It recognizes that the advent of Europe in Africa must inevitably tend to break and to undermine the sanctions which have hitherto controlled the actions of the individual. These controlling forces may, no doubt, be contemptuously stigmatized as gross superstitions, but that is only to say that they are based; equally with our own religious conceptions, on a belief in the supernatural and spiritual. They also have their roots deep in the conception of tribal loyalty. It is, then, the task of education to substitute a new code and to erect new landmarks when the old are swept away by the incoming tide of new conceptions. It will help to bridge the chasm between the old and the new.12

There can be nothing reactionary or static in an educational system truly fulfilling these aims.

Some critics of the policies of Indirect Rule say that they cater to the belief that the African is mentally inferior to the European. This is unfortunately true, if these policies are to be judged by their results in colonies such as Kenya where the settler population has a voice in their application. But it is important to note that saying the African method of thought may be different from the European does not imply that the African mentality is inferior. Though

one may not accept in detail much of the psychological work that was touched on in Chapter II, it is fair, I think, to postulate that, owing to the difference of environment, the thought of the African is fundamentally emotional while that of the European is characterized by a reasoning attitude. The rejoinder of the critics of Indirect Rule would be, it would seem, something like this: the native is to be led to emancipation under the civilization of the West. But the main handicap to his evolution is his not having the environment that fosters the necessary Western mental processes, why then, slow up his evolution by the forced conservation of those ancient customs and modes of existence which made him what he is? For these features, passed on from generation to generation, have gone into the development of a culture which requires no more for its maintenance than the illogical, superstitious, unreasoning mentality of a child. Why, say the critics, should the African not be given his European education along the same lines as the European child?

It is the European philosophy of education, which has made Western mentality what it is, so different from the African. The answer seems to be fairly obvious. It is found in the last sentence of the quotation from Lord Lugard and is stated also in the following lines from E. W. Smith's, The Golden Stool. He speaks of the profound in-calcuable transformations that are being so rapidly produced in Africa and says;

It is the relative suddenness of the change that is so disturbing. But yesterday, the vast majority of Africans lived in a secluded world as their forefathers had lived before them, with the very dimmest notions of any more spacious universe. Now amongst them the energetic white man has forced his way, with his railways and motor cars—. No wonder the African feels that he is being hustled. The pace is too rapid. Changes that normally take hundreds of years are being brought about in a generation. The African is called upon to take a prodigious leap out of the prehistoric age into the twentieth century.

Therein lies the answer. The systems of European education, the philosophy behind them, the minds that react to them are the product of an age-long evolution. It is obvious that the African could not be expected to make in a generation the transition which the European took so many centuries to make. It should be remembered too, in the matter of education, that the social organization of Africa had evolved no systematized accumulative education before the advent of Europe. African children underwent a course of training intended to help them take their place among their fellows in a primitive, unprogressive social scheme. There was no zeal for learning as a thing of value in itself. So it can be seen that the task that confronts the African is not merely that of adapting himself to a new education but also that of leaving behind his former training in traditions.

The majority of the Africans are not yet in a

14. There is a striking resemblance between the "savage" conception of education and that of certain totalitarian states of to-day. The European child, like the African child, thinks as an individual. The traditional education of the African aimed at changing the individualistic outlook of the child to train him to think as a member of a group. The education of Europe since the Middle Ages has centred in the individual. But not so to-day in Italy,
position to utilize a European educational system. An ex-
ception must be made for that small percentage of outstanding
negroes who have learned to put western education to its best
uses. But the vast majority must be given that education in
some system compatible with their methods of thought.

This can come only from the cooperation of the
educator with the social anthropologist who has the key to
the problem of African education. The advice of the anthro-
pologist is to develop a system of education which will engraft
on native tradition the reasoning attitude and the zeal for
learning which characterize European training.

Again it is a question of a juste milieu. The
most that utilitarianism in African education can do is to
teach the black to take his place as an efficient producing
unit in a western economic society. At the other extreme, a
too academic education will fail to supply the transition
that the African needs. If the African adopts it at all it
can, at best, tend only to make him an imitation European, a
being out of place in both white society and the society of
his own race from which he will alienate himself.

It is one of the finest characteristics of
Indirect Rule that it regards the African as the possessor of
a distinctive character of his own, not as a primitive savage,
lacking any traditional culture. The system of education
which derives from such an attitude is the one which provides
best for the future of the black and, everything considered,

14. (cont.) Germany, Russia. Once again Europe swings to
educating the individual in group responsibility.
is the one which gives the most promising and probable picture of things to come. It shows the way to a new and rich African civilization, which will not be just a poor imitation of the European. Further, especially in Kenya Colony, it counteracts the African's growing realization that he has been and is being economically exploited, by showing him that perhaps Britain's or Europe's aims in Africa are not solely selfish and greedy.

In considering the particular problem of native education in Kenya, we must remember that here the system of Indirect Rule has had no wide and successful application. The concessions which the settler population has made to progressive native administrators have been only in the nature of sops to adverse criticism in the Mother Country. So, in saying that the Indirect Rule Educational principles may bring hope to the Kenya native, we must postulate either the education of the Kenya European to his actual position or the ignoring by the Colonial Office of the settler's demands that his interests must supercede those of the African. In this respect the history of Western education for the African in Kenya Colony to date gives little promise that the European will change of his own accord. It will be some time before the white settler admits that he will not always be a member of a society which, as Dr. Edgar Brookes wrote of white society in South Africa; "has come to represent that of the Athens of Pericles—an educated democracy, resting upon a foundation of what, when all hypocritical periphrases are swept away,
is really slave labour."

To the efforts of the missionaries of the Christian churches, native education in Kenya, as indeed in all parts of Africa, owes its birth and its continued existence. In 1918, Mr. "Quali", referring to the various sections of the white community in East Africa wrote in the Contemporary Review "let it be said that the missionary is the only one party that has done its part, and done it thoroughly too, within the limits of men and money available."

Following close upon the footsteps of Speke, Burton, Livingstone, Stanley—the men who opened East and Central Africa to Europe--came the missionaries. In fact, when Stanley left Zanzibar in 1874 for his three-year trek across the continent, Bishop Steere was already at work on the island and a Roman Catholic mission had been built at Bagamoyo, on the mainland. 1875 found Stanley teaching Christianity to old Mutesa, far up in Uganda, and urging the Church Missionary Society in England to do their duty by the Africans. The challenge was quickly accepted and in April of 1876 Alexander MacKay led the first British missionary band into the hinterland of East Africa. We all know of the hardships that the missionaries of all denominations underwent in the years that followed. The death of Bishop Hannington at the hands of Mwanga and his warriors is typical of the spirit


of these early missions. But unfortunately, it is no more typical than was the war between the followers of the different Christian sects which the then Captain Lugard was called upon to settle. It is this unchristian sectarian wrangling which has been the drawback of missions and mission education in East Africa. Moreover, the missionaries failed to appreciate the significance of the effect of European contacts upon African institutions. Too often they insisted rigidly upon the immediate abolition of such things as initiation rites, polygamy, etc. It is to all these mistakes that Norman Leys and others lay the rapid spread of Islam in Kenya and the feeling of some administrators that the Moslem faith is more suitable to African needs than is the Christian.

And yet, until very recent years, the education offered by the missions was the only one available to the African. Even now in Kenya, it is the avowed policy of the government, to leave the education of the mass of the natives in the hands of the church schools. It is cheaper to subsidize these establishments than it is to build up a system of state-owned public schools. The policy was officially stated in 1919 in the Report of the Educational Commission of the East Africa Protectorate. The report stated:

A mass of evidence has been taken from missionaries and others on the question of Native education, and the conclusion arrived at by the Commission is that the best method of furthering education among the Native population, apart from the Coast Mohammedan Native is by means of the organization which already exists among the various missionary bodies.

If the education of the Natives is left, as the

17. this was the year previous to the founding of Kenya Colony.
Commission suggests, to the various religious bodies at work in the mission field, it is obvious that Government must assist in providing the necessary funds, and having done that, it must take steps by inspection and advice to see that the money is properly applied or rather that it is getting good value for it, and, more important still, that the education is sound and on the right lines. For education to be sound it will be necessary to train teachers. This is now being done by missionary societies, and should be so developed that instead of being taught to read and write by the most primitive methods, the Native should be educated, in the correct sense of the term, whether it be in a secondary school or in a village school. The Commission lays great stress on the creation of efficient normal schools. 18

These paragraphs state, in general, the outlook of the Kenya Government towards the education of its native wards. The extent to which Government actually took responsibility upon itself has increased. Perhaps it was the fact that the affairs of the colony became matters of international interest with the publication of the 1923 White Paper that accounted for the increase. The White Paper made the notable pronouncement that,

There can be no room for doubt that it is the mission of Great Britain to work for the training and education of the Africans towards a higher intellectual, moral and economic level than that which they had reached when the Crown assumed responsibility for the administration of this territory. At present special consideration is being given to economic development in the Native Reserves and, within limits imposed by the finances of the Colony, all that is possible for the advancement and development of the Africans, both inside and outside the Native Reserves will be done. 19

This was the declaration of a Government which owing to her new position as a mandatory power was finding her


Colonial affairs under the scrutiny of the world. This was the most tangible statement of the manner in which the trustee nation was going to protect native interests. It is too bad that, as usual, the safeguarding "within the limits imposed by the finances of the Colony" had to be included in the declaration. Britain had declared that it was her policy that her colonial trust should be administered up to the standards demanded of the mandatory powers by the Covenant of the League of Nations. It is a fair criticism to point out that this regulating of colonial educational expenditures according to the finances of each individual colony is incompatible with the attainment of such standards. This unification of the administration of the backward races of the Empire is the greatest duty that the Colonial office can perform.

The handling of the finances should be the concern of the central authority. Such centralization need not be stultifying since the standard of colonial education which would be established need not be too standardized. The central authority could distribute the monies paid into it by the natives of the Empire according to the numbers of the population of each colony; the local education officials could apportion the training given their charges to the Natives' needs.

In Kenya much of the funds intended for native education or other native welfare work has been side-tracked to the white settlers. The influence of the settler organi-
zations, again, upon the administration in the matter of the expenditure of local funds that has throttled native progress. If the tax-money paid by the natives was administered from an independent fund the native might get a fair deal. But we shall say more of the actual expenditures in Kenya later. Meanwhile it should be remembered in considering Kenya's native educational system, that only a pitifully small fraction of the colony's funds goes to the support of the system.

The Church Missionary Society and the Church of Scotland Mission have, in the past, shouldered most of the burden of Kenya native education. The operations of the former are carried on over a much wider area than are those of the latter. But this disparity is due to a difference in policy. The Church of Scotland, with the end in view of thoroughness has tried to concentrate its activities and has concerned itself mainly with work among the Kikuyu tribe. A third Christian denomination, the Society of Friends, carries on a great work among the Kavirondo. Another, the Africa Inland Mission, attends to ten stations, seven among the Ukamba and three among the Kikuyu.

In addition to these four large organizations, there are seven other Protestant bodies in Kenya. Work is carried on in the Coastal Province by the United Methodist Mission. The Gospel Mission, an American organization, also has three stations in the Kikuyu Province. Another powerful American organization, the Seventh Day Adventist, works from five centres down near the Tanganyika border. Finally, several independent Protestant groups work among the Kavirondo; namely,
Statistics of Primary and Secondary Education, 1933

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Schools</th>
<th>Number of Scholars</th>
<th>Average Annual Attendance</th>
<th>Number of Teachers</th>
<th>Total State Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>E</td>
<td>N-E</td>
<td>E</td>
<td>N-E</td>
<td>E</td>
</tr>
<tr>
<td>1931</td>
<td>27</td>
<td>2359</td>
<td>1494</td>
<td>104,547</td>
<td>1373</td>
</tr>
<tr>
<td>1932</td>
<td>27</td>
<td>1382</td>
<td>1590</td>
<td>80,896</td>
<td>1398</td>
</tr>
<tr>
<td>1933</td>
<td>29</td>
<td>1599</td>
<td>1639</td>
<td>100,912</td>
<td>1505</td>
</tr>
</tbody>
</table>

E = European  
N-E = Non-European

(i) excludes administration  
(2) In 1933 the recurrent and extraordinary expenditure on education from public funds was: — Administration £15,710; African £70,595; Arab £5975; European £42,400; Indebted £31,675

(a) Empire Parliamentary Association, Report, 1933, 51
### Private Schools in Kenya
(Chiefly Church Schools)

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Schools</th>
<th>No. of Scholars</th>
<th>No. of Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>E  N - E</td>
<td>E  N - E</td>
<td>State-aided</td>
</tr>
<tr>
<td>1931</td>
<td>11  2313</td>
<td>317  99,030</td>
<td>286</td>
</tr>
<tr>
<td>1932</td>
<td>13  1326</td>
<td>452  74,762</td>
<td>252</td>
</tr>
<tr>
<td>1933</td>
<td>15  1537</td>
<td>526  94,346</td>
<td>299</td>
</tr>
</tbody>
</table>

*Empire Parliamentary Association Report, 1933; 57.*
the African Institute, the Nilotic Mission, and the Lumbwa Industrial Mission, all run by able American workers.

Besides these Protestant missions, three important Roman Catholic missions have worked in Kenya for many years. The French Order of the Holy Ghost carries on a widespread work around Mombasa, in Tanaland, and among the Ukamba. The Italian Catholic Mission has fifteen stations among the Kikuyu, the largest being at Nyeri. The St. Joseph's Foreign Mission Society or the Mill Hill Mission which was organized in the Uganda, but has worked in Kenya since 1903 when the Kavirondo Province was annexed, carried on an important technical education work at Kakamega, the centre of the new gold mining area of Kenya.

Prior to the Great War the Government of the East Africa Protectorate took little interest in Native Education. Almost the sole departure from this policy was made in 1913 when a technical school was founded at Machakos. At the same time a grant was authorized to the mission schools for each indentured native apprentice.

Between this year and 1924, there was little in native education except the findings of the 1919 Commission and the various declarations of the 1923 White Paper. In 1924, however, the findings of the Educational Commission were worked into an Education Ordinance which created the mechanism of present day native education in the Colony. As recommended by the Commission the relation between mission and government educational effort was made clear and, further, a new Central Advisory Committee with various subsidiary district committees
was provided for. These latter committees were to be comprised of representatives of the various Local Native Councils, of European organizations as well as of certain officials who were nominees of the Government. It should be noticed that, as usual, the settler community was given a powerful voice. One wonders why the whites should be represented at all on these councils. Even if the education of the children of the Local Europeans were in the hands of the same committees the settlers would not deserve as much voice as they have. But such is the way of things in Kenya.

Surely the fair thing to do would be to make the education of the black children, through a proper system of Local Native Councils such as thrives in other non-settlement colonies, the concern of the Africans themselves. Let the Europeans, with support from the Government in the ratio of their contribution to Kenya's finances, concern themselves solely with their own educational problems. This would seem the logical outcome if the plan, adopted in 1926, of letting each community in Kenya pay for its own education were really followed.

If all settlers were of the stamp that wins the respect of the African there would certainly be no objection to a strong settler representation on the District Committees. But such a statement need hardly be made, since, if the settler population of any colony were unselfish and awake to their position there would be no race problem such as that in Kenya to-day.

But something now of the facilities provided
for native education and of the curricula used. As has been said, this education is of two main types; church education and government education. The increase in the latter form should not be taken to imply that the missions are relaxing in their work; far from it. Church schools to-day, however, are in some ways different from what they were before 1924. This is due to the measure of secularization that came with the acceptance by many church schools of government subsidy.

Richard C. Thurnwald considers education in East Africa under the headings; lower education, practical training and higher education. There is no reason why this grouping should not be used for our purposes here.

Under the heading of lower education comes the training given by the three most common types of schools in East Africa: "bush", "village" and "tribal". Under the second category come, first, the famous Jeanes School at Kabete, near Nairobi, and secondly, the various technical institutions which train the native in agriculture, trades and handicrafts. Lastly, come the institutions of higher education: the Central Schools, as they are called, and the great Alliance High School at Kikuyu.

It seems to me that, insofar as Britain's mission in Kenya is concerned, the amount of money and of effort put into giving the system of elementary education that the natives need must be considered as by far the greatest test of humanitarian motives. It is a good thing to assure

facilities for higher education to the small percentage of Africans who are able to afford it, but it is a far greater object to bring European education, even the most elementary forms of it, to the masses of the people.

It must be remembered that, as things stand today, the African boy who goes in for higher education, or even, as will be seen, for certain types of technical education, is alienating himself from his tribe. He cannot be expected to return to his home on the reserve in order to take his wonted place in tribal society. For his European education is, as already shown, something entirely alien to the African tradition. As it is, higher education is a disintegrating factor in native life and, more important, one which works against the principles of Indirect Rule.

The first thing that the European educator in Kenya must do is to devise the proper curricula for elementary education aimed at bridging the gap between the African and the European conceptions.

The missions were in a position, to a certain extent, to supply the needed transition. It can, I suppose, be assumed that the primary aim of the missionary, when he founds schools for the African, is the preparation of native converts for baptism and for taking their place in a Christian community. Mission education is an education based upon a system of morality and, as such, has certain features in common with the African conceptions. In the early days of education in East Africa, the missionary approach was probably the only possible one which could bridge the gap between the
old and the new. But as increasing racial contacts stirred the African to a desire for education of a different sort from what the missions could give, the government was called on to supply it. At first government expenditures were mostly in the higher fields and for a chosen few among the Africans. But government effort in the field of lower education has begun throughout East Africa though, in Kenya, as yet it has reached only pitifully small proportions.

So, in the field of lower education, there are the two distinct types of school: the "bush school" run by the missions and the "village school" run by the government. The tribal school, a third, yet not so distinct, type is the enterprise of the local native administration and is controlled by the District Officer and the leaders of the local Native Council. The building of these tribal schools all over East Africa is one of the surest signs of the progress of the African and of his demand for education, a demand which is so great that he is willing to pay for these schools over and above his already heavy taxation. In 1931 the Local Native Councils voted £17,000 of their funds to education. Referring to the significance of the vote, Lord Moyne quotes the Director of Education of Kenya who said in 1931

The African position is worst of all. The demands for education are insistent. The need for meeting these demands was never more urgent. This service should not be allowed to suffer especially when the shortage of revenue is likely, in the main, to be a shortage of revenue derived from Europeans and not from Africans.

22. ibid., 30.
For, the first thing the Government did when it felt the pinch of the depression was to cut down the estimates for native services.

The native education of Kenya is graded into two Substandards, as they are called, and six Standards, in the manner of the English form system. The two Substandards aim at acquainting the native with the strange life under the European educational system. These two years might be termed kindergarten years in that they serve as an introduction to the education that is to come. The Substandards and Standards One and Two are taken in the institutions of lower education, the bush, village and tribal schools.

Yet there is a fundamental distinction between the bush school and the village school apart from difference in sponsor. In the latter there is a much more rigorous insistence that each pupil conform to a stiff programme of studies. The church schools boast that their aim is to bring learning to the African as a thing of inherent value and deny any marked desire to give a modern utilitarian education. This attitude, of course, is quite in keeping with the missionary's task. But, as a result, the bush schools have no system of written examinations and no limitations as to the age of the pupils. Furthermore, there is no insistence upon strict attendance to school work. Attendance at the bush school tends to become more and more intermittent. For, as the term progresses the African displays increasing apathy toward systematized and sustained effort directed to a goal which he has not yet learned to value. Thurnwald and Westermann both stress

23. See Westermann, Deidrich, op. cit., 42.
this fact, that the average African while he wants European education, objects to and does not understand the long, and to him, tedious years of application required in attaining it. For example, most schools insist that each pupil must tend a garden plot along approved European lines. The African objects to this as he does not associate agriculture with the education of the West. Or put it this way: the Native thinks of European education solely in terms of those factors which seem strange to him. He sees it as a process of learning a new language, of learning the intricacies of numbers, of learning the handling of machines. But things which are common to education the world over, European and African both—such as moral training and discipline—these seem to the African just so much waste effort. He wants to be given at one gulp the things which to him mean western education without any process of assimilation. That is partly what Westermann meant when he spoke of the need of teaching the native to value the agricultural training which would improve his life on the Reserves.

The rather easy-going attitude of the bush school allows the native to attend school irregularly, to go home to his accustomed environment when so inclined. So the average mission school pupil takes perhaps two years longer to complete the curriculum than does the pupil of the village school, where four years is given to the Substandards and the first two Standards. One cannot but feel that, in many ways the mission school attitude is the one most in line with the

ideals of Indirect Rule and that the declaration of the 1919 Educational Commission was a well-considered one.

Before passing on to the subject of technical and special training in Kenya, let us consider the all-important subject of the language of instruction. The French Government, in its Colonial Empire does not hesitate about the language in which the African is to be taught: there is no thought, under Direct Rule of saving African languages. But in British East Africa it has been the custom both in the instruction and in the official correspondence of the native administration to use Kiswahili or, as it is called, the Swahili dialect as a sort of *lingua franca*. Swahili, which was the only written language of East Africa, is simple to learn as languages go. It was spoken by the Swahili tribe of the Coastal Province and was naturally the first one encountered by the European. In the day of the Chartered Company and even back in the days of the Arab Empire, the Swahili dialect was the language of trade. It was impossible for the Europeans to acquire the scores of Bantu vernacular languages and just as impossible for the Bantu, lacking the facilities, to overcome the difficulties of English. So the middle tongue, the Swahili, with its fairly wide distribution and rather simple construction, was chosen. To-day it is the language of official communication in Kenya native affairs, and is, for reasons to be explained, a growing language, as far as native education is concerned.

*Lower education must, of course, be carried on*

25. *Supra 68.*
in the vernacular language of the tribe concerned. This is where the missionary, with his long residence in one native area, has the advantage over the government employee who is continually being shifted from one language area to another. Canon Leakey speaks strongly against this continuous changing around of personnel, for no sooner does a teacher or a District Officer master the language of his native charges than he is required to start all over again in some new language area.

When the African passes from the bush or village school into the Central School, he is given his instruction, generally, in Swahili. For now the school population consists no longer of members of one tribe or of one language group. The higher forms in the Central schools, however, are given a measure of instruction in English, which is, after all, what Swahili has not yet become, a literary language. Finally, when the High School which is roughly equivalent to the American junior college is reached, instruction is all in English.

But the question of the use of Swahili is fast becoming more than a question of convenience. The spread of the language throughout East Africa is one of the signs of changing times.

Perhaps the most conspicuous concomitant of the European way of life is the parochialism of western and of westernized nations. Strong nationalistic sentiment, strange

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26. It has been Colonial Office policy to give its employees a general acquaintance with colonial problems by this shifting around of personnel.

to Africa, is the birthright of the European. Norman Leys places the growth of a linguistic unity in East Africa as one of the most important signs of the birth of a new East African nationalism.

After all, if we favour the principles of Indirect Rule expressed figuratively by L.S. Amery, this growth of African nationalistic sentiment is an inevitable and desirable result. In these days of totalitarian states it is hard for one to believe with De Kat Angelino that "the key to every colonial policy lies in the appreciation of the essential solidarity of humanity as a whole and the elimination of racial pride." Leonard Barnes has said "An honest mandate system— is bound to be, first, last and all the time, a school of native political independence. Our power to impart knowledge and the appetite for freedom is our one equitable title to act as trustees."

Canon Leakey objects to the spreading use of Swahili which would entail a huge waste of effort on the part of administrator and teacher both. True, it does entail what appears on cursory examination, to be useless work. It does seem strange that two races, should have to communicate in a tongue strange to both of them. Further, as Leakey says,

29. Supra, 58
Swahili is not a literary language. So why not begin as soon as possible the general teaching of English?

But, taking a long view we can find several important factors in favour of Swahili. Some have been mentioned. The most important of these is, that Swahili, easy to learn, and yet distinctive and African, can give to East Africa a linguistic unity now unknown. This, with the acquisition through Indirect Rule, of the best features of our civilization, will give to the African a strong, distinctive culture of his own. Further, it is a language which just like our own tongue, can easily develop into one suitable to the demands of accumulative learning.

Let us pass now to a brief consideration of the facilities offered in Kenya for specialized education. The most interesting of these special schools is the Jeanes School, at Kabete, named in honour of the founder, an American Quaker. Schools of this type are found in Kenya, Nyasaland and Northern Rhodesia. The Jeanes system is one of the most interesting and promising developments in the history of native education. Its aim, generally stated, is, like the aims of Indirect Rule, to raise the general level of African living standards and efficiency. The methods used are unique. Young Africans, trained, in the Central schools, to teach their fellow blacks, come to Kabete. There, these teachers are trained in better methods of agriculture, live-stock raising, the principles of hygiene, public health, better housing, child-welfare, etc. Each Jeanes teacher is given his own farm-plot at the school. If he brings his family with him, he is given a neat little
house and garden to run according to European standards. The ultimate aim is to build up a corps of visiting native teachers and welfare-workers to spread their knowledge throughout the Reserves. These people can perform such a task for the reason that the Jeanes School training, not being of an intellectual nature, does not necessarily cause a gulf between the teacher and his fellow blacks. The Jeanes teacher does not automatically drop into the class, which is causing more and more worry to the administrators: the European-educated, "detribalized" natives, who, estranged from tribal life, flock to the towns and form a body of dissatisfied, misfit black "intellectuals".

All writers stress, however, the enormous obstacles the Jeanes teacher must face when he returns to his Reserve. Thurnwald quotes J.W.C. Dougall, one of the promoters and founders of the school at Kabete, who says "the Jeanes teacher goes back to his district to battle with custom, prejudice and disease, to teach and to inspire his people with enthusiasm for new things, and to do this without losing or wasting whatever may be of value in native life and custom as it is now—to remake rural Africa."

As has been seen, the type of native education favoured most by the settler community is technical education. This has two features which win it favour with the Europeans. First of all, it makes the African a more efficient producer and artisan to take his place in that new proletariat based on raw materials to which Julian Huxley referred. Secondly, and

32. Thurnwald, op. cit., 343.
33. Huxley, Julian; Africa View; London; 1931; 129.
of more immediate importance, technical education for the African fits him to take the positions in Kenya life now filled by Indians. So rapidly is this replacement going on that already the Indians are beginning to leave the colony, forced into unemployment.

Some of these technical schools are operated by the Government. But many requiring less specialized and expensive facilities are attached to the various mission stations. It should be remembered, though, that a young African who has learnt a trade or a profession, leaves his Reserve for the centres of white population just as does the intellectual black. A man trained as a cobbler, a tailor, a worker in concrete, etc., can as yet find no great scope for his labour on the reserve. Yet, so far, this class of detribalized craftsmen has found little difficulty in finding employment outside it. In fact, as Thurnwald says, they are perhaps the most balanced and happiest of the "New Africans".

The case of the African trained as a clerk or an accountant is much the same. These natives, however, are beginning to find employment on the Reserves as the Native Authorities are strengthened in line with the policies of Indirect Rule or rather, in Kenya, in line with the Dual Policy.

Then, too, under the heading of technical training comes the very important work of preparing native specialists for the medical and agricultural services. The Hilton Young

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34. See Thurnwald; op. cit.; 1929.
Commission, Mr. Ormsby-Gore in his 1925 Report, the Joint Select Committee of 1931, in fact all students of African life stressed the role that the African worker in the scientific services must play in the future. One has only to read of Lord Delamere's efforts at cattle and sheep-raising, of his futile attempts to develop rust and blight resistant grains, to understand the task that the agricultural researcher must face. And the same applies in the case of the African medical assistant or dispenser, who is trained for his semi-professional work at the government medical centres. It will be long years before native doctors can be trained in sufficient numbers to carry out any great work. But the training of these dispensers is a comparatively simple and quick task. They can then carry their knowledge home to the Reserve to augment the pitifully small government appropriations for native medical services.

At the Scott Agricultural Laboratories at Kabete young Africans are trained as native agricultural instructors and, as apprentices of the Kenya Department of Agriculture, go through a course of lectures and of practical field work. The training of medical dispensers is done mainly in the Nairobi hospitals, where intelligent boys are given a three to six

35. See Cmd. 2387 (1925)


37. 1931 Government expenditure Total £222,897 divided thus: Native Services £124,642, European £24,527, Asiatic £460. (See Cmd. 4093, op. cit., Schedules 5 to 9)
months' course and are then allowed to settle in a chief's or subchief's area and to dispense medicine to the natives free of cost. This is one aspect of the government's attempt to combat the age-old faith in the sorcery and quacks that constituted African medical practice.

We come now to the consideration of higher education in Kenya. In the past perhaps too great a portion of government educational expenditures has gone into expensive institutions of higher education for the children of chiefs or of the wealthier natives, who could afford to pay high tuition fees. The difference between the function of higher education and of the education we have considered so far, especially that of the bush and village schools, can be stated thus:

Higher intellectual training can be afforded only by an elite, a minority. It implies a certain isolation of privileged individuals. Instruction, as an instrument of adaptation, has to use, so to speak, both ends: the masses and the individuals. The Jeanes School endeavours to elevate the people as a whole. Higher education, through the central schools, helps the individual.

Yet the curriculum of the central school requires, most of all, the utmost forethought. Here what is needed most is not large-scale development so much as careful and calculating development. In these first institutions of higher education the teachers of future generations of Africans are trained. In Chapter II we discussed the transition that takes place in the European between the child mind and the adult mind. We saw that modern psychology assumes that the primitive mind undergoes

38. Thurnwald; op. cit., 251.
no such transition. This is a very important consideration to us here.

If the lower education given to the African is compatible with the demands of his evolution and if all other factors in his environment are made to favour that process then a new native mind ought to evolve gradually. In it the transition would take place. As in our High Schools the curriculum is suited to minds undergoing such change, so too must the curriculum of the Central Schools of Kenya be suited in the future. One might say that the reaction of the African youth to the Central School education will in future provide the best test of the progressiveness of the Government's Native Administration, whether the system be that of Indirect Rule or not.

As it has been, East African Central Schools have not proved generally effective. Much money has been sunk in expensive institutions such as that at Tabora. These schools have sought to train the sons of chiefs and wealthy natives. The failure of several has been due to the failure to appreciate the change that European contacts have wrought in African life. The Tabora School failed because native society was by no means as stratified as the founders of the costly institution imagined.

But gradually the Central School is being developed to fill its true place in Kenya life. In these the upper two Standards are taught. At present the Central Schools

39. Thurnwald; op. cit.; 252.
aim mainly at turning out African teachers. These men and women will go out to teach their fellows in the Reserves. Granted, say, Indirect Rule, with its strengthening of Native Authorities (especially in finance administration), the native educational system should eventually become entirely Africanized.

Several Missionary bodies; i.e., The Church of Scotland Mission, Church Mission Society, the Africa Inland Mission, the Methodist Mission and the Gospel Mission; sponsor the only institution in Kenya offering any university training to the Africans. This is the great Alliance High School at Kikuyu. A grant is received annually from the Government of Kenya.

The training given in the Alliance High School in the first two years is roughly equivalent to two years at an American university. The school is divided into "forms" rather than "Standards". Though five forms are planned for the school, as yet only three have been attained.

How limited the need of the Africans for such institutions is as yet, is shown by the attendance. Though the students fees of 100 shillings each per year are often advanced by the Local Native Councils only 89 students were in attendance at the time of Thurnwald's writing. Of these 36 were in form I and 18 in Form II.

But as the years pass the need for Higher Education will grow. As the African population becomes more and more sophisticated so will the balance of expenditure upon

40. Thurnwald; op. cit.; 261.
the different types of education come to approximate that of western communities.

It is obvious that new educational values will evolve. It will then be the task of the Kenya government to take its full share of the burden of education. For mission education will meet only a small fraction of the needs of a westernized native society.

But if the process of native development is not to be hampered there are, as we have seen, certain immediate reforms needed. A system of Indirect Rule could bring these about. Under Indirect Rule, for instance, the natives could administer the spending of their own contributions and no native taxes would go to support of the non-native population.

Finally there is one more important need that must be considered. Before the education of young Africa can succeed the adamancy of the older generation must be overcome. In Indirect Rule colonies this has been done through the association of the older and more conservative elements with the Native Councils. All natives must be considered in the Kenya scheme of education. As Victor Murray says:

In the swiftly changing conditions to-day this sympathy and understanding must be extended both to the older and more conservative generation who maintain their ancient faith and customs, and to the younger elements of the community who have become converted to Christianity and seek an outlet for their ambitions through education. And herein lies one of the most difficult problems facing the administration to-day, that of helping and guiding this increasing class, upon which so much of the future of the country depends, to find and take its right place in the community. 41

41. Murray, Victor; loc. cit.; £35.
Chapter IV

Native Labour in Kenya

1. The importance of the question
2. Labour supply and demand in Kenya
3. The African's attitude to labour
4. The uneven burden of the Labour demands
5. History of the labour problem in Kenya
   ----settler demand versus official policy
6. Labour recruiting in Kenya
7. Official policy at present
8. Labour Laws
9. The Native Registration Ordinance
10. Indirect Rule and the labour problem.
CHAPTER IV

NATIVE LABOUR IN KENYA

The factor which has the most immediate bearing upon the future of the white community in Kenya is the crying need for readjustment and reform in the labour field. What Dr. Edgar Brookes said about the South African labour situation can be specifically applied to Kenya. Julian Huxley remarked about the Kenya labour situation that the choice between production for profit on the part of the native themselves and the continued regimentation of black labour in favour of European farmers must be made and that soon. But apart from this important phase of the labour problem there is another and more startling phase. For in Kenya the whole question of labour is bound up with the question of land and of native reserves. This inter-relationship is just another proof of the complexity of that colony's race problem. The more one thinks of it the more one realizes the significance of the statement, already quoted, in the Hilton Young Report that "No clear-cut division of subjects into those which do and do not affect native policy is possible."

1. See supra III; also see Leys, N., Last Chance in Kenya, Chapter XII, "The New Slavery". London; 1931.

2. Supra 57.

But it is evident that our main concern must be with the more apparent features of the problem of native labour. The most important of these is the choice that must soon be made between a labour policy compatible with Indirect Rule and the impossible and anomalous adjustment demanded by the Kenya Dual Policy. This policy demands as the Ormsby-Gore Commission said "the complementary development of native and non-native communities." The same report said further, that "East Africa can only progress economically and socially on the basis of full and complete co-operation between all races." There is not much prospect of such a balance being struck in Kenya.

The key to the situation in Kenya as regards labour can be found, I think, in the following statement; "Adequate native reserves can take in Africa the place of trade unions, and help the native to maintain a proper standard of wages for his labour by providing him with a protection against being forced to bargain at a disadvantage." Now the nature of white settlement demands that the natives come off the reserves in order to meet the need for black labour on the white man's farms and in his industries. The labour supply in Kenya is seldom equal to the demand. So the policy of taxing the native to such an extent as to make it necessary for him to leave the Reserve and enter European employment has been constantly demanded by the whites. These demands have, in fact, been

5. ibid. 23
somewhat acceded to by the administration. Then, too, another settler demand has been for the strict limitation of Reserve land in order to assure that, as the native population expands, the overflow from the Reserves shall enter the labour market. Settler committees said before Governor Sir James Hayes Sadler's Labour Enquiry Board in 1908 that "the land set aside for Native Reserves should be limited to the present requirements of the natives; the committee being of opinion that the existence of unnecessarily extensive reserves is directly antagonistic to an adequate labour supply." The other policy, that of taxation to force the native to come out to work, was stated as follows by The Times correspondent in Nairobi on March 9th, 1925: "A popular theory is that the native taxation should be increased, the argument being that the more the native is forced to earn for the State, the longer he will have to work."

While it is important that this question of white demand and black supply of labour in Kenya be thrashed out, it is even more important to consider the reaction of the native to the requirements of the new economic order.

First let it be said that the belief that the African is lazy by nature, that the indigenous system was such as to demand no organized and sustained effort, is utterly false. Lord Lugard says there are few races who are more naturally industrious. When the African is apathetic towards

7. Ross, W. MacGregor, Kenya from Within; London; 1927; 92.
8. Ibid., cited 109.
entering white employment he should not be branded as a slacker.

The statement by Dr. Westerman quoted above explains the reaction of the native to the demands of the new economic order. In the traditional order there was not the characteristic of acquisitiveness which marks the greatest distinction between our western economic civilization and all other civilizations. The African inherits no zeal for gain and has no marked wish to provide for the future (that is, as far as the accumulation of worldly goods is concerned). As Orde Brown says "This shortsighted and improvident attitude towards life remains characteristic even when the conditions that may have justified it no longer obtain; the African is conspicuously disinclined to safeguard himself against possible misfortune, preferring to wait until it occurs before taking steps to meet it." The reason for the existence of this trait of the African character is well explained thus; "When others are open-handed, it must seem penurious to retain one's gains for one's own use; good luck for one meant benefits for all even in the case of earnings, and thrift was a most unpopular quality." A study of the different phases of the indigenous societies of Africa tends to make one doubt if Western civilization is such a gift for the African as it has been supposed. In these societies the individualism of the West had no place, the selfishness associated with individual acquisitiveness was practically non-

10. Supra 76.
12. Ibid., 10.
existent. The idea of a state in which the individual good is subordinated to that of the group is nothing new to us, it is true. But the western form of such a society lacks the good features of the African form. This difference may be due to the fact that the traditional Western economic and social unit has been the individual and, given a mass of such individuals regimented as in the European totalitarian states of today the typically western result is an acquisitive, selfish nationalism.

The fact should be kept in mind, then, that the reaction of the Kenya native to the demands of the white population is not the result of laziness. It is part and parcel with a racial antipathy towards labour for ends to which the African has not yet learned to attach any great value.

The traditional African society—as did any primitive society—consisted of three main groups: the hunters, the pastoralists and the agriculturalists. The main Kenya tribes fall into the last two classifications. The Masai however are traditionally nomadic pastoralists, as we have seen. The Kikuyu, Kavirondo, Akamba, in fact the majority of the tribes are agriculturalists. As with most pastoralist races, the Masai's have always been marked by pride and independence. Partly because grazing land was more plentiful than farm land there was more room for the Masai to retreat before the advance of the Europeans and to carry on their traditional customs. Not that land alienation did not affect the Masai. But European development ran more to farming than to stock-

raising. So the Masai, unlike the Kikuyu and the Kavirondo, have not been so trammelled in their development as to be forced off the Reserves.

But the agricultural tribes who inhabited the best farm lands of the Highlands have really suffered. Of these the Kikuyu, around Nairobi have endured most.

In proportion as the extent of alienation of lands and the tribal characteristics vary so does the availability of the tribe for white labour demands. The figures to demonstrate this are hard to obtain, but according to the Kenya Registrar of Natives, during the first three months of 1927, 72.28% of the adult males of the Kyambu-Nairobi (Kikuyu) tribe were under European employment, 64.45% in the Nandi, 48.22% in the North Kavirondo and 44.91% in North and South Nyeri. The Masai, however had only 25.28% at work and the natives of the Machakos district only 20%

It can be seen that the labour demand weighs far more heavily on certain districts than upon others. The distance of some tribes from the labour market also affects employment. It is obvious that the customary method of stating the number of natives needed to meet the demand for a certain year as a fraction of the total number of natives of employable age, does not by any means tell the whole story. The fact is that in certain tribes such as the Kikuyus--overcrowded in their Reserves, unable to earn at home to pay the tax impost--almost every physically fit male is forced to enter

labour contract. Either that, or, as many of the Kikuyu have done, the natives must take their families and go to live on some white farm as "squatters". There they give the white man their labour in exchange for grazing and tilling rights.

But whether the native is serving a labour contract or living as a squatter, he is away from the normal tribal life. That, for our purposes, is the important fact. The operation of a dual policy demands the development of white enterprise. This, in turn demands adequate native labour. But the same policy recognizes the necessity of developing the reserves in the interests of the African. Indirect Rule would of course demand that the latter interests only should prevail. It appears that the demands of both communities are incompatible.

From the year 1902 when the white settlers began to flock into East Africa, this problem of conflicting labour requirements began. From the first, land alienation was bound up with labour demand. Even by 1907 the demand had grown so great as compared with the voluntary supply by the Africans, who were loathe to leave their homes, that the British administration had begun to give aid to the new settlers in the procuring of workers. But by this time, too, the settler abuse of native labour had roused the administration to protest. A set of rules for the treatment of black employees was adopted. From this time on there has been friction between the administration and the settler population over the question of labour. By 1908 agitation for the repeal of these 1907 Labour Rules was at a head. The settlers insisted,
as they have done ever since, that the Government should pass measures to compel the native to work. As Lord Delamere, the settler leader said: "We have got to come to legalized methods and force the native to work; I hope that we may rely on the Government to meet the case." Nevertheless, the Rules were not withdrawn by the Governor. In 1912 instructions were issued from London directing the administration to stop official recruiting of native labour for private purposes. Since then, Government efforts to get the natives to leave the Reserves has consisted mainly of "encouragement" to labour such as was promised to the settlers by Governor Sadler. Most writers stress the fact that, in those early days "encouragement" from the Government was, in the native opinion, equivalent to a direct command.

The Kenya administrators have had to steer a precarious course between public opinion at home, which insisted always that there should be absolutely no system of compulsion to native labour in East Africa, and the demands of the militant settlers, backed often by the active support of the Governor. In 1917 Governor Sir H. Conway Belfield spoke out in favour of "humane and properly regulated pressure within the reserves, to induce natives to go out and work".

Lucy P. Mair says that progressive increases in

15. At this time Delamere was suspended from the Legislative Council for an alleged insult to Governor Sir James Sadler.


17. Ibid., 332.
native taxation in Kenya have not been aimed at forcing the native into the labour market. This statement is hard to believe in the face of the many available statements made by supposedly representative settlers and officials which seem to disprove it. Every now and again a farmer organization will bring forward some resolution concerning the need for a seasonal increase in native taxes to force the native into European employment at the periods of peak labour demand (which also happen to be busy seasons on the Reserves). Norman Leys cites the speech of the French-Canadian Governor of Kenya, Sir Percy Girouard in 1913: "We consider that taxation is the only possible method of compelling the native to leave his reserve for the purpose of seeking work."

The event that brought the labour situation in Kenya before the eyes of the English public was the publication of the so-called Northey Circulars in October 1919. The Governor, General Northey, followed the same principles of native administration as his predecessor, Governor Belfield. The general tenor of these circulars, issued over the name of the Chief Native Commissioner, Mr. John Ainsworth, can be judged from the following:

In continuation of previous communications on this very important subject, His Excellency desires to reiterate certain of his wishes and to add further instructions as follows:

(1) All Government officials in charge of native areas must exercise every possible lawful influence to induce able-bodied male natives to go into the labour field. Where farms are situated in the vicinity of a native area, women and children should be encouraged to go out for such labour as they can perform.

(2) Native Chiefs and Elders must at all times render all possible lawful assistance on the foregoing lines. They should be repeatedly reminded that it is part of their duty to advise and encourage all unemployed young men in the areas under their jurisdiction to go out and work on the plantations.

(7) Should the labour difficulties continue, it may be necessary to bring in other and special measures to meet the case.

Ross calls this Labour Circular No. 1 the high-water mark of exploitation by a British Government in our times. But what caused the excitement in England and led to the publication of Labour Circular No. 2, which toned down the original circular was the so-called Bishops' Memorandum in the same year. This was published by the Bishops of the Anglican Church in East Africa and Uganda and by the senior representatives of the Church of Scotland. The memorandum attacked the Labour Circular Policy of governmental pressure being used to compel native labour for private purposes. The memorandum did not, however, say that compulsory labour was an evil in itself. Such labour, if used for the national good, was condoned. However the Bishops' memorandum had its effect. The storm of criticism in England caused the Colonial Office to order the Kenya Government to alter its statements. The second Labour Circular came out on July 14, 1920. On this same day after

a debate on the Kenya labour policy in the Lords during which Lords Islington, Bryce, Emmett, and the Archbishop of Canterbury passed severe strictures on Government policy, a despatch was sent to East Africa by the Colonial Office which contained one of the earliest statements of the duality of Britain's policy in East Africa. His Majesty aimed, said the despatch "at the advancement and well-being of the native races in the Protectorate no less than the meeting of the settlers' requirements." But the tone of the rest of the despatch tended to vindicate the original circular. Nevertheless, pressure on the Home Government for a definite declaration against compulsory labour was successful and in 1921 a White Paper declared that the Government would no longer concern itself with the recruiting of labour for the settlers' purposes. This reversal of policy was due to the advent of Mr. Winston Churchill as Secretary of State.

So during the next five or six years a struggle raged between the settlers and the administration. Acute labour shortages whetted the Convention of Associations against the policy of neutrality. Gradually the Government retreated before the attacks. In February, 1926, a Conference of Governors of East Africa was held at Nairobi. At that conference, Governor Sir Edward Grigg of Kenya joined in a resolution in favour of the old policy of "encouraging" the native to work.


23. Cmd. 1509, A Despatch relating to Native Labour.
It was stated, however, that this work might be done for his own advancement, on the Reserves, if the native so wished, though it would be preferable if he would enter European employment. Grigg, in a speech before the Convention of Associations some time later, advocated a dual policy of development. But his speech was seized upon with joy by the settlers who in their praise of the Governor forgot entirely what he had said about the African's right to work for himself.

Buell intimates that the Kenya Government seemed to have gone back to the policy advocated in the first of the Northey Circulars. As he "puts it": "At present, the Kenya Administration would doubtless insist that there is no compulsion but merely 'voluntary pressure'--which appears to be a contradiction of terms." It seems impossible to find any material which would prove what Buell infers--that since 1926 the administration has applied a labour policy similar to that suggested in the Labour Circulars--however it must be noted that Sir Edward Griggs statements, which leave the Kenya native administrators in an uncomfortable position, apparently still hold as the stated government policy. That any policy of subordinating the labour requirements of the Reserves to that of European enterprise is contrary to the principles of dual development is evident.

Lacking active official aid, how then, is the necessary supply of labourers obtained by the white community?

25. Ibid., 341.
Just as in other parts of Africa, when a labour shortage looms, professional recruiters of labour circulate among the natives in the reserves obtaining signatures to labour contracts. In some colonies the recruiting is carried on by monopolistic labour bureaux. The Kenya native has, however, been spared this abuse. In Kenya, recruiting is carried on by "Labour Agents", licensed by the provincial commissioners. The operation of any labour recruiting system, whether carried on by Labour Bureaux or by individual agents is bound to be abusive as long as the African remains ignorant of his rights. Chiefs can be bribed by recruiters to compel their followers to labour for the white man. In the more progressive tribes, such as the Kavirondo and Kikuyu, the Native Welfare Associations function more and more in opposition to recruiting abuses. This is partly the reason for the settler aversion to anything in the way of an African association aimed at the protection of native rights. In the same way, the rapid growth of Local Native Authorities has served to counteract recruiting abuses.

The attitude of the British Government towards compulsory native labour was well stated in the 1930 White Paper, Memorandum on Native Policy in East Africa, issued over the name of the Secretary of State for the Colonies. The memorandum reiterated the principles stated in the Duke of Devonshire's famous White Paper of 1923.

The paragraph on native labour reads thus:

As regards labour, reference has already been made in a preceding paragraph to a principle to which His Majesty's Government attach great importance, namely
that the native should be effectively and economically free to work, in accordance with his own wish, either in production in the Reserves, or as an individual producer upon his own plot of land, or in employment for wages, whether within the territory within which he has been resident or beyond its border, subject to the proper statutory safeguards of the conditions of employment, and for such rates of wages as may be freely contracted for. Actual compulsion to work in private employment could of course, in no case be contemplated. This is already forbidden by law throughout East Africa, and the ideal which His Majesty's Government have in view is the gradual disappearance of even the two kinds of compulsory service which are still lawful, under severely limiting conditions; viz; compulsory labour for public services in case of emergency, and the compulsory labour for tribal services which is based on traditional tribal custom. It is essential that in these two surviving cases (which clearly do not extend to such work as railway construction even by the Government itself, or to employment by contractors or subcontractors on any public works), the power to call out compulsory labour should be most strictly limited to adult men in health and not disabled by age or infirmity, and carefully safeguarded against abuse, and that any such service should be closely regulated. These aspects of the matter will shortly be dealt with in greater detail in the proposed Convention, under the auspices of the League of Nations, to limit and regulate the use of compulsory labour, which is now under consideration internationally, and His Majesty's Government confine themselves here to stating the above main principles.26

This extract would tend somewhat to refute what Buell said of the uncertainty of Government labour policy. It should be noted, though, that, while it is here stated as official policy that native labour shall not be requisitioned for use on the railways, yet the Native Authority Ordinance—one of five such passed by the Kenya Legislature from 1912 to 1922—has not been changed to meet the requirements of this memorandum. As Orde-Brown shows, native labour may be requisitioned,


27. Supra 102.
at local rates of pay, for work on roads, railways, and other
government undertakings, certified in each case by the Gover-
nor, after previous approval by the Secretary of State. Ex-
emption from such labour is given, however, on proof of
having done three months work within or outside the reserve
during the previous 12 months' period. Such compulsory
labour is limited to sixty days per year. The penalty for
non-compliance is set in the Ordinance at a fine of £7, 10s, 28
Od, or, two months' imprisonment. It would be much more
reassuring to those with the welfare of the native at heart
if the official majority in the Legislature would bring
legislation into line with Colonial Office policies. But the
settlers, led by Lord Delamere argued that the policy out-
lined in Cmd. 3573 unduly emphasized native interests and
denied to the white settlers the share in the trusteeship of
the natives promised to them in the 1927 White Paper Future
Policy in East Africa, which stressed the need of a dual
policy. The small white communities in Tanganyika and in
Uganda also adopted the same attitude towards the memorandum.

It seems apparent that all the British Govern-
ment needs to do in Kenya is call the settlers' bluff in order
to reassure the natives of the seriousness of the official
declarations of labour policy. There is no place for the
continued stalling of the official machinery by the clamourings
of the settler community. Let the Government admit that it is

going back on the Dual Policy of 1927. After all no government can hope to legislate for all time. And certainly no policy was ever more shallow in its scope than the Dual Policy. It appears that no colony has more need than Kenya for the application of the old doctrine of "the greatest good for the greatest number."

So much for the more general aspects of the Kenya labour problem. It may be assumed, however, that the great majority of the Africans understand little about these wide facets. To them the smaller details such as the legislation used to effect the present labour balance are more irksome. As in the case of South Africa, some of the Kenya Labour Legislation is a disgrace to Great Britain's administration.

The nature of these Kenya Labour Ordinances is a sad reflection upon the treatment many of the settlers mete out to their black employees. Some of the laws, and those, unfortunately, least frequently enforced, seek to regulate the treatment of labour. Some have aimed at checking the exploitation of female and child labour. The majority aim to enforce the keeping of native labour contracts. This last fact alone shows that, with native taxes so high as to make necessary general entering of contract, conditions of labour must be generally bad. But to most of the natives the so-called Native Registration Ordinance of 1921 is the most aggravating.

In Kenya as in South Africa, native non-observance in the case of many Ordinances is treated as a criminal offence while European disregard of the Labour Laws is a matter for the
This fact alone, disregarding for the moment the unfair laws concerned, is a constant prick to the growing African racial pride.

The bitter resentment felt by the natives towards the Native Registration Ordinance has been mentioned. Each adult male native is obliged to carry upon his person his Kipandi or Registration Certificate. This Kipandi system is not the same thing by any means as the Pass system of South Africa. The Kenya system has nothing to do whatsoever with the regulation of the movements of the native. It aims solely at the enforcement of labour contract and at the prevention of desertion. Each Kipandi, prepared in triplicate, carries the fingerprint of the labour applicant (each native is obliged to apply), his name, and the signature of his district officer. Upon entering European employ each native must present his copy of the Kipandi to the employer for endorsement. Before leaving the employer he must obtain a discharge; otherwise it is illegal for him to accept employment elsewhere. A complete record of all employment is kept by the chief registrar at Nairobi.

When this Ordinance was first passed, in 1915, desertion was made a criminal offense. The system worked well. In 1921 an amending ordinance declared desertion to be no longer a cognizable offense. Since then desertion has been hard to check. Still the Kipandi system is carried on. True, the Kipandi does act as a sort of good-service certificate. But that is about all that can be said for it. Schedule 5 of Lord Moyne's 1932 financial report shows that for 1931 the
cost of the Registration Department came to 17,144 pounds. And yet this cost is placed under the heading of Indivisible Services, that is, the native is supposed to benefit from the expenditure as much as does the European.

But as long as the labour relations between the Kenya communities continue in their present form some sort of Kipandi system is necessary. As long as the native population of Kenya is valued by the whites according to the fraction of it available for the labour market, such registration will continue. Moreover, the Registration Ordinance will continue to require the means of enforcement. For this, and all the other Labour Ordinances embodied in the Kenya Employment of Natives Law of 1927 are the concomitants of an unstable labour situation. At the present rate of evolution of the Africans this situation is bound to change soon and this change will, it is almost certain, favour the natives.

What, one might ask, would a system of Indirect Rule in Kenya do towards the readjustment of the present labour balance?

The success of Indirect Rule would require, of course, either the complete segregation of the white and black communities or the subordination of the interests of the white to those of the black. In the study of the Kenya Land Problem we shall see that general opinion is against segregation. This would, after all, mean the reservation of the Highland areas


31. See Orde Browne; op. cit.; 147-153.
for the whites. Thus the second alternative, the principle of
the paramountcy of native interests, remains.

Under Indirect Rule there would be no question
of satisfying European labour demands. The profits of native
labour would go towards the enrichment of the Africans them­
selves. For, as in Tanganyika and Nigeria, the new Kenya
African society would be based upon native production for
profit.

But after all, it is rather futile to isolate
the labour problem in this way. Indirect Rule must be applied,
if it is to succeed, to all phases of Native Administration.
Before the labour problem can be settled, the land of the
country must be equitably redistributed so as to assure to
the natives adequate land for production for profit. New
attitudes towards labour and land both must spring from a new
system of native education.

The solution of the labour side of the Kenya
native problem, can, I think, if the Colonial Office works
towards Indirect Rule be left to itself. Land is something
tangible. Labour is not. The solution of the land problem
requires a redistribution of wealth. This must come from
government action. But, in the case of the labour problem,
while much reform could come through the alleviating of the
burden of the labour laws, the solution will come indirectly
through the full application of the White Paper policies and
the development of native institutions.
CHAPTER V

The Native Land Problem in Kenya

(1) The origin of the problem
(2) European and African conceptions of tenure
(3) Sir Charles Eliot's policy
(4) The case of the Kikuyu tribe
    ----agriculturalists
(5) The Masai
    ----pastoralists
(6) The "White Highlands" principle
(7) Native Reserves
(8) The Kenya Land Commission of 1934 and its recommendations
(9) The land problem in the light of trusteeship and Indirect Rule
CHAPTER V

THE NATIVE LAND PROBLEM IN KENYA

Of the land problem in Kenya Colony, Lord Olivier says

There was plenty of land available for Europeans to colonize without depriving the natives of land they were occupying or needed; and Europeans had an incontestable right to plant themselves on such vacant lands, as they did on those of Australia and New Zealand.¹

Had the early administrators of East Africa taken the trouble to consider such matters as native occupancy and land requirements the whole native problem of the colony would have been immeasurably simplified. But the seizure of African lands in Kenya for white speculation lacked all the subtlety and bargaining that accompanied the process of settlement in other parts of the world. The situation in South Africa might be called the parent of that in Kenya.

In 1840 Professor Herman Merivale, in a lecture at Oxford, spoke of the process by which native land problems develop. The process in Kenya Colony reflects ironically upon Merivale's foresight, though not upon his analysis:

The error -- of leaving the natives wholly unprovided for is one not likely to occur in modern colonization. We have been so far taught by the experience of our predecessors, and, I may add, sentiments of humanity and justice have so far gained ground among us, that in recent settlements reserves

of land have invariably been made at once, and appropriated to the natives. But it is plain that the evil day is only postponed by such measures as these, unless they are combined with a foreseeing and far-reaching policy hitherto altogether unknown. For whether or not the natives residing on these reserves attain in their insulated condition to a certain degree of civilization, the same results will inevitably follow. After a time the colonists will cast an eye of cupidity upon the native lands: they will complain of the economic disadvantages which attend the interposition of large uncultivated or half-cultivated tracts between populated districts; of their own sufferings by the proximity of the natives ---. And government will find itself, --- as it has always been, cajoled by the thousand plausibilities advanced in favour of removing these unfortunates a farther stage into the wilderness.  

Merivale says, it will be noticed, that by 1840 the ethics of colonization had advanced to such a stage that there could be no possibility of a colonial government totally disregarding the requirements of indigenous peoples in its land policies. Yet in Kenya Colony in 1937, as we shall see, the African has no security by law for the Reserves which have been allotted to him. Many sections of these Reserves are hopelessly overcrowded. Much reserve land is useless for agriculture and often, even for pastoral use. When Sir Charles Eliot started the process of alienating East African land to the Europeans in 1903, no survey had been made of native holdings. Moreover, no attention was paid to African systems of tenure or of agriculture. This, in some ways, has been the greatest mistake of all. For, as we have seen, almost every aspect of any race problem can be traced to such a

2. Merivale, Herman; Lectures on Colonization and Colonies Delivered before the University of Oxford in 1839, 1840 and 1841 and reprinted in 1861; London; 1928; 508.
disregard of the foundations upon which the indigenous culture is built.

There exists a wide gulf between our ideas of land ownership in legal theory and in actual practise. Theoretically, all land in the Empire is vested in the Crown as the symbol of the state. In theory, no man can claim absolute ownership of the soil. But practice is antithetical to theory. The average Briton counts his right to own land as one of his most valued birthrights. Centuries of stress on the idea of individual rights have shaped our democratic attitude towards the conception of proprietorship as they have our attitude towards the function of the state in other matters, such as education and social regulation.

The Bantu system, however, approaches closely the theoretical British conceptions which, after all, spring from the days when British society was also tribal. The Kenya native land systems followed, to a varying degree, the traditional Bantu system.

The tribe, symbolized in the Chief, was the owner of all land. The free use of that land was a tribesman's right so long as he governed his life according to the rules of the communal tribal society. There could be no such thing as the buying and selling of land. Early land bargains between Europeans and African chiefs were based on this misunderstanding. The native Chief had no power to sell the land nor did he imagine that he was selling it. The settler was merely being allowed the use of the land upon the sufferance of the tribe. The earliest white pioneers in East Africa held their land on
the mistaken assumption of purchase or of gift. With laymen
the mistake was excusable. But when the British Government
based its East African land policy on a like lack of knowledge,
there could be no condoning the action. Whether, as Lord
Olivier says, there was sufficient unoccupied land in the
country to warrant a government settlement policy is a matter
of question, but the alienation of large areas of land apparent­
ly unoccupied, which were actually only temporarily so under
the African system of agriculture, was blindness unparalleled.

It must be admitted, however, that the question
of native tenure in Kenya is not so simple as it would be were
the natives pure Bantu, using unaltered the Bantu land system.
We have seen that East Africa has been in past ages the melting
pot of the Bantu peoples of the south with the Galla and
Hamitic peoples from the north. Some tribes are pastoralists,
others are purely agricultural. This alone accounts for a
wide variation in the stability of the native land systems.
The Masai, the most Hamitic of the tribes, being pastoralists
has the least fixed ideas of land ownership. On the other
hand, the Bantu seems to lean towards a stable agricultural
system with strong emphasis upon the tribesman's right to
effective occupancy of his share of the tribal land. The
peoples in the southern part of the Kenya highland block seem
to have held most strongly to the Bantu system. Along with
these could be placed the Kavirondo, a huge tribe of 1,029,422
people.

The difference of opinion on what constitutes
effective occupancy of land explains to a great extent the
apparent blindness of the Kenya administration at the start of white settlement. To understand the native's attitude to the use of land we must know something of the agricultural or pastoral background of his life.

The average settler is firmly convinced that the native has no right to hold land if he is not able to exploit the soil to the fullest extent by his methods of agriculture. In farming, the European aims at production for profit. The African aims only at production for use. The peasant is satisfied to produce sufficient food for himself and his family plus the little he needs to pay his tribute to his chief. He cultivates an area of the tribal lands sufficient for his use for a couple of seasons and then, land being plentiful, moves on to another area, leaving the first to lie fallow. As a result, there is no such thing as intensive cultivation. A man chooses soil sufficient to grow enough for his needs.

The inefficiency of such use of the soil in the light of European ideals has been constantly brought forward by the settlers as one of the "thousand plausibilities" in favour of further alienation. It was considered to be just another sign of what happens under a social system such as the Bantu which—deadly stigma in the ambitious European's eye—is lethargic, or rather, which lacks the ideal of accumulative gain. So, in East Africa, when the early pioneers saw the rich fallow lands of the highlands, they concluded immediately that these were unoccupied or not effectively occupied. Sir Charles Eliot said at the time:

We have in East Africa the rare experience of dealing
with a tabula rasa, an almost untouched and sparsely inhabited country, where we can do as we like, regulate immigration and close the door as it seems best. This lessens the difficulty of administration — — 3

There is no doubt that much of the agricultural land of the highlands must have presented such an appearance of emptiness. True, much of it probably was unoccupied. But lack of occupation was no sign that the land was not needed. The Colonial Office, Leys says, gave orders to the Palestine administrators that, until each and every Arab family was assured of at least 40 acres, no Jew was to get land. He shows that at least two-thirds of the Kikuyu have less than 3.5 acres per head. If the Palestine regulation were applied to Kenya, there would be absolutely no land available for alienation.

The Phelps-Stokes Educational Commission said, of Kenya, in its 1923 Report that "In no British Colony in Africa has it been so difficult to formulate a trustworthy statement relating to the number of native people, the areas in which they live — — " The statement apparently still stands. It seems impossible to discover from the Colonial Reports or other standard sources of statistics how the figures adopted by such writers as Norman Leys and MacGregor Ross to show the inadequacy of native lands in Kenya are arrived at. It is easier to draw indirect conclusions from official figures than to handle those figures by statistical methods to support

3. Leys, N.; Kenya; London; 1926; 114.
4. See Leys, N.; Last Chance in Kenya; London; 1931; 61.
5. Phelps-Stokes Commission Report; Education in East Africa; London; n.d. (1923 ?); 141.
the conclusions. The Kenya Annual Report for 1935 states that
the total land alienated in Kenya is 10,294 square miles. The
area gazetted in 1926 as Native Reserves was 48,345 square
miles. Now the Empire Parliamentary Association in its 1933
report on the Empire shows that over 90% of the arable land in
Kenya is in the Highlands and, furthermore that 2/3 of the
2,500,000 natives depend on agriculture for their existence.
The Morris Carter Land Commission of 1934 recommended that
two new areas be added to the North Kavirondo Reserve. These
would bring the total Reserve area up to 51,221 square miles.
Of these additional areas Norman Leys writes

only once has a European applied for land in either.
In this case—the application was later withdrawn—it was proposed to extend a sisal plantation into
this area. Sisal is notoriously a drought resister
that is never grown except on land too poor and too
arid to grow anything else.8

The implication that Leys draws from the figures in the case
of the Kavirondo is important to us: "1,029,422 Kavirondo are
forever to be restricted to their Reserves of 7,114 square
miles, while the 17,000 Europenas are forever to possess the
16,700 square miles of the European Highlands; less than 5
acre per head in the one case and a square per head in the
other."9

7. Empire Parliamentary Association Report; 1933; 65.
8. Leys, Norman; Report of the Kenya Land Commission; New
Statesman and Nation; Vol. 8; July 28, 1934; 116.
9. Leys; loc. cit.; 117.
Note: while the Annual Report figure is 10,294 square
miles for the area alienated this 16,700 represents the
area the Land Commission proposed to reserve for Europeans.
(See Cmd. 4556, Paragraphs 1441, 1449, 1469, 1979.)
We can obtain another striking ratio from the official figures quoted above by saying that while the 17,000 Europeans are to hold 16,700 square miles, the 2,000,000 natives are to hold only around 50,000 square miles.

If the nature of the native system of agriculture, with its need for relatively greater land areas per head than the European system, is kept in mind the following table of population densities in the native areas of Kenya is most illuminating:

<table>
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<tr>
<th>Population and its Ratio to Total Acreage in Certain Native Districts of Kenya Colony</th>
<th>Population</th>
<th>Acres per Head</th>
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<td>Kavirondo Province Districts:</td>
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<tr>
<td>N. Kavirondo</td>
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<td>C. Kavirondo</td>
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<td>S. Kavirondo</td>
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<td>Mwimba</td>
<td>14,099</td>
<td>5.8</td>
</tr>
<tr>
<td>Chuka</td>
<td>13,448</td>
<td>3.4</td>
</tr>
<tr>
<td>Mbere</td>
<td>23,071</td>
<td>17.2</td>
</tr>
<tr>
<td>Embu</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nyeri</td>
<td>107,155</td>
<td>2.0</td>
</tr>
<tr>
<td>Keruguya</td>
<td>83,738</td>
<td>3.1</td>
</tr>
<tr>
<td>Fort Hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Maragua</td>
<td>86,279</td>
<td>2.2</td>
</tr>
<tr>
<td>S. Maragua</td>
<td>86,540</td>
<td>2.2</td>
</tr>
<tr>
<td>Kiambu</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mukinyi</td>
<td>24,523</td>
<td>3.3</td>
</tr>
<tr>
<td>Kiambu</td>
<td>24,293</td>
<td>2.5</td>
</tr>
<tr>
<td>Dagoreti</td>
<td>31,306</td>
<td>1.3</td>
</tr>
</tbody>
</table>

10. See 314 H.C. Debs. 58. July 9, 1936; 1465; (Col.) Ormsby-Gore says 66% of natives in 48,149 square miles.

It will be noted how crowded are the natives in the Kikuyu reserve. Their lands lie right in the heart of the Highland areas. Before discussing the question of the White Highlands it is worth while to consider the case of the Kikuyu. They, of all the tribes, have the greatest complaint against the white man.

In the case of the Kikuyu, the alienation of tribal land by the government was absolutely unwarrantable. They had a land system developed far beyond the ordinary Bantu communal system. Tenure was based upon almost European conceptions of individual ownership. The story of the development of this Gethaka system is complicated and interesting.

Two hundred years ago the Kikuyu, travelling southward with their herds (they were then still pastoralists), came into the thickly forested highlands, into the area of the hunter tribe, the Wandorobo. In exchange for Kikuyu cattle --an actual barter--the hunters handed over large areas to the Kikuyu. The newcomers settled down to deforest these lands for agriculture. Canon Leakey describes the astonishingly ingenious cultivation and cropping system the Kikuyu developed to suit their new home.

Under the system of Gethaka titles, each family of the tribe was given a certain area for its own, to be handed down from generation to generation. No non-Kikuyu could be given such a title, though he might be allowed to settle upon Gethaka land with the title-holder's permission. The estate

was, so to speak, entailed. It was a complicated yet clearly defined and workable land system.

But one feature of it caused the system's downfall by providing the settler with a loophole for penetration. As with all Bantu agriculture, the Gethaka holding had to be large enough to allow the lying fallow of large areas. These fertile areas, along with huge forest tracts which were used for fuel supplies and which served, as well, for protection against the Masai raiders, had an irresistible attraction for the European settler's "eye of cupidity". So white interpenetration in the Kikuyu highlands took place. It was not long before the process became officially sanctioned eviction. The Morris Carter Commission claimed to have proved that only 1474 square miles of the alienated land had been occupied by the Africans and that not more than 300 Africans were evicted. Much of the report is not accepted by critics of British policy in Kenya or by many men in authority who are interested in the carrying out of the principles of trusteeship.

One of the main recommendations of the Kenya Land Commission was that the boundaries of the area known as the Highlands be delimited once and for all. This meant that the exclusion of non-Europeans from land-owning in these areas—which had for thirty years been accepted administrational

13. Cmd. 4556, Table I, 382-3.
14. read debate 314 H.C. Debates 58, 9 July 1936: Cols. 1416-17; 1426; 1433; 1470; 1523.
15. Cmd. 4556; Part III, Chapter IX.
practice unsupported by law—was to be given legal sanction. The Debate quoted above, of July 9, 1936 in the House of Commons was brought about by the Government's declaration that it proposed to issue the ordinance carrying out the Commission's recommendations.

The treatment of the Kikuyu and the Kavirondo may be considered fair examples of how the agricultural tribes fared in the matter of land. Let us look now at the history of the Masai, the pastoralists of Kenya.

As we have seen, the Masai lacked entirely the uniformity of tenure that marked the agricultural tribes. This people—more Hamite than Bantu—and the related tribes, the Akamba and the Nandi, had, in common with most nomadic pastoralists, no well-defined land system at all. They had no need of one. Their prowess in war determined that certain areas of Kenya were to be left free for grazing their huge herds. Some of the finest agricultural land in Kenya, the fertile sections of the Rift Valley, were used as pasturage for the Masai herds.

In the case of these tribes it is fairly easy to make a defensible case for the taking of their lands by the white men. Certainly there was no evidence of agricultural development. If the advent of the white man on the plains of the Canadian west can be excused, then the alienation of this

16. "The Commission have defined the boundaries of the European Highlands and His Majesty's Government propose to accept their recommendations in regard to this...." See: Kenya Land Commission Report, Summary of Conclusions reached by His Majesty's Government (Cmd. 4580; May 1934; 3).
misused Masai land can be excused also—that is, provided proper use were made of it by the newcomers. But in no part of Kenya has the white man made such use of the land as would excuse the seizure of it from the Africans. The Crown Lands Ordinance of 1915 set down certain minimum requirements for the development of alienated lands. Its provisions have been ignored. The following table shows the ratio of the acreage of white land-holdings under cultivation to the total area held, for 1925 and the three previous years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Occupied Area</th>
<th>Total Cultivated Area</th>
<th>% cultivated to occupied land</th>
</tr>
</thead>
<tbody>
<tr>
<td>1925</td>
<td>4,420,573 ac.</td>
<td>392,628</td>
<td>8.88</td>
</tr>
<tr>
<td>1924</td>
<td>4,192,731</td>
<td>346,988</td>
<td>8.28</td>
</tr>
<tr>
<td>1923</td>
<td>3,985,371</td>
<td>274,319</td>
<td>6.88</td>
</tr>
<tr>
<td>1922</td>
<td>3,804,158</td>
<td>234,055</td>
<td>6.15</td>
</tr>
</tbody>
</table>

Failing effective use by the settlers, the eviction of the Masai was as inexcusable as the eviction of the Kikuyu or the cooping up of the Kavirondo and other tribes in inadequate reserves. The history of the "Masai move", as it is called is a tale of broken government promises. The story is too long and too complicated for detailing here but it is substantially as follows. The Masai were occupying the fertile Rift Valley lands. The Foreign Office, then administrating East Africa, decided to move them out and place them on two new Reserves, one to the north and one to the south of their old home. The Rift area was to go to a British syndicate. The Masai objected strenuously to the move but finally gave in, providing the Government left a corridor for

the passage of herds open between the new Laikipia reserve in the north and the southern reserve. This agreement was reached in 1904. The tribe gave up half its ancestral home in the Rift. The corridor agreement was not carried out by the government. A Masai attempt to return to the old area was blocked. By 1910 the tribe was fairly quiet again. But by this time the settlers had their eyes on the fertile Laikipia Plateau as well. The East Africa Government now coaxed the natives into accepting 6,500 square miles of stockland as an addition to the southern reserve in return for 4,500 square miles of farmland on the Plateau. Not until the tribe had moved was it found out that most of the new land was too dry even for stock-raising. But the treaty was signed. It was too late to protest.

A number of Masai who opposed the 1911 agreement attempted to sue the government for injuries arising out of the move saying that the 1911 treaty had not been approved by the tribe as a whole.

The strange judgment of the Court of appeals of East Africa on the case was that inasmuch as the territory had not been annexed but was merely a protectorate, the Masai were not British subjects; that the heads of the Masai tribe were capable of making agreements with the British Government; that the courts could not enquire into the question as to whether the agreements had been made under duress or under proper authority; and that acts of officers taken to give effect to such treaties ratified by the home government were acts of State over which the court had no jurisdiction.

As Buell says, the judgment amounted to this, that

had the British authorities made a contract in 1904
with a European settler granting him certain land,
the contract would have been enforceable in British
courts. But an agreement made between the British
authorities and the representatives of some 40,000
natives was not enforceable by the courts. If the
Masai nation really had an international status as
a state, no objection to this decision might legally
be taken. But in the case of East Africa, the British
had extended a judicial system throughout the country
and had erected a Legislative Council, the acts of
which the Masai were obliged to obey. Their consent
to these acts was as tacit and as fictitious as the
consent which Rousseau's happy savage gives upon entering
the social contract.19

Following this defeat the Masai appealed to the Privy Council,
but the action lapsed owing to insufficiency of funds. The
Government thereupon proceeded to finish clearing the Masai
out of the Highlands. By 1913, after strenuous resistance,
the tribe had been moved south of the Railway line. Twice,
since then, they have revolted. The reason is not hard to
find. One third of their 14,600 square mile Reserve is unin­
habitable. A part too is also useless for stock, since it is
a disease area. On the remainder the tribe tries to keep
715,000 head of cattle, 2,000,000 sheep and goats and 10,000
donkeys. Water is scarce and the tribe is so crowded that
every possible inch of land is being used. And, as MacGregor
Ross put it, all the Masai can do about the situation is
20
"marvel" at the ways of Government.

It is evident that the question as to how much
of the policy of land alienation in Kenya has been the work of

19. idem.

20. See Ross, W. MacGregor; Kenya from Within; London; 1927;
Chapter VIII entitled "The Marvelling Masai".
the local administration and how much of it has had British Government sanction is all-important to such a study as this. In 1837 a Parliamentary Committee declared that "So far as the lands of the aborigines are within any territories over which the Dominion of the Crown extends, the acquisition of them by Her Majesty's subjects, upon any title of purchase, grant, or otherwise, from the present proprietors should be declared illegal and void." This declaration should be compared with the paragraph from Merivale cited above. The same declaration contains a statement of Britain's function as a trustee for the backward races. These declarations and the statements in the Kenya White Papers of 1923, 1927 and 1930, should be kept in mind when considering the progress of Government land policy in the colony.

It has been seen that in 1903, Sir Charles Eliot started the alienation of land in the Highlands to whites. He sponsored a vigorous campaign in South Africa to coax settlers to come to the Protectorate. The campaign brought results. The new settlers flocked in so fast that the Land Office was swamped and land was handed out without previous survey as to native ownership or occupancy. Speculators took huge areas.

21. cited Barnes, Leonard; The Duty of Empire; London; 1935, 132

22. It should be noted that our main concern in the matter of alienation is, of course, with the Highland and rural areas. The question of coastal and urban alienation is important but of far less importance to the native problem.

Men like Lord Delamere and Major Grogan were given great slices of the best land at nominal rents. As with the laws passed to safeguard native labour in the early days of settlement so it was with the land laws—continuous pressure by settlers resulted in their progressive loosening. Restrictions on alienation were continually being removed. Dummying, the process of cheating the Land Office by applying for land under more than one name was commonly used by rich men. It was a period of land hunger and of wildcat speculation. Small wonder it is that with such unregulated beginnings white settlement has had to be kept alive by government subsidies.

However, regulated or unregulated, the effect would have been the same on the native population. The legacy of hatred and suspicion left by these early administrators in the minds of the natives will be long in losing its effect.

Now, to all appearances—though for a year there has been no action upon the issue—the highlands are to be permanently marked for white men only. It is well known that Sir Philip Cunliffe-Lister, then Secretary of State for the Colonies,

<table>
<thead>
<tr>
<th>Land Office No</th>
<th>Rent per annum</th>
<th>Area Acres</th>
<th>Locality</th>
<th>Tenure</th>
<th>Original Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Shs.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>422</td>
<td>845.38</td>
<td>19,942</td>
<td>Gilgil</td>
<td>Leasehold</td>
<td>Hon. G. Cole</td>
</tr>
<tr>
<td>425</td>
<td>10,000.00</td>
<td>309,393</td>
<td>Gilgil</td>
<td></td>
<td>East African Syndicate Ltd.</td>
</tr>
<tr>
<td>487</td>
<td>6,250.00</td>
<td>100,000</td>
<td>Elburgeon</td>
<td></td>
<td>Lord Delamere</td>
</tr>
<tr>
<td>502,3,4</td>
<td>Royalty</td>
<td>200,474</td>
<td>Ravine</td>
<td></td>
<td>Major E. S. Grogan</td>
</tr>
<tr>
<td>914</td>
<td></td>
<td>64,000</td>
<td>Kibwezi</td>
<td>Freehold</td>
<td>Scottish Mission</td>
</tr>
</tbody>
</table>

24. In 1904 the Foreign Office wanted to make land concessions in the Masai area to a large syndicate. Sir Charles Eliot
Map showing the grant of land to Lord Delamere and Mr. Powys Cobb.

It should be noted that the boundary of the reserve is curved in and out so as to include the source of every stream in the alienated land.

See Leys, N.; Kenya; 123 and Chapter xiv passim
admitted on December 18, 1934 that in December 1932, he—to use his own words "caused the chairman (of the Morris Carter Commission) to be informed" that no non-European might own or occupy land in the European Highlands. It was a Royal Commission being advised as to the conclusions it is to arrive at from its considerations—small wonder that the negro George Padmore, bracketing the Secretary of State with Sir Edward Grigg, says "Sir Philip Cunliffe-Lister, and Sir Edward Grigg, have done more to destroy the confidence of Africans in British justice and fair play than any other post-war colonial officials—"

In fact the whole history of the "White Highlands" is not one to inspire confidence in the non-European in Kenya. The Indian population especially, realizing more than the African the deeper political significance of such discrimination, has fought bitterly against the policy of excluding all but Europeans from the highland areas.

Perhaps no other words have been so often quoted in the British Parliament as the famous declaration of Queen Victoria that:

There shall not be, in the eye of the law, any distinction

24. (cont.) objected and resigned. His successor, Sir Donald Stewart appointed a Land Board to clean up the land muddle. The Chairman was Lord Delamere. In 1905 the Colonial Office took over the administration with the forming of the Protectorate.


26. Padmore, George; How Britain Rules Africa; London; 1936; 103. Sir Edward Grigg in 1929 proposed that some 50,000 square miles be reserved for Europeans.
or disqualification whatever, founded upon mere distinction of colour, origin, language or creed. But the protection of the law in letter and in substance, shall be extended impartially to all alike.

And yet, the exclusion of non-Europeans from the highlands has been based, since its beginning, upon an officially sanctioned misapplication of both the letter and the substance of the law. For, as Lucy P. Mair says "The 'principle' (that a certain area be available only for European occupation) was enunciated in connection with the controversy between Indians and Europeans for land grants, when the subtle distinction between legal restrictions, to which His Majesty's Government were opposed, and administrative convenience was invoked to allow of the refusal to Indians of land in the Highlands." Though no law was passed excluding non-Europeans from the Highlands the custom was adopted of granting land only upon the assent of the governor. And, for the convenience of administration, this assent was not given to Non-Europeans. Successive Secretaries of State, since Lord Elgin's first declaration of 1906, have chosen the easy path and have given their official blessing to the policy of exclusion begun by Sir Charles Eliot. The problems of Kenya cannot be blamed entirely on the local legislators.

It can be seen, however, that the imperial implications of the highlands' question are not the immediate concern of the Kenya natives. We have considered already some of the ways in which the application of the "principle"

27. Mair, Lucy P.; Native Policies in Africa; London; 1936; 84.
does concern them. Even the most unsophisticated understand the meaning of eviction. Since the beginning of settlement the native has known only insecurity in his land and events in the last four years have proved that even his so-called Native Reserves are not secure.

The provision of Reserves in Kenya was long delayed. Sir Charles Eliot objected to them in principle. He was a firm believer in the "contact theory" of civilization. The best way to bring about the westernization of the African was to allow him free contact with the settlers. He would be isolated from such beneficial contact if he were shut up in reserves.

One cannot help feeling that settler pressure must have had something to do with early official objections to the reserve principle. As Merivale shows, the setting aside of Crown Lands for native occupancy had long before become accepted practise. Moreover, the path had been cleared in Kenya by the Crown Lands Ordinance of 1902 which said (Section 30) that: "In all dealings with Crown land regard shall be had to the rights and requirements of the natives and in particular the Commissioner shall not sell or lease any land in actual occupation of the natives."

After Sir Charles Eliot's resignation, however, opinion among the settlers began to swing in favour of reserving land for the natives. Perhaps the reason can be found in the statement of the Delamere Land Board of 1905 that

28. See Buell; op. cit., I, 306.
"Should the main body of the tribe living within the reserve increase and overflow its boundaries, such overflow would be available to meet the demands of the general labour market of the country."

So in 1907, 1910, and 1912, the government Gazette carried descriptions of the boundaries of certain reserves. Into these the Kikuyu and the Masai were to be moved. The 1905 Land Board had said that it considered all land set aside as reserve should be "absolutely inviolable," and yet the proposed Crown Lands Bill of 1908—which fortunately did not become law—contained a clause stating that even after a certain area had been reserved, the Governor might, if he felt that it was not all required by the tribe concerned, proceed to alienate as much as he felt was not needed. Moreover, the 1915 Crown Lands Ordinance, which still holds, has a like provision which gives the power of reserve cancellation to the Secretary of State rather than the Kenya Governor. This is the reason for the statement made above that even in 1937 the Kenya Native has no real security for his land.

From 1915 to 1931, it must be admitted that the problem of the security of the Reserves was not a very pressing one. It looked in these years as if a really creditable Reserve policy were shaping. The catering to the speculators of the land hunger days was almost gone. Policies of native land

administration advanced rapidly. In 1926 an amendment to the 1915 Ordinance empowered the Governor to proceed with the gazetting of reserve areas. The only drawback was that the settlers assumed all Crown Land not immediately so demarcated was open for alienation and pressed the land administrators to alienate it. Thus the reserves delimited became accordingly smaller.

A most promising administrative step was made in 1928. Governor Sir Robert Coryndon's proposals for the formation of a Native Land Board was embodied in a Native Lands Trust Ordinance introduced in the Legislative Council. The Board was made up of the Governor, five official and four nominated "unofficial" members. This Board was to act in cooperation with various local Advisory Boards consisting of two officials, a nominated "unofficial" European and an African member, in each administrative district in which there were native reserves. The arrival of the Hilton Young Commission in Kenya held up the passing of the Ordinance until 1930. However, in this year a new Ordinance, containing even stronger safeguards to native interests than the original, was passed.

But, unfortunately, it was only an Ordinance. In 1932 the discovery of gold in the Kakamega district of the Kavirondo Reserve showed how advantageous to the white community this type of legislation is. Prospectors flocked to Kakamega. In July of 1932, the Secretary of State, Mr. Cunliffe-Lister, agreed to an amendment to the 1930 Ordinance

32. See Mair, Lucy P.; op. cit., 85.
in order to allow mining leases in Reserve areas. It was passed in December, 1932. Worst of all for its effect on the native was the clause which allowed payment in cash for any land given over to mining instead of repaying land with land. No cash could possibly take the place of land in such a crowded reserve as the Kavirondo.

The effect of this amendment and of the findings of the Morris Carter Land Commission Report on the question of the Native Land Board has resulted in the utmost confusion among the natives. Critics of the British administration have had a field-day.

The Land Commission after considering the workings of the Lands Trust Board decided that it was "administratively inconvenient in many ways; that its inelasticity has operated to the detriment of the natives; that it ignores native private rights, which are becoming increasingly important; that it tends to cramp initiative and development; and that it involves the Board in a mass of administrative detail with which it is unsuited and unable to cope, and which is the proper function of the Government officers in the District." 33

Four years seems a short time to reach such conclusions about an organization such as the Native Lands Board, especially when native life and institutions are in all respects undergoing such rapid change. The Native Council system itself is only beginning to function properly. 34


34. The Native Councils will be discussed in Chapter VI, under "Taxation and Finance".
Yet the proper functioning of the Local Advisory Land Board depends to a great extent upon a properly working local Native Council.

Nevertheless it must be admitted that certain of this Morris Carter Commission criticism of the Lands Trust Boards is quite in order. Sir Reginald Mant, Sir George Schuster and Mr. Oldham, in a letter appended to the Hilton Young Report, pointed out the requirements of any board to administer reserve land. They said:

The first and principal need, which may be described as the 'protective need', is to fix the areas to be set aside, and provide secure protection for the preservation of the beneficial rights over such areas to the natives.

The second and almost equally important need, which we will call the 'constructive need', is to provide for the actual use of the land in such a manner as will be of the greatest benefit to the natives.

It is not sufficient merely to reserve the land under the dead hand of rigid and unalienable legal restriction, and it is a necessary consequence of these considerations that a measure which aims at preserving the beneficial use of the land to the natives must include regulations for handling it.

The Land Commission show that the very nature of the Lands Boards precludes the full satisfaction of the "constructive need". They propose, therefore, that the present Land Trust Board should be abolished and superseded by a Board appointed by Order in Council. They make the suggestion that the new

35. Hilton Young Commission Report (Cmd. 3234), 1929; 341 and 345.
36. Cmd. 4556; para. 1750.
37. Ibid., para. 1692-97.
board should sit in London. The Government, however, insist that the Board should remain a local Board. They agree, however, to measures which will bring the Lands Boards into line with the requirements of the Commission.

Another point about the Kenya Land Commission Report which is very important to our study is the charge that the Native Lands Trust Ordinance ignores native private rights, which are becoming increasingly important. If this be true, then the Commission has certainly done the native a good turn. It will be recalled what was quoted in our Introduction from Julian Huxley's *Africa View*, that the question whether native land tenure should be such as to make it possible for an individual cultivator to benefit himself and his descendants by the improvements he has made, is of great importance. As he says further, "At present most tribal systems of tenure make this impossible; while mere grants of free hold land, even if safeguarded against transfer to men of other races, may produce a system of native landlordism under which the tenant gets all the worst of the bargain."

Note that on Page 8 of this statement of conclusions the Secretary of State speaks of the extra expenses involved in carrying out the Commission's recommendations. He refers to the native claims, before refused, for 50,000 pounds due to dead and missing native porters in the Great War. The Secretary insists that he is not re-opening a closed issue, and that he is admitting no Governmental obligation, when he proposes to set aside the sum claimed to defray the expenses here involved. Padmore, speaking as an African, (op. cit., 115) says the Secretary speaks with his tongue in his cheek when he says the 50,000 pounds is an *ex gratia* grant to the natives of Kenya.

This is, I think, the idea that lies behind the statement of the Morris Carter Commission. It has been seen that policies which aim at stabilizing native life through the preservation of tribal institutions are as doomed to failure in Kenya as would be policies which ignore those institutions entirely. The natives of Kenya have advanced so far that by now Direct Rule principles are utterly inapplicable. On the other hand, when an administrator attempts to rule through native institutions, his work may be just as useless, in that he has developed institutions which are static and allow of no evolution. Their effectiveness is ruined by "the dead hand of rigid and unalienable legal restriction".

Now in much of Kenya the natives' ideas of land tenure have evolved a long way from the old tribal conceptions. As Huxley and the Land Commission point out, the ideas of private ownership and of individual land rights are steadily gaining strength. So, if the Native Lands Trust Ordinance really does ignore this growth, the machinery it sets up must be useless.

But it is difficult to see why the machinery need be static. After all, it should be no great problem to clear up the difficulty mentioned in the report of confusing the "protective" and "constructive" functions. It is hard to escape the feeling that the real reason the Lands Trust Ordinance is to go by the board is that in its operation a great deal depends on the Local Native Council. The Native representatives were to be given more power than ever before to say what should be done with Reserve Land. The Kakamega
affair showed that the natives cared not a whit whether the land was mineral land or not—Reserve land was to remain such for good as far as the Native Councils were concerned. That is a bad state of mind to be in in the eyes of the speculator. It should be noticed, too, in this consideration, that the 1930 Ordinance reduced from 99 to 33 years the term of leases to outsiders of land in the reserves. No such lease was to be granted save with the Secretary of States' consent. And such consent was to be given only if the lease would prove beneficial to the natives.

Sooner or later in the study of any phase of the native problem of Kenya the question crops up whether, after all, the administrators really desire that the principles of trusteeship be carried out. The nature of the settlement of the land problem usually provides the best proof of the real motives of the trustee race. Nowhere is the need of foresight on the part of Government more necessary than in dealing with the question of land. The land is, after all, the life of every primitive African tribe. One would think that the East African administrators, with the terrible example of South Africa in view, would have escaped the pitfalls in land administration. But every mistake was made and on the Kenya government now rests the onus of proof that the declarations of the White Papers are worth anything. In 1914 Mr. Edmund Harvey said, speaking before the House of Commons about East Africa:—

I see a real danger—I do not say under the present administration, but we must look ahead—of measures taken now being made an excuse in years to come for
a great act of injustice being done these natives. I hope that the Colonial Secretary, when he speaks about this point, will make it quite clear that in the future, if reserves are delimited, regard will be had not merely to the actual population, but to the natural growth of the population, and that room will be left for them, and that he will trust to other measures, such as education, and a gradual pressure of economic causes, rather than forced measures suggested by some of the settlers to induce the natives to come in and give their labour, as so many of the settlers in East Africa desire them to do. I think we have every reason to see that we take away this reproach now being made against our rule, that while we talk very much about shouldering the white man's burden, we take great care to secure for ourselves the black man's land.40

Sir Edward Grigg points out that King George V declared on his accession:

It will be the high task of all my Governments to superintend the development of these countries (the colonies) for the benefit of the inhabitants and the general welfare of the world.

At the same time he seeks to divorce the question of trusteeship in Kenya from the doctrine of the paramountcy of native interests. He is misinterpreting the words of the great declaration. Sir Edward seeks to associate the rest of the world with the Kenya settlers and speculators in excusing the gold-mining concessions in Kavirondo as follows:

Are we to say that this metal, so valuable to the world as a whole, is to be denied to the world because it happens to lie under the soil inhabited by a few tribes of African natives? That seems to be an impossible attitude to take up in trusteeship. You have to think of the welfare of the world as well as of the interest of those particular natives. You must be absolutely fair to them, but you cannot inflict upon the whole world the disadvantages that might come from refusal to develop that talent lying in the earth, merely in order that a few people in a very primitive state should remain undisturbed.41

40. 65 H. C. Debates 5s, 28 July, 1914, Col. 1156.
41. 314 H. C. Debates 5s, 9 July, 1936; Col. 1482.
As we saw, had the Kenya administration heeded the many warnings, such as that given by Mr. Harvey, there would not have been the present native distrust and hatred of the white man—both bred of insecurity. If the native had long ago been given full title to his reserves, or if alienation had been regulated, the African would not be so loathe to part with the few concessions the Europeans have given to him. Moreover, the administrative principles springing from the declarations of trusteeship and of the paramountcy of native interests—the principles of Indirect Rule—do not aim at the goal "that a few people in a very primitive state should remain undisturbed." If these principles were in real operation in Kenya to-day, the time would be fast approaching when such western ideas as the world value of mineral resources, which Sir Edward Grigg stresses, would be appreciated by the natives.

This brings us, at last, to the final consideration: that of the solution of the native land problem. Throughout the study, we have seen that security of tenure is the greatest single land requirement of the native. Norman Leys says that the first step in the solution of the problem—which solution shall have as its aim that every African family in Kenya wishing to live by the cultivation of the soil may be able to do so—is that of making the Reserves, by statute, really inviolable. If the tribal authorities are given full trust for all tribal land, much will be done to allay native distrust. Second (to follow Leys' enumeration of the steps

42. Leys, N., op. cit., 62.
needed in a solution of the problem) until the needs of Africans are fully met, no further land should be alienated to non-Africans. And all land reverting to the Crown through bankruptcy or intestacy should remain in the hands of the Crown. Third: two scientific surveys should be made; one of the agricultural possibilities, and one of the rainfall of all Reserve land and all unalienated Crown Lands. New Reserve boundaries should be gazetted according to these findings. Fourth: the government ought immediately to put into effect an adequate scheme of assisted native settlement. Fifth: government aid should be given to the development of native agricultural co-operative societies such as function so successfully in Tanganyika and Uganda.

Finally, one wonders whether even such writers as Norman Leys, MacGregor Ross or even Professor Huxley see as clearly into the future of the land problem as they might. The question of the suitability of Kenya as a white man's country has often been referred to. Successful white enterprise—barring industrial enterprise in mineral areas—depends upon production for export. Canon Leakey says emphatically "I do NOT (capitals his) believe that in the Kenya of the future there will be a big white population of small farmers growing crops for export, for I believe that insect pests, unreliable rainfall, and ever-increasing but slow dessication will make farming for export unprofitable." Statistics show

43. See Strickland, O.F.; Co-operation for Africa; London; 1933; passim.

44. Leakey, L.S.B.; op. cit., 179.
that the last few years have been marked by the gradual decrease in the area of European cultivation. Many of the white farmers depend solely upon government aid in the matter of preferential freight rates and land loans. This cannot go on forever. More and more bankrupt settlers are leaving the country.

There is no question that there is adequate land in Kenya to support every native under a system of native production such as has been so successful in West Africa. One cannot help feeling that white settlement in Kenya was a mistake from the start. Where such settlement must, by the nature of the country, depend on black labour no white community can ever be self-supporting. The following speech by Mr. Morgan Jones, M. P. is both a propos and powerful:

there may be a case for encouraging white settlers, but when I have read stories of the discrimination between white men and other men in the various parts of the Empire I confess to wondering whether it is worth while encouraging white settlers to go anywhere. If they go, they can only go on the understanding that the British Government will do all that can be done to assist them, but that that assistance shall never abrogate the Declaration, either in letter or in spirit, made by the Duke of Devonshire in 1923. The first claim upon us in these areas is to safeguard the rights of the indigenous people. It is not the white settlers who have the first claim but the people who belong to those areas, and to whom those areas should belong. Our interest in them is that of going there and teaching them self-government. I say deliberately that if we are to retain our control of these areas at the price of making concessions to white settlers which give them complete dominion over the lives and well-being of the coloured peoples, the community system is not worth while, from my point of view.46

45. see 314 H.C. Debs. 5s, 9 July 1936; cols. 1455-6-7.
46. 314 H.C. Debs. 5s, 9 July, 1936; Col. 1436.
Chapter VI

Taxation, Finance and Administration

Part I. The Kenya Balance-Sheet

1. Lord Moyne and Sir Alan Pim and the financial situation
   ----conclusions same as those of Kenya reformers
2. The balance of racial contributions to revenue
3. The expenditure according to races
   ----revenue
   ----Loan Capital
4. 1937 financial reforms

Part II. The Strengthening of the Native Authorities

1. Financial reform and the Native Authorities
2. History of Kenya Local Native Councils
3. The Native Betterment Fund
4. Other aspects of the growth of the Native Authorities
5. Indirect Rule and the Native Authorities
CHAPTER VI

TAXATION, FINANCE, AND ADMINISTRATION

Part I. The Kenya Balance-Sheet

In 1932 Lord Moyne was sent out to Kenya to examine the financial situation in the colony and to enquire into the matters of finance specified in the Report of the 1931 Joint Select Committee. Certain of his terms of reference were as follows:

to report on, (a) the contribution made to taxation, both direct and indirect by the different racial communities;

(b) the amount of money expended in the interests of each community, in particular on natives and non-natives; and

(c) the degree and manner in which financial responsibility should be conferred upon the Native Councils. Lord Moyne's Report tells, though in language more guarded and official, essentially the same story about these matters as do the writings of Leys and Ross. The Report says;

"Considering the services provided in return, it is evident that the natives have long paid an ample contribution towards the general revenues of the country...."


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Judgment as to whether Europeans have been contributing a fair proportion of the cost of the indivisible or Colonial services must largely depend on opinion as to how far these services are of equal benefit to all races, and how far they have been developed primarily for non-native benefit....I have formed the opinion that in the development of the undivided or Colonial services in Kenya the prevailing bias has been towards the convenience of a civilization in which the native so far shares little of the direct advantages...and finally, the native cannot in his present circumstances fairly be expected to make heavier contributions, and if further revenue has to be raised it ought to be from the non-native. 

Lord Moyne thus brought the message of the Kenya reformers officially to the notice of the British Parliament.

This apparently is the only way in which reform can be brought about. The administrators will listen and act when one of their number tells them of the seriousness of a certain situation, whereas all that men like Leys and Ross can do is arouse public interest and, perhaps, resentment that such a situation should exist.

In 1935-36 Sir Alan Pim was busy on a second survey of Kenya finances. His terms were farther-reaching than those of Lord Moyne. Sir Alan was ordered to make definite recommendations as to the means of financial reform. In October 1936 his report was presented. The recommendations, if put into full effect, will constitute some of the greatest reform measures so far attempted in Kenya.

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2. Indivisible services—services of benefit to the community as a whole, not to certain sections of it only.


4. No copy of the report was available for my use, but its terms were summarized in Grown Colonist, Sept. 1936, 424.
Nothing causes us to protest more loudly than any raising of our taxes even though such raising may be perfectly just. No injustice arouses our resentment quicker than inequitable taxation. So perhaps that is the reason that of all the lessons Norman Leys and MacGregor Ross sought to teach in their books none was more easy than that of the dire consequences of continued "bias...towards the convenience of a civilization in which the native so far shares little of the direct advantages." Every Kenya debate in the Houses of Parliament of late years has at some time centred on the problem of taxation and expenditures. The administration knows only too well that the natives have not been given fair treatment and is, it must be admitted, trying to better their lot. But the settler community is vigorously resisting any attempt to readjust the present balance.

Lord Delamere once estimated the income of the average European family in Kenya to be £600 per annum. As he was opposed to increasing European taxation the amount is not likely to be an overestimate. Norman Leys quotes the 1929 Labour Commission's figures for the average African incomes for the same period and for the different occupations. By what seems a fair process of deduction an average figure of £4 per annum is arrived at. These two figures, £600 and £4 must be kept in mind during the following consideration

5. Neither of the above writers would put it thus mildly.
of the racial balance-sheets of Kenya Colony.

The African is concerned almost solely with the Direct Taxation. The Indirect Taxation falls mainly on the white community. That the African's Direct Taxation figure is almost equalled by the Indirect Taxes paid by the Europeans has been used unfairly by the latter as proof that the balance of contribution is fair. The following summary of revenue collections for 1931 should be used for reference.

<table>
<thead>
<tr>
<th>Europeans</th>
<th>Indians</th>
<th>Goans</th>
<th>Arabs</th>
<th>Natives</th>
<th>Indivisible</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
</tr>
<tr>
<td>Direct Taxation</td>
<td>42596</td>
<td>39170</td>
<td>3251</td>
<td>18114</td>
<td>530877</td>
<td>634008</td>
</tr>
<tr>
<td>Indirect Taxation</td>
<td>334477</td>
<td>145213</td>
<td>47346</td>
<td>16992</td>
<td>199161</td>
<td>745554</td>
</tr>
<tr>
<td>Other Tax. Revenue</td>
<td>109113</td>
<td>45406</td>
<td>4057</td>
<td>6241</td>
<td>11446</td>
<td>1936</td>
</tr>
<tr>
<td>Other Rev. (Not Tax.)</td>
<td>179595</td>
<td>49213</td>
<td>3752</td>
<td>6903</td>
<td>49596</td>
<td>1509169</td>
</tr>
<tr>
<td>Total</td>
<td>665781</td>
<td>279002</td>
<td>58406</td>
<td>48250</td>
<td>791100</td>
<td>3066930</td>
</tr>
</tbody>
</table>

European Direct Taxation falls under two headings. In 1935 the first of these, the Non-Native Poll Tax amounted to 70,987 pounds. The second type, the European Education Tax, paid on the same basis of 30 shs. per head for each adult male of 18 years or over brought in only £11,820 so it can be seen that of the Non-Native Poll Tax only £11,820 were contributed by Europeans. In the same year, death duties which might be termed Direct taxes, paid almost entirely by Europeans, netted the government £5,727. These three taxes account for all European Direct taxation. Figuring on the

8. See Cmd. 4093, 63
basis of £12,500 from the two main types, Norman Leys derived an average Direct taxation figure of three pounds per annum for each tax-paying European.

The African community also pays three types of Direct tax. One falls on all, the other two are paid by the peasantry on the reserves. The minimum tax-paying age for the natives, it should be noticed was, up to this year, sixteen.

The Hut and Poll Taxes, administered together, (each man pays either a tax for the huts he owns or, if living away from the Reserves, a Poll Tax.) fall on the whole African community. The average incidence of the two taxes is supposed to be around 12 shillings per head. But according to the 1931 figures the incidence averaged 2½ taxes or 28 shillings. For the budget for that year estimated £607,000 as the Hut and Poll Tax revenue. If the 12 shillings be divided into this it can be seen that around 1,000,000 taxes would be required. As there were, in that year, an estimated 430,000 tax-paying male Africans, it follows that each of these must average 30 shillings tax. Leys shows that some natives pay up to 5 taxes according to the number of huts owned.

The second Direct native tax is known as the cess or rate. It is levied by the tribal councils and falls on the natives in the reserves only, as those out wage-earning are exempt. From this source the sum of £39,952 was derived in 1931. Of the expenditure of such monies something will

10. Chapter IV on the practise of forcing labour by taxation.
11. Cmd. 4093; App. 8; 115.
be said later on.

The third, and final type of direct native assessment comes in the form of unpaid forced labour, under the Native Authority Ordinance. The evils of this modern corvée have been already discussed in Chapter IV.

Coming now to the consideration of the incidence of Indirect Taxation, we find in the table given above that for 1931 the Europeans paid 334,477 pounds and the Africans £199,181. This gives an average contribution of £36 per European and of about 6s. 6d. for each African. Considering the table again we find that, totalling the contributions of each community through all forms of taxation, the Europeans paid in 1931, £665,781 and the Africans £791,100.

At first glance it would seem that perhaps the incidence of taxation is not so unfair as has been made out. But several factors must be kept in mind in making the judgment.

First, there is the important question of relative capacities to pay. We saw that the average European family income was estimated at some £600 per annum while the African averaged only 5 pounds.

The average European total contribution is about £39. If all native payments, including, quite fairly, such items as the inordinately heavy native fines and the value of time spent in unpaid labour, are totalled, an average sum of over 2½ pounds is obtained.

12. See Leys; op. cit., 35.
It can be seen that the balance is all in favour of the European. It is evident too why the poverty of the African in Kenya is so great. The European gives \( \frac{1}{15} \) of his earnings to the Government. The African gives up to \( \frac{3}{4} \) of his.

Another factor adds to the unfairness of the ratio. The following analysis of the Indirect Taxation column of the table above is useful to us here:

**Indirect Taxation 1931**

<table>
<thead>
<tr>
<th></th>
<th>Europeans</th>
<th>Indians</th>
<th>Goans</th>
<th>Arabs</th>
<th>Natives</th>
<th>Indivisible</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customs Duties</td>
<td>298582</td>
<td>137460</td>
<td>44739</td>
<td>16625</td>
<td>198813</td>
<td>2345</td>
<td>698,584</td>
</tr>
<tr>
<td>Petrol Tax</td>
<td>22296</td>
<td>4047</td>
<td>182</td>
<td>367</td>
<td>368</td>
<td></td>
<td>27,260</td>
</tr>
<tr>
<td>Wines, Spirits Consumption Tax</td>
<td>11808</td>
<td>3200</td>
<td>2106</td>
<td></td>
<td></td>
<td></td>
<td>17,114</td>
</tr>
<tr>
<td>Beer Excise Tax</td>
<td>1791</td>
<td>486</td>
<td>319</td>
<td></td>
<td></td>
<td></td>
<td>2,596</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>334477</td>
<td>145213</td>
<td>47346</td>
<td>16992</td>
<td>199181</td>
<td>2345</td>
<td>745,554</td>
</tr>
</tbody>
</table>

It will be noticed how heavy is the proportion of the European Indirect taxation that goes for luxuries which are entirely beyond the reach of the native. A further study of the statistics given by Lord Moyne and those to be found in the Annual Reports which analyse the Customs Tariffs item adds strength to one's conviction. The tables make one suspicious that the Kenya import duties have been fixed so that importable things such as blankets, which have become necessities to the natives, have been heavily assessed to allow the lowering of rates on such things as the machinery necessary to European

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13. See Cmd. 4093 (1932), 64.
enterprise. It will be noticed, too, that in the items "Wine and Spirits Consumption Tax" and "Beer Excise Duty" the Native contribution column is empty. The average native has not sufficient means to feed himself and his family adequately, far less to spend money on the white man's luxuries.

Finally, there remains for us to consider the question of Income Tax. In East Africa until this year there has been no such thing as a graduated income tax. Every settler, rich or poor, paid the same ungraded direct tax. It was the pride of the Kenya settlers that they paid no income tax. They have used this fact in the publicity advertisements in England.

Avoid the present heavy income tax troubles by living in Kenya, N. Rhodesia, Nyasaland, Tanganyika, Uganda, Zanzibar. Healthy (sic.) climate, congenial surroundings. Particulars from East African Dependencies Information Office, 32 Cockspur St., S. W. 1.

said an advertisement in the London Times of October 5, 1931.

It is no fair argument to say that the Europeans make up for their freedom from the income tax by the heavy indirect taxation they pay. Even as it is, their total tax burden is far less than that of the tax-payer in England. And, moreover, what man does not feel that the paying of a luxury tax or even of an ordinary import duty is far less painful than the meeting of a direct levy on his income?

15. Leys, N.; op. cit., 20. Leys comments thus: "The Government of Kenya owes our country many millions of pounds. British taxpayers, for example, paid every penny of the cost, something over eight millions, of the original railway line from the coast to the lake. Yet the Government of Kenya thinks it right to use the public revenue of the country to tempt our idle rich to evade their duty to their country. And it considers such people to be eligible residents."
Though the revenue side of the Government of Kenya ledger is illuminating in any study of the native problem, the expenditure records are even more so. Here the frequent large entries under the heading "Indivisible Services" cause some trouble. But even if we omit these entries and consider just those under "Native Services" and "European" or "Non-native Services" the allegations of the critics of Kenya are easily supported. The fact that Lord Moyne and Sir Alan Pirn, both, have apparently discovered the situation in Kenya to be much as Leys and Ross described it and have so indicated in their reports, constitutes a valuable reform step.

So, omitting for the moment the question of the expenditure of Loan Capital, consider the following tables of revenue expenditures for 1931 taken from Lord Moyne's Report.

Schedule 4
Classification of Expenditure in 1931
Summary

<table>
<thead>
<tr>
<th>Classification</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indivisible Services</td>
<td>£1,771,180</td>
</tr>
<tr>
<td>European Services</td>
<td>171,247</td>
</tr>
<tr>
<td>European and Native (Indivisible) Services</td>
<td>2,962</td>
</tr>
<tr>
<td>Asiatic Services</td>
<td>46,080</td>
</tr>
<tr>
<td>Non-Native (Indivisible) Services</td>
<td>8,948</td>
</tr>
<tr>
<td>Native Services</td>
<td>331,956</td>
</tr>
<tr>
<td>Reimbursements and Cross Entries</td>
<td>883,716</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£3,216,089</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Schedule 6</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expenditure on European Services (items)</strong></td>
</tr>
<tr>
<td>Item 6</td>
</tr>
<tr>
<td>Item 7</td>
</tr>
<tr>
<td>Item 8</td>
</tr>
<tr>
<td><strong>Total European Services</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Schedule 9</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expenditure on Native Services (items)</strong></td>
</tr>
<tr>
<td>Item 9</td>
</tr>
<tr>
<td>Item 10</td>
</tr>
<tr>
<td>Item 11</td>
</tr>
<tr>
<td><strong>Total Native Services</strong></td>
</tr>
</tbody>
</table>

These items have been chosen because they serve to support some of the charges made so far. The education figures in Schedules 6 and 9 are particularly illuminating. So inadequate is this grant that each year the Local Native Councils grant, as we have seen, money towards education from their own funds. In 1931 the total they advanced was £17,000 pounds. Similarly the natives are finding it necessary to supplement the hopelessly small government grant towards the development of Reserve agriculture and native medical service, £8,496 and £6,915 being devoted in 1931 to each of these respectively. It will be seen that a large item in Schedule 4 is the £1,771,180 20.

17. Cmd. 4093 (1932) 84.
18. Ibid. 85
19. Ibid. 114.
for so-called Indivisible Services. Following this schedule in the Lord Moyne Report is a second one, which analyses the expenditure of this sum. Even a cursory examination will show that a great many, if not the greater portion of the items included under Indivisible Services are actually, at the present stage of African development, of service only to the Europeans. The author of the report admits as much when he says of the schedule that

the impossibility of finding any arithmetical equivalent for the benefits derived from these services is made clear by an examination of the items. Although I have been unable to find any acceptable basis of division for these services, it is evident that they are by no means of equal benefit as between communities.21

Finally there is the important question of the Loan Capital Expenditure. Here again it is very very easy to show the existence of the "prevailing bias". Only, in this case, the bias is even more apparent. Item 15 of Lord Moyne's Schedule 5 (mentioned above) deals with the Public Debt. This item is classified thus:

Loan Capital Expenditure Classification

Summary

(1) General Indivisible Services £ 16,253,371
(2) European Services 470,613
(3) Asiatic Services 56,795
(4) Arab Services 9,718
(5) Native Services 109,503

20. Cmd. 4093 (1932) 81.
22. Ibid; 85.
Here too, much doubt can be thrown upon the "indivisibility" of the indivisible £16,263,371. But, apart from this, it is impossible to deny the significance of the fact that £470,613 of Loan Capital should be expended in a single year for the service of 17,285 Europeans while only £109,503 were spent on the 3,000,000 natives. The following analysis of these last two items also provides a comment on the fairness of the Kenya balance sheets.

<table>
<thead>
<tr>
<th>Item 2</th>
<th>European Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Land Bank</td>
<td>£ 240,000</td>
</tr>
<tr>
<td>(2) European Hospital, Kisumu</td>
<td>6,612</td>
</tr>
<tr>
<td>(3) Nairobi Schools</td>
<td>38,241</td>
</tr>
<tr>
<td>(4) Kabete School</td>
<td>66,433</td>
</tr>
<tr>
<td>(5) Nakuru School</td>
<td>44,703</td>
</tr>
<tr>
<td>(6) Eldoret School</td>
<td>45,134</td>
</tr>
<tr>
<td>(7) Kitale School</td>
<td>29,490</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£ 470,613</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 2</th>
<th>Native Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Native Hospitals</td>
<td>£ 83,103</td>
</tr>
<tr>
<td>(2) African Schools, Kabete</td>
<td>26,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£ 109,503</strong></td>
</tr>
</tbody>
</table>

In that year £240,000 went into the Land Bank, the institution which aims to further the development of Kenya agriculture by loans from public funds to white settlers. Not a cent of loan

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23. *Cmd. 4093 (1932) 87*. 
capital went to Native Reserve agriculture. No comment is needed on the educational items.

In 1936, as we have seen, Sir Alan Pim reported on the means by which the financial abuses of the Kenya administration could be done away with. His terms of reference were as follows:

"(1) To inquire into the whole field of governmental expenditure in Kenya with particular reference to the cost of the Administrative and Technical Services; and to report whether, in his judgment, the total expenditure can be legitimately reduced, whether by re-organization or other means, without detriment to efficiency.

(2) To examine into the present condition of Kenya Government Finance having regard to the revenue and expenditure of the present and recent years and the prospective revenues for 1936; and to advise whether any, and if so what, modifications in the existing system of taxation in Kenya should be effected consistently with preserving the financial stability of the government."24

Rather unfortunately for the Africans, Sir Alan's terms of reference were considered by the settlers as centering upon the first term quoted above. In that period of world depression the accepted way of economy in government was that of cutting down staffs. Now for years it has been the settlers' demand that the numbers of the officials be cut down. In settler comment on the Report, the small economies that Pim recommended should be effected by staff-cutting were welcomed. But on the whole, the report met with unfavourable criticism. This was especially marked in respect to the recommendations Sir Alan made—in line with Moyne's statement—


25. See: From our Nairobi-Correspondent; Crown Colonist; October 1936; 422.
for the readjustment of the balance of racial contributions and services. Some of these are directly in line with the demands of Leys and Ross. Some of Pim's main recommendations were:

(1) that the Native taxation be amended by an extension of the system of grading, the reduction of the payment on account of extra huts, and the raising of the taxable age, as preliminaries to the introduction of an improved system of Native taxation to replace the Hut and Poll tax.

(7) that in Native Administration Local Native Councils should be relieved of expenditure in connection with Native Tribunals and of a share of expenditure on famine. Chiefs or headmen should receive some increase of pay in recognition of increased responsibilities.

(10) The system of native registration should be abolished.

(12) That certain types of co-operative societies should be organized.

(17) That, in the Medical Department, the progressive training and employment of an African service be instituted.

(22) that the Non-Native Poll Tax and Education Taxes should be abolished, the Trades and Professional Licences modified and the levy on official salaries reduced by at least a half. In their place an Income Tax should be imposed, including a basic minimum tax. The rate of taxation on extra huts under the Hut and Poll Tax Ordinance should be reduced by a half.26

Judging from the actions of the British Government since the Pim Report was presented, one would say that the Colonial Office is out to clear up the Kenya native problem. The fact that the recommendations of the Morris Carter Commission have not been carried into effect show that British opinion is against giving the white community in Kenya any more tether. But the way in which Sir Alan Pim's recommendations have been implemented is even more promising and significant.

In December of 1936 Mr. Ormsby-Gore said that the recommendations would be carried out. An Income Tax Bill was drafted in that month. In May 1937 it became law when it passed the third reading in the Kenya Legislative Council. Thus clause 22 of the Pim Report and Paragraph 118 of the Lord Moyne Report have been carried out. But action did not stop there. Since May, much development has taken place. In June 1937 Mr. Ormsby-Gore in reply to questions asked him as Secretary of State for the Colonies answered first that: the Kenya native taxation had been reduced by one half as recommended in Clause 22 of the Pim Report; second, that the question of the taxation on extra huts and its effect on the native population was to be referred to a local committee for investigation; third, and very important, that the poll tax minimum age for natives had been raised to 18 years; and fourth, that the Colonial Office would likely extend the Income Tax throughout East Africa and thus prevent tax-dodging by settlers. On June 15 the terms of reference for the committee on extra hut taxation were announced by Ormsby-Gore. The Chief Native Commissioner of Kenya is acting as Chairman.

27. See 318 H.C. Debs. 5s; 17 December 1936; Col. 2651.
28. See Crown Colonist; June 1937; 285
29. Cmd. 4093 (1932), 59.
30. The Colonies in Parliament; Crown Colonist; July 1937; 312.
31. See: The Colonies in Parliament; Crown Colonist; August 1937; 396. It is to be noted that Pim's recommendation that the post of Chief Native Commissioner be absorbed in a new organization under the three governmental secretaries (Paragraph 4 of Report), is not, apparently, to be adopted. It was recommended only as an economy.
All considered, 1937 has so far provided more promise of reform and a brighter future for the natives than has any year since the founding of the colony. Julian Huxley said that in Kenya the only bond between white and black was an economic one. Perhaps the administration, realizing this, has decided that the key to an ever-broadening program of native reforms, lies in the readjustment of the economic balance of the life of the Colony.

32. Supra 46.
Part II. The Strengthening of the Native Authorities

It will be recalled that both Lord Moyne and Sir Alan Pim in their consideration of the Kenya financial situation stressed the importance of the development of the system of Local Native Councils. Perhaps the Colonial Office believes that these men have shown the spot from which progress can start when they recommend that these already existing native organizations be given more responsibility in financial matters. If these bodies prove themselves able to handle the administration of their funds, there is no reason why they should not be the best possible stepping stones towards the evolution of a really responsible system of native government. So far, the Councils have proved themselves extremely capable in their handling of the small measure of administration allotted to them.

As Lord Moyne says "The Local Native Councils in Kenya are a deliberate creation under an Ordinance passed in 1924, whereas in Uganda and in some parts of Tanganyika they have been built up on a previously existing system of tribal administration." For a quarter of a century, the Kenya tribal

33. Cmd. 4093 (1932); 43.
34. See Paragraph 7 in Crown Colonist; September 1936; 434.
35. Leys, Ross and others should not be forgotten here. But Lord Moyne and Sir Alan Pim in their official capacity spoke with a power the reformers lacked.
36. Cmd. 4093 (1932); 43.
system had been disintegrating before the shock of European settlement. By 1924 the process had gone a long way. It is hard to decide whether the Kenya tribal institutions had ever been quite as well developed as those of other parts of Africa. Very likely they were not. Authorities differ greatly upon the subject. Leys, throughout his writings, seems to assume that in Kenya tribal government was as strong as anywhere else in Africa. Lord Moyne assumes that "the traditional system of tribal government was very rudimentary and variable."

But, after all, whichever one is right, these institutions were, in 1924, in the state Lord Moyne describes. In other parts of East Africa, the system of Paramount Chiefs was strong. Great chiefs, such as the old Kabakas of Buganda, bound the various related tribes together. Thus great areas would be ruled by one hereditary chief. Under him would come the various tribal chiefs and then the headmen of the villages. But in Kenya, when the administration set out to strengthen native authorities, it was impossible, owing to the chaotic condition of tribal government, to find who were, or should be, the paramount chiefs. So the basis of dividing the native areas into primary divisions, satisfactory for administration under the British Government, was impracticable. Accordingly, in 1924 rural Kenya was divided into seven provinces each in charge of a senior commissioner responsible to a chief native commissioner. In Kenya the senior commissioner, in matters of native administration, take somewhat the place of the Paramount

37. Cmd. 4093 (1932); 44.
Chiefs elsewhere in Africa. But this provincial division has not proven so satisfactory owing to the unfortunate disregard of ethnic boundaries.

But in its lower grades, the system set up by the 1924 Ordinance has proved fairly successful. There has been a measure of native protest against the appointment by the government of chiefs, sub-chiefs, and headmen who have no hereditary claim to rank. Nevertheless, the Native Authorities set up in 1924 can be said to have performed fairly well their intended function of shifting some of the administrative burden onto the natives themselves. Buell points out that, considering the huge volume of work done in Kenya by these Native Authorities their compensation has been entirely inadequate. He deals, too, with the question of hereditary succession in Kenya and shows that, in many cases, the succession was quite obvious but, since it was ignored by the administration, only resulted in dissatisfaction. "If the natives really want a paramount chief, there is no reason why they should not have one--except the political reason of 'divide and rule'--of dividing peoples in order to weaken them for the purpose of preventing the growth of native organizations which may present a united front to the whites." As a matter of fact, it does not seem to me that the Colonial Office, of late years at least, has had any such ulterior motive as "divide and rule" in its policy of reserve administration. Often, it has seemed


39. Ibid; 363.
as if the Native Authorities Ordinance has worked in favour of the settlers. It has, for instance, put certain funds in the hands of the Africans from which they have often paid for such matters as education, thus relieving the community as a whole from these charges. But, on the whole, the development of these Native Authorities has provided first class instruction in the principles of administration and finance. Though the funds entrusted to them have been small, they have been astonishingly well administered. But as yet almost every one of the 23 Native Councils requires the guiding hand of the District Commissioner as President.

There is one Council for each native district. Each is composed of the District Commissioner and natives, some appointed by the Governor directly and some nominated by the native barazas. The size and composition of the Councils varies greatly. Lord Moyne cites two examples: the North Kavirondo Council of 64 members, 38 "elected" by the baraza and 26 nominated; and that of South Nyeri of 23 members, 12 nominated and 11 "elected"

Lord Moyne, after his survey, was apparently well satisfied with the progress of the Native Council system in Kenya. It would appear from his recommendations that he considered them worthy of greater responsibility. The 1931

40. It must be kept in mind that most of the Councils have a long way to go before they attain the efficiency of the Lukiko and Native Treasury of the Kingdom of Buganda.

41. the baraza is the native court composed of all the elders of the tribe.

42. Cmd. 4093; 45.
Joint Select Committee, realizing that the natives of Kenya were not receiving their fair share of expenditures, had recommended "that the Chief Native Commissioner be charged with the preparation of an Annual Estimate of the Financial requirements of his Administration and should have allocated to it such funds as the Governor thinks desirable and necessary." Lord Moyne, however, did not think this step advisable. He proposed the formation of "a statutory body responsible, under the Governor as Chairman, for one half of the proceeds of direct native taxation" and that from these monies "a Native Betterment Fund be created out of which the direct service of native development should be financed."

This committee was to administer its funds in such a way as to "build up balances from year to year in order to provide for fluctuations in the yield of native taxation," to "finance a widening programme of native development" and lastly "to co-ordinate the efforts which are being made by the various departments to assist in native betterment."

This Native Betterment Committee was accordingly formed in 1934. Lord Moyne had, however, gone even deeper into the subject. Section 1 (d) of his terms of reference had instructed him to report on "the degree and manner in which financial responsibility should be conferred on the Native Councils. From his investigations on this subject

43. H. Of C. 156, Report of the Joint Select Committee on Closer Union, (1931); I; paragraph 87.
44. Cmd. 4093;38.
45. idem
46. ibid 1.
sprung what were, I think, the most far-reaching recommendations of the Report. He proposed that the Native Betterment Committee administer its funds through a system of grants-in-aid to the Local Native Councils "and seek to associate Local Native Councils in increasing measure with the administration of the betterment services."

The Colonial Office has apparently appreciated the importance of the two financial commissioners' recommendations. We have seen how, during this last summer, Sir Alan Pim's emergency recommendations have been acted on. In a similar way an honest attempt is being made to carry out Lord Moyne's ideas on Native Betterment. The fund has been started and there is a bright outlook for the Native Authorities.

But the financial function is only one small item in the possible scope of the functions of the Local Native Councils. Buell wrote wisely when he said that

While the councils from the administrative standpoint perform a helpful service, their primary importance in an inter-racial community is that they serve as a peaceful outlet to native sentiment in regard to the policies of the European administration. For the time being these councils will serve as a safety valve for native feeling. But for this very reason they may early become effective centres of native opposition to European rule. They will eventually demand a share in the actual administration of government. Kenya may well study the Tanganyika and Nigerian method of satisfying this demand by the introduction, modified to suit local circumstances, of the principle of indirect rule. The first step in this direction would be to recognize paramount chiefs where it is possible, and to vest in them some real judicial authority.

47. Cmd. 4093; 40

He went on to recommend such financial measures as Lord Moyne outlined. But this question of the function of the Local Native Councils as social and political agencies, apart from their financial function, opens to us the whole question of the future of Kenya as a Direct Rule colony—a consideration upon which this study can well be brought to a close.

Paralleling the development of the financial machinery of the Native Authorities has come the strengthening of the Native Courts and judiciary. The ordinary Native Court of a Kenya reserve consists of a Council of Elders appointed for this purpose by the government under the Native Court Rules of 1913. Their jurisdiction is, however, only narrow: over cases concerning property valued up to 2,000 shillings and in petty criminal offenses arising out of tribal law and custom. In this second case, their power is strictly limited by the district commissioner. They may impose, with the commissioner's approval, fines up to 500 shillings or imprisonment in a government prison of up to six months.

The natives of Kenya have taken a keen interest in these courts. This is shown by the huge number of cases they have handled. A seemingly justifiable move by the administration to simplify matters by consolidating some of the 522 Native Courts—in Kenya—one to each native location—has not been approved by the Africans.

For the natives have learned to appreciate every measure of responsibility delegated to them. Furthermore they

49. See Buell; op. cit.; I; 365. Central Kavirondo courts, 1924, decided 3,372 civil cases and 709 criminal cases.
have found these courts more suitable to their needs than the strange European courts. Norman Leys, Canon Leakey and others stress the uselessness of the ordinary European courts to the African, whose ideas of crime and punishment are utterly alien to those of the white man. This last factor, alone, seems sufficient cause to warrant delegation of more power to the Native Courts.

The fundamental need of a successful Indirect Rule administration is that the body of the natives be educated to responsibility. In Kenya unfortunately it has also been necessary that the native should appreciate the disadvantage in which he has been placed by white settlement. The Native Courts and Councils have served these two purposes, as Buell foretold. They have functioned as training schools in political responsibility as well as outlets of native nationalistic sentiment. Both these functions it appears have been, so far served already that there can be no retrenchment. Every year the volume of funds handled by the Councils is increasing. Every year the demand for the services of the native judiciary is increasing. The Government appears to be aiming at the satisfaction of these demands in the face of settler opposition. It will be, even at the present rate, a long time before a fair balance can be reached in the Colony as regards the contributions and rewards of the white and black communities but the trend is in the right direction. No policy, it seems to me, bids fairer to lead to the just balance than that of Kenya Indirect Rule. For from the present Native Authorities is developing the native governmental machinery
that is needed to make Indirect Rule function in Kenya as it has in Tanganyika and Nigeria towards the emancipation of the African.
Conclusion

The outstanding characteristic of the British Empire that has distinguished it from all other empires has been the idea of self-government within the imperial system. Whenever a British community has gained political institutions it has accepted political responsibility as its ultimate goal. The British Commonwealth of Nations consists of communities which have evolved their own systems of responsible government.

In Africa, whenever a white community has grown up in any colony it accepted autonomy as its ultimate goal. In every case where Britain has allowed settler political and economic ambitions their free rein a native problem has developed. For responsible institutions do not work where a community is divided into unmiscible parts.

As long as the native population of a colony is unable to stand by itself in the presence of western civilization it must be protected by the Colonial Administration against the ambitions of the Europeans. In South Africa the Africans were not thus protected. The Europeans attained their responsible government. The native problem there is now beyond the control of Great Britain.

But in Kenya the Colonial Office still has control. It must keep this control. For the situation in Kenya is vastly different to what it was in South Africa forty years ago when the political power was passing from London to the Cape.
To-day the colonial affairs of Britain are under the scrutiny of the world. She has, moreover, declared her willingness that this should be so. On top of this the African himself is realizing his importance as an individual in a democratic system. Soon he will value this right as much as does the white man.

Now let us assume for the moment, that autonomy is to be the goal of political evolution in Kenya as it was in South Africa. In Kenya the African's political evolution must now be figured on. This was not the case in the Union.

Times have changed and attitudes to the backward races have changed with them. When Britain declared her trustee position in 1923 she admitted that the African's development was as important as that of the white community. This was tantamount to admitting that any scheme for responsible government in Kenya must include each African as the potential political equivalent of each white man. It was an idea quite acceptable to all Europeans except those settled in the African colonies.

To-day the Kenya settlers are as bent on attaining responsibility as they ever were. They are blind to the fact that any political scheme must include an ever-increasing number of educated Africans. These blacks look forward to the day when Britain's trust will have been carried out and their race will have attained political emancipation.

As it is the natives of Kenya feel a deep resentment and hatred for the settler community. They realize the whites have hampered their progress and seized their land.
Every year that the abuses we have considered in this study continue the score grows longer that the African will want to pay off against the settlers. Gradual reform of the native problem in the aspects of it we have studied may do much to save the white community. But if the settlers' demands are acceded to, white settlement in Kenya is doomed. For responsible government would place the political balance of power in the hands of the African. In this respect too, the Indian community has to be considered. The Indians outnumber the Europeans two to one. With India so close to autonomy Britain can not afford to allow the white settlers further control of the destinies of this community. Truly the imperial implications of the Kenya problem are immense. And, too, the foresight and perspective demanded of the administration that will solve it.

The Hilton Young Report says of the task facing the administration;

There is no ready-made constitutional device by which the two radically different conceptions of government represented on the one hand by paternal autocracy and on the other by modern democracy with its conception of popular responsibility can be reconciled in a consistent and logical system.¹

It seems doubtful whether any such device could be developed. Besides, one wonders if such is needed in Kenya.

Britain has declared that her aim in Kenya is to carry out the sacred trust of civilization. The small white community of Kenya has so far only hindered the carrying out of the trusteeship. If settlement had never started the

¹ Cmd. 3234 (1929); 103.
Kenya native would likely now be living under a system of Indirect Rule. The Land and Labour problems would be non-existent. Native Education would progress unhindered. This and other services would be adequately financed from native-controlled treasuries. Most important from the world point of views, the overcrowding of the rich lands of Kenya would be at an end and the natives could produce enough for their own needs and for the world markets as well.

The Kenya native is learning to suspect that the white community alone stands in the way of his attaining these ends. Sir Donald Cameron, at his retirement in 1935 sounded a warning to the administrators when he said:

The people are becoming more enlightened day by day. The clouds of fear and superstition are lifting, and the light of knowledge is becoming increasingly strong; the acts of the Native administration are now quite properly exposed and open to public criticism, and if we are to preserve this system of Indirect Rule those who exercise authority must be fitted to rule in accordance with modern standards of civilized society.2

When the natives of Kenya reach a certain stage of enlightenment they will no longer allow 17,000 Europeans to block them. It is better that the obstacle be removed now. The white community must realize its position and co-operate with the administration. But if and when Kenya becomes an Indirect Rule colony the warning of Sir Donald must be heeded. Indirect Rule, improperly administered, tends to be reactionary. And no reactionary native policy could last long even to-day. For,

in Kenya, to quote the Hilton Young Commission again,

Processes have already been started which must inevitably lead to a stage when the native peoples will demand some voice in the management of their own affairs. Wise statesmanship must prepare to lead the natives on a course of steady mental and moral advancement, so that when they realize their power they may be properly qualified to use it.³

³ Cmd. 3234; (1929); 39.
BIBLIOGRAPHY: Key to Arrangement

I Primary Material

A. Government Documents

B. Parliamentary Debates
   (a) House of Lords
   (b) House of Commons

II Secondary Material

A. General on Colonies and the British Empire

B. The African Race Problems: General
   (a) historical
   (b) polemical

C. On the Native Problem in East Africa and Kenya

D. Anthropological: General

E. Anthropological: East Africa

F. On Special Phases of the Native Problem
   (a) Education
   (b) Labour

III Periodical Material (Arranged in order of date)

A. General

B. Particular Phases of East African Problems
   (a) Education
   (b) Land
   (c) Labour
   (d) Closer Union
   (e) Finance
   (f) Indian Question
   (g) Justice
   (h) Scientific Services
   (i) The Settlers' Case in Kenya
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(10) Report of Sir Samuel Wilson on his Visit to East Africa, 1929 (Cmd. 3578); Presented by the Secretary of State for the Colonies to Parliament by Command of His Majesty; January 1929.

(11) Memorandum on Native Policy in East Africa (Cmd. 3578); Presented by the Secretary of State for the Colonies to Parliament by Command of His Majesty; June, 1930.

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(7) Willoughby, Rev. W. C.; Race Problems in the New Africa; A Study of the Relations of Bantu and Britons in those parts of Bantu Africa which are under British Control; Oxford, At the Clarendon Press, 1923. A rather hard book to use as one feels the author has a hard job sticking to practical reality. Deals mostly with South Africa.
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Secondary Material

E. Anthropology: East Africa

(1) Brown, G. Gordon and Hutt, A. McD. Bruce; Anthropology in Action, An experiment in the Iringa District of the Iringa Province, Tanganyika Territory; London; Humphrey Milford, for the International Institute of African Languages and Cultures; 1935.

As the title shows, the book describes the way in which the principles of the Institute were put into practice in this experiment. More a series of small essays than a closely integrated work. Yet gives a fine picture of the native life in its phases which clashed with European ways.

(2) Thurnwald, Richard C. and Hilde; Black and White in East Africa; London; George Routledge and Sons Ltd.

Mr. and Mrs. Thurnwald combine to write this book on East African racial contacts which is notable for two features (1) the most accurate and scientific details of their anthropological studies (2) poor English. It is a useful book, especially on native education. Not a book one enjoys reading. Useful index. Chapter on Women by Hilde Thurnwald.
Bibliography: Part II

Secondary Material

F. On Special Phases of the Native Problem
(a) Native Education

(1) Fletcher, Basil A.; Education and Colonial Development; London: Methuen and Co.; 1936.
A most useful little book by a Dalhousie Professor. Deals clearly with the principles of native education.

A really fine study with an appreciation of the problems of adjustment that face the African. Unfortunately the latest specific study of Kenya education available. A most useful book.

(3) Murray, A. Victor; The School in the Bush, A critical study of the theory and practice of Native Education in Africa; Toronto; Green and Co.; 1929.
As the author says, his book is critical. But Murray's criticism of education under Indirect Rule is constructive. This book is most interesting to read. The weak points of education under Indirect Rule are shown up. Murray takes a narrower view of Indirect Rule than does, say, Julian Huxley. Murray thinks of it as a type of governing mechanism. Huxley associates it with all aspects of African life.
(b) Native Labour

(1) Brown, Major G. St. J. Orde; The African Labourer; Oxford; University Press, for the International Institute of African Languages and Cultures; 1933.

Quality typical of all I. I. of A. L. and C. books. A careful analysis of African attitude to white employment and of the question of labour supply and demand. Ties labour question up with other phases of native life.
Bibliography: Part III

Periodical Material (arranged in order of date)

A. General

(1) Shaw, Flora (Lady Lugard); Dry Nursing the Colonies; Fortnightly Review; Vol. 46, September 1889; 367-79.
   A fine and learned criticism of colonial office apathy towards the development of the colonies.

(2) Lugard, Sir Frederick; The Rise of Our East African Empire; Blackwood's Magazine; Vol. 86; December 1893; 875-91.
   A good account of early British enterprise in East Africa.

(3) Oliver, Sydney, Long Views and Short in Black and White; Contemporary Review; Vol. 90; October 1906; 491.

(4) Grant, W.L.; The Administration of Africa; United Empire; Vol. I; 1910; 283-87.
   A fine plea for the anthropological approach to the study of the native problems.

   Deals chiefly with Canada's evolution but is certainly pertinent to the Kenya question at present.

   A poor article. The Masai: "useless and even mischievous cumberers of the earth."


(8) "Quali"; The Native in British East Africa; Contemporary Review; Vol. 113, 1918; 459.
   A fine and useful article. Good on native problem as it then was.

(9) B. H.; British East Africa; Contemporary Review; Vol. 118; 1920; 389-99.
   A fine lucid article showing the danger of too much settler influence in Kenya (which had just attained colonial status).
(10) Lucas, Sir C.; Tropical Dependencies; Edinburgh Review; No. 480; 1922; 263-282.
   A useful review of Lord Lugard's Dual Mandate.

(11) Powys, Llewelyn; Britain's Imperial Problems in Kenya Colony; Current History; Vol. 18; 1923; 999.
   A good outline of the situation after the 1923 White Paper. Defends C.C. administration.

(12) Johnston, Sir H.; Race Problems in the New Africa; Foreign Affairs (N.Y.); Vol. 2; June 15, 1924; 598.

   Fairly good. Assumes fundamental distinction between black and white mentalities.

(14) Lewin, Evans; The Black Cloud in Africa; Foreign Affairs (N.Y.); Vol. 4; July 1926; 367-378.

(15) Buell, R. L.; The Destiny of East Africa; Foreign Affairs (N.Y.); Vol. 6; April 1928; 408-26.
   A very fine article. Should be read for material on the idea that "The future of East Africa may lie with the League of Nations".

(16) Hartley, C. Grattan; Africa: Will it be a Slum Continent?; New Republic; Vol. 55; August 8, 1928; 309-10.
   A diatribe against exploitation. Hartley's second name makes one doubt his motives.

(17) Dubois, H.M.; Assimilation ou Adaptation; Africa; Vol. 11, January 1929; 1.
   Dubois shows the profound effect on the African of his realization of "sa propre dignité et ses droits, comme portion de l'humanité".

(18) Delmege, J.; Native Policies in White Africa; Nineteenth Century; Vol. 106; July-December 1929; 163-175.
   Considers Hilton Young Report and how it supported White Paper policies of native administration.

(19) Lord Olivier, Britain's Trust in Africa; Contemporary Review; Vol. 135; 1929; 273-81.

(20) A. W.; The East Africa Problem; Journal of the African Society; Vol. 30; 1931; 104.

(21) Haydon, Ralston; The Native Problem in British Africa; Current History; Vol. 31; January 1930; 788-89.
   Shows how the C.O. can still settle the Kenya Native policy from London.
(22) Huxley, Julian; The Principles of Indirect Rule in African Administration; Nineteenth Century; Vol. 108; July-December 1930; 753-59.
A fine article. Most useful.

(23) Baron Lugard; The Native Problem in East Africa; Foreign Affairs (N. Y.); Vol. 9; October 1930; 65-78.
As with Huxley's article, the author is sufficient recommendation.


(25) "The Developments in the Relations between White and Black in Africa (1911-31) by Dr. J. H. Oldham"; Journal of the African Society; Vol. 32; April 1933; 160-170.
A review reprinted from the "Twenty Year Report of the Phelps-Stokes Fund, 1911-1931" by Dr. Jesse Jones.

A fine and useful article by an authority.

(27) Welland, Frank; East African Kaleidoscope; Nineteenth Century; Vol. 115; January-June 1934; 525.
"We have reached the stage at which we must cut out our old ideas of 'child races'". A useful article.

A thought provoking article in poor style.


A Review by a correspondent.

(31) Thompson, R.; Grievances in Kenya; Current History; Vol. 43, December 1935; 310.

(33) MacMillan, Prof. W.M; Changing Africa; Manchester Guardian Weekly; Friday, July 24, 1936; 76.

(34) "The Unification of the Colonial Service"; Crown Colonist; August 1936; 345.
One of a fine series of editorial articles on the subject.

(35) "Do Colonies Pay?"; The Spectator; August 14, 1936.
A criticism of the analysis in Grover Clark's books.

(36) Ormsby-Gore, W.; The Colonial Empire Under Review; Crown Colonist; August 1936; 365.

(37) "The Faith of an Englishman"; Crown Colonist; December 1936; 532.

(38) Lord Lugard; Some Colonial Problems of Today; United Empire; December 1936; 669.
Puts the case for separate administration of the native and settler communities. Good article.
Bibliography: Part III

B. Particular Phases of East African Problems

a. Education

(1) Lord Lugard; Problems of Equatorial Africa; Journal of the Royal Institute of International Affairs; Vol. 6; July 1927; 219.
   A very useful article.

   Amery is good on education under Indirect Rule.

   Fine material.

(4) Lord Lugard; Education and Race Relations; Journal of the African Society; Vol. 32; January 1933; 1-11.

(5) Murray, Victor; Education under Indirect Rule; Journal of the African Society; Vol. 34, July 1935; 228.
   Constructive criticism of this education.

b. Land

(1) Hindlip, Lord; British East Africa; Nineteenth Century; Vol. 54; July-December 1903; 903-907.

(2) Eliot, Sir Charles; The East Africa Protectorate as a European Colony; Nineteenth Century; Vol. 56; July-December 1904; 370-85.
   An interesting article by the man who started land alienation in Kenya.


(5) "Treatment of Child Races"; Manchester Guardian; Friday, June 12, 1936; 467, Col. 2.
c. Labour

(1) Rathbone, Edward P.; The Native Labour Problem; Nineteenth Century; Vol. 54; July-December 1903; 404-413.

(2) Johnston, Sir Harry; The East Africa Problem; Nineteenth Century; Vol. 64; July-December 1908; 567-87.
  Good on white man's attitude to manual labour in tropics.

(3) Harris, John H.; Making the "Lazy Nigger"; Work; Contemporary Review; Vol. 105, June 1914; 819-25.
  A diatribe against the settlers who gave evidence before the East Africa Labour Commission in 1914.
  An early Norman Leys.

  Useful statistics on labour demand and supply.


  Statistics useful.

  A reprint of Smuts' Rhodes Lecture at Oxford.

(8) Native Labour in Kenya, 1932; International Labour Review; Vol. 30; September 1934; 374-78.

  Comments on Native Affairs Department Annual Report.

(10) Reade, L; Ethiopia and Kenya; New Republic; Vol. 84; October 2, 1935; 211-12.
  A tirade against Britain.

(11) Workmen's Compensation in Africa; Crown Colonist; May, 1936; 208.
  An editorial summary of the views on the subject of the Joint Committee of the East Africa Section of the London Chamber of Commerce and the Joint East Africa Board.

(12) Browne, G. St. J. Orde; Black Man finds a Job; Christian Science Monitor; July 29, 1936; 4.
d. Closer Union

(1) Benson, W.; Closer Union in Africa; Journal of the African Society; Vol. 30; October 1931; 339.
A fine article on the political significance of the demand for closer union.

A review of the findings.

(3) Noble, F. S. Livie; Closer Union in Africa; Journal of the African Society; Vol. 31; January 1932; 77-79.
An attack on Benson's article.

e. Finance

(1) Holm, Alex; The Economic Position of Kenya; Crown Colonist; April 1936; 163.

A fine outline of the 300 page Pim Report.

(3) The Pim Report; Crown Colonist; November 1936, 505.
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f. Indian Question

(1) The Indian Problem in East Africa; Round Table; Vol. 12; No. 46; March 1922; 339-361.
Fine material.

(2) Protherom Michael; Kenya Controversy; Contemporary Review; Vol. 123; February 1923; 198-204.
A good outline of the 1922 controversy. Rather non-critical.

(3) Watkins, Olga; Indian Question; Fortnightly Review; Vol. 102; 1923; 95-93.

(4) Stone, F.G.; The Kenya Conference; Nineteenth Century; Vol. 93, May 1923; 757-75.
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g. Justice

(1) Burke, H. Lardner; Trial By Jury in our East African Colonies; Fortnightly Review; Vol. 91; 1912; 67-81.

(2) Lord Raglan; Crime and Punishment in Tropical Africa; Nineteenth Century; Vol. 93; 1914; 575-82.

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(3) Browne, St. J. Orde; British Justice and the African; Journal of the African Society; Vol. 32; April 1933; 148-159;

Shows how such justice can be misapplied in Africa; Also deals with Bushe Report (Cmd. 4623).


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A first class article by the author of Cmd. 4623.

(6) Venerable Archdeacon Owen; Juvenile Criminals in East Africa; Manchester Guardian Weekly; September 11, 1936; 219.

h. Scientific Services

(1) Gregory, J. W.; Science and Administration in East Africa; Nature; Vol. 115; May 16, 1925; 753;4.


i. The Settler's Case in Kenya

(1) Johnston, Sir H.; The White Man's Place in Africa; Nineteenth Century; Vol. 55; January-June 1904, 937-46.

(2) Hall, Sir Daniel; Native Settlement in Kenya; Nineteenth Century; Vol. 107; January-June 1930; 70.

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(3) Kenya: The Settler's Case; Round Table; Vol. 26; December 1935; 82-97.

A fine lucid article.
(4) Scott, Lord Francis; On His Mission for the Kenya Colonist; Crown Colonist; July 1936; 301.