

TOM MBOYA, M.C.L.

Kenya Reviewed

Tom Mboya, President of the Nairobi People's Convention Party, was educated at a mission school in Nyanza province, Kenya, and later at the Jeanes School in Kiambu where he qualified as a Sanitary Inspector. While employed as a Sanitary Inspector with the Nairobi municipality he made contact with the I.C.F.T.U., and set about organizing a union for all grades of local government workers. In due course he was elected General Secretary of the Kenya Federation of Labour, and proceeded to build up its strength, despite the state of emergency, regular police raids on his offices, and the arrest and detention of many branch officials. In 1955 he came to Britain for a year's study at Ruskin College and also visited Europe and America. On his return to Kenya he became one of the first elected African M.P.s in Kenya, and has led the demand of Africans for constitutional reform. He has succeeded in mobilizing not only the unanimous support of Africans, but also that of most Asians and some Europeans. He was recently charged with conspiracy and criminal libel and found guilty on the latter charge. In November he led the 'walk-out' of African M.P.s during the Governor's address to the Legislative Assembly.

It is now two years since I returned to Kenya after my absence at Ruskin College for one year, and a few months' visit to the United States and Canada.

When I was at Ruskin I spent some of my time speaking on Kenya, and on one occasion spoke in Germany to a rally of the Social Democratic Party. Towards the end of my stay I wrote a pamphlet entitled 'The Kenya Question: An African Answer', for I had discovered that very little was known of the Kenya Africans' feelings or views, while the European settlers were represented in Britain by the *Kenya Voice*, and the Government by the East Africa Office and the Colonial Office. The Emergency situation, too, had been deliberately interpreted so as to present the African in the worst possible light, and to justify the actions taken by the Kenya Government and the settlers.

Since my return, I have been actively engaged in the political life of my people and with my colleagues in the legislature have tried every constitutional and peaceful method to improve the African's position and remove some of the obstacles to a peaceful solution of the Kenya question.

Today some changes have taken place and others are inevitably on the way, but the problem remains essentially the same, and the

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steps towards solving it seem to be the same as those I advocated two years ago.

The 1957 Elections

In my pamphlet, I made plain the convictions underlying my analysis and proposals. They were as follows: —

- (1) The fundamental equality of all men regardless of race, colour, sex or creed.
- (2) That the purpose of Society is to enable all individuals to live in amity together and to co-operate for their common good.
- (3) That Government exists to serve the individuals in Society.
- (4) That therefore the State should be so organised as to enable the maximum individual freedom consistent with equal freedom for others.
- (5) That the only way in which these precepts can be implemented is by each individual participating in his own government on terms of equality with all other individuals in the Society.

'This means that I reject any concept of race superiority, that I reject any concept of racial group rights or duties within a State - accepting only individual rights and duties, and that I believe that each individual must have an equal opportunity to develop himself and his potentialities.

For these reasons I accept the political philosophy of democracy, in which each individual has an equal voice in the choice of his government and an equal opportunity freely to express his opinions on its actions. I accept the principle of the Rule of Law and the equality of all citizens before the Law. I accept also the necessity to organise the economy of the country so as to enable everyone to live a full life without fear of hunger, and without being forced by poverty to accept the domination of any other individual or group of individuals.'

Today not only am I convinced that I was right, but I am left with no doubt that if everyone worked for these objectives Kenya would be a happier country. At the time I said that the practice in Kenya was very far from these ideals. This still remains the position despite some changes. I also said that due to the economic, social and political structure existing in Kenya, I could not but discuss the situation in racial terms. This again remains the position even today.

Let me first look at the changes that have taken place since August, 1956. Under the Lyttleton Plan, 6,000,000 Africans were to be represented in the legislature by six members appointed by the Governor, and in addition there was one appointed African Minister of Community Development and two Parliamentary Secre-

taries. As against this, the 55,000 white settlers were represented by fourteen European Members elected by European votes on universal suffrage. Two of these members were appointed Ministers of Agriculture, Animal Husbandry and Water Resources, and Local Government, Health and Housing, respectively, and another a Minister without Portfolio, with a seat in the War Council. The 150,000 Asians were represented by six members directly elected on universal franchise, one of whom was appointed Minister of Works and the other Minister without Portfolio. The 25,000 Arabs were represented by one elected and one appointed member one of these being a Parliamentary Under-Secretary.

In December, 1956, some changes took place, giving Africans two more members and an additional Minister without portfolio. To maintain the status quo, however, two new seats were created for European settlers - Corporate members - one to represent agricultural interests, and the other the interests of commerce and industry.

In March, 1957, Africans in Kenya went to the polls for the first time ever, to elect their eight members under a qualitative multiple vote franchise (under this franchise one must be at least twenty - one and be in possession of at least one of the several scheduled, property, education, income, service and age qualifications). Any one in possession of more than one of these qualifications got more than one vote up to a maximum of three votes. For Kenya Africans this was a turning point. It was not universal adult suffrage, but for the first time our people would decide for themselves who was to represent them. The result was the defeat of all six members who had been nominated by the Government before December, 1956, including the Minister and the Under-Secretary. All eight new members - myself included - were pledged to break down the Lyttleton Plan and to seek an immediate increase in African representation. In addition, there was a demand for a public declaration by the British Government that it was their ultimate aim to develop Kenya towards a democratic government with a common voters' roll based on universal adult suffrage.

In my 1956 pamphlet I quoted statements by European leaders from 1905 to 1956 on the theme of European supremacy. Over the years this policy had produced a structure of society in which Europeans were always placed above the Africans, with the Asians in the middle position. To sustain such a system the settlers had to have power in the legislature, and so were given representation equal to all non-Europeans, regardless of population and size of constituency. This structure led to practices which created a psychological situation in which but a few settlers could think straight.

It engendered fear, suspicion, humiliation and hatred on the part of the African, as he saw policies on education, housing, residential areas, job opportunities, promotion, conditions in employment, and even cultivation of cash crops determined on the lines of the theory of European supremacy.

We made it publicly clear that we would work to destroy this system and that we would strive for a greater voice in the legislature. This meant the destruction of the system whereby 40,000 Europeans enjoyed parity of representation with 6,000,000 Africans and Asians and the reversal of the balance of power, so long as communal representation continued. The European settlers then attacked us, using every means at their disposal in Kenya and Britain to discredit and ridicule our demands. For them our stand meant the end of a dream they had begun to nourish not only secretly but publicly - the establishment of a self-governing Kenya on South African lines. Publicly they spoke of tutelage and leadership but to Africans terms like 'multi-racialism' and 'partnership' meant European settler domination and oppression, as in South and Central Africa.

The Land

Land remains a bone of contention in Kenya politics. When we condemned the policy of exclusive reservation of the rich Kenya Highlands - I refuse to call them the 'White' Highlands - the Europeans accused us of racism and economic ignorance. They claimed the Highlands were a right, and only they were capable of farming them economically and effectively. They forgot that African-grown coffee in the Meru District had been adjudged the best coffee in the country for several years, and that all European farmers owe their existence and achievements to cheap African labour.

The African looks at the land problem from two viewpoints, political and economic. Politically the 'White Highlands' is an anachronism which must go; it is the visible symbol of European privilege and superiority, and breeds African resentment. Politically, therefore, it is a problem of race discrimination, and can only be cured by setting aside the White Highlands Order in Council. Whenever I have advanced this argument I have been told *ad nauseam* that any interference with the settlers would result in the overnight collapse of Kenya's economy. Now I appreciate that production from the Highlands constitutes the backbone of our economy, and that the European farmer has made a definite contribution to our economy, but I must insist that the 'White Highlands' are as indefensible economically as they are politically. The fact is that the European community is too small and too

highly subsidized to continue to be the backbone of our country's economy. The best illustration in this is the maize blunder; in pursuing the policy of protection in 'European enterprise' at any cost the Government has to pay large sums in guarantee and purchase of surplus production, while at the same time charging the consumer unrealistic prices for maize flour - 'posho'. Last year, despite a surplus of some 800,000 bags of maize, the consumer was charged shs. 54/- a bag of flour while the producer only got some shs. 32/-!

In defence of these policies we are often told there must be organized marketing and control of disease, etc. This we do not deny, but we know that this is being used to cover up the real issue: protection of European enterprise at any price. How far is this policy economically equitable or justified, when on the one hand there is land hunger among Africans - 800 people to the square mile, entirely dependent on land for their old age security and subsistence - and next door European settlers not only own thousands of acres per person, with still enough room for the Kenya Government to vote money to attract new settlers from overseas. In doing this the Kenya Government have even ignored the recommendations of the Royal Commission Report of 1955.

Now I am the last person to believe that there is enough land for every individual in Kenya, nor do I ignore the need for large unit farming. Side by side with land reforms, there must be an economic plan including industrialization projects and the stabilization of labour by providing better housing, adequate wages and old age security and other social amenities. This would make the working places sufficiently attractive for workers to want to make it their permanent home and would attract surplus population from the land. Some form of secondary industry, too, must be introduced into some of the rural areas. Government has expressed and in some cases is trying to pursue, similar policies, but the attempt is too inconsistent and timid. Moreover, all unoccupied and unexploited land in the Highlands - whether Crown land or individually owned - should be acquired for a resettlement programme for Africans on individual and co-operative basis. Such a scheme will need active government participation by providing capital; a pool of equipment on small hire rentals; training and field instructional facilities and even a managerial agency; marketing facilities and the stimulation of production generally. Here a look at Puerto Rico may serve as a useful guide.

Ours is a country whose development must be rapid and consequently cannot entirely depend on private enterprise. Capital must come from outside, but it is a pity that due to Colonial rule

our capital resources should be limited mainly to Britain. Of late the Kenya Government has pointed to land consolidation as the cure for all the Africans' economic problems. Despite our warnings the Government has pushed on with this programme apparently without any thoughts as to its economic and social repercussions. Landlessness has been played down, and the employment opportunities created grossly exaggerated. A few months ago, the Minister for African Affairs stated there were already 15,000 unemployed in the Central Province. To be frank, the Minister has no idea what the figure is but the general attitude is to play down unemployment. Land Consolidation is certainly not the answer to all our problems, nor is it an alternative to the need to open the 'White Highlands' to African resettlement.

The first act of the eight newly-elected members was to declare the Lyttleton Plan null and void and to call for constitutional reforms giving the Africans fifteen more seats in the legislature. We also decided to boycott the Council of Ministers by refusing to accept appointment to the two ministries set aside for Africans. The settlers condemned us, while the Government decided to play safe by pretending publicly to use the provision in the Lyttleton plan - a standstill until 1960 - as their defence against any yielding to our demand. The Asian and Arab members supported us, although not actually committing themselves as to figures.

In July, the settlers for the first time stated that they might agree to some increase in African representation if there was agreement on safeguards whereby no racial group or a combination of racial groups could dominate other groups! In addition, they wanted a guarantee that any new constitution would last for a specified number of years, and that African members would forthwith participate in the Council of Ministers. The Europeans were thinking how to maintain the same position of power under some guise: they had begun to see their hopes and dreams ruined, and the ruling factor was now fear. All of a sudden they began to talk of 'minority safeguards'. We declined to accept these conditions, for we argued that our case for increased representation must be treated on its own merits. To accept the European conditions would have implied that we were satisfied with the pattern of representation. I was surprised by what even some of our friends in Britain told me when I was there that we ought to give the European suggestion a trial since it represented a big concession. We ask for our rights while the Europeans think in terms of concessions! We do not ask for concessions since we seek no Privileges.

In October 1957, the Colonial Secretary, Mr. Lennox-Boyd,

visited Kenya to help settle the constitutional situation. It would seem that he had made up his mind to stand by the Europeans, however unreasonable their stand. At the very first meeting he outlined the points to be discussed - the list was similar to the points made by the European members earlier in July.

The talks ended in deadlock. The British Government was therefore set free of any commitment to the European community as the stand-still agreement no longer applied. On November 8th, without prior discussion or consultation, Mr. Lennox-Boyd announced a new constitution for Kenya. The settlers welcomed the new constitution outright. The African elected members rejected the constitution.

It provided for an increase of six more Africans, bringing us to parity with the Europeans; but retained the ministerial proportions of four Europeans, two Asians and two Africans. In addition the constitution provided for twelve new seats to be known as Special Seats, distributed on the basis of 4:4:4 i.e. parity between Africans, Europeans and Asians respectively and elected by the whole legislature sitting as an electoral college, this parity not to be altered without the consent of the Council of State for at least ten years! There was also to be a Council of State, responsible for examining all bills to guard against discriminatory legislation, providing the Council does not interfere with matters not referred to it or with any legislation already in existence, however discriminatory these may be! These proposals we rejected, giving detailed reasons. The day following, Mr. Lennox-Boyd stated that our rejection did not represent the majority of the African people! But in March, 1958, the African community without exception returned for the six new seats only those Africans who had declared their stand rejecting the Lennox-Boyd constitution.

Today we are exactly where we were in 1957. The Lennox-Boyd constitution is rejected by all groups except the Europeans and the Government. The elections for the Special seats proved a fiasco with known persons like Mr. Vasey being defeated by the European votes, and the four Africans who had been patted on the back as good boys sinking rapidly into the background. They have neither the following, the initiative nor the courage to look for support among the Africans.

In April, the Indian Congress resolved that if by 31st December the Government had not convened a round table conference, and the African members still declined to accept ministerial appointment, the Congress would call on all Indian members to boycott the legislature and upon the Indian Minister to resign from the

Government. This date is drawing near and so far there is no sign of a round table conference. The indications are that the Congress will implement its resolution, and that African members may consider a withdrawal from the legislature. And then what next?

Emergency Administration

A costly - costly in money and human lives - state of Emergency has now entered its seventh year. Attempts by the African elected members within the legislature and outside have been unsuccessful in bringing the Emergency administration to an end. The Government can no longer use terrorism as the excuse for continuing the state of emergency, since the shooting war ended some three years ago. In the Africans eyes this situation is being exploited to establish a police state in Kenya, and the emergency has been used to enforce land consolidation on an unwilling people. It has also been used to stifle any effective development of African political organisation, for Africans may only form District political associations. When these associations attempted to form a convention of Associations, the Government quickly stepped in and threatened with a prosecution. Africans may not hold open-air public meetings, and speeches at African political meetings are tape-recorded by the police. Not even the African elected members may address meetings outside their own constituencies. The aim of all this is obvious - to make it impossible for Africans to establish a national political movement. The Government would prefer a divided, tribal-minded African community to one that is politically conscious and united as a people and a nation. The results of the two African elections, and the success of the fund-raising for the elected members' delegation to Britain last year, and the success of the boycott of beer, smoking and buses last May conclusively prove that the Government policy is a failure. Despite the emergency regulations, Africans are united in their aspirations. No law can stop a people from thinking; when a law is so unjust and unworkable, the population will not even try to co-operate with the authorities in their efforts to maintain law and order. Our government has not only failed to win confidence and respect, but has even failed to instil fear with the result that subversion is being resorted to more openly and deliberately.

At Mombasa recently, the Governor said that the immigrant races, particularly the European community, had nothing to fear for their future in Kenya. The British would never surrender control over Kenya; as a sign of this determination British troops were being stationed in the Colony! The security of the immigrant communities in Kenya can never be secured by the determination of the British to rule Kenya or by the presence of British troops

in Kenya. This is so simple and elementary that one would have thought everyone understood it. The inevitable fact is that Kenya is primarily an African country, bound to be ruled in the end by a predominantly African Government.

Despite the wishes of some settlers, Kenya will never be another South Africa, nor will any attempts to retain British control for all time succeed, whatever methods may be used. The last six years ought to have been a lesson to us all as to how expensive and destructive the policy of preservation of European interests can be. To continue such a policy is to court another unnecessary and probably more expensive emergency.

In 1953 the British Government declared that Uganda would be developed as a primarily African State. This year the Governor of Tanganyika declared that a self-governing Tanganyika would inevitably have a predominantly African government. This represents a move from the old policy of multi-racial partnership towards non-racialism based on democratic principles.

What of Kenya, what is it to be? Our memories are still fresh with the uproar over the Minister of Finance, Mr. Vasey's, statements on B.B.C. that there would be a predominance of Africans in the legislature and Government of Kenya. For weeks Mr. Vasey was attacked and condemned at various European settler meetings. His defeat at the elections for Special Seats was a clear confirmation that the majority of Europeans are still committed to the policy of 'European supremacy' at any price.

Our Policy

The African elected members all along have stated that Kenya should be developed towards a democracy based on universal adult suffrage, recognising that Kenya is primarily an African country. But ours has not been a racial policy: in the Kenya we have in mind there would be room for any immigrant communities.

In July this year we issued a policy statement which stated: 'The Parliamentary system which we envisage will contain features here below outlined:—

- (a) Parliamentary Legislative Supremacy coupled with powers of Judicial Review, i.e. Any laws passed by Parliament are subject to review by the High Court as to their constitutionality and consistency with the declared rights of individuals and property safeguards.
- (b) A Bill of Rights of individual citizens vis-a-vis the state shall be an essential feature of the constitution so that every citizen, irrespective of race or country of origin, may know them clearly and have easy access to the courts of law in case of their alleged violation.'

In 1956, the European was confidently and publicly asking for immediate self-government for Kenya under European rule, while the African was afraid and urging the continuation of Colonial Office rule. Today the Europeans want minority safeguards and continuation of British rule. The Africans have started demanding F R E E D O M and are generally more confident than they have ever been in Kenya's history. The African elected members' latest constitutional proposals demand another 12 African seats; a smaller Council of Ministers, with Africans occupying 50% of the elected ministers; abolition of the Council of State and the Special Seats, and discussion on the workability of a common roll.

Before I conclude I want to make one or two points on the position of the Asian. I have never ignored the Asian, but I am convinced that the position he enjoys today, and the exploitation carried on by some Asian traders or the obstruction caused by Asian workers to the promotion and experience opportunities of African workers, can all be properly classified as the results of the system in Kenya and in this the architect is the European settler with the backing, support, and sometimes even encouragement of the British Government. Destroy the system; give the African an effective say in Government, and the situation resolves itself.

Some of our people may not like to admit it, but at least the Asian has shown more sympathy to the African's political aspirations than have the Europeans. Indeed the Asian has been accused by both sides of standing on the fence. To some extent this accusation is justified. Some Asians have more than once adopted the attitude that the struggle is between the Africans and the Europeans, in the meantime the Asian should keep out of the struggle and attend to his often lucrative trade.

The Asian too must realise that his future depends on the goodwill created with the Africans. His intervention in petty trade is resented. His hostility to African workers and some of his blind profit-making drives are all resented and must be corrected if goodwill is to be created. Like the European, he has made a contribution to our economy. Like the European, he is an immigrant. The future security of both must depend on their acceptance or otherwise of the undiluted democracy that we now call for. But 'Asian' is a term which can be very misleading, for while the Indian Congress in April of this year passed a resolution in support of a round table conference and also generally supporting the African's demands, Saeed Cockar, Asian Muslim League Secretary, on the other hand, declared in *Drum Magazine* that their Problems in Kenya were, firstly, the Hindus, and secondly, African Nationalism. Zafur Din, the President, remarked that they were

a loyal people who did not want to quarrel with anybody, and that so long as the Colonial Office continued to govern they would have no fear. In October he joined the settlers in advocating a qualitative common roll franchise rather than universal adult suffrage. The Muslim leaders have even tried to introduce religious politics amongst Africans, for which they have sharply and promptly been rebuked by the African elected members.

But for some slight friction over the Coastal strip protectorate the Arab members have supported us in our political demands. What is it that the Africans want? Democracy and human dignity. This is the simple answer.

The African in Kenya will not accept anything less than his brothers in Uganda or Tanganyika, just because Kenya happens to have a few thousand settlers. Our aspirations and desires are the same regardless of the presence in some territories of white settlement.

The African will not accept anything short of universal suffrage, especially after seeing the use that has been made of a qualitative franchise in Southern Rhodesia and Central Africa generally.

The 'White Highlands' Order in Council must go and with it any other policies conceived to secure or protect European supremacy and enterprise.

I know that this statement will as usual be condemned in Kenya settler circles as another racial attack on them. Let me therefore reply to such condemnation in the following terms: to a people economic matters may be very important and in some cases vital, but if as a price they have to give up their claim for human dignity and self determination, then economics will and have in fact always taken second place. In order that economic development may be given priority the people must have confidence in the Government that formulates, implements and distributes the results of the various economic activities.

Some people seem to be more concerned about the future of minorities than about the fact that today in Kenya, Central Africa and South Africa, a handful of white people are sitting on the heads of millions of Africans denying them the most elementary democratic rights. Minority safeguards may be regarded as a necessity in societies like Kenya, but I venture to suggest that the best policy would be one of complete integration wherein there will be no consciousness of a minority. A group that insists on being regarded as a minority not only attracts attention to themselves, but make themselves easy targets of mischief-makers and racial agitators.

I end therefore by quoting Mr. Nyerere's recent pamphlet - 'Barriers to Democracy':—

' If I were a non-African and had no better reason for supporting the African's desire for self-determination I would nevertheless reason thus: this country is bound ultimately to be governed by the will of the Africans. There is nothing that we can do to prevent this inevitable outcome. The African knows this. Our duty therefore, is to do everything that our education and experience enables us to do to see that this transition is carried out smoothly and good humouredly. We should willingly put our education and experience at the disposal of the African and if he accepts it we are bound to have an influence in the affairs of this country out of all proportion to our numbers. ... I would ask myself why I am afraid of the Africans since the African is not or at any rate need not, be afraid of me. I might discover that I am not really afraid of the African, but rather of myself.'

Mr. Nyerere speaks to the immigrant communities of Tanganyika, but his words would equally apply in Kenya: I therefore commend them to our European settlers.

As we look to the year ahead we must still be asking ourselves - Whither Kenya? The answer must be found soon before our people in desperation turn to racial nationalism, disregarding the democratic objectives that alone will create a healthy, peaceful **KENYA**.